

Document No: A430785

Report To: Council



Meeting Date: 20 May 2019

Subject: Motion to Exclude the Public for the Consideration of Council Business

Purpose of Report

- 1.1 The purpose of this business paper is to enable the Council to consider whether or not the public should be excluded from the consideration of Council business.

Commentary

- 2.1 Section 48 of the Local Government Official Information and Meetings Act 1987 gives Council the right by resolution to exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the grounds contained within that Section.

Suggested Resolutions

- 1 The public be excluded from the following part of the proceedings of this meeting.
- 2 Council agree the following staff, having relevant knowledge, remain in attendance to assist Council with its decision making: ...
- 3 The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

| General Subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Section 48(1) grounds for this resolution |
|---|--|---|
| 1. Contractual Issues | 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | 48(1)(d) |

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6, Section 7 or Section 9 of the Official Information Act 1982 as the case may require are listed above.

MICHELLE HIGGIE
EXECUTIVE ASSISTANT

Document No: A430786

Report To: Council



Meeting Date: 28 May 2019

Subject: Resolution to Reopen the Meeting to the Public

Purpose of Report

- 1.1 The purpose of this business paper is for Council to pass a resolution to re-open the meeting to the public following the public excluded Contractual Issues business.

Suggested Resolution

The meeting be re-opened to the public following the public excluded Contractual Issues business.

A handwritten signature in blue ink, appearing to read "Michelle Higgie".

MICHELLE HIGGIE
EXECUTIVE ASSISTANT

Document No: A430787

Report To: Council



Meeting Date: 28 May 2019

Subject: Declaration of Members' Conflicts of Interest

Purpose of Report

- 1.1 The purpose of this business paper is for elected members to –
- 1 Declare interests that may be deemed a potential conflict with their role as an elected member relating to the business papers for this meeting, and
 - 2 Declare any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 29168.

Commentary

2.1 **Conflicts of Interest**

2.2 Every elected member has a number of professional and personal links to their community. They may own a business or be a member on a board or organisation. They may have a pecuniary (financial) interest or a non-pecuniary (non-financial) interest. These interests are a part of living in the community which they need to make decisions about in their role with Council.

2.3 Elected members are governed by the Local Authorities (Members' Interests) Act 1968 and are guided by the Auditor-General in how this Act is administered. In relation to pecuniary interests, the two underlying purposes of the Act are to:

- ensure members are not affected by personal motives when they participate in local authority matters; and
- in contracting situations, prevent members from using their position to obtain preferential treatment from the authority (the Council).

2.4 Non-pecuniary interests relate to whether an elected member could be in danger of having a real or perceived bias for an issue under consideration.

2.5 Elected members will also have interests that are considered no greater than the public at large. For example, most elected members will own a property and therefore be a ratepayer in Waitomo District.

2.6 Conflicts of interest at times cannot be avoided, and can arise without anyone being at fault. They need not cause problems when they are promptly disclosed and well managed.

2.7 **Declarations of Interest**

2.8 At the beginning of each triennial council term, elected members are requested to disclose known interests on behalf of themselves and spouses or partners. It is

up to the elected member to judge whether they have any interests to declare. Some elected members may have none.

- 2.9 As well as this, elected members may decide that they have an interest in a particular issue or item to be discussed at a meeting. There is a standing item on every meeting agenda for elected members to declare conflicts of interest.
- 2.10 Members who have declared an interest in any matters that are due to be considered at a Council or Committee meeting should declare that they have an interest in the matter, leave the table and not take part in any discussion, debate or vote on that matter.
- 2.11 Attached to and forming part of this business paper is information to assist elected members in determining conflicts of interest.

Declarations

Mayor Hanna will invite elected members to give notice of any conflicts of interest relating to the business for this meeting.

In the event of a Declaration being made, the elected member must provide the following information relating to the Declaration:

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| Name: | |
| Item of Business on the Agenda: | |
| Reason for Declaration: | |



MICHELLE HIGGIE
EXECUTIVE ASSISTANT

Local Authority (Members' Interests) Act 1968

- 3.1 The Local Authority (Members' Interests) Act 1968 helps to protect the integrity of local authority decision-making by ensuring that Councillors are not affected by personal motives when they participate in Council decision-making and cannot use their position to obtain preferential access to contracts. This Act deals with two forms of "interest":
1. Pecuniary
 2. Non-pecuniary
- 3.2 **Pecuniary Interest**
- 3.3 The **two** specific rules in the Act are that members cannot:
1. Enter into contracts with their local authority worth more than \$25,000 (including GST) in a financial year unless the Auditor-General approves the contracts (referred to as the contracting rule). Breach of this rule results in automatic disqualification from office; and
 2. Participate in matters before the Council in which they have a pecuniary interest, other than an interest in common with the public (referred to as the participation rule). Breach of this rule is a criminal offence and conviction results in automatic disqualification from office
- 3.4 A pecuniary interest is one that involves money. This could be direct or indirect. It is sometimes difficult to decide whether an interest in a particular matter is pecuniary or some other kind. It is always the responsibility of elected members to make this decision, to declare any interest when appropriate and to ensure that as an elected member you comply with the Act's requirements at all times. The Act generally provides that no person shall be capable of being a member of Council if that person is concerned or interested in any contracts with the Council where the total payments made by the Council in respect of such contracts exceeds \$25,000 in any one financial year.
- 3.5 The Act also provides that an "interest" exists where a member's spouse is involved and/or where a member or their spouse is a major shareholder or have control or management of a company which contracts with Council or where the company has a pecuniary interest in the decision. It may also apply where your family trust has a contract with the Council.
- 3.6 The Act does provide that on application to it the Office of the Auditor General may give specific approval to a member being concerned or interested in a particular contract, in which case the provisions of the Act will not disqualify the Councillor from remaining in office. The approval needs be gained before the contract concerned is entered into.
- 3.7 The Act also requires that a member shall not vote or take part in the discussion of any matter in which he/she has any pecuniary interest, other than an interest in common with the public. This interest is required to be declared by the member and is noted in the minutes.
- 3.8 The Office of the Auditor General is the agency, which oversees this legislation and it also has the responsibility and power to institute proceedings against any member. The Act does not define pecuniary interest, however the Office of the Auditor-General uses the following test: "Whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned."

- 3.9 In deciding whether you have a pecuniary interest you should consider the following factors: What is the nature of the decision being made? Do I have a financial interest in that decision – do I have a reasonable expectation of gain or loss of money as a result of making that decision? Is my financial interest one that is in common with the public? Do any of the exceptions in the Act apply to me? Could I apply to the Auditor-General for approval to participate?
- 3.10 Further guidance is provided in the booklet “Guidance for members of local authorities about the Local Authorities (Members’ Interests) Act 1968” which has been provided to 5 elected members. It is important that you pay particular attention to the contents of this booklet as this is one of the few areas of the Council’s business where staff do not set out to provide pro-active advice and members are personally liable for compliance with the provisions of this Act.

