



**Far North
District Council**



AGENDA

Bay of Islands-Whangaroa Community Board Meeting

Monday, 4 November 2019

Time: 10:00 am

Location: Cornerstone Church

**Cnr Kerikeri Road and Heritage Bypass
Kerikeri**

Membership:

Member Lane Ayr
Member Bruce Mills
Member Belinda Ward
Member Manuwai Wells
Member Manuela Gmuer-Hornell
Member Frank Owen

The Local Government Act 2002 states the role of a Community Board is to:-

- (a) Represent, and act as an advocate for, the interests of its community;
- (b) Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board;
- (c) Maintain an overview of services provided by the territorial authority within the community;
- (d) Prepare an annual submission to the territorial authority for expenditure within the community;
- (e) Communicate with community organisations and special interest groups within the community;
- (f) Undertake any other responsibilities that are delegated to it by the territorial authority

Council Delegations to Community Boards - January 2013

The "civic amenities" referred to in these delegations include the following Council activities:

- Amenity lighting
- Cemeteries
- Drainage (does not include reticulated stormwater systems)
- Footpaths/cycle ways and walkways.
- Public toilets
- Reserves
- Halls
- Swimming pools
- Town litter
- Town beautification and maintenance
- Street furniture including public information signage.
- Street/public Art.
- Trees on Council land
- Off road public car parks.
- Lindvart Park – a Kaikohe-Hokianga Community Board civic amenity.

Exclusions: From time to time Council may consider some activities and assets as having district wide significance and these will remain the responsibility of Council. These currently include: The roading network, Hundertwasser toilets, District Library Network, Baysport, the Kerikeri, Kaikohe & Kaitia Airports, Hokianga Vehicle Ferry, i-Site network, Far North Community Centre, Kerikeri Domain, Kawakawa Heated Swimming Pool, Kaikohe Cemetery, Kerikeri Sports Complex, The Centre at Kerikeri, the Bay of Islands/Hokianga Cycle Trail.

Set local priorities for minor capital works in accordance with existing strategies,

1. Recommend local service levels and asset development priorities for civic amenities as part of the Annual Plan and Long Term Plan processes.
2. Reallocate capital budgets within the Annual Plan of up to 5% for any specific civic amenity, provided that the overall activity budgetary targets are met.
3. Make grants from the allocated Community Funds in accordance with policy 3209, and the SPARC/Sport Northland Rural Travel fund in accordance with the criteria set by the respective body, and, for the Bay of Islands-Whangaroa Community Board, the power to allocate the Hundertwasser Donations Account.
4. Provide comment to council staff on resource consent applications having significance within the Community, including the provision of land for reserves or other public purposes.
5. To hold, or participate in hearings, as the Council considers appropriate, in relation to submissions pertinent to their community made to plans and strategies including the Long Term Plan and Annual Plan, and if appropriate recommend decisions to the Council.
6. To hold hearings of submissions received as a result of Special Consultative Procedures carried out in respect of any matter other than an Annual or Long Term Plan, and make recommendations to the Council.

7. Where recommended by staff to appoint management committees for local reserves, cemeteries, halls, and community centres.
8. To allocate names for previously unnamed local roads, reserves and other community facilities, and recommend to Council name changes of previously named roads, reserves, and community facilities subject to consultation with the community.
9. To consider the provisions of new and reviewed reserve management plans for recommendation to the Council in accordance with the Reserves Act 1977, and hear or participate in the hearing of submissions thereto, as considered appropriate by the Council.
10. To provide recommendations to the Council in respect of applications for the use and/or lease of reserves not contemplated by an existing reserve management plan.
11. Prohibit the use of skateboards in specified locations within their communities, in accordance with Council's Skating Bylaw 1998.
12. Recommend new bylaws or amendments to existing bylaws.
13. Prepare and review management plans for local cemeteries within budget parameters and in a manner consistent with Council Policy.
14. Exercise the following powers in respect of the Council bylaws within their community:
 - a. Control of Use of Public Spaces – Dispensations on signs
 - b. Mobile Shops and Hawkers – Recommend places where mobile shops and/or hawkers should not be permitted.
 - c. Parking and Traffic Control – Recommend parking restrictions, and areas where complying camping vehicles may park, and consider and grant dispensations in accordance with clause 2007.2
 - d. Public Places Liquor Control – Recommend times and places where the possession or drinking of alcohol should be prohibited.
 - e. Speed Limits – Recommend places and speed limits which should be imposed.
15. To appoint Community Board members to speak on behalf of their community in respect of submissions or petitions.
16. Specific to the Bay of Islands-Whangaroa Community Board – consider any recommendations of the Paihia Heritage Working Group and make appropriate recommendations to Council on the development of a draft Plan Change and a Section 32 analysis on heritage provisions for Paihia.
17. To set schedule of meeting dates, times and venues, subject to the meetings not conflicting with meetings of the Council and satisfying the provisions of the Local Government Official information and Meetings Act 1987.
18. To review all proposed public art projects on a project-by project basis to ensure they comply with policy #5105 Art in Public Places, including approval of the aesthetic appearance, maintenance programme, insurance and appropriate location, and to agree to their installation.
19. In respect of applications from food establishments for permission to establish tables and chairs on a public place, i.e. Alfresco dining in accordance with Policy 3116, to consider and decide on any application which does not meet all criteria of the policy, and any application which staff recommend to be declined.
20. Subject to a report from the appropriate managers and the appropriate budgetary provision, to make decisions in respect of civic amenities including the levels of service, and the provision or removal of an amenity not provided for elsewhere in these delegations.

Terms of Reference

In fulfilling its role and giving effect to its delegations, Community Boards are expected to:

1. Comment on adverse performance to the Chief Executive in respect of service delivery.
2. Assist their communities in the development of structure plans, emergency management community response plans, and community development plans.
3. Assist their communities to set priorities for Pride of Place programmes.
4. Have special regard for the views of Maori.

5. Have special regard for the views of special interest groups, e.g. disabled, youth, aged, etc.
6. Actively participate in community consultation and advocacy and keep Council informed on local issues.
7. Seek and report to Council community feedback on current issues by:
 - a) Holding a Community forum prior to Board meetings
 - b) Varying the venues of Board meetings to enable access by members of the community
8. Monitor and make recommendations to Council to improve effectiveness of policy.
9. Appoint a member to receive Annual Plan\Long Term Council Community Plan submissions pertinent to the Board area, attend hearings within the Board area, and attend Council deliberations prior to the Plan adoption.

Protocols

In supporting Community Boards to fulfil their role, the Council will:

1. Provide appropriate management support for the Boards.
2. Organise and host regular workshops with the Community Boards I to assess the 'State of the Wards & District' to establish spending priorities.
3. Prior to decision-making, seek and include 'Community Board views' in Council reports in relation to:
 - a. the disposal and purchase of land
 - b. proposals to acquire or dispose of reserves
 - c. representation reviews
 - d. development of new maritime facilities
 - e. community development plans and structure plans
 - f. removal and protection of trees
 - g. local economic development initiatives
 - h. changes to the Resource Management Plan
4. Organise and host quarterly meetings between Boards, the CEO and senior management staff.
5. Prepare an induction/familiarisation process targeting new members in particular early in the term.
6. Support Board members to arrange meetings with local agencies and service clubs to place more emphasis on partnerships and raising profile of the Boards as community leaders.
7. Permit Board chairperson (or nominated member) speaking rights at Council meetings.
8. Help Boards to implement local community projects.
9. Arrange for Infrastructure and Asset Management Staff to meet with the Community Boards in September each year to agree the capital works for the forthcoming year for input into the Annual or Long Term Plan.
10. Provide information.

Far North District Council
Bay of Islands-Whangaroa Community Board Meeting
will be held in the Cornerstone Church, Cnr Kerikeri Road and Heritage
Bypass, Kerikeri on:
Monday 4 November 2019 at 10:00 am

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1 APOLOGIES AND CONFLICTS OF INTEREST

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Community Board and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a Member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a Member thinks they may have a conflict of interest, they can seek advice from the Chief Executive Officer or the Team Leader Governance Support (preferably before the meeting).

It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

2 PUBLIC FORUM

There will be no public forum for this inaugural meeting.

3 DEPUTATIONS

There will be no deputations for this inaugural meeting.

4 SPEAKERS

- 11.45 am Representative from Kerikeri Lions Club
- 11.50 am Representative from Kawakawa Business Association
- 11.55 am Representative from Business Paihia Incorporated
- 12.00 pm Representative from Waikare Marae Trustees
- 12.05 pm Representative from Tukau Community Fund
- 12.10 pm Representative from Pavlova Press
- 12.15 pm Representative from Motatu School
- 12.20 pm Representative from Kerikeri Business Association
- 12.25 pm Representative from Circability

5 CORPORATE SERVICES GROUP

5.1 MAKING AND ATTESTING OF DECLARATIONS

File Number: A2715276

Author: Kim Hammond, Meetings Administrator

Authoriser: William J Taylor MBE, General Manager - Corporate Services

PURPOSE OF THE REPORT

To set out the process for making and attesting of declarations.

BACKGROUND

Clause 14(1) & (2) Schedule 7 of the Local Government Act 2002 (The Act) states that no person shall be capable of acting as a member of any local authority until he or she has made an oral and written declaration as set out in Clause 14 (3) Schedule 7 of The Act, as set out below. Section 54 (2) of the Act states that these parts of Schedule 7 apply to Community Boards.

DISCUSSION AND NEXT STEPS

The Mayor will witness the declaration of the Bay of Islands-Whangaroa Community Board Members.

