

Mā tō tātou takiwā
For our District

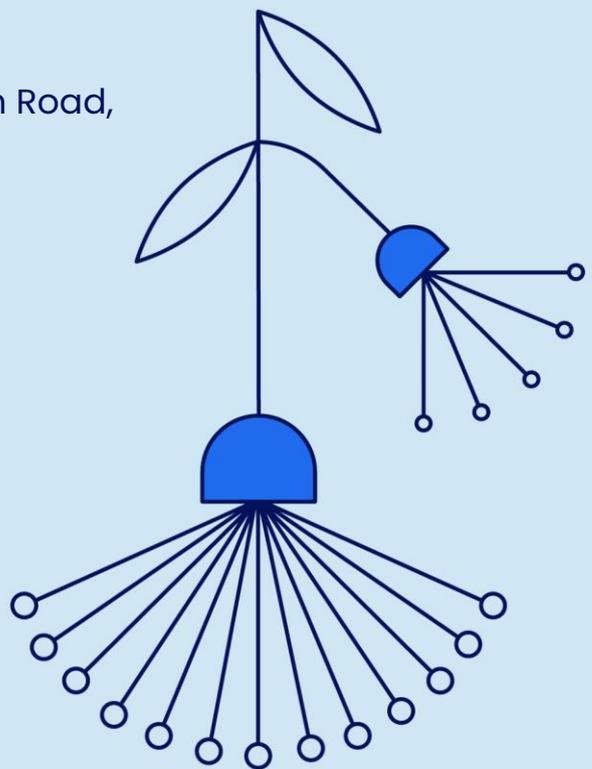
Waihī Beach Community Board

Poari ā Hapori o Waihī Beach

WBC23-4

Monday, 19 June 2023, 6.30pm

Waihī Beach Community Centre, 106 Beach Road,
Waihī Beach



Waihi Beach Community Board

Membership:

Chairperson	Ross Goudie
Deputy Chairperson	Alan Kurtovich
Members	Heather Marie Guptill Dani Simpson Cr Anne Henry Cr Allan Sole
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 Waihi Beach Community Board Meeting will be held in the Waihi Beach Community Centre, 106 Beach Road, Waihi Beach on:
Monday, 19 June 2023 at 6.30pm

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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 PRESENTATIONS

8.1 PRESENTATION ON THE TAURANGA MOANA FRESHWATER MANAGEMENT UNIT – KEN SHIRLEY – BAY OF PLENTY REGIONAL COUNCIL

File Number: A5487227

Author: Pernille Osborne, Senior Governance Advisor

Authoriser: Adele Henderson, General Manager Corporate Services

RECOMMENDATION

That the presentation from Ken Shirley on 19 June 2023 regarding 'The Tauranga Moana Freshwater Management Unit', be received.

9 MINUTES FOR CONFIRMATION

9.1 MINUTES OF THE WAIHĪ BEACH COMMUNITY BOARD MEETING HELD ON 27 FEBRUARY 2023

File Number: A5312324

Author: Pernille Osborne, Senior Governance Advisor

Authoriser: Greer Golding, Governance Manager

RECOMMENDATION

1. That the Minutes of the Waihi Beach Community Board Meeting held on 27 February 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 Waihi Beach Community Board Meeting held on 27 February 2023

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
WAIHĪ BEACH COMMUNITY BOARD MEETING NO. WBC23-2
HELD IN THE WAIHĪ BEACH COMMUNITY CENTRE, 106 BEACH ROAD, WAIHĪ BEACH
ON MONDAY, 27 FEBRUARY 2023 AT 6.30PM**

1 PRESENT

Chairperson R Goudie, Deputy Chairperson A Kurtovich, Member H Guptill, Cr A Henry and Cr A Sole

2 IN ATTENDANCE

J Holyoake (Chief Executive Officer), A Hall (Roading Engineer West), G Golding (Governance Manager) and P Osborne (Senior Governance Advisor)

30 Members of the public, including:

- Mayor J Denyer
- Cr Richard Crawford
- Cr Don Thwaites
- Cr Andy Wichers
- Cr Rodney Joyce
- J Clements (Katikati Community Board Chairperson)

3 APOLOGIES

APOLOGY

RESOLUTION WBC23-2.1

Moved: Cr A Henry

Seconded: Deputy Chairperson A Kurtovich

That the apology for absence from Member D Simpson be accepted.

CARRIED

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

7.1 SARAH ELLIOT – CENTRAL GRANTS SPECIALIST – ROYAL NEW ZEALAND PLUNKET TRUST

Ms Elliot was in attendance to speak to the application from Royal New Zealand Plunket Trust. The below points were noted:

- The current heating at the Plunket building was insufficient;
 - There were a large number of mums and pēpē that were serviced at this facility;
 - They had received additional funding that was used to re-paint the rooms; and
 - It was a regularly requested space, so they would like to be able to let members of the community use it during the evening.
-

7.2 DAVE HALLIE – ADELA STEWART DRIVE (WEST)

Mr Hallie was in attendance to speak to the Board regarding the confusion that was caused due to the closeness in street names of Adela Stewart Drive verses Adela Stewart Drive West. The below points were noted:

- He referenced Council's 'Roading Naming Policy' 5.1 which stipulated that all road names should be sufficiently unique.
- He asked Council to considered changing of one of the street names (preferably the one that effected the least amount of people).
- The name 'Matuku' had been proposed by a member of the community.

The Governance Manager advised that this request was currently with the Resource Consents team who were dealing with it through the correct process.

7.3 KEITH HAY – KATIKATI-WAIHĪ BEACH RATEPAYERS ASSOCIATION

Mr Hay was in attendance to speak to the Board on the below items:

- Had concern that for Council to gain access through a property for the proposed Two Mile Creek works, they would need to satisfy the owners demands, at what he believed was a cost to the ratepayers.
 - He wished to understand the location of the centreline of Two Mile Creek, where it crossed 8-10 Wilson Road.
 - He had concern that Soho 13 had built a wall over their boundary and onto 17 Edinburgh Street. He believed that the requirements for this wall agreed to by Council would take away from what was trying to be achieved through the revetment work.
-

- He was of the belief that neighbouring properties had suffered damage from the vibrations caused by the drill rig while it was on site at 8-10 Wilson Road.

Councillor Henry acknowledged the points raised and noted that the land on Edinburgh Street was originally purchased to help with the connectivity from Wilson Road to the Library area.

7.4 PHIL BOWYER – DUMP STATION AT ISLAND VIEW

Mr Bowyer was in attendance to see if there was any feedback regarding his request at the last Community Board meeting relating to the waste dump station by Island View Playground.

The Chairperson noted that he had raised this concern through his Chairpersons Report so the Board could discuss it further.

Mr Bowyer clarified that the request was to remove the waste dump station from this particular spot and move it to a more suitable site i.e. KiwiCamp.

Mr Bowyer also noted that following the recent weather events it would be good to see some further clean ups take place around Waihi Beach.

7.5 DON RYAN – COASTCARE

Mr Ryan was in attendance to speak to the Board regarding the below items:

CoastCare

It was noted that the community were expecting to have a report in October/November 2022 regarding the planting plan for 2023.

The Board noted that they had followed up with Council staff to see if there were any updates from CoastCare, but were yet to hear anything. It was important to understand when the planned planting would take place.

Accessways

It was important to tidy up the accessways from Two Mile Creek to Bowentown, as it was noted that people were going over the sand dunes, which was something that the community were working hard on restoring.

Staff were asked if they could follow up the status of the CoastCare plan and feed this back to the Board.

7.6 DIANE CRISP – IDENTIFYING VULNERABLE LOCALS

Ms Crisp was in attendance to ask whether there was a community based register for the vulnerable people in Waihi Beach. It was noted that during the recent weather events it highlighted the importance of knowing where vulnerable people were and whether they were checked on during these events.

Mr Bowyer (Emergency Response Team Member) noted that they went around to ensure that everyone was safe and those that were being encouraged to evacuate and needed assistance, were provided with that.

7.7 JOHN CLEMENTS – COMMUNITY ENGAGEMENT

Mr Clements was in attendance in his capacity as the Katikati Community Board Chairperson, and highlighted how great it was to see the community engagement taking place in Waihi Beach.

7.8 ANTHONY THOMPSON – USE OF CONCRETE IN WAIHI BEACH

Mr Thompson was in attendance to request that Council put in stricter guidelines around the use of concrete for building in Waihi Beach due to the way that it impeded water seepage and assisted water accretion.

8 PRESENTATIONS

8.1 PRESENTATION FROM WAIHI BEACH SCHOOL

Representatives from Waihi Beach School, Rachael Coll, Micah Appleton and Sarah-Kay Coulter were in attendance to present the Waihi Beach School preliminary discussion piece regarding 'Safer Streets Waihi Beach'. The kura would love to be in partnership with areas and community organisations to help create those safer walkways.

It was noted that the kids were asked to identify how they engaged with the space and helped identify some of the below hazards:

- Library and Community Centre – no pedestrian access at all;
 - No pedestrian access planned from the school to the New library;
 - Evacuation route to RSA – No road crossing facilities to ensure a safe evacuation for children in an emergency situation; and
 - Ralph Lane to Beach Road walkway – Unfinished, exits onto a blind corner which vehicles often take at speed
 - Beach Road Gas station/Mechanic, there was no pedestrian footpath
-

The Board noted that it would be good to have a discussion with the kura prior to their next Community Board meeting to go through the overall plan together. MenzShed Representatives asked to be included in this discussion.

The Roding Engineer (East and West) advised the Board that he had had a conversation with Travel Safe today to start the conversations with the kura.

RESOLUTION WBC23-2.2

Moved: Cr A Sole

Seconded: Deputy Chairperson A Kurtovich

That the presentation from Waihi Beach School on 27 February 2023, be received.

CARRIED

8.2 PRESENTATION FROM LIVE WELL WAIHI BEACH - MATARIKI GARDEN

Pippa Coombes, Rose, Carol and Rachel Coll were in attendance to speak to a PowerPoint presentation regarding the Community Garden (Mara). The underpinning whakataukī for the mara was: *Nā tō rourou, nā taku rourou ka ora ai te iwi – with your food basket and my food basket the people will thrive.*

The below points were noted:

- Our vision;
- Outcomes;
- The Mātāriki Māra Kai Design;
- Statistics; and
- Kōrero/Discussion.

The presenter/s responded to questions as follows:

- The site location was at Beach Road Recreation Reserve, which was next to the Plunket building. The reserve was still utilised by members of the community, so they had only planned to have the garden take up half of the available space.
 - They were hoping to get the “spade in the ground” during Matariki 2024.
 - A funding application had been submitted through the TECT Facilities Fund, as well as funding. They were also going to get sponsorship for each of the smaller gardens.
 - There would be an interactive QR code which would include the kids stories.
 - Overall cost was sitting at \$300,000 which included a site manager and all the planting.
-

- Council had provided a letter of support regarding the land, and it was out for consultation prior to going to Council for final approval.
- The garden would be maintained through the Live Well Waihi Beach Steering Group.

Ms Coombes noted that she was happy to talk to anyone who wished for further information on this project.

RESOLUTION WBC23-2.3

Moved: Cr A Henry

Seconded: Member H Guptill

That the presentation from Live Well Waihi Beach on 27 February 2023, be received.

CARRIED

8.3 PRESENTATION FROM TE WHĀNAU A TAUWHAO KI OTAWHIWHI

Garston Smith opened the presentation with a mihi.

Reon Tuarau was in attendance to present to the Board on behalf of Te Whānau A Tauwhao ki Otawhiwhi. The below points were noted:

- It was awesome to hear the excitement from tamariki in regard to the Community Mara. It was also noted that this aligned with the Ngāti Rangi strategy around food sovereignty.
- He acknowledged the kaupapa of the entranceway signs. Tangata Whenua had been engaged with and supported the concept, and highlighted the importance of Tuhua (Mayor Island) being featured. Moving forward with this project, it was noted that Tangata Whenua imagined they would have input into the wording on the signs and the plantings that surrounded the signs.
- He gave a mihi to the Chairperson and Council in regard to checking in on tangata whenua, especially during the recent weather events.
- One of the big projects coming up for Te Whānau a Tauwhao ki Otawhiwhi was the development of a hapū management plan that highlighted aspirations for Tangata Whenua over the next 5-10 years.
- He noted that it was nice to see the community come together following the recent āwhiowhio (tornado).
- In 2022 Tangata Whenua “stepped up” their engagement with the community, which was kicked off with Matariki. The Board was reminded of the key themes for Tangata Whenua with the wider community being: whanaungatanga (relationships), kotahitanga (unity) and hauora (health). Matariki 2023 will see some new key themes come into focus.