3.11 Non-Pecuniary Interest

- 3.12 Non-pecuniary interest is any interest the member may have in an issue that does not involve money. A common term for this is “bias” or pre-determination. Rules about bias operate not only to ensure that there is no actual bias, but also so there is no appearance or possibility of bias. The principle is that justice should not only be done, but it should be seen to be done. Bias may be exhibited where:-
- By their statements or conduct a member may indicate that they have predetermined the matter before hearing or considering all of the relevant information on it (including the Council’s debate); or
 - The member has a close relationship with an individual or organisation affected by the matter.
- 3.13 Non-pecuniary interest is a difficult issue as it often involves matters of perception and degree. The question you need to consider, drawn from case law, is: “Is there, to a reasonable, fair-minded and informed observer, a real indication of bias on the part of a member of the decision making body, in the sense that they might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?” If there is, the member should declare their interest and withdraw from the debate and take no further part in the discussion of this item. The law about bias does not put you at risk of personal liability. Instead, the validity of the Council’s decision could be at risk. The need for public confidence in the decision-making process is paramount and perception can be an important factor. Again the booklet provided by Office of the Auditor General provides some excellent advice and information on this issue.

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| Waitomo District Council Procurement Policy – 23 February 2013 |
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4.1 The following is an extract from the Procurement Policy:

2.1.11 Conflicts of Interest

WDC procurement process will be conducted with a spirit of probity demonstrating:

- *integrity;*
- *honesty;*
- *transparency;*
- *openness;*
- *independence;*
- *good faith; and*
- *service to the public.*

A conflict of interest occurs where:

A member's or official's duties or responsibilities to Council could be affected by some other interest or duty that the member or official may have.

The other interest or duty might exist because of:

- *holding another public office;*
- *being an employee, advisor, director, or partner of another business or organisation;*
- *pursuing a business opportunity;*
- *being a member of a club, society, or association;*
- *having a professional or legal obligation to someone else (such as being a trustee);*
- *owning a beneficial interest in a trust;*
- *owning or occupying a piece of land;*
- *owning shares or some other investment or asset;*
- *having received a gift, hospitality, or other benefit from someone;*
- *owing a debt to someone;*
- *holding or expressing strong political or personal views that may indicate prejudice or predetermination for or against a person or issue ; or*
- *being a relative or close friend of someone who has one of these interests, or who could otherwise be personally affected by a decision of Council*

A relative or close friend includes:

- *For matters covered by the Local Authorities (Members' Interests) Act 1968, the interests of a spouse, civil union partner, or de facto partner must be considered.*
- *Generally, the interests of any relative who lives with the member or official (or where one is otherwise dependent on the other) must be treated as being effectively the same as an interest of the member or official.*
- *For other relatives, it will depend on the closeness of the relationship, but it will usually be wise not to participate if relatives are seriously affected*
- *Where Council's decision or activity affects an organisation that a relative or friend works for, it is legitimate to take into account the nature of their position or whether they would be personally affected by the decision.*

Examples of potential conflicts of interest include:

- *conducting business on behalf of Council with a relative's company;*
- *owning shares in (or working for) particular types of organisation that have dealings with (or that are in competition with) Council;*

- *deliberating on a public consultation process where the member or official has made a personal submission (or from making submissions at all, in areas that directly relate to the entity's work);*
- *accepting gifts in connection with their official role; or*
- *influencing or participating in a decision to award grants or contracts where the member or official is connected to a person or organisation that submitted an application or tender.*

All elected members, WDC staff or advisers involved in a procurement process are required to declare any other interests or duties that may affect, or could be perceived to affect, their impartiality. WDC will then decide the steps necessary to manage the conflict, having regard to any relevant statutory requirements. WDC will maintain a register of declarations of conflicts of interest that records any conflicts of interest and how they will be managed.

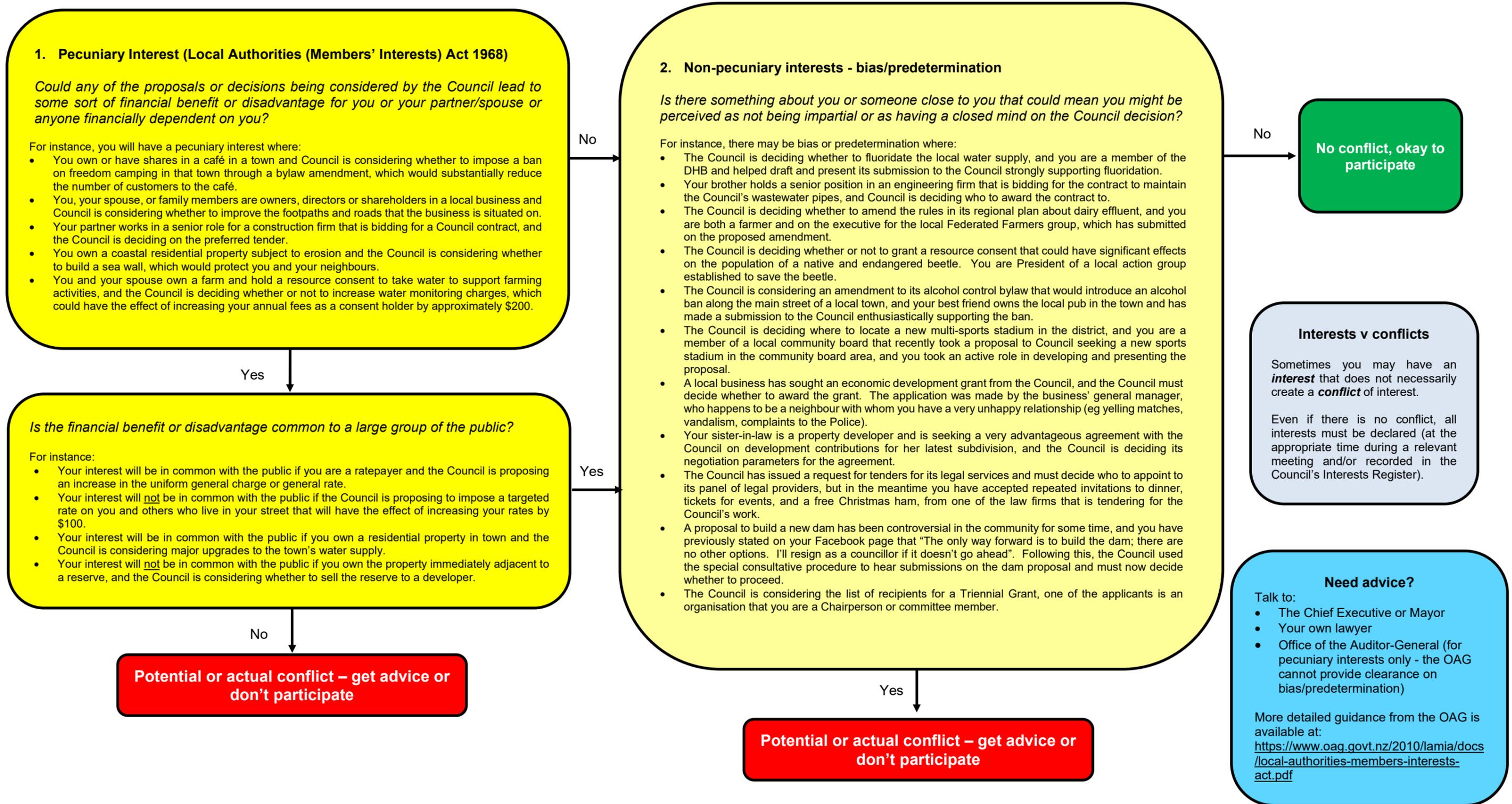
An annual update of the register will be coordinated and maintained by the Executive Office.