The declaration that each member is required to take is set out in Clause 14(3) Schedule 7 of the Act and reads:

DECLARATION BY MEMBER

I, _____, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of the Far North District the powers, authorities, and duties vested in, or imposed upon, me as Member of the Bay of Islands-Whangaroa Community Board by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

DATED at Kerikeri this 4th day of November 2019

Signature _____

In the presence of: _____

FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or the need for budgetary provision as a result of this report.

ATTACHMENTS

Nil

5.2 ELECTION OF CHAIRPERSON

File Number: A2715316

Author: Kim Hammond, Meetings Administrator

Authoriser: William J Taylor MBE, General Manager - Corporate Services

PURPOSE OF THE REPORT

The purpose of the report is to explain the procedure for the election of the Chairperson of the Board and to elect a Chairperson.

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board:

- a) use System B as the preferred voting system to elect a Chairperson.**
- b) elect _____ as Chairperson for the triennium October 2019 to October 2022, in accordance with Standing Orders.**

1) BACKGROUND

The first meeting of the Board will be presided over by the Mayor until the Chairperson is elected, as per Standing Orders 4.6.

2) DISCUSSION AND OPTIONS

Schedule 7, 21(5)(b) of the Local Government Act 2002 provides for the election of a Chairperson. Section 54 (2), states that Schedule 7 (excluding clauses 15 and 33 to 36) applies to Community Boards.

A Chairperson of a Community Board shall be elected from among its members at its first meeting following the election of the Community Board. When electing a Chairperson the Community Board must resolve to use one of the following two voting systems as set out in Standing Orders 5.2.

Option 1

System A -

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

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

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

Option 2

System B -

- (a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and*
- (b) has the following characteristics:*

- (i) there is only one round of voting; and*
- (ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.*

Option 2 is the recommended option. This is the system used by Council and Committees as per their Standing Orders.

Reason for the recommendation

To elect a chairperson in accordance with Standing Orders.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or need for budgetary provisions as a result of this report.

ATTACHMENTS

Nil

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Not applicable.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Not applicable.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a Community Board report.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Not applicable.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or budgetary provision required as a result of this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

5.3 ELECTION OF DEPUTY CHAIRPERSON

File Number: A2715328

Author: Kim Hammond, Meetings Administrator

Authoriser: William J Taylor MBE, General Manager - Corporate Services

PURPOSE OF THE REPORT

The purpose of the report is to explain the procedure for the election of the Deputy Chairperson of the Board and to elect a Deputy Chairperson.

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board:

- a) use System B as the preferred voting system to elect a Deputy Chairperson.**
- b) elect _____ as Deputy Chairperson for the triennium October 2019 to October 2022, in accordance with Standing Orders.**

1) BACKGROUND

The Chairperson of the Board will call for nominations for Deputy Chairperson, who will then be elected using the preferred voting system.

2) DISCUSSION AND OPTIONS

Schedule 7, 21(5)(e) of the Local Government Act 2002 provides for the election of a Deputy Chairperson. Section 54 (2), states that Schedule 7 (excluding clauses 15 and 33 to 36) applies to Community Boards.

A Deputy Chairperson of a Community Board shall be elected from among its members at its first meeting following the election of the Community Board. When electing a Deputy Chairperson the Community Board must resolve to use one of the following two voting systems as set out in Standing Orders 5.2.

Option 1

System A -

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

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

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

Option 2

System B -

- (a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and*

(b) has the following characteristics:

(i) there is only one round of voting; and

(ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

Option 2 is the recommended option. This is the system used by Council and Committees as per their Standing Orders.

Reason for the recommendation

To elect a Deputy Chairperson in accordance with Standing Orders.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or need for budgetary provisions as a result of this report.

ATTACHMENTS

Nil

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Not applicable.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Not applicable.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a Community Board report.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Not applicable.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or budgetary provision required as a result of this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

5.4 NOTING OF BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD STANDING ORDERS

File Number: A2715365

Author: Kim Hammond, Meetings Administrator

Authoriser: William J Taylor MBE, General Manager - Corporate Services

PURPOSE OF THE REPORT

The purpose of the report is to present Elected Members with the Community Board's current Standing Orders.

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board note the Bay of Islands-Whangaroa Community Board Standing Orders.

1) BACKGROUND

Standing Orders are a set of rules of debate that apply to all meetings of Council and its committees and subcommittees, including Community Boards. Furthermore Standing Orders ensure the legal requirements of the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 are met. They also provide clarity as to what is expected of the members within a meeting and generally cover procedures to enable meetings to be held in a fair and transparent manner.

2) DISCUSSION AND OPTIONS

In the 2013-2016 triennium the Bay of Islands-Whangaroa Community Board's Standing Orders were based on the New Zealand Standards (NZS) which had developed model Standing Orders for meetings of local authorities. The current Standing Orders were last adopted by the Bay of Islands-Whangaroa Community Board on 02 March 2017 and were based on a newer version of Standing Orders revised by Local Government New Zealand.

Community Boards are required by the Local Government Act 2002 (Schedule 7, Clause 27) to have standing orders. The Community Board Standing Orders will be reviewed and updated where relevant, and presented to the Board for adoption at a future meeting. If new standing orders are not adopted, the current ones will stand.

Reason for the recommendation

To note the current Standing Orders for the Bay of Islands-Whangaroa Community Board.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or need for budgetary provision as a result of this report.

ATTACHMENTS

1. Bay of Islands-Whangaroa Community Board Standing Orders - A2715396  

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Not applicable.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Not applicable.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a community board report.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Not applicable.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or budgetary provision as a result of this report.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

Standing Orders

Preface

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

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

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

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

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

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

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1. Introduction

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

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

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

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

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

1.1 Principles

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

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

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

1.2 Statutory references

The Standing orders combine statutory provisions with guidance on their application. Where a statutory provision has been augmented with advice on how it might be implemented the advice (so as not to confuse it with the statutory obligation) is placed below the relevant legislative reference. In some cases the language in the statutory provision may have been modernised or amended to

ensure consistency with more recently enacted statutes. Original versions of each statutory provision are included in the Standing Orders' Guidelines, the companion document.

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

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

1.3 Acronyms

LGA 2002 Local Government Act 2002

LGOIMA Local Government Official Information Act 1987

LAMIA Local Authority (Elected) Members' Interests Act 1968

1.4 Application

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

2. Definitions

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

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

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

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

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

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

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

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

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

Committee includes, in relation to a local authority:

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

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

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

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

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

Electronic link means both an audio and audio visual link.

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

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

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

Karakia timatanga means an opening prayer.

Karakia whakamutunga means a closing prayer.

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

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

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

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

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

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

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

Motion means a formal proposal to a meeting.

Mover means the member who initiates a motion.

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

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

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

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

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

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

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

Presiding member means the person chairing a meeting.

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

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

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

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

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

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

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

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

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

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

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

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

Second means the member who seconds a motion.

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

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

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

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

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

Working day means any day of the week other than:

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

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

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

Workshop, also described as a briefing, means in the context of these standing orders, a gathering of elected members for the purpose of considering matters of importance to the local authority at which no decisions are made and to which these standing orders do not apply. Workshops may include non-elected members. See definition of "advisory group".

General matters

3. Standing orders

3.1 Obligation to adopt standing orders

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

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

3.2 Process for adoption and alteration of standing orders

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

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

3.3 Members must obey standing orders

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

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

3.4 Application of standing orders

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

3.5 Temporary Suspension of standing orders

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

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

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

3.6 Quasi-judicial proceedings

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

3.7 Physical address of members

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

4. Meetings

4.1 Legal requirement to hold meetings

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

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

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

4.2 Meeting duration

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

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

4.3 Language

A member may address a meeting in English, te reo Māori or New Zealand Sign Language. A Chairperson may require that a speech is translated and printed in English or te reo 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 working days before the meeting. Where the normal business of the

meeting is conducted in te reo Māori then prior notice of the intention to address the meeting in English must also be given to the Chairperson not less than 2 working days before the meeting.

4.4 Webcasting meetings

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

4.5 First meeting (inaugural)

The first meeting of a community board following a local authority triennial general election must be called by the chief executive following the declaration of the final results. The chief executive must give members not less than 7 days' notice of the meeting. However, in the event of an emergency the chief executive may give notice of the meeting as soon as practicable.

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

4.6 Requirements for the first meeting

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

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

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

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

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

5. Appointments and elections

5.1 Elections of Chairpersons and deputy Chairpersons

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

5.2 Voting system for Chairperson and deputy Chairperson

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

System A

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

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

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

System B

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

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

cl. 25 Schedule 7, LGA 2002.

6. Delegations

6.1 Community boards may delegate

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

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

6.2 Use of delegated powers

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

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

6.3 Decisions made under delegated authority cannot be rescinded or amended

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

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

7. Committees

7.1 Appointment of committees and subcommittees

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

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

7.2 Discharge or reconstitution of committees and subcommittees

Unless expressly provided otherwise in legislation or regulation:

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

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

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

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

7.3 Appointment or discharge of committee and subcommittee members

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

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

7.4 Elected members on committees and subcommittees

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

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

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

7.5 Community board may replace members if committee not discharged

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

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

7.6 Decision not invalid despite irregularity in membership

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

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

cl. 29, Schedule 7, LGA 2002.

Pre-meeting

8. Giving notice

8.1 Public notice – ordinary meetings

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

s. 46, LGOIMA

8.2 Notice to members - ordinary meetings

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

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

8.3 Extraordinary meeting may be called

An extraordinary council meeting may be called by:

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

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

8.4 Notice to members - extraordinary meetings

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

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

8.5 Public notice - extraordinary meetings

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

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

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

8.6 Process for calling an extraordinary meeting at an earlier time

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

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

8.7 Notification of extraordinary meetings held at an earlier time

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

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

8.8 Chief executive may make other arrangements

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

s. 46(5) LGOIMA.