RESOLUTION WBC23-2.4

Moved: Cr A Henry

Seconded: Cr A Sole

That the presentation from Te Whānau a Tauwhao ki Otawhiwhi on 27 February 2023, be received.

CARRIED

MINOR MATTERS NOT ON THE AGENDA

The Chairperson noted that a presentation from the Waihi Beach Lifeguard Services should have taken place during public forum however, due to availability Dave Litton would provide a brief update to the Board during the presentation section of the agenda.

8.4 DAVE LITTON – WAIHĪ BEACH LIFEGUARD SERVICES

Mr Litton was in attendance to provide the Board with a brief update on behalf of the Waihi Beach Lifeguard Services. The below points were noted:

- The recent weather had decreased the amount of people out on the beaches.
 - Statistics provided to the Board surrounding drowning incidents throughout Aotearoa.
 - The lifeguards have had less rescues this year than previous years.
 - Search and Rescue capability had done some further training relating to flood and swift water training, noting that they were on standby for the recent weather events.
 - Mr Litton noted that it would be good to get some clearer communication around the road closures during weather events, particularly the road to Waihi Beach Lifeguard Services. The team required sufficient time to get the equipment out prior to any closures.
-

9 MINUTES FOR CONFIRMATION**9.1 MINUTES OF THE WAIHĪ BEACH COMMUNITY BOARD MEETING HELD ON 12 DECEMBER 2022**

RESOLUTION WBC23-2.5

Moved: Chairperson R Goudie

Seconded: Deputy Chairperson A Kurtovich

That the Minutes of the Waihi Beach Community Board Meeting held on 12 December 2022 as circulated with the agenda be confirmed as a true and correct record.

CARRIED

10 REPORTS

10.1 CHAIRPERSON REPORT – FEBRUARY 2023

The Board considered a report from the Chairperson. The report was taken as read with further discussion on the below points.

RESOLUTION WBC23-2.6

Moved: Chairperson R Goudie

Seconded: Member H Guptill

That the Chairperson's report dated 27 February 2023 titled 'Chairperson Report – February 2023' be received.

CARRIED

10.1.2 DISTRICT PLAN REVIEW

The Board sought further information relating to the District Plan Review process.

10.1.3 ADDITIONAL CARPARKS – ADJACENT TO WILSON ROAD

The Board was reminded that the carpark on Wilson Road was being extended over the road, as there would be significant improvements to the pedestrian flow when the new amenities were developed. There would be an additional five carparks with this improvement.

The Board noted that they would like to be presented with the plan and have a further discussion prior to the next formal meeting.

10.1.4 WAIHI BEACH FINCO'S

There was a discussion from the Board regarding FINCOs and how they contributed to roads within Waihi Beach. The Roding Engineer (East and West) noted that this discussion could take place during a workshop however, noted that if the Board wished to progress a particular roading project, they had funds in their roading budget for this.

The Board was advised that in order for a project to qualify for FINCOs funding, it would need to be included in the Waihi Beach Structure Plan.

The Board noted the importance of ensuring that the proposed developments that were FINCOs funded worked well within the community.

The Chief Executive Officer reminded that Board that the Roading Engineer (West and East) was in attendance for these meetings to support the delivery of Community Board roading projects. It was important to remember that frustrations relating to FINCOs and other infrastructure related projects should not be directed toward the Roading Engineer (East and West).

10.1.5 ANNUAL PLAN

There was a query from the Board regarding how they were expected to make comments or a submission on particular projects, if they were not privy to the rationale behind the decisions made.

The Mayor provided clarification around the role of the Board, noting that it was in being an advocate for the community with a focus on their local area. He reiterated the importance of the role that the Councillor's had on the Board, as they provided a direct link between Council and Community Boards.

The Board was encouraged to make a submission to the Annual Plan when it went out for consultation.

10.2 COUNCILLOR'S REPORT - FEBRUARY 2023

The Board considered a report from Councillor Henry. The report was taken as read with a brief overview on each of the topics listed in the agenda.

Councillor Henry noted that there was an upcoming Katikati-Waihi Beach Community Forum which would be taking place on 27 March 2023. These community forums would feed directly into the Community Committee.

RESOLUTION WBC23-2.7

Moved: Cr A Henry

Seconded: Chairperson R Goudie

That the Councillor's report dated 27 February 2023 titled 'Councillor's Report' be received.

CARRIED

10.3 WAIHI BEACH COMMUNITY BOARD - ANZAC DAY COMMEMORATION 2023

The Board considered a report from the Senior Governance Advisor. The report was taken as read.

RESOLUTION WBC23-2.8

Moved: Chairperson R Goudie

Seconded: Deputy Chairperson A Kurtovich

1. That the Senior Governance Advisor's report dated 16 February 2023, titled 'Waihi Beach Community Board – ANZAC Day Commemoration 2023', 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.

CARRIED

RESOLUTION WBC23-2.9

Moved: Cr A Sole

Seconded: Member H Guptill

3. That the Waihi Beach Community Board provide a wreath for the ANZAC Day Service, to be paid from the Waihi Beach Community Board Contingency Account (up to the value of \$200).

CARRIED

RESOLUTION WBC23-2.10

Moved: Chairperson R Goudie

Seconded: Cr A Sole

4. That Deputy Chairperson A Kurtovich and Member H Guptill represents the Waihi Beach Community Board at the ANZAC Day Service at Waihi Beach on 25 April 2023.

CARRIED

10.4 WAIHI BEACH COMMUNITY BOARD GRANT APPLICATION – FEBRUARY 2023

The Board considered a report from the Senior Governance Advisor. The report was taken as read with further clarification on the below:

- If the building wished to be used by a commercial organisation, then there would be a contribution for hireage however, if there was a request to use by a business or organisation that benefited the community, then there would be no contribution required.
-

RESOLUTION WBC23-2.11

Moved: Member H Guptill

Seconded: Cr A Sole

1. That the Senior Governance Advisor's report dated 27 February 2023 titled 'Waihi Beach Community Board Grant Application – February 2023' be received.
2. That the Waihi Beach Community Board approve the Grant Application from Royal New Zealand Plunket Trust for \$3,500 to contribute towards the purchase and installation of two heat pumps. This grant will be funded from the Waihi Beach Community Board Grants Account, subject to all accountabilities being met.

CARRIED

10.5 INFRASTRUCTURE GROUP REPORT WAIHI BEACH COMMUNITY BOARD FEBRUARY 2023

The Board considered a report from the Deputy Chief Executive. The report was taken as read with further information on the below:

RESOLUTION WBC23-2.12

Moved: Chairperson R Goudie

Seconded: Member H Guptill

That the Deputy Chief Executive's Report, dated 27 February 2023, and titled 'Infrastructure Group Report Waihi Beach Community Board February 2023', be received.

CARRIED

10.5.1 WILSON ROAD TREE REPLACEMENT

The Board was advised that although they had a desire for a Nikau Tree, this decision was an operational decision and did not require Board approval. The rationale provided to the Board was around the infrastructure, including a vulnerable water main underneath the site and the number of complaints received regarding the frond droppings.

The Board did not feel as though the Lancewood was the correct tree and therefore did not wish to have a tree put in this space as a replacement.

RESOLUTION WBC23-2.13

Moved: Chairperson R Goudie

Seconded: Deputy Chairperson A Kurtovich

That the Waihi Beach Community Board request that no replacement tree be planted on Wilson Road.

CARRIED

10.5.2 TWO MILE CREEK

The Board would like some clarification around the timeline of this project. It was noted that during recent weather events the waves came over top of the wall, which highlighted concerns regarding the impact that the wall was going to have on completion.

The Board expressed concern regarding this project and noted that they would like to have input into future discussions relating to this project.

The Board was advised that no discussions with Council had been had in relation to this project, since the beginning of the triennium.

10.6 WAIHI BEACH COMMUNITY BOARD – FINANCIAL REPORT DECEMBER 2022

The Board considered a report from the Financial Business Advisor. The report was taken as read.

RESOLUTION WBC23-2.14

Moved: Chairperson R Goudie

Seconded: Cr A Henry

1. That the Financial Business Advisor's reports dated 27 February 2023 and titled 'Waihi Beach Community Board – Financial Report December 2022' be received.

CARRIED

The Meeting closed at 8.40pm.

Confirmed as a true and correct record at the Waihi Beach Community Board meeting held on 24 April 2023.

.....
Chairperson R Goudie

CHAIRPERSON

9.2 MINUTES OF THE WAIHI BEACH COMMUNITY BOARD MEETING HELD ON 24 APRIL 2023

File Number: A5335663

Author: Pernille Osborne, Senior Governance Advisor

Authoriser: Greer Golding, Governance Manager

RECOMMENDATION

1. That the Minutes of the Waihi Beach Community Board Meeting held on 24 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 Waihi Beach Community Board Meeting held on 24 April 2023**

**MINUTES OF WESTERN BAY OF PLENTY DISTRICT COUNCIL
WAIHI BEACH COMMUNITY BOARD MEETING NO. WBC23-3
HELD IN THE WAIHI BEACH COMMUNITY CENTRE, 106 BEACH ROAD, WAIHI BEACH
ON MONDAY, 24 APRIL 2023 AT 6.30PM**

1 PRESENT

Chairperson R Goudie, Deputy Chairperson A Kurtovich, Member H Guptill, Member D Simpson, Cr A Henry and Cr A Sole

2 IN ATTENDANCE

A Henderson (General Manager Corporate Services), G Golding (Governance Manager), D Elvin (Compliance and Monitoring Manager) and P Osborne (Senior Governance Advisor)

27 Members of the public including:

Mayor J Denyer

Cr R Joyce (Katikati-Waihi Beach Ward)

Cr T Coxhead (Kaimai Ward)

K Ellis (Te Puke Community Board Chairperson)

L Rae (Maketu Community Board Chairperson)

J Clements (Katikati Community Board Chairperson)

3 APOLOGIES

Nil

4 CONSIDERATION OF LATE ITEMS

Nil

5 DECLARATIONS OF INTEREST

Nil

6 PUBLIC EXCLUDED ITEMS

Nil

7 PUBLIC FORUM

7.1 KEITH HAY – TWO MILE CREEK

Mr Hay was in attendance to speak to issues relating to the Two Mile Creek upper catchment continuation. The below points were noted:

- He believed that consent granted to developments within the Two Mile Creek catchment did not require a detention pond or the continuation of stormwater.
 - A LGOIMA request made, regarding the breach of the dam, was forwarded to Bay of Plenty Regional Council.
 - Mr Hay would forward a photo in relation to his raised issue, to the Chairperson following the meeting.
-

7.2 TRISH COATES – PIO SHORES STORMWATER MAINTANANCE

Ms Coates was in attendance to speak to the Board about the maintenance of stormwater drains within Waihi Beach.