Under no circumstances will a procurement process allow as an outcome of that process a circumstance where Council elected members, WDC staff or advisers to receive preferential treatment.

Before you participate in any Council decision ...

CONFLICTS OF INTEREST

Check you don't have a pecuniary interest and that there is no bias or predetermination.



Remember: If in doubt, stay out!

WAITOMO DISTRICT COUNCIL

MINUTES OF A MEETING OF THE WAITOMO DISTRICT COUNCIL HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON TUESDAY 26 MARCH 2019 AT 9.00AM

PRESENT: Mayor Brian Hanna, Deputy Mayor Guy Whitaker, Council Members Phil Brodie, Terry Davey, Allan Goddard, Janene New and Sue Smith

IN ATTENDANCE: Todd Ward (Waitomo News)

Michelle Hollands, General Manager Regional Leadership and Dede Downs, Coordinator (Sport Waikato)

Dr Bridget Mosley, Director (Waitomo Caves Discovery Centre)

Chief Executive; Executive Assistant; Group Manager – Community Services (for part only); Group Manager – Corporate Services, General Manager – Infrastructure Services (for part only); General Manager – Environmental Services; Cathy O’Callaghan, Principal Planner (for part only)

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| 1. Council Prayer |
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| 2. Deputation: Sport Waikato – Six Monthly Report (1 July to 31 December 2018) |
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Council received a Deputation from Michelle Hollands, General Manager Regional Leadership and Dede Downs, Coordinator for Sport Waikato presenting the Sport Waikato Six Monthly Report for the period 1 July to 31 December 2018 as per the Service Level Agreement.

Resolution

The Deputation from Sport Waikato be received.

Smith/Davey Carried

Michelle Hollands, General Manager Regional Leadership and Dede Downs, Coordinator (Sport Waikato) left the meeting at 9.21am.

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| 3. Deputation: Waitomo Caves Discovery Centre – Reporting against Service Level Agreement |
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Council received a Deputation from Dr Bridget Mosley, Director of the Waitomo Caves Discovery Centre presenting the Discovery Centre’s Six Monthly Report for the period 1 July to 31 December 2018 as per the Service Level Agreement.

Resolution

The Deputation from Waitomo Caves Discovery Centre be received.

New/Smith Carried

Dr Bridget Mosley, Director (Waitomo Caves Discovery Centre) and the Group Manager – Community Services left the meeting at 9.31am.

4. Declarations of Member Conflicts of Interest

Members declared conflicts of interest in regard to the Agenda as set out in the table below:

| Name | Item of Business on Agenda | Reason for Declaration |
|-----------------------|---|--|
| Mayor Hanna | <ul style="list-style-type: none"> Waitomo Sister City Committee Game On Trust | Committee Member Trustee |
| Cr New | <ul style="list-style-type: none"> Waitomo Sister City Committee Creative Communities DC Tynan Trust | Committee Member Committee Member Committee Member |
| Deputy Mayor Whitaker | <ul style="list-style-type: none"> Waitomo Sister City Committee Brook Park | Committee Member Committee Member |
| Cr Davey | <ul style="list-style-type: none"> Creative Communities DC Tynan Trust | Committee Member Committee Member |

5. Verbal Reports: Individual Councillor Roles and Responsibilities

The Mayor and Councillors gave verbal reports on their individual Council roles and responsibilities as follows:

Cr Brodie

- Tainui Wetere Domain Board
- Zone 2
- LGNZ Rural & Provincial Meeting
- Waipa Catchment Committee Field Day
- State Highway 3 Working Party Meeting

Cr New

- Creative Communities
- Waitomo Sister City
- Discretionary Grant Promotion
- Historical Society
- Legendary Te Kuiti

Cr Goddard

- Destination Pureora
- Benneydale Hall
- Civil Defence

Cr Davey

- Te Kuiti Community House

Cr Smith

- Zone 2
- Waitomo Museum
- Te Waitere Mountain Bike Group
- LGNZ Rural & Provincial Meeting
- King Country River Care Group
- Mt Messenger – barriers to prevent kiwi crossings originally planned have now been removed causing delays

Deputy Mayor Whitaker

- Brook Park
- Waitomo Sister City Meeting
- Tatsuno Delegation
- Legendary Te Kuiti
- Legends Breakfast
- Christchurch Massacre Memorial Service
- District Licensing Committee

Mayor Hanna

- Waitomo Sister City
- Whanau Ora Opening
- Meeting with Minister Mahuta
- Regional Transport Committee
- NZ Police
- North King Country Development Trust
- Legends Breakfast
- LGNZ National Council
- Recruitment Hub Meeting at Waitomo
- Plan Change 1 Meeting
- Christchurch Massacre Memorial Service
- Waikato Plan Workshop and Meeting
- South Waikato Economic Agency Plan

Resolution

The verbal reports be received.

Whitaker/Smith Carried

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| 6. Confirmation of Minutes – 26 February 2019 |
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Resolution

The Minutes of the Waitomo District Council meeting of 26 February 2019, including the public excluded portion, be confirmed as a true and correct record.

Goddard/Brodie Carried

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| 7. Receipt of Brook Park Minutes: 4 March 2019 |
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Council considered a business paper providing information relating to the 4 March 2019 Brook Park Incorporated Society Meeting.

Resolution

The business paper on Brook Park Incorporated Society: Minutes of 4 March 2019 be received.

Whitaker/Brodie Carried

The Group Manager – Corporate Services entered the meeting at 10.07am.

8. Receipt of Waitomo Sister City Committee Minutes: 13 February 2019

Council considered a business paper providing information relating to the Waitomo Sister City Committee Meeting on 13 February 2019.

The Mayor and Councillor New expanded verbally on the Minutes and answered Member's questions.

Resolution

The business paper on Waitomo District Sister City Committee – Minutes of Meetings: 13 February 2019 be received.

New/Whitaker Carried

9. Documents Signed under Council's Common Seal

Council considered a business paper informing of documents signed under the Common Seal of the Council.

The Executive Assistant expanded verbally on the business paper and answered Members questions.

Resolution

The business paper on Documents Signed and Sealed under Council's Common Seal be received.

Smith/Whitaker Carried

10. Waitomo Energy Services Customer Trust – Election of Trustees by Major Customers

Council considered a business paper informing of the recent election of two Trustees to the Waitomo Energy Services Customer Trust (WESCT).

The Mayor expanded verbally on the business paper and answered Members questions.

Resolution

The business paper on Waitomo Energy Services Customer Trust – Election of Trustees by Major Customers be received.

