

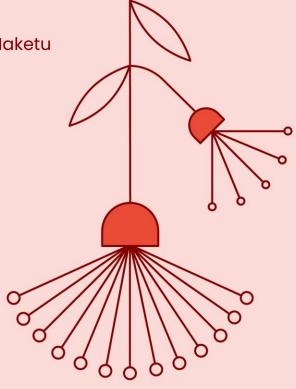
# Mā tō tātou takiwā For our District

# **Maketu Community Board**

Poari ā Hapori o Maketu

MKC23-4

Tuesday, 13 June 2023, 7.00pm Maketu Community Centre, Wilson Road, Maketu



# **Maketu Community Board**

# Membership:

Chairperson	Laura Rae
Deputy Chairperson	Rewi Boy Corbett
Members	Tippany Hopping
	Donna Walters
	Cr Richard Crawford
	Deputy Mayor John Scrimgeour
Quorum	3
Frequency	Eight weekly / Workshops as required

# Role and Purpose of Community Boards:

- To represent, and act as an advocate for, the interests of their communities.
- To consider and report on all matters referred by Council and its Committees, or any matter of interest or concern to the Community Board.
- To maintain an overview of services provided by Council within the community.
- To prepare an annual submission to the Council for expenditure within the community.
- To communicate with community organisations and special interest groups within the community.
- To undertake responsibilities as delegated by Council or its Committees.

# **Delegated Functions:**

Subject to compliance with Council strategies, policies, plans and legislation:

- To have input into Council and its Committees on issues, services, plans and policies that affect communities within the Community Board Area.
- To provide an effective mechanism for community feedback to Council.
- To receive reports from Council appointees on Council matters relevant to the Community Board.
- To control, expend and monitor funds as allocated by Council.
- To allocate Community Board reserve funds to specific capital non-recurring projects for council assets on council land.

Notice is hereby given that a Maketu Community Board Meeting will be held in the Maketu Community Centre, Wilson Road, Maketu on: Tuesday, 13 June 2023 at 7.00pm

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- 1 PRESENT
- 2 IN ATTENDANCE
- 3 APOLOGIES
- 4 CONSIDERATION OF LATE ITEMS
- 5 DECLARATIONS OF INTEREST

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest that they may have.

#### 6 PUBLIC EXCLUDED ITEMS

#### 7 PUBLIC FORUM

A period of up to 30 minutes is set aside for a public forum. Members of the public may attend to address the Board for up to five minutes on items that fall within the delegations of the Board provided the matters are not subject to legal proceedings, or to a process providing for the hearing of submissions. Speakers may be questioned through the Chairperson by members, but questions must be confined to obtaining information or clarification on matters raised by the speaker. The Chairperson has discretion in regard to time extensions.

Such presentations do not form part of the formal business of the meeting, a brief record will be kept of matters raised during any public forum section of the meeting with matters for action to be referred through the customer contact centre request system, while those requiring further investigation will be referred to the Chief Executive.

#### 8 MINUTES FOR CONFIRMATION

#### 8.1 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 18 APRIL 2023

File Number: A5345271

Author: Carolyn Irvin, Senior Governance Advisor

Authoriser: Greer Golding, Governance Manager

#### **RECOMMENDATION**

- 1. That the Minutes of the Maketu Community Board Meeting held on 18 April 2023 as circulated with the agenda be confirmed as a true and correct record.
- 2. That the Chairperson's electronic signature be inserted into the confirmed minutes.

#### **ATTACHMENTS**

1. Minutes of the Maketu Community Board Meeting held on 18 April 2023

Item 8.1 Page 5

# MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL MAKETU COMMUNITY BOARD MEETING NO. MKC23-3 HELD IN THE MAKETU COMMUNITY CENTRE, WILSON ROAD, MAKETU ON TUESDAY, 18 APRIL 2023 AT 7.00PM

#### 1 PRESENT

Chairperson L Rae, Deputy R Corbett, Member T Hopping, Member D Walters, Cr R Crawford and Deputy Mayor J Scrimgeour.

#### 2 IN ATTENDANCE

E Watton (Strategic Policy and Planning Programme Director), G Golding (Governance Manager), S Bedford (Finance Manager) and C Irvin (Senior Governance Advisor).

#### **OTHERS IN ATTENDANCE**

Cr A Wichers.

#### **KARAKIA**

The Chairperson opened the meeting with a karakia.

3 APOLOGIES

Nil

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

#### 7 PUBLIC FORUM

#### A. Max Johnson – Maketu Resident

- There was a lot of water going through Maketu Road, with water going around to the back of some houses. When there was a king tide, the water was very high.
- Sediment was a metre deep in the drains. These drains should not be blocked.

The Chairperson advised she had an on-site meeting last week regarding this. The ground water was very high which made the area wet for a long time. An Antenno request had been put in and they were yet to hear back about it.

Deputy Corbett advised that the drain had been opened. Iwi were working towards finding a balance between allowing the wetlands to survive and not flooding houses. He was in communication with Charles Tapsell.

The Chairperson advised the Board was considering holding a meeting between the parties to find a way forward together.

#### B. Trisha Hains - Maketu Resident

#### Pou

- Was there anyone in Maketu appointed to look after the two Pou at the entranceway to Maketu?
- At the very least, they needed to be stained as soon as possible so they did not disintegrate any further.

The Chairperson advised that she would contact the appropriate people to ask what the plan was going forward. This was not a Council matter – another group would have to pick this up.

#### Wifi Connections

- There was a lot of concern about the lack of wifi connections for the village. There was no longer capacity for the number of residents.
- It was seen as a matter of health and safety in terms of emergencies.

The Chairperson advised she had recently contacted the person in charge of fibre networks in New Zealand. Her concerns about the lack of connections in Maketu had been noted however, there was a shortage of technicians at this time due to them being redirected to the cyclone affected areas in the Hawkes Bay region. Something would be done, and the Chairperson would provide an update.

#### Otimi Street

 There was no escape route from Otimi Street, especially in the event of serious flooding or a civil defence emergency.

The Chairperson advised that this would be raised through Civil Defence. Options were being looked at for a paper road to come down through Hapimana Road and/or some sort of access ability.

#### C. Brett Waterhouse – Plate Island

- Plate Island Astrolab reef research was shut down in 2021.
- It was thought there would be some continued base line research done for reef improvement.
- As the commercial local cray fishers, we had obtained twenty years of research at the Astrolab reef, but this was halted because it was shut down in 2021.
   However, we were wanting to go back out to continue our research.
- We have asked various entities including in Tauranga but could not obtain any information. Could someone please ask if any form of base line data had been collected and/or if any changes had occurred.

Deputy Corbett advised he was 'in the loop' about this issue and that it would take time to address. He and the Chairperson would make enquiries about it.

#### 8 MINUTES FOR CONFIRMATION

# 8.1 MINUTES OF THE MAKETU COMMUNITY BOARD MEETING HELD ON 21 FEBRUARY 2023

#### **RESOLUTION MKC23-3.1**

Moved: Member T Hopping

Seconded: Deputy Mayor J Scrimgeour

- 1. That the Minutes of the Maketu Community Board Meeting held on 21 February 2023 as circulated with the agenda be confirmed as a true and correct record.
- 2. That the following amendments be made to the Maketu Community Board 21 February 2023 minutes:
  - a) Present/Absent:
    - Deputy Corbett was not in attendance and no apology was received so this was to be recorded as 'absent without leave'; and
  - b) Public Forum: Item 7.2:
    - Laureen should read <u>Lauri</u>; and
    - First bullet point, second sentence: <u>She</u> considered that Council had a moral, if not legal, responsibility to make sure the culvert was clear.

**CARRIED** 

#### 9 REPORTS

#### 9.1 MAKETU COMMUNITY BOARD - CHAIRPERSON'S REPORT - APRIL 2023

The Board considered a report dated 18 April 2023 from the Chairperson, who took the report as read.

#### **RESOLUTION MKC23-3.2**

Moved: Chairperson L Rae

Seconded: Deputy R Corbett

That the Chairperson's report dated 18 April 2023 titled 'Maketu Community Board Chairperson's Report – April 2023' be received.

**CARRIED** 

#### 9.1.1 CORRECTIONS TO CHAIRPERSON'S REPORT

#### **CORRECTIONS TO CHAIRPERSON'S REPORT**

- The following item should have been noted under 'Maintenance Roading' (not Mowing):
  - a) The board would like to explore options to fix the drainage issues on Wilson Road north as discussed previously with staff and will look to pass a resolution on this tonight.
- Item 6: ANZAC Day: the Dawn Service will being at <u>5.30a</u>m.

#### 9.1.2 WIDENING OF ROAD - CORNER MAKETU SCHOOL TO CORNER OF ARAWA AVENUE

- The Chairperson advised she would like to see this section of the road widened and the drainage issues sorted out at the same time and as such would like to pass a resolution on this tonight.
- Cr Crawford advised he would mention this resolution in his report to the Community Committee.

#### **RESOLUTION MKC23-3.3**

Moved: Chairperson L Rae

Seconded: Member T Hopping

That the Maketu Community Board requests a quote for the widening of the road from the corner of Maketu School to the corner of Arawa Avenue to address health and safety and drainage issues.

**CARRIED** 

#### 9.1.3 PRUNING OF THE MACROCARPA TREE

- The tree was a risk in particular in an extreme weather event where health and safety issues and power related issues were now a significant risk.
- There were many different people/groups connected to the land and technically, there were six 'land administrators' that had to be contacted and approval sought.
- It was hoped that this could be organised within the next two weeks.
- The Governance Manager advised she would assist the Board with obtaining appropriate written approval from land owners.

#### **RESOLUTION MKC23-3.4**

Moved: Deputy R Corbett

Seconded: Member D Walters

That the Maketu Community Board approve the quote to trim down the macrocarpa tree on Te Awhe Road, conditional upon the Board obtaining appropriate approval, and having the site blessed before any works proceed.

CARRIED

#### 9.1.4 MOWING - WILSON ROAD

The Chairperson advised that even though Wilson Road north was in the mowing contract it was not being mowed, despite many requests being put through to Council. Going forward the Board would like to see this get done regularly.

#### Mowing - Wilson Road

That staff review the contract for the mowing of Wilson Road north and provides the Board with an update.

#### 9.1.5 SPENCER RESERVE MOWING

- Member Hopping advised it may be better to look more holistically at the mowing of Spencer Avenue Reserve.
- There were a lot of matters centred around Spencer Avenue Reserve and it was perhaps time for the Board to consider this.
- It was suggested that the Reserves and Facilities Manager be asked to speak about this matter at an upcoming workshop.

#### SPENCER RESERVE MOWING

That the Reserves and Facilities Manager speak about this matter at an upcoming Maketu Community Board Workshop.

#### 9.2 MAKETU COMMUNITY BOARD - COUNCILLOR'S REPORT - APRIL 2023

The Board considered a report dated 18 April 2023 from Deputy Mayor Scrimgeour, who took the report as read with the following items noted:

#### **Draft Annual Plan:**

The draft Annual Plan was out for consultation this month. An open forum meeting
had taken place for anyone in the community to attend and workshops were being
held over the next few days. People were also encouraged to submit their
submissions online. Submissions closed 30 April 2023.

#### Long Term Plan:

• The Long Term Plan was updated every three years and was a long process for long term consideration. The real work got underway Thursday of this week.

#### **Waiari Water Plant:**

 The Waiari Water Plant was now open and operational. An open day had been held. It had been a privilege to speak on behalf of Council.

#### Te Ohu Parawai O Te Waiari:

 Rather than discharging back into the Waiari, the favoured option was deemed to be discharge it back to wetland. Discussions were ongoing as to whether land needed to be purchased to facilitate this.

#### Maketu Te Puke Community Forum:

• Generally, positive feedback was received. This had been a positive opportunity for people to express their concerns and feelings.

#### **RESOLUTION MKC23-3.5**

Moved: Deputy Mayor J Scrimgeour

Seconded: Cr R Crawford

That the Deputy Mayor's report dated 18 April 2023 titled 'Maketu Community Board - Councillor's Report - April 2023' be received.

**CARRIED** 

#### 9.2.1 PARKS AND RESERVES MOWING

- There had been a lot of disquiet about mowing performance. Rain and fast growth had exacerbated the problem, but some issues were more long standing. However, it was felt that there was now some headway being made.
- When considering local contractors, consideration had to be given to the fact that the current Council mowing contract did not expire until 2027.

#### PARKS AND RESERVES MOWING

That staff provide the Maketu Community Board with clarification of the expiry date for the Maketu mowing contract.

#### 9.2.2 PARKS AND RESERVES MOWING

The Strategic Policy and Planning Programme Director advised she would add this to the Annual Plan submission.

#### MAKETU PARKS AND RESERVES MOWING

That the Strategic Policy and Planning Programme Director add the Maketu parks and reserves mowing plan to the Annual Plan.

#### 9.2.3 LITTLE WAIHI RESERVE

- Member Hopping advised that this was not on the Board's radar at all at the moment, but it would be good to know what the management and maintenance plans were.
- Deputy Mayor Scrimgeour advised that Council was not on the Bledisloe Park Board anymore, but that he could ask for clarity from Council.

#### LITTLE WAIHI RESERVE

That staff provide the Maketu Community Board with information regarding the current representatives on the Bledisloe Park Board and the management and maintenance plans for the reserve.

#### 9.2.4 PROCESS FOR QUERIES RAISED IN AND AROUND MAKETU

The Chairperson advised that queries were put through to the Community Forum and taken to a formal meeting of the Community Committee. The Chairperson advised she was a member of the Community Committee and as such could take part in discussions. This would be a good opportunity to bring to the attention any issues such as the rock wall that went along Beach Road and Spencer Reserve. These items could also be put forward at the Annual Plan hearing for submissions on 4 May 2023.

#### 9.3 INFRASTRUCTURE GROUP REPORT MAKETU COMMUNITY BOARD APRIL 2023

The Board considered a report dated 18 April 2023 from the Executive Assistant, Infrastructure Group. The report was taken as read.

#### **RESOLUTION MKC23-3.6**

Moved: Chairperson L Rae

Seconded: Member T Hopping

That the Deputy Chief Executive and Group Manager Infrastructure Group's report dated 18 April 2023 titled 'Infrastructure Group Report Maketu Community Board April 2023' be received.

**CARRIED** 

#### 9.3.1 MAKETU CYCLEWAY

Member Hopping would like to have a timeline for the implementation of the pathway/cycleway. It was thought the culvert capacity on Spencer Avenue was holding up the development of the footpath. The stormwater issue had also not been resolved.

#### **MAKETU CYCLEWAY**

That staff provide the Maketu Community Board with an update on the status of the Maketu Cycleway and the drainage issues.

#### 9.3.2 STORMWATER DRAIN ISSUES

The spraying regime was migrating through the district. Diggers needed to clear out the drains. Could the Maketu Community Board organise its own separate contractors to do this work before another big weather event?

#### STORMWATER DRAIN ISSUES

That staff provide the Maketu Community Board with an update on the program it has in place to clear the stormwater drains and provide information on timeframes.

#### 9.3.3 ROCK REVETMENT

- At the last meeting a resolution was passed asking how a permanent solution could be found. Currently, the Board was still waiting for this information.
- To note the Minute Action Sheets needed to be updated to reflect the current status of this item.

#### **ROCK REVETMENT**

- 1. That staff provide the Maketu Community Board with information on a possible permanent solution for the rock revetment.
- 2. That the Minute Action Sheets for this item be updated to reflect their current status.

#### 9.3.4 VEGETATION TRIM AND CLEAN UP

• The Board no longer required WestLink to undertake the vegetation trimming at Arawa Avenue and requested this be cancelled.

#### **VEGETATION TRIM AND CLEAN UP**

- That the request from the Maketu Community Board for a quote from WestLink to undertake vegetation trimming at Arawa Avenue be cancelled.
- 2. That the Minute Action Sheets for this item be updated to reflect their current status.