- She believed that with the time and money spent upgrading the pumpstations in Pio Shores, the drains themselves should be cleaned and maintained.
 - Ms Coates also noted that the swale drain needed to be mown, as it was at waist height at the moment. The drain by Otawhiwhi Marae was completely blocked, and clarification was sought regarding who was maintaining these areas.
 - The Chairperson would forward the photo in relation to this issue to staff, following the meeting.
-

7.3 PIPPA COOMBS – UPDATE ON WAIHI BEACH SKATEPARK

Ms Coombs was in attendance to provide the Board with an update on the proposed skatepark. The below points were noted:

- Background was provided as to why the initial proposal had been put on hold.
 - An opportunity for funding had been identified through the Long Term Plan (LTP).
 - Support was sought from the Board, as well as the opportunity to partake in an upcoming Board workshop.
-

7.4 ROSE FOX – WELCOME TO WAIHI BEACH ENTRANCEWAY PROJECT

Ms Fox was in attendance to provide the Board with an update on the 'Welcome to Waihi Beach' entranceway project. The below points were noted:

- Consultation was currently taking place, and positive feedback had been received from Tangata Whenua.
-

- Ms Fox had been completing this work 'pro-bono', and noted that she was happy to continue in order to progress the next step of the project.
 - The next step would be to go out and obtain indicative prices for the proposed works. She noted that she was happy to work alongside Council staff if they had preferred contractors.
 - A further 4-6 weeks of work would be required prior to costings being sought.
 - Ms Fox was happy to work alongside the Roading Engineer (East and West) to achieve roadside planting that was amenable to Council.
-

7.5 MIKE HICKEY - VARIOUS ITEMS

Mr Hickey was in attendance to provide the Board with the below updates:

- There had been some damage to a pedestrian fence following some 'burn outs' from 'boy racers' over the weekend. There was also some damage on the corner of Snell Crescent and Patterson Place.
 - He believed that there was 26 intersections that were unmarked.
 - He sought an update on the Council project taking place opposite the chemist shop.
 - He highlighted issues with dogs in Waihi Beach.
-

8 PRESENTATIONS

8.1 PRESENTATION FROM PROJECT PARORE

David Peters, Chairperson of Project Parore, was in attendance to provide the Board with the below updates:

- Project Parore was an Incorporated Society and was established in 2008 with a focus on maintaining clear water in the harbour.
 - In order to avoid mangroves from forming, work was being undertaken on the rivers that flowed into the northern Tauranga Harbour.
 - Significant funding was received in 2018 through the Ministry for the Environment 'Freshwater Investment Fund'. This funded interventions for up to five years.
 - In 2021, further funding was received through 'Jobs for nature', which allowed a team of 6 (part-time and full-time) staff to be hired.
 - The main focus was in working with farmers, land-owners and orchardists to develop sensible farm environment plans for the properties.
 - Project Parore had recently developed a strategy for the next three years. The six objectives identified were:
 - i. 100 hectares of forestation, the planting of 55,000 trees and 1,800 hectares of animal pest control;
-

- ii. Development of a commercially sustainable operations team;
- iii. Expansion of the boarders, which referred to working with other local environmental groups;
- iv. Growth of their volunteer base;
- v. To concentrate on maximising catchment resilience; and
- vi. To create three wildlife corridors from the harbour up to the Kaimai.

The Board noted that they would like to have a conversation with Project Parore regarding how Waihi Beach could work with them in delivering what was best, and ensuring that local people were involved.

RESOLUTION WBC23-3.1

Moved: Cr A Sole

Seconded: Member H Guptill

1. That the presentation from Project Parore on 24 April 2023, be received.

CARRIED

8.2 PRESENTATION FROM THE WAIHI BEACH MOUNTAIN BIKE CLUB

Kris Wilson, Waihi Beach Mountain Bike Club, was in attendance to speak to the proposed Trail Network. Mr Wilson spoke to his PowerPoint Presentation, which outlined the below:

- Waihi Beach Water Catchment Reserve;
- Maps of area in discussion; and
- Map highlighting proposed bike trails.

The presenter/s responded to questions as below:

- As this was not yet a shovel ready project, there were currently only 30 members in the Waihi Beach Mountain Bike Club. When looking at similar projects around the area, the membership of the clubs sat at around 500 (the majority of whom did not live in the area).
 - At this stage, the club was not promoting themselves, but as this project progressed they would start doing some promotion.
 - All the trails were subject to archaeological and iwi approval, however there was hope to have a range of trails available. It was noted that the vision was to have trails similar to those in Whangamatā.
 - The next steps for the club included support from the Community Board and other community organisations. It was noted that support was received from Council's Cycleways Manager.
-

- The group was not at the stage of determining the economic benefit, however mountain biking was a growing sport throughout the region. Mr Wilson felt confident that if the trails produced were of a high standard, there would be a benefit to the economy.
- The idea was that the trails would be free to ride.
- The Community Board had contributed \$50,000 (in the 2020-2021 financial year) from their Roading Account to the Waihi Beach Dam internal cycleways project.

Geoff Canham, Council's contractor managing the trail programme throughout the network, was in attendance to support the presentation being made. The below points were noted:

- This was the first "outing" of the proposed trail maps, as they wanted to ensure that the Community Board was engaged with at the beginning of the process.
- A past Community Board had shown support for this project through the Reserve Management Plan.

RESOLUTION WBC23-3.2

Moved: Cr A Sole

Seconded: Member D Simpson

That the presentation from the Waihi Beach Mountain Bike Club on 24 April 2023, be received.

CARRIED

8.3 PRESENTATION FROM TE WHĀNAU A TAUWHAO KI OTAWHIWHI

Reon Tuanau, Te Whānau a Tauwhao ki Otawhiwhi representative, gave a mihi to the Community Board and members of the public in attendance. Matua Tuanau provided the below updates:

- The Marae was still waiting for the signs to be installed.
- They were looking at the restoration, improvement and protection of the Pa sites at Bowentown. Otawhiwhi were currently working with Council in coming up with a plan to protect this site going forward.
- Te Kāhui Mana Whenua o Tauranga Moana Forum was currently reviewing Te Ara Mua (which identified priorities for Tangata Whenua) to ensure these priorities aligned with the review of the Long Term Plan (LTP).
- Relationship agreement opportunities and procurement opportunities were being explored.
- Through their current relationship with Waka Kotahi, there was a cultural recognition project that was planned for the turn off to Waihi Beach.

- Iwi had been working with Bay of Plenty Regional Council (BOPRC) in looking at the restoration of wetlands, specifically regarding whitebait. It was noted that this year there would be a focus on planting.
- Tangata Whenua were signing a Memorandum of Understanding (MOU) with BOPRC and Project Parore, to achieve common goals within the area.
- Funding had been received for the project 'Te Mana o te Wai', which focused on giving the first right of water back to the water source.
- Tangata Whenua met with the Department of Conservation (DOC) to create better partnership, noting that they had created a workforce called 'Kaimai Kody'. This allowed rangatahi to work alongside DOC and learn the skills to maintain tracks, as well as promoting the importance of biosecurity.
- Tangata Whenua continued to support local events to help build relationships throughout Waihi Beach.
- There was a big focus on Hauora and ensuring services were available to iwi/hapū.
- Tangata Whenua were continuing to work slowly through treaty settlements.
- He believed that the restoration of the Bowentown Pa site would contribute to the economic benefits for the beach.
- Housing continued to be a priority for Tangata Whenua.
- There was concern around the rangatahi and the importance of ensuring opportunities were available for them moving forward.
- Iwi had been doing their own research on the great white shark that lived within the waters surrounding Waihi Beach.
- He reiterated the issue raised earlier regarding the stormwater drain by Otawhiwhi Marae, including concerns relating to this drain.
- An agreement was being developed that would allow the marae to hook up to the main sewage line.
- The location for Matariki 2023 would be held up at Athenree, toward the end of June.

RESOLUTION WBC23-3.3

Moved: Cr A Henry

Seconded: Deputy Chairperson A Kurtovich

That the presentation from Te Whānau a Tauwhao ki Otawhiwhi on 24 April 2023, be received.

CARRIED

9 REPORTS

9.1 CHAIRPERSONS REPORT – APRIL 2023

The Board considered a report from the Chairperson. The report was taken as read with further discussion on the below items:

- Community Board workshops would be planned to address specific on-going concerns.
- The Board will be making a submission to the Annual Plan.

RESOLUTION WBC23-3.4

Moved: Chairperson R Goudie

Seconded: Member H Guptill

That the Chairperson's report dated 24 April 2023 titled 'Chairpersons Report – April 2023' be received.

CARRIED

9.2 COUNCILLOR'S REPORT – APRIL 2023

The Board considered a report from Councillor Sole. The report was taken as read with further mention to the below items:

- The importance of the beach accessway clean-ups following the recent storm event.
- The importance of having input into the District Plan, Long Term Plan and Annual Plan.

The General Manager Corporate Services informed the Board that the Three Waters Reform that was proposed to go live July 2024 had been delayed for an additional two years.

RESOLUTION WBC23-3.5

Moved: Cr A Sole

Seconded: Member D Simpson

That the Councillor's report dated 24 April 2023 titled 'Councillor's Report – April 2023' be received.

CARRIED

9.3 WAIHI BEACH SEASONAL COMPLIANCE MONITORING REPORT 2022-23

The Board considered a report from the Compliance and Monitoring Manager. The report was taken as read, with some key points highlighted as below:

- A brief overview of the compliance and monitoring that took place in Waihi Beach.
- The 'Watchdog' team were coming out earlier to help build relationships and knowledge of the visitors.
- The freedom camping legislation would be changing in 2023. This would require freedom campers to have a fixed toilet, noting that there was a two year transitional period.
- The Board was taken through a brief overview of the information gathered from the annual survey.

The presenter responded to questions as below:

- The majority of those that undertook the survey were New Zealand citizens.
- There would need to be a discussion around how to manage those that were not going to comply with the new legislation.

RESOLUTION WBC23-3.6

Moved: Member H Guptill

Seconded: Member D Simpson

1. That the Compliance and Monitoring Manager's report dated 24 April 2023 titled 'Waihi Beach Seasonal Compliance Monitoring Report 2022-23' 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.

CARRIED

9.4 PROPOSED ROAD NAME CHANGE OF EITHER ADELA STEWART DRIVE OR ADELA STEWART DRIVE WEST

The Board considered a report from the Consents Planner. The report was taken as read with further discussion and feedback regarding the proposed road name-change. There was clarification that the report and resolution should read 'Matuku Place'.

The Board was reminded that the report was seeking feedback and consideration only, as the decision lay with the Delegated Authority. Council's 'Road Naming Policy' was created specifically for the naming of new roads, and not the re-naming of existing roads. It was noted that this was an anomaly request and therefore the Board were

urged to consider the benefit and need for change, verses the impact on current residents.

Feedback from the Board included:

- The belief that 'Matuku Place' had representation in Rotorua and Matamata-Piako.
- There was concern that 'Hugh Stewart Drive' contained more letters than the policy prescribed.
- The report noted that out of the 14 submissions received, 11 residents were opposed and only 3 residents were in support of the proposed name-change.
- It was highlighted that this requested stemmed from concerns over emergency services being able to find the correct addresses in a timely manner and without confusion. From this perspective it was supported.
- It was noted that Hugh Stewart was the husband of Adele Stewart, so this was where that option had come from.
- There was concern that perhaps Hugh Stewart and Adele Stewart were also too similar of road names, and could cause confusion.

RESOLUTION WBC23-3.7

Moved: Member H Guptill

Seconded: Cr A Sole

1. That the Consents Planner's report dated 24 April 2023 titled "Proposed Road Name Change of either Adela Stewart Drive or Adela Stewart Drive West", 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 the Waihi Beach Community Board consider and provide feedback on the requests to rename either Adela Stewart Drive or Adela Stewart Drive West to:
 - Matuku Place; or
 - Hugh Stewart Drive.

CARRIED

9.5 INFRASTRUCTURE GROUP REPORT - WAIHI BEACH COMMUNITY BOARD - APRIL 2023

The Board considered a report from the Deputy Chief Executive. The report was taken as read with further discussion on the below items:

RESOLUTION WBC23-3.8

Moved: Deputy Chairperson A Kurtovich

Seconded: Cr A Sole

That the Deputy Chief Executive's Report, dated 24 April 2023 titled 'Infrastructure Group Report - Waihi Beach Community Board - April 2023' be received.

CARRIED

9.5.1 REQUESTED WORKSHOPS

The Board noted that they would like to have workshops on the below Infrastructure items, in order to receive further updates and undertake further discussions:

- Athenree Road Foot Path Connection – from Montessori Preschool to the New Residential Development (confirmation that this was happening and a estimated timeframe);
 - Beach Road Pedestrian Refuges;
 - Town Centre Development – Wilson Road to Edinburgh Street; and
 - Two Mile Creek.
-

9.5.2 DILLON STREET SHARED PATH BRIDGE

The Board sought clarification on when the anticipated installation would be completed, as the report did not provide specific timing.

9.5.3 STORMWATER - WAIHI BEACH PIO SHORES

The Board requested further information relating to how much the Pio Shoes Stormwater project was going to cost. The funding through the Long Term Plan was different to what had been received from the contractor, so the Board would like to understand where the additional funds were coming from.

9.5.4 WAIHI BEACH TO ATHENREE CROSSING (WALKWAY/CYCLEWAY)

The Board encouraged Councils Cycleway Manager to hold a hui with Tangata Whenua regarding the concept design, so this project could progress.

9.5.5 WAIHI-WAIHI BEACH CYCLEWAY

The Board sought clarification around a 'Plan B', if the preferred/proposed trail was unable to be obtained. They wanted to ensure that if there was an alternative route

being considered, that the Community Board had an opportunity to be involved in the discussion through a workshop.

9.5.6 WAIHI BEACH LIBRARY LOCATION

The Community Board would like to have input into the Waihi Beach Library discussion, which included the consideration of scaling down the project.