New/Brodie Carried

The General Manager – Environmental Services and Principal Planner entered the meeting at 10.09am.

11. Triennial Elections 2019 – Voting Document Arrangements

Council considered a business paper providing information in relation to arrangements for the 2019 Triennial Elections to be held on 12 October 2019 and for Council to make a decision on the order of the surnames of candidates in the voting documents.

The Chief Executive expanded verbally on the business paper and answered Members questions.

Resolution

- 1 The business paper on Triennial Elections 2019 be received.
- 2 Pursuant to Section 31 of the Local Electoral Regulations 2001, Council resolve that the names of the candidates on the voting document for the 2019 Waitomo District Council triennial elections shall be in Alphabetical Order of Surname.

New/Brodie Carried

12. Progress Report: Proposed Waitomo District Plan

Council considered a business paper providing an update on the development and review of the Proposed Waitomo District Plan ("PDP").

The General Manager – Environmental Services and Principal Planner expanded verbally on the business paper and answered Members questions.

Council thanked the District Plan Team acknowledging the comprehensive material prepared and the professionalism at not only the Council workshops and meetings, but especially at the Community Open Days which have received excellent feedback from ratepayers.

Resolution

The Progress Report: Proposed Waitomo District Plan be received.

Goddard/Brodie Carried

The Principal Planner left the meeting at 10.18am.

The meeting adjourned for morning tea at 10.19am and reconvened at 10.27am.

The Group Manager – Community Services re-entered the meeting at 10.32am.

13. 2019/20 Draft Exceptions Annual Plan – Significance of Variations

Council considered a business paper presenting information on the materiality and significance of variations contained within the Draft Exceptions Annual Plan (dEAP) for 2019/20.

The Group Manager – Corporate Services expanded verbally on the business paper and answered Members questions.

Council acknowledged the work of the WDC Team in preparation of 2019/20 Draft Exceptions Plan.

Resolution

- 1 The business paper on 2019/20 Draft Exceptions Annual Plan – Significance of Variations be received.
- 2 Council not consult on the 2019/20 Draft Exceptions Annual Plan.

New/Brodie Carried

14. DC Tynan Trust – Exemption as a Council Controlled Organisation

Council considered a business paper seeking Council's consideration of the exemption of the DC Tynan Trust from being a Council Controlled Organisation under the Local Government Act 2002 (LGA 2002).

The Group Manager – Corporate Services expanded verbally on the business paper and answered Members questions.

Resolution

- 1 The business paper on DC Tynan Trust – Exemption as a Council Controlled Organisation be received.
- 2 Council exempt the DC Tynan Trust from being classified as a Council Controlled Organisation under section 7(3) of the Local Government Act 2002.

Brodie/Smith Carried

15. Setting the 2019/20 Fees and Charges and adoption of Statement of Proposal for Consultation

Council considered a business paper seeking Council's approval to set Fees and Charges for the 2019/20 year and to review and adopt the Statement of Proposal for Consultation, where fees and charges require consultation before adoption.

The Group Manager – Corporate Services expanded verbally on the business paper and answered Members questions.

Resolution

- 1 The business paper on Setting the 2019/20 Fees and Charges and adoption of the Statement of Proposal for consultation be received.
- 2 The Chief Executive be delegated authority for any editorial, formatting, layout or font changes required to the 2019/20 Fees and Charges Statement of Proposal.
- 3 Council adopt the Statement of Proposal for the Fees and Charges 2019/20 (Doc No. A424688) for public consultation as follows:

| Key Milestone | Timeline |
|---|----------------------|
| Council Meeting to adopt the proposed changes to the 2019/20 fees and charges under the Food Act and the Resource Management Act for public consultation | 26 March 2019 |
| Consultation Period | 4 April – 6 May 2019 |
| Hearing of submitters who wish to speak to their submission | 14 May 2019 |

| Key Milestone | Timeline |
|--|-------------|
| Council Meeting for deliberations and adoption | 28 May 2019 |

- 4 Council adopt the Fees and Charges for 2019/20 that do not require public consultation for implementation from 1 July 2019.

Goddard/Brodie Carried

The General Manager – Environmental Services left the meeting at 10.50am.

16. New Zealand Local Government Funding Agency: Half Year Report and Statement of Intent for 2019/20

Council considered a business paper providing information on the Half Year Report to 31 December 2018 and Statement of Intent for the 2019/20 financial year from the New Zealand Local Government Funding Agency (LGFA).

The Group Manager – Corporate Services expanded verbally on the business paper and answered Members questions.

Resolution

The business paper on New Zealand Local Government Funding Agency (LGFA): Half Year Report to 31 December 2018, and Statement of Intent for 2019/20 be received.

Whitaker/Davey Carried

17. Waikato Local Authority Shared Services – Half Yearly Report to Shareholders to 31 December 2018

Council considered a business paper presenting the Waikato Local Authority Shared Services – Half Yearly Report to Shareholders to 31 December 2018.

The Group Manager – Corporate Services and Chief Executive expanded verbally on the business paper and answered Members questions.

Resolution

The business paper on Waikato Local Authority Shared Services – Half Yearly Report to Shareholders to 31 December 2018 be received for information.

New/Brodie Carried

The Group Manager – Corporate Services left the meeting at 10.56am.

18. Progress Report: Civil Defence and Emergency Management

Council considered a business paper providing a brief on current activities within the Civil Defence and Emergency Management portfolio.

The Group Manager – Community Services expanded verbally on the business paper and answered Members questions.

Resolution

The Progress Report: Civil Defence and Emergency Management be received.

Goddard/Smith Carried

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| 19. Progress Report: Civil Defence Emergency Management Joint Committee Minutes |
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Council considered a business paper providing information relating to the Civil Defence Emergency Management Joint Committee meeting of 19 November 2018.

Cr Goddard expanded verbally on the business paper and answered Members questions.

Resolution

The Progress Report: Civil Defence Emergency Management Joint Committee Minutes be received.

Goddard/Smith Carried

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| 20. Waikato Regional Economic Development Agency - Te Waka - Six Monthly Report (1 July to 31 December 2018) |
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Council considered a business paper presenting the Waikato Regional Economic Development Agency (Te Waka) Six Monthly Report (1 July to 31 December 2018).

The Group Manager – Community Services expanded verbally on the business paper and answered Members questions.

Resolution

The business paper on Waikato Regional Economic Development Agency - Te Waka - Six Monthly Report (1 July to 31 December 2018) be received.

Brodie/New Carried

The General Manager – Infrastructure Services entered the meeting at 11.05am.

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| 21. Creative New Zealand – Review of Creative Communities Scheme |
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Council considered a business paper advising of a review currently being undertaken by Creative New Zealand of its Creative Communities Scheme in advance of entering into new contracts with local authorities later in 2019 and seeking Council's feedback on the proposed changes.

The Executive Assistant expanded verbally on the business paper and answered Members questions.

Resolution

- 1 The business paper on Creative New Zealand – Review of Creative Communities Scheme be received.
- 2 Council provide feedback to Creative New Zealand in support of the changes proposed by the review of the Creative Communities Scheme.