#### 9.3.5 MAKETU URUPA

The Reserves and Facilities Manager provided the following updates:

- A meeting had taken place with a contractor to look at handrail options. Currently, staff were waiting for design and costings to provide a suitable handrail for the steep section of the driveway/accessway;
- Staff were waiting for a price for an extension of the water down to the lower part;
- One of the berms intended as a children's berm had been removed with the remaining one now available for an adult or children's plot; and
- The maintenance contractor had tidied up the Urupa.

#### **MAKETU URUPA**

That the Minute Action Sheets for this item be updated to reflect their current status.

#### 9.3.6 LIST OF COMMUNITY ASSETS FOR MAKETU

That staff provide the Maketu Community Board with a list of Maketu Community Assets.

#### 9.4 MAKETU COMMUNITY BOARD - FINANCIAL REPORT FEBRUARY 2023

The Board considered a report dated 18 April 2023 from the Financial Business Advisor's. The report was taken as read.

#### **RESOLUTION MKC23-3.7**

Moved: Deputy Mayor J Scrimgeour

Seconded: Member D Walters

1. That the Financial Business Advisor's report dated 18 April 2023 titled 'Maketu Community Board – Financial Report February 2023' be received.

CARRIED

#### **KARAKIA**

The Chairperson closed the meeting with a karakia.

The Meeting closed at 8:38pm.

Confirmed as a true and correct record at the Maketu Community Board meeting held on 13 June 2023.

.....

Chairperson L Rae

CHAIRPERSON / MAYOR

#### 9 REPORTS

#### 9.1 MAKETU COMMUNITY BOARD - CHAIRPERSON'S REPORT - JUNE 2023

File Number: A5345172

Author: Laura Rae, Community Board Chairperson

Authoriser: Rachael Davie, General Manager Strategy and Community

#### **EXECUTIVE SUMMARY**

The purpose of this report is for the Maketu Community Board's Chairperson to provide the Board with information and updates on events and matters within the community.

#### **RECOMMENDATION**

- 1. That the Chairperson's report dated 13 June 2023 titled 'Maketu Community Board Chairperson's Report June 2023' be received.
- 2. That the Maketu Community Board agree to pay the invoice to trim the Macrocarpa tree (**Attachment 1** of the report), to be paid out of the Board's contingency account.

#### **ITEMS**

Kia ora everyone and welcome.

The weather has certainly cooled down a lot lately.

Firstly, I would like to congratulate and acknowledge the seven Western Bay of Plenty District Council Elected Members who have now been appointed as Honorary Rangers under the Reserves Act 1977, section 93. We have two from the Maketu Community Board, myself and Councillor Crawford, and two from the Te Puke Community Board, Chairperson Kassie Ellis and Councillor Dally. Congratulations to all.

#### **Annual Plan Submission**

The Maketu Community Board provided its written submission for the Annual Plan, and I spoke to it on behalf of our community. We also had endorsements from Mark Boyle from EDG Te Puke in reference to our submission. We are very interested in the results of the Annual Plan process.

#### **Long Term Plan**

This week, the Maketu version of the Long-Term Plan consultation, Stage 1, has been advertised. This will be coordinated by our very capable ladies from the Maketu Surf Lifesaving Club and includes a free community event with loads of fun activities and prizes. We cannot wait to see our community out in full force. This event will be held at Whakaue Marae on 18 June.

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#### Workshops

We have had some very important workshops, both in conjunction with the Bay of Plenty Regional Council (BOPRC) around various concerns raised multiple times by residents. Some positive outcomes are on the horizon. Special mention goes to Charles Tapsell, our wonderful staff member who took the time from his evening to attend. Thank you, we look forward to further work together.

#### **Civil Defence Emergency Preparedness**

A huge thank you also to everyone who came to our next stage of our civil defence emergency preparedness workshops. It's wonderful to see the community getting involved in such matters. We look forward to the next meeting in June where we will be inviting Council staff along to provide us with feedback and assist where they can. We are working in a timely manner to get this information out to the community, so everyone is on the same page.

#### **Goal Posts**

Thank you to Sue Hammond and the Parks and Reserves Team for finally getting our goal posts up for all to enjoy. It has been a huge success for us and has already been well used by everyone.

#### **Macrocarpa Tree**

We engaged contractors who successfully trimmed down the dangerous macrocarpa tree near Te Awhe Marae. We would like to acknowledge Max Johnson, a long time resident of Maketu, for all his help until the very end that included organising a contactor and the blessing. Thank you to Manu Pene for giving the site a blessing before the works began, to the landowners who gave their permission for the tree to be trimmed in the interests of the safety of our community and to Council staff for allowing this to proceed.

Thank you too everyone involved. It is amazing what can be achieved when we all work together towards a common goal.

At the previous meeting, the Community Board resolved to go ahead with the trimming of the Macrocarpa tree (see **Attachment 1** quote/invoice). The Community Board will need to confirm which budget this is to be paid out of.

#### **ITEMS FOR CLARIFICATION**

#### 1. Spencer Ave Reserve

The Board would like a Council staff member to come and speak about the development of Spencer Ave Reserve so that they are better informed about this project. We would like to seek clarification around timing, existing services in the area and where the implications will lie in the future in terms of financial contributions.

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#### 2. Maketu Sea Wall

The Board would like to know if a date has been set for our key stakeholders meeting about the plan for the wall going forward? We are aware it is in need of attention as soon as possible.

#### 3. Maketu Asset List

Could we please be provided with a Maketu specific Council assets list. We would like our newer members to have a clear overview of everything we manage.

#### 4. Lease Agreement for the Maketu Sports Field

We would like to investigate the lease agreement for the Maketu sports field, and the possibility of the netball courts being reinstated as per the lease agreement.

#### 5. Wilson Road North

We look forward to a cost estimate of works planned for Wilson Road North from our recommendation at the last meeting.

#### 6. Skateboard Bowl at Maketu Sports Reserve

The Board would like to know if anyone has investigated drainage options for the skateboard bowl at Maketu sports reserve.

#### **ATTACHMENTS**

1. Maketu Community Board - Quote/Invoice for Macrocarpa Tree Trimming 🛭 🖺

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QUOTE

Maketu Community Board - Western Bay of Plenty District Council

**Date** 12 May 2023

**Expiry** 9 Apr 2023

**Quote Number** QU-0345

Reference Maketu

**GST Number** 134-157-747

Tree Control Limited 52C Pyes Pa Road Pyes Pa Tauranga 3112 NEW ZEALAND

Description	Quantity	Unit Price	Amount NZD
Reduce the height of the Macrocarpa tree to the height of the crown using a controlled tree grab for the safe removal. Place all the debris off to the side and leave for residents to use as firewood	1.00	3,000.00	3,000.00
Transport of heavy machinery	1.00	493.20	493.20
		Subtotal	3,493.20
		TOTAL GST 15%	523.98
		TOTAL NZD	4,017.18

#### Terms

Please note a 50% deposit is required prior to work commencing and the remaining 50% is to be paid on completion.

This quote reflex the work being completed and all the debris being chipped and larger wood place in a pile.

The spotter/groundsman cost includes the use of a chain saw and any other power equipment.

This quote is subject to change if any unforeseen circumstances may arise that have not previously been disclosed.

This quote does not include any service isolation costs, remedial ground or landscape work and no allowance for damage. All due care will be taken.

Payment to be made on completion of job

#### 9.2 MAKETU COMMUNITY BOARD - COUNCILLOR'S REPORT - JUNE 2023

File Number: A5345238

Author: Richard Crawford, Councillor

Authoriser: Rachael Davie, General Manager Strategy and Community

#### **EXECUTIVE SUMMARY**

The purpose of this report is for the Maketu Community Board's Councillor to provide the Board with updates on the items listed below.

#### **RECOMMENDATION**

That the Councillor Crawford's report dated 13 June 2023 titled 'Maketu Community Board - Councillor's Report – June 2023' be received.

#### **ITEMS**

#### **Annual Plan**

Council is in the process of finalising the Annual Plan, where Council will decide on what to adopt into this current year's plan. This includes the setting of the rates for this year. Council has acknowledged the hardships everyone is currently experiencing, so as Elected Members, we are working hard to try and keep the rates down as low as possible.

#### **Long Term Plan**

Council is also in the process of developing the Long Term Plan. This is a long process, so we are in early days. In June this year there will be a series of public consultations across the Rohe (District), where Council will ask for thoughts and feelings from the community on what matters to them in the long term. There will be a process where groups and individuals can make submissions to the Long Term Plan. This will be communicated to the communities in due course.

#### **Recent Flooding Events**

As we all know this year has been one of the wettest seasons this area has experienced. This summer has been the wettest season on record. There have been many major slips and flooding events all over the district with some places worse than others. This has put a lot of pressure on Council service contractors and roading contractors to keep up with repairs and maintenance, not only with planned schedules but also with unplanned damage needing urgent attention. Across the whole Western Bay of Plenty district, we have experienced extensive damage which in time will need to be repaired or structures replaced.

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### Maketu / Community Ward Forum

On Monday 22 May we had our second Community Forum held in Te Puke. This was well attended by residents throughout our part of Western Bay of Plenty. The Mayor and Councillors, with some Community Board members, were in attendance. We got to hear about current concerns from the public. These meetings are informal, allowing anyone to come and talk about their concerns (which are noted). There is a process where matters raised will be processed by Council and eventually responded to. We would love to see a wider range of people from the community attend these meetings so that the community is better represented.

#### **ANZAC Day Celebrations**

Once again it was great to be able to attend both the Maketu and Te Puke ANZAC day memorial services. This is special time to remember those that served in the armed forces to protect our shores and way of life. The dawn parade at Maketu was quite special (and a bit cold) and great breakfast at Ngāti Whakaue Marae was had afterwards. It was great to see so many people make the commitment and attend the service.

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# 9.3 ADOPTION OF MAKETU COMMUNITY BOARD STANDING ORDERS FOR THE 2022-2025 TRIENNIUM

File Number: A5446568

Author: Carolyn Irvin, Senior Governance Advisor

Authoriser: Greer Golding, Governance Manager

#### **EXECUTIVE SUMMARY**

The purpose of this report is for the Maketu Community Board to adopt new Standing Orders for the 2022-2025 triennium.

The Local Government Act 2002 requires Community Board's to adopt Standing Orders for the orderly conduct of meetings of the Community Board.

#### **RECOMMENDATION**

- That the Senior Governance Advisor's report dated 13 June 2023 titled 'Adoption of Maketu Community Board Standing Orders for the 2022-2025 Triennium' be received.
- 2. That the report relates to an issue that is considered to be of low significance in terms of Council's Significance and Engagement Policy.
- 3. That, pursuant to Clause 27 of Schedule 7 of the Local Government Act 2002, the Maketu Community Board adopts the Western Bay of Plenty District Council Community Board Standing Orders for the 2022-2025 triennium as per Attachment I of this report by a vote in support of not less than 75% of members present and voting.

OR

4. That the Maketu Community Board **does not adopt** the Western Bay of Plenty District Council Community Board Standing Orders for the 2022-2025 triennium as per **Attachment 1** of this report.

#### **BACKGROUND**

- The Local Government Act 2002 requires Community Board's to adopt Standing Orders for the orderly conduct of meetings of the Community Board.
- 2. Standing Orders must not contravene the Local Government Act 2002 (LGA 2002), the Local Government Official Information and Meetings Act 1987 (LGOIMA 1987) or any other Act. They define the rights of chairpersons, the participation of members in meetings and provide guidance on discretionary matters.

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- 3. The Standing Orders template is updated every three years by LGNZ to ensure it reflects new legislation and incorporates evolving standards of good practice.
- 4. The Maketu Community Board is currently using the Standing Orders they adopted for the 2019-2022 triennium. Pursuant to Clause 27, Schedule 7 of LGA 2002, the current Standing Orders remain in force until at least 75% of Community Board members present approve to adopt a new set.

#### SIGNIFICANCE AND ENGAGEMENT

- 5. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.
- 6. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
- 7. In terms of the Significance and Engagement Policy this decision is considered to be of low significance because it is a legislative requirement affecting the operation of Community Boards.

#### **ENGAGEMENT, CONSULTATION AND COMMUNICATION**

8. Staff have engaged with the Maketu Community Board members through a Standing Orders workshop.

#### **ISSUES AND OPTIONS ASSESSMENT**

costs).

#### **Option A** That the Maketu Community Board adopts the Western Bay of Plenty District Council Community Board Standing Orders for the 2022-2025 triennium as per Attachment 1 of this report. Assessment of advantages and • Ensures the Community Board fulfils its disadvantages including impact on statutory obligation to have in place each of the four well-beings Standing Orders. **Economic** Will ensure the Community Board Social remains aligned with standards of good Cultural practice. • Environmental Costs (including present and future None costs, direct, indirect and contingent

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Other implications and any assumptions that relate to this option (Optional – if you want to include any information not covered above).	None		
Option B  That the Maketu Community Board does not adopt the Western Bay of Plenty District Council Community Board Standing Orders for the 2022-2025 triennium as per Attachment 1 of this report.			
Assessment of advantages and disadvantages including impact on each of the four well-beings  • Economic  • Social  • Cultural  • Environmental	The Community Board Standing Orders 2019-2022 may not reflect new legislation and/or incorporate evolving standards of good practice.		
Costs (including present and future costs, direct, indirect and contingent costs).	None		
Other implications and any assumptions that relate to this option (Optional – if you want to include any information not covered above).	None		

#### **STATUTORY COMPLIANCE**

9. The draft Community Board Standing Orders included as **Attachment 1** to this report comply with the provisions of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987.

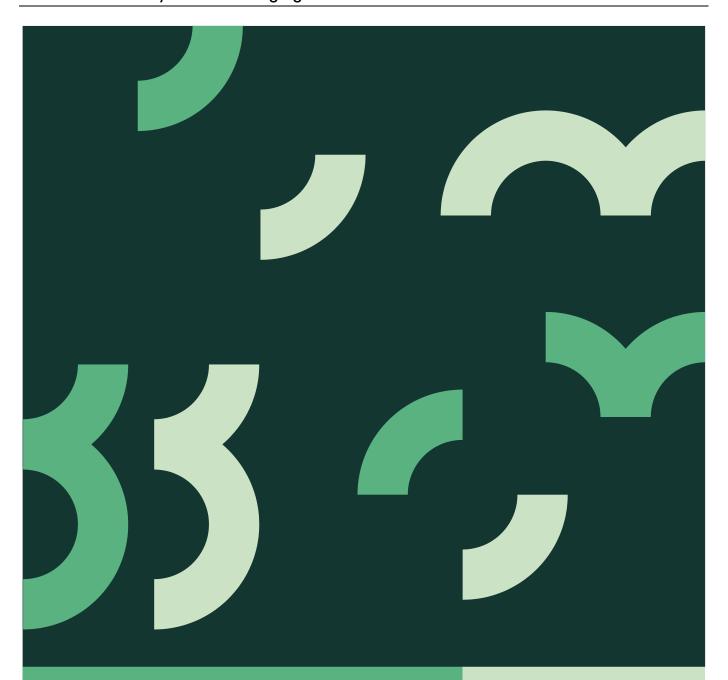
## **FUNDING/BUDGET IMPLICATIONS**

10. Financial considerations not applicable.

#### **ATTACHMENTS**

1. Standing Orders - Community Boards - 2022-2025 Triennium 🗓 🖺

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Ngā tikanga whakahaere hui

Standing Orders (2022-2025)

Community Boards



# **Preface**

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

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

These Standing Orders have been designed specifically for local authorities, their committees, subcommittees, subcommittees, subordinate decision-making bodies. They fulfil, with regard to the conduct of meetings, the requirements of the Local Government Act 2002 (LGA 2002) and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Although it is mandatory that local authorities adopt Standing Orders for the conduct of their meetings, it is not necessary that they are adopted every triennium. However, LGNZ recommends that every council, committee, subordinate body and local review their Standing Orders within at least the first (6) six months following an election to ensure that they fully meet their needs for effective and inclusive meetings (see LGA 2002, schedule 7, clause 27).

