

Notice is hereby given that an ordinary meeting of the Foxton Community Board will be held on:

Date: Monday 20 February 2017
Time: 6.00 pm
Meeting Room: Manawatu College Library
Venue: Ladys Mile
Foxton

Foxton Community Board

OPEN AGENDA

MEMBERSHIP

Chairperson	Mr David Roache	
Deputy Chairperson	Ms Tricia Metcalf	
Members	Mr David Allan	
	Mr John Girling	
	Ms Jenny Lundie	
	Cr Neville Gimblett	
Reporting Officer	Mr David Clapperton	(Chief Executive)
Meeting Secretary	Mrs Karen Corkill	

Contact Telephone: 06 366 0999
Postal Address: Private Bag 4002, Levin 5540
Email: enquiries@horowhenua.govt.nz
Website: www.horowhenua.govt.nz

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Foxton Service Centre/Library, Clyde Street, Foxton,
Shannon Service Centre/Library, Plimmer Terrace, Shannon
and Te Takere/Library, Bath Street, Levin

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1 Apologies

2 Public Speaking Rights

Notification to speak is required by 12 noon on the day of the meeting. Further information is available on www.horowhenua.govt.nz or by phoning 06 366 0999.

3 Late Items

To consider, and if thought fit, to pass a resolution to permit the Council to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) The reason why the item was not on the Agenda, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

4 Declaration of interest

Members are reminded of their obligation to declare any conflicts of interest in writing they might have in respect of the items on this Agenda.

5 Confirmation of Minutes

5.1 Meeting minutes Foxton Community Board - 21 November 2016

6 Matters Arising

7 Leave of Absence

8 Announcements

File No.: 17/36

Adoption of Standing Orders

1. Purpose

The purpose of this report is for the Foxton Community Board to adopt Standing Orders for the conduct of its meetings.

2. Executive Summary

- 2.1 The Foxton Community Board is required to adopt a set of standing orders for the conduct of its meetings.
- 2.2 Standing Orders are important in that they provide Community Boards and Councils with a framework of rules for open, transparent and fair decision-making.

3. Recommendation

- 3.1. That Report 17/36 Adoption of Standing Orders be received.
- 3.2. That this decision is recognised as not significant in terms of S76 of the Local Government Act
- 3.3 That in accordance with clause 27, Schedule 7 of the Local Government Act 2002, with effect from 20 February 2017 the Foxton Community Board adopts Standing Orders as provided.

4. Background / Previous Council Decisions

- 4.1 The Foxton Community Board has traditionally adopted Model Standing Orders NZS 9202:2003 published by Standards New Zealand, with some amendments. These Model Standing Orders were cumbersome and the language used had become outdated. They were also copyright which posed some issues when it came to wider publication without significant cost.
- 4.2 In 2016 a working party of Governance Administrators from various Councils, under the auspices of Local Government New Zealand, in partnership with EquiP (its Centre of Excellence) undertook a review of Model Standing Orders.
- 4.3 Following the review, LGNZ has made available to interested Councils and Community Boards an updated version of Standing Orders. These are not only fully compliant with legislation and best practice in the conduct of meetings, they are also easy to use and can be tailored to meet each Board or Councils specific requirements.

5. Discussion

- 5.1 The Foxton Community Board is required to adopt a set of standing orders for the conduct of its meetings.
- 5.2 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. All members of a local authority must abide by standing orders.

- 5.3 The updated Standing Orders fulfil the requirements of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, and reflect current best practice with regard to the conduct of meetings.
- 5.4 Elected Members have participated in a workshop around Standing Orders and the attached document to be adopted reflects this discussion.
- 5.5 Adoption of and/or any change to Standing Orders requires the support of not less than 75% of the members present.

6. Options

The Board is required to adopt the standing orders as circulated unless there is not less than 75% support by the members present to amend or replace the Standing Orders.

6.1 Cost

There are no cost considerations.

6.1.1 Rate Impact

There are no rate impact considerations.

6.2 Community Well Being

There are no community wellbeing considerations.

6.3 Consenting Issues

There are no consenting issues for consideration.

6.4 LTP Integration

There are no LTP integration considerations.

7. Consultation

Consultation on the adoption of Standing Orders is not required.

8. Legal Considerations

There are no legal considerations.

9. Financial Considerations

There are no financial considerations.

10. Other Considerations


There are no other considerations.

11. Next Steps

If the recommendations are accepted in accordance with Section 27, Schedule 7, Part 1 of the Local Government Act 2002, with effect from 20 February 2017 the Foxton Community Council will operate under the Standing Orders **attached** to this report.

8. Appendices

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Author(s)	Monique Davidson Group Manager - Customer and Community Services	
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Approved by	David Clapperton Chief Executive	
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FOXTON COMMUNITY BOARD

Standing Orders 2016-2019

Adopted February 2017

Preface

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

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

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

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

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

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

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1. Introduction

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

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

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

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

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

1.1 Principles

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

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

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

1.2 Statutory references

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

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

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

1.3 Acronyms

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

1.4 Application

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

2. Definitions

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

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

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

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

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

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

Chairperson means the person presiding at a meeting – the presiding member.

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

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

Committee includes, in relation to a local authority:

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

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

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

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

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

Electronic link means both an audio and audio visual link.

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

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

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

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

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

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

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

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

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

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

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

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

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

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

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

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

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

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

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

Presiding member means the person chairing a meeting.

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

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

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

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

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

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

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

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

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

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

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

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

Seconder means the member who seconds a motion.

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

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

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

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

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

Working day means any day of the week other than:

- (a) Saturday, Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's Birthday, and Labour Day and, if Waitangi Day or Anzac Day falls on a weekend, the following Monday.
- (b) A day in the period commencing with the 25th day of December in any year and ending with the 15th day of January in the following year.

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

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

Workshop, also described as a briefing, 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”.

General matters

3. Standing orders

3.1 Obligation to adopt standing orders

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

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

3.2 Process for adoption and alteration of standing orders

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

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

3.3 Members must obey standing orders

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

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

3.4 Application of standing orders

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

3.5 Temporary Suspension of standing orders

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

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

A motion to suspend standing orders may also identify the specific standing orders to be suspended. In the event of suspension those standing orders prescribed in statute will continue to apply, such as the quorum requirements.

3.6 Quasi-judicial proceedings

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

3.7 Physical address of members

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

4. Meetings

4.1 Legal requirement to hold meetings

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

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

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

4.2 Meeting duration

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

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

4.3 Language

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

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

4.4 Webcasting meetings

Webcast meetings should be provided in accordance with the protocols contained in Appendix 5.

4.5 First meeting (inaugural)

The first meeting of a community board following a local authority triennial general election must be called by the chief executive following the declaration of the final results. The chief executive

must give members not less than 7 days' notice of the meeting. However, in the event of an emergency the chief executive may give notice of the meeting as soon as practicable.

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

4.6 Requirements for the first meeting

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

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

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

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

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

5. Appointments and elections

5.1 Elections of Chairpersons and deputy Chairpersons

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

5.2 Voting system for Chairperson and deputy Chairperson

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

System A

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

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

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

System B

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

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

cl. 25 Schedule 7, LGA 2002.

6. Delegations

6.1 Community boards may delegate

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

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

6.2 Use of delegated powers

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

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

6.3 Decisions made under delegated authority cannot be rescinded or amended

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

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

7. Committees

7.1 Appointment of committees and subcommittees

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

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

7.2 Discharge or reconstitution of committees and subcommittees

Unless expressly provided otherwise in legislation or regulation:

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

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

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

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

7.3 Appointment or discharge of committee and subcommittee members

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

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

7.4 Elected members on committees and subcommittees

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

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

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

7.5 Community board may replace members if committee not discharged

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

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

7.6 Decision not invalid despite irregularity in membership

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

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

cl. 29, Schedule 7, LGA 2002.

Pre-meeting

8. Giving notice

8.1 Public notice – ordinary meetings

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

s. 46, LGOIMA

8.2 Notice to members - ordinary meetings

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

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

8.3 Extraordinary meeting may be called

An extraordinary council meeting may be called by:

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

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

8.4 Notice to members - extraordinary meetings

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

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

8.5 Public notice - extraordinary meetings

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

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

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

8.6 Process for calling an extraordinary meeting at an earlier time

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

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

8.7 Notification of extraordinary meetings held at an earlier time

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

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

8.8 Chief executive may make other arrangements

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

s. 46(5) LGOIMA.

8.9 Meetings not invalid

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

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

s. 46(6), LGOIMA.

8.10 Resolutions passed at an extraordinary meeting

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

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

s. 51A, LGOIMA.

8.11 Meeting schedules

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

cl. 19 (6) Schedule 7 LGA 2002.

8.12 Non-receipt of notice to members

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

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

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

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

8.13 Meeting cancellations

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

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

9. Meeting agenda

9.1 Preparation of the agenda

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

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

9.2 Process for raising matters for a decision

Requests for reports may be made by a resolution of the community board and must also fall within the scope of the board's delegations. A process for requesting reports is described in Appendix 10.

9.3 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 community board that made the request. In such cases the chief executive will discuss options for meeting the request with the respective Chairperson and/or report back to the subsequent meeting with an estimate of the cost involved and seek a direction on whether the report should still be prepared.

If a member makes a direct request to a chief executive that a report is prepared the chief executive may refuse. In such cases an explanation must be provided to the member.

9.4 Order of business

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

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

9.5 Chairperson's recommendation

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

9.6 Chairperson's report

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

9.7 Public availability of the agenda

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

s. 5 & 46A, LGOIMA

9.8 Public inspection of agenda

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

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

s. 46A (1), LGOIMA

9.9 Withdrawal of agenda items

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

9.10 Distribution of the agenda

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

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

9.11 Status of agenda

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

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

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

- (a) the reason the item is not on the agenda; and

- (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA

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

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

9.13 Discussion of minor matters not on the agenda

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

s. 46A (7A), LGOIMA.

9.14 Public excluded business on the agenda

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

s. 46A (9), LGOIMA.

9.15 Qualified privilege relating to agenda and minutes

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

s. 52, LGOIMA.

Meeting Procedures

Opening and closing

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

10. Quorum

10.1 Councils

The quorum for a meeting of the community board is:

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

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

10.2 Committees and subcommittees

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

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

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

10.3 Joint Committees

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

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

10.4 Requirement for a quorum

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

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

10.5 Meeting lapses where no quorum

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

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

10.6 Business from lapsed meetings

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

11. Public access and recording

11.1 Meetings open to the public

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

s.47 & 49(a), LGOIMA.

11.2 Grounds for removing the public

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

11.3 Community board may record meetings

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

11.4 Public may record meetings

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

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

12. Attendance

12.1 Members right to attend meetings

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

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

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

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

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

12.3 Leave of absence

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

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

12.4 Apologies

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

12.5 Recording apologies

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

12.6 Absence without leave

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

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

12.7 Right to attend by audio or audio visual link

Provided the conditions in these standing orders are met members of the community board have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

12.8 Member's status: quorum

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

12.9 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.

12.10 Chairperson's duties

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

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

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

cl. 25A (3) Schedule 7, LGA 2002.

12.11 Conditions for attending by audio or audio visual link

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

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

12.12 Request to attend by audio or audio visual link

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

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

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

12.13 Chairperson may terminate link

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

- (a) use of the link is increasing, or may unreasonably increase, the length of the meeting;
- (b) the behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- (c) it is distracting to the members who are physically present at the meeting; and
- (d) the quality of the link is no longer suitable.

12.14 Giving or showing a document

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

- (a) transmitting it electronically;
- (b) using the audio-visual link; and
- (c) any other manner that the Chairperson thinks fit.

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

12.15 Link failure

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

12.16 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 times that the public are excluded. At such times, the Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.

13. Chairperson's role in meetings

13.1 Community board

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

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

13.2 Committees

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

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

13.3 Addressing the Chairperson

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

13.4 Chairperson's rulings

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

13.5 Chairperson standing

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

13.6 Member's right to speak

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

13.7 Chairperson may prioritise speakers

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

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

14. Public Participation

14.1 Requests to speak to Agenda items

There is the opportunity for people to speak to items on a community board Agenda. A request must be lodged with the Chairperson, Chief Executive or other appropriate officer of Council, or via email public.participation@horowhenua.govt.nz by 12 noon on the day of the meeting and must identify the specific item to which a person wishes to speak. Requests will not be accepted for:

- matters that do not appear on a meeting agenda;
- proceedings of committees that do not have a substantive resolution for adoption;
- procedural items and reports which are for information only.

14.2 Approval of Chairperson

In all cases the request to speak shall be referred to the Chairperson of the meeting to confirm acceptance.

14.3 Applicant Advised of Outcome

The person requesting to speak shall be advised whether or not their request has been accepted. If declined the applicant shall be advised of the reasons why. The author of any report to which there are requests to speak shall also be advised.

14.4 Time Limits

Unless the meeting determines otherwise, a limit of five (5) minutes is placed on each speaker..

15. Deputations

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

15.1 Time limits

Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation's deputation.

15.2 Restrictions

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

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

15.3 Questions of a deputation

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

15.4 Resolutions

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

16. Petitions

16.1 Form of petitions

Petitions may be presented to the community board. Petitions must contain at least 20 signatures and consist of fewer than 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.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 qualified privilege). They may be written in English or te reo Māori. Petitioners planning to make a petition in te reo Māori or sign language should advise the relevant

Chairperson at least two working days before the meeting to enable the petition be translated and reprinted, if necessary.

16.2 Petition presented by petitioner

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

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

16.3 Petition presented by member

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

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

17. Exclusion of public

17.1 Motions and resolutions to exclude the public

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

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

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

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

s. 48 LGOIMA.

17.2 Specified people may remain

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

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

s.48 (6) LGOIMA.

17.3 Public excluded items

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

s.46A (8) LGOIMA

17.4 Non-disclosure of information

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

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

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

17.5 Release of information from public excluded session

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

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

18. Voting

18.1 Decisions by majority vote

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

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

18.2 Open voting

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

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

18.3 Chairperson has a casting vote

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

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

18.4 Method of voting

The method of voting must be as follows:

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

18.5 Calling for a division

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

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

18.6 Request to have votes recorded

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

18.7 Members may abstain

Any member may abstain from voting.

19. Conduct

19.1 Calling to order

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

19.2 Disrespect

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

19.3 Retractions and apologies

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

19.4 Disorderly conduct

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

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

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

19.5 Contempt

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

19.6 Removal from meeting

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

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

19.7 Financial conflicts of interests

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

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

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

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

s. 6 & 7 *LAMIA*.

19.8 Non-financial conflicts of interests

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

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

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

19.9 Qualified privilege for meeting proceedings

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

s. 53, *LGOIMA*.

19.10 Qualified privilege additional to any other provisions

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

s. 53, *LGOIMA*.

19.11 Electronic devices at meetings

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

20. General rules of debate

20.1 Chairperson may exercise discretion

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

20.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

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

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

20.3 Questions to staff

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

20.4 Questions of clarification

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

20.5 Members may speak only once

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

20.6 Limits on number of speakers

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

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

20.7 Secunder may reserve speech

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

20.8 Speaking only to relevant matters

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

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

20.9 Restating motion

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

20.10 Criticism of resolutions

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

20.11 Objecting to words

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

20.12 Right of reply

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

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

However, the original mover may reserve their right of reply and speak once to an original motion and once to each amendment without losing that right of reply. If a closure motion is carried the mover of the motion has the right of reply before the motion or amendment is put to the vote.

20.13 No other member may speak

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

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

20.14 Adjournment motions

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

20.15 Chairperson's acceptance of closure motions

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

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

21. General procedures for speaking and moving motions

21.1 Options for speaking and moving

This subsection provides three options for speaking and moving motions and amendments at a meeting of a community board. Option A applies unless, on the recommendation of the chairperson at the beginning of a meeting, the meeting resolves [by simple majority] to adopt either Option B or Option C for the meeting generally, or for any specified items on the agenda.

21.2 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.

21.3 Option B

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

21.4 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.

21.5 Procedure if no resolution is reached

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

22. Motions and amendments

22.1 Proposing and seconding motions

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

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

22.2 Motions in writing

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

22.3 Motions expressed in parts

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

22.4 Substituted motion

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

22.5 Amendments to be relevant and not direct negatives

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

22.6 Foreshadowed amendments

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

22.7 Lost amendments

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

22.8 Carried amendments

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

22.9 Where a motion is lost

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

22.10 Withdrawal of motions and amendments

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

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

22.11 No speakers after reply or motion has been put

A member may not speak to any motion once:

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

23. Revocation or alteration of resolutions

23.1 Member may move revocation of a decision

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

- (a) The resolution or part of the resolution which the member proposes to revoke or alter;
- (b) The meeting date when the resolution was passed;

- (c) The motion, if any, which the member proposes to replace it with; and
- (d) Sufficient information as to satisfy the decision-making provisions of sections 77-82 of the Local Government Act 2002.

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

23.2 Revocation must be made by body responsible for the decision

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

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

23.3 Requirement to give notice

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

23.4 Restrictions on actions under the affected resolution

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

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

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

23.5 Revocation or alteration by resolution at same meeting

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

23.6 Revocation or alteration by recommendation in report

19.12 A Financial conflicts of interests

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

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

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

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

s. 6 & 7 LAMIA.

19.13 Non-financial conflicts of interests

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

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

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

A community board may, on a recommendation in a report by the Chairperson or chief executive, or the report of any committee or subcommittee, 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 such a revocation or alteration recommendation.

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

24. Procedural motions

24.1 Procedural motions must be taken immediately

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

24.2 Procedural motions to close or adjourn a debate

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

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

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

24.3 Voting on procedural motions

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

24.4 Debate on adjourned items

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

24.5 Remaining business at adjourned meetings

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

24.6 Business referred to a committee

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

24.7 Other types of procedural motions

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

25. Points of order

25.1 Members may raise points of order

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

25.2 Subjects for points of order

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

- (a) disorder – bringing disorder to the attention of the Chairperson;
- (b) language – use of disrespectful, offensive or malicious language;
- (c) irrelevance – the topic being discussed is not the matter currently before the meeting;
- (d) misrepresentation – misrepresentation of any statement made by a member or by an officer or council employee;
- (e) breach of standing order – the breach of any standing order while also specifying which standing order is subject to the breach;
- (f) request the recording of words, such as a request that the minutes record words that have been the subject of an objection.

25.3 Contradictions

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

25.4 Point of order during division

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

25.5 Chairperson's decision on points of order

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

26. Notices of motion

26.1 Notice of intended motion to be in writing

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

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

26.2 Refusal of notice of motion

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

- (a) is disrespectful or which contains offensive language or statements made with malice; or
- (b) is not related to the role or functions of the community board or meeting concerned; or
- (c) contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive officer may make; or
- (d) is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned
- (e) fails to include sufficient information as to satisfy the decision-making provisions of s.77-82 of the LGA 2002; or
- (f) concerns a matter where decision-making authority has been delegated to a committee or subcommittee.

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

26.3 Mover of notice of motion

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

26.4 Alteration of notice of motion

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

26.5 When notices of motion lapses

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

26.6 Referral of notices of motion

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

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

26.7 Repeat notices of motion

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

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

27. Minutes

27.1 Minutes to be evidence of proceedings

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

cl. 28 Schedule 7, LGA 2002.

27.2 Matters recorded in minutes

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

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

Please Note: hearings under the RMA, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking.

27.3 No discussion on minutes

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

27.4 Minutes of last meeting before election

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

28. Minute books

28.1 Inspection

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

s. 51 LGOIMA.

28.2 Inspection of public excluded matters

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

Referenced documents

- Commissions of Inquiry Act 1908
- Control and Sale of Alcohol Act 2012
- Crimes Act 1961
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Marine Farming Act 1971
- Resource Management Act 1991 (RMA)
- Secret Commissions Act 1910
- Securities Act 1978.

Appendix 1: Grounds to exclude the public

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

- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- (a) to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - (b) to endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
 - (b) Protect information where the making available of the information would:
 - i. disclose a trade secret; or
 - ii. be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or,
 - (c) In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Maori, or to avoid the disclosure of the location of waahi tapu; or
 - (d) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would:
 - i. be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - ii. be likely otherwise to damage the public interest; or
 - (e) Avoid prejudice to measures protecting the health or safety of members of the public; or
 - (f) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
 - (g) Maintain the effective conduct of public affairs through –the protection of such members, officers, employees, and persons from improper pressure or harassment; or
 - (h) Maintain legal professional privilege; or
 - (i) Enable any Council holding the information to carry out, without prejudice or disadvantage, commercial activities; or
 - (j) Enable any Council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
 - (k) Prevent the disclosure or use of official information for improper gain or improper advantage.

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

- A3** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:
- (a) Be contrary to the provisions of a specified enactment; or
 - (b) Constitute contempt of Court or of the House of Representatives.
- A4** That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to that Council by an Ombudsman under section 30(1) or section 38(3) of this Act (in the case of a Council named or specified in Schedule 1 to this Act).
- A5** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:
- (a) Any proceedings before a Council where
 - i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings; or
 - ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
 - (b) Any proceedings of a Council in relation to any application or objection under the Marine Farming Act 1971.