New/Davey Carried

22. Rural Roads Verge Maintenance – Yellow Bristle Grass

Council considered a business paper advising of best practice guidelines to reduce the spread of Yellow Bristle Grass.

The General Manager – Infrastructure Services expanded verbally on the business paper and answered Members questions.

Council requested that the information on Best Practice Guidelines for minimising the spread of Yellow Bristle Grass be promoted on Council’s Website and Facebook page.

Resolution

The business paper on Rural Roads Verge Maintenance – Yellow Bristle Grass best practice methods be received.

Brodie/New Carried

23. State Highway 30 – New Zealand Transport Agency Kopaki Bridge Replacement Project

Council considered a business paper providing an update on the New Zealand Transport Agency’s State Highway 30 Kopaki Bridge Replacement project.

The General Manager – Infrastructure Services expanded verbally on the business paper and answered Members questions.

Resolution

The business paper on State Highway 30 – New Zealand Transport Agency Kopaki Bridge Replacement Project be received.

Brodie/New Carried

24. Motion to Exclude the Public

Council considered a business paper pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987 giving Council the right by resolution to exclude the public and/or staff from the whole or any part of a meeting on one or more of the grounds contained within that Section.

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WAITOMO DISTRICT COUNCIL
AUDIT AND RISK COMMITTEE

**MINUTES OF A MEETING OF THE WAITOMO DISTRICT COUNCIL AUDIT
AND RISK COMMITTEE HELD IN THE COUNCIL CHAMBERS, QUEEN
STREET, TE KUITI ON TUESDAY 14 MAY 2019 AT 9.00AM**

PRESENT: Mayor Brian Hanna, Deputy Mayor Guy Whitaker, Members Phil Brodie, Allan Goddard, Janene New and Sue Smith and Independent Member Bruce Robertson

IN ATTENDANCE: Todd Ward (Waitomo News)

Chief Executive, Executive Assistant (for part only), Group Manager – Corporate Services (for part only), General Manager – Infrastructure Services (for part only), Greg Boyle (for part only) and Group Manager – Customer Services (for part only)

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| 1. Apologies |
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Resolution

The apology from Cr Terry Davey be received and leave of absence granted.

New/Brodie Carried

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| 2. Declarations of Member Conflicts of Interest |
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No declarations were.

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| 3. Confirmation of Minutes – 12 February 2019 |
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Resolution

The Minutes of the Waitomo District Council Audit and Risk Committee meeting of 12 February 2019, including the Public Excluded minutes, be confirmed as a true and correct record.

Goddard/New Carried

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| 4. Mastercard Expenditure Report (January to March 2019) |
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The Committee considered a business paper presenting for the Committee's information and consideration, details of expenditure incurred via WDC issued Corporate Mastercards.

Resolution

The Mastercard Expenditure Report for the period January to March 2019 be received.

Brodie/Smith Carried

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| 5. Development of Risk Management Framework |
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The Committee considered a business paper presenting a Draft Risk Management Implementation and Monitoring Plan to support the Risk Management Framework agreed by Audit and Risk Committee at its 12 February 2019 meeting, and to recommend both to Council for adoption.

The Group Manager – Corporate Services and Chief Executive expanded verbally on the business paper and answered Members’ questions.

Resolution

- 1 The business paper on Development of a Draft Risk Management Implementation Plan be received.
- 2 The Audit and Risk Committee recommends that Council:
 - (a) Adopt the Risk Management Implementation Plan for intervention of the strategic residual risks identified in the Strategic Risk Register;
 - (b) Note the requirement for an annual review of the Risk Register in May of each year, including a review of any externalities impacting on or introducing new, strategic risks, to ensure changing circumstances are anticipated, monitored and mitigated accordingly;
 - (c) Note the requirement for a monitoring and reporting programme to be adopted in May each year for the financial year ahead, which will be linked to the agreed strategic risks, and will form part of ARC’s meeting programme for the year.

Robertson/Brodie Carried

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| 6. Financial and Non-Financial Report to 31 March 2019 |
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The Committee considered a business paper presenting the financial and non-financial results for the period ended 31 March 2019.

The Group Manager – Corporate Services and General Manager – Infrastructure Services expanded verbally on the business paper and answered Members’ questions.

The Mayor acknowledged the Group Manager – Corporate Services tenure here at Waitomo District Council, noting that this would be her last Audit and Risk Committee Meeting before leaving Waitomo District Council.

Resolution

The business paper on Financial and Non-Financial Report to 31 March 2019 be received.

Whitaker/Smith Carried

The meeting adjourned at 10.07am and reconvened at 10.30am.

| |
|---|
| 7. Annual Report and Summary Annual Report 2018/19 – Engagement of Auditor |
|---|

The Committee considered a business paper –

- (a) Presenting the Audit Engagement Letter for the audit of the Annual Report and Summary Annual Report 2018/19 and;
- (b) Presenting a Confirmation of Engagement letter to provide a Limited Independent Assurance Report on certain matters in respect to the Debenture Trust Deed and;
- (c) Seeking the Committee’s approval for the signing of both engagement letters.

The Group Manager – Corporate Services expanded verbally on the business paper and answered Members’ questions.

Resolution

- 1 The business paper on Annual Report and Summary Annual Report 2018/19 – Engagement of Auditor be received.
- 2 The Deloitte Audit Engagement Letter be accepted as presented.
- 4 The Deloitte Confirmation of Engagement – Limited Independent Assurance Report in respect to the Waitomo District Council’s Debenture Trust Deed be accepted as presented.
- 5 In accordance with the delegation contained in the Terms of Reference of the Audit and Risk Committee, the Chief Executive be delegated authority to sign on behalf of the Waitomo District Council –
 - (a) The Deloitte Audit Engagement Letter; and
 - (b) The Deloitte Confirmation of Engagement – Limited Independent Assurance Report in respect to the Waitomo District Council’s Debenture Trust Deed.

Whitaker/Robertson Carried

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| 8. Progress Report: WDC Resource Consent – Compliance Monitoring |
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The Committee considered a business paper providing a progress report on compliance reporting against Resource Consent conditions.

The General Manager – Infrastructure Services expanded verbally on the business paper and answered Members’ questions.

Resolution

The Progress Report: Resource Consent – Compliance Monitoring be received.

Robertson/Goddard Carried

| |
|--|
| 9. Motion to Exclude the Public for the consideration of: |
|--|

The Committee considered a business paper pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987 giving Council the right by resolution to exclude the public and/or staff from the whole or any part of a meeting on one or more of the grounds contained within that Section.

Resolution

- 1 The public be excluded from the following part of the proceedings of this meeting.
- 2 The Committee agree the following staff, having relevant knowledge, remain in attendance to assist Council with its decision making:

Chief Executive
 Executive Assistant
 Group Manager – Corporate Services
 General Manager – Infrastructure Assets

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

| General Subject of each matter to be considered | Reason for passing this resolution in relation to each matter | Section 48(1) grounds for this resolution |
|--|--|---|
| 1. Annual Report 2018/19 – Areas of Audit Focus | 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | 48(1)(d) |
| 2. Progress Report: Health and Safety | 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | 48(1)(d) |
| 3. Progress Report: Risk Management – Procurement/ Contract Schedule | 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | 48(1)(d) |

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6, Section 7 or Section 9 of the Official Information Act 1982 as the case may require are listed above.