8.9 Meetings not invalid

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

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

s. 46(6), LGOIMA.

8.10 Resolutions passed at an extraordinary meeting

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

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

s. 51A, LGOIMA.

8.11 Meeting schedules

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

cl. 19 (6) Schedule 7 LGA 2002.

8.12 Non-receipt of notice to members

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

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

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

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

8.13 Meeting cancellations

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

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

9. Meeting agenda

9.1 Preparation of the agenda

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

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

9.2 Process for raising matters for a decision

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

9.3 Chief executive may delay or refuse request

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

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

9.4 Order of business

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

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

9.5 Chairperson's recommendation

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

9.6 Chairperson's report

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

9.7 Public availability of the agenda

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

s. 5 & 46A, LGOIMA

9.8 Public inspection of agenda

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

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

s. 46A (1), LGOIMA

9.9 Withdrawal of agenda items

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

9.10 Distribution of the agenda

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

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

9.11 Status of agenda

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

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

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

- (a) the reason the item is not on the agenda; and
- (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA

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

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

9.13 Discussion of minor matters not on the agenda

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

s. 46A (7A), LGOIMA.

9.14 Public excluded business on the agenda

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

s. 46A (9), LGOIMA.

9.15 Qualified privilege relating to agenda and minutes

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

s. 52, LGOIMA.

Meeting Procedures

Opening and closing

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

10. Quorum

10.1 Councils

The quorum for a meeting of the community board is:

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

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

10.2 Committees and subcommittees

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

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

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

10.3 Joint Committees

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

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

10.4 Requirement for a quorum

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

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

10.5 Meeting lapses where no quorum

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

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

10.6 Business from lapsed meetings

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

11. Public access and recording

11.1 Meetings open to the public

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

s.47 & 49(a), LGOIMA.

11.2 Grounds for removing the public

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

11.3 Community board may record meetings

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

11.4 Public may record meetings

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

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

12. Attendance

12.1 Members right to attend meetings

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

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

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

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

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

12.3 Leave of absence

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

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

12.4 Apologies

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

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

12.5 Recording apologies

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

12.6 Absence without leave

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

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

12.7 Right to attend by audio or audio visual link

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

12.8 Member's status: quorum

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

12.9 Member's status: voting

Where a meeting has a quorum, determined by the number physically present, the members attending by electronic link can vote on any matters raised at the meeting.

12.10 Chairperson's duties

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

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

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

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

12.11 Conditions for attending by audio or audio visual link

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

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

12.12 Request to attend by audio or audio visual link

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

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

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

12.13 Chairperson may terminate link

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

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

12.14 Giving or showing a document

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

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

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

12.15 Link failure

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

12.16 Confidentiality

A member who is attending a meeting by audio or audio-visual link must ensure that the meeting's proceedings remain confidential during any times that the public are excluded. At such times, the Chairperson may require the member to confirm that no unauthorised people are able to view or hear the proceedings.

13. Chairperson's role in meetings

13.1 Community board

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

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

13.2 Committees

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

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

13.3 Addressing the Chairperson

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

13.4 Chairperson's rulings

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

13.5 Chairperson standing

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

13.6 Member's right to speak

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

13.7 Chairperson may prioritise speakers

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

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

14. Public Forums

Public forums are a defined period of time, usually at the start of a meeting, which is put aside for the purpose of public input. Public forums are designed to enable members of the public to bring matters to the attention of the community board. Any issue, proposal or matter raised in a public forum must also fall within the terms of reference of that meeting.

14.1 Time limits

A period of up to 30 minutes, or such longer time as the community board may determine, will be available for the public forum at each scheduled community board meeting. Requests must be made to the meeting secretary at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

Speakers can speak for up to 5 minutes. No more than two speakers can speak on behalf of an organisation during a public forum. Where the number of speakers presenting in the public forum exceeds 6, in total, the Chairperson has discretion to restrict the speaking time permitted for all presenters.

14.2 Restrictions

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

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

14.3 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.

14.4 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.

15. Deputations

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

15.1 Time limits

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

15.2 Restrictions

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

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

15.3 Questions of a deputation

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

15.4 Resolutions

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

16. Petitions

16.1 Form of petitions

Petitions may be presented to the community board. Petitions must contain at least 20 signatures and consist of fewer than 150 words (not including signatories). They must be received by the chief executive at least 5 working days before the date of the meeting at which they will be presented.

Petitions must not be disrespectful, use offensive language or include malicious statements (see standing order 19.9 qualified privilege). They may be written in English or te reo Māori. Petitioners planning to make a petition in te reo Māori or sign language should advise the relevant Chairperson at least two working days before the meeting to enable the petition be translated and reprinted, if necessary.

16.2 Petition presented by petitioner

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

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

16.3 Petition presented by member

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

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

17. Exclusion of public

17.1 Motions and resolutions to exclude the public

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

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

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

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

s. 48 LGOIMA.

17.2 Specified people may remain

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

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

s.48 (6) LGOIMA.

17.3 Public excluded items

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

s.46A (8) LGOIMA

17.4 Non-disclosure of information

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

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

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

17.5 Release of information from public excluded session

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

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

18. Voting

18.1 Decisions by majority vote

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

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

18.2 Open voting

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

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

18.3 Chairperson has a casting vote

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

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

18.4 Method of voting

The method of voting must be as follows:

- (a) the Chairperson in putting the motion must call for an expression of opinion on the voices or take a show of hands, the result of either of which, as announced by the

Chairperson, must be conclusive unless such announcement is questioned immediately by any member, in which event the Chairperson will call a division;

- (b) the Chairperson or any member may call for a division instead of or after voting on the voices and/or taking a show of hands; and
- (c) where a suitable electronic voting system is available, that system may be used instead of a show of hands, vote by voices or division, and the result displayed notified to the Chairperson who must declare the result.

18.5 Calling for a division

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

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

18.6 Request to have votes recorded

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

18.7 Members may abstain

Any member may abstain from voting.

19. Conduct

19.1 Calling to order

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

19.2 Disrespect

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

19.3 Retractions and apologies

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

19.4 Disorderly conduct

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

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

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

19.5 Contempt

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

19.6 Removal from meeting

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

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

19.7 Financial conflicts of interests

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

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

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

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

s. 6 & 7 LAMIA.

19.8 Non-financial conflicts of interests

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

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

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

19.9 Qualified privilege for meeting proceedings

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

s. 53, LGOIMA.

19.10 Qualified privilege additional to any other provisions

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

s. 53, LGOIMA.

19.11 Electronic devices at meetings

Electronic devices and phones can only be used to advance the business of a meeting. Personal use may only occur at the discretion of the chair. A Chairperson may require that an electronic device is switched off if its use is likely to distract a meeting from achieving its business or a member is found to be receiving information or advice from sources not present at the meeting which may affect the integrity of the proceedings.

20. General rules of debate

20.1 Chairperson may exercise discretion

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

20.2 Time limits on speakers

The following time limits apply to members speaking at meetings:

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

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

20.3 Questions to staff

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

20.4 Questions of clarification

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

20.5 Members may speak only once

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

20.6 Limits on number of speakers

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

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

20.7 Seconder may reserve speech

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

20.8 Speaking only to relevant matters

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

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

20.9 Restating motion

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

20.10 Criticism of resolutions

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

20.11 Objecting to words

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

20.12 Right of reply

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

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

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

20.13 No other member may speak

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

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

20.14 Adjournment motions

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

20.15 Chairperson's acceptance of closure motions

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

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

21. General procedures for speaking and moving motions

21.1 Options for speaking and moving

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

21.2 Option A

- The mover and seconder of a motion cannot move or second an amendment. (This does not apply when the mover or seconder of a motion to adopt a report of a committee wants to amend an item in the report. In this case the original mover or seconder may also propose or second the suggested amendment).
- Only members who have not spoken to the original or substituted motion may move or second an amendment to it.
- The mover or seconder of an amendment whether it is carried or lost cannot move or second a subsequent amendment.
- Members can speak to any amendment and, provided they have not spoken to the motion or moved or seconded an amendment, they can move or second further amendments.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

21.3 Option B

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

- The mover or seconder of an amendment that is carried can move or second a subsequent amendment. A mover or seconder of an amendment which is lost cannot move or second a subsequent amendment.
- Members can speak to any amendment and, provided they have not spoken to the motion or moved or seconded an amendment, they can move or second further amendments.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder

21.4 Option C

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

21.5 Procedure if no resolution is reached

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

22. Motions and amendments

22.1 Proposing and seconding motions

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

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

22.2 Motions in writing

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

22.3 Motions expressed in parts

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

22.4 Substituted motion

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

22.5 Amendments to be relevant and not direct negatives

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

22.6 Foreshadowed amendments

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

22.7 Lost amendments

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

22.8 Carried amendments

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

22.9 Where a motion is lost

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

22.10 Withdrawal of motions and amendments

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

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

22.11 No speakers after reply or motion has been put

A member may not speak to any motion once:

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

23. Revocation or alteration of resolutions**23.1 Member may move revocation of a decision**

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

- (a) The resolution or part of the resolution which the member proposes to revoke or alter;
- (b) The meeting date when the resolution was passed;
- (c) The motion, if any, which the member proposes to replace it with; and
- (d) Sufficient information as to satisfy the decision-making provisions of sections 77-82 of the Local Government Act 2002.