9.5.7 WELCOME TO WAIHI BEACH PROJECT

The Board agreed that the costings being sought in relation to this project should be done through Council.

It was noted that it would be wise to ensure that the design that went out for costing, was realistic to the funds available.

The Board noted that they would ask Matua Tuanau if they could see the design for the cultural recognition project that Tangata Whenua were working on with Waka Kotahi.

Issues relating to this project would be discussed at a workshop with Ms Fox and Tangata Whenua.

9.6 WAIHI BEACH COMMUNITY BOARD - FINANCIAL REPORT FEBRUARY 2023

The Board considered a report from the Financial Business Advisor. The report was taken as read.

RESOLUTION WBC23-3.9

Moved: Chairperson R Goudie

Seconded: Member H Guptill

That the Financial Business Advisor's reports dated 24 April 2023 and titled 'Waihi Beach Community Board – Financial Report February 2023'

CARRIED

The Meeting closed at 9.00pm.

Confirmed as a true and correct record at the Waihi Beach Community Board meeting held on 19 June 2023.

.....

Chairperson R Goudie

CHAIRPERSON

Unconfirmed

10 REPORTS

10.1 WAIHI BEACH COMMUNITY BOARD CHAIRPERSON'S REPORT – JUNE 2023

File Number: A5469467

Author: Ross Goudie, Community Board Chairperson

Authoriser: Adele Henderson, General Manager Corporate Services

RECOMMENDATION

1. That the Chairperson's report dated 19 June 2023 titled 'Waihi Beach Community Board Chairperson's Report – June 2023' be received.
2. That the Waihi Beach Community Board approve \$49.00 for the Survey Monkey fee in relation to community feedback collected to inform Waihi Beach Community Board Annual Plan submission. This will be funded from the Waihi Beach Community Board Contingency Account.

This has been rewritten in light of the events of Monday 29 May 2023, when a very **heavy rainstorm** dumped approximately 100-millimeters in the northern area of Waihi Beach in an hour. As I write this the water has gone down but the inundated homes are cleaning up.

This is a wake-up call to everyone regarding Waihi Beach's vulnerability to stormwater. It is not helped by recent developments in flood-prone areas. Also, there was flooding again at the elderly housing units on Beach Road. The Dam also overflowed causing damage to the road and carpark.





I have been reflecting overnight regarding the effect that this sort of event has on our community. This has happened before and will happen again, so what can we do about it moving forward? Firstly, the Community Board and Councillors need to do an assessment of what happened and seek advice on how to achieve a better outcome.

The Community Board welcomes the opportunity to discuss with staff stormwater issues around the beach and parking in Wilson Road. Another discussion point is in the area of traffic safety around the school.

The **Athenree Road footpath** has started, hope it can finish before winter comes.

There has been concern regarding the erosion on the beachfront from the recent storms. This is particularly noticeable at the southern end of the beach by the coastguard building and north of the Shaw Road rock wall. The northern area is still paying \$640 per year for the sand push-up that washed away 3 months after being done. We know the

residents are applying for resource consent for a smaller wall structure on council land. In the meantime, some are getting badly eroded and would like some options for protecting their sections now. Perhaps staff can outline the options to the landowners and the Beach community.

Hopefully, the Council will outline the **rate increase** by the meeting time and what is in or out. It is a concern that the rateable values are not out yet, and what impact that will have on the Waihi Beach area. Remember the values are set as of September 2022, the peak of urban values.

A presentation will be made by Bay of Plenty Regional Councillor, Ken Shirley, on the **Tauranga Moana Freshwater Management Unit**. It will be worthwhile for those interested in the catchment study to come along. The 31-page booklet would be an important read and can be downloaded here:

<https://atlas.boprc.govt.nz/api/v1/edms/document/A4359772/content>

I attended the **MenzShed** Annual General Meeting (AGM) on the 19 May 2023. The shed is of a very high standard, and they have a new committee structure. I wish them well.

Housing in Waihi Beach, private, social and seasonal. The Community Board needs to have an in-depth discussion about this. There are many players in this space, and we need to seriously consider where Waihi Beach fits. We have our own niche developments already, so can we build on these or find alternatives? Katikati is seeking its own solutions, and we will need to look for solutions for Waihi Beach.

10.2 WAIHI BEACH COMMUNITY BOARD COUNCILLOR'S REPORT – JUNE 2023**File Number: A5468606****Author: Anne Henry, Councillor****Authoriser: Adele Henderson, General Manager Corporate Services****RECOMMENDATION**

That the Councillor's report dated 19 June 2023 titled 'Waihi Beach Community Board Councillor's Report – June 2023', be received.

Annual Plan (AP) 2023 –2024

Council consulted on the next AP for Western Bay of Plenty District Council between 30 March – 30 April 2023. 310 submissions were received, with 16 of those presented to Councillors in Council Chambers. The topic that received the highest number of submissions was the Dave Hume Pool Cover, followed by the proposed rate increase of 7.41%.

The Annual Plan Committee has considered this feedback and is now in the process of deliberating the options and issues associated with what has been heard from across the district. Careful consideration is needed around each proposal's effect on the final rate strike for next year. Also, the implications that the inclusion or exclusion of an item would make to the rating for subsequent years of our 2024 – 2034 Long Term Plan must be compared.

Long Term Plan (LTP) 2024 –2034

The district wide engagement for this LTP is a shift away from 'Council seeking information to plan their work programmes' to a distinct move towards 'Council's planning process responds to each community's thoughts'. 12 community localities were approached for preliminary community scoping to ascertain their top four community priorities for the next three years. Live Well Waihi Beach were assigned to connect with Waihi Beach communities to gather their top and immediate priorities. For the first stage they gained information through an online survey. More information will be provided as to what those were at the Board meeting when Live Well Waihi Beach will have completed their public conversations in the community. Thank you to those who took the time provide their views.

Live Well Waihi Beach were at the Waihi Beach Surf Club on Saturday 10 June from 3.00pm–6.00pm to gather community feedback as part of the 'Your Place Tō wāhi' event.

Waihi Beach Community 29 May Storm Events

The 60-millimetre deluge of rain that fell in an hour on 29 May 2023, would have been a shocking experience for those people whose homes and belongings were impacted by stormwater flooding. Thankfully no one was injured.

Waihi Beach community organisations, emergency services, Civil Defence, friends, and family acted quickly to help others and ensure everyone was safe, dry, fed and had alternative accommodation. These weather events are becoming a more frequent occurrence for this community. It is with gratitude we thank our emergency services when they consistently demonstrate their ability and capacity to act quickly, be well prepared and ready to respond when an emergency presents.

Two Mile Creek Stream Protection Work

The resource consent is approved, and Beach Contactors have been appointed to do the work. The contractors will set up their office site at 37 Edinburgh Street, this lot is owned by Council and will be used as site access as well (mark as **Attachment 1**), Te Mata Reserve will be used as a laydown area to store vegetation removed from the creek.

Weather permitting, as many sections will be done until the works need to stop for fish migration period from 1 August to 30 November as per the resource consent. (We have put through a request to Regional Council for a change to bring it to the end of October and are awaiting a response). There will also be no works during the holiday period 17 December 2023 – 16 January 2024. The current expectation is that stream protection work will be completed by mid-May 2024.

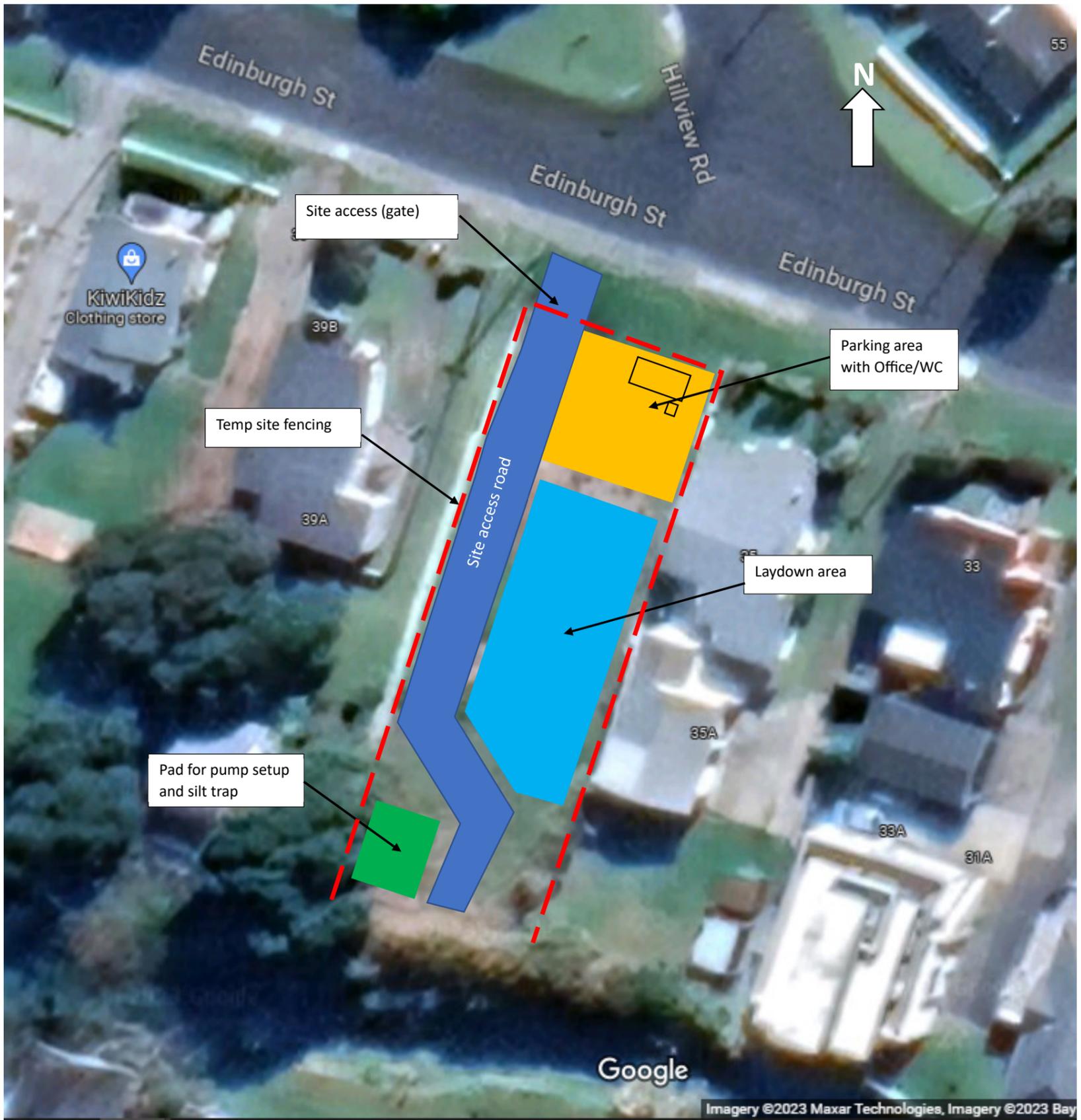
ATTACHMENTS

- 1. Site setup Edinburgh Street Reserve**  



Appendix B

Site set-up 37 Edinburgh St





Set-up laydown greenery

(at end of Edinburgh St)



10.3 ADOPTION OF WAIHĪ BEACH COMMUNITY BOARD STANDING ORDERS FOR THE 2023–2025 TRIENNIUM

File Number: A5446492

Author: Pernille Osborne, Senior Governance Advisor

Authoriser: Rachael Davie, General Manager Strategy and Community

EXECUTIVE SUMMARY

The purpose of this report is for the Waihi Beach 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

1. That the Senior Governance Advisor's report dated 19 June 2023 titled 'Adoption of Waihi Beach 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 Waihi Beach 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 by a vote in support of not less than 75% of members present and voting.

OR
4. That the Waihi Beach 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

1. 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.

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 Waihi Beach 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 Waihi Beach Community Board members through a Standing Orders workshop.

ISSUES AND OPTIONS ASSESSMENT

Option A That the Waihi Beach 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 disadvantages including impact on each of the four well-beings <ul style="list-style-type: none"> • Economic • Social • Cultural • Environmental 	<ul style="list-style-type: none"> • Ensures the Community Board fulfils its statutory obligation to have in place Standing Orders. • Will ensure the Community Board remains aligned with 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
Option B That the Waihi Beach 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 <ul style="list-style-type: none"> • Economic • Social • Cultural • Environmental 	<ul style="list-style-type: none"> • 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

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

9. Financial considerations not applicable.

ATTACHMENTS

1. **Standing Orders – Community Boards – 2022–2025 Triennium**  



Ngā tikanga whakahaere hui

**Standing Orders
(2022-2025)**

Community Boards



**Western
Bay of Plenty**
District Council

Preface

Standing Orders contain rules for the conduct of the proceedings of local authorities, committees, 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, 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.