New/Brodie Carried

Todd Ward (Waitomo News) left the meeting at 10.44am.

The Group Manager – Community Services entered the meeting at 10.45am.

There being no further business the meeting closed at 11.27am

Dated this day of 2019.

BRIAN HANNA
MAYOR

Confidential Confidential

Confidential Confidential

Confidential

| | |
|---|---|
| Document No: A430788 | |
| Report To: | Council |
|  | Meeting Date: 28 May 2019 |
| | Subject: Receipt of Brook Park Incorporated: Minutes – 15 April 2019 and 6 May 2019 |
| | Type: Information Only |

Purpose of Report

- 1.1 The purpose of this business paper is to provide Council with information relating to the latest Brook Park Incorporated meeting.

Local Government Act S.11A Considerations

- 2.1 There are no Section 11A of the Local Government Act considerations relating to this business paper.

Background

- 3.1 In November 2007, Council established a Work Group for the purpose of working with a Consultant and members of the community to develop a proposal and policy document for Brook Park.
- 3.2 Development of the Brook Park Management Plan (MP) was completed following a public consultation process, including a Hearing of submissions in February 2010.
- 3.3 An objective contained in the MP was to establish a Friends of Brook Park (FBP) organisation to enable the community to participate in the future of Brook Park, and, and as a primary objective, to raise funds for achieving park projects and developments.
- 3.4 The FBP was to replace the Brook Park Advisory Committee which was in place at that time, but which did not have any mandate to represent the community's interest in the Park, nor to raise funds for park projects.
- 3.5 It was envisaged that the FBP would enable the community to become more involved in their Park, through dissemination of information; being able to assist in fundraising and other activities that promote and enhance Brook Park; and by having a "voice" to assist Council with management of Brook Park.
- 3.6 As a charitable body, and an incorporated society, a FBP organisation would be able to successfully apply for third party funding to assist Council with implementing the community's vision for Brook Park.
- 3.7 The Policy implemented by Council through the Brook Park MP is as follows:
1. *Council will support and encourage the formation of a Friends of Brook Park, as a charitable incorporated society.*
 2. *The aims of the Friends of Brook Park shall be:*
 - i) *To foster interest in Brook Park;*
 - ii) *To promote the development of Brook Park;*
 - iii) *To raise funds for approved projects*
 - iv) *To preserve the integrity of Brook Park*
 3. *The Constitution of the Friends of Brook Park shall provide for Council representation on the Society's Committee, and to enable the*

representative to veto any decision that is not in the best interests of the park or the community.

4. *Council will dissolve the Brook Park Advisory Committee on the successful establishment of the Friends of Brook Park.*
- 3.8 During 2011 WDC advertised several times seeking interested persons to join the committee with limited success. Council considered that a Leadership Work Group consisting of three Council members would be beneficial to provide political leadership and assist in getting the FBP established and in December 2011 Council established the Brook Park Leadership Work Group.
 - 3.9 The FBP Group was finally established early in 2012 with numbers fluctuating as more members of the public become interested in the future of the park. By mid-2012 the group was incorporated as "Brook Park Incorporated" (BPI) to administer the day to day operations/development of Brook Park.
 - 3.10 Brook Park is operated as a farm park, with a grazing licence granted by WDC to a lessee. The Reserves Act 1977 states that any lease or agreement on reserve land has to be granted by the administering body, which in this case is the Waitomo District Council. Therefore BPI cannot lease these grazing rights to another entity or individual.
 - 3.11 With the administering body being WDC and the consequent income stream for the grazing lease being part of WDC's reserve income (between \$2000-\$4000), there was little opportunity for BPI to achieve a sustainable income stream for minor works and administration. The income derived by BPI at that time was by way of subscription donation (\$10 per member) and any successful grant applications for specific projects.
 - 3.12 To improve the financial viability and robustness of the BPI, in October 2012 a Memorandum of Understanding (MOU) between WDC and BPI was developed and approved. Council also agreed to provide an annual grant to BPI for operational management of the reserve, equivalent to the annual derived lease income.

Commentary

- 4.1 Since early in 2014, BPI has kept WDC informed of progress in the day to day operations/development of Brook Park by providing copies of its monthly meeting Minutes.
- 4.2 Attached to and forming part of this business paper is a copy of the BPI unconfirmed Minutes of 15 April 2019 and 6 May 2019.

Suggested Resolution

The business paper Brook Park Incorporated: Minutes of 15 April 2019 and 6 May 2019 be received.



MICHELLE HIGGIE
EXECUTIVE OFFICER



BROOK PARK
INCORPORATED SOCIETY

Meeting Minutes
Monday 15 April 2019
5.30 pm

Council Chambers
Queen Street
TE KUITI

BROOK PARK INCORPORATED SOCIETY

**THE MINUTES OF THE MEETING OF THE BROOK PARK INCORPORATED SOCIETY
HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON MONDAY 15 April
2019 COMMENCING AT 5.30 PM**

MINUTES

Attendance: Guy Whitaker, Gerald Kay, Neil Brooks, Phillip Houghton, Robin Charteris, Rob Buckley, Glyn Meads, Sheralee Buchanan, Elly Kroef, Graeme Churston, Andrea Hanna, Helen Sinclair, Jane Murray.

Apologies – Sue Wagstaff Accepted- M/ S – Neil/ Graeme

Confirmation of Minutes of 4 March

That minutes of previous meeting be accepted as a true and accurate record. M/S Andrea/ Rob.

Matters Arising from Minutes- Nil

Financial Report

Opening balance \$ 10474.38

Expend. - Carols in the Park-Brass Band-\$500

Income- Tree felling -\$8441.35

Sub-\$20

Interest-\$1.03

Closing balance \$18 436.76.

Term Deposit \$ 10 335.97 –due 13.9.2019

Report accepted . M/S- Phillip/ Neil.

Correspondence

Inward-e Tegan? Houchen, TKHS, re using Brook Park for their annual X Country, 16/17 May 2019

Outward- Nil

Maintenance/Fencing

Guy to approach Tony Sircombe re internal Park fencing. All fencing seen in urgent need of repair.

Strongly suggested that we invite a WDC rep to our next meeting on Monday 6 May , to discuss Park management, and to hear the Council's view on the Park's place in Te Kuiti, so that we can all work together .

Fertiliser has been applied. Suggested that a soil test be a good idea prior to next fert. application.

A letter outlining the idea of appointing a Park keeper was tabled by Elly, and discussed. Discussion also included: fencing, budget, spraying, attractiveness to leaseholders, overall plan.

A sub-committee, comprising, Elly, Glyn, Guy, Rob, Gerald, Neil to meet at Neil's home, 12 Butler Street Te Kuiti, on Tuesday 23 April at 9 am, to draft an overall Park management plan to bring to the May meeting, with the intention of forwarding it , after a BPIS discussion, to the council. Coffee and cake provided.