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

23.2 Revocation must be made by body responsible for the decision

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

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

23.3 Requirement to give notice

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

23.4 Restrictions on actions under the affected resolution

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

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

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

23.5 Revocation or alteration by resolution at same meeting

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

23.6 Revocation or alteration by recommendation in report

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

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

24. Procedural motions

24.1 Procedural motions must be taken immediately

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

24.2 Procedural motions to close or adjourn a debate

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

- (a) that the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- (b) that the motion under debate should now be put (a closure motion);

- (c) that the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;
- (d) that the item of business being discussed should lie on the table and not be further discussed at this meeting;
- (e) that the item being discussed should be referred (or referred back) to the relevant committee.

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

24.3 Voting on procedural motions

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

24.4 Debate on adjourned items

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

24.5 Remaining business at adjourned meetings

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

24.6 Business referred to a committee

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

24.7 Other types of procedural motions

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

25. Points of order

25.1 Members may raise points of order

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

25.2 Subjects for points of order

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

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

25.3 Contradictions

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

25.4 Point of order during division

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

25.5 Chairperson's decision on points of order

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

26. Notices of motion

26.1 Notice of intended motion to be in writing

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

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

26.2 Refusal of notice of motion

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

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

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

26.3 Mover of notice of motion

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

26.4 Alteration of notice of motion

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

26.5 When notices of motion lapses

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

26.6 Referral of notices of motion

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

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

26.7 Repeat notices of motion

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

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

27. Minutes

27.1 Minutes to be evidence of proceedings

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

cl. 28 Schedule 7, LGA 2002.

27.2 Matters recorded in minutes

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

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

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

27.3 No discussion on minutes

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

27.4 Minutes of last meeting before election

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

28. Minute books

28.1 Inspection

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

s. 51 LGOIMA.

28.2 Inspection of public excluded matters

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

Referenced documents

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

Appendix 1: Grounds to exclude the public

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

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

- (k) Prevent the disclosure or use of official information for improper gain or improper advantage.

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

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

Appendix 2: Sample resolution to exclude the public

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

- *Name of report(s)*

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

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

4 <i>Hearings Committee</i>	<p>To enable the Committee to consider the application and submissions.</p> <p>OR</p> <p>To enable the Committee to consider the objection to fees and charges.</p> <p>OR</p> <p>To enable the Committee to.</p>	<p>That the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Council/Committee to deliberate in private on its decision or recommendation in any proceedings where :</p> <p>i) a right of appeal lies to any Court or tribunal against the final decision of the Council/Committee in those proceedings; or</p> <p>ii) the community board is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings.</p> <p>Use (i) for the RMA hearings and (ii) for hearings under LGA such as objections to Development Contributions or hearings under the Dog Control Act</p> <p>s. 48(1)(d).</p>
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This resolution is made in reliance on sections 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act, which would be prejudiced by the holding of the relevant part of the proceedings of the meeting in public are as follows:

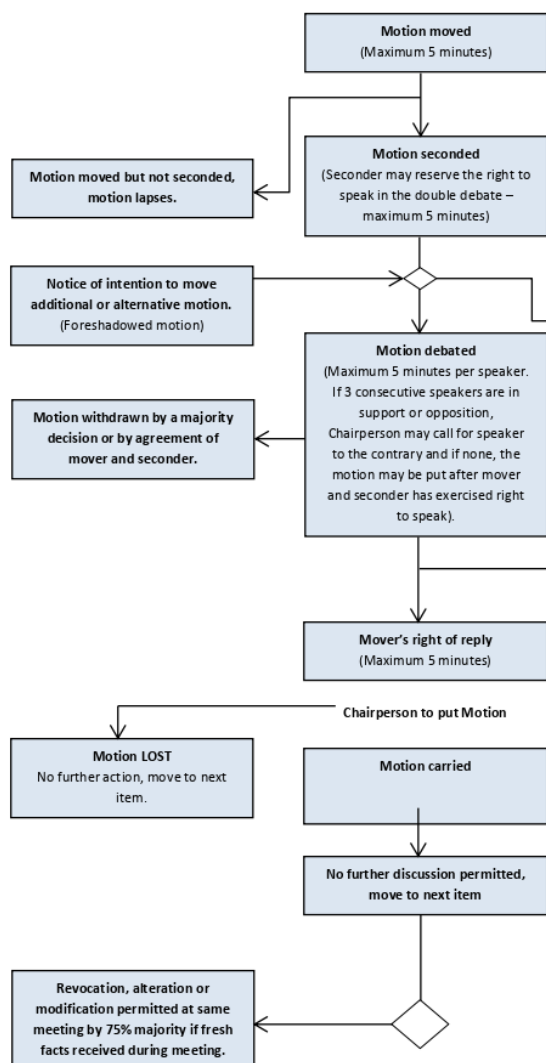
Item No	Interest
	Enable any community board holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (Schedule 7(2)(i))
	Protect the privacy of natural persons, including that of deceased natural persons (Schedule 7(2)(a))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

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

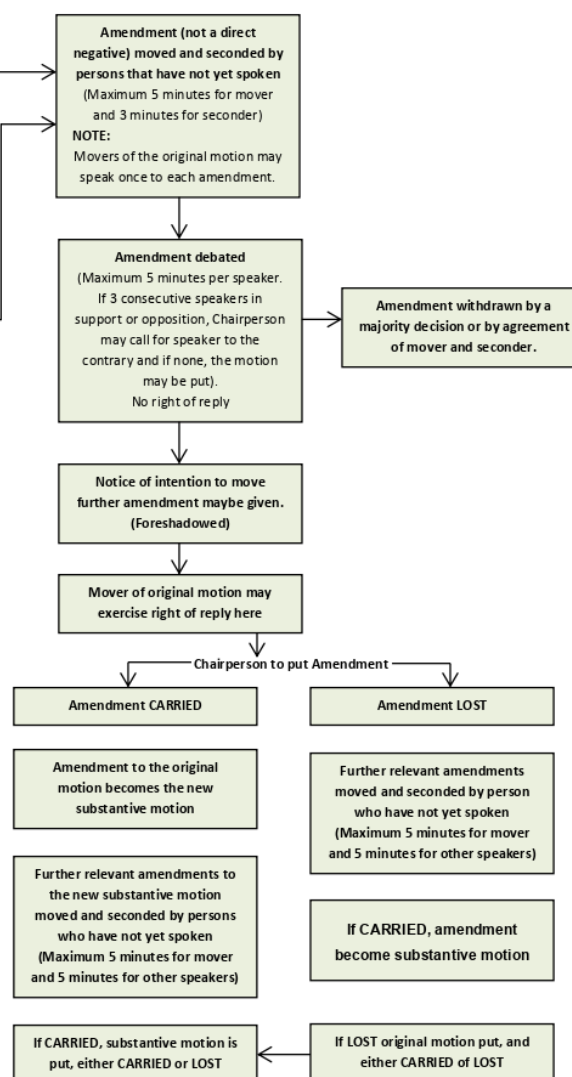
THAT XXXX be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of XXXX. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because XXXX.

Appendix 3: Motions and amendments

Motions without amendments



Motions with amendments



Appendix 4: Table of procedural motions

Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(a) "That the meeting be adjourned to the next ordinary meeting, or to a stated time and place"	No	Yes	No	As to time and date only	No	No	No	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	On resumption of debate, the mover of the adjournment speaks first. Members who have spoken in the debate may not speak again
(b) "That the motion under debate be now put (closure motion)"	No	Yes	No	No	No	No	No	Yes – 15 Minutes	If carried, only the amendment is put	If carried, only the procedural motion is put	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put
(c) "That the item of business being discussed be adjourned to a stated time and place"	No	Yes	No	As to time and date only	No	No	NO	Yes – 15 minutes	If carried, debate on the original motion and amendment are adjourned	If carried, debate on the original motion and procedural motion are adjourned	

Motion	Has the Chair discretion to refuse this Motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair	Position if a procedural motion is already before the Chair	Remarks
(d) "That the item of business being discussed does lie on the table and not be discussed at this meeting"	No	Yes	No	No	No	No	No	Yes – 15 minutes	If carried, the original motion and amendment are both laid on the table	Motion not in order	
(e) "That the item of business being discussed be referred (or referred back) to the community board or to the relevant committee"	No	Yes	No	As to committee, time for reporting back etc only	No	No	No	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee	If carried, the procedural motion is deemed disposed of	
(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.
4. PowerPoint presentations, recording of votes by division and other matters displayed by overhead projector may be shown.
5. Shots unrelated to the proceedings, or not in the public interest, are not permitted.
6. If there is general disorder or a disturbance from the public gallery, coverage will revert to the Chairperson.
7. Appropriate signage will be displayed both in and outside the meeting room alerting people that the proceedings are being web cast.

Appendix 6: Powers of a Chairperson

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

Chairperson to decide all questions

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

Chairperson to decide points of order

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

Items not on the agenda

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

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

Chairperson's report

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

Chairperson's recommendation

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

Chairperson's voting

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

Motion in writing

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

Motion in parts

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

Notice of motion

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

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

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

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

Action on previous resolutions

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

Repeat notice of motion

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

Revocation or alteration of previous resolution

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

Chairperson may call a meeting

The Chairperson:

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

Irrelevant matter and needless repetition

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

Taking down words

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

Explanations

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

Chairperson rising

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

Members may leave places

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

Priority of speakers

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

Minutes

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

Questions of speakers

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

Withdrawal of offensive or malicious expressions

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

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

Chairperson's rulings

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

Disorderly behaviour

The Chairperson may:

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

Failure to leave meeting

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

Audio or audio visual attendance

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

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

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

Appendix 7: Process for removing a Chairperson or deputy Chairperson

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

cl. 18 Schedule 7, LGA 2002.

Appendix 8: Workshops

Definition of workshop

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

Application of standing orders to workshops

Standing orders do not apply to workshops and briefings. The Chairperson or workshop organisers will decide how the workshop, briefing or working party should be conducted.