Appendix 2: Sample resolution to exclude the public

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

- *Name of report(s)*

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

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

<p>4 <i>Hearings Committee</i></p>	<p>To enable the Committee to consider the application and submissions.</p> <p style="text-align: center;">OR</p> <p>To enable the Committee to consider the objection to fees and charges.</p> <p style="text-align: center;">OR</p> <p>To enable the Committee to.</p>	<p>That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council/Committee to deliberate in private on its decision or recommendation in any proceedings where :</p> <ul style="list-style-type: none"> i) a right of appeal lies to any Court or tribunal against the final decision of the Council/Committee in those proceedings; or ii) the community board is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings. <p>Use (i) for the RMA hearings and (ii) for hearings under LGA such as objections to Development Contributions or hearings under the Dog Control Act s. 48(1)(d).</p>
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This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

Item No	Interest
	Enable any community board holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))
	Maintain legal professional privilege (Schedule 7(2)(g))
	Prevent the disclosure or use of official information for improper gain or improper advantage (Schedule 7(2)(j))

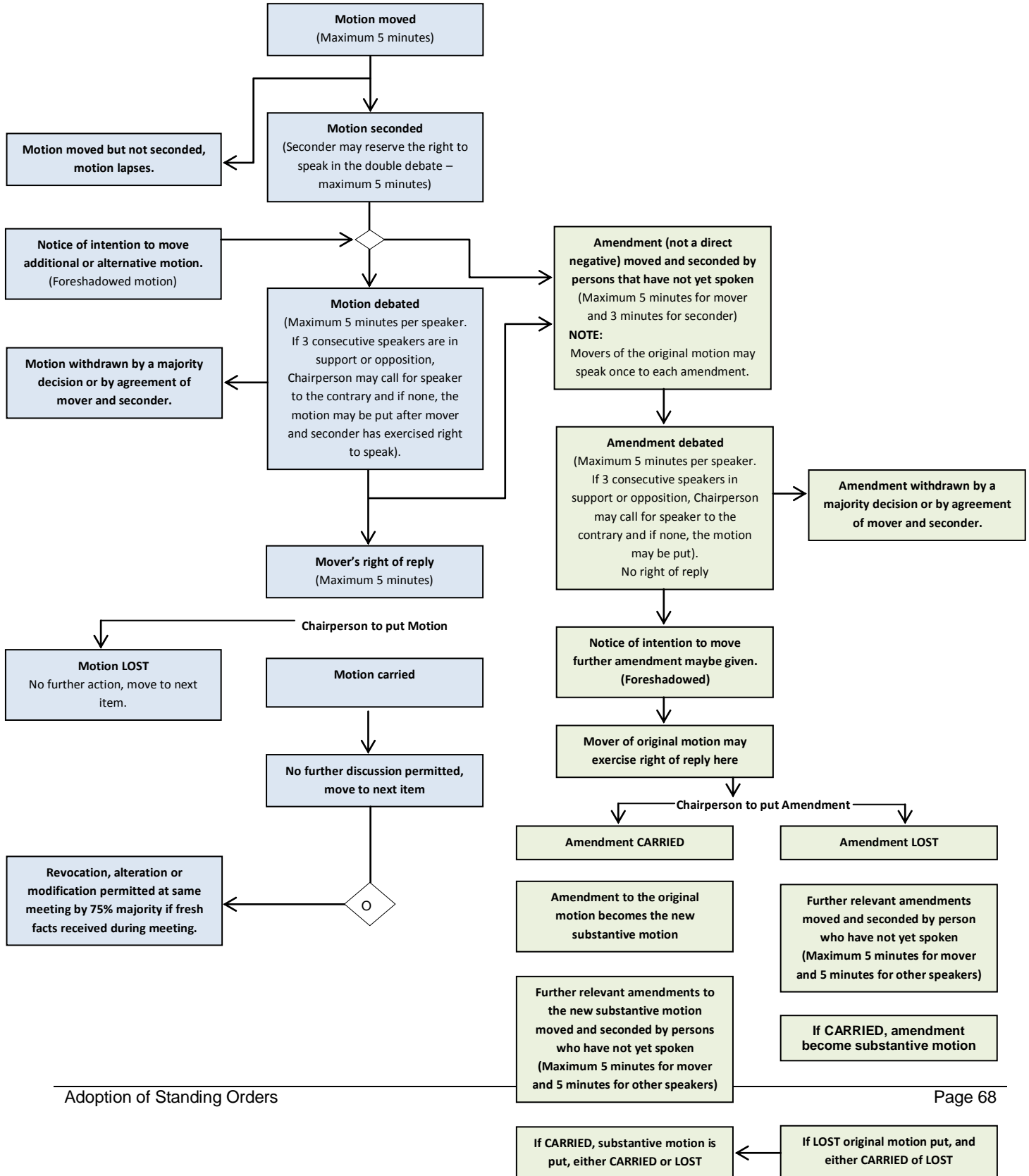
Item No	Interest
	Protect information where the making available of the information (i) would disclose a trade secret; or (ii) would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information (Schedule 7(2)(b))
	In the case only of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

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

Appendix 3: Motions and amendments

Motions without amendments

Motions with amendments



Appendix 4: 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 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"	No	Yes	No	As to time and date only	No	No	NO	Yes – 15 minutes	If carried, debate on the original	If carried, debate on the original	

being discussed be adjourned to a stated time and place”									motion and amendment are adjourned	motion and procedural motion are adjourned	
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Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover or procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(d) "That the item of business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table	Motion not in order	
(e) "That the item of business being discussed be referred (or referred back) to the community board 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	

e”											
(f) “Points of order”	No – but may rule against	No	Yes – at discretion of Chairperson	No	No	Yes	Yes	No	Point of order takes precedence	Point of order takes precedence	See standing order 3.14

(a)

Appendix 5: 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 Chairperson or a wide-angle shot of the meeting room.
2. Cameras will cover a member who is addressing the meeting. Cameras will also cover other key participants in a meeting, including staff when giving advice and members of the public when addressing the meeting during the public input time.
3. Generally interjections from other members or the public are not covered. However if the Chairperson engages with the interjector, the interjector's reaction can be filmed.
4. PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
5. Shots unrelated to the proceedings, or not in the public interest, are not permitted.
6. If there is general disorder or a disturbance from the public gallery, coverage will revert to the Chairperson.
7. Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being web cast.

Appendix 6: Powers of a Chairperson

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

Chairperson to decide all questions

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

Chairperson to decide points of order

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

Items not on the agenda

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

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

Chairperson's report

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

Chairperson's recommendation

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

Chairperson's voting

The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote where standing orders make such provision.

Motion in writing

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

Motion in parts

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

Notice of motion

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

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

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

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

Action on previous resolutions

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

Repeat notice of motion

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

Revocation or alteration of previous resolution

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

Chairperson may call a meeting

The Chairperson:

- (a) May call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum, if such business cannot be delayed until the next meeting;
- (b) May requisition an extra meeting to be held at a specified time and place, in order to conduct specified business.

Irrelevant matter and needless repetition

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

Taking down words

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

Explanations

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

Chairperson rising

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

Members may leave places

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

Priority of speakers

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

Minutes

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

Questions of speakers

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

Withdrawal of offensive or malicious expressions

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

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

Chairperson's rulings

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

Disorderly behaviour

The Chairperson may:

- (a) Require any member or member of the public whose conduct is disorderly or who is creating a disturbance, to withdraw immediately from the meeting for a time specified by the Chairperson.
- (b) Ask the meeting to hold in contempt, any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution must be recorded in the minutes.

Failure to leave meeting

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

Audio or audio visual attendance

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

- (a) the technology for the link is available and of suitable quality
- (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
 - iv. the requirements in these standing orders are met.

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

Appendix 7: Process for removing a Chairperson or deputy Chairperson

1. At a meeting that is in accordance with this clause, a community may remove its Chairperson or deputy Chairperson from office.
2. If a Chairperson or deputy Chairperson is removed from office at that meeting, the community board may elect a new Chairperson or deputy Chairperson at that meeting.
3. A meeting to remove a Chairperson or deputy Chairperson may be called by:
 - (a) a resolution of the community board; or
 - (b) a requisition in writing signed by the majority of the total membership of the community board (excluding vacancies).
4. A resolution or requisition must:
 - (a) specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
 - (b) indicate whether or not, if the Chairperson or deputy Chairperson, is removed from office, a new Chairperson or deputy Chairperson is to be elected at the meeting if a majority of the community board (excluding vacancies) so resolves.
5. A resolution may not be made and a requisition may not be delivered less than 21 days before the day specified in the resolution or requisition for the meeting.
6. The chief executive must give each member notice in writing of the day, time, place, and business of any meeting called under this clause not less than 14 days before the day specified in the resolution or requisition for the meeting.
7. A resolution removing a Chairperson or deputy Chairperson carries if a majority of the total membership of the community board (excluding vacancies) votes in favour of the resolution.

cl. 18 Schedule 7, LGA 2002.

Appendix 8: Workshops

Definition of workshop

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

Application of standing orders to workshops

Standing orders do not apply to workshops and briefings. The Chairperson 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 community board
- (b) the community board Chairperson or
- (c) 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
- (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.

Appendix 9: Sample order of business

Open section

- (a) Apologies
- (b) Public Participation
- (c) Late Items
- (d) Declarations of Interest
- (e) Confirmation of Minutes
- (f) Announcements
- (g) Reports

Public excluded section

- (h) Confirmation of Minutes
- (i) Reports

Appendix 10: Process for raising matters for a decision

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

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

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

- report of chief executive
- report of Chairperson

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

File No.: 17/59

Adoption of Code of Conduct

1. Purpose

For the Foxton Community Board to adopt its Code of Conduct for the new triennium.

2. Executive Summary

- 2.1 The Foxton Community Board is required under Clause 15 of Schedule 7 of the Local Government Act 2002 to adopt a Code of Conduct for its members as soon as practical after the commencement of this Act.
- 2.2 Local Government New Zealand has designed a new Code of Conduct template to incorporate recent legislative changes, new approaches to good governance and provide better advice for having to deal with alleged breaches. More importantly the focus has been widened from controlling poor behaviour to promoting an inclusive and positive governance culture, therefore removing some of the factors that can result in behavioural issues.
- 2.3 Council at its 1 February 2017 meeting adopted the Code of Conduct and recommended adoption by the Foxton Community Board.

3. Recommendation

- 3.1. That Report 17/59 Code of Conduct be received.
- 3.2. That this decision is recognised as not significant in terms of S76 of the Local Government Act.
- 3.3. That the Foxton Community Board adopts the Code of Conduct..

4. Background / Previous Council Decisions

- 4.1 Clause 15 of Schedule 7 of the Local Government Act 2002 requires a local authority to adopt a Code of Conduct for its members "as soon as practicable after the commencement of this Act".
- 4.2 The Code of Conduct may not be revoked without replacement.
- 4.3 Any amendment to, or a replacement of, the Code of Conduct requires a vote in support by 75% of the members present.
- 4.4 There is no statutory requirement for review or confirmation following an election, but given changes in the membership of the Foxton Community Board, and changes to the Local Government Act 2002 and various amendments, it is considered timely to consider adopting a version more aligned to current best practice.
- 4.5 The key elements of the Code of Conduct are details of understanding and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in the capacity as members, including behaviour towards one another, staff and their public, and disclosure of information, including the provision of any document to elected

members, and a general explanation of the Local Government Official Information & Meetings Act and any other enactment or rule of law applicable to members.

4.9 A copy of the Code of Conduct 2016-2019 is attached.

5. Discussion

5.1 The Code of Conduct attached (the Code) sets out the standards of behavior expected from elected members in the exercise of their duties. Its purpose is to:

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

The above purpose is given effect through the values, roles, responsibilities and specific behaviors documented in Code.

5.2 The Code has been adopted in accordance with clause 15 of Schedule 7 of the Local Government Act 2002 (LGA 2002) and applies to all members, including the members of community boards that have agreed to adopt it. The Code is designed to deal with the behavior of members towards:

- each other;
- the chief executive and staff;
- the media; and
- the general public.

5.3 The Code 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 local authority to give effect to its statutory responsibilities.

5.4 As above the Code can only be amended by a vote of at least 75 per cent of members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the council's Standing Orders.

5.5 It is important to note that Part 7 of the Local Government Official Information and Meetings Act applies to all meetings of the Council and Community Boards, as well as to committees and sub-committees of those bodies. For that reason it is considered appropriate that once approved by Council the Code be referred to the Foxton Community Board for consideration and adoption.

6. Options

The Community Board is required to confirm the Code of Conduct as soon as practical under Clause 15 of Schedule 7 of the Local Government Act 2002.

6.1. Cost

There are no cost implications to consider.

6.1.1. Rate Impact

There are no rate impacts to consider.

6.2. Community Well Being

There are no Community Wellbeing impacts to consider.

6.3. Consenting Issues

There are no consenting issues to consider.

6.4. LTP Integration

There are no LTP integration issues to consider.

7. Consultation

The Code of Conduct is not a policy that requires consultation.

8. Legal Considerations

Legal Considerations are set out in the Code of Conduct.

9. Financial Considerations

There are no financial considerations.

10. Other Considerations


There are no other considerations.

11. Next Steps

If the recommendations are accepted the Code of Conduct 2016-2019 will become immediately operable and replace the existing Code of Conduct October 2013.

12. Appendices

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Author(s)	Monique Davidson Group Manager - Customer and Community Services	
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Approved by	David Clapperton Chief Executive	
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FOXTON COMMUNITY BOARD

Code of Conduct 2016-2019

Adopted February 2017

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1. Introduction

This Code of Conduct (the Code) sets out the standards of behavior expected from elected members in the exercise of their duties. Its purpose is to:

- enhance the effectiveness of the Foxton Community Board (Board) and the provision of good local government of the community, city, district or region;
- promote effective decision-making and community engagement;
- enhance the credibility and accountability of the Board to its community; and
- develop a culture of mutual trust, respect and tolerance between the members of the Board and between the members and management.

This purpose is given effect through the values, roles, responsibilities and specific behaviors agreed in this Code.

2. Scope

The Code applies to all members. The Code is designed to deal with the behaviour of members towards:

- each other;
- the chief executive and staff;
- the media; and
- the general public.

It is also concerned with the disclosure of information that members receive in their capacity as elected members and information which impacts on the ability of the Board to give effect to its statutory responsibilities

This Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the Board's Standing Orders.

3. Values

The Code is designed to give effect to the following values:

1. **Public interest:** members will serve the best interests of the people within their community, district or region and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Community Board, will work together constructively and uphold the values of honesty, integrity, accountability and transparency.

3. **Ethical behaviour:** members will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly and will avoid the appearance of any such behavior.
4. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability. Members will respect the impartiality and integrity of officials.
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by this Code of Conduct, and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to ensure they fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which the Board operates, including a regular review and assessment of the Board's collective performance.

These values complement, and work in conjunction with, the principles of the Local Government Act 2002 (LGA 2002), s 14 and the governance principles of s 39 of the LGA 2002.

4. Role and responsibilities

Good governance requires clarity of roles and respect between those charged with responsibility for the leadership of the Board and those responsible for advice and the implementation of the Board's decisions. The key roles are:

4.1 Members

The role of the Board includes:

- represent, and act as an advocate for, the interests of its community;
- consider and report on all matters referred to it by the local authority, or any matter of interest or concern to the community board;
- maintain an overview of services provided by the local authority within the community;
- prepare an annual submission to the local authority for expenditure within the community;
- communicate with community organisations and special interest groups within the community; and
- undertake any other responsibilities that are delegated to it by the local authority.
-

4.2 Chief executive

The role of the chief executive includes:

- implementing the decisions of the Board;
- ensuring that all responsibilities delegated to the chief executive are properly performed or exercised;
- ensuring the effective and efficient management of the activities of the Board;
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Board;
- providing leadership for the staff of Council; and
- employing staff on behalf of the local authority (including negotiation of the terms of employment for those staff).

Under s 42 of the LGA 2002 the chief executive is the only person *directly* employed by the local authority itself. All concerns about the performance of an individual member of staff must, in the first instance, be referred to the chief executive.

5. Relationships

This section of the Code sets out agreed standards of behaviour between members; members and staff; and members and the public.

5.1 Relationships between members

Given the importance of relationships to the effective performance of the Board, members will conduct their dealings with each other in a manner that:

- maintains public confidence;
- is open and honest;
- is courteous;
- is focused on issues rather than personalities;
- avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and
- avoids aggressive, offensive or abusive conduct, including the use of disrespectful or malicious language.

Any failure by members to act in the manner described in s 5.1 represents a breach of this Code.

Please note that nothing in this section of the Code is intended to limit robust debate within the Board as long as it is conducted in a respectful and insightful manner.

5.2 Relationships with staff

An important element of good governance involves the relationship between the Board and the chief executive. Members will respect arrangements put in place to facilitate this relationship, and:

- raise any concerns about employees, officers or contracted officials with the chief executive and mayor;

- raise any concerns about the performance or behaviour of the chief executive with the mayor/chair or the chairperson of the chief executive performance review committee (however described);
- treat all employees with courtesy and respect and avoid publicly criticising any employee;
- observe any protocols put in place by the chief executive concerning contact between members and employees;
- avoid doing anything which might compromise, or could be seen as compromising, the impartiality of an employee.

Any failure by members to act in the manner described above represents a breach of this Code.

5.3 Relationship with the public

Given that the performance of the Board requires the trust and respect of individual citizens, members will:

- interact with members of the public in a fair, respectful, equitable and honest manner;
- be available to listen and respond openly and honestly to community concerns;
- consider all points of view or interests when participating in debate and making decisions;
- treat members of the public in a courteous manner; and
- act in a way that upholds the reputation of the Board.

Any failure by members to act in the manner described above represents a breach of this Code.

6. Contact with the media

The media play an important part in the operation and efficacy of local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of the Board.

From time to time individual members will be approached to comment on a particular issue either on behalf of the Board, or as an elected member in their own right. When responding to the media members must be mindful that operational questions should be referred to the chief executive and policy-related questions referred to the mayor or the member with the appropriate delegated authority.

When speaking to the media more generally members will abide by the following provisions:

6.1 Media contact on behalf of the Foxton Community Board

- the mayor or chairperson is the first point of contact for an official view on any issue, unless delegations state otherwise. Where the mayor/chair is absent requests for comment will be referred to the deputy mayor/chair or relevant committee chairperson or portfolio holder;
- the mayor/chair may refer any matter to the relevant committee chairperson or to the chief executive for their comment; and

- no other member may comment *on behalf of the Foxton Community Board* without having first obtained the approval of the mayor/chair.

6.2 Media comment on a member's own behalf

Elected members are free to express a *personal view* in the media, at any time, provided the following rules are observed:

- media comments must not state or imply that they represent the views of the Board;
- media comments which are contrary to a Board decision or policy must clearly state that they do not represent the views of the majority of members;
- media comments must observe the other requirements of the Code; for example, comments should not disclose confidential information, criticize, or compromise the impartiality or integrity of staff; and
- media comments must not be misleading and should be accurate within the bounds of reasonableness.

Any failure by members to meet the standards set out above represents a breach of this Code.

7. Information

Access to information is critical to the effective performance of the Board and the level of public trust felt by the public.

7.1 Confidential information

In the course of their duties members will occasionally receive information that is confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation. Accordingly, members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member.

7.2 Information received in capacity as an elected member

Members will disclose to other members and, where appropriate the chief executive, any information received in their capacity as an elected member that concerns the Board's ability to give effect to its responsibilities.

Members who are offered information on the condition that it remains confidential will inform the provider of the information that it is their duty to disclose the information and will decline the offer if that duty is likely to be compromised.

Any failure by members to act in the manner described above represents a breach of this Code.

Please note: failure to observe these provisions may impede the performance of the Board by inhibiting information flows and undermining public confidence. It may also expose the Board to prosecution under the Privacy Act and/or civil litigation.

8. 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 Board 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.

Please note: Failure to observe the requirements of the LAMIA could potentially invalidate the decision made, or the action taken, by the Board. Failure to observe these requirements could also leave the elected member open to prosecution (see Appendix A). In the event of a conviction, elected members can be ousted from office.

9. Register of Interests

Members shall annually make a declaration of interest. These declarations are recorded in a Register of Interests maintained by the local authority. The declaration must include information on the nature and extent of any interest, including:

- a) any employment, trade or profession carried on by the member or the members' spouse for profit or gain;
- b) any company, trust, partnership etc. for which the member or their spouse is a director, partner or trustee;
- c) the address of any land in which the member has a beneficial interest within the jurisdiction of the Board; and
- d) the address of any land owned by the Board in which the member or their spouse is:
 - a tenant; or
 - the land is tenanted by a firm in which the member or spouse is a partner, a company of which the member or spouse is a director, or a trust of which the member or spouse is a trustee:
- e) any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member (if the member is in any doubt on this, the member should seek guidance from the chief executive)

Please note: Where a member's circumstances change they must ensure that the Register of Interests is updated as soon as practicable.

10. Ethical behaviour

Members will seek to promote the highest standards of ethical conduct. Accordingly members will:

- claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the local authority developed in accordance with that determination;
- not influence, or attempt to influence, any local authority employee, officer or member in order to benefit their own, or families personal or business interests;
- only use the Board's 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 \$100.00 or more is accepted by a member, that member must immediately disclose this to the chief executive for inclusion in the publicly available register of interests.

Any failure by members to comply with the provisions set out in this section represents a breach of this Code.

10.1 Undischarged bankrupt

Any member who is an "undischarged bankrupt" will notify the chief executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt. The member will also provide the chief executive with a brief explanatory statement of the circumstances surrounding the member's adjudication and the likely outcome of the bankruptcy.

11. Creating a supportive and inclusive environment

In accordance with the purpose of the Code, members agree to take all reasonable steps in order to participate in activities scheduled to promote a culture of mutual trust, respect and tolerance. These include:

- Attending post-election induction programmes organised by the Board for the purpose of facilitating agreement on the Board's vision, goals and objectives and the manner and operating style by which members will work.
- Taking part in any assessment of the Board's overall performance and operating style during the triennium.¹

- Taking all reasonable steps to ensure they possess the skills and knowledge to effectively fulfill their Declaration of Office and contribute to the good governance of the city, district or region.

12. Breaches of the Code

Members must comply with the provisions of this Code. Any member, or the chief executive, who believes that the Code has been breached by the behaviour of a member, may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

12.1 Principles:

The following principles will guide any processes for investigating and determining whether or not a breach under this Code has occurred:

- that the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the breach complained about;
- that the roles of complaint, investigation, advice and decision-making will be kept separate as appropriate to the nature and complexity of the alleged breach; and
- that the concepts of natural justice and fairness will apply in the determination of any complaints made under this Code. This requires, conditional on the nature of an alleged breach, that affected parties:
 - have a right to know that an investigation process is underway;
 - are given due notice and are provided with an opportunity to be heard;
 - have a right to seek appropriate advice and be represented; and
 - have their privacy respected.

12.2 Complaints

All complaints made under this Code must be made in writing and forwarded to the chief executive. On receipt of a complaint the chief executive must forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to warrant a full investigation.²

Only members and the chief executive may make a complaint under this Code.

12.3 Investigation, advice and decision

The process, following receipt of a complaint, will follow the steps outlined in Appendix B.

² On behalf of the Council the Chief Executive will, shortly after the start of a triennium, prepare, in consultation with the Mayor, a list of investigators for this purpose of undertaking a preliminary assessment. The Chief Executive may prepare a list specifically for his or her council, prepare a list jointly with neighbouring councils or contract with an agency capable of providing appropriate investigators, such as EquiP.

12.4 Materiality

An alleged breach under this Code is material if, in the opinion of the independent investigator, it would, if proven, bring a member or the Board into disrepute or, if not addressed, reflect adversely on another member of the Board.

13. Penalties and actions

Where a complaint is determined to be material and referred to the Board the nature of any penalty or action will depend on the seriousness of the breach.

13.1 Material breaches

In the case of material breaches of this Code the Board, or a committee with delegated authority, may require one of the following:

1. a letter of censure to the member;
2. a request (made either privately or publicly) for an apology;
3. a vote of no confidence in the member;
4. removal of certain Board-funded privileges (such as attendance at conferences);
5. restricted entry to local authority and/or Board offices, such as no access to staff areas (where restrictions may not previously have existed);
6. limitation on any dealings with local authority staff so that they are confined to the chief executive only;
7. suspension from committees or other bodies; or
8. an invitation for the member to consider resigning from the Board.

The Board or a committee with delegated authority, may decide that a penalty will not be imposed where a respondent agrees to one or more of the following:

- attend a relevant training course; and/or
- work with a mentor for a period of time; and/or
- participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
- tender an apology.

The process is based on the presumption that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA), for not doing so.

13.2 Statutory breaches

In cases where a breach of the Code is found to involve regulatory or legislative requirements, the complaint will be referred to the relevant agency. For example:

- breaches relating to members' interests (where members may be liable for prosecution by the Auditor-General under the LAMIA);

- breaches which result in the local authority suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under s 44 of the LGA 2002 which may result in the member having to make good the loss or damage); or
- breaches relating to the commission of a criminal offence which will be referred to the Police (which may leave the elected member liable for criminal prosecution).
-

14. Review

Once adopted, a Code of Conduct continues in force until amended by the Board. The Code can be amended at any time but cannot be revoked unless the Board replaces it with another Code. Once adopted, amendments to the Code require a resolution supported by 75 per cent of the members of the Board present at a Foxton Community Board meeting where the amendment is considered.

The Board may formally review the Code as soon as practicable after the beginning of each triennium. The results of that review will be considered by the Board in regard to potential changes for improving the Code.

Appendix A: Legislation bearing on the role and conduct of elected members

This is a summary of the legislative requirements that have some bearing on the duties and conduct of elected members. The full statutes can be found at www.legislation.govt.nz

The Local Authorities (Members' Interests) Act 1968

The Local Authorities (Members' Interests) Act 1968 (LAMIA) provides rules about members discussing and voting on matters in which they have a pecuniary interest and about contracts between members and the local authority.

A pecuniary interest is likely to exist if a matter under consideration could reasonably give rise to an expectation of a gain or loss of money for a member personally (or for their spouse or a company in which they have an interest). In relation to pecuniary interests the LAMIA applies to both contracting and participating in decision-making processes.

With regard to pecuniary or financial interests a person is deemed to be "concerned or interested" in a contract or interested "directly or indirectly" in a decision when:

- a person, or spouse 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.