Rārangi upoko

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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 1 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.

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

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.

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.

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).

Second 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

- 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.

General Matters

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

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).

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.

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

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.

Pre-meeting

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).

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.

9. 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.

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).

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



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 whakataau.

Options for opening a meeting could include a karakia timitanga, mihi whakataau, 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 quasi-judicial functions

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

13.3 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.

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).

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 a special request.

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).

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.

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.

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).

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.

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 re-enter 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.

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.

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 Secunder 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

- 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 of 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.

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 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.

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.

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)

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.

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.

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;

- 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.

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:

- A1** That good reason exists for excluding the public from the whole or any part of the proceedings of any meeting as the public disclosure of information would be likely:
- (a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
 - (b) To endanger the safety of any person.
- A2** That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where the withholding of the information is necessary to:
- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
 - (b) Protect information where the making available of the information would:
 - i. Disclose a trade secret; or
 - ii. Be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
- 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

- (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.

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)

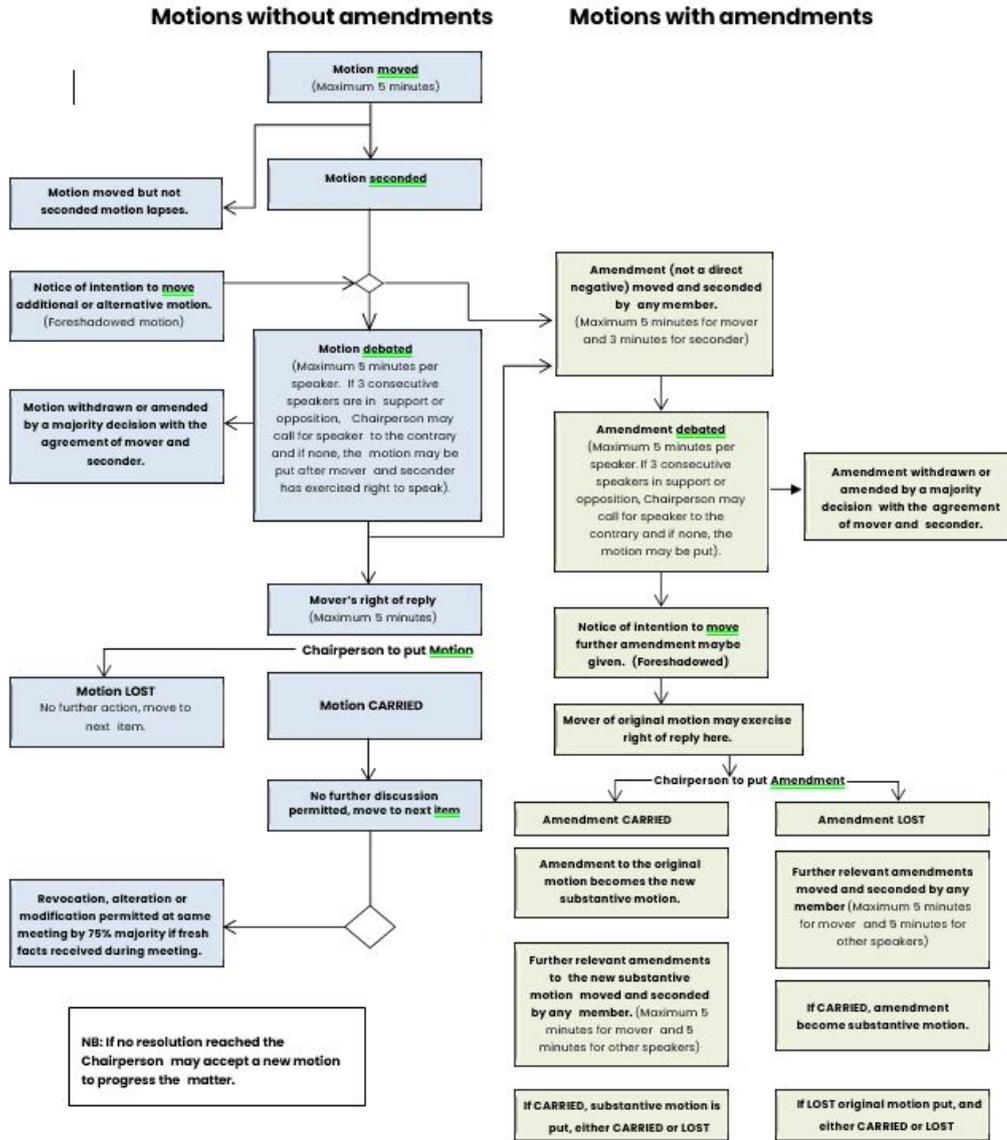
The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds for excluding the public, as specified by s 48(1) of the Local Government Official Information and Meetings Act 1987, are set out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

Meeting item no. and subject	Reason for excluding the public	Grounds for excluding the public
		To prevent the disclosure of information which would: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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; <ul style="list-style-type: none"> 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; <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> i. prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or ii. would be likely otherwise to damage the public interest (s 7(2)(c)).
		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.)

Appendix 3: Motions and amendments (Option C)



Appendix 4: Table of procedural motions

Motion	Has the Chair discretion to	Is 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 on 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	Is 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.

1. The default shot will be on the chairperson or a wide-angle shot of the meeting room.
2. Cameras will cover a member who is addressing the meeting. Cameras will also cover other key participants in a meeting, including staff when giving advice and members of the public when addressing the meeting during the public input time.
3. Generally interjections from other members or the public are not covered. However, if the chairperson engages with the interjector, the interjector's reaction can be filmed. 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

- 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.

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

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.

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)

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.



**Western
Bay of Plenty**
District Council

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10.4 INFRASTRUCTURE GROUP REPORT - WAIHI BEACH COMMUNITY BOARD - JUNE 2023

File Number: A5385847

Author: Tracy Harris, Executive Assistant, Infrastructure Group

Authoriser: Gary Allis, Deputy Chief Executive & General Manager Infrastructure Group

EXECUTIVE SUMMARY

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

RECOMMENDATION

1. That the Executive Assistant, Infrastructure Group's Report, dated 19 June 2023 titled 'Infrastructure Group Report - Waihi Beach Community Board - June 2023' be received.
2. That the Waihi Beach Community Board fund up to \$35,000, from the Community Board Roding Account, for the extension of the Wilson Road / No name land public carpark. It is expected that the extension will provide an additional 11 standard size car parking spaces, with concrete wheel stops.

ROADING

Transportation – Waihi Beach Community Roding

Description: Develop and implement the Community Roding Plan approved by the Waihi Beach Community Board.

Waihi Beach Community Board Roding Current Account			\$
Current Account Opening Balance 1 July 2022			\$347,819
Allocation for 2022/23			\$144,900
Interest for 2023 (to be confirmed)			\$17,309
Subtotal			\$510,028
Committed Projects	2022 Spent \$	Status	\$
Beach Road pedestrian refuges (design & install)	\$11,493	Design Complete	-
Athenree footpath		In progress	\$55,000
Seaforth Road shared path		Finalising costs	\$99,544
Dillion Street shared path bridge		Design pending	\$240,000
Seaforth Road Bowentown shared path		Finalising costs	\$60,000
Committed Projects Total			\$454,544
Forecasted Current Account Closing Balance 30 June 2023			\$55,485

Non-Committed Projects	Priority	2022 Spent \$	Status	\$
Albacore reserve path	1			\$55,000
Waihi Beach gateways project	2		Consultation	TBA

Athenree Road Foot Path Connection - from Montessori Preschool to the New Residential Development

Description: A request was made via public forum at the Waihi Beach Community Board meeting held 19 April 2022 for an additional footpath between the Montessori preschool, to connect with the neighbouring developments footpath.

What's Happened:

The Board discussed funding the footpath, based on a very rough cost estimate provided by the Roading Engineer on the night of 19 April 2022.

Roading has recently removed the previously arranged subcontractor from this work due to several professional concerns.

What's Next:

The appointed contractor is finalising arrangements to commence construction.

Beach Road Pedestrian Refuges

Description: 2 x Pedestrian Refuge installations on Beach Road, near Browns Road and the pensioner units.

What's Happened:

Numerous requests have been raised for safe crossing facilities across Beach Road, for the benefit of school based pedestrians and pensioner unit residents.

The Board resolved to fund the design and installation of both pedestrian refuges.

Further investigation indicated that the 'Browns Road' location would be prohibitively expensive to fund due to the unforeseen amount of road widening, and the kerb and channel works that need implementing to allow sufficient space for the refuge. The Board was advised, and agreed, to not pursue the funding of the refuge at this site.

The installation of the refuge at 55 Beach Road, adjacent to the pensioner units, has been placed on indefinite hold. Further consultation indicated that most of the residents were against the proposed refuge construction, due to the loss of parking adjacent to the units.

What's Next:

The proposed refuge at 55 Beach Road (the pensioner units) is on hold indefinitely.

The Board have indicated interest in reviewing the 'Browns Road' pedestrian refuges. The Roading Engineer has requested that WestLink provide an updated cost estimate for the widening and pedestrian refuge construction. The Board will be advised once the updated estimate becomes available.

Town Centre Development – Wilson Road to Edinburgh Street

Description: Progress the shared path from Wilson Road to Edinburgh Street with a bridge over Two Mile Creek.

What's Happened:

Boffa Miskell have developed a concept design which includes alterations to the Wilson Road carpark, a shared path, and the development of a carpark on 37 Edinburgh Street.

What's Next:

The concept plans are due to be finalised with an estimate of the installation cost. The project is funded from the Town Centre budget.

The Board has indicated an interest in extending the 25 Wilson Road carpark and investigating a separate exit route. This could be discussed in the planned walkabout.

Dillon Street Shared Path Bridge

Description: The Board have resolved to construct an additional shared path bridge to support and encourage alternative modes of transport. The bridge is to be located on Dillon Street, immediately adjacent to the existing Two Mile Creek bridge.

What's Happened:

Bridge It NZ have been engaged by Council to design a cost-efficient shared path bridge across Two Mile Creek to enhance and encourage safer alternative transport use.

What's Next:

Bridge It NZ are in the process of finalising a design and will forward to Council for acceptance. Once the design has been approved, it is anticipated that the installation will be completed during 2023.

ASSET & CAPITAL**Stormwater – Waihi Beach Pio Shores**

Description: Investigate options to reduce flooding in Pio Shores in consultation with the Pio Shores Association, obtain a Resource Consent if required and implement the solution.

What's Happened:

The project comprises upgrading of the existing stormwater pumpstations at Papaunahi Street and Boulevard North that are currently pumping to the dune basins. This is based on the infiltration assessment carried out by GHD and modelling of the network by Tonkin & Taylor. The design flows correspond to a safe maximum infiltration rate. An additional protection against overtopping of the basins during prolonged pumping includes a level sensor at each basin that will stop the pumps once the free Board level is reached.

An Environmental Impact Assessment has been completed. Both Western Bay of Plenty District Council (WBOPDC) and Bay of Plenty Regional Council (BOPRC) provided consents for the work. Staff tendered the project, and it was awarded to Waiotahi Contractors.

What's Next:

Waiotahi Contractors commenced construction in August 2022. The pump station wet well and rising main into the dunes area are installed. Whilst there have been delays and challenging conditions due to the weather, the site is currently being commissioned.

UTILITIES**Two Mile Creek**

Description: Erosion protection of the banks of Two Mile Creek.

What's Happened:

The tender process has been completed and the Contract was awarded to Beach Contractors Limited after thorough evaluation and negotiations. The award letter was submitted to Beach Contractors on 4 May and accepted on 5 May.

What's Next:

A pre-commencement meeting with Beach Contractors was held on 11 May to discuss administrative submission, resource consent requirements (submission of environmental plans to BOPRC), stakeholder communications. Beach contractors are currently working on the construction management plan and submission of other documents to start off the contract.

Beach Contractors plan to start works on setting up the layout down areas (depending on approval from BOPRC). It is envisioned to begin some physical works before the Fish Passage season, which commences on 1 August, and all works must stop till 30 November.