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

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

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## 1. Introduction

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

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

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

The Appendix, which follows Part 3, provides templates and additional guidance for implementing provisions within the Standing Orders. Please note, the Appendix is an attachment to the Standing Orders and not part of the Standing Orders themselves, consequently amendments to the Appendix do not require the agreement of 75% of those present. In addition, the 'Guide to Standing Orders' provides additional advice on the application of the Standing Orders and are also not part 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 decision- making within local government is transparent and accountable. They are designed to give effect to the principles of good governance, which include that a local authority should:

- Conduct its business in an open, transparent and democratically accountable manner;
- Give effect to its identified priorities and desired outcomes in an efficient and effective manner;
- Make itself aware of, and have regard to, the views of all of its communities;
- Take account, when making decisions, of the diversity of the community, its interests and the interests of future communities as well;
- Ensure that any decisions made under these Standing Orders comply with the decision-making provisions of Part 6 of the LGA 2002; and
- Ensure that decision-making procedures and practices meet the standards of natural justice.

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

## 1.2 Statutory references

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

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

#### 1.3 Acronyms

LGA 2002 - Local Government Act 2002 LGOIMA - Local Government Official Information and Meetings Act 1987 LAMIA Local Authorities (Members' Interests) Act 1968

## 1.4 Application

For the removal of any doubt these Standing Orders do not apply to workshops or meetings of working parties and advisory groups, unless specifically included in their terms of reference.

## 2. Definitions

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

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

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

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

**Appointed member** means a member of a committee, or subsidiary organisation of a council, who is not elected.

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

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

**Chairperson** means the person in a position of authority in a meeting or other gathering, also known as the presiding member.

**Chief executive** means the chief executive of a territorial authority or regional council appointed under section 42 of the LGA 2002, and includes, for the purposes of these Standing Orders, any other officer authorized by the chief executive.

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

**Committee** includes, in relation to a local authority:

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

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

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

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

Council means, in the context of these Standing Orders, the governing body of a local authority.

**Debate** means discussion by members that occurs once a motion has been moved/seconded.

**Deputation** means a request from any person or group to make a presentation to the local

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authority which is approved by the Chairperson and which may be made in English, te reo Māori or New Zealand Sign Language.

**Division** means a formal vote at a Council, committee or subcommittee meeting whereby the names of those members present, including the mayor/chair, are formally recorded as voting either for or against. This includes a vote where the names and votes are recorded electronically.

Electronic link means both an audio and audiovisual link.

Emergency meeting has the same meaning as defined in clause 22A of schedule 7 of the LGA 2002.

**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.

**Internet site** means, in relation to a local authority or other person or entity, an Internet site that is maintained by, or on behalf of, the local authority, person, or entity and to which the public has free access.

Item means a substantive matter for discussion at a meeting.

Leave of the meeting means agreement without a single member present dissenting.

**Joint committee** means a committee in which the members are appointed by more than one local authority in accordance with 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 local authority who has been removed from a meeting due to behaviour that a chairperson has ruled to be contempt.

**Leave of absence** means a pre-approved absence for a specified period of time consistent with the council policy should one be in place.

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

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

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

Member means any person elected or appointed to the local authority.

**Member of the Police** means a Constable of the New Zealand Police within the definition of section 4 of the Policing Act 2008.

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

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Minutes means the record of the proceedings of any meeting of the local authority.

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

Mover means the member who initiates a motion.

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

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

**Officer** means any person employed by the council either full or part time, on a permanent or casual or contract basis.

**Pecuniary Interest** includes any interest described in sections 3 and 6 of the Local Authorities (Members Interests) Act 1968.

**Open voting** means voting that is conducted openly and in a transparent manner (i.e., enables an observer to identify how a member has voted on an issue) and may be conducted by electronic means. The result of the vote must be announced immediately upon conclusion. Secret ballots are specifically excluded.

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

**Ordinary meeting** means any meeting, other than the first meeting, of a local authority publicly notified in accordance with 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 local Tangata Whenua followed by formal speech making. A Powhiri is generally used for formal occasions of the highest significance.

**Present at the meeting to constitute quorum** means the member is to be physically present in the room.

**Presiding member** means the chairperson.

**Procedural motion** means a motion that is used to control the way in which a motion or the meeting is managed as specified in Standing Orders 24.1 - 24.7.

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

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

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

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

**Public notice** means one that is made publicly available, until any opportunity for review or appeal in relation to the matter notified has lapsed, on the local authority's website. And in addition, is published in at least one daily newspaper circulating in the region or district of the local authority, or one or more other newspapers that have a combined circulation in that region or district which is at least equivalent to that of a daily newspaper circulating in that region or district.

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

**Qualified privilege** means the privilege conferred on a member by section 52 and section 53 of LGOIMA.

**Quasi-judicial** means a meeting involving the consideration of issues requiring the evaluation of evidence, the assessment of legal argument and/or the application of legal principles.

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

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

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

**Right of reply** means the right of the mover of a motion to reply to those who have spoken to the motion. (The right does not apply to an amendment).

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

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

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

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

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

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

Working day means a day of the week other than:

a) Saturday, Sunday, Good Friday, Easter Monday, ANZAC Day, Labour Day, the Sovereign's birthday, Matariki, and Waitangi Day. If Waitangi Day or ANZAC Day falls on a Saturday

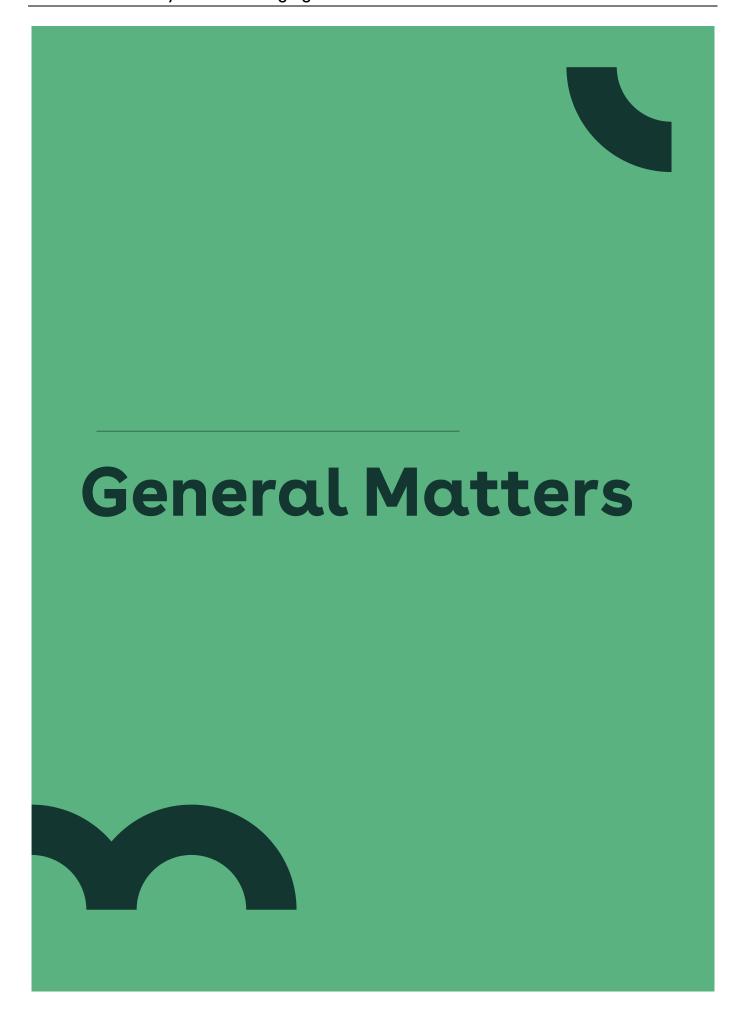
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- or a Sunday, then the following Monday;
- b) The day observed in the appropriate area as the anniversary of the province of which the area forms a part; and
- c) A day in the period commencing with 20 December in any year and ending with 10 January in the following year.

Should a local authority wish to meet between 20 December and 10 January of the following year, any meeting must be notified as an extraordinary meeting, unless there is sufficient time to notify an ordinary meeting before the commencement of the period.

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

**Workshop** means in the context of these Standing Orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these Standing Orders will not apply, unless required by the local authority. Workshops may include non-elected members and may be described as briefings.



## 3. Standing orders

#### 3.1 Obligation to adopt Standing Orders

A council is required to operate in accordance with Standing Orders for the conduct of its meetings and the meetings of its committees and subcommittees. Local boards and community boards must also adopt Standing Orders. Standing Orders must not contravene any Act.

LGA 2002, schedule 7, clause 27(1) & (2).

#### 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 Council and by a vote of not less than 75% of the members present. Similarly, in the case of a local and community board, the adoption of Standing Orders and any amendments also requires a vote of not less than 75% of the members of the specific board.

LGA 2002, schedule 7, clause 27(3).

#### 3.3 Members must obey Standing Orders

All members of the local authority, including members of committees and subcommittees, must obey these Standing Orders. Local boards and community boards which have adopted these Standing Orders must also comply with them.

LGA 2002, schedule 7, clause 16(1).

#### 3.4 Application of Standing Orders

These Standing Orders apply to all meetings of the local authority, its committees, subcommittees, and subordinate decision-making bodies. They will also apply to any local boards and community boards unless stated otherwise. This includes meetings and parts of meetings that the public are excluded from.

## 3.5 Temporary suspension of Standing Orders

Any member of a council, committee, subcommittee and subordinate body, and local and community board, may move a motion to suspend specified Standing Orders at a meeting of which they are a member. Any such motion must also include the reason for the suspension. If seconded, the chairperson must put the motion without debate and at least 75 per cent of the members present and voting must support the motion for it to be carried.

LGA 2002, schedule 7, clause 27(4).

A motion to suspend Standing Orders may be taken before or during a debate. The motion to suspend Standing Orders must also identify the specific Standing Orders to be suspended. Please Note: in the event of suspension, those Standing Orders prescribed in statute will continue to apply, such as the quorum requirements.

## 3.6 Quasi-judicial proceedings

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

## 3.7 Physical and/or electronic address of members

Every member of a local authority, local board and community board must give to the chief

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executive a physical residential or business address within the district or region of the local authority and, if desired, an electronic or other address, to which notices and material relating to meetings and local authority business may be sent or delivered. Members are to provide their address within (5) five working days of the publication of the declaration of the election results. Public access to those addresses is subject to the Privacy Act 2020.

## 4. Meetings

#### 4.1 Legal requirement to hold meetings

The local authority must hold meetings for the good government of its city, district or region. The same requirement applies to local boards and community boards in respect of their communities. Meetings must be called and conducted in accordance with:

- (a) Schedule 7 of the LGA 2002;
- (b) Part 7 of LGOIMA; and
- (c) These Standing Orders.

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

#### 4.2 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, then any business on the agenda that has not been dealt with must be adjourned, transferred to the next meeting, or transferred to an extraordinary meeting.

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

#### 4.3 Language

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

If a member intends to address the meeting in New Zealand Sign Language, or in te reo Māori, when the normal business of the meeting is conducted in English, they must give prior notice to the chairperson not less than (2) two 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) two 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 local authority, following a local authority triennial general election, must be called by the chief executive as soon as practicable after the results of the election are known. The chief executive must give elected members not less than (7) seven days' notice of the meeting. However, in the event of an emergency the chief executive may give notice of the meeting as soon as practicable.

LGA 2002, schedule, cl 21(1) - (4).

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#### 4.6 Requirements for the first meeting

The chief executive (or, in the absence of the chief executive, their nominee) must chair the first meeting until the chairperson has made an oral declaration and attested the declaration (see LGA 2002, schedule 7, clause 21(4)).

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

- (a) The making and attesting of the declarations required of the mayor (if any) and members under LGA 2002, schedule 7, clause 14;
- (b) The election of the chairperson (if any) and the making and attesting of the declaration required of the chairperson under LGA 2002, schedule 7, clause 14;
- (c) A general explanation, given or arranged by the chief executive, of:
  - i. LGOIMA; and
  - ii. Other laws affecting members, including the appropriate provisions of the Local Authorities (Members Interests) Act 1968; and s 99, 105, and 105A of the Crimes Act 1961; and the Secret Commissions Act 1910; and the Financial Markets Conduct Act 2013.
- (d) The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings; and
- (e) The election of the deputy Mayor or deputy chairperson in accordance with the LGA 2002, schedule 7, clause 17.

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

It is common for councils to adopt Standing Orders at the first meeting, however this is not always necessary as, if not amended, Standing Orders will remain in force after each triennial election.

Please note, that the election of a Deputy Mayor is not required if the Mayor has already made the appointment under section 41A(3)(a) of the LGA 2002 prior to the meeting. Nothing limits a territorial authority from removing a Deputy Mayor from office in accordance with clause 18 of schedule 7 of the LGA 2002.

## 5. Appointments and elections

## 5.1 Voting system for chairs

When electing a chair, the local authority must resolve to use one of the following two voting systems.

#### System A

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

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

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

#### System B

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

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

LGA 2002, schedule 7, cl 25.

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## 6. Delegations

#### 6.1 Duty to consider delegations to community boards

The council of a territorial authority must consider whether or not to delegate to a community board if the delegation will enable the community board to best achieve its role.

LGA 2002, schedule 7, cl 32(6).

Please note: A council is advised to delegate a range of decision-making responsibilities to its chief executive to cover the period from the day following the Electoral Office's declaration until the new council is sworn in.

See the LGNZ Guide to Standing Orders for further information.

#### 6.2 Limits on delegations

Unless clearly stated in the LGA 2002 or any other Act, a council may, for the purposes of efficiency and effectiveness, delegate to a committee, subcommittee, subordinate decision-making body, community board, local board, member, or officer of the local authority, any of its responsibilities, duties, or powers except:

- a) The power to make a rate;
- b) The power to make a bylaw;
- c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
- d) The power to adopt a long-term plan, annual plan, or annual report;
- e) The power to appoint a chief executive;
- f) The power to adopt policies required to be adopted and consulted on under the LGA in association with the long-term plan or developed for the purpose of the local governance statement;
- g) Repealed; and
- h) The power to adopt a remuneration and employment policy.

LGA 2002, schedule 7, cl 32 (1).

#### 6.3 Committees may delegate

A committee, subcommittee, subordinate decision- making body, local board, community board, member, or officer of the local authority, may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the body that made the original delegation.

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

#### 6.4 Use of delegated powers

The committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, duties

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are delegated may, without confirmation by the council, committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them. *LGA 2002, schedule 7, cl 32(2), (3), and (4).* 

## 6.5 Decisions made under delegated authority cannot be rescinded or amended

Nothing in these Standing Orders allows a council, committee and subcommittee to rescind or amend a lawfully made decision of a subordinate decision- making body carried out under a delegation authorising the making of that decision. The same requirement applies to a local board and community board in relation to any committees or subcommittees with delegated authority.

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

# 6.6 Committees and sub committees subject to the direction of the local authority

A committee, subcommittee or other subordinate decision-making body is subject in all things to the control of the local authority and must carry out all general and special directions of the local authority given to them.

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

#### 7. Committees

#### 7.1 Elected members on committees and subcommittees

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

At least one member of a committee must be an elected member of the council. In the case of a committee established by a local board or community board at least one member must be a member of that board. A staff member of the local authority, in the course of their employment, can be a member of a subcommittee but not a committee.