Calling a workshop

Workshops, briefings and working parties may be called by:

- (a) a resolution of the community board
- (b) the community board Chairperson or
- (c) the chief executive.

Process for calling workshops

The chief executive will give at least 24 hours' notice of the time and place of the workshop and the matters to be discussed at it. Notice may be given by whatever means are reasonable in the circumstances. Any notice given must expressly:

- (a) state that the meeting is a workshop
- (b) advise the date, time and place
- (c) confirm that the meeting is primarily for the provision of information and discussion, and will not make any decisions or pass any resolutions.

Public notice of a workshop is not required and workshops can be either open to the public or public excluded.

Appendix 9: Sample order of business**Open section**

- (a) Apologies
- (b) 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 the chief executive and staff
- (m) Chairperson and/or elected members' reports (information)

Public excluded section

- (n) Reports of committees
- (o) Reports of the chief executive and staff
- (p) Chairperson and elected members' reports (for information)

Appendix 10: Process for raising matters for a decision

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

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

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

- report of chief executive
- report of Chairperson

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

6.5 EXPLANATION OF LAWS AFFECTING ELECTED MEMBERS

File Number: A2715433

Author: Aisha Huriwai, Team Leader Governance Support

Authoriser: William J Taylor MBE, General Manager - Corporate Services

PURPOSE OF THE REPORT

At the first meeting after the three-yearly local election, elected members are required to receive a general explanation of the laws that affect them as elected members. This report outlines the core legislation affecting members supported by a presentation by Council's In-House Counsel.

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board note the report "Explanation of Laws Affecting Elected Members", and the advice provided at this meeting.

BACKGROUND

It is a requirement to have the core legal requirements brought to the members' attention at the first meeting following the triennial election, under Clause 21 (5)(c) of Schedule 7 of the Local Government Act 2002.

DISCUSSION AND NEXT STEPS

There are a number of core legal requirements that elected members should be aware of when making decisions. These include the:

- Local Government Act 2002
- Local Government Official Information and Meetings Act 1987
- Local Authorities (Members' Interests) Act 1968
- Health and Safety at Work Act 2015
- Crimes Act 1961
- Secret Commissions Act 1910
- Financial Markets Conduct Act 2013
- Council decision-making requirements
- Personal liability of elected members
- Public law decision-making principles.

In addition to these core legal requirements, there are many other statutes relevant to certain council decisions (for example the Resource Management Act 1991 and the Reserves Act 1977).

Elected members will receive advice from staff on a case-by-case basis to ensure that they understand their legal obligations when making decisions.

FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary provision needed as a result of this report and presentation.

ATTACHMENTS


1. **Guidance for members of local authorities about the Local Authorities (Members' Interests) Act 1968 - A2715408** [!\[\]\(687b6c142f51ac6f390f8bd444e38d03_img.jpg\)](#) 
2. **A General Guide Through The Laws Affecting Elected Members - A2719397** [!\[\]\(605f40b2c3d6e1d01a5766f59c82e1d4_img.jpg\)](#) 



CONTROLLER AND AUDITOR-GENERAL
Tumuaki o te Mana Arotake

Good practice guide

Guidance for
members of
local authorities
about the Local
Authorities
(Members'
Interests) Act
1968



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Guidance for members of local authorities about the Local Authorities (Members' Interests) Act 1968

This is a good practice guide,
published under section 21 of the
Public Audit Act 2001.

October 2010

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Auditor-General's overview

3

I am pleased to issue this new edition of our guide for local authorities on the requirements of the Local Authorities (Members' Interests) Act 1968 (the Act). We produced the first of these guides in 1995 to help people understand the Act's requirements and what they need to do to comply. We revise it every three years at the time of the local authority elections so that up-to-date guidance is available for new members when they take office.

The Act helps protect the integrity of local authority decision-making by ensuring that people are not affected by personal motives when they participate in local authority decision-making and cannot use their position to obtain preferential access to contracts. The two specific rules in the Act are that members cannot:

- enter into contracts with their local authority worth more than \$25,000 in a financial year; or
- participate in matters before their authority in which they have a pecuniary interest, other than an interest in common with the public.

In each case, my office has power to grant approvals or exemptions. The detail of the rules and the various exemptions is complex, and members need to take care to ensure that they understand how the Act may apply to them.

It can be serious if members get it wrong. Breaching these rules is a criminal offence, and we are the prosecuting authority. Disqualification from office is automatic if a person breaches the contracting rule, or if a person is convicted of having participated in matters in which they had a pecuniary interest.

My staff therefore work closely with the staff of local authorities to help members do the right thing. We have well-developed systems for considering requests for approvals and exemptions, and for providing advice. This guide explains those systems and the information that we need to respond to requests promptly.

Part 5 of this guide discusses more general conflicts of interest and bias questions that arise regularly in the local government sector. Although we do not have the same formal role in relation to these issues, we are regularly asked for guidance and comment on good practice. We have also issued a more general good practice guide that discusses these issues in more detail: *Managing conflicts of interest: Guidance for public entities* (June 2007).

I thank Dean Knight, a senior lecturer in the Faculty of Law at Victoria University of Wellington, for his assistance in preparing this new edition of the guide.



Lyn Provost
Controller and Auditor-General

14 October 2010

Document number A2699789

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Part 1

Introduction

What this guide is about

- 1.1 This is a guide to the Local Authorities (Members' Interests) Act 1968 (the Act) for members of the governing bodies of territorial authorities, regional councils, tertiary institutions, and those other public bodies that are covered by the Act.¹ Appendix 1 sets out a full list of the organisations covered by the Act.
- 1.2 The Act has two main purposes:
- ensuring that members are not affected by personal motives when they participate in decisions of their local authority; and
 - preventing members, in contracting situations, from using their position to obtain preferential treatment from the authority.
- 1.3 Part 5 of this guide sets out information on other aspects of the law applying more generally to conflicts of interest.

Terms used in this guide

- 1.4 In this guide:
- “you” and “member” means a member of an authority as described in paragraph 1.1 and Appendix 1;
 - “local authority” or “authority” means a body subject to the Act;
 - “we”, “our”, and “us” refer to the Auditor-General and the Office of the Auditor-General;
 - “the Act” means the Local Authorities (Members' Interests) Act 1968; and
 - “common law” refers to law that has been developed by the courts.

Who does this guide apply to?

- 1.5 This guide is intended for members of local authorities. It focuses on the requirements of the Act that apply to members in decision-making at authority meetings and the capacity of members to contract with the authority of which they are a member.
- 1.6 This guide does not discuss other behaviour or situations that, while not unlawful, might be regarded as unethical.
- 1.7 Neither the Act nor this guide applies to staff of local authorities but may be useful to them in providing advice to members.

¹ Previous editions of this guide were called *A Guide to the Local Authorities (Members' Interests) Act 1968* (1995 and 1998); *Financial Conflicts of Interest of Members of Governing Bodies: A Guide to the Local Authorities (Members' Interests) Act 1968* (2001); *Conflicts of Interest: A Guide to the Local Authorities (Members' Interests) Act 1968 and Non-pecuniary Conflicts of Interest* (2004); and *Guidance for members of local authorities about the law on Conflicts of Interest* (2007).

Other guidance

- 1.8 We have published separate guidance about managing conflicts of interest in the public sector more generally: see our 2007 publication *Managing conflicts of interest: Guidance for public entities*. That publication discusses a broader range of organisations, situations, and personnel, and considers ethical expectations as well as legal rules. Members of local authorities may also find that guide useful in cases where there is no risk of breaching the Act but where there may still be doubts about whether the situation or behaviour is ethically appropriate in a public sector context.

The law applying to conflicts of interest generally

- 1.9 The Act is a small subset of the law about conflicts of interest that applies to local authority members. The body of law on conflicts of interest has been developed by the courts over a long period of time as part of the law on bias, and applies to local authority members when they are making decisions. In Part 5 of this guide we set out some general comments on the common law applying to conflicts of interest. However, the Auditor-General has no specific role in relation to conflicts of interest generally. We have a specific role only in relation to pecuniary conflicts of interest that are regulated by the Act.
- 1.10 We have no formal decision-making role in relation to non-pecuniary conflicts of interests. Only the courts can determine whether the law has been breached in any particular instance and what the consequence should be. However, we can look into matters of probity involving a member of an authority, which could include examining whether a member failed to declare a conflict of interest.

What the Local Authorities (Members' Interests) Act 1968 applies to

- 1.11 The Act applies to the pecuniary interests of members of local authorities. The Act:
- controls the making of contracts worth more than \$25,000 in a financial year between members and their authority (see Part 2); and
 - prohibits members from participating in matters before the authority in which they have a pecuniary interest, other than an interest in common with the public (see Part 3).
- 1.12 The Act applies to members of city councils, district councils, regional councils, community boards, tertiary institutions, and a range of other public bodies (see Appendix 1).

- 1.13 The Act regulates the actions of individual members of authorities, not the actions of their authorities.
- 1.14 Members, not their authorities, may be prosecuted for breaches of the Act.
- 1.15 The Act also applies to members of committees of those authorities (regardless of whether a committee member is also a member of the authority). It does not apply to council-controlled organisations, port companies, airport companies, or energy companies.

The role of the Auditor-General under the Act

- 1.16 Our role in administering the Act includes:
- deciding applications for approval of contracts worth more than \$25,000 in a financial year;
 - deciding applications for exemptions or declarations from the rule against members discussing and voting where they have a pecuniary interest;
 - providing guidance to local authority members and officers, to help them comply with the Act in particular situations; and
 - investigating and prosecuting alleged offences against the Act.
- 1.17 We do not issue “rulings” about whether a member has a pecuniary interest in a particular matter, nor about whether the Act has been breached. Only the courts can determine those matters.