The contractor proposes to complete the area from 37 Edinburgh to approximately 25/23B Edinburgh St by the end of July 2023 (including disestablishment).

Beach Contractors expects to commence re-establishment by end January 2024 and complete the remainder of the works by end of May 2024.

RESERVES**Broadlands Block (now known as Te Mata Reserve)**

Description: Volunteers maintaining Te Mata Reserve have approached the Community Board with a request for funding to assist with some of the larger maintenance items within the reserve.

What's Happened:

- Te Mata Community group working bees have been occurring.
- The mowing schedule has been updated to reflect an improved level of service.
- The reserve has helped managed the significant amount of rainfall that has occurred this year.

What's Next:

- The group is actively trying to attract new members. There is a project underway to grow a volunteer base during community days at Waihi Beach and via community communication channels. The Reserves and Facilities Volunteer Coordinator will assist the group in building capacity.
- Community volunteers and Waihi Beach School will continue with working bees to release weeds away from native plants.
- A joint environmental programme with BOPRC & WBOPDC is being prepared with the Groups' input.

Waihi Beach to Athenree Crossing (Walkway/Cycleway)

Description: Project planning to construct a walkway/cycleway crossing between Waihi Beach and Athenree.

What's Happened:

- Engineering and environmental reports are completed, pending staff review/feedback.
- A hui with Tangata Whenua to complete the concept design draft (for further community feedback) has been delayed due to other commitments and expect to get this completed before the end of June.

What's Next:

Once the initial draft concept plan hui has been held and the concept confirmed, feedback will be sought from the Board and other stakeholder groups. This will be an iterative process but when it is concluded, it is proposed that public feedback is sought through a new round of engagement, prior to the lodging of the resource consent application. The reason for this – it builds a stronger application because the level of engagement is greater and is more likely to achieve the desired resource consent decision outcomes for the affected communities. Once this has concluded and any changes made, the resource consent application will be lodged as a fully notified process sometime later in 2023.

Waihi – Waihi Beach Cycleway

Forest Loop Trail:

The new forest loop was opened prior to Christmas and very positive feedback has been received. Repairs following recent storm/weather events have been completed.

Note:

- The trail is not suitable for shared use – walkers only. Forestry operations have been completed, and a formal opening of this trail will be arranged when all aspects of the trail, including safety signage, is completed.
- Cultural 'presence' is a conversation with Tangata Whenua that is yet to conclude, including for the new star-gazing platforms being constructed. This is in regard to

appropriate signage of other objects and will remain a work in progress for some time.

Update as at 12 June 2023 – following the recent severe weather bomb that caused flooding at Waihi Beach;

- **The Dam Loop trail** access remains closed on the northern side but open on the southern side to access the Trig Trail (from Ocean View Rd). Major repairs are required to restore the large culverts at the north west corner of the reservoir. An engineering investigation is required to ensure that the repair needed with withstand future weather events and this will be undertaken as soon as possible but this side of the dam loop trail needs to remain closed for now.
- **The forest loop trail** has been closed to ensure public safety, particularly in the steeper sections where some of the surfacing has been badly scoured away. Repairs are relatively straightforward and will be undertaken as soon as possible.
- **The Trig Trail was damaged but assessed as safe to use** – access only from the Ocean View Rd side of the dam loop trail. There is a large landslip adjoining the trig trail upper section but the track itself remains intact and safe so it remains open. Repairs are underway to clear blocked storm-water culverts and drains.
- Note that both trails withstood the earlier storm events – Tropical Cyclone Hale, Auckland Anniversary weather bomb and Tropical Cyclone Gabrielle.
- **The Dam car-park and driveway** were badly damaged and remain closed until repairs can be undertaken. Contractors have been engaged and expected to commence soon. The intention is to fully restore access and parking.
- **The intention is that all repairs within the water reservoir reserve/catchment area described above will be completed over winter in time for the holiday season.**

Forest Loop to Boundary with Hauraki District Council:

No change: Trail Investigations into a new route (to Waihi) from the Forest Loop Trail to the boundary (and then via DOC land and private property to Heard Road and Waihi) are being investigated with private property owners and iwi. Hauraki District Council is supportive of the process.

Forest Loop Alternative Shared Path Connection:

Due to the new forest loop trail being a challenging trail for shared use (due to trail width/steep terrain), staff have been investigating potential alternative routes that could provide a wider, safer trail connection for shared use (cyclists and pedestrians). If a suitable route is confirmed, construction on this could begin subject to funding. An application for funding to progress this has been made to the MBIE Tourism Infrastructure Fund Round 7.

Tourism Infrastructure Funding Project (Star Gazing Platforms):

Two lookout platforms have now been completed – one at the Trig and the other further towards the more elevated south-west boundary. A final (third) platform is

aimed to be completed before Matariki 2023. These platforms aim to cater to future Matariki events and will include seating and signage. These platforms remain undamaged from the recent weather events.

OPERATIONS

Waihi Beach Library Location

Description: Consultation with the public regarding options for the Waihi Beach Library.

What's Happened:

Council have agreed to proceed in accordance with Resolution C22-5.22, on 11 August 2022, with the design, through to building consent with a further \$250,000 allowed for to complete the Design and Engineering costs in 2023/2024. At the Annual Plan workshop 22 December 2022, it was agreed that funding be retained, but design and scope would need to be revisited. This project will now align with the existing LTP funding/timing for delivery.

What's Next:

Design options to commence.

Emergency Management

Description: Support the Waihi Beach Community to be resilient in the event of an emergency.

What's Happened:

On 29 May 2023, the Emergency Management Team were alerted to flooding in the Pensioner Flats in Waihi Beach.

The staff activated their Response Incident Management Team within five minutes of the first reports and alerted the RSA to ask them if they were available to receive those evacuated.

The staff then made arrangements for emergency accommodation within the area.

Most of the evacuees were able to be accommodated with family and friends but there were four people who required emergency accommodation.

By 7:00pm, there were no more evacuees at the RSA and everyone had been accommodated.

On the morning of 30 May, the Emergency Management Welfare Team were in Waihi Beach completing Needs Assessments with those who had been evacuated. Work commenced to clear wet furniture the day after the flooding event.

An inorganic waste collection was arranged for 6 June for people in a specific area (the map was identified by the properties our team had received notice of flooding). Work commenced with agencies for those who required ongoing support.

Staff continue to strengthen relationships with the Community Response Teams in Waihi Beach, Bowentown and Athenree, and to keep them updated with emergency response information and warnings.

Council staff have worked with the Athenree Community Response team to see how they can better support them and are drafting a revised version of the Western Bay of Plenty Preparedness brochure for the Athenree community.

What's Next:

Continue communication between Council and the Community Response teams, to deliver preparedness messages to the community.

Work on rolling out new tsunami maps for the community will take place in June/July along with a public education campaign of what to do and where to go in response to a tsunami warning.

The Elder Housing Team will be gathering information and making decisions about what happens next for the tenants. The nine evacuated tenants are currently in temporary accommodation which is available for the next eight weeks with options to be extended until some decisions can be made.

Western 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.

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 from landfill
Waste Tonnes	359	415	394	386	402	515	496	415	433	395	4210	
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	

Illegal Dumping

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 sign below:



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 [here](#).

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.

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.

What's Next:

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

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.*

ATTACHMENTS

1. **Minute Action Sheets – Waihi Beach Community Board June 2023**  

Action Sheets Report		Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 12/12/2022	Roading Engineer	New Item	Beach Road Pedestrian Refuge - Browns Drive
<p>RESOLUTION WBC22-1.11 The Waihi Beach Community Board request further detail and costings for the Waihi Beach Pedestrian Refuge at Browns Drive.</p> <p>June 2023: The Project is currently on hold pending further discussions between Engineering staff, Safety engineering staff, Council infrastructure management and the Community Board. The workshop is scheduled for Monday 26 June.</p> <p>April 2023: Further to recent discussions, the roading Engineer is in discussions with the Safety Engineering team, the school representatives and Travel Safe to pursue safety enhancement options. Dialogue and investigations are currently ongoing.</p>			

Action Sheets Report		Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 12/12/2022	Roading Engineer	New Item	Town Centre Development - Wilson Road to Edinburgh Street
<p>The Board requested to have a copy of the Boffa Miskell Concept Plan for this project, noting that it would be useful for new members to have an onsite meeting with the Roding Engineer (East and West).</p>			
<p>June 2023: The Board were provided with the original Boffa Miskell draft for consideration. If the Board still wish to meet with the Roding Engineer (East and West) in relation to this project, and appropriate time can be set up. Consultation on the Town Centre Development is continuing.</p> <p>April 2023: Consultation on the Town Centre Development is continuing.</p>			

Action Sheets Report	Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
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Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 19/04/2022	Roading Engineer	New Item	Shared Path Enhancements

The Board confirmed the below priorities for shared path enhancements:

1. Anzac Bay/Bowentown Reserve
2. Dillon Street / 2 Mile Creek Shared Path Bridge
3. Seaforth Road – From Dillon Street to The Loop path widening
4. Albacore Reserve to Estuary – new path and cycle refuge on Seaforth Road

The Board also confirmed that, if a project was ready to go before another, (regardless of the priority) they would be happy for that project to proceed.

The Board agreed to discuss the Athenree Footpath proposal (spoken about in public forum) at a workshop once an estimated cost was presented.

June 2023:

Albacore Reserve to Estuary – new path and cycle refuge on Seaforth Road.

Contractor has been asked to provide cost estimate and design for this length of path. The Board will be advised of progress.

Dillon Street / 2 Mile Creek Shared Path Bridge

- Bridge manufacturing has now commenced. The bridge is expected to be installed prior to Summer 2023

Pio Shores – New Path extending from Plom Road towards Anzac Bay

- This pathway will be considered after the completion of the Albacore reserve works and as priorities and funding allow.
- Further to previous effort to design and implement this pathway, this project will require consultation with the Pio Shores residents and cooperation with the Community Board.

April 2023:

Dillon Street / 2 Mile Creek Shared Path Bridge

- Design is currently being finalised by Bridge-it NZ. It is expected that the bridge will be installed prior to Summer 2023.

Pio Shores – New path extending from Plom Road towards Anzac Bay

- No change to this project. The new Board may wish to consider options for this resolved proposal or consider resolving to remove it from the priority list.

Action Sheets Report

Division: Infrastructure Services Group
Committee: Waihi Beach Community Board

Printed: JUNE 2023**February 2023:**

- **Dillion Street / 2 Mile Creek Shared Path Bridge**

The design process has identified an issue with particularly deep services placement below 2 Mile Creek. The bridge will require a minor design, which will mitigate the concerns with the service placement. The services can be designed around. There will be some cost variation accordingly.

- **Seaforth Road, ANZAC Bay Footpath Path Extension**

Works have now been completed.

- **Pio Shores – New path extending from Plom Road towards Anzac Bay**

No change to this project. The new Board may wish to consider options for this resolved proposal.

November 2022:

- **Dillion Street / 2 Mile Creek Shared Path Bridge**

Bridge It NZ will finalise a design and forward to Council for acceptance. Once the design has been approved, The installation will commence in conjunction with the 2 Mile Creek Erosion Protection works.

- **Seaforth Road – From Dillon Street to the Loop Path Widening**

The shared path has now been completed.

- **Seaforth Road, ANZAC Bay Footpath Path Extension**

The path works have now commenced and are expected to take 2 weeks to completed due to the current weather constraints.

- **Pio Shores – New path extending from Plom Road towards Anzac Bay**

Currently on the priority project list pending Community Board confirmation that they wish to proceed with this project. It will require consultation with the Pio Shores Residents and Ratepayers Association.

August 2022:

- **Dillon Street / 2 Mile Creek shared path bridge**

Bridge-it NZ have been engaged by Council to design a cost-efficient bridge. Costs have now been presented and accepted by The Board. The installation will commence in conjunction with the 2 Mile Creek Erosion Protection works.

- **Seaforth Road – From Dillon Steet to The Loop path widening**

Westlink have been engaged by Council to construct the path. Consultation has been completed. Works will commence when resources become available.

- **Seaforth Road, ANZAC Bay Shared Path Extension**

The design and archaeology check for the agreed alignment has been completed with no significant concerns raised.

This section of shared path is proposed to be constructed once the Pio Shores stormwater enhancements have been completed.

Action Sheets Report

Division: Infrastructure Services Group
Committee: Waihi Beach Community Board

Printed: JUNE 2023

- **Albacore Reserve to Estuary – new path and cycle refuge on Seaforth Road**

A preliminary alignment and road crossing safety enhancements have been identified. Contractor will be asked to commence works as and when the budget and resources become available.