There can also be additional situations where a person is potentially "concerned or interested" in a contract or have a pecuniary interest in a decision, such as where a contract is between an elected members' family trust and the local authority.

Determining whether a pecuniary interest exists

Elected members are often faced with the question of whether or not they have a pecuniary interest in a decision and if so whether they should participate in discussion on that decision and vote. When determining if this is the case or not the following test is applied:

"...whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned." (OAG, 2001)

In deciding whether you have a pecuniary interest, members should consider the following factors.

- What is the nature of the decision being made?
- Do I have a financial interest in that decision - do I have a reasonable expectation of gain or loss of money by making that decision?
- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the LAMIA apply to me?
- Could I apply to the Auditor-General for approval to participate?

Members may seek assistance from the mayor/chair or other person to determine if they should discuss or vote on an issue but ultimately it is their own judgement as to whether or not they have pecuniary interest in the decision. Any member who is uncertain as to whether they have a pecuniary interest is advised to seek legal advice. Where uncertainty exists members may adopt a least-risk approach which is to not participate in discussions or vote on any decisions.

Members who do have a pecuniary interest will declare the pecuniary interest to the meeting and not participate in the discussion or voting. The declaration and abstention needs to be recorded in the meeting minutes. (Further requirements are set out in the Foxton Community Board's Standing Orders.)

The contracting rule

A member is disqualified from office if he or she is "concerned or interested" in contracts with their local authority if the total payments made, or to be made, by or on behalf of the local authority exceed \$25,000 in any financial year. The \$25,000 limit includes GST. The limit relates to the value of all payments made for all contracts in which you are interested during the financial year. It does not apply separately to each contract, nor is it just the amount of the profit the contractor expects to make or the portion of the payments to be personally received by you.

The Auditor-General can give prior approval, and in limited cases, retrospective approval for contracts that would otherwise disqualify you under the Act. It is an offence under the Act for a person to act as a member of the Foxton Community Board while disqualified.

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, rules and common law govern conflicts of interest more generally. These rules apply to non-pecuniary conflicts of interest, including common law rules about bias. In order to determine if bias exists or not members need to ask:

"Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?"

The question is not limited to actual bias, but relates to the appearance or possibility of bias reflecting the principle that justice should not only be done, but should be seen to be done. Whether or not members believe they are not biased is irrelevant.

Members should focus be on the nature of the conflicting interest or relationship and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- members' statements or conduct indicate that they have predetermined the decision before hearing all relevant information (that is, members have a "closed mind"); and
- members have a close relationship or involvement with an individual or organisation affected by the decision.

In determining whether or not they might be perceived as biased, members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing

that platform then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in quasi-judicial settings, such as an RMA hearing).

Local Government Official Information and Meetings Act 1987

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

- create a disturbance or a distraction while another Board Member is speaking;
- be disrespectful when they refer to each other or other people; or
- use offensive language about the Foxton Community Board, other members, any employee of the local authority or any member of the public.

See Standing Orders for more detail.

Secret Commissions Act 1910

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

If convicted of any offence under this Act a person can be imprisoned for up to two years, and/or fines up to \$1,000. A conviction would therefore trigger the ouster provisions of the LGA 2002 and result in the removal of the member from office.

Crimes Act 1961

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

- accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of the local authority; and
- use information gained in the course of their duties for their, or another person's, 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.

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 a local authority offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

The Local Government Act 2002

The Local Government Act 2002 (LGA 2002) sets out the general powers of local government, its purpose and operating principles. Provisions directly relevant to this Code include:

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:

- a) money belonging to, or administered by, a local authority has been unlawfully expended; or
- b) an asset has been unlawfully sold or otherwise disposed of by the local authority; or
- c) a liability has been unlawfully incurred by the Board; or
- d) the 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:

- a) without the member's knowledge;
- b) with the member's knowledge but against the member's protest made at or before the time when the loss occurred;
- c) contrary to the manner in which the member voted on the issue; and
- d) 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).

Appendix B: Process for the determination and investigation of complaints

Step 1: Chief executive receives complaint

On receipt of a complaint under this Code the chief executive will refer the complaint to an investigator selected from a panel agreed at the start of the triennium. The chief executive will also:

- inform the complainant that the complaint has been referred to the independent investigator and the name of the investigator, and refer them to the process for dealing with complaints as set out in the Code; and
- inform the respondent that a complaint has been made against them, the name of the investigator and refer them to the process for dealing with complaints as set out in the Code.

Step 2: Investigator makes preliminary assessment

On receipt of a complaint the investigator will assess whether:

1. the complaint is frivolous or without substance and should be dismissed;
2. the complaint is outside the scope of the Code and should be redirected to another agency or process;
3. the complaint is non-material; and
4. the complaint is material and a full investigation is required.

In making the assessment the investigator may make whatever initial inquiry is necessary to determine the appropriate course of action. The investigator has full discretion to dismiss any complaint which, in their view, fails to meet the test of materiality.

On receiving the investigator's preliminary assessment the chief executive will:

1. where an investigator determines that a complaint is frivolous or without substance, inform the complainant and respondent directly and inform other members (if there are no grounds for confidentiality) of the investigator's decision;
2. in cases where the investigator finds that the complaint involves a potential legislative breach and outside the scope of the Code, forward the complaint to the relevant agency and inform both the complainant and respondent of the action.

Step 3: Actions where a breach is found to be non-material

If the subject of a complaint is found to be non-material the investigator will inform the chief executive and, if they choose, recommend a course of action appropriate to the breach, such as;

- that the respondent seek guidance from the Chairperson or Mayor;
- that the respondent attend appropriate courses or programmes to increase their knowledge and understanding of the matters leading to the complaint.

The chief executive will advise both the complainant and the respondent of the investigator's decision and any recommendations, neither of which are open to challenge. Any recommendations made in response to a non-material breach are non-binding on the respondent and the Foxton Community Board.

Step 4: Actions where a breach is found to be material

If the subject of a complaint is found to be material the investigator will inform the chief executive, who will inform the complainant and respondent. The investigator will then prepare a report for the Foxton Community Board on the seriousness of the breach.

In preparing that report the 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.

On receipt of the investigator's report the chief executive will prepare a report for the Foxton Community Board or committee with delegated authority, which will meet to consider the findings and determine whether or not a penalty, or some other form of action, will be imposed. The chief executive's report will include the full report prepared by the investigator.

Step 5: Process for considering the investigator's report

Depending upon the nature of the complaint and alleged breach the investigator's report may be considered by the full Foxton Community Board, excluding the complainant, respondent and any other 'interested' members, or a committee established for that purpose.

In order to avoid any suggestion of bias, a Code of Conduct Committee may often be the best mechanism for considering and ruling on complaints. Committees should be established at the start of a triennium with a majority of members selected from the community through either an application process or by invitation.

The Foxton Community Board or committee will consider the chief executive's report in open meeting, except where the alleged breach concerns matters that justify the exclusion of the public, such as the misuse of confidential information or a matter that would otherwise be exempt from public disclosure under s.48 of the LGOIMA, in which case it will be a closed meeting.

Before making any decision in respect of the investigator's report the Foxton Community Board or committee will give the member against whom the complaint has been made an opportunity to appear and speak in their own defense. Members with an interest in the proceedings, including the complainant and the respondent, may not take part in these proceedings.

The form of penalty that might be applied will depend on the nature of the breach and may include actions set out in section 13.1 of this Code.

In accordance with this Code Foxton Community Boards will agree to implement the recommendations of a Code of Conduct Committee without debate.

Monitoring Report to 20 February 2017

File No.: 17/31

1. Purpose

To present to Foxton Community Board the updated monitoring report covering requested actions from previous meetings of the Community Board.

2. Recommendation

- 2.1 That Report 17/31 Monitoring Report to 20 February 2017 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

Attachments



No.	Title	Page
A	Foxton Community Board Monitoring Report from 2012	108

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	David Clapperton Chief Executive	
Approved by	David Clapperton Chief Executive	

**MONITORING AND ACTION REPORT
FOXTON COMMUNITY BOARD**

Meeting Date	Item No.	Item Description	Resolved/ Proposed Action	Responsible Officer	Action by	Date Completed	Officer Comment
17 Feb 2014 17 Aug 2015 19 Oct 2015 07.01.2016	14/32	<u>Sand Dune Management – Surf Club Car Park</u>		A Nelson		On-going	<p>Lachie Grant from Land Vision has been engaged to model likely effects of reduction of the rear sand dunes at Foxton Beach car-park.</p> <p>Land Vision will be working with Council Officers to apply for ongoing maintenance consent for dune management.</p> <p>It was suggested that Officers view the dune management work done at the entrance to Himatangi Beach</p> <p>Back dune is subject to an existing sand management plan that was required as part of the initial consent to build the seawall. The consent allows for removal and redistribution of sand from the back dune to facilitate re-establishment of fore-dunes. Officers will be seeking to bring a report back to FCB on a proposed sand management plan for the June meeting.</p> <p>Officers met on 07.01.2016 on site to discuss improving access to sea front for pedestrians and potential installation of road crossing. Discussions are</p>

MONITORING AND ACTION REPORT FOXTON COMMUNITY BOARD							
Meeting Date	Item No.	Item Description	Resolved/ Proposed Action	Responsible Officer	Action by	Date Completed	Officer Comment
18 April 2016			Surf Club Building Frontage – sand build up				ongoing and a report will be brought back to FCB on any proposals as part of the sand management plan.
01 June 2016							LandVision Report is complete and a briefing will be held following the June FCB meeting.
15 Aug 2016							A report to come to the September 2016 Board meeting.
19 Sept 2016							Workshop to be held within the next fortnight.
03 Oct.2016							Workshop complete
18 Aug 2014 – 17 Aug 2015 21 Sept 2015 19 Oct 2015 16 Nov	14/674	<u>Target Reserve Strategic Plan</u>		A Nelson		On-going	Discussions to be undertaken with lessees to understand their vision for the future of the Reserve. Discussed at a Board briefing on 30/09/2015. Funding for entrance still in budget but to be progresses when forward planning takes place A report to be requested from Council on Target Reserve and where it sat

MONITORING AND ACTION REPORT FOXTON COMMUNITY BOARD							
Meeting Date	Item No.	Item Description	Resolved/ Proposed Action	Responsible Officer	Action by	Date Completed	Officer Comment
2016 18 July 2016 15 Aug 2016 19 Sept 2016							<p>within Council's Property Strategy.</p> <p>Levin Pistol Club interested in remaining on site. The club has a current lease that expires in October 2020 with a Right of Renewal for a further 10 years</p> <p>Foxton Golf Club has written to Council for financial assistance. The club wishes to remain on site and has a current lease that expires in July 2020. The club has an existing right of renewal under the current lease for a further 10 years</p> <p>Council request to the Club for a ten year Business Plan had been changed to a five year plan. Receipt awaited. Further complaint re Pistol Club. Mr Roache to discuss with Cr Brannigan.</p> <p>Further complaint received. Mr Roache yet to discuss with Cr Brannigan.</p>
20 July 2015 19 Oct 2015	15/459	<u>CE's Report – SoRT Funding</u>	<i>THAT the Foxton Community Board recommends to the Horowhenua District Council that it helps arrange a lease</i>	D Clapperton		February 2017	<p>Recommendation from FCB adopted by Council at August Council meeting</p> <p>This matter was left on the table at the August Council meeting pending further discussions with Ngāti Whakatere and SoRT regarding Iwi interests.</p>

MONITORING AND ACTION REPORT FOXTON COMMUNITY BOARD							
Meeting Date	Item No.	Item Description	Resolved/ Proposed Action	Responsible Officer	Action by	Date Completed	Officer Comment
18 July 2016 06.09.2016			<i>solution with Land Information New Zealand for SoRT, to enable SoRT to carry out works on the river title and look after the best interests of the river title into the future.</i>				This was for SoRT not Council to progress Clarification to be sought as to when allocated funding would be used. Consent from SoRT has been lodged with HRC 07.02.17 No further progress - recommend note as completed.
15 Feb 2016	16/59	<u>Feasibility of Installing a Toilet at Foxton Cemetery</u>	<i>THAT the Foxton Community Board recommends to Council that the funds allocated for the extension of the Foxton Cemetery be reallocated and used to install a new toilet/ablution facility at the Foxton Cemetery in the 2016/2017 financial year.</i>	A Nelson		March 2016	It was requested this item stay on the Monitoring report until the toilet was completed. Site meeting held with the recommendation from the Board that the toilet be located by the car park.

MONITORING AND ACTION REPORT FOXTON COMMUNITY BOARD							
Meeting Date	Item No.	Item Description	Resolved/ Proposed Action	Responsible Officer	Action by	Date Completed	Officer Comment
15 Aug 2015							Mr Nelson would be contacting Mrs Huzziff re water supply. Slight delay in construction to ensure it fitted in with the plan for the new entrance. Report to come to the September 2016 Board meeting.
22.09.2016							Workshop with Funeral Directors and Monumental Masons – General support for the roading proposal and installation
03 Oct 2016							Work shop has been held on the proposal with general agreement on the roading proposal from Foxton Community Board
15.11.2016							Roading have indicated following a review the initial proposed exit does not satisfy safety criterion and have indicated the exit should be moved toward the West boundary. They have similarly advised that their contractor will be unable to commence the work until the New Year due to maintenance commitments.
21 March 2016	16/16	<u>Chief Executive's Report – Kings Canal</u>	<i>THAT the Foxton Community Board submits to the Horizons Regional</i>	D Clapperton	March 2017		HRC and HDC Officers and a Good Earth Matters consultant met in Nov 16 to review progress on the Catchment Management Plan for Foxton.

MONITORING AND ACTION REPORT FOXTON COMMUNITY BOARD							
Meeting Date	Item No.	Item Description	Resolved/ Proposed Action	Responsible Officer	Action by	Date Completed	Officer Comment
15 Aug 2016		<u>and Purcell Street Stormwater Catchment</u>	<i>Council's 2016/17 Annual Plan on Kings Canal and the Purcell Street Stormwater Catchment requesting a review of the Kings Canal and Purcell Street Stormwater Catchment to look at increasing the level of service.</i> Report for the Board requested by year end				Storm water management for much of Foxton relies on soakage with consequential limitations, particularly in wet antecedent conditions and / or long duration storm events. As a consequence the existing reticulated network is limited. A summary of the CMP report to HRC will be presented to HDC – date pending.
15 Aug 2016 19 Sept 2016	16/341	<u>Foxton River Loop Working Party</u>	Mr Roache to follow up with Robin Hapi re written approval awaited from the three iwi	D Roache			Mr Hapi agreed to facilitate a meeting with the three iwi. Meeting not yet held.
21 Nov 2016		<u>Foxton & Foxton Beach Water</u>	<i>THAT the issue of Foxton and Foxton Beach water be placed on the</i>	P Gaydon			

MONITORING AND ACTION REPORT FOXTON COMMUNITY BOARD							
Meeting Date	Item No.	Item Description	Resolved/ Proposed Action	Responsible Officer	Action by	Date Completed	Officer Comment
			<i>Monitoring Report.</i>				
	16/605	<u>CE's Report – Foxton Beach Freeholding Account</u>	<i>THAT the Foxton Community Board requests an updated report on opening up further sections in the Forbes Road Subdivision.</i>	D Clapperton			
		<u>Roore Street Drainage</u>	<i>THAT the Roore Street drainage issue raised by Mr Hutching be placed on the Monitoring Report.</i>	P Gaydon			
		<u>Increasing parking capacity in Thomas Place</u>	<i>THAT the Foxton Community Board requests an Officer's report on increasing the parking capacity in Thomas Place, Foxton Beach.</i>	D Clapperton			

Chief Executive's Report to 20 February 2017

File No.: 17/32

1. Purpose

To present to the Foxton Community Board, for information, issues relating to the Foxton Community Board area.

2. Recommendation

- 2.1 That Report 17/32 Chief Executive's Report to 20 February 2017 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Foxton Community Board adopts the meeting schedule for 2017:
- 2.4 That the Foxton Community Board submits to Council's Annual Plan process supporting the provision of an electronic sign at Manawatu College.

3. Issues for Consideration

3.1 Te Awahou Nieuwe Stroom Update

The redevelopment of Te Awahou Nieuwe Stroom continues to gather momentum. A large amount of the glazing is now in place, with the shared gallery now clad and awaiting glazing. Work will commence within the next two weeks on cutting the concrete on the south facing wall. It is intended to open up the western end of the building and begin construction on the western lounge area. This has been held off as we waited for the weather to settle as the westerly winds have been extremely pervasive. Internally the ramp from the main entrance has been poured, lift installed and HVAC system, wiring is well underway.

A funding application will be lodged with the Ministry of Culture and Heritage by 10 March 2017 – this fund covers the museum spaces within the facility only. The development of the library space and galleries is moving along well.

3.2 Meeting Frequency & Commencement Time

The proposed meeting schedule for the Foxton Community Board for 2017 is as follows. This reflects the six weekly schedule adopted by Council at its 1 February 2017 meeting.

Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec
20	-	03	No meetings due to Annual Plan focus	26	-	07	18	30	-	11

The meeting schedule to be reviewed at the end of 2017.

3.3 Foxton River Loop Working Party Update

The working party are working on two 'solutions' (being a short term solution and a longer term solution) to addressing the current state of the environment of the Foxton Loop of the Manawatu River. The short term solution involves dredging the existing channel, from the upstream confluence with the Manawatu River 1.5 kilometres downstream the loop. The long term solution is a cut to open the loop.

Council is currently preparing a resource consent application for the short term solution (dredging the existing channel). Once this application is complete then Save Our River Trust will be able to apply to Horizons Regional Council for consent to undertake the works.

The working party is eager to start work on the consent process for the long term solution as there is a possibility that it could be aligned with the Whirokino Trestle Bridge works. The advantage of aligning these works will be the material removed for the cut could be used for the construction of a new bridge if appropriate. Horowhenua District Council is looking to get GHD to undergo testing of the soil to determine whether it would be suitable material for the works.

3.4 **Ultra-Fast Broadband**

A letter has been received from Dr Hoskins requesting that the Foxton Community Board enquires whether "Foxton" in the attached article also includes Foxton Beach and, if not, for the Board to seek the inclusion of Foxton Beach in the programme.

Enquiries have elicited that this initiative does include Foxton Beach.

3.5 **Electronic Sign – Manawatu College**

The Board has been approached by Manawatu College and has been requested to consider supporting the provision of an electronic sign at the College which could be used to display not only information relating to College activities but also community matters.

Should the Board wish to progress this it is recommended that it put in a submission to Council's Annual Plan process.

3.6 **Manawatu Estuary Trust – Minutes 7 February 2017**

Minutes of the Manawatu Estuary Trust meeting held on 7 February 2017 are **attached** for Members' information.

3.7 **Foxton Beach Freeholding Account**

Attached to this report is a copy of the updated Foxton Beach Freeholding Fund projected forecast to 31 January 2017.

3.8 **Foxton Community Board Long Term Plan Monitoring Report**

Attached is the FCB Long Term Plan 2015-2025 Monitoring Report.

Attachments



No.	Title	Page
A	Ultra Fast Broadband in Foxton - RH Hoskins - 2 February 2017	118
B	Manawatu Estuary Trust Minutes 7 February 2017	121
C	Foxton Beach Freeholding Account Projected Forecast to 30/06/2021	125
D	Foxton Community Board LTP Monitoring Report - November 2016	126

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	David Clapperton Chief Executive	
Approved by	David Clapperton Chief Executive	

Foxton Community Board

26 Signal Street
Foxton Beach
4815
2 February 2017

Dear Community Board Members,

As a resident of Foxton beach I would like the Foxton Community Board to enquire as to whether "Foxton" in the attached articles on ultra-fast broadband (UFB) includes Foxton Beach.

Frequently these two townships are considered as one (such as when it is convenient to use the Foxton Beach Freeholding Account as a source of funds) yet I have seen the Household Insulation Scheme only apply to Foxton.

I would like the Foxton Community Board to enquire and confirm that Foxton Beach is included. If not then I would like the Foxton Community Board and the Horowhenua District Council to register the strongest possible protest at Foxton Beach's exclusion.

Foxton Beach has unprecedented growth in new housing and UFB would encourage further growth.

Yours sincerely



Dr R.H.Hoskins



Copy to MAYOR
JOHN GIRLING
HDC AT FOXTON LIBRARY

HOROWHENUA CHRONICLE Wednesday, February 1, 2017

| FROM THE BEEHIVE

Broadband plays a part in getting kids school ready

With NATHAN GUY
Otaki MP

It's back to school this week for my three children and around the country 765,000 students are returning to the classroom.

This year around 63,000 five-year-olds will start school for the first time. For most — just under 97 per cent — they will be well prepared through having attended early childhood education, which gives them the best possible start.

Using technology and online learning is a big part of schooling these days so it's fantastic news that ultra-fast broadband (UFB) will be rolled out to Otaki, Foxton, Shannon and two Kapiti fringe suburban areas by 2024. This comes from the second, \$360 million phase of the Government's UFB programme.

The Levin UFB rollout is on track to be completed this year, and most Waikeanae and Paraparaumu households and businesses are already benefiting from access to some of the best



broadband New Zealand has ever had.

This is something I've worked hard for as a local MP to push for this Government investment and I'm sure it will be warmly welcomed by local businesses and the community. It means employers can base themselves here, enjoying the lifestyle while being better connected than ever. New roads like the Kapiti Expressway and Transmission Gully also play a big part in this.

COMMUNITY CONNECTION 1/2/2017

Council welcomes news that Foxton and Shannon will receive Ultra-Fast Broadband

Horowhenua District Council welcomes news that Foxton and Shannon is to receive Ultra-Fast Broadband (UFB), providing residents and businesses with faster and better-quality internet connection.

The Government yesterday announced that phase two of its UFB Rural Broadband Initiative programme will extend to an additional 151 towns and 43 suburban fringe areas located around the larger centres covered by the first phase of the programme, including Levin.

Phase two will start in 2017 and be completed between 2018 and 2024.

UFB uses fibre-optic cables and can typically provide download speeds of up to 100 Mbps (megabits per second) and, in some areas, up to 1000 Mbps.

Following Levin's inclusion in phase one of the programme, Horowhenua District Council has since 2015 been campaigning for Foxton and Shannon and surrounding communities to be included.

District Mayor Michael Feyen says that the Council, through our Digital Enablement

Plan, continues to take significant steps to improve the digital awareness and capability of local communities and the business sector, to address current needs and also those over the foreseeable future.

"Horowhenua is already experiencing strong economic growth. The deployment of improved broadband through

government and private sector initiatives will enable businesses, particularly professional services and small enterprises to flourish. In turn, this will attract more businesses to the District."

"Building and strengthening capability across the District will widen economic prosperity, social wellbeing and drive education equality."

Mayor Feyen says that the Council perceives high-speed internet as a key enabler to drive business and community outcomes.

He said that UFB capability in Levin has been a huge contributor to the social integration and interconnectivity across the town.

"For example, Te Takere supports multiple digital literacy initiatives and enables access to the internet for a range of groups including older people, socially-isolated people, youth and jobseekers.