What is a pecuniary interest?

- 1.18 A pecuniary interest is one that involves money. It can sometimes be difficult to decide whether an interest in a particular matter is pecuniary or some other kind (see “Frequently asked questions” in Part 6).

This guide is not a substitute for the law

- 1.19 This guide discusses the Act and suggests some ways to approach questions that could arise for you. However, it is not a formal or definitive statement of the law. Nor is it to be treated as legal advice for specific situations. In difficult situations, we recommend that you refer to the actual wording of the Act or consult your own lawyer.

Part 2

The rules on contracting with your authority

- 2.1 In this Part, we explain the Act's restrictions on your ability as a member of an authority to be involved in contracts with the authority.

Disqualifying contracts

The disqualification rule

- 2.2 You will be automatically disqualified from office if you are "concerned or interested" in contracts with your authority and the total payments made, or to be made, by or on behalf of the authority exceed \$25,000 in any financial year. In practice, we use the authority's financial year as the relevant time period (that is, 1 July to 30 June).
- 2.3 The \$25,000 limit includes GST. The limit relates to the value of all payments made for all contracts in which you are interested during the financial year. It does not apply separately to each contract, nor is it just the amount of the profit the contractor expects to make or the portion of the payments to be personally received by you.
- 2.4 We can give prior approval and, in limited cases, retrospective approval for contracts that would otherwise disqualify you under the Act. See paragraphs 2.25-2.48 for information on how to apply.
- 2.5 It is an offence under the Act for a person to act as a member of an authority (or a committee of the authority) while disqualified.
- 2.6 A disqualification lasts until the next:
- general election for the authority; or
 - opportunity for appointment to the authority.
- 2.7 Disqualification means that you cannot be elected or appointed to:
- the authority; or
 - any committee of the authority;
- or hold office as a member of the authority (or any committee).

The restriction applies to you, not your authority

- 2.8 The restriction on contracting applies to you, not to the authority. The Act does not affect the authority's power to enter into contracts. The fact that a contract has disqualified you from membership does not invalidate the contract.
- 2.9 It is your responsibility to keep track of payments under any contracts or subcontracts in which you are concerned or interested. If you are concerned or

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interested in contracts through your business, you should ensure that everyone in your business is aware that you could be disqualified from membership of the authority if the total amount of payments to the business exceeds the \$25,000 limit in one financial year (without our prior approval).

- 2.10 You should ensure that all business interests are recorded in the authority's register of interests (if one exists). This will help the staff of the authority to support your compliance with the Act. You should also regularly advise the chief executive of your authority about interests that may result in dealings with the authority.

You cannot discuss or vote on the contract

- 2.11 If you are concerned or interested in any contract with your local authority, you cannot participate in any discussion or voting on that contract (see Part 3).

When are you “concerned or interested” in a contract?

- 2.12 You can be disqualified if you are either directly or indirectly concerned or interested in a contract with your authority.
- 2.13 You are directly concerned or interested if you are a party to the contract. You may be indirectly concerned or interested if the contract is between the authority and another person, and you:
- have a personal connection with that person; or
 - could benefit from the contract.

Types of indirect interest

- 2.14 It is difficult to be precise about what is or is not an indirect “concern or interest” in a contract. Each case has its own circumstances. The Act does provide certainty in two common types of case (discussed below). However, it is important to note that you can be indirectly concerned or interested in a contract in other ways (such as, for example, where your family trust has a contract with your authority and you are a beneficiary of that trust).

Interest through spouse or partner

- 2.15 If your spouse, civil union partner, or de facto partner is concerned or interested in a contract, the Act says that you are deemed to be concerned or interested, unless:
- the two of you are living apart; or
 - you did not know, and had no reasonable opportunity of knowing, that they were concerned or interested in the contract.

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- 2.16 This rule applies whether their interest is direct or indirect.

Interest in a company

- 2.17 If a contract is between the authority and a company in which you or your spouse or partner have some interest or involvement, the disqualification rule applies only in the following cases:
- you or your spouse or partner, singly or together, own 10% or more of the shares in:
 - the company; or
 - another company that controls it; or
 - either you or your spouse or partner is a shareholder of the company, or another company that controls it and either of you is the managing director or general manager (by whatever name you are actually called) of the company or the controlling company; or
 - either you or your spouse or partner is the managing director or general manager (by whatever name you or they are actually called) of the company and either of you is a shareholder of another company that controls it.

The disqualification rule also applies to subcontracts

- 2.18 The disqualification rule also applies if you are concerned or interested in a contract with the authority as a subcontractor, as if it were a contract directly with the authority. The limit of \$25,000 applies to the value of the subcontract, not the head contract.
- 2.19 The term “subcontract” is defined in section 2(1) of the Act. The definition is wider than the generally understood meaning, because it extends to subsidiary transactions. For example, if you are involved in a contract with an authority as an agent for the other contracting party (such as a real estate agent acting in relation to a property transaction), the arrangement for your remuneration as agent falls within the definition of a subcontract.

Community boards

- 2.20 Community boards are subject to the Act in their own right, separate from their “parent” authority. If you are a member of a community board, but not a member of the “parent” city or district council, the disqualification rule will not apply to your contracts with the council. This is because the disqualification rule applies only to contracts between you and the authority of which you are a member. This is the same for local boards in Auckland.

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Exceptions

- 2.21 There are several circumstances in which, although you are concerned or interested in a contract, you will not be disqualified.

If you were unaware of the contract

- 2.22 You will not be disqualified by a contract that exceeds the \$25,000 a year limit if:
- the contract was entered into by a committee of the authority, or an officer, acting under delegation; and
 - you were not a member of that committee and did not know, and had no reasonable opportunity of knowing, about the contract at the time it was made.

- 2.23 However, as soon as you or the authority becomes aware of the contract, the authority must write to us to verify that you did not know and had no reasonable opportunity of knowing about the contract. The letter must confirm that the committee or person who entered into the contract was properly authorised to do so.

If your contract is exempt from the Act

- 2.24 Certain types of contracts are not subject to the Act.² This means that you can be concerned or interested in the following types of contracts without being disqualified under the Act:
- an employment agreement between you and the authority;
 - a loan raised by the authority (whether as security or otherwise);
 - a payment for an advertisement inserted by the authority in any newspaper;
 - a lease granted to the authority;
 - a compensation payment under the Public Works Act 1981;
 - the supply of goods or services during a civil defence emergency;
 - a contract to be an administrator of an estate or a trustee of a trust – as long as you are not a beneficiary of the estate or trust, or a manager under the Protection of Personal and Property Rights Act 1988.

² The Act also includes a number of other exemptions for certain types of advances or agreements that are no longer relevant because the empowering legislation for those types of agreements or advances has been revoked and not been replaced. Those exemptions were for:

- an advance made by an authority under the Rural Housing Act 1939;
- an advance made or guarantee given by an authority under Part 32 of the Local Government Act 1974; and
- an agreement under section 81 of the Noxious Plants Act 1978.

Getting approval to exceed the limit

Prior approval

- 2.25 Under section 3(3)(a) of the Act, we can grant prior approval for contracts that would otherwise take you above the \$25,000 limit in any financial year.

When approval may be sought

- 2.26 We can give approval for:
- a single contract; or
 - multiple small contracts that are of the same or similar type (such as day-to-day purchases of supplies), up to a particular value.
- 2.27 We prefer to specify a precise monetary amount or upper limit, but, if the exact amount is not yet known, a reasonable estimate of a suitable upper limit is sufficient. Where the approval is for an ongoing arrangement, our usual practice is to grant approval for only one financial year at a time.
- 2.28 We consider it a good idea to seek approval for a contract that does not exceed the \$25,000 limit by itself but could well do so when combined with the value of other small contracts. Similarly, where a number of similar small contracts may cumulatively approach or exceed the \$25,000 limit, we encourage an application for approval of a higher limit to apply to all of those contracts.

Criteria for approval

- 2.29 The Act requires the existence of a “special case” before prior approval can be granted. This requires a full assessment of the circumstances, to determine whether approval should be given.
- 2.30 In essence, we must be satisfied that there is no risk that you may have received preferential treatment from the authority or that you may have had an undue influence on the decision. We consider whether the process followed by the authority in awarding or agreeing to the contract is fair and transparent, and whether the authority’s reasons for selecting you as its preferred contractor are justifiable.
- 2.31 In the case of a single contract (usually for a larger amount), the following criteria will usually be relevant:
- Has the authority taken all reasonable steps to ensure that all potentially interested parties had an opportunity to tender or quote for the contract?
 - Has the authority considered and evaluated each of the tenders or quotations, and can it justify the preferred choice on the basis of cost, performance, or quality of service?

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- Has the authority resolved to accept the contract subject to the Auditor-General's approval?
- Do the minutes record that you declared your interest and did not vote or speak on the matter when it was considered at a meeting of the authority?

2.32 In the case of multiple contracts for smaller amounts, such as arise from day-to-day purchases of supplies, it will usually be necessary for the authority to confirm that:

- after due enquiry, it has found no alternative satisfactory source of supply or product; or
- the desired source of supply is the most efficient and/or the most competitive on the basis of cost, performance, or quality of service.

Prior approval is not automatic

2.33 Prior approval cannot be assumed. We must be satisfied that the criteria set out above are met and that the risk of preferential treatment has been addressed.

When to apply for approval

2.34 A local authority does not need to seek approval to invite tenders for a contract.

2.35 The most suitable time to seek approval of a tendered contract is usually either:

- once tenders for the project have been received and assessed, and it looks likely that the contract is to be offered to the member (or their company); or
- immediately after the authority has resolved to accept the tender, subject to the Auditor-General's approval.