- **Brighton Reserve – Path widening**

With consideration to the other roading budget commitments and priorities, the design and hence implementation of this project is on hold

- **Pio Shores /Bowentown reserve headland – New path extending from Plom Road towards Anzac Bay**

The Board have been tasked with consulting with the Pio Shores Residents Association regarding interest and concerns for a path extension through the reserve headland area. Council staff will lend assistance as and when required.

May 2022:

- **Dillon Street / 2 Mile Creek shared path bridge.**

A contractor has provided rough order cost estimates and recommendations. The Board have been presented with preliminary information and resolved to fund the design and construction of the shared path bridge. The contractor has been advised accordingly. The project is currently still in design phase. A calculated cost estimate will be presented to the Board accordingly.

- **Seaforth Road – From Dillon Steet to The Loop path widening.**

The contractor has been instructed to commence shared path construction. Works are expected to commence in June 2022

- **Seaforth Road, ANZAC Bay Shared Path Extension**

The design and archaeology check for the agreed alignment has been completed with no significant concerns raised. Works will commence in conjunction with the Board's other priorities for roading account funding, as and when funds and resources allow.

- **Albacore Reserve to Estuary – new path and cycle refuge on Seaforth Road**

Contractor has been requested to present a cost estimate for implementing a new shared path and safety engineer consideration for the pedestrian refuge. Council has requested an Archaeology Authority check on this site and are still awaiting a response.

Works will commence in conjunction with the Board's other priorities for roading account funding, as and when funds and resources allow.

- **Brighton Reserve – Path widening**

Preliminary feasibility enquiries have commenced.

Due to the expense of other project works, this project is unlikely to commence before the 2023/24 financial year.

This project is currently on hold until finances and resources become available.

Action Sheets Report

Division: Infrastructure Services Group
Committee: Waihi Beach Community Board

Printed: JUNE 2023

- **Pio Shores /Bowentown reserve headland - New path extending from Plom Road towards Anzac Bay**

The Board have enquired about the feasibility of continuing a shared path through the Bowentown headland reserve, between the sand dunes and the property boundaries. The Board were advised that this project was previously considered but was met with significant resistance from the adjacent landowners. The Board have been tasked with consulting with the Pio Shores Residents Association regarding interest and concerns for a path extension through the reserve headland area.

Action Sheets Report	Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
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Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 21/02/2022	Roading Engineer	New Item	Wilson Road Parking
<p>The Board requested the Roothing Engineer (West) make a site visit to look at options to extend parking. It was also suggested that it would be beneficial if the Deputy Chief Executive and the Strategic Property Manger were involved in these discussions, following the “walk-shop”.</p> <p>The Chairperson sought clarification on where the funding for additional parks would come from, to which he was informed that this would be through financial contributions, for example the Long Term Plan (LTP).</p>			
<p>June 2023: This project is on hold, awaiting acceptance by the Community Board. A resolution in relation to this project has been included in the agenda for the Boards consideration.</p> <p>April 2023: Estimated costs have been received. The Board have been advised and have been asked to consider accordingly.</p> <p>February 2023: The concept plans are due to be finalised with an estimate of the installation costs.</p> <p>November 2022: The new Board may wish to discuss the Wilson Road car park proposal at a forthcoming workshop.</p> <p>August 2022: Boffa Miskell have forwarded a concept design which includes alterations to the Wilson Road carpark, development of 37 Edinburgh Street into a carpark facility and a shared path and bridge between the sites across 2 Mile Creek.</p> <p>May 2022: Council is currently planning on creating additional car parking on the vacant lot at 37 Edenborough Street upon completion of the 2 Mile creek restoration works.</p> <p>Extending the hard standing parking areas at 25 Wilson Road, in the public car park behind “the porch” may be considered in conjunction with these works.</p> <p>March 2022: The position of Strategic Property Manager is currently unattended further to the departure of Strategic Property Manager from Council, otherwise, a meeting is yet to be arranged with The Deputy Chief Executive on this matter.</p>			

Action Sheets Report	Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
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Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 29/11/2021	Cycleways Manager	New Item	Waihi Beach Historical Trail Information Project

The Board sought an update from staff (following the meeting) on the panel that MishMish was producing for the Waihi Beach Historical Trail Information Project.

June 2023:

Design has been completed and staff expect the final edits/minor corrections to be completed by mid June at the latest, whereupon a copy of the design layout will be sent to the Board. The design will then be prepared for fabrication and installation. Staff expect this process to be completed over the winter months.

April 2023:

The draft signage is completed and can be discussed with the Board at their next workshop.

February 2023:

Following discussion with Tangata whenua, the sign design is virtually complete and is in a 'draft' stage. Staff would like to have a workshop and get the Board's feedback on the 'Draft' sign before the sign is fabricated and installed. Arrangements to attend a workshop are being made.

November 2022:

MishMish are currently waiting for sign content feedback from local Tangata whenua – which is expected very soon. Once this has been received then a draft of the proposed sign will be circulated with the Board for feedback

August 2022:

No change since the previous report but the focus by staff on sign delivery remains.

May 2022:

Staff continue to press MishMish to complete this project. Several matters have impacted delivery of this project and MishMish have formally apologised. Staff will keep the Board informed as soon as any update about delivery is available.

March 2022:

MishMish is aware of Council's priority on this project and delivery timeline remains Easter, subject to any covid/resource/supply-chain delays. Sign content from Tangata whenua & historical records are being used to complete the editing, associated graphics followed by coordination to construct and install.

January 2022:

Staff are receiving a project delivery timeline on this project from MishMish by 31 January and will advise the Board on receipt of it. Staff understanding is

Action Sheets Report

Division: Infrastructure Services Group
Committee: Waihi Beach Community Board

Printed: JUNE 2023

that all the sign content from Tangata whenua and the historical society has been received by MishMish, for them to complete the editing, associated graphics followed by coordination to construct and install.

Action Sheets Report		Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 8/08/2022	Cycleways Manager	New Item	Athenree Wetlands
<p>RESOLUTION WB22-4.7</p> <ol style="list-style-type: none"> 1. That the Waihi Beach Community Board requests staff to: <ol style="list-style-type: none"> a. Clarify the responsibilities for the Athenree Wetlands, which are understood to be subject to a joint project of WBOPDC, BOPRC and DOC, in partnership with tangata whenua; b. Provide an overview of what future actions have been agreed regarding this joint project; and c. Describe what actions, if any, are proposed in the joint project that might respond to, or have an impact on, the potential improvements identified in the Chairperson's Report of the meeting of Waihi Beach Community Board 13 June 2022. 2. That it be noted the Waihi Beach Community Board is keen to work with and, in principle support with funding, initiatives of the above project partners, to improve the amenity of the Athenree Wetlands. Regarding the potential improvements identified for the entranceway/car park area. 3. That we would like to hear back from Council by 8 October 2022 (two months after our August meeting). 			
<p>June 2023: Staff advise the Board to contact BOP Regional Council for an update, as WBOPDC have no involvement with this particular project so cannot answer the questions that the Board have asked. <u>This MAS has been closed out.</u></p> <p>April 2023: Staff have followed up with the Regional Council for a response to an early request for information.</p> <p>February 2023: Staff have asked the Regional Council who are leading this project to provide an update which once received will be circulated to the Board for their info.</p> <p>November 2022: Council staff are aware but are not involved in this project. Project stakeholders include DOC, BOPRC and Tangata whenua.</p>			

Action Sheets Report	Division: Infrastructure Services Group	Printed: JUNE 2023
	Committee: Waihi Beach Community Board	

Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 21/02/2022	Operations Manager	New Item	Western Solid Waste
<p>RESOLUTION WB22-1.10 The Waihi Beach Community Board requests staff to investigate the feasibility of having the collection service, to include glass and recyclables, on the Monday following a long weekend.</p>			
<p>June 2023: Staff are awaiting on direction from the Board on how to proceed, as the information has been provided. This MAS has been closed</p>			
<p>April 2023: This can be done if requested. The cost would be approx. \$1,352.30 + GST per collection. The cost for this extra service would need to be met by either the Community Board or the Waihi Beach residents.</p>			
<p>February 2023: This is still under investigation. Contractor is currently providing this service over the summer period.</p>			
<p>November 2022: Staff are investigating with the Contractor and will pass on any cost implications to the Waihi Beach Community Board for their consideration.</p>			

Action Sheets Report	Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
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Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 27/02/2023	Reserves and Facilities Officer (West)	New Item	Don Ryan – Coast Care

Mr Ryan was in attendance to speak to the Board regarding the below items:

CoastCare

It was noted that the community were expecting to have a report in October/November 2022 regarding the planting plan for 2023.

The Board noted that they had followed up with Council staff to see if there were any updates from CoastCare but were yet to hear anything. It was important to understand when the planned planting would take place.

Accessways

It was important to tidy up the accessways from 2 Mile Creek to Bowentown, as it was noted that people were going over the sand dunes, which was something that the community were working hard on restoring.

Staff were asked if they could follow up the status of the Coast Care plan and feed this back to the Board.

June 2023:

The Coast Care planting plan for 2023 was shared with the Board on Monday 3 April 2023. Community planting days are being organised by Coast Care. The first event of the season was on Sunday 14 May 2023 in Bowentown where 22 volunteers attended.

Accessway repairs have been completed. Accessway31 & 32 on Broadway Road are currently closed until the dunes naturally repair, alternative beach accesses are available nearby. This MAS has been closed out.

April 2023:

The draft Coastcare Action Plan for Winter 2023 has been prepared and a meeting is being arranged with the Board and Coastcare volunteers to discuss the action plan prior to its implementation.

Action Sheets Report	Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023	
Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 12/12/2022	Reserves and Facilities Officer (West)	New Item	Phil Bowyer - Various Items
<p>Mr Bowyer was in attendance to speak to the Board on the below:</p> <ul style="list-style-type: none"> • Waihi Beach MenzShed was looking to open January 2023, following the completion of the concrete and wheelchair ramp. • He requested that Council consider the relocation of the waste dump station by Island View Playground, now that the new playground had been opened. He felt that having this placed at the KiwiCamp site would be more appropriate. • He noted that Freedom Campers were parking along Island View, Marlin Avenue and Tuna Avenue for up to three days. He felt as though restrictions should be put in place in terms of the hours allowed for parking. • The Trap Library at Waihi Beach MenzShed would have an 'opening ceremony' on Wednesday 14 December 2022 at 12pm. 			
<p>June 2023: No further update required. This MAS has been closed out.</p> <p>April 2023: The dump station was funded by the New Zealand Motorcaravan Association (NZMCA). The site was selected due to the existing wastewater and water supply along with the large parking area for larger motorhomes. Staff are working with NZMCA on a dump station that they wish to install at their lease site on Emerton Road. Installing a dump station at the Kiwi camp would result in several carparks being removed to ensure the facility was available at all times.</p> <p>Freedom camping overnight is different to day trippers in motorhomes parking in a reserve carpark. The Freedom Camping Act does not allow Council to prevent day trippers in motorhomes using its parking areas or put time limits on them. Any freedom campers staying longer than the 3-day period in any 4-week period as per the Freedom Camping Bylaw should be reported through a service request or Antenna.</p>			

Action Sheets Report	Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
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Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 27/02/2023	Utilities Operations Manager/GM Infrastructure	New Item	2 Mile Creek
<p>The Board would like some clarification around the timeline of this project. It was noted that during recent weather events the waves came over top of the wall, which highlighted concerns regarding the impact that the wall was going to have on completion.</p> <p>The Board expressed concern regarding this project and noted that they would like to have input into future discussions relating to this project.</p> <p>The Board was advised that no discussions with Council had been had in relation to this project, since the beginning of the triennium.</p>			
<p>June 2023: Council has an information session taking place on Monday 19 June from 3pm-6pm regarding Stormwater in Waihi Beach, including 2 Mile Creek. The Community Board and Ward Councillor's have been invited to this event. No further update required. This MAS has been closed out.</p> <p>April 2023: The Board has been provided updates on the project through the Infrastructure report. The 2 Mile Creek Bank protection is designed to protect the sides of 2 Mile Creek from erosion. It is not a flood protection scheme and is not designed to keep storm event waves out of properties. The lower lying areas are identified as flood hazard areas and will flood. The flooding can be from either storm water from the creek or wave action in high wave events that coincide with high creek water levels.</p> <p>The project is currently going through a retendering phase. The Board will be advised of the tender outcomes and future timelines.</p>			

Action Sheets Report		Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 24/04/2023	Roading Engineer	New Item	Dillon Street Shared Path Bridge
The Board sought clarification on when the anticipated installation would be completed, as the report did not provide specific timing.			
June 2023: The bridge Contractor has recently stated that Design and consents have been completed. Fabrication is now in progress. Installation is on schedule to be completed prior to Spring 2023.			