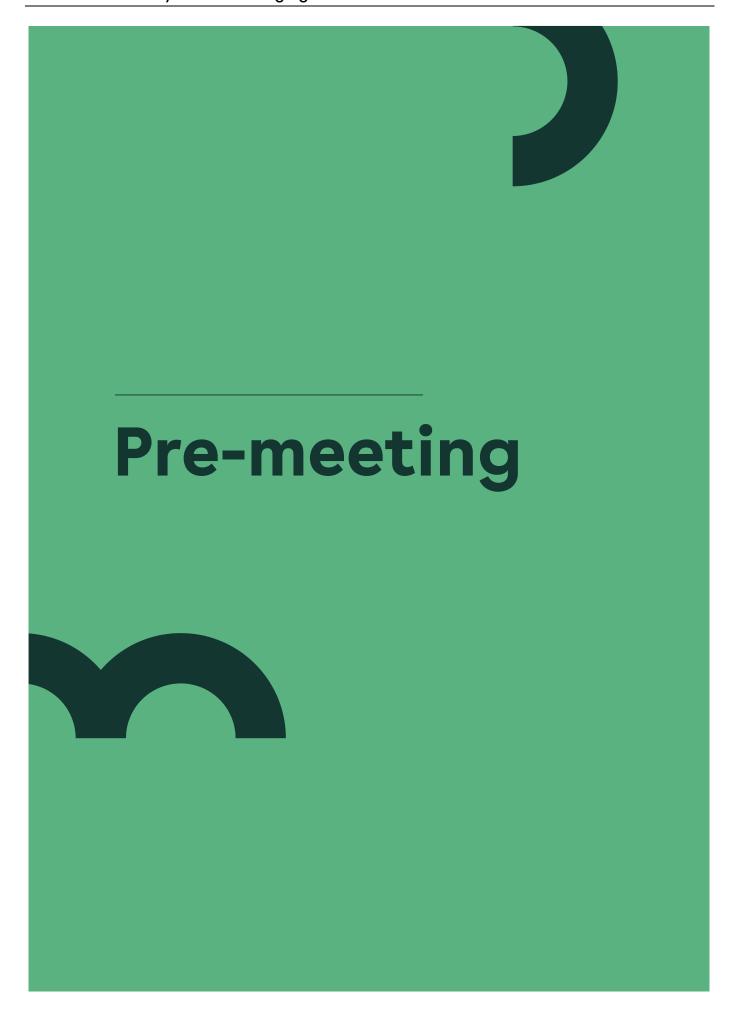
LGA 2002, schedule 7, cl 31(4).

#### 7.2 Decision not invalid despite irregularity in membership

For the purpose of these Standing Orders a decision of a local authority, committee, local board and community board is not invalidated if:

- a) There is a vacancy in the membership of the local authority, committee, local or community board at the time of the decision; or
- b) Following the decision some defect in the election or appointment process is discovered and/or that the membership of a person on the committee at the time is found to have been ineligible.

LGA 2002, schedule 7, cl 29.



## 8. Giving notice

Please note: the processes described in this section (Standing Orders 8.1 - 8.12) apply as appropriate to local boards and community boards.

#### 8.1 Public notice – ordinary meetings

All meetings scheduled for the following month must be publicly notified not more than (14) fourteen days and not less than (5) five days before the end of the current month, together with the dates, the times and places on and at which those meetings are to be held. In the case of meetings held on or after the 21st day of the month public notification may be given not more than (10) ten nor less than (5) five working days before the day on which the meeting is to be held. (See the LGNZ Guide to Standing Orders for more information).

LGOIMA, section 46.

#### 8.2 Notice to members - ordinary meetings

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

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

#### 8.3 Meetings not invalid

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

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

LGOIMA, section 46(6).

## 8.4 Meeting schedules

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

LGA 2002, schedule 7, cl 19(6).

## 8.5 Non-receipt of notice to members

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

- a) It is proved that the person responsible for giving notice of the meeting acted in bad faith or without reasonable care; and
- b) The member concerned did not attend the meeting.

A member of a local authority may waive the need to be given notice of a meeting.

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

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## 8.6 Meeting cancellations

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

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

## Meeting agenda

#### 9.1 Preparation of the agenda

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

When preparing business items for an agenda the chief executive must consult, unless impracticable, such as in the case of the inaugural meeting, the chairperson, or the person acting as chairperson for the coming meeting.

#### 9.2 Process for raising matters for a decision

Requests for reports may be made by a resolution of the council, committee, subcommittee, subordinate decision-making body, local boards or community board and, in the case of all decision-making bodies other than the council, must also fall within the scope of their specific delegations.

#### 9.3 Chief executive may delay or refuse request

The chief executive may delay commissioning any reports that involve significant cost or are beyond the scope of the committee that made the request. In such cases the chief executive will discuss options for meeting the request with the respective chairperson and report back to a subsequent meeting with an estimate of the cost involved and seek direction on whether the report should still be prepared.

Where a chief executive refuses a member's request to prepare a report, an explanation for that refusal should be provided to the member.

#### 9.4 Order of business

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 8.

## 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. A recommendation that differs significantly from the officer's recommendation must comply with the decision-making requirements of Part 6 of the LGA 2002.

## 9.6 Chairperson may prepare report

The chairperson of a meeting has the right to prepare a report to be included in the agenda on any matter which falls within the responsibilities of that meeting, as described in its terms of reference.

For clarity, any recommendation must comply with the decision-making requirements of Part 6 of the LGA 2002.

## 9.7 Public availability of the agenda

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

LGOIMA, sections 5 & 46A.

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#### 9.8 Public inspection of agenda

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

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

LGOIMA, section 46A(1).

#### 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 a meeting at least two clear working days before the day of the meeting. 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 a formal resolution of that 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. LGOIMA, section 46A(7).

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

Please note, that nothing in this Standing Order removes the requirement to meet the provisions of Part 6 of the LGA 2002 with regard to consultation and decision-making.

## 9.13 Discussion of minor matters not on the agenda

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

LGOIMA, section 46A(7A).

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#### 9.14 Public excluded business on the agenda

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

LGOIMA, section 46A(9).

#### 9.15 Qualified privilege relating to agenda and minutes

Where any meeting is open to the public and a member of the public is supplied with a copy of the agenda, or the minutes of that meeting, the publication of any defamatory matter included in the agenda or in the minutes is privileged. This does not apply if the publication is proved to have been made with ill will, or improper advantage has been taken of the publication.

LGOIMA, section 52.



# Meeting Procedures



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## 10. Opening and closing

Local authorities, local boards and community boards may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau.

Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

## 11. Quorum

#### 11.1 Committees and subcommittee meetings

A council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference. Committees may set the quorums for their subcommittees by resolution, provided that it is not less than two members. (See also 7.1.)

In the case of subcommittees, the quorum will be two members unless otherwise stated. In the case of committees at least one member of the quorum must be a member of the council, or if established by a local board or community board, the relevant board.

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

#### 11.2 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.

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

#### 11.3 Meeting lapses where no quorum

A meeting must lapse, and the chairperson vacate the chair, if a quorum is not present within (30) thirty minutes of the advertised start of the meeting.

Where members are known to be travelling to the meeting, but are delayed due to extraordinary circumstance, the chairperson has discretion to wait for a longer period.

No business may be conducted while waiting for the quorum to be reached. Minutes will record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended. Should a quorum be lost, the meeting will lapse if the quorum is not present within (15) fifteen minutes.

## 11.4 Business from lapsed meetings

Where meetings lapse the remaining business will be adjourned and be placed at the beginning of the agenda of the next ordinary meeting, unless the chairperson sets an earlier meeting, and this is notified by the chief executive.

## 12. Public access and recording

#### 12.1 Meetings open to the public

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

LGOIMA, sections 47 & 49(a).

#### 12.2 Grounds for removing the public

The chairperson may require any member of the public to be removed from the meeting if they believe that person's behaviour is likely to prejudice the orderly conduct of the meeting.

LGOIMA, section 50(1).

#### 12.3 Local authority may record meetings

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

#### 12.4 Public may record meetings

Members of the public may make electronic or digital recordings of meetings which are open to the public. Any recording of meetings should be notified to the chairperson at the commencement of the meeting to ensure that the recording does not distract the meeting from fulfilling its business.

Where circumstances require, the chairperson may direct the recording to stop for a period of time.

#### 13. Attendance

#### 13.1 Members right to attend meetings

A member of a local authority, or of a committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or committee.

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

If a member of the local authority is not an appointed member of the meeting which they are attending, they may not vote on any matter at that meeting. However, they may, with the leave of the chair, take part in the meeting's discussions.

A member attending a meeting of which they are not an appointed member is not a member of the public for the purpose of section 48 of LGOIMA. Consequently, if the meeting resolves to exclude the public, then any members of the local authority who are present may remain, unless they are lawfully excluded.

Please note: this section does not confer any rights to non-elected members appointed to committees of a local authority.

## 13.2 Attendance when a committee is performing judicial or quasijudicial functions

When a committee is performing judicial or quasi-judicial functions, members of the local authority who are not members of that committee are not entitled to take part in the proceedings.

#### 13.3 Leave of absence

A council may grant a member leave of absence following an application from that member. The council may delegate the power to grant a leave of absence to the Mayor in order to protect a members' privacy and the council may approve an application from the Mayor.

The Mayor will advise all members of the council whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

## 13.4 Apologies

A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The Mayor (or acting chair), must invite apologies at the beginning of each meeting, including apologies for lateness and early departure. The meeting may accept or decline any apologies. Members may be recorded as absent on council business where their absence is a result of a commitment made on behalf of the council.

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

## 13.5 Recording apologies

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.

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#### 13.6 Absent without leave

Where a member is absent from four consecutive meetings of the council, local board or community board without leave of absence or an apology being accepted (not including extraordinary or emergency meetings) then the office held by the member will become vacant. A vacancy created in this way is treated as an extraordinary vacancy.

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

#### 13.7 Right to attend by audio or audiovisual link

Provided the conditions in Standing Orders 13.11 and 13.12 are met, members of the local authority and its committees (and members of the public for the purpose of a deputation approved by the chairperson), have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

#### 13.8 Member's status: quorum

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

LGA 2002, schedule 7, cl 25A(4).

#### 13.9 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.

#### 13.10 Chairperson's duties

Where the technology is available and a member is attending a meeting by audio or audiovisual link, the chairperson must ensure that:

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

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

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

#### 13.11 Conditions for attending by audio or audiovisual link

Noting Standing Order 13.7, the chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Examples of situations where approval can be given include:

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

#### 13.12 Request to attend by audio or audiovisual link

Where possible, a member will give the chairperson and the chief executive at least (2) two working days' notice when they want to attend a meeting by audio or audiovisual link. If, due to illness or emergency, this is not possible, the member may give less notice.

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

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

#### 13.13 Chairperson may terminate link

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

- a) Use of the link is increasing, or may unreasonably increase, the length of the meeting;
- b) The behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members;
- c) It is distracting to the members who are physically present at the meeting;
- d) The quality of the link is no longer suitable;
- e) Information classified as confidential may be compromised (see also Standing Order 13.16).

## 13.14 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; or
- c) Any other manner that the chairperson thinks fit.

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

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#### 13.15 Link failure

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

#### 13.16 Confidentiality

A member who is attending a meeting by audio, or audio-visual link, must ensure that the meeting's proceedings remain confidential during any time that the public is excluded. At such a time, the chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings. If the chairperson is not satisfied by the explanation, they may terminate the link.

## 14. Chairperson's role in meetings

#### 14.1 Addressing the chairperson

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

#### 14.2 Chairperson's rulings

The chairperson will decide all procedural questions, including points of order, where insufficient provision is made by these Standing Orders (except in cases where a point of order questions the chairperson's ruling).

Any refusal to obey a chairperson's ruling or direction constitutes contempt (see Standing Orders 20.5).

#### 14.3 Chairperson standing

Whenever the chairperson stands during a debate, members are required to sit down (if required to stand to address the meeting) and be silent so that they can hear the chairperson without interruption.

If the chairperson is required to stand to address the meeting, members are required to sit down and be silent so they can hear the chairperson without interruption.

#### 14.4 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.

#### 14.5 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  $\alpha$  special request.

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#### 15. Public Forums

Public forums are a defined period of time, usually at the start of an ordinary meeting, which, at the discretion of a meeting, is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters of their choice, not necessarily on the meeting's agenda, to the attention of the local authority.

In the case of a committee, subcommittee, local or community board, any issue, idea, or matter raised in a public forum, must fall within the terms of reference of that body.

#### 15.1 Time limits

A period of up to (30) thirty minutes, or such longer time as the meeting may determine, will be available for the public forum at each scheduled local authority meeting. Requests must be made to the chief executive (or their delegate) at least one clear day before the meeting; however, this requirement may be waived by the chairperson. Requests should also outline the matters that will be addressed by the speaker(s).

Speakers can speak for up to (5) five minutes. Where the number of speakers presenting in the public forum exceeds 6 in total, the chairperson has discretion to restrict the speaking time permitted for all presenters.

#### 15.2 Restrictions

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

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

#### 15.3 Questions at public forums

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

#### 15.4 No resolutions

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

(See the LGNZ Guide to Standing Orders for suggestions of good practice in dealing with issues raised during a forum).

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## 15.5 Recording and responding to public forum matters

Brief notes may be kept of matters raised in public forum. Matters for action will be referred through the service request system, while those requiring further investigation may be referred to the Chief Executive Officer for further report.

## 16. Deputations

The purpose of a deputation is to enable a person, group, or organisation to make a presentation to a meeting on a matter or matters covered by that meeting's terms of reference.

Deputations should be approved by the chairperson, or an official with delegated authority, (5) five working days before the meeting; however, this requirement may be waived by the chairperson. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered.

#### 16.1 Time limits

Speakers can speak for up to (5) five minutes, or longer at the discretion of the chairperson. No more than two speakers can speak on behalf of an organisation's deputation.

#### 16.2 Restrictions

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

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

#### 16.3 Questions of a deputation

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

#### 16.4 Resolutions

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.

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#### 17. Petitions

#### 17.1 Form of petitions

Petitions may be presented to the local authority or any of its committees, local boards or community boards, as long as the subject matter falls within the terms of reference of the intended meeting.

Petitions must contain at least (20) twenty signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least (5) five working days before the meeting at which they will be presented; however, this requirement may be waived by the chairperson.

Petitions must not be disrespectful, use offensive language or include malicious, inaccurate, or misleading statements (see Standing Order 20.9 on qualified privilege). They may be written in English or te reo Māori. Petitioners planning to present their petition in te reo Māori or sign language should advise the chief executive in time to allow translation services to be arranged.

#### 17.2 Petition presented by petitioner

A petitioner who presents a petition to the local authority or any of its committees and subcommittees, local boards or community boards, may speak for (5) five minutes (excluding questions) about the petition, unless the meeting resolves otherwise. The chairperson must terminate the presentation of the petition if he or she believes the petitioner is being disrespectful, offensive, or making malicious statements.

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

#### 17.3 Petition presented by member

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

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

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## 18. Exclusion of public

#### 18.1 Motions and resolutions to exclude the public

Members of a meeting may resolve to exclude the public from a meeting. The grounds for exclusion are those specified in 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 available to any member of the public who is present. If the motion is passed, the resolution to exclude the public must be in the form set out in schedule 2A of LGOIMA (see Appendix 2).

The resolution must state:

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

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

LGOIMA, section 48.

#### 18.2 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.

LGOIMA, section 48(6).

#### 18.3 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.

LGOIMA, section 46A(8).

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#### 18.4 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; and
- b) The information is no longer confidential.

#### 18.5 Release of information from public excluded session

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

## 19. Voting

#### 19.1 Decisions by majority vote

Unless otherwise provided for in the LGA 2002, other legislation, or Standing Orders, the acts of, and questions before, a local authority (including a local or community board) must be decided at a meeting through a vote exercised by the majority of the members that are present and voting.

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

#### 19.2 Open voting

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

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

#### 19.3 Chairperson has a casting vote

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

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

#### 19.4 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 publicly displayed and notified to the chairperson who must declare the result.

## 19.5 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.

#### 19.6 Request to have votes recorded

If requested by a member, immediately after a vote the minutes must record the member's vote or abstention. Recording any other matters, such as a members' reason for their vote or abstention, is not permitted.

## 19.7 Members may abstain

Any member may abstain from voting.

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#### 20. Conduct

#### 20.1 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 immediately leave the meeting for a specified time.

#### 20.2 Behaviour consistent with Code of Conduct

At a meeting no member may act inconsistently with their Code of Conduct or speak or act in a manner which is disrespectful of other members, staff or the public.