MANAWATU ESTUARY TRUST
MINUTES OF A TRUST BOARD MEETING
Held on 7 February 2017 at Holben Pavilion at 7 pm

1. PRESENT: Kelvin Lane (chair), Kathryn Lane, Tricia Metcalf, Derek Prior, Tony Murdoch, Elizabeth Saxton, Christine Paton, Terry Oliver Ward, John Story

2. APOLOGIES: Bob Hoskins, Alastair Cole, Elizabeth Parlato

3. MINUTES: The minutes of the meeting held on 19 November 2016 were accepted and confirmed as a correct record of the meeting

Moved : Kathryn Lane

Second :Tricia Metcalf

Carried

Matters arising: Signatories for cheque book have still not been updated (Kath and Tricia to attend to this)

4. CORRESPONDENCE

Inwards:

Emails

- 19.11.16 FWWTP Fitz Rowe Response to Court's 10th minute
- 21.11.16 FWWTP 11th minute of Court
- 22.11.16 ENM Foxton Envirotour 4th December 2016
- 23.11.16 ENM Sally Submissions on He Ara Kotahi cycleway shared pathway close 19.12.16
- 23.11.16 Invitation to MET members to Foxton Envirotour
- 25.11.16 FWWTP Whirokino Cut historical files
- 28.11.16 ENM Feedback sought by 11.12.16 on ENM vision statement
- 29.11.16 Charities services newsletter
- 4.12.16 iserve domain administrator metrust.org.nz needs to renew domain
- 6.12.16 FWWTP memo Ngati Whakatere
- 11.12.16 Derek Spotting scopes
- 13.12.16 FWWTP Chris Teo Sherrill expert evidence exchange
- 13.12.16 FWWTP memo HDC
- 14.12.16 Notification Wellington Conservation Management Strategy Submissions close 4.4.17
- 14.12.16 ENM Stall for Esplanade day 19.2.17 Focus on children and the environment.
- 15.12.16 FWWTP timetabling matters
- 16.12.16 FWWTP 12th minute of the Court
- 22.12.16 FWWTP memo Te Nahu Legal
- 22.12.16 FWWTP memo HDC
- 23.12.16 FWWTP 14th minute of the Court
- 24.12.16 Domain name renewal and new password for metrust.org.nz
- 9.1.17 FWWTP Report
- 18.1.17 ENM notices for February
- 18.1.17 Imogen Warren A bird photographer living at Foxton Beach Offer of help/support for the trust

- 20.1.17 FWWTP 15th minute of the Court
- 25.1.17 School visit to Estuary. Home schooled pupils Feb 2nd to 6th
- 25.1.17 FWWTP Mediation options
- 30.1.17 FWWTP Notice of Mediation 14.2.17 in Foxton at All Saints hall at 10.30 am
- 1.2.17 Freyberg High School Estuary visit 13-17th March 2017

Outwards

- 26.11.16 Letter of thanks to Heseltine Trust
- 28.11.16 Annual return submitted to Charities Services

Text: From Alice, thanking MET for providing people and scopes for Home Schoolers' visit to Estuary

It was decided that since the list of inwards mail is circulated with the minutes for the members' information, it does not need to be read out at the meeting. Any relevant items will be listed on the agenda for discussion. Other mail items can be added to the agenda at the meeting if requested.

It was moved that the correspondence be accepted:

Moved : Kathryn Lane

Second :Terry Oliver Ward

Carried

5. FINANCIAL REPORT

Kath Lane presented a report on finances as at 7.02.17, which included a cheque account balance of \$6 068.72, a savings account balance of \$2 953.22, and total funds of \$34 088.87.

Accounts for payment:

Iserve for Domain Name for 60 months: \$184.02

Fairfax for notice: \$53.00

Displico Signs for 300 MET stickers: \$150

Tony Murdoch for 2 Spotting Scopes: Awaiting invoice but \$240-260

It was moved the report be accepted as an accurate record and the accounts (listed above) be approved for payment:

Moved : Kathryn Lane

Second :Tricia Metcalf

Carried

6. ENM ENVIROTOUR December 4th

Kath reported on the visit to the Estuary by the home schoolers who were staying at the Boys Brigade camp. Kath, Tricia, Terry, Kelvin and Derek attended with the 2 new spotting scopes and nets. The visitors expressed their appreciation and felt it was worthwhile.

7. ENM BIODIVERSITY CLUSTER GROUP

After a discussion about what the group was, Kath reported that their next meeting was in Palmerston North on 1st March. Contact Kath for more details if you are interested.

8. FOXTON BEACH NEW YEAR FAIR

Kath reported on our attendance. Kath, Kelvin and Derek were there.

9. TE AWAHOU NIEUWE STROOM

Tricia reported that there was going to be a walk through for the Foxton Community Board on 13th February. She also asked if MET was going to make a donation. There was much discussion about what it would be for and to whom it was going. Tricia explained why the Council was managing the finance.

A motion was passed that we give \$1000 to the TANS Trust to be used to promote the Manawatu Estuary:

Moved: Kelvin Lane

Second: John Story

Carried

10. FOXTON WWTP RESOURCE CONSENT

Kelvin reported that there was a Mediation Meeting with all parties at the All Saints Church Hall, 53 Main Street, an 10.30 on 14th February.

11. REQUEST FOR INTERNSHIP

We have heard no more so presume it is not going ahead.

12. GENERAL BUSINESS

Dog signs: Kath made a submission which Trish read out. The Council was seeking to change the Dog Control Laws and Kath wanted the wording "the bird sanctuary area of the Manawatu Estuary " to be changed to "The Manawatu River Mouth and Estuary Ramsar Site ".

Tricia and John have told the council where the signs are and where they should be changed but nothing has been done.

Kath will write to the HDC with a copy to DOC, Horizons seeking action on the signs. Trish assured the meeting that the Foxton Community Board would support us.

13. Spotting Scopes

Derek and Kath showed the meeting the 2 spotting scopes that Tony had purchased for us and their successful use with the recent visitors. Kath and Kelvin have also lent us another Spotting Scope on long term loan. Derek pointed out that as we have only one tripod we need to purchase 2 more. Kath proposed that Terry and Derek find suitable tripods which we can then purchase. Kath said that once she receives an invoice from Tony for the 2 scopes she will be able to pay him.

14. Contact number

Joan Leckie has pointed out that we need another contact number for and on the Website. John has volunteered his number.

15. Forest and Bird Talk

Kelvin is to talk about the Estuary and River at the next Palmerston North Forest and Bird meeting on 14th February.

16. Photos of Home Schoolers Estuary Visit

Trish has permission from the parents so Terry and Tricia will put some photos and brief report together and will circulate it among all Trust members and provide copies to newspapers.

17. Estuary Birds Booklet

Terry showed a mock-up of a new booklet (only 4 or 8 pages) with pictures and explanatory text that she has put together and would like to see MET give copies to children and adults visiting the estuary. It was suggested that a pdf. form may be made available to schools who have arranged to visit, so they can copy off as many as they want. Derek suggested that MET have a set of the existing WFT Estuary Bird booklets to lend to visitors. We might need to purchase these.

18. Old Estuary Photos

Kelvin wants MET's permission to collect historical photos of the Estuary in the name of MET. We will hold them and control use by others.

The meeting concluded at 8.50pm.

Signed as correct

.....

Dated:

Foxton Beach Free Holding Account - Projected Forecast to 30/06/2021

	Actual 30/06/2016	Actual 31/01/2017	Projected 30/06/2016	Projected 30/06/2017	Projected 30/06/2018	Projected 30/06/2019	Projected 30/06/2020	Projected 30/06/2021
Balance 1st July	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
Interest (est) 4.3% pa	2,752	3,420	2,752	3,420	4,230	3,294	3,838	4,379
Land Lease Income from Pinewood Camp	110	80	110	147	143	152	162	167
Estimated Section Sales 6 per year	28	20	30	30	30	30	30	30
Development Contributions	714	720	542	884	420	420	420	420
Endowment Properties freeholding	(279)	-	(279)	(420)				
Rents (full year charged in October)	163	441	-	535	60	60	60	60
Gain on Assets sales	90	72	90	75	100	98	98	95
Loss on Assets sales	126	290	129	332	72	72	72	72
Total Income	3,703	5,017	3,374	4,977	5,055	4,126	4,680	5,223
Less: funded items								
Grant - FACM								
Grant - Te Awahou subject to conditions				(500)				
Grant - NZ landcare trust Whitebait Creek	(83)		(83)					
Foxton Beach Reserves Projects per LTP 2015-2025	(30)		(100)	(102)	(105)	(108)	(111)	(114)
Forbes Road Sub division extention					(1,500)			
Administration	(77)	(38)	(80)	(60)	(60)	(60)	(60)	(60)
Maintenance	(13)	(8)	(25)	(15)	(16)	(30)	(30)	(30)
Overheads	(80)	(11)	(60)	(70)	(80)	(90)	(100)	(110)
Total Expenditure	(283)	(57)	(328)	(747)	(1,761)	(288)	(301)	(314)
Balance 30th June	3,420	4,961	3,046	4,230	3,294	3,838	4,379	4,909
Administration								
HDC administration	(26)	Water	0				(8)	
Legal expenses	(1)	General	(8)				(3)	
Valuations	(4)		(8)				(11)	
Consents & Surveys	(8)			(8)				
Sale costs	(1)							
	(38)							
Maintenance								
Water								
General								
Overheads								
Depreciation								
Rates								

FOXTON COMMUNITY BOARD MONITORING REPORT					
Long Term Plan 2015 to 2025					
No	Resolved	Responsible Officer	Date to Action By	Status	Officer Comment
16	<i>THAT feasibility studies of the proposed work in relation to Foxton/ Foxton beach including, Bond Street, Signal St, Roundabout at Park St/Ladys Mile/Robinson Rd Intersection, Seabury/Linklater Intersection and widening of Andresen St are completed for consideration by the Foxton Community Board into the 2015/2016 financial year.</i>	Kevin Peel	Ongoing		Initial investigation has placed a priority on the Roundabout at Park St/Ladys Mile/Robinson Rd Intersection and as such it has been put into the 2017/18 Minor Improvement programme. Design work is currently underway.
26.	<i>THAT the programme of works for roading as identified in the Infrastructure Strategy be implemented and Council carry out work in Foxton Main Street as planned, with a communications plan, regarding the design and construction time frame, being prepared.</i>	Kevin Peel	30 June		The Foxton Main Street Project has started at the southern end following hold-ups at the northern end.
43.	THAT Officers work with the Foxton Community Board during planning for Te Awahou-Nieuwe Stroom to discuss opportunities for marketing and promoting the Foxton and Foxton Beach area.	Kathy Mitchell	Ongoing		The Te Awahou-Nieuwe Stroom Communications plan has been completed. This is being implemented. Progress to date includes media releases being published, a letter to the editor, a stall at the recent spring fling promoting Te Awahou-Nieuwe Stroom, Main Street Upgrade and

FOXTON COMMUNITY BOARD MONITORING REPORT <i>Long Term Plan 2015 to 2025</i>					
No	Resolved	Responsible Officer	Date to Action By	Status	Officer Comment
					Foxton in which a 1000 Foxton postcards were handed out.
44.	<i>THAT Officers review the 2001 SunSmart Policy within the next 12 months, including consideration of its relevance, impact and financial implications on the delivery of Council services. Following the review, that a report be presented to the Community Wellbeing Executive for consideration.</i>	Cathryn Pollock	1 Dec 2015		In progress
48.	<i>THAT the Council acknowledges the submission from the Foxton Community Board and recommends that Officers carry out further research into the Foxton Aquatic Centre, in conjunction with the current ventilation project, with any recommendations for Capital Expenditure to be reviewed for the 2016/2017 Annual Plan.</i>	Monique Davidson	1 Dec 2015		Council have budgeted for some ventilation work during the 2016/2017 financial year to be completed prior to the facility opening for summer. A evaluation report on the extended opening period will be brought to Foxton Community Board and Council early 2017.
51.	<i>THAT Officers continue with coordinating funding arrangements for Te Awahou-Nieuwe Stroom, and proceeding with design work to report back to Council once the outcome of funding applications is known.</i>	Cathy McCartney	Ongoing		Construction is underway. The development of the interior fit-out is currently being developed. Funding applications continue

FOXTON COMMUNITY BOARD MONITORING REPORT					
Long Term Plan 2015 to 2025					
No	Resolved	Responsible Officer	Date to Action By	Status	Officer Comment
					to be submitted with the addition of fundraising activities.
53.	<i>THAT Council allocate \$1,000,000 (\$100,000 per annum) from the Foxton Beach Freeholding Account towards parks and reserves in Foxton Beach over 2015-2025.</i>	Monique Davidson	Ongoing		Council Officers are working to develop a Foxton Beach Development Plan which will be presented to the Foxton Community Board in July.
74.	THAT Council agree in principle to looking at options to establish a stop-over site in Foxton for self-contained vehicles and that Officers will investigate options on the basis that any such site not be in an area zoned for commercial or industrial development unless on a temporary basis.	Arthur Nelson	Ongoing		Options currently being considered by Officers are the bowling club adjacent to Te Awahou boardwalk and Victoria park where an existing dump station exists. No budget is currently identified for this work.
75.	THAT Council puts aside \$25,000 and that Council Officers continue to work with the Community Board to establish the cost of lighting the water tower and Seaview Gardens as part of an overall improvement package for reserve.	Arthur Nelson	Ongoing		The budget has been expended on the purchase of lights. Connection of lights is being co-ordinated by Foxton Rotary Club with input from Council officers.

FOXTON COMMUNITY BOARD MONITORING REPORT <i>Long Term Plan 2015 to 2025</i>					
No	Resolved	Responsible Officer	Date to Action By	Status	Officer Comment
77.	THAT Council Officers prioritise an updated Reserve Management Plan for Foxton Beach foreshore.	Arthur Nelson	1 Dec 2015		RMP's to be undertaken by Strategic Planning with input from Parks. RMP's will reflect the current reserves development proposals for Foxton Beach.
78.	THAT Council Officers consider further beautification works at Target Reserve in the context of other Community and Council driven initiatives, and an overall Reserve Management Plan for the site.	Arthur Nelson	Ongoing		An interim report on Target Reserve went to the FCB in August 2015 identifying the need to engage with Lessees prior to producing a development plan. Dialogue with Lessees is ongoing.
80.	THAT Council Officers assess the need for a toilet at Foxton Cemetery and whether there is sufficient room at the site to establish one without negatively impacting on the Cemetery.	Arthur Nelson	Dec 2015		Report was presented to FCB and proposal to install a toilet at the location has been made. Toilet will be installed in 2016/2017. It is anticipated the new block will be in for Summer 2016 (end of spring)
81.	THAT Council acknowledges, with thanks, the submission from Mr Murdoch on behalf of both SoRT and that \$32,500 funding is allocated for the first year of the LTP and Council Officers work with SoRT with regard to projects funded by that allocation.	Monique Davidson	Ongoing		The resource consent is being processed with officer assistance.

FOXTON COMMUNITY BOARD MONITORING REPORT					
Long Term Plan 2015 to 2025					
No	Resolved	Responsible Officer	Date to Action By	Status	Officer Comment
89.	THAT Council Officers complete the Property Strategy by way of informing decisions relating to maintenance/repair of earthquake-prone buildings including the Coronation and Memorial Halls.	Arthur Nelson	1 Dec 2015		The property Strategy has been completed. An RFP is currently being produced to facilitate the evaluation of buildings in line with the Property Strategy framework.
107.	THAT Council accepts in principle the proposed to introduce the use of water tanks for new urban residential homes.	Paul Gaydon	30 Nov 2016		Report to be prepared for Council.
108.	THAT Council requests Officers to prepare a full business case for the use of water tanks for new and existing urban residential homes by 30 Nov 2015 before a final decision is made by Council.	Paul Gaydon	30 Nov 2016		Report including business case to be prepared for Council.
109.	THAT the programme of works related to water, wastewater and stormwater services identified in the Infrastructure Strategy be implemented.	Gallo Saidy			Ongoing
110.	THAT officers continue to investigate a solution for the water discolouration issue in Foxton and Foxton Beach by Jun 2016.	Paul Gaydon	30 June 2016		Strategy in place by March 2017 and implementation scheduled firstly at Foxton, then Foxton Beach.
116.	THAT Council proceeds with the Foxton Wastewater Treatment Plant's consent renewal and that officers ensure that robust cost analysis are undertaken for the selection of the best practical option for the treatment and discharge of the Foxton Wastewater.	Gallo Saidy	1 Sept 2015		Consent has been lodged and sits with the environment court through direct referral
	Update from the Foxton River Loop Working Party	David Clapperton	Ongoing		November '15 update to be delivered by Basil Vertongen.

Foxton Pool - Extended Season Trial

File No.: 17/37

1. Purpose

To present to the Foxton Community Board a report on the Foxton Pool extended season trial.

Executive Summary

The current Foxton Pool was constructed in 2007 and includes a light weight building with no thermal insulation or vapour barriers and without spare structural capacity to support significant additional loads. This building accommodates a 25m pool and a learners/toddlers pool. Issues associated with condensation have existed from the time of the original build.

In 2009 Council responded to public feedback for pool heating, and gas heating was installed providing pool temperatures of 28 degrees to the main pool and 32 degrees to the toddler's pool.

Over the last 10 years the Foxton Pool has been open across the period 1 December - 1 May each summer season.

In November, 2015 Foxton Community Board (Council) received a petition with over 1,000 signatures, requesting Foxton Pool be operated twelve months (12) of each year.

In 2016 an extended operational season occurred commencing 1 December 2015 until 24 September 2016. This ensured a public swimming pool was available for residents of Horowhenua district over the period of the Levin Aquatic Centre redevelopment.

During the extended season, environmental conditions and impacts associated impacts were identified by staff and some customers primarily related to condensation.

In this report, Foxton Pool usage data has been analysed for its "normal" 2015/16 season (December – May) season as well as the extended 2016 season (May – September).

During the 2015 /16 season two Customer Surveys were undertaken and an analysis is included.

A report was commissioned from Calibre Consulting on options for year round usage. A summary is included. The Calibre Consulting report recommended three options for proving a year round Aquatic operation at Foxton Pool. Option One (1) recommends leaving the building uninsulated and adding heating and ventilation to the main pool hall. Option Two (2) Proposes re-cladding, re-roofing and adding ventilation and heating to the main pool halls and changing rooms. Option Three (3) recommends replacing the existing building. Capital costs for year round use have been provided by Calibre in relation to each option, and Operational costs have been calculated against these options.

Remedial actions by Council were undertaken as a result of issues identified during the extended season. These actions were undertaken prior to commencement of the 2016/2017 season and further remedial actions are planned within the existing capital works budget for Foxton.

Foxton Pool usage data for the current season, November 2016 – February 2017, has been analysed. This usage data is compared to LAC data for the same period and a Unit Cost has been calculated for both Levin Aquatic and Foxton Pool, dividing the total amount of operational costs by the total number of casual swimmers, to provide a comparison.

At this time, Council Officers plan to continue to operate Foxton Pool as a five (5) month operation.

2. Recommendation

- 2.1 That Report 17/37 Foxton Pool - Extended Season Trial be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

3. Background/Previous Council Decisions

In 2007, after community consultation, Council constructed a 25m pool, and learners/toddlers pool began to the west of the original outdoor Foxton pool at a cost of \$1.5m. The complex includes a 25 metre indoor pool and an indoor play and toddlers' pool.

A Horowhenua District Council (Council) requirement of the building design was that future development was accommodated, so that insulation and ventilation could be added at a later date. Issues in construction and engineering led to Council officers questioning the structural integrity of the building and legal action followed. It has since been found that the structure cannot support additional weight without significant expenditure.

The Pool building's original design intent was to accommodate an unheated pool and shelter swimmers and spectators from outdoor conditions and was not mechanically heated or ventilated. Condensation issues were documented from the first season of operation. At that time the pools were heated through solar gain only.

In 2009, submissions were received by Council for the Foxton Pools to be fitted with boost heating. Subsequently gas heating was installed providing pool temperatures of 28 degrees to the main pool and 32 degrees to the toddler's pool. This added significantly to the condensation issues inside the building.

Over the last 10 years the Foxton Pool has been open across the period 1 December - 1 May each summer season.

In November, 2015, Council received a petition to increase the season / hours of the Foxton Pool. The petition had over 1,000 signatures, requesting the Pool be operated twelve months (12) of each year.

Within the petition, specific commitments were made by a number of organisations and clubs regarding utilisation of the Pool if hours were to be extended.

In particular:

1. Foxton Volunteer Fire Brigade emphasised its intention to utilise the pool as a training facility for its Brigade.
2. Coastguard Manawatu emphasised its intention to utilise the pool as a training facility for its Brigade.
3. Te Waiora Community Health Centre emphasised how it would promote the pool for use by its patients who were older, being treated for chronic low back pain, experiencing hip and/or knee osteoporosis or for weight loss.
4. Coley Street School, Foxton Primary School and Foxton Beach School emphasised their separate intentions to utilise the pool for Learn to Swim Classes for school students.
5. Foxton Beach School additionally emphasised its intention to utilise the pool for Water Polo for school students.

At the Foxton Community Board meeting in February 2016, the Board supported the opportunity to trial an extension to the Foxton Pool season over the period of the Levin Aquatic Centre redevelopment over the proposed timeline from early May – end of August, 2016.

At the meeting, the Board requested a further future report on Foxton Pool extended season; including usage patterns and a summary of Foxton Pool customer feedback. A further update to the Foxton Community Board was subsequently provided in January 2016 prior to the proposed date for the extended period commencing. This Report presented to the Board's February 2017 meeting is the final report on the extended season as requested by the Board in February, 2016.

Foxton Community Board, in its meeting in February 2016, agreed to progress the Levin Aquatic Centre redevelopment within the timeline proposed and acknowledged that the redevelopment presented an opportunity to trial an extension to the Foxton Pool operating season / hours.

The Foxton Pool was scheduled to remain open from 1 December 2015 until 1 September, 2016. Foxton Pool was previously closed by 1 May, so the period 1 May through to 1 September 2016 was the trial period for the Foxton Pool extended opening hours / season. In effect, The Foxton Pool remained open until 24 September 2016.

During the period 1 May through to 24 September 2016, the Foxton Pool operated during the following hours:

Monday to Friday	6.00am – 6.00pm
(Clubs had exclusive use 6.00pm – 8.00pm)	
Saturday and Sunday	10.00am – 6.00pm

Council officers, including Aquatics Manager and the Community Services Manager, met with a number of Foxton community members, primarily pool users, on two (2) separate occasions and, as a result, prepared and delivered a promotion and marketing plan regarding the trial period for the extended opening of Foxton Pool. Promotions related to the extended season included significant newspaper advertising in the Horowhenua Chronicle, posters on public display in and around Foxton as well as a pamphlet drop through local shops and 2,400 households in Foxton. A total of \$10,096 was spent on advertising Foxton pool, compared with \$8,295 for Levin Aquatic Centre in the 2015/2016 financial year.

During the extended season environmental conditions within Foxton Pool were identified by staff and some customers. On cooler days there were increasing levels of condensation in the Pool hall. As the season progressed and the external weather conditions cooled the condensation issues worsened. The condensation affected staff and spectator comfort issues, as well as resulted in a number of operational issues including poor visibility for staff and spectators, necessitating practice adjustment to adequately patrol / supervise swimmers. A fire alarm malfunction was caused as a result of increased moisture levels and tanalising agent staining dripped from timbers. Also, the moisture content on structural timber reached undesirable levels.

Council officers have continued to meet regularly with Foxton community members as a Pool User Group and two (2) meetings have been conducted since the promotion and marketing planning exercise with Foxton Pool Users. These meetings are publicly advertised and open. Both meetings have been well attended and regular updates on Foxton Pool and Levin Aquatic Centre upgrade have been provided. Feedback from attendees on the meetings has been positive and it continues to provide a forum for Foxton Pool issues to be raised and solutions sought and reported on.