2.36 In the case of a series of small contracts over a period of time that would not individually require approval but that cumulatively may exceed the \$25,000 limit, we suggest applying for approval:

- at the beginning of the financial year, if it seems certain that the limit will be exceeded; or
- as soon as it becomes clear that this is a distinct possibility.

Procedure

2.37 The authority, rather than you, must apply for approval to enter the contract. Usually the authority will hold the relevant information that we need to determine whether the criteria have been satisfied.

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- 2.38 The application must be made in writing and addressed to:

Assistant Auditor-General – Legal
Office of the Auditor-General
Private Box 3928
Wellington 6140
Telephone: 04 917 1500
Facsimile: 04 917 1549
Email: LAMIA@oag.govt.nz

- 2.39 Please indicate whether the application is urgent.

Information generally required in an application

- 2.40 In the authority's application, we need to be provided with information about:

- the reasons the authority wishes to use the proposed contractor for this work (for instance, how the authority justifies its choice on the basis of, for example, cost, performance, quality, expertise, or experience);
- the process the authority has followed in selecting the proposed contractor (including, for example, whether other potential contractors were considered or had the opportunity to quote or tender, whether the authority followed its standard procedures for contracts of this type or value, how the proposal was evaluated, and who was involved in making the relevant recommendation or decision);
- whether the member concerned has had any involvement in any authority decisions about the contract; and
- the monetary amount for which approval is sought.

- 2.41 We provide a checklist in Appendix 4 of the information that should be included in the application.

Retrospective approval

- 2.42 We have a limited power to grant retrospective approval for contracts that have already been entered into.

- 2.43 When considering an application for retrospective approval, we apply the same criteria as for an application for prior approval. As well, we must be satisfied that:

- there is a sufficient special reason why prior approval was not obtained; and
- prior approval would have been obtained if it had been sought.

- 2.44 We recognise that, in many cases, a failure to seek prior approval is the result of an oversight. We look at each case on its merits. However, because the test for retrospective approval is narrow, approval should not be assumed.

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Monitoring

- 2.45 We encourage authorities to establish a register of members' interests to support compliance with the Act. If the register is updated regularly, and relevant staff are aware of it, the register should help identify situations where contracts should not be entered into without our approval. Particular vigilance may be necessary for subcontracts.
- 2.46 If a local authority makes periodic purchases from businesses in which members have an interest, it should establish some form of monitoring system to provide regular checks of the accumulating value of contracts.

Seeking extensions to an approved limit

- 2.47 Contracts that have obtained our approval should be monitored, to ensure that payments do not exceed the amount approved. This can easily happen if contracts are varied or extended.
- 2.48 If the approved amount is exceeded, the consequence is the same as for exceeding the initial \$25,000 limit – the member is disqualified. This problem can be avoided by applying to us for an extension to the previous approval, to take account of the additional costs. This application should be made, and the extension obtained, before the payments exceed the original approval. Inadvertent breach of an approved amount requires retrospective approval, which should not be assumed.

Candidates for election or appointment**The disqualification rule also applies to candidates**

- 2.49 You cannot be elected or appointed to an authority if you have a disqualifying contract (or contracts) that is current at the time the election or appointment takes place. This means that, if you are concerned or interested in a current contract with the authority that exceeds \$25,000 at the time of the election, you cannot be elected or appointed to an authority. The basic rule is the same as for existing members.
- 2.50 Every candidate for election or appointment to an authority should consider whether they might be ineligible under this rule. You should consider what contracts you have with the authority in the year of the election, and the value of payments to be made in that year.

Exceptions

- 2.51 Certain types of contracts will not disqualify a candidate from election or appointment. A candidate who has a contract that falls within any of the following categories will not be disqualified:
- before the election or appointment, all of the candidate's obligations in relation to the contract have been performed and the amount to be paid by the authority has been fixed (whether or not it has been paid);
 - although the candidate's obligations under the contract have not been performed before the election or appointment, the amount to be paid by the authority is already fixed (subject to amendments and additions as allowed for in the contract), whether or not it has been paid; or
 - although the candidate's obligations under the contract have not been performed before the election or appointment, either:
 - the contract's duration does not exceed 12 months; or
 - the contract is relinquished (with the authority's consent) within a month of the candidate becoming a member and before they start to act as a member.
- 2.52 We cannot give prior or retrospective approval for contracts between a candidate and an authority. Therefore, if you are a candidate and are interested or concerned in current contracts with the authority that exceed \$25,000 prior to the election, you cannot be elected unless you either fall within one of the exceptions in the Act or cease to be concerned or interested in the contract.

What if you are re-elected or re-appointed?

- 2.53 If you are re-elected to the authority at a general election or re-appointed to the authority at any time, your membership is considered unbroken under the Act. If you have been granted an approval for a disqualifying contract, and you are re-elected or re-appointed to the authority during the financial year to which the approval relates, the approval remains valid.
- 2.54 Re-election or re-appointment also overcomes a disqualification from the previous term. However, you could still be prosecuted for acting as a member while disqualified during the previous term (see Part 4 for more details on prosecutions).

Part 3

Discussing or voting at meetings – the participation rule

- 3.1 This section explains the prohibition against discussing or voting on a matter in which you have a pecuniary interest.

What is the participation rule?

- 3.2 The participation rule is that members of an authority are not allowed to participate in discussion or voting on any matter before the authority in which they have a direct or indirect pecuniary interest, other than an interest in common with the public.
- 3.3 It is an offence under the Act to participate in the discussion or voting on any matter in which you have a pecuniary interest.
- 3.4 There are several exceptions to the participation rule. These are described in paragraph 3.35. In addition, we can grant exemptions from the rule in particular circumstances (see paragraphs 3.36-3.53 for more details).
- 3.5 There is a flow diagram at the end of this Part to help you assess whether the participation rule will apply to you.

What is a pecuniary interest?

- 3.6 The Act does not define a pecuniary interest. The test we use is:
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.
- 3.7 The rule needs to be applied pragmatically. It is a matter of judgement as to what is in fact a “pecuniary interest” for the purposes of the Act. That is, we apply a triviality threshold in determining what is a pecuniary interest. So, for example, if a member were to gain \$20 as a result of a decision, we would not usually consider that that sum amounted to a “pecuniary interest” that the rule would apply to. However, our ability to read a triviality threshold into the Act is limited because the Act includes a specific power for us to grant an exemption under section 6(3)(f) of the Act, on the basis that the pecuniary interest is insignificant.

When is there a pecuniary interest in a decision?

- 3.8 Some care needs to be taken when assessing a possible interest against the “pecuniary interest” test set out above. The nature and context of the particular decision will be important. There are many situations where the decision is in fact a procedural or more general decision, which does not affect your interest in the same way as a decision on whether to agree to a specific proposal. In addition, the democratic context in which the Act applies is also relevant.

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- 3.9 Once a relevant interest has been identified, it is important to assess whether it is a pecuniary interest that must be addressed. The interest has to be actually affected by the particular decision that is to be made. Sometimes, a member has a financial interest in an issue, but it will not be affected by the decision that the authority is about to take. For example, the decision may only be to raise an issue for discussion or to begin research or a consultation process. That decision may not have any particular effect on the member's financial interest.
- 3.10 It is sometimes helpful to view the different types of decisions an authority can make as a continuum: from a general idea, through development and consultation, to a firm proposal and implementation.³
- 3.11 When discussing a general idea or making procedural or general decisions, your interest may be so remote that it could not be reasonably expected that you would gain or lose financially from discussing or voting on an issue. There may still be a number of steps the proposal must go through, all of which might result in changes to the proposal. There may be a general possibility, but nothing concrete enough to amount to an expectation of financial gain or loss. That obviously changes, however, as the issue moves towards a fully developed proposal ready for adoption and implementation. You need to be careful and recognise when a proposal reaches the stage where it can reasonably be expected that it affects your interests – at this point you should no longer participate in the decision-making process.
- 3.12 Appendix 2 contains summaries of a number of leading cases in which the courts have discussed pecuniary interests. We suggest that you refer to these case summaries for guidance.

When is a pecuniary interest held “in common with the public”?

- 3.13 If your pecuniary interest can be said to be “in common with the public”, you will not be prohibited from discussing and voting on the matter.
- 3.14 Whether your interest is in common with the public will depend on the circumstances of the case, and is always a question of degree. The “interest in common with the public” exception needs to be applied in a realistic and practical way (see the examples set out in paragraph 3.19).
- 3.15 When considering whether your interest is in common with the public, you need to consider:
- the nature of your interest (such as the kind of interest, its size or extent, and whether it is a direct or indirect interest);

³ For the recognition of these different stages in a different context, see *Easton v Wellington City Council* [2009] NZCA 513 at [14].

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- the size of the group of people who are also affected; and
 - whether or not your interests and the group's interests are affected in a similar way.
- 3.16 The nature of your interest, and the comparison with the interests of the public, will be important. The interests of different people will be affected by a decision in different ways and to different degrees. Some people might be directly affected by a decision; others will be indirectly affected by flow-on effects from the decisions. The effect on one person's interest may be substantial, whereas the effect on another's may be only slight.
- 3.17 For the exception to apply, not only must the public also be affected but there must be some similarity between the way you are affected and the way the public are affected. However, you do not need to be affected to exactly the same extent as other members of the public – there can be some variation in the degree to which you and other members of the public are affected.
- 3.18 The question of whether a group of people should be treated as “the public” is often a matter of degree. On the one hand, the interest does not need to be shared by all members of the public in the district. It is sufficient that you are part of a large group of people affected in a similar way. Most decisions about rating and charging, including targeted schemes, are broad enough in their application to be regarded as affecting the public generally. On the other hand, if you are in a small and clearly identifiable subset that is affected in a different way to the rest of the public, then your interest is not in common with the public. Although the size of the group is important, there is no formula that can be applied – an overall judgement is required.
- 3.19 For example:
- If you are a property developer, you may not have an interest in common with the public on changes to district or regional plans or development contributions policy because your interest is different in kind to that of most other residents or “ordinary” property owners.
 - As a ratepayer, the mere fact that you are affected slightly differently by the adoption of an overall rate because of the value of your property does not generally prevent you from having an interest which is in common with the public.
 - If you are one of a small number of ratepayers affected by a targeted rate, your interest may not be in common with the public because the interest is not shared by a group large enough that it could be reasonably said to constitute “the public”.⁴

⁴ These examples are discussed in further detail in our 2007 publication *Local government: Results of the 2005/06 audits*.