#### 20.3 Retractions and apologies

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

#### 20.4 Disorderly conduct

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

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

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

#### 20.5 Contempt

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

A member who has been found to be in contempt and continues to be cautioned by the Chairperson for disorderly conduct, may be subject to Standing Order 20.6.

## 20.6 Removal from meeting

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 reenter it without the chairperson's permission.

#### 20.7 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 section 6 LAMIA applies to them, or the Auditor-General has granted them an exemption or declaration under section 6.

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

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

LAMIA, sections 6 & 7.

#### 20.8 Non-financial conflicts of interests

Non-financial interests involve questions about whether the judgement of a member of a local authority (or local or community board) could be affected by a separate interest, or duty, which that member may have in relation to a particular matter. If a member considers that they have a non-financial conflict of interest in a matter they must not take part in the discussions about that matter, or any subsequent vote.

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

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

#### 20.9 Qualified privilege for meeting proceedings

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

LGOIMA, section 53.

#### 20.10 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 because of any other enactment or rule of law applying to any meeting of the local authority.

LGOIMA, section 53.

## 20.11 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:

- a) Its use is likely to distract a meeting from achieving its business, or,
- b) A member is found to be receiving information or advice from sources not present at the meeting that may affect the integrity of the proceedings.

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#### 21. General rules of debate

#### 21.1 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 or when a chair can accept a procedural motion to close or adjourn a debate, is subject to the discretion of the chairperson.

#### 21.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

- a) Movers of motions when speaking to the motion not more than (5) five minutes;
- b) Movers of motions when exercising their right of reply not more than (5) five minutes; and
- c) Other members not more than (5) five minutes.

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

#### 21.3 Questions to staff

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

#### 21.4 Questions of clarification

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

#### 21.5 Members may speak only once

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

## 21.6 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.

## 21.7 Seconder may reserve speech

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

## 21.8 Speaking only to relevant matters

Members may only speak to:

- a) Any matter before the meeting;
- b) A motion or amendment which they propose, and

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c) To raise a point of order arising out of debate.

Members must confine their remarks strictly to the motion or amendment they are speaking to.

The chairperson's rulings on any matters arising under this Standing Order are final and not open to challenge.

### 21.9 Restating motions

At any time during a debate a member may ask, for their information, that the chairperson restate a motion and any amendments, but not in a manner that interrupts a speaker.

### 21.10 Criticism of resolutions

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

# 21.11 Objecting to words

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

Note: This provision does not preclude a member from making a complaint at any time during, or after, a meeting about the use of inappropriate or offensive language.

# 21.12 Right of reply

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

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

The original mover may speak once to the principal motion and once to each amendment without losing that right of reply. If a closure motion is carried, the mover of the motion may use their right of reply before the motion or amendment is put to the vote. The mover of the original motion may choose to indicate that they wish to reserve their right or reply until the closure motion.

# 21.13 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; and
- 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.

# 21.14 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.

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# 21.15 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.

# 22. General procedures for speaking and moving motions

# 22.1 Options for speaking and moving

This subsection provides the option for speaking and moving motions and amendments at a meeting of a local authority, its committees and subcommittees, and any local or community boards.

# 22.2 Option C

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

### 22.3 Procedure if no resolution is met

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

# 23. Motions and amendments

# 23.1 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. A motion should be moved and seconded before debate but after questions. Amendments and motions that are not seconded are not valid and should not be entered in the minutes.

Note: Members who move or second a motion are not required to be present for the entirety of the debate.

# 23.2 Motions in writing

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

# 23.3 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.

### 23.4 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.

# 23.5 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. An amendment cannot be a direct negative to the motion or the amended motion.

Reasons for not accepting an amendment can include:

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

Please note that amendments that are significantly different must comply with the decision-making provisions of Part 6 of the LGA 2002.

# 23.6 Chairperson may recommend amendment

A chairperson, when moving the adoption of a recommendation from a committee or sub committee to the council can include in the motion an amendment to the committee or sub committee's recommendation.

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### 23.7 Foreshadowed amendments

The meeting must dispose of an existing amendment before a new amendment can be moved. However, members may foreshadow to the chairperson that they intend to move further amendments as well as the nature of the content of those amendments.

### 23.8 Carried amendments

Where an amendment is lost, the meeting will resume the debate on the original or substituted motion. Any member who has not spoken to that motion may, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 - 22.4, speak to it, and may move or second a further amendment.

#### 23.9 Lost amendments

Where an amendment is carried, the meeting will resume the debate on the original motion as amended. This will now be referred to as the substantive motion. Members who have not spoken to the original motion may, depending on the choice of options for speaking and moving set out in Standing Orders 22.2 - 22.4, speak to the substantive motion, and may move or second a further amendment to it.

### 23.10 Where a motion is lost

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

### 23.11 Withdrawal of motions and amendments

Once a motion or amendment has been seconded the mover cannot withdraw it without the agreement of the majority of the members who are present and voting.

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

# 23.12 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.

# 24. Revocation or alteration of resolutions

# 24.1 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 to satisfy the decision- making provisions of sections 77-82 of Part 6, of the LGA 2002.

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

# 24.2 Revocation must be made by the body responsible for the decision

If a resolution is made under delegated authority by a committee, subcommittee or subordinate decision- making body, or a local or community board, only that body may revoke or amend the resolution, assuming the resolution is legally made.

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

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

# 24.3 Requirement to give notice

A member must give notice to the chief executive at least (5) five working days before the meeting at which it is proposed to consider the motion.

The notice is to be signed by not less than one third of the members of the local authority, including vacancies. Notice can be sent via email and include the scanned electronic signatures of members. If the notice of motion is lost, no similar notice of motion which is substantially the same in purpose and effect may be accepted within the next (12) twelve months.

### 24.4 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 if, in the opinion of the chairperson:

The practical effect of delaying actions under the resolution would be the same as if the resolution had been revoked;

By reason of repetitive notices, the effect of the notice is an attempt by a minority to frustrate the will of the local authority or the committee that made the previous resolution.

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

# 24.5 Revocation or alteration by resolution at same meeting

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) seventy-five per cent of the members present and voting must agree to the revocation or alteration.

# 24.6 Revocation or alteration by recommendation in report

The local authority, on a recommendation in a report by the chairperson, chief executive, or any committee or subcommittee, local or community board, may revoke or alter all or part of a resolution passed by a previous meeting. The chief executive must give at least (2) two clear working days' notice of any meeting that will consider a revocation or alteration recommendation.

LGA 2002, schedule 7, cl 30(6)

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# 25. Procedural motions

# 25.1 Procedural motions must be taken immediately

A procedural motion to close or adjourn a debate will take precedence over other business, except points of order and rights of reply. If the procedural motion is seconded the chairperson must put it to the vote immediately, without discussion or debate. A procedural motion to close or adjourn debate can be taken after two speakers have spoken for the motion and two against or, in the chairperson's opinion, it is reasonable to accept the closure motion.

# 25.2 Procedural motions to close or adjourn a debate

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

- a) That the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- b) That the motion under debate should now be put (a closure motion);
- c) That the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;
- d) That the item of business being discussed should lie on the table and not be further discussed at this meeting; (items lying on the table at the end of the triennium will be deemed to have expired); and
- e) That the item being discussed should be referred (or referred back) to the relevant committee or local or community board.

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

# 25.3 Voting on procedural motions

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

# 25.4 Debate on adjourned items

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

# 25.5 Remaining business at adjourned meetings

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

# 25.6 Business referred to the council, committee or local or community board

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

# 25.7 Other types of procedural motions

The chairperson has discretion about whether to allow any other procedural motion that is not contained in these Standing Orders.

# 26. Points of order

# 26.1 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).

# 26.2 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 to bring disorder to the attention of the chairperson;
- b) Language to highlight use of disrespectful, offensive or malicious language;
- c) Irrelevance to inform the chair that the topic being discussed is not the matter currently before the meeting;
- d) Misrepresentation to alert the chair of a misrepresentation in a statement made by a member, an officer or a council employee;
- e) Breach of standing order to highlight a possible breach of a standing order while also specifying which standing order is subject to the breach; and
- f) Recording of words to request that the minutes record any words that have been the subject of an objection.

### 26.3 Contradictions

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

# 26.4 Point of order during division

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

# 26.5 Chairperson's decision on points of order

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

Should a point of order concern the performance of the chair, then the chair will refer the point of order to the deputy chair or, if there is no deputy, another member to hear arguments and make a ruling.

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# 27. Notices of motion

# 27.1 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.

### 27.2 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 local authority or meeting concerned; or
- c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive may make; or
- d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned; or
- e) Fails to include sufficient information as to satisfy the decision-making provisions of the LGA 2002, sub section 77-82. If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the chief executive for consideration and report; or
- f) Concerns a matter where a decision-making authority has been delegated to a subordinate body or a local or community board.

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

### 27.3 Mover of notice of motion

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

### 27.4 Alteration of notice of motion

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

# 27.5 When notices of motion lapse

Notices of motion that are not moved when called for by the chairperson must lapse.

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### 27.6 Referral of notices of motion

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

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

### 27.7 Repeat notices of motion

When a motion has been considered and rejected by the local authority or a committee, no similar notice of motion may be accepted within the next 12 months, unless signed by not less than one third of all members, including vacancies.

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

# 28. Minutes

# 28.1 Minutes to be evidence of proceedings

The local authority, its committees, subcommittees, and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a chairperson's manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised the minutes are the prima facie evidence of the proceedings they relate to.

LGA 2002, schedule 7, cl 28.

### 28.2 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) Member absent without apology or leave of absence;
- f) Member absent on council business;
- g) The arrival and departure times of members;
- h) Any failure of a quorum;
- i) A list of any external speakers and the topics they addressed;
- j) A list of the items considered;
- k) Items tabled at the meeting;
- l) The resolutions and amendments related to those items including those that were lost, provided they had been moved and seconded in accordance with these Standing Orders;
- m) The names of all movers, and seconders;
- n) Any objections made to words used;
- o) All divisions taken and, if taken, a record of each members' vote;
- p) The names of any members requesting that their vote or abstention be recorded;
- q) Any declarations of financial or non-financial conflicts of interest;
- r) The contempt, censure, and removal of any members;

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- s) Any resolutions to exclude members of the public;
- t) The time at which the meeting concludes or adjourns; and
- u) The names of people permitted to stay in public excluded.

Please Note: hearings under the RMA 1991, Dog Control Act 1996 and Sale and Supply of Alcohol Act 2012 may have special requirements for minute taking.

### 28.3 No discussion on minutes

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

# 28.4 Minutes of last meeting before election

The chief executive and the relevant chairpersons must sign or agree to have their digital signature inserted in the minutes of the last meeting of the local authority and any local and community boards before the next election of members.

# 29. Keeping a record

# 29.1 Maintaining accurate records

A local authority must create and maintain full and accurate records of its affairs, in accordance with normal, prudent business practice, including the records of any matter that is contracted out to an independent contractor.

All public records that are in its control must be maintained in an accessible form, so as to be able to be used for subsequent reference.

Public Records Act 2002, section 17.

# 29.2 Method for maintaining records

Records of minutes may be kept in hard copy (Minute Books) and/or in electronic form. If minutes are stored electronically the repository in which they are kept must meet the following requirements:

- a) The provision of a reliable means of assuring the integrity of the information is maintained; and
- b) The information is readily accessible so as to be usable for subsequent reference.

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

# 29.3 Inspection

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

LGOIMA, section 51.

# 29.4 Inspection of public excluded matters

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

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# **Referenced documents**

- Commissions of Inquiry Act 1908
- Crimes Act 1961
- Contract and Commercial Law Act 2017
- Financial Markets Conduct Act 2013
- Local Authorities (Members' Interests) Act 1968 (LAMIA)
- Local Electoral Act 2001 (LEA)
- Local Government Act 1974 and 2002 (LGA)
- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Marine Farming Act 1971
- Public Records Act 2005
- Resource Management Act 1991 (RMA)
- Sale and Supply of Alcohol Act 2012
- Secret Commissions Act 1910
- Securities Act 1978

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

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

- Al 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.
- A3 In the case only of an application for a resource consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu; or
  - (a) 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.
  - (b) Avoid prejudice to measures protecting the health or safety of members of the public; or
  - (c) Avoid prejudice to measures that prevent or mitigate material loss to members of the public; or
  - (d) Maintain the effective conduct of public affairs through the protection of such members, officers, employees, and persons from improper pressure or harassment; or
  - (e) Maintain legal professional privilege; or

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- (f) Enable any council holding the information to carry out, without prejudice or disadvantage, commercial activities; or
- (g) Enable any council holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (h) Prevent the disclosure or use of official information for improper gain or improper advantage.

LGOIMA, section 7.

Under A2 (above) the public may be excluded unless, in the circumstances of a particular case, the exclusion of the public is outweighed by other considerations which render it desirable and in the public interest that the public not be excluded.

- A4 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.
- A5 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).
- **A6** That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council to deliberate in private on its decision or recommendation in:
  - (a) Any proceedings before a Council where:
    - i. A right of appeal lies to any Court or tribunal against the final decision of the Council in those proceedings;
    - ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
    - iii. Proceedings of a local authority exist in relation to any application or objection under the Marine Farming Act 1971.

LGOIMA, section 48.

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# Appendix 2: Sample resolution to exclude the public

In accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), it is moved:

- 1. that the public is excluded from:
  - · The whole of the proceedings of this meeting; (deleted if not applicable)
  - · The following parts of the proceedings of this meeting, namely; (delete if not applicable)

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds for excluding the public, as specified by s 48(1) of the Local Government Official Information and Meetings Act 1987, are set out below:

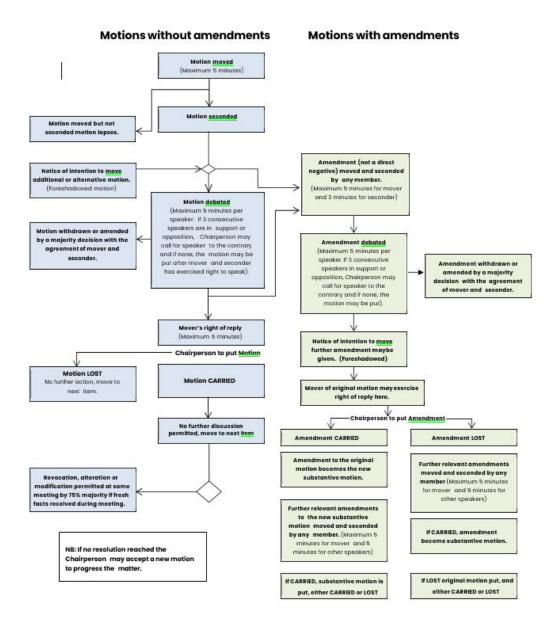
Meeting item no. and subject	Reason for excluding the public	Grounds for excluding the public		
		To prevent the disclosure of information which would:		
		i. be contrary to the provisions of a specified enactment; or		
		ii. constitute contempt of court or of the House of Representatives (s.48(1)(b)).		
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).		
		To deliberate on matters relating to proceedings where:		
		i. a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or		
		ii. the council is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings (s.48(1)(d)).		
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).		
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).		
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).		
		To maintain legal professional privilege (s 7(2)(g)).		
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).		