4. Issues for Consideration and Findings

Foxton Pool Usage by Clubs / Organisations over the 2015/16 season:

The table below shows the number of users associated with club or organisation use in booked sessions. Analysis of the booking records shows the following:

Normal Season - November to April 2016		Extended Season – May to September 2016	
December	568	May	1028
January	168	June	953
February	1869	July	895
March	1622	August	895
April	368	September*	549
Total	4595	Total	4320

The table below shows the number of sessions each organisation booked:

Booking Name	Normal - November to April 2016	Extended – May to September 2016
Foxton Swim Club	17	22
Levin Swim Club	9	133
Surf Club	33	50
Sports Manawatu – Green Prescription	3	7
Horowhenua Sports Academy	1	19
Special Olympics	1	16
Foxton Primary School	15	1
Foxton Beach School	1	1
Sports Manawatu – Sealord Swim for Life	14	10
Taitoko Tri Whanau	1	6
Coley Street School	9	0
Saint Mary Catholic School	11	0
Koputaroa School	1	0
Terrace End School	1	0
Levin Masters Swim Club	0	9
Manawatu College	0	7
Levin Sub Area – Underwater Hockey	0	7
Levin Intermediate	0	1
Scout Group	0	1
Miscellaneous (unnamed group bookings)	4	20
Number of Bookings	121	310 – 133 (Levin Swim) – 16 (Special Olympics) – 9 (Levin Masters) = 152
Number of Clubs / Groups	14	15

Club use shows a clear peak in February and March and then a more consistent pattern of use during the period of the extended season. The February and March peak is consistent with previous seasons.

The usage pattern, May to September, was significantly impacted by the closure of Levin Aquatic Centre (LAC) with regular LAC user groups shifting to Foxton Pool because of the redevelopment. For example Levin Swim Club, made over 130 bookings at Foxton Pool during this time compared to 9 in the normal season. Special Olympics made 16 bookings compared with one (1) in the normal season. Levin Masters made nine (9) bookings compared to zero (0) bookings in normal season. If we excluded the booking numbers resulting from usage redirected due to the Levin Aquatic Centre redevelopment there is consistent but moderate bookings across the normal and the extended season. This suggests that the level of usage (in terms of both number of clubs using the Pool as well as the number of bookings per club) in a normal season might reasonably be expected to be maintained for the extended season, but unlikely to significantly increase, at least in short to medium term.

The 2015 petition included commitments from a number of local and community organisation to make use of the Pool during the extended season to conduct extra training, rehabilitation and general usage. There is no evidence that Foxton Volunteer Fire Brigade, Coastguard Manawatu or Te Waiora Community Health Centre used the facility over the extended season; however twenty (20) individual one off group bookings did not name a specific local organisation. In contrast, Manawatu College, Foxton Primary and Foxton Beach School did utilize the pool when the season / hours were extended as they had indicated in the petition.

Foxton Pool Classes over the 2015/16 season:

Learn to swim - Streamline swim school operated out of Foxton Heated Pool for term 3 of 2016, with 118 students enrolled during the LAC shutdown. The holiday learn to swim programme in the term 2 / 3 holidays saw 45 enrolments. It could be reasonably anticipated, that learn to swim classes for a year round operation, under ideal internal conditions, could be 100 pupils per term – 400 enrolments per annum. This number is anticipated to be significantly reduced if the environmental conditions were to be less than optimal.

Aqua Fitness Classes - Aqua classes at Foxton Pools over both the normal and extended seasons have been particularly well attended and provide some of the busiest sessions of use for the Pool over all. Classes had up to 30 regular participants per class. Many regular members of the Aqua classes attend the Foxton Pool User group meetings and their passion and commitment to the facility is clear. It could be anticipated that Aqua Fitness classes for a year round operation would be consistent with numbers across the extended season in the short to medium term.

Foxton Pool Usage by Individuals / Casual visit over the 2015/16 season:

Below is the number of individual casual visits to the pool.

Normal Season- November to April 2016		Extended Season - May to September 2016	
December	1318	May	975
January	2017	June	696
February	1187	July	1437
March	988	August	805
April	1091	September*	633
Total	6601		4546

* 1 Sep – 24 Sep 2016

Analysis of the above numbers shows peaks in December, January and February when school holidays and the summer season had influence. This is consistent with previous seasonal use of Foxton Pool. There was an approximate drop off of 30% between the normal season and the extended season times, with the exception of a peak in July. April saw a small peak due to school holidays but LAC was still partially open over this period and will have reduced the casual usage numbers at Foxton. The July peak is related to a combination of increased demand in the school holidays as well as LAC being closed for redevelopment.

Based on the number of casual visits, as recorded above, calculations can be made into the number of casual visits per hour. The hours of operation from December to April were 10am – 6pm, Monday – Sunday, totalling 1216 hours for the season. The extended season opening hours were 6am - 6pm Monday to Friday and 10am - 6pm Saturday and Sunday, totalling 1588 hours. The average number of casual swimmers per hour is 5.4 during the normal season and 2.9 during the extended season. This equates to an approximate reduction in casual usage of 45% per hour of operation in the extended season when compared to the normal season.

2.9 individual casual visits per hour of operation for the Pool can be expected for half the year while 5.4 visits per hour can reasonably be expected for the other half of the season at the Foxton Pool if the season and hours were to be extended long term.

Foxton Pool usage data for the current season, November 2016 – February 2017, has been analysed. This data is compared to LAC data for the same period and a Unit Cost per Swimmer has been calculated for both Levin Aquatic and Foxton Pool, dividing the total cost by the total number of casual, swim school and membership swimmers, to provide a comparison, as below:

	Levin Aquatic Centre		Foxton Heated Pool		Total	
	15/16	16/17 (YTD Jan)	15/16	16/17 (YTD Jan)	15/16	16/17 (YTD Jan)
Revenue	\$363,954	\$171,458	\$47,944	\$40,024	\$423,638	\$229,227
Expenses (Incl Depn)	\$1,330,698	\$701,618	\$465,942	\$307,289	\$1,819,372	\$1,044,762
Interest	\$95,315	\$49,407	\$38,570	\$19,993	\$133,885	\$69,400
Overheads	\$389,564	\$179,907	\$196,257	\$90,635	\$585,821	\$270,542
Rates Income Allocated	\$1,487,468	\$681,025	\$668,947	\$338,859	\$2,167,681	\$1,036,125
Usage/year	79,663	50,380	13,185	10,102	92,848	60,482
Cost per swimmer	\$10.87	\$9.78	\$19.15	\$22.97		

Public/private ratio	80/20	80/20	93/7	89/11	84/16	82/18
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It should be noted that both years were impacted by the Levin redevelopment. Levin Aquatic Centre figures exclude a term of swim school in 15/16 and 16/17 which equates to roughly a \$50,000 reduction in revenue each year. Term 1, 2017 payments are also due to be processed which have not been included in 16/17 figures, again accounting for a \$50,000 reduction. Foxton Pool was also open for extended hours which inflated expenditure for both years.

The Customer Experience of Foxton Pool over the 2015/16 season:

During the Foxton Pool extended season, two (2) Pool User surveys were conducted, the first in January, the second in July. These provide a snapshot of the customer experience of the extended season.

The first survey was conducted between 23 December 2015 – 20 January 2016 (normal season), with 72 respondents. The second was conducted between 25 July –and 26 July 2016 (extended season) with 43 respondents.

	Normal Season 2015	Extended Season 2016
Were the staff friendly and welcoming?	4.6	4.7
Were the staff helpful and courteous?	4.5	4.7
How safe and secure did you feel at the pool?	4.7	4.4
General swimming	4.6	4.4
Events	3.9	4.1
Fitness / Learn to Swim	4.6	4.5
How do you rate your visit to Foxton Pools?	4.6	4.4

General Comments:

Positive

- Loved layout of pool complex
- Loved all the inflatables for older kids
- Surf lifesaving was really well run
- Great pool for toddlers
- Aquacise is great it is only exercise I can do at this stage in my life
- Free Open Day was well run
- I had a good work out

Negative

- Hard to find same day Learn to Swim lessons for 2 children
- Water pressure in shower wasn't adequate

Suggestions for improvements:

- Would be good to see clock while swimming in pool (*a clock was placed in a more visible place as a result of the feedback*)
 - Would like a slide like in Levin
 - Could you bring blow up toys out more
 - Would like softer chairs
 - More Learn to Swim Programme options
 - A Mobility Park would be useful
 - Gym sticks would be great (*Gym sticks have been provided as a result of feedback*)
 - More safety matting (*Safety matting has been assessed and some changes made as a result of feedback*)
 - Need to have something to dry your hands on in the bathrooms a blower or paper towels (*hand dryers have now been installed*)
 - Would like a spa, sauna and steam room as well as adult only hotter pool, better showers and more swimming equipment, such as flutter boards
 - Would like longer hours so dads can bring their kids down after 6pm.

The results of these surveys indicates that customer service and facilities / programs at Foxton are generally satisfactory but there is some room for improvement in the customer experience and Council management is continuing to work on these areas.

Comments from survey participants also show some interest in extending the season / hours. These comments totaled **8 out of the 43** respondents in the July survey.

Over the extended season, there was verbal customer and staff feedback, reiterated in the Pool User Group meetings, expressing concerns with levels of condensation and air quality in the extended season. **3 out of 43** respondents also commented on this in the July survey responses.

Remedial Actions by Council

Remedial actions by Council were undertaken as a result of issues identified during the extended season. These actions took place prior to commencement of the 2016/2017 season and further remedial actions are planned within the existing capital works budget for Foxton. These remedial actions took place to reduce condensation, improve air quality as well as improve management of hot and cold temperatures. Actions included the following:

A period of Pool closure without Pool heating to allow for the structure to dry so that long term damage is inhibited.

Retreating and painting the timber uprights.

Six (6) air circulating fans have been installed.

The extract fan on the roof has been replaced by a passive ventilator which reduces noise pollution for swimmers and nearby residents.

Additional remediation actions planned within the existing Capital budget for Foxton Pool include the erection of self - supporting shade cloths to improve swimmer and spectator comfort as well as better manage temperature.

External Report by Calibre Consulting

An external report was commissioned by Council, from Calibre Consulting, for building solutions for a year round operation. Calibre was asked to address environmental issues (including condensation, air quality, hot and cold temperatures) as well as any risks to building and structural integrity in both the short and long term. Calibre was also asked to estimate capital and operational expenditure to provide Council a better understanding of which option would provide the most cost effective option.

The report by Calibre Consulting noted the following:

- The building was not built to accommodate a heated pool, but was built for limited seasonal use of a cold water pool only.
- The building was not designed or built for winter use.
- The building use proposed was well outside the scope of its original design.
- The moisture content of the timbers in the building was at undesirable levels and had potential to lead to long term structural issues.
- Due to the lack of insulation in the structure, the pool hall is particularly susceptible to extreme condensation events.
- Due to the light weight nature of the structure, the building cannot be easily insulated due to currently being at seismic and wind loading capacity.
- Ventilation and heating can be added but must be self-supporting due to the building structure currently being at capacity.
- Self – supporting ventilation and heating solutions are unlikely to provide suitable outcomes without insulation.
- The most effective long term solution would be a full redevelopment of the building structure to allow for a year round operation.

Discussion on Year Round Options

The Calibre Report proposed the following options for year round aquatics operations at Foxton Pool:

1. Leave the Foxton Pool building uninsulated and add heating and ventilation to the main pool hall.

This is a short term option and is likely to have the poorest outcome in terms of extending the life of the building and providing suitable internal environmental conditions during cooler periods of weather. Condensation would remain an issue, thus continuing to provide an uncomfortable and potentially unsafe environment for pool patrons and staff, continuing to saturate timbers and reducing the building life expectancy, which could be expected to be no more than 5 years if a 12 month operation was implemented with no further building works. This option is also likely to have the least benefit from an operational efficiency point of view as the air flow of the heating system would need to be increased to allow for the lack of sufficient insulation. The capital outlay for the ventilation and heating system would also be greater due to need to increase the size of the units to allow for greater air flow. If the building was to be insulated further down the track this system would be larger than otherwise required.

Capital Cost - The capital cost of this option is estimated at **\$504,000**. This cost is approximate only and has a margin of error of plus/minus 30%.

Operational Costs - The anticipated annual operational expenditure for year round operation:

Expenditure \$610,250.00

Revenue \$90,400.00

Difference \$519,850.00

Targeted Aquatics Rate estimate: **\$24.00** (what each rateable property across the district would need to contribute to allow for the option to be financially viable. This calculation takes into account that Council could expect to pay 10% of the loan required for the capital investment per year. Interest on the loan has not been taken into account).

Note - Learn to Swim - learn to swim programmes could anticipate 100 enrolments per term; 400 per year.

2. Re-clad, re-roof and add ventilation and heating to the main pool halls and changing rooms.

This is a short to medium-term solution and may give the building a life span, under a year round operation, until 2027. It would allow some operational efficiency, and less powerful heating options would be able to be operated. The main limitation on this option is the current structural strength of the building and the additional weight insulation and ventilation would add. Additional bracing would be required to enable the weight to be supported to allow for suitable structure strength. This option has a lower capital cost however the outcomes are not certain and may not be to the desired level. If this option is to be considered, further investigation would be required as to the exact extent of the structural support needed. In addition the structure would still need to be replaced in a relatively short time frame.

Capital Cost - The capital cost of this option is estimated **\$1,400,000**. This cost is approximate only and has a margin of error of plus/minus 30%.

Operational Costs - The anticipated annual operational expenditure for year round operation:

Expenditure \$573,500.00

Revenue \$93,500.00

Difference \$480,000.00

Targeted Aquatics Rate estimate: **\$26.50** (what each rateable property across the district would need to contribute to allow for the option to be financially viable. This calculation takes into account that Council could expect to pay 10% of the loan required for the capital investment per year. Interest on the loan has not been taken into account).

Note - Learn to Swim - learn to swim programmes could anticipate 45 enrolments per term; 180 per year. This number is reduced from a full upgrade due to poorer air quality and compromised internal environmental conditions making Learn to Swim a preference for learn to swim participants.

3. Replace the existing Foxton Pool building

This is a long -term solution and would give a long term, high quality solution. It provides all new construction therefore negates the current structural and durability issues. It provides the best opportunity to make the building as efficient as possible and allows an opportunity to address any issues with the pools design or operation. It does also pose significant disadvantages including high capital cost, longest construction time and potential waste of the current materials.

Capital Cost - The capital cost of this option is estimated at \$3,600,000. This cost is approximate only and has a margin of error of plus/minus 30%.

Operational Costs - The anticipated annual operational expenditure for year round operation:

Expenditure \$569,000.00

Revenue \$102,000.00

Difference \$467,000.00

Targeted Aquatics Rate estimate: **\$39.50** (what each rateable property across the district would need to contribute to allow for the option to be financially viable. This calculation

takes into account that Council could expect to pay 10% of the loan required for the capital investment per year. Interest on the loan has not been taken into account).

Note - Learn to Swim - learn to swim programmes could anticipate 100 enrolments per term; 400 per year.

For year round operations the difference in expenditure between the current summer operation and a 12 month operation with extended hours is \$291,000 per year, as the majority of the annual operational expenditure is in staffing related costs. Some options presented some savings in utilities but this is a small portion of the overall operational costs.

In conclusion, at this time, Council Officers plan to continue to operate Foxton Pool as a five (5) month operation. Currently a Regional Sports Strategy is being prepared between and across six (6) local authorities including Horowhenua District Council. This Strategy should guide the partner Councils on what sports facilities might be provided in the future across the region. Council is considering its own 10 year plan for Council Built Sport and Recreation Facilities that is informed by the Strategy. Such a Plan could consider future Foxton Pool options alongside other facilities across the district. This Plan would also consider aquatics alongside other sports and recreation demands and opportunities across the district. The Plan would likely consider population growth, demographic characteristics, demand and opportunities for access, participation rates, club membership as well as current sport and recreation facility and program provision. It is anticipated that priority for Council will be on the provision of multi-use, adaptable facilities that are capable of being used for a variety of sports and recreation activities.

Attachments


No.	Title	Page
A	Calibre Consulting Executive Summary - Foxton Pool Extended Season Trial	145


Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	Denise Kidd Community Services Manager	
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Approved by	Monique Davidson Group Manager - Customer and Community Services	
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APPENDIX A Calibre Consulting Executive Summary

Horowhenua District Council engaged Calibre Consulting to provide advice and budget estimates for improvements that could be made with the objective of enabling the pool facility to be operated year-round. This report follows an earlier report (Stage 1) covering means of addressing the pools' problem of overheating in hot, sunny weather.

The existing building is uninsulated, so problems with condensation are inevitable and exacerbated by having heated pools in cooler weather. We understand that despite significant condensation and air-quality issues experienced, the desire for year-round operation arises from the public's positive responses to the temporary operation of the pool during the winter of 2016, while the Levin Aquatic Centre was closed for renovations.

Elimination of condensation is not possible with the existing building; however, it is possible to reduce the incidence and intensity of condensation, including with improved ventilation. A ducted fan-forced (mechanical) ventilation system for the main pool building would be essential to achieve sufficiently acceptable conditions to allow year-round operation. HDC has received a proposal from AHI Carrier Ltd. for such a system; variations to this proposed system and additional works are suggested. Improving the building's thermal performance (insulation) is considered an essential requirement of any major upgrade of the facility, such as installing heating & ventilation systems.

Replacing the roofing with a more thermally efficient alternative would help improve conditions in the building and reduce operating costs. More extensive upgrading of the building including re-cladding of walls, replacement of windows and doors with suitable double-glazed alternatives and the like would also help control the formation of condensation. Improving the building's thermal performance would reduce the size of air-conditioning equipment required to achieve acceptable conditions. Options are discussed and their associated structural and building life-expectancy implications and capital costs assessed.

A longer design life expectancy for the facility could not be reliably achieved without the replacement of the existing structure, i.e. essentially replacing the building.

As the existing building is uninsulated, heat losses during cold weather will be significant and heating costs consequently substantial. A preliminary estimate of the likely energy costs of year-round operation with the existing (uninsulated) building has been made, based on gas and electricity billing data provided by HDC.

Draft Local Alcohol Policy Consultation

File No.: 17/26

1. Purpose

The purpose of this report is to advise the Board that Council is undertaking consultation on a Draft Local Alcohol Policy for the Horowhenua District to facilitate the opportunity to provide a submission on this matter.

2. Recommendation

- 2.1 That Report 17/26 Draft Local Alcohol Policy Consultation be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Foxton Community Board considers submitting on this matter.

3. Background/Previous Council Decisions

At the meeting of Council of 1 February 2017 it was resolved to consult on a Draft Local Alcohol Policy (LAP) that would apply throughout the Horowhenua District. Consultation is currently being conducted, closing 17 March 2017, and the Board is invited to consider making a submission.

4. Issues for Consideration

- 4.1 A LAP may include policies on any or all of the following matters relating to licensing (and no others):
 - (a) location of licensed premises by reference to broad areas;
 - (b) location of licensed premises by reference to proximity to premises of a particular kind or kinds;
 - (c) location of licensed premises by reference to proximity to facilities or a particular kind or kinds;
 - (d) whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district, or any stated part of the district;
 - (e) maximum trading hours;
 - (f) the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions;
 - (g) one way door restrictions.

Note : paragraphs (a) to (d) do not apply to special licences or premises for which a special licence is held or has been applied for
- 4.2 Within Foxton and Foxton Beach there are – 6 Club Licences with various hours of operation; 7 On Licences with hours varying between 8am to 1am; and 6 Off Licences with varying hours between 7am to 10pm.
- 4.3 The draft LAP attached as **Attachment A** is proposing a number of needs that will apply to the various licence types including a standardization of maximum trading hours and location proximity to other defined premises. It should be noted that if a LAP is ultimately implemented the requirements within that LAP will not impact on current licenced premises unless that licence is allowed to lapse.

4.4 In the event a LAP is adopted, this document will guide the decisions of the District Licensing Committee when considering applications.

Attachments

No.	Title	Page
A	Statement of Proposal - Draft Local Alcohol Policy (LAP)	149
B	Summary of Information and Submission Form	159


Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	Mike Lepper Customer and Regulatory Services Manager	
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Approved by	Monique Davidson Group Manager - Customer and Community Services	
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STATEMENT OF PROPOSAL



LOCAL ALCOHOL POLICY



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HOROWHENUA DISTRICT COUNCIL LOCAL ALCOHOL POLICY

1. INTRODUCTION AND EXPLANATORY MATERIAL

- 1.1 The Sale and Supply of Alcohol Act 2012 (the Act) has the following objectives:
- (a) that the sale, supply and consumption of alcohol should be undertaken safely and responsibly; and
 - (b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.
- 1.2 Alcohol related harm is defined very widely and includes any crime, damage, death, disease, disorderly behaviour, illness or injury, and harm to individuals or the community, either directly or indirectly caused by excessive or inappropriate alcohol consumption.
- 1.3 The Act allows territorial authorities to make a local alcohol policy (LAP). The LAP is a set of policies, made by the Council in consultation with its community, about the sale and supply of alcohol in its geographical area. Horowhenua District Council has decided to develop a LAP for its district and to set restrictions and conditions for licensed premises within the district.
- 1.4 Once the LAP comes into force, Council's District Licensing Committee (DLC) and the Alcohol Regulatory Licensing Authority (ARLA) must have regard to the policy when they make decisions on licence applications.
- 1.5 Through a LAP the community is able to:
- Limit the location of licensed premises in particular areas or near certain types of facilities, such as in specific neighbourhoods or near schools or churches;
 - Limit the density of licensed premises by specifying whether new licences or types of licences should be issued in a particular areas;
 - Impose conditions on groups of licences, such as a "one-way door" condition that would allow patrons to leave premises but not enter or re-enter after a certain time;
 - Recommend discretionary conditions for licences;
 - Restrict or extend the default maximum trading hours set in the Act, which are:
 - 8.00 am – 4.00 am for on-licences (such as hotels and restaurants)
 - 7.00 am - 11.00 pm for off-licences (such as bottle stores and supermarkets).
- 1.6 Where the LAP does set maximum trading hours, the District Licensing Committee has discretion to set the permitted trading hours as more restrictive than the maximum trading hours in the LAP.
- 1.7 The LAP can be more restrictive in its provisions relating to licensed premises, but cannot permit activities not allowed by the District Plan. The Horowhenua District Plan provides for entertainment activities (including licensed premises) within the commercial zone, or by resource consent.
- 1.8 Section 117 of the Act permits the District Licensing Committee and the Alcohol Regulatory Licensing Authority to issue any licence subject to "any reasonable conditions not inconsistent with this Act". The LAP includes policies to guide the District Licensing

Committee and Alcohol Regulatory Licensing Authority as to the discretionary conditions that may be appropriate.

2. CRITERIA FOR CONSIDERING LICENSING APPLICATIONS

2.1 The purpose of the LAP is to provide local guidance to the Council's District Licensing Committee in deciding whether to issue or renew a licence.

2.2 Under section 105 of the Act, the DLC has to have regard to a range of matters in addition to any relevant local alcohol policy when considering a licence application. The types of matters include:

- the object of the Act;
- the suitability of the applicant;
- the design and layout of any proposed premises;
- whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the licence;
- whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences, but –
 - it is nevertheless desirable not to issue any further licences.

2.3 The Act says that a licence may be refused or conditions applied if the issue of the licence, or the consequences of the issue of the licence, would be inconsistent with the LAP (section 108 and 109). Where a licence is renewed and it will be inconsistent with the provisions of the LAP, conditions may be imposed (section 133).

3. GOALS OF THIS LAP

The LAP provides direction for the DLC so that licensing decisions:

- contribute to Horowhenua being a safe and healthy District;
- reflect local communities' character and amenity and their values, preferences and needs;
- encourage licensed environments that foster positive, responsible drinking behaviour and minimise alcohol-related harm.

4. OBJECTIVES OF THE LAP

The objectives of the LAP are to provide a policy which:

- reflects the views of local communities as to the appropriate location, number, hours and conditions that should apply to licensed premises within their communities;
- provides certainty and clarity for applicants and the public as to whether a proposed license application will meet the criteria of the LAP;
- provides effective guidance for the decisions of the DLC and ARLA.