Action Sheets Report		Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 24/04/2023	Operations Manager	New Item	Waihi Beach Library Location
The Community Board would like to have input into the Waihi Beach Library discussion, which included the consideration of scaling down the project.			
June 2023: Additional scoping for the Waihi Beach Library is still underway. Waihi Beach Community Board will be involved in any discussions going forward.			

Action Sheets Report	Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
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Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 24/04/2023	Senior Governance Advisor	New Item	Trish Coates – Pio Shores Stormwater Maintenance
<p>Ms Coates was in attendance to speak to the Board about the maintenance of stormwater drains within Waihi Beach.</p> <ul style="list-style-type: none"> • She believed that with the time and money spent upgrading the pumpstations in Pio Shores, the drains themselves should be cleaned and maintained. • Ms Coates also noted that the swale drain needed to be mown, as it was at waist height now. The drain by Otawhiwhi Marae was completely blocked, and clarification was sought regarding who was maintaining these areas. • The Chairperson would forward the photo in relation to this issue to staff, following the meeting. 			
<p>June 2023:</p> <p>Due to the nature of this concern, a Service Request has been raised on behalf of Ms Coates. The request has been forwarded to the Reserves team to be addressed and for a response. SR 14288. This MAS has been closed out.</p>			

Action Sheets Report	Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
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Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 24/04/2023	Senior Governance Advisor	New Item	Requested Workshops

The Board noted that they would like to have workshops on the below Infrastructure items, in order to receive further updates and undertake further discussions:

- Athenree Road Foot Path Connection – from Montessori Preschool to the New Residential Development (confirmation that this was happening and a estimated timeframe);
- Beach Road Pedestrian Refuges;
- Town Centre Development – Wilson Road to Edinburgh Street; and
- 2 Mile Creek.

June 2023:

The Roading Engineer (East and West) attended a workshop with the Community Board on Monday 8 May 2023.

A workshop with the Deputy CEO/General Manager Infrastructure will take place on Monday 26 June, to have further discussions on the requested projects.

This MAS has been closed out.

Action Sheets Report	Division: Infrastructure Services Group	Printed: JUNE 2023
	Committee: Waihi Beach Community Board	

Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 24/04/2023	Cycleways Manager	New Item	Waihi-Waihi Beach Cycleway
<p>The Board sought clarification around a 'Plan B', if the preferred/proposed trail was unable to be obtained. They wanted to ensure that if there was an alternative route being considered that the Community Board had an opportunity to be involved in the discussion through a workshop.</p>			
<p>June 2023: The project team has identified a new route up through the water catchment to connect to the existing trails and future connection to the trail to Waihi. This new route requires a fresh planning process involving archaeological assessment and any other necessary consents. At this stage, the new route is not navigable.</p>			

Action Sheets Report	Division: Infrastructure Services Group Committee: Waihi Beach Community Board	Printed: JUNE 2023
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Meeting	Officer/Director	Section	Subject
Waihi Beach Community Board 24/04/2023	Capital Projects Team Leader/ Senior Governance Advisor	New Item	Stormwater - Waihi Beach Pio Shores
<p>The Board requested further information relating to how much the Pio Shoes Stormwater project was going to cost. The funding through the Long Term Plan was different to what had been received from the contractor, so the Board would like to understand where the additional funds were coming from.</p>			
<p>June 2023: This request has been superseded by the Stormwater information session taking place on Monday 19 June from 3pm-6pm.</p>			

10.5 WAIHI BEACH COMMUNITY BOARD – FINANCIAL REPORT APRIL 2023**File Number: A5432040****Author: Ezelle Thiart, Financial Business Advisor****Authoriser: Allan Carey, Finance Business Partner Lead****EXECUTIVE SUMMARY**

This report provides the Community Board with a 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 year to date.

RECOMMENDATION

That the Financial Business Advisor's reports dated 19 June 2023 and titled 'Waihi Beach Community Board – Financial Report April 2023', be received.

GRANT PAYMENTS MADE TO DATE:

Resolution	Description	\$
WB22-4.9	Erana Kaunga Tuhura Whānau Trust to contribute towards a planting project for Otawhiwhi Te Kohanga Reo.	909
WBC23-2.11	Approve the Grant Application from Royal New Zealand Plunket Trust to contribute towards the purchase and Installation of two heat pumps. This grant will be funded from the Grants Account, subject to all accountabilities being met.	3,500
	2022/23 Total grants paid to date	4,409

Committed – Operational expenditure:

Resolution	Description	\$
WBC23-2.9	Approve to provide a wreath for the ANZAC Day Service, to be paid from the Contingency Account.	200
WBC22-1.3	Approve the purchase of a fold out gazebo from the Contingency Account.	250
WBC22-1.5	Approve \$150 from the Contingency account for the hireage of the Waihi Beach Community Centre for the Te	20

	Mata Care Group meeting. (\$130 has been spent as at 30 April 2023)	
WBC22-1.6	Approve from the Contingency account for venue hireage costs relating to the Te Mata Care Group meetings for the next 12 months.	300
	2022/23 Total operational commitments	770

2022/23 Reserve analysis:

Resolution	Description	\$
	2022/23 Opening balance	137,417
WB20-5.11	Fund the Historical Trails project as detailed by Marilyn Roberts in the proposal to a maximum of \$10,000 from the reserve account.	(370)
	2022/23 Closing balance as at 30 April 2023	137,047

Committed – Reserves expenditure:

Resolution	Description	\$
	2022/23 Closing balance before committed expenditure	137,047
WB17.5.3	Funding for engagement of local landscaper to provide assessment of Waihi Beach Road entranceway on current conditions and to provide recommendations.	(2,000)
WB20-3.9	Fund up to \$3,000 for meetings in relation to the Community Plan. (In progress)	(3,000)
C20-11.7	Funding for 'Live Well Waihi Beach' up to \$30,000 be funded from Waihi Beach Community Board Reserve Account. (Note: \$29,712 paid as at 30 June 2021).	(288)
WB20-5.11	Fund up to \$10,000 for Historical Trails project subject to content approval by the Community Board, prior to going live. (Note: \$6,806 paid as at 31 December 2022).	(3,194)
WB22-2.5	Fund up to \$23,045.75 (incl. GST) for costs relating to the purchase and installation of water refill stations in Waihi Beach.	(23,046)

WB22-3.10	Funding up to \$12,000 for additions to the Broadlands Block Shared path project, from the Waihi Beach Community Board Reserve Account.	(12,000)
	2022/23 Closing balance after committed expenditure	93,519

ATTACHMENTS

1. **Waihi Beach Community Board – Financial Report April 2023**  

Western Bay of Plenty District Council						
Income and Expenditure Statement						
For the period ended 30 April 2023						
Waihi Beach Community Board						
	Year to Date				Full Year	Last Year
	Actual	Budget	Variance (Unfav)/Fav		Budget	Actual
	\$	\$	\$		\$	\$
Direct Costs						
Conference Expenses	0	1,020	1,020	<input checked="" type="checkbox"/>	1,224	0
Contingency - [see breakdown below]	435	1,710	1,275	<input checked="" type="checkbox"/>	2,052	17,903
Grants	4,409	4,280	(129)	<input type="checkbox"/>	5,136	10,000
Mileage Allowance	1,083	4,280	3,197	<input checked="" type="checkbox"/>	5,136	0
Miscellaneous Expenses	370	2,570	2,200	<input checked="" type="checkbox"/>	3,084	0
Salaries	19,635	19,170	(465)	<input type="checkbox"/>	23,004	23,089
Inter Department Charges	30,760	30,760	0	<input checked="" type="checkbox"/>	36,912	35,904
Reserve Funded Projects - [see breakdown below]	370	0	(370)	<input type="checkbox"/>	0	20,000
Operating Costs	57,063	63,790	6,727	<input checked="" type="checkbox"/>	76,548	84,519
Total Costs	57,063	63,790	6,727	<input checked="" type="checkbox"/>	76,548	86,897
Income						
Rate Income	69,698	63,790	5,908	<input checked="" type="checkbox"/>	76,548	82,464
Total Direct Income	69,698	63,790	5,908	<input checked="" type="checkbox"/>	76,548	82,464
Net Cost of Service	12,635	0	12,635	<input checked="" type="checkbox"/>	0	(4,433)
Contingency - breakdown						
WB22-4.4 Expenses related to the "Welcome to Waihi Beach Entrance Project" Presentation in June 2022.	305			<input checked="" type="checkbox"/>	<i>Favourable Variance</i>	
WBC22-1.5 Hireage of the Waihi Beach Community Centre for the Te Mata Care Group meeting.	130			<input type="checkbox"/>	<i>Unfavourable Variance</i>	
Year to date contingency costs	435					
Miscellaneous - breakdown						
No transactions	0					
Year to date miscellaneous costs	0					
Community Board Reserves						
Opening Balance - Surplus (Deficit)	137,417					
WB20-5.11 Historical Trials project - Print House (Heritage trail map)	(370)					
(Decrease) Increase in year	(370)					
Closing Balance - Surplus (Deficit)	137,047					

10.6 WAIHI BEACH COMMUNITY BOARD OPERATIONAL REPORT – JUNE 2023**File Number:** A5437194**Author:** Pernille Osborne, Senior Governance Advisor**Authoriser:** Rachael Davie, General Manager Strategy and Community**EXECUTIVE SUMMARY**

This report is an operational update from across Council for matters that relate to the Waihi Beach Community Board area.

RECOMMENDATION

That the Senior Governance Advisor's report dated 19 June 2023 titled 'Waihi Beach Community Board Operational Report – June 2023', be received.

SERVICE REQUESTS

This section is to provide an overview of Service Requests for the Waihi Beach Community Board area since the last meeting.

There has been one of each of the following subtypes of Service Requests raised and **completed**.

- Māori Land Enquiries
- PAYT Issue
- Blocked culvert
- Graffiti
- Local Road Mowing
- Flooded cycleway
- Reserves toilets maintenance
- Reserves tracks/roads/furniture
- Reserve mowing
- Taste/smell/quality of water

There has been one of each of the following subtypes of Service Requests raised, which are **under investigation**.

- Building Compliance
- Local Roads – barrier damage
- Meter/toby issue

- Water pressure issue

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
Resource Consent Compliance	Across Waihi Beach	1	1
Premise Hygiene/Health Matters	Same address on Marine Avenue	1	1
Damaged Bin – Replace/Repair	Across Waihi Beach	1	2
Kerbside General Enquiry	Across Waihi Beach	3	0
Lost/Stolen Bins	Across Waihi Beach	3	0
Missed Collection	Across Waihi Beach – 4 for Pohutukawa Avenue	9	0
Road Surface Defects – Sealed Local Roads	All but one is for Waihi Beach Road	9	0
Freedom Camping	Across Waihi Beach	2	0
Roading General	Across Waihi Beach. Road reflectors needed, broken bridge fence, missing signage	1	2
Stormwater	Drains/sewers, Two Mile Creek	2	0
Water Leaks	Across Waihi Beach. Two for Hillview Road	0	4

MATTERS ARISING FROM PREVIOUS COMMUNITY BOARD MEETINGS (NOT MINUTE ACTION SHEETS)

Nil

COMPLETED/UNCOMPLETED MINUTE ACTION SHEETS

Date raised	Issue	Comment
	<p data-bbox="376 323 1144 355"><u>Pippa Coombes – Update on Waihi Beach Skatepark</u></p> <p data-bbox="376 379 1160 499">Ms Coombs was in attendance to provide the Board with an update on the proposed skatepark. The below points were noted:</p> <ul data-bbox="387 531 1167 858" style="list-style-type: none"><li data-bbox="387 531 1167 611">• Background was provided as to why the initial proposal had been put on hold.<li data-bbox="387 635 1167 715">• An opportunity for funding had been identified through the Long Term Plan (LTP).<li data-bbox="387 738 1167 858">• Support was sought from the Board, as well as the opportunity to partake in an upcoming Board workshop.	<p data-bbox="1227 323 2080 483">The Board invited Pippa Coombes to attend their workshop on 8 May to discuss the proposal for the Waihi Beach Skatepark further. No further action is required in relation to this MAS.</p>