Meeting item no. and subject	Reason for excluding the public	Grounds for excluding the public
		To protect information which if public would;
		i. disclose a trade secret; or
		ii. unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (s 7(2)(b)).
		To avoid serious offence to Tikanga Māori, or the disclosure of the location of waahi tapu in relation to an application under the RMA 1991 for;
		· a resource consent, or
		· a water conservation order, or
		· a requirement for a designation or
		· a heritage order,
		(s 7(2)(ba)).
		To protect information which is subject to an obligation of confidence where the making available of the information would be likely to:
		i. prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or
		ii. would be likely otherwise to damage the public interest (s 7(2)(c)).
		To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).
		To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

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

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# Appendix 3: Motions and amendments (Option C)



# Appendix 4: Table of procedural motions

	Motion	Has the Chair discretion to	ls seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion	Are previous participants in	motion?	Can a speaker be interrupted	If Lost, can motion be moved	Position if an amendment is	Position if a procedural motion	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 a motion or amendment under debate is put.
(c)	"That the item of business being discussed be adjourned to a stated time and place"	No	Yes	No	As to time and date only	No	No		No	Yes - 15 minutes	If carried, debate ion the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	

	Motion	Has the Chair discretion to	ls seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion	Are previous participants in motion?	Can a speaker be interrupted	If lost, can motion be moved	Position if an amendment is	Position if a procedural motion	Remarks
(d)	"That the item of business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	No	Yes - 15 minutes	If carried, the original motion and amendment are both laid on the table.	Motion not in order.	
(e)	"That the item of business being discussed be referred (or referred back) to the local authority or to the relevant committee"	No	Yes	No	As to committee, 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	
(f)	"Points of order"	No – but may rule against	No	Yes – at discretion of chairperson	No	No	Yes	Yes	No	Point of order takes precedence.	Point of order takes precedence.	See standing order 3.14.

# **Appendix 5: Webcasting protocols**

The provisions are intended as a good practice guide to local authorities that are webcasting meetings or planning to do so.

- 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. PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
- 4. Shots unrelated to the proceedings, or not in the public interest, are not permitted.
- 5. If there is general disorder or a disturbance from the public gallery, coverage will revert to the chairperson.
- 6. 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 (Standing Order 26.5)

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

### Items not on the agenda (Standing Order 9.12)

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

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

### Chairperson's report (Standing Order 9.6)

The chairperson, by report, has the right to direct the attention of the local authority to any matter or subject within the role or function of the local authority.

#### Chairperson's recommendation (Standing Order 9.5)

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

### Chairperson's voting (Standing Order 19.3)

The chairperson at any meeting has a deliberative vote and, in the case of equality of votes, has a casting vote where Standing Orders make such provision.

### Motion in writing (Standing Order 23.2)

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

#### Motion in parts (Standing Order 23.3)

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

### Notice of motion (Standing Order 27.2)

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

- a) Is disrespectful or which contains offensive language or statements made with malice; or
- b) Is not within the scope of the role or functions of the local authority; or

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- c) Contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution, and the mover has declined to comply with such requirements as the chief executive may have made; or
- d) Is concerned with matters which are already the subject of reports or recommendations from a committee to the meeting concerned.

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

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

### Action on previous resolutions (Standing Order 24)

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 (Standing Order 27.7)

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

### Revocation or alteration of previous resolution

A chairperson may recommend in a report to the local authority the revocation or alteration of all or part of any resolution previously passed, and the local authority meeting may act on such a recommendation in accordance with the provisions in these Standing Orders.

### Chairperson may call a meeting

The chairperson:

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

#### Irrelevant matter and needless repetition (Standing Order 21.8)

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

### Taking down words (Standing Order 21.11)

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

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#### **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 (Standing Order 14.3)

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 (Standing Order 14.4)

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

### Priority of speakers (Standing Order 14.5)

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

### Minutes (Standing Order 28.1)

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

### Questions of speakers (Standing Order 16.3)

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

### Withdrawal of offensive or malicious expressions (Standing Order 20.3)

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

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

### Chairperson's rulings (Standing Order 14.2)

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 (Standing Order 20.4)

The chairperson may:

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

#### Failure to leave meeting (Standing Order 20.6)

If a member or member of the public who is required, in accordance with a chairperson's ruling, to

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leave the meeting, refuses or fails to do so, or having left the meeting, attempts to re-enter without the permission of the chairperson, any member of the police or officer or employee of the local authority may, at the chairperson's request, remove or exclude that person from the meeting.

### Audio or audio visual attendance (Standing Order 13.7)

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

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

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

# Appendix 7: Process for removing a chairperson or deputy Mayor from office

- 1. At a meeting that is in accordance with this clause, a territorial authority or regional council may remove its chairperson, deputy chairperson, or deputy Mayor from office.
- 2. If a chairperson, deputy chairperson, or deputy mayor is removed from office at that meeting, the territorial authority or regional council may elect a new chairperson, deputy chairperson, or deputy mayor at that meeting.
- 3. A meeting to remove a chairperson, deputy chairperson, or deputy Mayor may be called by:
  - a) A resolution of the territorial authority or regional council; or
  - b) A requisition in writing signed by the majority of the total membership of the territorial authority or regional council (excluding vacancies).
- 4. A resolution or requisition must:
  - a) Specify the day, time, and place at which the meeting is to be held and the business to be considered at the meeting; and
  - b) Indicate whether or not, if the chairperson, deputy chairperson, or deputy Mayor is removed from office, a new chairperson, deputy chairperson, or deputy Mayor is to be elected at the meeting if a majority of the total membership of the territorial authority or regional council (excluding vacancies) so resolves.
- 5. A resolution may not be made and a requisition may not be delivered less than (21) twenty one 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) fourteen days before the day specified in the resolution or requisition for the meeting.
- 7. A resolution removing a chairperson, deputy chairperson, or deputy Mayor carries if a majority of the total membership of the territorial authority or regional council (excluding vacancies) votes in favour of the resolution.

LGA 2002, schedule 7, cl 18.

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# **Appendix 8: Sample order of business**

### **Open section**

- (a) Apologies
- (b) Declarations of interest
- (c) Confirmation of minutes
- (d) Leave of absence
- (e) Acknowledgements and tributes
- (f) Petitions
- (g) Public input
- (h) Local and/or community board input
- (i) Extraordinary business
- (j) Notices of motion
- (k) Reports of committees
- (l) Reports of local and/or community boards
- (m) Reports of the chief executive and staff
- (n) Mayor, deputy Mayor and elected members' reports (information)

### **Public excluded section**

- Reports of committees
- Reports of the chief executive and staff
- Mayor, deputy Mayor and elected members' reports (information)

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# Appendix 9: Process for raising matters for a decision

Matters requiring a decision at a meeting, may be placed on the meeting's agenda by a:

- · Report of the chief executive;
- Report of the chairperson;
- Report of a committee;
- Report of a community or local board; or
- Notice of motion from a member.

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

- Report of the chief executive; or
- Report of the chairperson.

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



Te Kaunihera α rohe mai i Ngā Kuri-α-Whārei ki Otamarakau ki te Uru

westernbay.govt.nz

### 9.4 MAKETU COMMUNITY BOARD - FINANCIAL REPORT APRIL 2023

File Number: A5431366

Author: Ezelle Thiart, Financial Business Advisor

Authoriser: Allan Carey, Finance Business Partner Lead

### **EXECUTIVE SUMMARY**

This report provides the Community Board with two-monthly monitoring of its operational budget. Attached are the financial statements for the period ended 30 April 2023 (Attachment 1).

Total operational costs are under budget YTD.

### **RECOMMENDATION**

That the Financial Business Advisor's report dated 13 June 2023 titled 'Maketu Community Board – Financial Report April 2023' be received.

### Grant payments made to date:

Resolution	Description	\$
MC22-4.6	Maketu Volunteer Coastguard	1,500
MC22-4.8	Maketu Community Led Development	1,000
MKC22-1.5	Maketu ANZAC Services Committee	700
MKC23-2.8	Maketu Surf Lifesaving Club Grant	2,160
	2022/23 Total grants paid to date	5,360

### Committed – Operational expenditure:

Resolution	Description	\$
	No transactions	0
	2022/23 Total operational commitments	0

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# 2022/23 Reserve analysis:

Resolution	Project/Description	\$ (Payments made)
	2022/23 Opening Reserve balance	183,174
MC21-3.6	Up to \$50,000 as contribution to the refurbishment of the Maketu Community Building.  (Note: project completed)	(50,000)
MC22-1.3	Up to a further \$8,000 for the completion of the refurbishment of the Maketu Community Building.  (Note: Project completed)	(8,000)
	2022/23 Closing Reserve balance before commitments	125,174

# Remaining commitments from Maketu Community Board Reserve Account

Resolution	Description	\$ (Remaining Funds)
	Opening balance before commitments	125,174
MC20-6.7	Up to \$30,000 for the installation of an additional BBQ by the Surf Club. (Note: Project received approval and is going ahead)	(30,000)
	2022/23 Closing balance after the committed expenditure	95,174

## **ATTACHMENTS**

1. Maketu Community Board – Financial Report April 2023 🗓 🖼

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### Western Bay of Plenty District Council Income and Expenditure Statement For the period ended 30 April 2023

**Maketu Community Board** 

	Year to Date				Full Year	Last Year
	Actual \$	Budget \$	Variance (Unfav)/Fav \$		Budget \$	Actual \$
Direct Costs	'		·		·	
Additional Levels of Service	0	0	0		0	0
Contingency - [see breakdown below]	0	14,560	14,560	$\overline{\checkmark}$	21,492	431
Grants	5,360	4,280	(1,080)	8	5,136	0
Mileage Allowance	1,878	860	(1,018)	8	1,032	0
Salaries	12,621	12,320	(301)	8	14,784	14,849
Security	239	3,440	3,201	$\checkmark$	108	4,917
Inter Department Charges	28,810	28,810	0	$\checkmark$	34,572	33,624
Operating Costs	48,908	64,270	15,362		77,124	53,821
Total Operating Costs	48,908	64,270	15,362		77,124	53,821
Total Direct Costs	48,908	64,270	15,362		77,124	53,821
Total Costs	48,908	64,270	15,362	$\checkmark$	77,124	53,821
Income						
Rate Income	64,270	64,270	0	$\checkmark$	77,124	69,085
Total Direct Income	64,270	64,270	0		77,124	69,085
Net Cost of Service	15,362	0	15,362	$\overline{\checkmark}$	0	15,264
Contingency - breakdown				V	Favourable Va	arianca
No transactions for the year				8	Unfavourable	
Year to date contingency costs	0			Ŭ	oma roanabic	ranance
Community Board Reserves						
Opening Balance - Surplus (Deficit)	183,174					
MC21-3.6 Up to \$50,000 as contribution to the refurbishment of the Maketu Community Building. MC22-1.3 Up to a further \$8,000 for the completion of the	(50,000)					
refurbishment of the Maketu Community Building.	(8,000)					
(Decrease) Increase in year	(58,000)					
Closing Balance - Surplus (Deficit)	125,174					

### 9.5 INFRASTRUCTURE GROUP REPORT MAKETU COMMUNITY BOARD JUNE 2023

File Number: A5385042

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Group

### **EXECUTIVE SUMMARY**

This report provides specific information on Infrastructure activities of interest to the Board.

#### **RECOMMENDATION**

That the Deputy Chief Executive and Group Manager Infrastructure Group's report dated 13 June 2023 titled 'Infrastructure Group Report Maketu Community Board June 2023' be received.

### **ROADING**

### Transportation - Maketu Community Roading

Description: Develop and implement the community roading plan approved by the Maketu Community Board.

Maketu Community Board Roading Current	Maketu	Status
Account	Community	
	Board \$	
Current Account:		
Current Account Opening Balance 1 July 2022	\$95,377	
Interest 2020/21	\$3,324	
Allocation for 2020/21	\$69,372	
Subtotal	\$168,073	
Approved Projects		
Nil	-	
Subtotal	-	
Proposed Projects		
Nil	-	
Subtotal	-	
Forecasted Current Account Closing Balance 30	\$168,073	
June 2023		

### **Maketu Cycleway**

Description: Construct a 2.5m wide cycleway between Kaituna Road and the Maketu Township.

### What's Happened:

Stage 1 (Rural Section) of the cycleway is complete.

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Stage 2: The Urban section is still currently in the design phase. Public consultation will occur with residents in due time. Timing is subject to prioritisation of funding.

Consenting issues have been addressed and WestLink has been asked to finalise the design.

## What's Next:

WestLink have been instructed to extend the cycle path between the Spencer Avenue intersection and Tapiti Marae. Construction timing to be confirmed.

## Improvement to Culvert Capacity - Spencer Avenue - Minute Action Reference MC12 18 5.2

*Description*: The Board was advised that the parallel pipe with fish friendly flaps was being assessed before approaches were made to the Bay of Plenty Regional Council with a proposal for consideration of funding options.

The Board was clear that they wanted to see the increased capacity to remove accumulated stormwater (meaning increased culvert capacity) specifically for the management of Spencer Avenue stormwater and flood protection agreed and installed as soon as possible.

The Reserves and Facilities Manager advised that the Kaituna Catchment Manager was waiting for further input from the Western Bay of Plenty Utilities Manager with progress on this matter reported back to the Board.

The Board are seeking an update to ensure that this project had not been left unfinished.

## What's Happened:

Cone Penetration Testing (CPT) has been carried out to determine the properties of the ground beneath the culvert.

## What's Next:

WestLink have evaluated the geotechnical investigation findings and confirmed that a bridge is not necessary. Work is now focussed on designing a solution that will include a new culvert and extension of the existing culvert, to provide additional road width for a shared path. The Design of the new culvert and embankment is underway.

## **OPERATIONS**

## **Emergency Management**

Description: Support the Maketu Community to be Resilient in the event of an Emergency.

## What's Happened:

Staff continue to keep the Maketu Community updated with Emergency Response information. A review of the Community Response Team is underway in Maketu, and staff have made themselves available to support the review.

#### What's Next:

Continue to offer support to the Community in the review of the Community Response Team. Continue communication between council and the Community Response team to deliver preparedness messages to the community and offer support where necessary. Work on roll out of new tsunami maps for the community will take place in June and July along with a public education campaign of what to do and where to go in a tsunami response.

### **Eastern Solid Waste**

Description: Waste management that meets the needs of the community and protects the environment for present and future generations

## **PAYT Tag**

The newly designed PAYT (Pay as you Throw) tag has been introduced and to date no negative feedback has been received.

## **Illegal Dumping**

Western Bay of Plenty District Council (WBOPDC) is still collaborating with other councils and agencies to create a plan with consistent education and communication messages as well as sharing best practices to reduce the cost of illegal dumping to all stakeholders. WBOPDC designed a new sign to be installed at scenic look-out areas to deter littering and illegal dumping, see below signage.



## **Mobile Recycling Trailers**

## What Happened:

Two mobile recycling trailers continue to make their rounds in the rural part of the District on a rostered basis. The trailers visit Omanawa Hall, Te Ranga School and BP Pongakawa. The next outing and what can be recycled can be found <a href="here">here</a>.

## What's Next:

Council consulted with the customers at each site during April 2023 and new rostered hours were introduced at the beginning of May 2023. To date the two trailers have diverted 3,425 tonnes of recyclables from Pongakawa site, 2,247 tonnes from Te Ranga School and 4,372 tonnes from Omanawa Hall site. That is a total of 10,044 tonnes of recyclables diverted from landfill since July 2022.

# Recycling & Greenwaste Centres What's Happened:

The three recycle centres continue to operate with business as usual.

WBOPDC Kerbside Tonnes	Jul- 22	Aug- 22	Sep- 22	Oct- 22	Nov- 22	Dec- 22	Jan- 23	Feb- 23	Mar- 23	Apr- 23	Total Tonnes	Total Tonnes Diverted
Waste Tonnes	359	415	394	386	402	515	496	415	433	395	4210	from landfill
Recycle Tonnes	125	135	124	117	158	182	168	145	194	142	1490	
Glass Tonnes	75	97	101	105	103	150	191	144	147	117	1230	
Food Tonnes	32	37	47	31	45	42	53	57	42	37	423	3143

# Establishing Community Resource Recovery Centres *What Happened:*

The feasibility study into Community-led Resource Recovery for the current recycling centres went to Council on 7 March 2023. Council recommendations copied below.