5. DEFINITIONS

5.1 When reading this LAP, the following words and phrases have been used. For further details refer to the section of the Act referenced.

5.2 Types of Licences

- **on-licences** where the licensee can sell and supply alcohol for consumption on the premises and can let people consume alcohol there (see section 14 of the Act);
- **off-licences** where the licensee sells alcohol from a premises for consumption somewhere else (see section 17 of the Act);
- **club licences** where the licensee (e.g. a club) can sell and supply alcohol for consumption on the club premises by authorised customer (see section 21 of the Act); and
- **special licences** which can be either on-site or off-site special licences. With an on-site special, the licensee can sell or supply alcohol for consumption there to people attending an event described in it. With an off-site special, the licensee can sell the licensee's alcohol, for consumption somewhere else, to people attending an event described in it (see section 22 of the Act).

Notes:

Some premises hold more than one licence – for example, a tavern may also hold an off-licence and be able to sell alcohol which is consumed off the premises.

The Act allows special licences to be issued for up to 12 months. Unlike other kinds of licence, special licences are not subject to the Act's default maximum hours so can apply up to 24 hours a day. Special licenses are to allow the sale or supply of alcohol at events and are not intended to be a substitute for a "Club", "on" or "off" licence.

5.3 Other terms

bottle store means retail premises where (generally speaking) at least 85% of the annual sale revenue is expected to be earned from the sale of alcohol for consumption somewhere else (refer section 32(1) of the Act).

bar in relation to a hotel or tavern, means a part of the hotel or tavern used principally or exclusively for the sale or consumption of alcohol (refer section 5(1) of the Act).

café has the same meaning as restaurant in terms of the licence.

club means a body that –

- (a) is a body having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or
- (b) is a body corporate whose object is not (or none of whose objects is) gain; or
- (c) holds a permanent club charter (refer section 5(1) of the Act).

grocery store grocery store means a shop that –

- (a) From the date this LAP comes into force no on-licences are to be issued for any premises unless that premises is already licensed; or is located on land zoned commercial or a Resource Consent has been granted by Council for its operation either before or after that date.
- (b) No new on-licences shall be issued for any premises located within 100 metres of the legal site boundary of any school, early childcare facility, place of worship, or public park existing at the time the licence application is made.

Note: Renewal of a licence shall be unaffected should such a facility later establish at a site within 100 metres of the premises.

7.3 Notice of Licence Application

Applicants for NEW or RENEWALS of an On Licence are required to give notice to potentially affected parties within 100 metres of the legal site boundary of the premises. This requirement is additional to notifications required by the Act,

7.4 Discretionary Conditions

Conditions relating to the following matters may be considered generally appropriate for on-licensed premises such as night-clubs and late-night bars:

- 'One-way door' restrictions;
- The time entertainment finishes;
- Provision of additional security (staff) after 'x' hour;
- The installation and operation of CCTV cameras on the exterior of, and within a premises;
- Provision of effective exterior lighting;
- Restrictions on the size of servings (e.g. 'doubles') and time of 'last orders';
- Management of patrons queuing to enter the licensed premises;
- Restriction on the use of outdoor areas after 'x' hour;
- That where a licence is granted for the first time (first time meaning premises where the prospective licensee has never held a liquor licence previously or is operating a premises that has never been a licensed premises before), the trading hours may be more restrictive than the maximum trading hours contained in this LAP;
- Application of the principles of Crime Prevention Through Environmental Design;
- The display of advertising signage will be considered as part of the effect on the amenity and good order of the locality during the application consideration process.

The following conditions may be appropriate for on-licensed premises such as BYO restaurants:

- The holder of a manager's certificate to be on duty during busy periods, e.g. Thursday, Friday and Saturday nights;
- That where a licence is granted for the first time (first time meaning premises where the prospective licensee has never held a liquor licence previously or is operating a premises that has never been a licensed premises before), the trading hours are more restrictive than the maximum trading hours contained in this LAP.

8. SPECIAL LICENCES

8.1 Hours

The hours (opening and closing) and duration of a special licence are set at the discretion of the DLC for each event, having regard to the nature of the event or series of events. The following maximum trading hours apply to all special licenses in the Horowhenua District territorial area:

Monday to Sunday	generally the closing time for any special licence shall not exceed 1am on any given day, however the DLC may consider extensions in exceptional circumstances.
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8.2 On and Off-site

Special licences may be issued both for off-site consumption (e.g. wine sales from a market stall) or for on-site consumption, e.g. at a community event or when a bar has a special licence to open earlier/close later for significant events. Generally for premises holding existing on-licences, the conditions of a special licence will specify a closing time no more than two hours later than permitted by their on-licence.

8.3 Discretionary Conditions

In addition to the discretionary conditions in Section 147 of the Act, the following conditions may be considered appropriate for special licences:

- Any special licence for a series of events should not be for a period exceeding 6 months, and the number of events is not to exceed 20..
- A 'One-way door' restriction to apply from a specified time.
- No glassware is to be taken outside the building or onto grass or artificial grass surfaces.
- Plastic containers or cans to be used for any event (except when it is being served and remains within the building).
- Areas to be clearly defined / cordoned off / demarcated where liquor is being sold/consumed outside of the building, e.g. beer tent. Where appropriate people are to remain within the defined area.
- The holder of a manager's certificate to be present when alcohol is available for sale, or the number of manager's certificate holders required may be specified.
- The maximum number of alcoholic drinks per sale transaction may be specified.
- A register to be maintained recording any incidents or issues of concern, and is to be available to Police or Licensing Inspector on request.

9. CLUB LICENCES

9.1 Hours

The following maximum trading hours apply to all club-licensed premises:

Monday to Sunday	9.00 am until 1.00 am the following day.
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9.2 Discretionary Conditions

Conditions relating to the following matters may be appropriate for Club licensed premises depending on the size and nature of the club:

- a requirement for the holder of a manager's certificate to be present when alcohol is available for sale during busy periods, e.g. more than 100 people are on the Club premises.

10. POLICY REVIEW

Pursuant to section 97 of the Act Council must review its LAP using the Special Consultative Procedure no later than six (6) years after it comes into force and no later than six (6) years after the most recent review of it was completed.

Summary of Information



DRAFT LOCAL ALCOHOL POLICY

At a meeting of the Horowhenua District Council held on 1 February 2017, Council resolved to consult on this draft Policy using the Special Consultative Procedure as laid down in the Local Government Act 2002.

1. Proposal

Council is proposing to introduce a Local Alcohol Policy to apply throughout the Horowhenua District. This Policy will set rules around the sale, supply, and consumption of alcohol within the District.

2. Submissions

Submissions on the proposal close at 5.00 pm on Friday, 17 March 2017. All submissions should be addressed to:

Local Alcohol Policy
Horowhenua District Council
Private Bag 4002
Levin 5540

Submitters should advise whether they wish to be heard when submissions are considered. A meeting will be scheduled after the consultation period has closed. Submitters are advised that pursuant to the Local Government Act 2002 and subject to the Local Government Official Information and Meetings Act 1987, all submissions shall be made available to the public.

Submission forms and the Statement of Proposal are available at the Council Offices in Levin (126 Oxford Street, or Te Takere), Foxton (Clyde Street); or Shannon (Plimmer Terrace). Copies may also be obtained by telephoning Council's Customer Service Centre, Levin, on (06) 366 0999, and on Council's website www.horowhenua.govt.nz.

3. Form of Summary

The form and contents of this summary were approved by a resolution of Council on 1 February 2017.

Draft Policy - Dangerous and Insanitary Buildings 2017

File No.: 17/27

1. Purpose

To advise the Foxton Community Board that Council is undertaking consultation on a revised policy in respect of Dangerous and Insanitary Buildings, to facilitate the opportunity for the Board to provide a submission on this matter.

2. Recommendation

- 2.1 That Report 17/27 Draft Policy - Dangerous and Insanitary Buildings 2017 be received.
- 2.2 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.
- 2.3 That the Foxton Community Board considers submitting on this matter.

3. Background/Previous Council Decisions

At the meeting of Council of 1 February 2017 it was resolved to consult on a revised draft policy in respect of Dangerous and Insanitary Buildings that applies throughout the District. Consultation is currently being conducted, closing 17 March 2017, and the Board is invited to consider making a submission.

4. Issues for Consideration

There are no considerations required on this matter by the Board. Council is required to have a policy and the policy must reflect the requirements of the Building Act 2004.

Attachments

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B	Summary of Information and Submission Form.	173


Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

Author(s)	Mike Lepper Customer and Regulatory Services Manager	
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Approved by	Monique Davidson Group Manager - Customer and Community Services	
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Statement of Proposal

POLICY ON DANGEROUS AND INSANITARY BUILDINGS 2017

Adopted :

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HOROWHENUA DISTRICT COUNCIL

**DANGEROUS AND INSANITARY BUILDINGS
POLICY 2017**

1. Introduction and Background

- 1.1 Section 131 of the Building Act 2004 (“the Act”) requires territorial authorities (“TAs”) to have a policy on dangerous and insanitary buildings. Additionally, Council is now also required to take into account affected buildings¹.
- 1.2 One of the key purposes of the Act, as set out in Section 3, is to ensure ‘people who use buildings can do so safely and without endangering their health’. Section 4 details the principles to be applied in performing functions under the Act and specifically states that TAs must take these principles into account in the adoption and review of their dangerous and insanitary building policies.
- 1.3 This policy was originally adopted by the Horowhenua District Council (“Council”) on 31 May 2006 in accordance with the requirements of the Building Act 2004.
- 1.4 The policy is required to state²: The approach that the Council will take in performing its functions under the Act; Council’s priorities in performing those functions; and how the policy will apply to heritage buildings.
- 1.5 In reviewing, amending and adopting this policy, Council has followed the special consultative procedure set out in Section 83 of the Local Government Act 2002.
- 1.6 In many, but not all, cases whether a building is dangerous, affected or insanitary status will not be readily apparent. For that reason, any attempt to identify these buildings proactively is unlikely to be successful unless Council has considerable resources to undertake inspections and evaluations of buildings.
- 1.7 As a consequence, the most likely sources of information concerning dangerous, affected or insanitary buildings continues to be from building occupants, neighbours, or as the result of an inspection by the Police, the Fire Service or other agencies authorised to inspect buildings. Other sources of information will be known directly by Council, possibly following a significant weather event.
- 1.8 Relying on complaints to provide information concerning potentially dangerous or insanitary buildings continues to be the most practical way in which Council can identify both these buildings and affected buildings within the district and undertake its statutory responsibilities.

2. Definitions

The following definitions, contained in the Building Act 2004, will be used to determine whether a building is insanitary, dangerous or earthquake-prone:

- **Dangerous:** (s121(1)) – “A building is dangerous for the purposes of this Act if –
 - a. in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause –
 - (i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property, or
 - (ii) damage to other property; or

- b. in the event of fire, injury or death to any person in the building or to persons on other property is likely.”
- **Insanitary:** (s123) “A building is insanitary for the purposes of this Act if the building
 - a. is offensive or likely to be injurious to health because –
 - (i) of how it is situated or constructed; or
 - (ii) it is in a state of disrepair; or
 - b. has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or
 - c. does not have a supply of potable water that is adequate for its intended use; or
 - d. does not have sanitary facilities that are adequate for its intended use.”
- **Affected building:** (s121A) “The building is an affected building for the purposes of this Act if it is adjacent to, adjoining, or nearby –
 - a. a dangerous building as defined in Section 121; or
 - b. a dangerous dam within the meaning of Section 153.”

3. Policy Approach

3.1 Policy Principles

Provisions of the Act with regard to dangerous, affected or insanitary buildings reflect the government’s broader concern with the safety of the public in buildings, and with the health and safety of people occupying buildings that may be considered to be dangerous, affected or insanitary. However, Council recognises that public safety must be balanced against the other broader economic issues and in relation to other Council Policy.

3.2 Overall Approach

- (i) Sections 124 to 130 of the Act provide the authority necessary for TAs to take action on dangerous, affected or insanitary buildings and set out how this action is to be taken.
- (ii) Council will continue to encourage the public to discuss their development plans with Council and to obtain building consent for work Council deems is necessary prior to any work commencing. This is particularly important in order to avoid creating dangerous or insanitary conditions that could be injurious to the health of occupants, particularly children and the elderly, or where safety risks are likely to arise from a change in use.
- (iii) Council has in the past relied upon complaints from various sources to identify dangerous or insanitary buildings and will continue with this passive approach.

3.3 Identifying Dangerous, Affected or Insanitary Buildings

- (i) Council will:
 - Take a passive approach to identification of buildings.
 - Actively respond to and investigate all buildings complaints received.
 - Identify from these investigations any buildings that are dangerous, affected or insanitary.
 - For dangerous buildings, inform the owner(s) and occupier of the building to take action to reduce or remove the danger; as is required by Sections 124 and 125 of

the Act; (and liaise with the New Zealand Fire Service when Council deems it is appropriate, in accordance with Section 121(2) of the Act).

- For insanitary buildings, inform the owner(s) of the building to take action to prevent the building from remaining insanitary as is required by Sections 124 and 125 of the Act (and liaise with the Medical Officer of Health when required to assess whether the occupants may be neglected or inform).
- (ii) For affected buildings, inform the owner(s) of the building only when restricting entry to the building.

3.4 Assessment Criteria

- (i) Council will assess dangerous, affected or insanitary buildings in accordance with the Act and established case law, as well as the building code.
- (ii) Council will:
- Investigate as to whether the building is occupied.
 - Assess the use to which the building is put.
 - Assess whether the dangerous or insanitary conditions pose a reasonable probability of danger to occupants or visitors, or to the health of any occupants of the building. Upon the determination that a building is dangerous assess whether the dangerous building poses a reasonable probability of danger to occupants or visitors of any adjacent, adjoining or nearby buildings.
- (iii) Considerations as to dangerous assessment where a building is either occupied or not may include:
- Structural collapse.
 - Loose materials/connections.
 - Overcrowding.
 - Use which is not fit for purpose.
 - Seeking advice from the New Zealand Fire Service³.
- (iv) Considerations as to insanitary assessment where a building is occupied may include:
- Adequate sanitary facilities for the use.
 - Adequate drinking water.
 - Separation of use for kitchen and other sanitary facilities.
 - Likelihood of moisture penetration.
 - Natural disaster.
 - Defects in roof and walls/poor maintenance/occupant misuse.
 - The degree to which the building is offensive to adjacent and nearby properties.
- (v) A building will be deemed to be an affected building if it is adjacent, adjoining or nearby a building which Council has assessed as being a dangerous building.

3.5 Taking Action

- (i) In accordance with Sections 124 and 125 of the Act the Council will:

- Advise and liaise with the owner(s) of the buildings identified as being dangerous, affected or insanitary.
- As a consequence of a building being identified as dangerous consider whether any buildings should be regarded as being an affected building for the purposes of the Act.
- May request a written report on the dangerous building from the New Zealand Fire Service.

(ii) If found to be dangerous or insanitary:

- Attach written notice to the building requiring work to be carried out on the building, within a time stated in the notice being not less than ten (10) days, to reduce or remove the danger.
- Give copies of the notice to the building owner, occupier, and every person who has an interest in the land, or is claiming an interest in the land, as well as the Heritage New Zealand Pouhere Taonga, if the building is a heritage building.
- Contact the owner at the expiry of the time period set down in the notice in order to gain access to the building to ascertain whether the notice has been complied with.
- Where the danger is the result of non-consented building work, Council will formally request the owner(s) to provide an explanation as to how the work occurred and who carried it out and under whose instructions; (and apply for a Certificate of Acceptance if applicable).
- Pursue enforcement action under the Act if the requirements of the notice are not met within a reasonable period of time as well as any other non-compliance matters.

(iii) Where Council has determined under Section 121A of the Act that a building is an "affected building" Council may do any or all of the following:

- Erect a hoarding or put up a fence around the building;
- Attach a notice warning people not to approach the building;
- Issue a written notice restricting entry to the affected building for particular purposes or to particular groups of people for a maximum period of thirty (30) days. Such notice may be reissued once for a further thirty (30) days.

(iv) If the building is considered to be immediately dangerous or insanitary Council may:

- Cause any action to be taken to remove that danger or insanitary condition (this may include prohibiting persons using or occupying the building and demolition of all or part of the building); and
- Take action to recover costs from the owner(s) if Council must undertake works to remove the danger or insanitary condition.
- The owner(s) will also be informed that the amount recoverable by Council will become a charge on the land on which the building is situated.

(v) All owners have a right of appeal as defined in the Act, which can include applying to the Department of Building and Housing for a determination under Section 177 of the Act.

3.6 Interaction between the Dangerous and Insanitary Buildings policy and related sections of the Act:

(i) Section 41: Building consent not required in certain cases.

- (ii) In cases where a building is assessed as being immediately dangerous or insanitary Council may not require prior building consent to be obtained for any building work required so as to remove the dangerous or insanitary condition immediately. However, where Council has issued a notice under Section 125(1) of the Act it must advise the owner of the building if a building consent will be required prior to the owner commencing any remedial works to the building.
- (iii) Prior to the lodging of a building consent application for the work required under the notice it is imperative that building owners discuss any works with Council. In those circumstances where Council has not required a building consent to be issued prior to the commencement of the remedial works required by the notice, the building owner will still be required to apply for a certificate of compliance as required by the Act.

3.7 Record Keeping

- (i) Any buildings identified as being dangerous or insanitary will have a notation placed on the property file for the property on which the building is situated until the danger or insanitary condition is remedied.
- (ii) A notation will be placed on the property file of an affected building until such time as the dangerous condition of the adjacent, adjoining or nearby building has been rectified.
- (iii) In addition, the following information will be placed on the Land Information Memorandum (LIM):
 - Notice issued that the building is dangerous, insanitary or is an affected building.
 - Copy of letter to owner(s), occupier and any other person that the building is dangerous, insanitary or is an affected building.
 - Copy of the notice given under Section 124(1) that identifies the work to be carried out on the building and the timeframe given to reduce or remove the danger or insanitary condition.

3.8 Economic Impact of Policy

Due to the lower number of dangerous, affected or insanitary building encountered annually by Council, the economic impact of this policy is, at this date, considered to be low.

3.9 Access to Information

- (i) Information concerning dangerous, affected or insanitary buildings will be contained on the relevant LIM and Council records.
- (ii) In granting access to information concerning dangerous, affected or insanitary buildings, Council will confirm to the requirements of the Local Government Official Information and Meetings Act 1987 and Local Government Act 2002.

4. **Heritage Buildings**

- 4.1 No special dispensation will be given to heritage buildings under this policy.
- 4.2 The fact that a building has heritage status does not mean that it can be left in a dangerous or insanitary condition. As per Section 125(2)(f) of the Act, a copy of any notice issued

under Section 124 of the Act will be sent to Heritage New Zealand Pouhere Taonga where a heritage building has been identified as a dangerous, affected or insanitary building.

5. Priorities

- 5.1 The Council will give priority to buildings where it has been determined that immediate action is necessary to fix dangerous or insanitary conditions. Immediate action will be required in those situations to fix those dangerous or insanitary conditions such as prohibiting occupation of the property, putting up a hoarding or fence or taking prosecution action where necessary.
- 5.2 Buildings that are determined to be dangerous or insanitary, but not requiring immediate action to fix those dangerous or insanitary conditions, will be subject to the minimum timeframes to prevent the building from remaining dangerous or insanitary (not less than ten (10) days) as set in Section 124(1)(c) of the Act.

6. Policy Review

This policy will be reviewed on a 5 yearly basis from the date of adoption as required by section 132(4) of the Building Act 2004.

Notes

- ¹ Section 132(a) Building Act 2004 which came into force on 27 November 2013
- ² Section 131(2) of the Building Act 2004
- ³ Section 121(2)(a) of the Building Act 2004

Summary of Information



DRAFT POLICY ON DANGEROUS AND INSANITARY BUILDINGS 2017

At a meeting of the Horowhenua District Council held on 1 February 2017, Council resolved to consult on this draft Policy using the Special Consultative Procedure as laid down in the Local Government Act 2002.

1. Proposal

Council is proposing to update its 2006 policy in respect of dangerous and insanitary buildings by introducing a separate policy on this matter. There are no significant changes from the 2006 policy in this review.

2. Submissions

Submissions on the proposal close at 5.00 pm on Friday, 17 March 2017. All submissions should be addressed to:

Dangerous and Insanitary Buildings Policy
Horowhenua District Council
Private Bag 4002
Levin 5540

Submitters should advise whether they wish to be heard when submissions are considered. A meeting will be scheduled after the consultation period has closed. Submitters are advised that pursuant to the Local Government Act 2002 and subject to the Local Government Official Information and Meetings Act 1987, all submissions shall be made available to the public.

Submission forms and the Statement of Proposal are available at the Council Offices in Levin (126 Oxford Street, or Te Takere), Foxton (Clyde Street); or Shannon (Plimmer Terrace). Copies may also be obtained by telephoning Council's Customer Service Centre, Levin, on (06) 366 0999, and on Council's website www.horowhenua.govt.nz.

3. Form of Summary

The form and contents of this summary were approved by a resolution of Council on 1 February 2017.

Foxton Beach Reserves Investment Plan

File No.: 17/39

1. Purpose

The purpose of this report is to gain the Foxton Community Board's approval on the recommended changes and final adoption of the Foxton Beach Reserves Investment Plan by Council.

2. Recommendation

- 2.1 That Report 17/39 on the Foxton Beach Reserves Investment Plan be received.
- 2.2 That the Foxton Community Board approves the Foxton Beach Reserves Investment Plan and recommends that officers now take it to Council for adoption.
- 2.3 That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

3. Background/Previous Council Decisions

A network of 10 public reserves in Foxton Beach has been identified for future investment, with support from the Foxton Community Board and Foxton Beach community. This is to be delivered as a result of the \$1 million fund which has been allocated from the Foxton Beach Freehold Account.

Background to the Foxton Beach Freehold Account

The Foxton Beach Freehold Account came from land (leasehold payments) endowed by the Crown under the Reserves and other Lands Disposal Act 1956 to the Manawatu County Council as the Corporation administering and controlling the land after the Harbour Boards abolition in 1955.

Later Acts passed in the 1960s both increased the land area and placed conditions on the use of funds, including "*The Council shall from time to time spend the net proceeds from the sale or lease of the endowment land on the provision of services and public amenities for the benefit of the inhabitants of Foxton Beach township, or on the improvement, maintenance, or repair of any existing services on public amenities*".

An overall strategy and policy relating to the Foxton Beach Freehold Account was adopted by Council in 2009.

As part of the development of the 2015-2025 Long Term Plan the Council consulted with the community of whether it would be supportive of using a portion of the Foxton Beach Freehold Account on the development of parks and reserves in Foxton Beach. The outcome was that the Council committed \$100,000 a year over a ten year period to invest in the development of parks and reserves in Foxton Beach (which is a total of \$1 million).

Overview of the Foxton Beach Reserves Investment Plan

The purpose of the Foxton Beach Reserves Investment Plan is to identify a programme of investment in the public reserves at Foxton Beach. The actions that make up the Investment Plan have been organised into categories such as decision, design etc. As the actions are quite numerous and diverse, a method to prioritise them has been developed. Whilst such a process will always have a degree of subjectivity to it, the following criteria were used to attribute a priority ranking to each action:

- Contribution to existing use/value

- Significance of reserve
- Degree of impact from investment

Each action was given a score against each attribute, which when tallied sorts all actions against a prioritisation measure.

The prioritisation is important as it will be used by Council Officers in deciding which actions or projects should be progressed first. As the \$1 million from the Foxton Beach Freehold Account will certainly not be enough to enable Council to do all of the actions/projects that have been identified within the Investment Plan, Officers will focus the money on actions/projects that will have the most value (i.e. the highest priority projects that will have the greatest benefit for the Foxton Beach Community).