Weed Control

Woolly Nightshade still a problem. Graeme, Gerald and Glyn to sort..

Disc Golf

Tees made, ready to be installed. WDC digger available.

General Business

Op Shop made +- \$400. Thanks , Helen.

Phillip summarised a conversation he'd had with Ed Morrow.

Meeting closed @ 6.55 pm

Next Meeting Mon 6 May 2019

Subcommittee meeting-see note above.

Neil Brooks

Secretary



BROOK PARK
INCORPORATED SOCIETY

Meeting Minutes
Monday 6 May 2019
5.30 pm

Council Chambers
Queen Street
TE KUITI

BROOK PARK INCORPORATED SOCIETY

**THE MINUTES OF THE MEETING OF THE BROOK PARK INCORPORATED SOCIETY
HELD IN THE COUNCIL CHAMBERS, QUEEN STREET, TE KUITI ON MONDAY 6 May
2019 COMMENCING AT 5.30 PM**

MINUTES

Attendance: Guy Whitaker, Gerald Kay, Neil Brooks, Phillip Houghton, Glyn Meads, Sheralee Buchanan, Elly Kroef, Graeme Churston, Andrea Hanna, Dawn Anselmi

Apologies –Nil

Confirmation of Minutes of 15 April

That minutes of previous meeting be accepted as a true and accurate record. M/S Neil/ Elly

Matters Arising from Minutes- Nil

Financial Report

Opening Balance \$18436.76

Closing Balance \$15741.91

Term Deposit \$10335.97

Accounts to pay-\$23 - Smart Plants

YTD cash flow available-contact Phillip or Neil

Notes relating to the Brook Park Lease:

Super-6 tonnes-2019

8 tonnes-2018

5 tonnes

+ 10 tonnes lime-2015

Lease -\$7608.70, made up of-Fert \$3000, Weeds \$1000, Repairs and maintenance,\$1000, + \$2608.70 ex GST-Rent

Grazing area of approx. 30 hectares, from an estimated 56 hectares of Park.

Report accepted . M/S- Phillip/ Andrea.

Correspondence

Inward-Sub- committee minutes-see attached .

Emails ex Quin to Guy re Brook Park MOU-see forwarded emails.

Outward-Nil

Maintenance/Fencing

Refer to emails from Quin as above.

Discussion about fencing and whose responsibility it is, and also about Iwi settlement progress.

As a Committee we are concerned about reports from members of the public including Regional Council representatives, of stock in poor condition, some dead, and we recommend that the WDC contact Ed Morrow, the current lessor, to deal with these issues.

Weed Control

Woolly Nightshade around the Somerville Grove has been sprayed and some pulled out, by Chris Hale, who will return to continue spraying. There is a possibility of extra spraying being available for the Regional Council sprayer.

WDC needs to be aware of the Farm Environmental Plan that is due in 2020.

Disc Golf

Simon to visit Wednesday 8 May, and Guy to access WDC digger to install Tee Pads . Glyn to provide 4-wheeler and trailer . Hole naming, for those who can help, in the afternoon. Guy to text those available.

General Business

Nil

Meeting closed @ 6.35 pm

Next Meeting Mon 10 June 2019

Dawn –apologies for next meeting.

Neil Brooks

Secretary

Document No: A430790

Report To: Council



Meeting Date: 28 May 2019

Subject: Hamilton City Council – Request for Support: SKYCITY Casino Hamilton Application

Type: Decision Required

Purpose of Report

- 1.1 The purpose of this business paper is to inform Council of a request for support received from Hamilton City Council with respect to an Application being made by SKYCITY Casino Hamilton.

Commentary

- 2.1 On 16 April 2019, two letters were received from Hamilton City Council. One letter was addressed to Mayor Hanna from Hamilton City Mayor Andrew King, and the second letter was addressed to the Chief Executive from Hamilton City Council Chief Executive, Richard Briggs.
- 2.2 Copies of both self-explanatory letters (which are almost identical) are attached to and form part of this business paper.
- 2.3 To summarise, the SKYCITY Casino Hamilton has made application to introduce 60 gaming machines in exchange for three blackjack tables at the SKYCITY Casino in Hamilton.
- 2.4 Hamilton City Council is opposed to the application and is seeking a contribution toward an estimated \$150,000 legal cost to oppose the SKYCITY application on the basis that the Casino and gambling affects the wider Waikato Region's communities.
- 2.5 Since receipt of the letters in April 2019, Mayor Hanna has received a follow-up telephone call from Mayor King asking that if Waitomo District Council is not willing to provide financial support, would it consider providing support "in principle" of Hamilton City Council's opposition to the SKYCITY application.

Recommendation

- 3.1 Council needs to consider the request from Hamilton City Council and resolve –
 - 1 Whether or not to support Hamilton City Council's opposition to the SKYCITY Casino Hamilton Application to introduce 60 gaming machines in exchange for three blackjack tables.

- 2 If Council does support Hamilton City Council’s position, whether or not such support will include a financial contribution or will just be support “in principle”.

Suggested Resolutions

- 1 The business paper on Hamilton City Council – Request for Support: SKYCITY Casino Hamilton Application be received.
- 2 Council support / not support Hamilton City Council’s opposition to the SKYCITY Casino Hamilton application.

If 2 above is in the positive, then –

- 3 (a) Hamilton City Council be informed of Council’s support “in principle” to opposing the SKYCITY Casino Hamilton application, however no financial contribution toward legal costs will be made.

OR

- (b) Hamilton City Council be informed of Council’s support to opposing the SKYCITY Casino Hamilton application and a financial contribution towards legal costs of \$..... be made.



MICHELLE HIGGIE
EXECUTIVE ASSISTANT

From: Andrew King <Andrew.King@council.hcc.govt.nz>
Date: 16 April 2019 10:19:05 am NZST
To: "brian.hanna@waitomo.govt.nz" <brian.hanna@waitomo.govt.nz>
Subject: Skycity application

Good Morning

Please see attached letter for your reference

Regards

Andrew King
Mayor | Mayor's Office

Lovehamilton

Keep up to date with what is happening on my [Facebook page](#)

DDI: +64 7 838 6976 | Email: andrew.king@council.hcc.govt.nz



OFFICE OF THE MAYOR
HAMILTON

Tuesday 16 April 2019

Mayor Brian Hanna
Waitomo District Council

Dear Brian,

Hamilton City Council has recently resolved to engage a Queens Counsel to present evidence in opposition to the application to introduce 60 gaming machines in exchange for 3 blackjack tables at SKYCITY Casino Hamilton.

The Casino and gambling affects our respective communities, with both visible and hidden effects.

The Council has given me instruction to ask if you with others would contribute to the legal fees to oppose the SKYCITY application.

The budget has been set at \$150,000. Given the population of Hamilton and location of the Casino in our region, Hamilton City Council would see it fit to fund, at a minimum, half the cost.