## **COUNCIL APPROVED DIRECTION**

- 1. That the 'Community-Led Resource Recovery Feasibility Study' be received, as per Attachment 1.
- 2. That community-led resource recovery initiatives are delivered, and the initial actions be:
  - a. That Te Puke and Katikati/Athenree be progressed as two separate processes to recognise the different community groups and tangata whenua interests.
  - b. That a Council operated Community supported approach is progressed, whereby Council continues to operate the site(s) in the short-medium term (12-18 months) while working with industry experts and potential operator(s), for Te Puke and for Katikati/Athenree, with community groups being invited to take on the community activator role and community and tangata whenua invited onto advisory boards, and industry expertise is sought to work alongside the current team to expand activities on the existing sites; and
  - c. That a Community and Council hybrid approach, whereby Council continues to operate the current activities on the sites and community operates reuse retail activities, be progressed as soon as possible for Te Puke, through conversations with community groups.

## What's Next:

Staff are currently working with Envision to progress the recommendations and continue conversations with community groups and Tangata whenua.

## **ATTACHMENTS**

1. Minute Action Sheets - Maketu Community Board June 2023 🗓 🖺

Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 17 October 2017	Parker, Scott	Reports	Surf Club Car Park Reserve Rock Revetment - MAS Reference MC20 16 2.1

#### May 2023:

Design work is underway to address replacement of the sandbag steps onto the beach with new and improved sand containers. Works will be scheduled once the design is ready, but we cannot predict when that will be at this stage. Works also aim to repair/improve the storm water outlet adjacent to the sand containers, in liaison with Utilities staff.

It appears that the beach nourishment undertaken prior to Christmas 2022 has not been adversely affected by the recent bad weather. However, staff will continue to monitor, program repairs, and replenish beach sand as and when required.

An information pack involving previous reports and direction from Council on this topic is being prepared and will be provided to the Board members once available.

#### **April 2023:**

Staff continue to monitor the site following the recent cyclones and will program repairs as and when required.

#### February 2023:

Beach sand nourishment was undertaken just prior to Christmas 2022 as a temporary solution along the front of the carpark and for the damaged sandbags until their replacement. This seems to have held up quite well over the recent storm/rain events. Repairs and improvements to the stormwater outfall infrastructure that is contributing to the undermining and erosion at the café end of the carpark are also required, which will be coordinated through Utilities staff.

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Action Sheets Report Division: Infrastructure Services Group Committee: Maketu Community Board Updated: May 2023





#### November 2022:

Beach sand nourishment is being arranged as a temporary solution along the front of the carpark and for the damaged sandbags until their replacement in the new year. Repairs and improvements to the stormwater outfall infrastructure that is contributing to the undermining and erosion at the café end of the carpark are also required, which will be co-ordinated through Utilities staff.

## July 2022:

Subject to consultant and contractor resources, the intention is to undertake repairs to the existing structure and replace damaged sandbags as soon as possible. The ability to undertake beach renourishment with locally sourced sand is also being reconsidered.

## May 2022:

There has been no change from the previous report due to consultant resource delays. The intention is to undertake repairs to the existing structure and replace damaged sandbags. Beach renourishment with locally sourced sand is also being reconsidered.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

#### March 2022:

Staff have engaged a consultancy to prepare design sketches and work scope specification. As soon as these become available, a local contractor will be engaged to undertake the required repairs & improvements.

#### January 2022:

Staff met with Maketu Community Board Chairman on site Thursday 27 January 2022 to inspect & discuss remedial actions. As a result of the meeting, a local contractor will be undertaking some repair works and replace the sandbags steps. Additional wooden steps, similar to the steps that are currently on site, will also be installed to assist with access from the carpark down to the beach area.

In discussion on 25 January 2022, the Board Chairman indicated that the Board do not agree with the options presented in the Jim Dahm report due to losing some carparks. The Board prefers that the original design proposed for the resource consent application proceed – through a consent hearing process if necessary.

#### November 2021:

There has not been any change to this item as staff have not been in contact with affected parties.

#### September 2021:

There has not been any change to this item as staff have not been in contact with affected parties but will try again post lockdown.

#### July 2021:

Staff have not been able to resolve a meeting date and participants attending with Ngati Pikiao. Consequently, the project has stalled. Staff will continue to try to set a meeting date to enable the project to progress.

#### June: 2021:

There has been no specific change to this MAS. Slow progress is being made for a site meeting to take place.

#### March 2021:

Staff are planning for a new site meeting with Tangata Whenua and other Maketu representatives, a date is yet to be confirmed.

#### January 2021:

There has been little change since the previous update. Staff are yet to meet with Tangata Whenua. The new steps providing safer access down to the beach are being well used.

#### November 2020:

Staff are yet to meet with Tangata whenua to discuss the erosion mitigation design peer review options contained in Dr Jim Dahm's report. It is important to reach consensus on the preferred design to avoid a more prolonged resource consent application hearings process with BOPRC.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Some design changes are expected assuming that consensus is reached. Staff have included sufficient budget within the draft LTP to meet cost expectations associated with construction works. Beach sand "push-up" can be undertaken without resource consent and will be undertaken once discussions with Tangata whenua have taken place.

#### Sept 2020:

To facilitate repairs and improvements, a site meeting with Tangata Whenua and the Maketu Community Board will be arranged as soon as possible. Dr Jim Dahm's report has been favourably received by Ngati Pikiao, which proposes some alternative coastal erosion response design options. It was noted in the minutes from MC20-4 18 August 2020 that "The Board opposed the second option from the Coastal management specialist, as they did not believe that cutting into the existing carpark was appropriate when this is already noticeably too small.

#### 19 August 2019:

Site Condition inspection confirms issue with sandbag steps.

A temporary solution includes undertaking a sand-push-up to partially cover the lower sections, subject to BOP Regional Council approval and agreement from Tangata Whenua, which is dependent on the outcome of a peer review by Coastal scientist Dr Jim Dahm. A Permanent Solution update a site meeting was held 24 July with Raewyn and Pia Bennett to discuss the resource consent application. Council agreed to place the Resource Consent application on hold until after a peer review of the design and potential design modifications by Dr Jim Dahm.

#### July 2020:

Dr Jim Dahm's report was received during the Covid-19 Lockdown and will be reviewed in discussion with Tangata Whenua to resolve the issue and reported to the Performance and Monitoring Committee. Options are likely to range from regular beach sand nourishment (the regular re-grading of the beach sand profile to maintain an erosion mitigating barrier between the sea and the carpark), to a modified stepped wall design partly into the existing carpark rather than extending any distance onto the beach.

#### 30 May 2019:

Staff are currently working with Council's Lawyers on preparing a case for the hearing. Part of the strategy will consider a pre-hearing meeting with the opponents to the proposal.

#### 1 March 2019:

At its meeting held on 28 February 2019, the Operations & Monitoring Committee resolved to proceed to a hearing with the Regional Council. Staff have advised the Regional Council of this decision. A hearing date has yet to be set.

#### 31 Jan 2019:

Bay of Plenty Regional Council have sought a limited notification process on this Resource Consent Application with specific iwi/hapu. Three responses have been received, one in support of the proposal and two against.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

The submitters have requested a hearing. On this basis, a report will be presented to the Operations & Monitoring Committee outlining the process and potential costs that Council would incur should the matter go to another hearing and potentially the Environment Court. The Board will be advised of the outcome.

**12 Nov 2018:** There has been little change since the previous update. Staff are waiting for a response from BoPRC regarding a suggested way forward with the Resource Consent application.

#### 1 Oct 2018:

Staff continue to work with the Regional Council on the issue of Limited Notification.

WBOPDC will need to consider whether if it continues to a hearing stage, following the Limited Notification process, as a hearing process would be costly and has the potential to go to the Environmental Court.

### 17 August 2018:

There has been no significant change. The Regional Council is assessing navigation issues given the expected increase in boat usage at Park Road Boat Ramp.

#### 6 July 2018:

Council is still working through the requirement for limited notification with BOPRC.

### 25 May 2018:

The Regional Council has sent the application to a Christchurch based consultant for processing. The Consultant has recommended that the Consent be processed as a Limited Notification Consent as there have been objections from several local hapu representatives. Council's consultant is meeting with BoPRC to challenge the need for a Limited Notification.

#### 16 April 2018:

Bay of Plenty Regional Council are processing the Resource Consent. There have been no requests for further information.

#### 10 April 2018:

No change from previous report. RC application is under processing action by BOPRC. During site consultation, an inspection was carried out to determine whether any urgent works are required, and no specific deterioration or new hazards were observed.

#### 13 March 2018:

Tangata whenua consultation for the revised resource consent application has been held on site. Feedback from Ngati Whakaue was positive and feedback from Ngati Pikiau was not. The responses have since been forwarded to BOPRC for consideration and processing of the RC application.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

#### 5 Feb 2018:

Council's consultant and staff have been working with local hapu on various issues they have raised. Once a position is reached, the revised application will be re-submitted to the Regional Council.

#### 16 Jan 2018:

A revised "Assessment of Environmental Effects" report has been drafted, which excludes the originally proposed channel dredging.

Before this revised application is lodged, a Hui is being organised to present the revised application and conclude feedback. A date for the Hui is likely to be late February 2018. It is noted that the recent storm surge event of 5 January 2018 has lowered the beach level in this location, further exposing the car park foundation; however, there is no increase of risk to the structure at this stage.

#### 6 Dec 2017:

Noted that the preference by the Board is to remove the proposed boat ramp channel dredging from the Resource Consent application. The draft Resource Consent application will be edited accordingly, and a meeting will be arranged to meet with Tangata Whenua early in 2018 to discs the application.

#### 14 Nov 2017:

Staff are reviewing the site to ensure any hazards are mitigated. The channel dredging component of the consent application is to be removed at this point in time.

#### 27 Oct 2017:

There has been no change from the previous update in September as there has been no further consultation with Tangata Whenua. The Board may wish to comment on the current status as per the previous update.

#### 11 Sept 2017:

Resource Consent is processing is currently on hold due to objections to the proposed channel dredging associated with beach nourishment and improving navigable access from the boat ramp at Park Road. Further consultation is required to understand the concerns from Tangata Whenua. Other options to consider include:

Removing the channel dredging component from the Resource Consent application so that it may be considered as a separate matter in the future.

OR

Withdrawal of the application in its entirety.

This means that planned future remedial reconstruction to the Surf Club car park seal wall will not occur and nature will determine the future of the asset.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

#### 9 August 2017:

No change from the previous report as we are waiting for the Resource Consent application to be processed.

#### 28 July 2017:

No change from last month's update because consent application has been lodged.

#### 3 July 2017:

The Board has acknowledged (remit MC517 6.3) that other projects have been taking priority over this one and that project risk from time delay is low. Note that this consent application is also seeking approval for future minor dredging of sand adjacent the Park Rd Boat ramp for the purposes of both improving navigable access to the ramp and as a sand resource for beach nourishment in front of the Surf Club carpark revetment.

#### 22 May 2017:

No change from last month's update. The Resource Consent application process is under action by the consultant, noting that other projects have been taking priority over this one. Project risk from time delay is low.

### April 2017:

Detailed design plans and resource consent application for the erosion protection concrete steps, are being prepared by the consultant and will be submitted to BOPRC in due course. The current focus is on upgrading the Omokoroa and Opuereroa Boat Ramp for the new larger barge / ferry, which is due in June/July 2017.

#### 9 February 2017:

Detailed design plans and resource consent application for erosion protection concrete steps are being prepared by the consultant and will be submitted to BOPRC in due course.

#### 12 January 2017:

A revised concept design draft for the preferred concrete steps option was distributed to stakeholders (Community Board, Tangata whenua, Surf Club) for feedback by 16 December. The only feedback received was from Ngati Pikiao Hapu. Detailed design and a resource consent application is now being prepared for submission to the BOP Regional Council. Construction timing dependent on the consent process, construction pricing and budget.

#### 8 December 2016:

The revised Maketu Surf Club carpark seawall design based on the preferred option has been distributed to all stakeholders for feedback before detailed design and resource consent application process is undertaken.

#### 17 November 2016:

A revised concept design draft for the preferred concrete steps option has now been completed and will be distributed to stakeholders (Community Board, Tangata whenua, Surf Club) for feedback.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Feedback and a price estimate will inform the final design which will then be priced, and construction works scheduled from there, subject to consenting processes.

#### 14 October 2016:

Preferred concrete design and pricing underway, which will be presented to the Board and Tangata whenua when available.

#### **14 September 2016:**

The preferred concrete steps option has been referred to the consultant for detailed design and construction price estimation. The Board, Tanagta whenua and community will be provided a copy of the detailed design to confirm as soon as it becomes available.

#### 12 August 2016:

Assessment report was presented to Tangata whenua with the preferred option identified to extend the concrete steps down below beach level. The Community have recently agreed with this so on that basis, staff will now proceed with detailed design, pricing and consenting processes. Timing of works will depend on consenting process and cost. Construction is unlikely to occur before Christmas.

### 13 July 2016:

Erosion assessment report is being present to the Maketu Community on the 14 July. Feedback from this meeting will inform the preferred option/resource consent and detailed design. Implementation of preferred option is subject to consent process.

#### 15 June 2016:

Maketu Surf Club car-park erosion options assessment report has been sent out to MCB and Tangata whenua for comment. A date is yet to be set for a community meeting to discuss and conclude preferred option.

#### 23 May 2016:

Maketu Surf Club car-park erosion options assessment report draft has been reviewed by staff. The final report will be forwarded to the Community Board and Tangata whenua then prepared for presentation to the Maketu community at a date yet to be advised.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 21/02/2023	Parker, Scott	New Item	Cycleway

#### **RESOLUTION MKC23-2.11**

That the Maketu Community Board requests that Council approach the landowner (Te Arawa Lakes Trust), regarding the possibility of the end of the existing cycleway extending through Te Arawa Lakes Trust land onto Spencer Avenue reserve land.

## May 2023:

An email request has been made to the Board Chair requesting confirmation of the route described in the resolution. No inquiries to Te Arawa Lakes Trust have been made at this stage. Staff have had some preliminary discussion with BOP Regional Council staff who were involved with the wetlands project about connecting the cycleway to the wetlands.

## April 2023:

The Cycleways Manager will contact Te Arawa Lakes Trust

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 1	Hammond, Sue	Reports	Maketu Community Board Annual Plan 2020 Requests
December 2020			

That the Maketu Community Board approve funding of up to \$30,000 from the Maketu Community Board Reserve Account for the installation of an additional BBQ by the Surf Club.

#### May 2023:

The Archaeological Authority is being progressed in preparation for lodgement.

#### **April 2023:**

Unfortunately, the project has been delayed by the need to obtain an Archaeology Authority. The Archaeological Authority process is underway and once completed the project will proceed.

#### February 2023:

The BBQ has been ordered and a site visit with a contractor completed. It is expected this project will commence early March 2023

#### November 2022:

The conditions and terms from received from Te Arawa Lakes have been questioned, Council is waiting for a response. Staff have suggested to the Board that a shelter should be constructed to cover the BBQ, which was agreed. Staff are waiting on quotes from suppliers for the shelter and installation of the BBQ.

#### July 2022:

Approval (with conditions) has been received. Site visit completed. Planning to follow.

#### May 2022:

There has been no change from previous update. Council has yet to receive approval from Te Arawa Lakes.

#### March 2022:

There has been no change from previous update. Council has yet to receive approval from Te Arawa Lake.

#### January 2022:

There has been no change since the update in July 2021. The Board are waiting on approval from Te Arawa Lakes.

#### November 2021:

There is no change from the previous update.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

## September 2021:

There has been no change since the previous update in July 2021.

## July 2021:

The Maketu Board Chairperson has advised that the Board are waiting on approval from Te Arawa Lakes.

## Jan 2021:

Added to committed reserve expenditure for December 2020 report.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 15/02/2022	Hammond, Sue	New Item	Cemetery Development / Pest Control

The Board requested an update on where this project was at, noting that several members of the community had noted a high number of pests in this area. The Board would like to see what Council may be able to do, to help remedy this issue for locals.