Consultation on the Investment Plan

The Foxton Beach Reserves Investment Plan has been developed via information and ideas provided by the Foxton Beach Community.

The process to date has involved two 'phases' of consultation: one phase before the Investment Plan was written; and a second phase was undertaken once a Proposed Investment Plan had been developed.

The first phase of consultation which was held in mid-to-late 2016 involved:

- Overall input and engagement from the Foxton Beach Community
- Several community workshops in 2016 allowing both individuals and local organisations the opportunity to identify issues within the ten reserves, areas for improvement, and ideas for development
- There was also additional input from young Foxton Beach residents, via both Foxton Beach Primary School students and members of the Foxton Beach Kea, Cub and Scouts groups
- Workshops with the Foxton Community Board

The ideas proposed throughout this first round of consultation were plentiful and diverse, and they were used to shape the Proposed Investment Plan.

The second phase of consultation, which ran from 15 December to 3 February, was similar to the first in that it was open to the community. A community input session was also held with the Foxton Beach community on 11 January 2017. The purpose of this phase of consultation was to check the Proposed Investment Plan accurately reflected the community's aspirations that were identified during the initial consultation phase.

This later phase of consultation identified that there was general support for the Proposed Investment Plan and that only minor changes are needed; and these changes have been incorporated into the Investment Plan. There was a really good response from the community during this second phase of consultation; in fact we received feedback/input from over 50 individuals and groups.

Some key matters that were raised as part of this consultation were:

- The need to provide for horse trekking on reserves;
- Reference to conflict between the user groups of Cousins Avenue. This was raised by a number of different groups that currently use this Reserve; and
- General support for the 'large ticket items' identified in the Investment Plan such as the pump track and the flying fox.

Several smaller matters were also raised such as requests for more rubbish bins etc and a number of small errors/typos were also highlighted.

4. Issues for Consideration

In early November the Foxton Community Board reiterated their preference that the installation of a Pump Track at Holben Reserve was their top priority for the 2016/17 financial year. They reiterated their desire was for the Parks and Property Team to proceed with planning for the pump track idea.

Attachments



No.	Title	Page
A	Foxton Beach Reserves Investment Plan	180

Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

Signatories

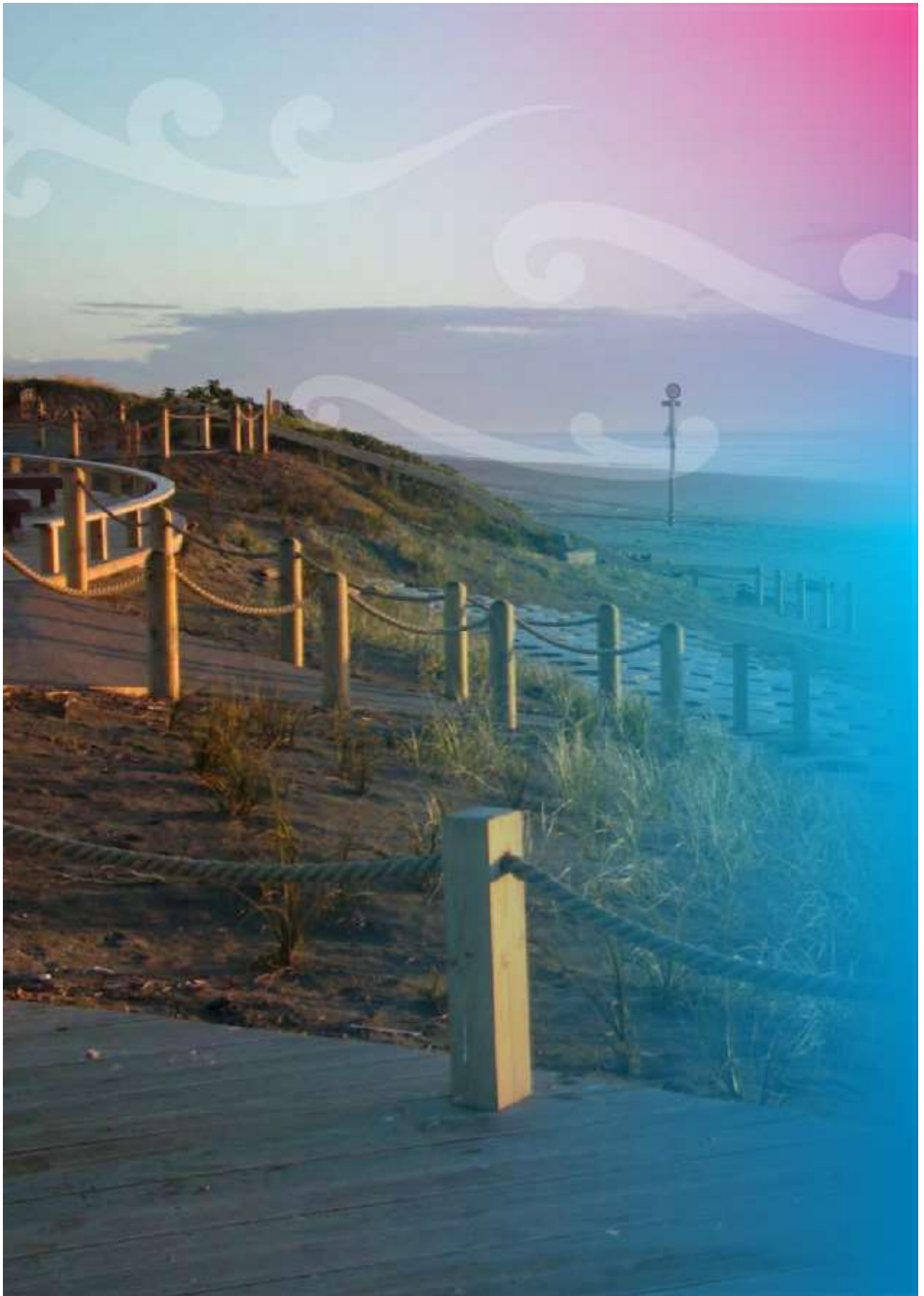
Author(s)	Caitlin O'Shea Graduate Strategic Planner	
Approved by	David McCorkindale Senior Manager - Strategic Planning	



Foxton Beach Reserves Investment Plan

2015/16 - 2025/26





Introduction

Introduction

The Foxton Community Board presents the Foxton Beach Reserves Investment Plan, a programme of investment in the public reserves at Foxton Beach.

Located within Horowhenua district, Foxton Beach is home to approximately 1,500 permanent residents, who are joined by an approximately equal number of holiday residents during summer. The beach settlement is rich in natural amenity, being located on the edge of both the Manawatu Estuary and the west coast Foxton Beach itself. The landward edges of the settlement include large areas of hilly forestry land and wide expanses of flat farmland. These open space characteristics are complemented by a variety of parks and reserves scattered throughout the residential neighbourhood.

This report presents a programme of investment in the series of public reserves at Foxton Beach.

A network of 10 public reserves has been identified for investment by the Foxton Beach community and Foxton Community Board. Funding has been allocated to make improvements within the reserves over a ten-year timeframe, between 2015/16 - 2025/26. This report provides a methodology for such investment / improvements.

The range and detail of improvements identified within this report is the result of input and engagement from the Foxton Beach community. Several community workshops provided individuals and local organisations to identify issues with the 10 reserves, areas for improvement and ideas. This was strengthened by additional input from young Foxton Beach residents—

via both Foxton Beach Primary School students and members of the Foxton Beach kea, cub and scouts groups.

The large number of initiatives identified in this Investment Plan vary significantly in scope, size and delivery method. Some relate specifically to individual reserves, while others apply across the network. Accordingly, this report presents the initiatives in matrix form—enabling them to be organised and prioritised based upon location, type and size of impact. This then equates to a work programme for the decade of funding.

The initiatives presented here are primarily to be funded from the Foxton Beach Freehold Account.

The implementation of the initiatives will be achieved in partnership between the Foxton Community Board and Horowhenua District Council (Parks and Property Team). In addition, many of the initiatives can or will require support from the local community and relevant community and environmental groups. A high level of such support was expressed at the project workshops and subsequent consultation.

At conclusion of 2026, following a decade of targeted investment in Foxton Beach's public reserves, the community and their visitors alike will be well served by a network of reserves that provide for daily leisure and recreation, formal activities and ongoing enjoyment of the natural environment the community sits within.



**A decade
of targeted
investment
in Foxton
Beach's public
reserves**

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6 Foxton Beach Reserves Investment Plan: 2015/16 - 2025/26

Foxton Beach Reserves



Reserve Type and Classification

This Investment Plan relates to a network of 10 public reserves located in the Foxton Beach area, as illustrated on the map.

Collectively the ten reserves represent a spectrum of public space type, size, use and activity. They also represent a range in degree of investment to date, with some well equipped and therefore well used and others whom have experienced minimal or even no investment in regards to their role as public open spaces for the community's benefit.

Typology

The ten public reserves considered within this initiative provide an interesting snapshot of open space typology. Typology describes a range of 'types', as a concept of multiple types placed upon a spectrum from one extreme to another.

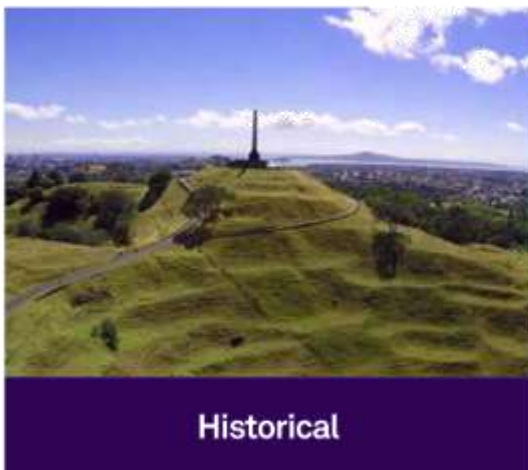
When considering open space typologies, terms such as neighbourhood park, sports field and native reserve are familiar names often given to public reserves within our urban settlements. For the purpose of this initiative, the open space typology presented on the following page has been used to help explore the public space offered at Foxton Beach.

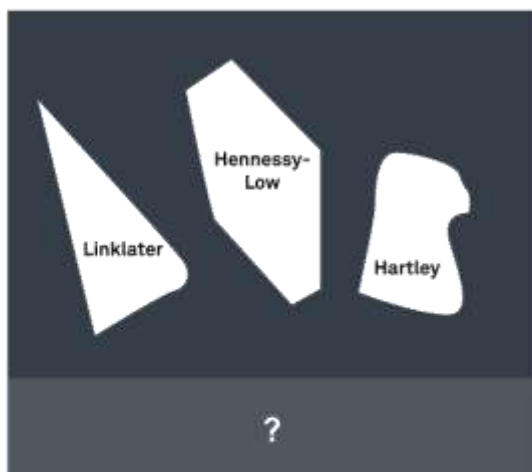
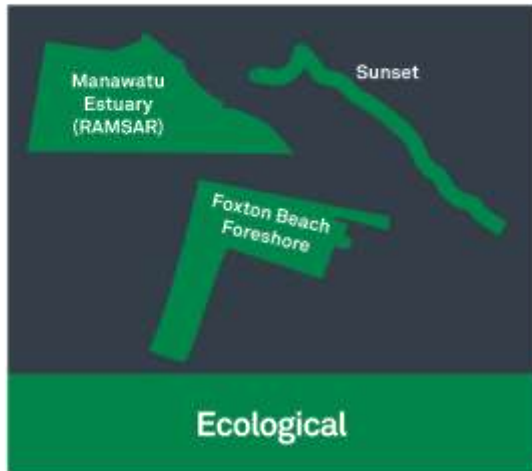
The typology framework used here has been sourced from design guidance produced by the Parks and Recreation Team at Auckland Council, available to view at www.aucklanddesignmanual.co.nz

Network

The ten reserves are considered within this initiative as a network of public open space. However, this concept is limited in its reality at time of preparing this Investment Plan (2016/17). Due to their close proximity several reserves do work in compliment, such as people walking through Flagstaff Reserve continuing on along Sunset Walkway. However, the notion of linking the reserves so to become a true network (both physically as items on a loop path and programmatically by offering complimentary activities) presents a distinct opportunity to increase use, enjoyment and value of the reserves by both the local Foxton community and visitors alike.

Open Space typology







People and the Parks

While the value of public open space begins simply with provision, its true value is defined by many other factors. A highly valuable public open space is one that is in the right location, of the right size, containing the right infrastructure, accessible to all and appropriate to its location and setting.

This can be further enhanced when, as described previously, it contributes to a wider provision of open spaces that together provide a collective offer of open space.

A useful factor to analyse when looking at the value of public open space is to consider the proximity of the location of the open space to the population it is intended to serve. To do this, a concept known as a 'ped shed' can be used. A ped shed describes a standard walking distance from a point of interest, measured as a radius from there out across the ped shed area. Ped sheds typically use a five minute and ten minute walking radius (for a standard able bodied pedestrian, with minimal impingements from geography or delays crossing busy roads etc). These five and ten minute walking times commonly convert to 400m and 800m radius respectively. Therefore a ped shed(s) can be drawn around a point of interest to identify what area and as an extension of this, what population, is captured within the walking distance radius.

The images on the following page show two ped shed studies of the Foxton Beach reserves. The top image shows a five minute / 400m ped shed from each of the Foxton Beach reserves. This quickly illustrates that the majority of residential dwellings are within a five minute walk of a reserve. While each reserve provides a different offer in terms of the type and usability of public open space, the ped shed mapping provides an immediate analysis to clarify that the location of public open space is appropriate to the location of Foxton Beach residents, as the user group the reserves are provided for. This presents a very positive starting point for this Investment Plan to build upon.

What also becomes immediately apparent from the ped shed technique is that there are a few small areas of residential development that sit outside of the five minute / 400m ped shed—highlighted in red on the map over the page. Important to note is that these areas are part of the most recent residential development in Foxton Beach. This observation illustrates the importance of the design of new subdivision / residential development to ensure public open spaces are considered, planned for and incorporated. This must become a requirement of new development and/or structure plans sitting against areas marked for future development and should be achieved at the subdivision stage of the development process.

The second ped shed map provided on the following page (bottom image) provides a typology based assessment of the Foxton Beach reserve provision. Simply as an illustration, this analysis looks at the provision of children's playgrounds (a primary element of an 'informal recreation' open space typology), the location of such and again their proximity to the local population. For this analysis, both a five minute and ten minute ped shed have been used, recognising that people are typically likely to walk further for a valued attraction/asset, such as a children's playground. For the purpose of this analysis, the existence and location of the playground equipment at Foxton Beach Primary School has been included, recognising it as an asset enjoyed by the wider community.

As with the first ped shed map, the playground analysis provides a positive result, illustrating that all residential properties within Foxton Beach are within a ten minute walk of a children's playground—representing a positive level of provision of the component of a public open space offer.



☆ Reserve ○ 5 minute/400m ped-shed ■ Houses and development sites outside of ped-shed areas



★ Playground - public ★ Playground - primary school ○ 5 minute/400m ped-shed ○ 10 minute/800m ped-shed

Reserve Snapshot

Before exploring the reserves individually, the table below provides an interesting snapshot of the ten reserves and their comparative attributes.

Presented here are varying sizes of the reserve, their tenure (ownership) and the infrastructure they contain.

In addition, the table records the reserves type/typology, as based upon the open space typology spectrum and analysis presented previously. Categorising the ten reserves against this typology tool illustrates a positive provision of four of the six typologies but also shows that a) three reserves do not align with a recognised open space typology and b) that the Foxton Beach area does not contain a civic space, nor an open space that draws upon the area's heritage as its purpose and character.

The lack of civic and heritage spaces within a small coastal settlement such as Foxton Beach does not suggest a significant weakness in the open space provision. However, the misalignment with three of the ten reserves, in being unable to clearly categorise their provision type, character and use does raise concern. If a reserve's typology cannot be identified, its design, provision and purpose must be questioned as it can be assumed that without a clear purpose, it is unlikely that the reserve can provide the community with a clear value. This analytical observation is to be tested throughout the analysis of the individual reserves on the following pages.

Name	Typology	Size	Tenure + Status	Infrastructure
Cousins	Sports/active + landscape	58 hectares	Endowment land	Forestry and tracks
Ferry	Sports/active + landscape	17.5 hectares	Ferry Reserve (Reserves Act + Gazetted)	Forestry and tracks
Flagstaff	Informal Recreation	2 hectares	Endowment land	Playground, wooden ship and pathway connecting Seabury Avenue to estuary
Foxton Beach Foreshore	Sports/active + ecological	1.4 hectares	Endowment land/ Recreation Reserve (Reserves Act)	Beach foreshore, dunes, parking lot, Surf Club, public toilets, picnic tables and seats
Hartley Street	?	0.17 hectares	Recreational Reserve (Reserves Act)	Public toilet
Hennessy-Low	?	0.16 hectares	Council-owned land	Grassed
Holben	Landscape, informal recreation + sports/active	9.7 hectares	Recreational Reserve (Reserves Act + Gazetted)	Community hall, walking path, playground, tennis court, skate ramp etc
Linklater	?	0.2 hectares	Endowment land	Bus stop
Manawatu Estuary (RAMSAR site)	Ecological	200 hectares (part of the 558 hectares estuary)	Multi	Conservation area
Sunset	Ecological	0.13 hectares	Esplanade Reserve	Walking path

Who?

The Foxton Beach Reserve Investment Plan has been produced via information and ideas provided by the Foxton Beach community.

Community members, as individual residents and/or representatives of local organisations, were invited to contribute their experience of the reserves and their ideas for how they could be improved in the future. Such contributions were also made by students from Foxton Beach Primary School, members of the Foxton kea, cubs and scouts groups and staff of Horowhenua District Council who live or work in the Foxton Beach area.

What?

The ideas and initiatives proposed by the Foxton Beach community are plentiful and diverse.

To help organise the actions identified, they have been organised into the following categories:

- Decision
- Design
- Education
- Enforcement
- Legal
- Monitoring
- Physical—landscape
- Physical—furniture
- Promotion
- Signage

How?

The intention of this reserve investment plan is to target use of funds allocated from the Foxton Beach Freeholding Account to improvements to the network of public reserves.

The majority of actions presented on the following pages are aligned with the fund. However, a collection of actions identified more appropriately sit with alternative sources of funding or implementation. Therefore, the investment plan allocates each action to one of the following funding mechanisms:

- Foxton Beach Freehold Account
- Foxton Community Board (and volunteers) time
- Horowhenua District Council capital expenditure (CAPEX)
- Horowhenua District Council operating expenditure (OPEX)

Why?

As the ideas and resulting actions that make-up this investment plan are so diverse, a method to prioritise them is required.

Whilst such a process will always have a degree of subjectivity to it, the following criteria were used to attribute a priority ranking to each action.

- Contribution to existing use / value
- Significance of reserve
- Degree of impact from investment

Each action was given a score against each attribute, which when tallied sorts all actions against a prioritisation measure.

Investment Plan

The following pages present each of the 10 reserves, identifying them in aerial form to illustrate their location, size and extent. A short commentary is provided, summarising themes from community and other stakeholder input regarding the reserve. This then leads to the various actions identified for future investment in the reserve.

[Note: Several acronyms are used throughout this section: FCB for Foxton Community Board, FBFA for the Foxton Beach Freehold Account and HDC for Horowhenua District Council.]

Cousins Avenue Reserve

58 hectares

Cousins Avenue Reserve is a highly valued reserve by the more adventurous community members and visitors to the area. It is well used by people riding motorbikes, four-wheel drive vehicles, mountain bikes and horses, plus people walking.

Community input to this project repeatedly acknowledged that this range of users creates conflict at times, in particular between modes with wheels and modes without.



Recommendations for Investment:

#	Actions	Funding	Type	Priority
9	Develop and/or increase promotions of the reserve as an area for active recreation e.g. mountain biking and 4x4 vehicles [purpose to both promote this recreation asset but also encourage such activities here rather than in other more sensitive reserve locations]	FBFA	Promotion	8
10	Promote key entry points and improve signage at these locations, including information regarding routes, acknowledgement of high risk area, multiple user groups and individual responsibility	FBFA	Signage	8
11	Confirm future of reserve as an active recreation area—enabling ongoing investment in pathways from community recreation groups	FCB	Decision	7
12	Investigate installing a toilet block	FCB	Decision	7
13	Discourage the use of vehicles on the dunes	FCB	Monitoring	7
14	Investigate adding interactive activities for children along the tracks e.g. giant wood chimes	FCB	Decision	5
15	Investigate privacy options for adjacent land owners	FCB	Decision	5

Flagstaff Reserve

2 hectares

Flagstaff Reserve is a highly valued local park, with both the playground and walking track well used by the local community. The majority of discussion regarding the reserve related to opportunities to build upon its value, rather than any need to fix or resolve issues.



Recommendations for Investment:

#	Actions	Funding	Type	Priority
18	Improve relationship between reserve and Whitebait Creek—extend planting from creek edge into reserve in discussion with adjacent land owners and with advice from Horizons Regional Council and Department of Conservation	FBFA	Physical - landscape	8
19	Add seating around playground	FBFA	Physical - furniture	8
20	Upgrade / maintain walking track surface as suitable for all modes (pedestrians, scooters, buggies, horses etc)	CAPEX	Physical - landscape	7
21	Improve street presence of reserve at Seabury Avenue—add planting beds etc to increase it's visibility for those travelling past; add signage to promote the playground, walking connection to Hartley Street / estuary and the values of the reserve to visitors and new residents	FBFA	Physical - landscape	7
22	Add planting (natives) throughout the reserve to increase amenity and character of the park	FBFA	Physical - landscape	7
23	Add dog waste bin; recognising this reserve as a very popular dog walking route	CAPEX	Physical - furniture	6
24	Informal car parking occurs on the reserve itself at present. No issues raised however monitor any impact on the ground surface and if needed consider formalising the parking area by installing permeable surface material (e.g. gobi-blocks)	HDC OPEX	Monitor	5
25	Investigate providing more shade	FCB	Decision	6

Ferry Reserve

17.5 hectares

Flagstaff Reserve is one of the least used reserves, as per all discussion and input that has informed this project. Of those who did discuss its use, people described walking, cycling and horse trekking through the reserve. Due to its limited use and demand, the option to sell this land and reinvest in the other Foxton Beach reserves must be discussed. If that scenario does not engender support, Ferry Reserve could be developed as a dedicated horse trekking reserve, in order to reduce the conflict / perception of conflict between trekking and cycling or walking etc identified in other reserves.



Recommendations for Investment:

#	Actions	Funding	Type	Priority
16	Investigate demand for dedicated horse trekking reserve - if demand identified, Ferry provides a possible location for this	FCB	Decision	4
17	If trekking reserve not supported / sufficient priority (see actions #7 and 16), investigate sale of reserve and reinvestment of sale income into improvements to other reserves	HDC OPEX	Legal	5

Foxton Beach Foreshore Reserve

1.4 hectares

The primary issue raised regarding the foreshore reserve is the movement of sand onto the car park, the access way and the pedestrian path from Ocean Beach / Marine Parade to the beach. As this matter is currently being reviewed under separate work by the Community Board, it is not addressed further here.

The other issue repeatedly raised in regards to this reserve was the problem of vehicles on the beach. While this is a prohibited activity and is enforced by the beach wardens, it was expressed as a significant concern requiring additional and alternate efforts.