I am asking Waitomo District Council to make a financial contribution to ensure the greater community is united in challenging the SKYCITY application

Please contact my office to discuss further

Regards,

Andrew King
Mayor of Hamilton

From: Louise Lukin <Louise.Lukin@hcc.govt.nz>
Sent: Tuesday, 16 April 2019 4:00 PM
To: Chris Ryan <Chris.Ryan@waitomo.govt.nz>
Subject: Funding Contribution for Opposition to Sky City Application

Good afternoon Chris

Please refer to the attached letter from Richard Briggs.

Regards

Louise Lukin

Executive Assistant to Richard Briggs | Chief Executive | Chief Executive's Office

DDI: +64 7 838 6975 | Mob: +64 21 994 942 | Email: louise.lukin@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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Private Bag 3010
Hamilton 3240
New Zealand

TEL 07 838 6699
FAX 07 838 6599
EMAIL info@hcc.govt.nz
hamilton.govt.nz

16 April 2019

Chris Ryan
Chief Executive
Waitomo District Council
Via email: chris.ryan@waitomo.govt.nz

Dear Chris,

Funding Contribution for Opposition to SKYCITY Application

Hamilton City Council has recently resolved to engage a Queens Counsel to present evidence in opposition to the application to introduce 60 gaming machines in exchange for 3 blackjack tables at SKYCITY Casino Hamilton.

The Casino and gambling affects our respective communities, with both visible and hidden effects.

The Council has given me instruction to ask if you, along with other organisations, would contribute to the legal fees to oppose the SKYCITY application.

The budget has been set at \$150,000. Given the population of Hamilton and location of the Casino in our region, Hamilton City Council would see it fit to fund, at a minimum, half the cost.

I am asking that your organisation make a financial contribution to ensure the greater community is united in challenging the SKYCITY application

If you wish to discuss this further, or if you are willing to contribute, please contact Riki Manarangi, our Corporate Policy Specialist, on 07 838 6769 or via email at riki.manarangi@hcc.govt.nz.

Yours faithfully



Richard Briggs
Chief Executive

Document No: A429554

Report To: Council



Meeting Date: 28 May 2019

Subject: Electoral Process – Promotion of Participation

Type: Information Only

Purpose of Report

- 1.1 The purpose of this business paper is to advise Council of the new role of the Chief Executive in the electoral process, as a result of the Local Government Regulatory Systems Amendment Act 2019 (the Act) which came into force in March 2019.

Background

- 2.1 In 2014, an inquiry into the 2013 local authority elections was undertaken by the Justice and Electoral Committee (Committee). The inquiry identified declining turnout at local elections and that the Local Electoral Act 2001 lacked a clear mandate to promote participation in local elections. As a result of the inquiry findings, the Committee recommended that an obligation be placed on local authorities to encourage participation in local elections.
- 2.2 A Bill was presented to Parliament in June 2018, where the Select Committee, amongst other things, considered who would be best suited to undertake this role: the Electoral Officer, the Council or the Chief Executive.
- (a) *Council* - the Select Committee did not consider this to be an appropriate role of Council on the grounds that having incumbent elected members making these decisions could be seen as undue influence on the process;
- (b) *Chief Executive or Electoral Officer* - it was considered that the obligation would be more appropriate for an identified impartial official, and it was determined the Chief Executive would be better resourced to carry out the duty than the Electoral Officer, particularly as many local authorities now outsource the Electoral Officer role.
- 2.3 The Act came into force on 21 March 2019, and along with other amendments, it amends the statutory responsibilities of the Chief Executive by including the responsibility for fostering and facilitating representative and substantial participation in the local electoral process.

Commentary

3.1 What do the amendments do?

The amendments have the following effect:

- (a) provides a mandate for those local authorities that want to do more to promote participation in a local authority to do so; and

- (b) makes this role the responsibility of a named person in each local authority – the Chief Executive.

3.2 **What the amendments do not do?**

The amendments do not:

- (a) set an target or minimum level of participation or set an expectation that participation will be higher than previous elections;
- (b) create a specific requirement on the Chief Executive to increase participation in a local election;
- (c) place an obligation of the local authority or any officer to undertake any specific action; or
- (d) change the role of the Electoral Officer, or their accountability to the Chief Executive for the performance of their duties.

3.3 **How will this new responsibility be demonstrated?**

There are many methods that the Chief Executive can implement to demonstrate fostering and facilitating participation in the electoral process. As the budgets have already been set for the 2019 Triennial Elections and the limited timeframe available, the Chief Executive will use the following methods during this year's local election:

- (a) make available candidate participation videos provided by LGNZ on the WDC website;
- (b) encourage the WDC use of the LGNZ and SOLGM joint public awareness campaign – Vote 2019; and
- (c) utilise social media posts,

Other possible options are:

- (d) a statement in the Pre-Election Report; and
- (e) there is also an option to work together with other Councils in the Waikato region and use 'Seed Waikato' to campaign to the youth, WDC is still waiting for information regarding this opportunity.

| |
|-----------------------------|
| Suggested Resolution |
|-----------------------------|

The business paper Electoral Process – Promotion of Participation be received.



SHARON SCHOU
DEPUTY ELECTORAL OFFICER

28 May 2019

Document No: A430887**Report To: Council****Meeting Date:** 28 May 2019**Subject:** **Deputation: Waitomo District Youth Council****Type:** Information Only

Purpose of Report

- 1.1 The purpose of this business paper is to inform Council that representatives of the Waitomo District Youth Council (WDYC) will be in attendance at 11.45am to make a deputation and will then join the Council for lunch.

Commentary

- 2.1 One of the Levels of Service and associated Key Performance Indicators in the Community Development section of Council's 2012-2028 Long Term Plan is as follows:

The Levels of Service and Key Performance Indicators for this Group of Activities are:

| WHAT WE DO (Level of Service) | HOW WE MEASURE SUCCESS (Performance Measure) | OUR TARGETS | | | | | |
|--|---|---|----------------|-----------------------------|-----------------------------|-----------------------------|---------------------------------|
| | | 2016/17 Target/ Result | 2017/18 Target | Year 1 Target 2018/19 | Year 2 Target 2019/20 | Year 3 Target 2020/21 | Year 4-10 Target 2021- 28 |
| Support the positive development of youth within the District. | Youth Council meet with Council once per year. | 1 per annum / Achieved (verbal submissions) | 1 per annum | 1 per annum | 1 per annum | 1 per annum | 1 per annum |
| | Youth Council undertakes two youth related projects per year. | 2 per annum / Achieved (2) | 2 per annum | 2 per annum | 2 per annum | 2 per annum | 2 per annum |

- 2.2 Historically, the WDYC have met with Council once per year for the purpose of making a submission to either a draft Annual Plan or draft Long Term Plan.
- 2.3 As Council is not consulting on the 2019/20 draft Annual Plan, the WDYC will make a deputation focused on the past year's completed events and projects, and the strengths and weaknesses of the WDYC Programme.

Suggested Resolution

The Deputation from the Waitomo District Youth Council be received.

A handwritten signature in blue ink, appearing to read "Michelle Higgie".

MICHELLE HIGGIE
EXECUTIVE ASSISTANT