## May 2023:

A site meeting was held with adjoining property owner, Max Johnstone on 5 May 2023 to look at a potential 'Give and Take' boundary alignment for a replacement fence that could facilitate better access down to the lower section of the cemetery/urupa. Staff will prepare a 'Give and Take' boundary agreement and continue to work through the process with Mr Johnstone.

Staff are also seeking further quotes for the installation of a handrail beside the driveway and for an extension to the water line to the bottom of the cemetery. The initial quotes are quite high and there is insufficient budget to cover these costs.

A new additional rubbish bin is being installed and the old bin replaced with a new bin. i.e. two new bins

Staff are happy to meet with the taskforce that was being set up to progress improvements to the cemetery /urupa.

#### **April 2023:**

After meeting with locals one of the child's beams has subsequently been removed. Investigations have commenced with regards a water tap and rubbish bin in the new area. The new area is transferring from the construction contractor and will now be added to the Reserves Maintenance contract for ongoing maintenance.

Investigations are also underway for a design for a handrail to be installed on the steep section of the driveway. The handrail will assist people going up and down the steep part of the driveway.

#### February 2023:

Concrete and seat are completed. Final site completion in progress

#### November 2022:

Earthworks are mostly complete with concrete to be finished and a seat installed.

Staff confirm that there has not been any evidence of pest issues, should this occur, it will be dealt with on a case by case basis through regular maintenance of the cemetery.

## July 2022:

The project is still at earthworks stage.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

## May 2022:

Earthworks are continuing. Archaeologists and cultural monitors on site.

## March 2022:

The blessing has been completed with earthworks starting over the next few weeks.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 7/06/2022	Hammond, Sue	Reports	Chairpersons Report - Maketu Sports Field Upgrade

The Maketu Community Board approve up to \$20,000 from the Maketu Community Board Reserve Account for upgrades to the Maketu Sports Field.

## May 2023: This MAS has been closed out.

The new goal posts have been installed.





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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

## April 2023:

Weather and ground conditions have improved recently to enable this project to re-commence. Plans this month for repeat line marking and goal post installation are on track.

#### February 2023:

Due to weather conditions the rugby goalposts were not installed prior to Christmas. Subsequent inclement weather has prohibited the contractor from installing the posts, however the line marking of the field has been completed.

#### November 2022:

The Board prioritised their 'wish list' with the rugby goal posts as first preference. These have been ordered and are due to arrive soon. A contractor has been appointed to erect/ install the posts.

The bollards for access to the skate bowl have been installed. Council has also engaged a contractor to clean up the estuary trees edge.

The above prioritised items by the Board have used the total funding allowed for the Maketu Sports Field Upgrade project.

#### July 2022:

The project has been viewed and planning has started.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 15/02/2022	McLean, Calum	New Item	Vegetation Trim and Clean Up

The Board noted that the Pohutukawa trees at the entrance into Maketu still required a trim, and the vegetation at the Arawa Avenue lookout also needed to be cleaned up.

### May 2023:

Staff are waiting on a price from WestLink. Delay in response is attributable to allocation of resources to storm damage response.

## April 2023:

Staff have asked WestLink to provide a price to undertake tree trimming.

### February 2023:

Staff are waiting on the Board to provide prices for the vegetation removal and tree trimming from a local contractor.

#### November 2022:

The Board has sought prices for vegetation removal and tree trimming from a local contractor.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 21/02/2023	Watson, Peter	New Item	Surf Club Carpark Reserve Rock Revetment

#### **RESOLUTION MKC23-2.12**

That Maketu Community Board seeks clarification from staff regarding how the permanent solution for the Maketu Surf Club Carpark Reserve rock revetment may now be progressed.

## May 2023:

An information pack involving previous reports and direction from Council on this topic is being prepared and will be provided to the Board members once available.

### **April 2023:**

Staff will need to undertake a review of the project before reporting back to the Board, however due to current heavy workloads this may take a few months to complete as we are focused on completing several significant capital projects across the wider District.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 18/04/2023	McLean, Calum	New Item	Stormwater Drain Issues

#### **STORMWATER DRAIN ISSUES**

That staff provide the Maketu Community Board with an update on the program it has in place to clear the stormwater drains and provide information on timeframes.

## May 2023:

Works are programmed by WestLink as necessary to meet the specified level of service which is summarised below:

Defect	Sub-group	Response time
Sumps, Manholes, Catchpits		
Debris level in catchpit <100mm below outlet pipe invert	Urban	1 month
Outlet pipe >75% blocked	Urban	l week
Inlet grate >30% blocked	Urban	l week
Debris level in catchpit level with outlet pipe	Rural	2 months
Outlet Pipe > 75% blocked	Rural	1 month
Inlet grate > 90% blocked	Rural	l week
Culverts		
>50% of the cross-sectional area of the culvert inlet, outlet or barrel filled with debris	All	1 month
Horizontal, Subsoil and Similar Drains		
Inoperative drain	All	6 months

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 18/04/2023	Irvin, Carolyn	New Item	Little Waihi Reserve

#### **LITTLE WAIHI RESERVE**

That staff provide the Maketu Community Board with information regarding the current representatives on the Bledisloe Park Board and the management and maintenance plans for the reserve.

#### May 2023: This MAS has been closed out.

Staff are unable to comment on the management and maintenance plans for Bledisloe Park as Bledisloe Park is administered under the requirements of the Māori Purposes Act 1934. The administration arrangements that are currently in place are:

The Bledisloe Park Board is an independent body established by the Māori Purposes Act 1934 ('the Act') The Board consists of nine members set out as follows:

- The Mayor of the Western Bay of Plenty District Council.
- Three members of Te Arawa iwi were nominated by the Te Arawa Lakes Trust.
- (Up to) Five members nominated by the Western Bay of Plenty District Council.

Western Bay of Plenty District Council nominees must have resided in the Pongakawa, Paengaroa, Maketu or Te Puke district for at least six months prior to being nominated. The Governor-General appoints nominees for a term not exceeding three years. There is no limitation on the number of terms that an individual can serve on the Board, subject to their residential qualification.

Historically, the Mayor has held the position of Chair of the Bledisloe Park Board, however, in recent times that has changed and Kevin Marsh, as a community member, has successfully Chaired the Bledisloe Park Board with Geoff Rolleston from Te Arawa being the Deputy Chair.

### Bledisloe Park Board Nominations for Appointment 2022 – 2025

Western Bay of Plenty District Council approved the following recommendations at their Council Meeting held on 29 June 2022.

- 1. That the report from the Senior Governance Advisor dated 29 June 2022 titled 'Bledisloe Park Board Nominations for Appointment for 2022 2025 Term' be received.
- 2. That Council approve the following Western Bay of Plenty District Council nominations for the Bledisloe Park Board:
  - Kevin Marsh
  - Wendy McFadyen
  - Charles Peni
  - Ronald Spratt

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

The following information for each of the nominees is:

#### **Kevin Marsh**

Mr Marsh has had a long association with the Te Puke and Maketu district and has been the Chairperson of the Bledisloe Park Board for two previous terms.

### **Wendy McFadyen**

Ms McFadyen is a resident of Maketu and a past member of the Bledisloe Park Board.

#### Charles Huia Peni

Mr Peni is a long term resident of Maketu and is a past member of the Bledisloe Park Board.

## **Ronald Spratt**

Mr Spratt is a long term resident of the Te Puke and Maketu district and is a past member of the Bledisloe Park Board.

Outlined below are the nominations received from the Te Arawa Lakes iwi for appointment to the Bledisloe Park Board for the 2022 – 2025 term:

- Arapeta Tahana
- Georgina Whata
- Geoff Rolleston

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 18/04/2023	Golding, Greer	New Item	List of Community Assets for Maketu

## LIST OF COMMUNITY ASSETS FOR MAKETU

That staff provide the Maketu Community Board with a list of Maketu Community Assets.

May 2023:

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 18/04/2023	Parker, Scott	New Item	Maketu Cycleway

#### **MAKETU CYCLEWAY**

That staff provide the Maketu Community Board with an update on the status of the Maketu Cycleway and the drainage issues.

## May 2023:

Staff have been advised by WestLink that:

- the cycleway is programmed for construction early September, and
- hydro-excavation of the blocked stormwater pipe will be undertaken late June.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 18/04/2023	McLean, Calum	New Item	Mowing - Wilson Road

#### **MOWING - WILSON ROAD**

That staff review the contract for the mowing of Wilson Road north and provides the Board with an update.

#### May 2023:

Wilson Road North from the SH2 interchange to the Arawa Avenue intersection is mowed as necessary to comply with the rural level of service which generally requires that all vegetation be maintained between a minimum height of 50mm and a maximum height of 500mm, Im beyond the edge of the carriageway. This section was last sprayed in February and last mowed in March.

From Arawa Avenue north towards School Road, mowing is undertaken as necessary to meet the urban level of service which generally requires that all vegetation be maintained between a minimum height of 20mm and a maximum height of 75mm within all nominated areas (shown below). This section was last mowed on 24 April.



<sup>1</sup>In some rural locations the level of service is more stringent where necessary to ensure good visibility and/or to ensure that edge marker posts are not obscured.

<sup>2</sup>Not applicable to sight benches and large vegetated areas, which have a different LoS.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 18/04/2023	Golding, Greer	New Item	Pruning of the Macrocarpa Tree

#### **RESOLUTION MKC23-3.4**

That the Maketu Community Board approve the quote to trim down the macrocarpa tree on Te Awhe Road, conditional upon the Board obtaining appropriate approval, and having the site blessed before any works proceed.

## May 2023:

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 18/04/2023	McLean, Calum	New Item	Widening of Road - Corner Maketu School to Corner of Arawa Avenue

#### **RESOLUTION MKC23-3.3**

That the Maketu Community Board requests a quote for the widening of the road from the corner of Maketu School to the corner of Arawa Avenue to address health and safety and drainage issues.

#### May 2023:

Road width influences the speed at which vehicles can travel safely and comfortably. Increasing the road width of Wilson Road North would encourage drivers to travel faster for the following reasons:

- i. Wider lanes generally allow for higher speeds as drivers have more manoeuvring space and may feel more comfortable driving at higher speeds.

  Narrow lanes, on the other hand, can make drivers feel constrained encouraging them to drive slower.
- ii. Wide roads with clear sightlines provide better visibility, allowing drivers to see obstacles, pedestrians, or other vehicles from a greater distance. Improved visibility can increase the comfort level and confidence of drivers leading to higher speeds.
- iii. Wider roads facilitate better cornering and turning movements. Drivers can navigate curves more comfortably on wider roads which can allow for higher speeds while maintaining control.
- iv. The width of a road can also influence traffic volume. Wider roads often have capacity and can accommodate more vehicles, reducing congestion. When traffic flows smoothly, drivers may feel more inclined to travel at higher speeds.

Staff do not believe that widening Wilson Road North will achieve the safety benefits desired. Furthermore, Council is currently developing a speed management plan for the district which is likely to recommend that the posted speed limit on Wilson Road North be reduced. Widening the road would run contrary to the aim of improving road safety by reducing vehicle operating speed.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 18/04/2023	Irvine, Carolyn	New Item	Parks and Reserves Mowing

## **Maketu Parks and Reserves Mowing**

That the Strategic Policy and Planning Programme Director add the Maketu parks and reserves mowing plan to the Annual Plan.

## May 2023:

This resolution requires an amendment to reflect the suggestion that the Maketu CB add Parks and Reserves mowing issues to their Annual Plan submission.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 18/04/2023	Watson, Peter	New Item	Parks and Reserves Mowing

#### **PARKS AND RESERVES MOWING**

That staff provide the Maketu Community Board with clarification of the expiry date for the Maketu mowing contract.

## May 2023: This MAS has been closed out.

The District Wide Reserves Maintenance Contract that includes reserves in Maketu expires on 31 August 2027. The re tender process will commence 6-8 months before the expiry date.

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Action Sheets Report	Division:	Infrastructure Services Group	Updated: May 2023
	Committee:	Maketu Community Board	

Meeting	Officer/Director	Section	Subject
Maketu Community Board 18/04/2023	Watson, Peter	New Item	Spencer Reserve Mowing

#### **SPENCER RESERVE MOWING**

That the Reserves and Facilities Manager speak about this matter at an upcoming Maketu Community Board Workshop.

## May 2023:

The Reserves and Facilities Manager will provide an update at the next workshop unless the issue is resolved before then.

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## 9.6 MAKETU COMMUNITY BOARD OPERATIONAL REPORT

File Number: A5440285

Author: Jahneisha Osborne, Governance Support Administrator

Authoriser: Greer Golding, Governance Manager

## **EXECUTIVE SUMMARY**

This report is an operational update from across Council for matters that relate to the Maketu Community Board area.

## **RECOMMENDATION**

That the Governance Support Administrator's report dated 13 June 2023 titled 'Maketu Community Board Operational Report' be received.

## **SERVICE REQUESTS**

This section is to provide an overview of Service Requests for the Maketu Community Board area since the last meeting.

There has been one of each of the following subtypes of Service Requests raised and **completed**.

- Damaged Bin Replace/repair
- Reserves general (debris)

There has been one of each of the following subtypes of Service Requests raised and is **under investigation**.

- Detritus Local Roads
- Local Road Signs damaged/graffiti
- Vegetation/mowing local roads
- Flooding/open drain/culvert (raining)
- No water
- Water pressure too high/low

The table below shows Services Request's that are higher in numbers and have a mix of statuses.

Service Request Subtype	Notes	Completed	Under Investigation/Scheduled for Completion
Freedom camping	All Park Road	3	0
Māori Land Enquiries	Across Maketu	2	1
Kerbside General	Across Maketu	2	0
Missed Collection	2 for Spencer Ave	2	1
Corporate properties	Repair/construction queries	0	2
Illegal Dumping and carcasses	Across Maketu	1	1
Public toilets – reserves (hygiene/paper)	Across Maketu	2	0
Urban Stormwater general	Across Maketu. Drains/culverts flooding	4	0
Grinder pump/septic tank issue	Across Maketu	0	6

# MATTERS ARISING FROM PREVIOUS COMMUNITY BOARD MEETINGS (NOT MINUTE ACTION SHEETS)

Date raised	Issue	Comment
April 2023	Corrections to Chairs report.	Completed 11/05/2023
	9.2.3  That staff provide the Maketu Community Board with information regarding the current representatives on the Bledisloe Park Board and the management and maintenance plans for the reserve.	Members:  • Kevin Marsh  • Wendy McFadyen  • Ron Spratt  Per email from the Bledisloe Park Board 30.05.2023: The Board met today and agreed that it will dismantle and remove the wharf, and the

	potholes will be addressed when the weather permits.
Item 9.3.4	June 2023:
That the request from the Maketu Community Board for a quote from WestLink to undertake vegetation trimming at Arawa Avenue be cancelled.	The request has been cancelled.
That the Minute Action Sheets for this item be updated to reflect their current status.	
Item 9.3.6 That staff provide the Maketu Community Board with a list of Maketu Community Assets.	There will be a verbal update at the Community Board meeting.

## COMPLETED/UNCOMPLETED MINUTE ACTION SHEETS

Date raised	Issue	Comment
April 2023	MKC23-3.1	Amendments made 11.05.23
	That the following amendments be made to the Maketu Community Board 21 February 2023 minutes:	
	1. Present/Absent:	
	Deputy Corbett was not in attendance and no apology was received so this was to be recorded as 'absent without leave'; and	
	Public Forum: Item Laureen should read Lauri; and	
	First bullet point, second sentence: She considered that Council had a moral, if not legal, responsibility to make sure the culvert was clear.	

MKC23-3.3  That the Maketu Community Board requests a quote for the widening of the road from the corner of Maketu School to the corner of Arawa Avenue to address health and safety and drainage issues.	See Infrastructure MAS page 25
MKC23-3.4  That the Maketu Community Board approve the quote to trim down the macrocarpa tree on Te Awhe Road, conditional upon the Board obtaining appropriate approval, and having the site blessed before any works proceed.	The Macrocarpa tree was successfully trimmed by contractors and a blessing was given beforehand.