Recommendations for Investment:

#	Actions	Funding	Type	Priority
26	Community programme to prevent motor vehicles and motorbikes driving on dunes—community programme to focus on ecological value and sensitivity of dune area and tourism opportunities from this (i.e. community pressure to prioritise ecological and environmental value vs recreation use)	FCB	Education	8
27	Community reporting hot-line—reporting of vehicles driving on the dunes	FBFA	Enforcement	8
28	Ongoing education programme with young people / school children as stewards of the area—value of coastal environment and awareness of damage caused by vehicles	FBFA	Education	7
29	Consider work of beach wardens regarding enforcing vehicle prohibition on dunes and increase resource if required	FBFA	Decision	5

Hartley Street Reserve

0.17 hectares

People who contributed to this project expressed limited awareness of Hartley Street Reserve as a public reserve. Instead it was colloquially known as “the empty site by the boat club”. No one stated they had ever used the reserve as a reserve and therefore there was no dispute as to considering a different use for the site. However, there was a wide range of ideas expressed for what the reserve could instead be used for. The value of the public toilets located on the reserve was undisputed, with people supporting their relocation to a more obvious location.



Recommendations for investment:

#	Actions	Funding	Type	Priority
30	Move the public toilets to somewhere more visible— discuss with Manawatu Boating Club re opportunity to relocate them next to their building	FBFA	Physical - landscape	5
31	Investigate opportunity for commercial sale and/or development, as site offers limited (if any) recreation value to community due to close proximity to other recreation areas	FBFA	Legal	5
32	Discuss idea of alternative use of land with neighbouring property owners	FCB	Decision	4
33	Clarify lease arrangements of on-site storage by Manawatu Coast Guard	HDC	Legal	3

Holben / Te Wharangi Reserve

9.7 hectares

Holben Reserve was identified as the primary opportunity for investment within the network of reserves at Foxton Beach recognising the Reserve as the central point for community recreation in Foxton Beach. As the reserve with the most infrastructure and facilities, the opportunity to capitalise upon this and increase its value as a recreational asset is a significant opportunity. Ideas and suggestions for what could be added to the reserve were varied but the idea of providing additional facilities for both young people's play and recreation and for community events were repeated foci of input. In addition, remedying, improving and expanding upon the natural landscape values of the reserve was a common focus.

The most consistent ideas suggested for Holben Park were to:

- improve / upgrade / replace the BMX track and skate park
- remedy the walking path so that it was not flooded on a regular basis (making it unusable)
- enhance the waterway and planting
- improve the northern portion of the reserve for active recreation

The desire for enhancement of Holben Reserve as the premiere public space within Foxton Beach led to a review of a development plan previously prepared for the reserve. While still valid as a concept, implementation of the previous plan was far beyond the budget currently available. Therefore the plan has been amended to:

- Incorporate the key ideas from the community, as identified via input to this project
- Simplify the concept so to decrease the cost of implementation
- Identify priorities for implementation, to enable progress as budgets allow

The revised concept plan is presented on the following page.

Repeated commentary from the Foxton Beach community stated a need for additional rubbish bins, shade structures and seating options within Holben Reserve. It is recommended that an audit of 'street furniture' is conducted by HDC (via OPEX funding), with an investment proposal brought to the FCB for funding from the FCFA.



Recommendations for investment:

#	Actions	Funding	Type	Priority
37	Detailed investigation of walking track—to prepare working drawings for (re)construction in order to bring the track above water levels and/or install boardwalk sections where required.	FBFA	Physical - landscape	9
38	Design and construct a pump track in the southern area (as a multi-mode recreation asset), incorporated with existing skate park	FBFA	Physical - furniture	9
39	Remove pine trees from western edge (Holben Parade) and estuary edge—to improve visibility, connectivity and safety, while retaining wind break	FBFA	Physical - landscape	9
40	Improve quality of vegetation along western edge (community planting day)	FBFA	Physical - landscape	9
41	Commission detailed design for improvements to area surrounding Holben Pavilion, to improve usability for community events	FBFA	Design	9
42	Widen waterways; to improve ecological function - creating a wet-to-dry stream profile and increase amenity of environmental asset	FBFA	Physical - landscape	8
43	Introduction of additional walking tracks throughout the reserve so to provide connections to key locations and to better define sub-areas within large unused open space at north of reserve	FBFA	Physical - landscape	8
44	Install colourful vertical markers at key entrance points locations within the reserve, as place-makers for arrival	FBFA	Physical - furniture	7
45	Introduce street trees on boundary roads, to promote significance of location by increased quality of streetscape	FBFA	Physical - landscape	7
46	Introduce / complete formal pathway across southern portion of reserve, providing a link between estuary and forestry reserves that specifically facilitates cycling and horse trekking (as part of a neighbourhood wide link/loop)	FBFA	Physical - landscape	7
47	Design and construct a climbing fort and flying fox	FBFA	Physical - furniture	9
48	Investigate improving the current playground and BMX track	FCB	Decision	8
49	Investigate upgrading the tennis courts to a multisport surface	FCB	Decision	8

Hennessy-Low Reserve

0.16 hectares

As the least developed urban reserve within this study, the Hennessy-Low Reserve received mixed reaction. Many who contributed to the project responded immediately that the reserve provided minimal amenity nor value and therefore was appropriate for sale for private alternate development (with funds reinvested in Foxton Beach reserves).

However, when brought to their attention, others saw the reserve as a blank canvas for ideas. The most compelling of these was the idea of creating community gardens on this sunny north facing lot.

The reserve is the result of the infrastructure that runs under the property. This prevents development in close proximity to the pipes and therefore the reserve does not offer sufficient space for development of a building.



Recommendations for Investment:

#	Actions	Funding	Type	Priority
34	Undertake a mini-design workshop with surrounding residents to develop a focus for the Reserve's use and identity	HDC OPEX	Design	5
35	Prepare landscape plan to introduce infrastructure and planting in order to realise design from action #34	FBFA	Design	5
36	Hold a community launch event, to promote the reserve's new identity and welcome the community to it	FBFA	Promotion	5

Linklater Reserve

Linklater Reserve generated limited discussion amongst people who contributed to this project. Its amenity as a green space amongst the built-up neighbourhood was acknowledged but only a very small minority stated ever using the reserve. Most commentary described the reserve as a place to park cars for sale and advertise firewood. This led to consensus that the reserve in its current state offered limited value to the community and that therefore there is an opportunity to consider a change of use for the land parcel.



Recommendations for Investment:

#	Actions	Funding	Type	Priority
50	Investigate opportunity for commercial development, as extension / mirror of commercial activity on the southern corner of Linklater / Seabury—increasing significance of this node as a neighbourhood centre for the surrounding area.	FBFA	Legal	5
51	Relocate community noticeboard to nearby site (green space on southern corner of intersection?)	FBFA	Physical - furniture	5

Manawatu Estuary

Community input regarding any need for investment in the Estuary, as a public reserve, focused on increased promotion of the estuary as an ecological tourist attraction and education outdoor classroom and ongoing and increased maintenance and management.



Recommendations for Investment:

#	Actions	Funding	Type	Priority
52	Increase signage and information promoting ecological and environmental value of estuary; at estuary, at nearby locations and in other promotional locations / opportunities (i.e. in Foxton and Levin) in partnership with Manawatu Estuary Trust	FBFA	Signage	8
53	Regular rubbish collection and increased communication and enforcement efforts to prevent dumping	FBFA	Multi	8
54	Regular community planting / weeding and rubbish pick-up days, to improve edge condition	FCB	Multi	8
55	Increase car park provision, to prevent parking on estuary land	FBFA	Physical - landscape	5

Sunset Walkway

Sunset Walkway is recognised as a hugely valuable asset to Foxton Beach, both for residents use and enjoyment, and for its contribution to the visitor experience. Ideas and insights provided by the community primarily related to maintenance improvements, promotion and the opportunity to establish connections with other reserves so to formalise a recreation loop throughout the neighbourhood.



Recommendations for Investment:

#	Actions	Funding	Type	Priority
56	Install seating, shade and rubbish bins at regular intervals along the walkway	FBFA	Physical - furniture	8
57	Investigate opportunities to improve accessibility of walkway	FCB	Decision	8
58	Redevelop retaining wall due to nuisance issues with current rock wall (rat breeding area and broken bottles and other rubbish) - potentially replace with wooden wall	FBFA / Horizons	Physical - landscape	7
59	Introduce cohesive planting along landward boundary (with private property) - to increase amenity and facilitate planting of location-appropriate native species	FBFA	Physical - landscape	7
60	Install signage / information to direct people to other attractions in the local area	FBFA	Signage	6
61	Investigate ability to incorporate pathway for horses —wood chips as surface material	FBFA	Physical - landscape	6

Other Ideas

In addition to ideas and aspirations for individual reserves, several concepts were also developed that relate to all reserves, any reserve and/or to the concept of the reserves working together as a network of open space.

Ideas for all or any reserve:

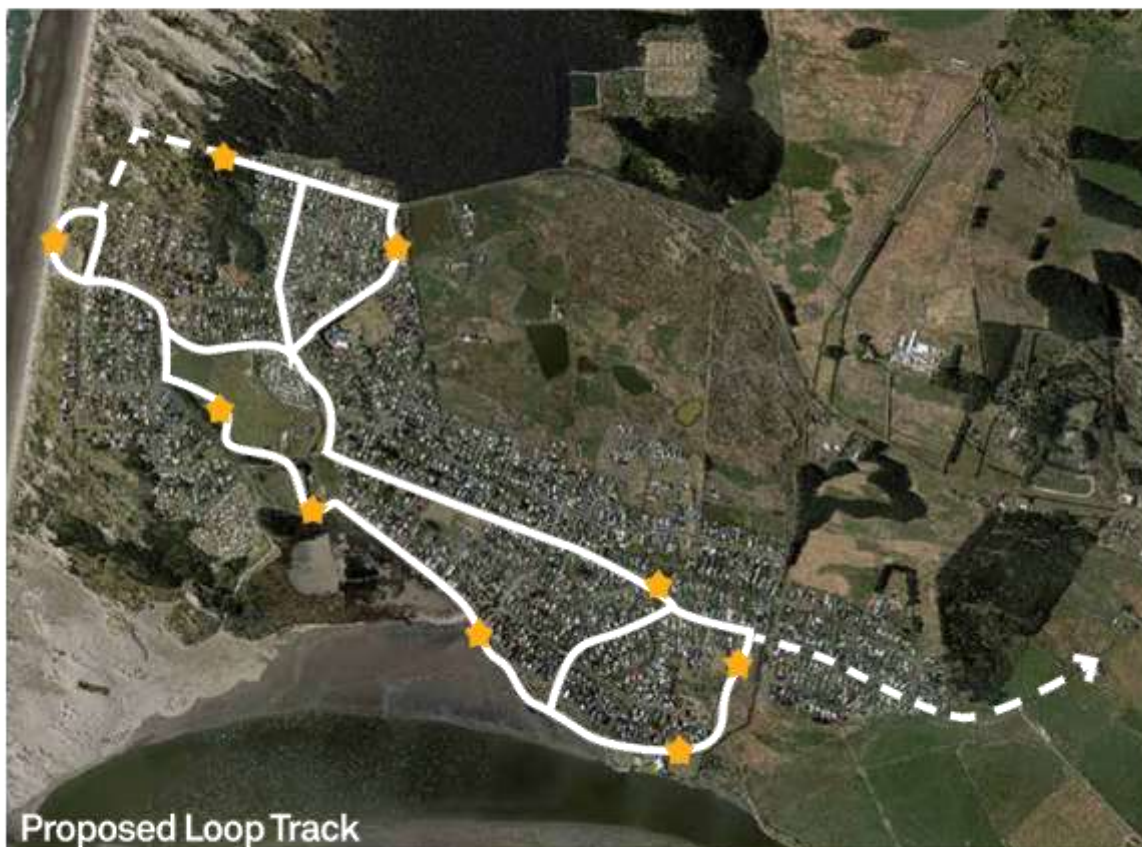
- Dog waste bins in all parks
- Adult exercise equipment (e.g. Levin Adventure Park)
- A seed bank
- A dog park
- Community education and awareness campaign to discourage vehicles on beach dunes and sensitive areas of foreshore

Ideas for the network of reserves:

- Create a neighbourhood loop route, promoting connections between the reserves — walking, running, biking, families / kids on bikes. [See the loop route map below as an example.] Use consistent surface material and signage to promote the loop route. This could be done via impressions, plaques/tiles or spray painted symbols on or in the footpath surface. Undertake an audit of the connections between the reserves so to identify any work required to footpaths etc.

- Establish a Foxton Beach Coordinator role, to create a central point/person for environmental, community and public space activities. This position would connect community groups and initiatives, promote community-led activities (e.g. litter pick-up days) and facilitate local events. Funding for such a role could be sought from environmental and community-focused grants and sponsorship.
- Facilitate, support and promote a programme of events that promote and support the public reserves and environmental values of the Foxton Beach area. Promote the reserves as venues for events (as appropriate to the nature of each reserve), identify infrastructure requirements that would enable a greater number of events and promote all events via a Foxton Beach brand.

A further initiative that sits across all reserves is the need to ensure new residential development in the Foxton Beach area considers open space provision within its design. This should occur at a District Plan, structure plan and subdivision stage.



Actions for Investment

These actions are assigned a priority number (in bold). The higher the number, the higher the priority.

#	Reserve	Action	Funding	Type	Priority (higher number / higher priority)			Immediacy of positive impact (short / med / long)	
					Contribution to existing use value	Significance of reserve	Degree of impact from investment		
					TOTAL				
1	All	Idea of a Foxton Beach Reserves Coordinator, with a focus on the Estuary but opportunity to extend to all FB reserves - coordination of many organisations involved in management, maintenance, enhancement and promotion of estuary and all reserves [funding opportunities via community grants to be investigated]	FCB	Multi	3	3	6	Medium	
2		Install drinking fountains in all reserves - all with dog drinking taps except for in the Manawatu Estuary	FBFA	Physical - furniture	2	3	5	Short	
3		Develop events programme to develop, coordinate, promote community-led events across all reserves and promote as a collective - as tool to increase use, ownership and awareness of network of reserves	FBFA	Promotion	2	3	5	Long	
4		Develop loop route around neighbourhood and through all / most reserves - promote as recreation activity, both on-site(s) and in wider community and visitor promotions	FBFA	Multi	3	2	5	Medium	
5		Undertake audit (with Recreation Services) re level of use/demand for rubbish bins across all reserves - identify where additional bins required and/or could be added	HDC OPEX	Decision	2	2	4	Short	
6		Investigate the provision of signage across the reserves e.g. reminding dog owners to pick up after their dogs, displaying the route through Ferry Reserve, directions to public toilets etc	FCB	Decision	2	2	4	Short	
7		Investigate provision for horse trekking across all reserves and identify which reserves are appropriate for this activity	FCB	Decision	3	3	6	Medium	
8		Investigate opportunity to establish native seed bank within one of the reserves, to enable growing eco-sourced seedlings for future planting [idea raised by Muauapoko - to be discussed further]	FCB	Decision	1	2	3	Medium	
9	Cousins Avenue	Develop and/or increase promotions of the reserve as an area for active recreation e.g. mountain biking and 4x4 vehicles [purpose to both promote this recreation asset but also encourage such activities here rather than in other more sensitive reserve locations]	FBFA	Promotion	3	3	2	8	Medium
10		Promote key entry points and improve signage at these locations, including information regarding routes, acknowledgement of high risk area, multiple user groups and individual responsibility	FBFA	Signage	3	3	2	8	Medium
11		Confirm future of reserve as an active recreation area—enabling ongoing investment in pathways from community recreation groups	FCB	Decision	3	3	1	7	Short

#	Reserve	Action	Funding	Type	Priority (higher number / higher priority)				Immediacy of positive impact (short / mid / long)
					Contribution to existing use/value	Significance of reserve	Degree of impact from investment	TOTAL	
12	Cousins Avenue	Investigate installing a toilet block	FCB	Decision	2	3	2	7	Short
13		Discourage the use of vehicles on the dunes	FCB	Monitoring	2	3	2	7	Long
14		Investigate adding interactive activities for children along the tracks e.g. giant wood chimes	FCB	Decision	1	3	1	5	Short
15		Investigate privacy options for adjacent land owners	FCB	Decision	1	3	1	5	Short
16	Ferry	Investigate demand for dedicated horse trekking reserve - if demand identified, Ferry provides a possible location for this	FCB	Decision	1	1	2	4	Medium
17		If trekking reserve not supported / sufficient priority (see actions #7 and 16), investigate sale of reserve and reinvestment of sale income into improvements to other reserves	HDC OPEX	Legal	1	1	3	5	Long
18	Flagstaff	Improve relationship between reserve and Whitebait Creek—extend planting from creek edge into reserve in discussion with adjacent land owners and with advice from Horizons Regional Council and Department of Conservation	FBFA	Physical - landscape	2	3	3	8	Short
19		Add seating around playground	FBFA	Physical - furniture	3	3	2	8	Short
20		Upgrade / maintain walking track surface as suitable for all modes (pedestrians, scooters, buggies, horses etc)	CAPEX	Physical - landscape	3	3	1	7	Short
21		Improve street presence of reserve at Seabury Avenue—add planting beds etc to increase it's visibility for those travelling past; add signage to promote the playground, walking connection to Hartley Street / estuary and the values of the reserve to visitors and new residents	FBFA	Physical - landscape	1	3	3	7	Short
22	Foxton Beach Foreshore	Add planting (natives) throughout the reserve to increase amenity and character of the park	FBFA	Physical - landscape	2	3	2	7	Medium
23		Add dog waste bin, recognising the reserve as a very popular dog walking route	CAPEX	Physical - furniture	2	3	1	6	Short
24		Informal car parking occurs on the reserve itself at present. No issues raised however need to monitor any impact on the ground surface and if needed consider formalising the parking area by installing permeable surface material (e.g. gobi-blocks)	HDC OPEX	Monitor	1	3	1	5	Long
25		Investigate providing more shade	FCB	Decision	2	3	1	6	Short
26	Foxton Beach Foreshore	Community programme to prevent motor vehicles and motorbikes driving on dunes—community programme to focus on ecological value and sensitivity of dune area and tourism opportunities from this (i.e. community pressure to prioritise ecological and environmental value vs recreation use)	FCB	Education	3	3	2	8	Long
27		Community reporting hot-line—reporting of vehicles driving on the dunes	FBFA	Enforcement	3	3	2	8	Short

#	Reserve	Action	Funding	Type	Priority (higher number / higher priority)				Immediacy of positive impact (short / med / long)
					Contribution to existing use/value	Significance of reserve	Degree of impact from investment	TOTAL	
28	Foxton Beach Foreshore	Ongoing education programme with young people / school children as stewards of the area—value of coastal environment and awareness of damage caused by vehicles	FBFA	Education	3	3	1	7	Long
29		Consider work of beach wardens regarding enforcing vehicle prohibition on dunes and increase resource if required	FBFA	Decision	1	3	1	5	Medium
30	Hartley Street	Move the public toilets to somewhere more visible—discuss with Manawatu Boating Club re opportunity to relocate them next to their building	FBFA	Physical - landscape	1	1	3	5	Short
31		Investigate opportunity for commercial sale and/or development, as site offers limited (if any) recreation value to community due to close proximity to other recreation areas	FBFA	Legal	1	1	3	5	Long
32		Discuss idea of alternative use of land with neighbouring property owners	FCB	Decision	1	1	2	4	-
33		Clarify lease arrangements of on-site storage by Manawatu Coast Guard	HDC	Legal	1	1	1	3	-
34	Hennessy-Low	Undertake a mini-design workshop with surrounding residents to develop a focus for the Reserve's use and identity	HDC OPEX	Design	1	1	3	5	Short
35		Prepare landscape plan to introduce infrastructure and planting in order to realise design from action #34	FBFA	Design	1	1	3	5	Medium
36		Hold a community launch event, to promote the reserve's new identity and welcome the community to it	FBFA	Promotion	1	1	3	5	Short
37	Holben	Detailed investigation of walking track—to prepare working drawings for (re)construction in order to bring the track above water levels and/or install boardwalk sections where required.	FBFA	Physical - landscape	3	3	3	9	Medium
38		Design and construct a pump track in the southern area (as a multi-mode recreation asset), incorporated with existing skate park	FBFA	Physical - furniture	3	3	3	9	Short
39		Remove pine trees from western edge (Holben Parade) and estuary edge—to improve visibility, connectivity and safety, while retaining wind break	FBFA	Physical - landscape	3	3	3	9	Short
40		Improve quality of vegetation along western edge (community planting day)	FBFA	Physical - landscape	3	3	3	9	Long
41		Commission detailed design for improvements to area surrounding Holben Pavilion, to improve usability for community events	FBFA	Design	3	3	3	9	Long
42		Widen waterways; to improve ecological function - creating a wet-to-dry stream profile and increase amenity of environmental asset	FBFA	Physical - landscape	3	3	2	8	Long
43		Introduction of additional walking tracks throughout the reserve so to provide connections to key locations and to better define sub-areas within large unused open space at north of reserve	FBFA	Physical - landscape	3	3	2	8	Short
44		Install colourful vertical markers at key entrance points locations within the reserve, as place-makers for arrival	FBFA	Physical - furniture	2	3	2	7	Short

#	Reserve	Action	Funding	Type	Priority (higher number / higher priority)				Immediacy of positive impact (short / mid / long)
					Contribution to existing use/value	Significance of reserve	Degree of impact from investment	TOTAL	
45	Holiben	Introduce street trees on boundary roads, to promote significance of location by increased quality of streetscape	FBFA	Physical - landscape	2	3	2	7	Long
46		Introduce / complete formal pathway across southern portion of reserve, providing a link between estuary and forestry reserves that specifically facilitates cycling and horse trekking (as part of a neighbourhood wide link/ loop)	FBFA	Physical - landscape	2	3	2	7	Long
47		Design and construct a climbing fort and flying fox	FBFA	Physical - furniture	3	3	3	9	Short
48		Investigate improving the current playground and BMX track	FCB	Decision	3	3	2	8	Short
49		Investigate upgrading the tennis courts to a multisport surface	FCB	Decision	3	3	2	8	Short
50	Linklater	Investigate opportunity for commercial development, as extension / mirror of commercial activity on the southern corner of Linklater / Seabury—increasing significance of this node as a neighbourhood centre for the surrounding area.	FBFA	Legal	1	1	3	5	Long
51		Relocate community noticeboard to nearby site (green space on southern corner of intersection)	FBFA	Physical - furniture	1	1	3	5	Short
52	Manawatu Estuary	Increase signage and information promoting ecological and environmental value of estuary at estuary, at nearby locations and in other promotional locations / opportunities (i.e. in Foxton and Levin) in partnership with Manawatu Estuary Trust	FBFA	Signage	3	3	2	8	Short
53		Regular rubbish collection and increased communication and enforcement efforts to prevent dumping	CAPEX	Multi	3	3	2	8	Medium
54		Regular community planting / weeding and rubbish pick-up days, to improve edge condition	FCB	Multi	3	3	2	8	Short
55		Increase car park provision, to prevent parking on estuary land	FBFA	Physical - landscape	1	3	1	5	Short
56		Install seating, shade and rubbish bins at regular intervals along walkway	FBFA	Physical - furniture	2	3	3	8	Short
57	Sunset Walkway	Investigate opportunities to improve accessibility of walkway	FCB	Decision	3	3	2	8	Short
58		Redevelop retaining wall due to nuisance issues with current rock wall (rat breeding area and broken bottles and rubbish) - potentially replace with wooden wall	FBFA / Horizons	Physical - landscape	2	3	2	7	Short
59		Introduce cohesive planting along landward boundary (with private property) - to increase amenity and facilitate planting of location-appropriate native species	FBFA	Physical - landscape	2	3	2	7	medium
60		Install signage / information to direct people to other attractions in the local area	FBFA	Signage	1	3	2	6	Short
61		Investigate ability to incorporate pathway for horses — wood chips as surface material	FBFA	Physical - landscape	2	3	1	6	Medium



Exclusion of the Public : Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following part(s) of the proceedings of this meeting.

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

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

C1 Forbes Road Market Assessment

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities. s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.