Part 3 Discussing or voting at meetings – the participation rule

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- If you are one of a small group of permit holders directly affected by an increase in charges, your interest may not be in common with the public – even if the general public would be indirectly affected by a corresponding slight decrease in rates.⁵
- If you are a dog owner, and the authority is proposing to increase dog licensing fees, your interest would be one in common with the public, as the interest is shared by a group large enough that it could be reasonably said to constitute “the public”.

3.20 Another way is to ask yourself whether the matter affects you in a different way, or to a materially greater degree, than most other people. We acknowledge that it can be difficult to draw a clear line.

3.21 If you think that your pecuniary interest is not in common with the public, it is possible that you may still be able to participate if:

- we grant you an exemption because your pecuniary interest is remote or insignificant (see paragraph 3.42); or
- we make a declaration allowing you to participate (see paragraph 3.46).

Indirect pecuniary interests

3.22 It is difficult to be precise about when an indirect pecuniary interest exists. Each instance will have its own circumstances. However, the Act does provide certainty where an indirect pecuniary interest exists through a member’s spouse or partner, or through a company. However, it is important to note that, although the Act provides two examples, you can have an indirect pecuniary interest in other ways, such as where you are a beneficiary of a family trust that has a pecuniary interest in the decision.

Interest through spouse or partner

3.23 If your spouse, civil union partner, or de facto partner has a pecuniary interest in a matter before the authority, you are deemed for the purposes of the Act to have the same interest.

Interest in a company

3.24 If either you or your spouse or partner is involved in a company that has a pecuniary interest in a matter before the authority, you are deemed for the purposes of the Act to have the same interest only if:

- you or your spouse or partner, singly or together, own 10% or more of the shares in:

⁵ See our *Investigation into conflicts of interest of four councillors at Environment Canterbury* (December 2009), which is available on our website, www.oag.govt.nz.

- the company; or
- another company that controls it; or
- either you or your spouse or partner is a shareholder of the company, or another company that controls it; and either of you is the managing director or general manager (by whatever name you are actually called) of the company or the controlling company; or
- either you or your spouse or partner is the managing director or general manager (by whatever name you or they are actually called) of the company, and either of you is a shareholder of another company that controls it.

Direct and indirect interests

- 3.25 The “deeming” provisions on indirect interests can be deceptive. They mean that you are deemed to share a pecuniary interest that your spouse or partner or a company has in a matter. You could also have your own separate direct interest in a matter in addition to, or separate from, an indirect interest that you have through your spouse or partner or a company.
- 3.26 For example, you may be one of many landowners who form a company to develop a community asset in the surrounding area, in partnership with the authority. As well as the company’s interest, you may have a direct interest that arises from the prospect of increased land values in the vicinity of the project. That interest could be caught separately by the participation rule even if your involvement in the company is insufficient to meet the “deemed interest” test.

Managing pecuniary interests

- 3.27 There are a number of steps you and your authority can take to ensure that possible conflicts of interests are managed smoothly and effectively, before a matter comes before the authority for decision.
- 3.28 In addition, when a matter in which you have a pecuniary interest comes before your local authority, you must ensure that the obligations imposed by the Act, including the obligation to abstain from considering the matter, are carefully observed.

Pre-meeting processes and assistance

- 3.29 It is sensible for an authority to consider implementing systems that allow for the early identification and assessment of possible conflicts of interest. These may include:
- maintaining a register of interests for members of the authority;

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- ensuring that members have early and timely access to agenda papers so they can identify and assess whether they have a pecuniary interest in a particular matter that is to be discussed or voted on;
- providing members with access to legal advice to help them assess whether they have a pecuniary interest in a particular matter that needs to be addressed; and
- ensuring that there is the opportunity for a member to advise the mayor or chairperson of a pecuniary interest before the relevant meeting.

3.30 As a member of an authority, you would be wise to read agenda papers before a meeting to see whether you have an interest in any matters that are to be discussed or voted on. If you are unsure about whether your interest in the matter is a pecuniary interest that must be addressed, you should seek you seek advice, either independently or (if available) with the support of your local authority. If possible, you should advise the mayor or the chairperson before the meeting starts that you are going to declare an interest in a particular matter.

Addressing a pecuniary interest at a meeting (declaring and recording the interest and abstaining from participating)

- 3.31 If a matter comes before the authority in which you have a pecuniary interest, the Act says that you must:
- declare to the meeting the existence of a pecuniary interest;
 - abstain from discussion and voting; and
 - ensure that your disclosure and abstention are recorded in the meeting minutes.
- 3.32 You do not need to inform the meeting about the nature of your interest, nor why it exists.
- 3.33 The requirement to abstain from discussion and voting does not mean that you have to leave the meeting room. However, we consider that, to avoid any doubt about your abstention, you should leave the table and sit in the public gallery while the matter in which you have an interest is being discussed and voted on.
- 3.34 The quorum of the meeting is not affected if a member is unable to vote or discuss because of a conflict of interest, provided they are still in the room (see clause 23(1) of Schedule 7 of the Local Government Act 2002).

Matters to which the participation rule does not apply

- 3.35 The Act sets out a number of matters to which the participation rule does not apply. This means that a member can participate in discussion and voting on the following matters, despite the fact that the member may have a pecuniary interest:
- if you were elected by, or appointed to represent, a particular activity, industry, business, organisation, or group of persons, and your pecuniary interest in a matter is no different from the interest of those whom you represent – this exception is designed for situations where a person is explicitly elected or appointed to represent a particular group;⁶
 - any payment to you or for your benefit where it is legally payable and the amount, or the maximum amount, or the rate, or maximum rate, of the payment has already been fixed – such as payment of remuneration to members in accordance with determinations made under the Local Government Act 2002;
 - any contract of insurance insuring you against personal accident;
 - your election or appointment to any office, notwithstanding that any remuneration or allowance is or may be payable for that office;⁷
 - any formal resolution to seal or otherwise complete any contract or document in accordance with a resolution already adopted;
 - the preparation, recommendation, approval, or review of a district scheme or any section of such a scheme,⁸ unless the matter relates to:
 - any variation or change of, or departure from, a district scheme or section of the scheme; or
 - the conditional use of land,⁹ or
 - the preparation, recommendation, approval, or review of:¹⁰
 - reports as to the effect or likely effect on the environment of any public work or proposed public work within the meaning of the Public Works Act 1981.

⁶ This exception does not apply to councillors elected to represent general constituencies or wards. See our *Investigation into conflicts of interest of four councillors at Environment Canterbury* (December 2009), which is available on our website, www.oag.govt.nz.

⁷ This would apply, for example, to the appointment by a local authority of one or more of its members as directors of a council-controlled organisation. It would not, however, apply to any subsequent discussion of the directors' remuneration (see *Calvert & Co v Dunedin City Council*, discussed in Appendix 2).

⁸ This exception was applied in the case of *Auditor-General v Christensen* [2004] DCR 524.

⁹ The terminology about district schemes is based on the repealed Town and Country Planning Act 1977. We interpret it by reference to the Resource Management Act 1991.

¹⁰ The Act also includes another exemption for the preparation, recommendation, approval, or review of general schemes under the Soil Conservation and Rivers Control Act 1941 for the preventing or minimising of damage by floods and by erosion. This exemption is no longer available because the relevant provision of that Act, which enabled catchment boards to recommend, approve, or review general schemes, has been repealed.

Exemptions and declarations

- 3.36 If you are member of an authority with a pecuniary conflict of interest covered by section 6 of the Act, it is possible for you to apply to us for approval to participate. There are two ways in which we can approve participation:
- Section 6(3)(f) allows the Auditor-General to grant an exemption if your interest is, in our opinion, so remote or insignificant that it cannot reasonably be regarded as likely to influence you when voting or taking part in the discussion.
 - Section 6(4) allows the Auditor-General to grant a declaration enabling a member to participate if we are satisfied that:
 - the application of the participation rule would impede the transaction of business by the authority; or
 - it would be in the interests of the electors or inhabitants of that district that the rule should not apply.

The procedure

- 3.37 An application for an exemption or a declaration must be made before you participate. We cannot grant a retrospective exemption or declaration.
- 3.38 The application must be in writing, and can be made by you or by the authority on your behalf.
- 3.39 To be able to consider an application for an exemption or declaration, we need to be provided with detailed information about:
- the nature of the decision that is to come before the authority; and
 - the nature and extent of your pecuniary interest in the decision, and how that interest may be affected by the decision.
- 3.40 That information is important to enable us to assess whether there is a financial interest in the particular decision that is covered by the Act. We also need this information to assess how significant the decision and the pecuniary interest are. In practice, it is often helpful if the authority is able to provide us with a draft copy of the paper that is to be considered.
- 3.41 We also need to be provided with detailed information setting out the reasons why the necessary grounds for an exemption or declaration may exist (see paragraphs 3.42-3.53).

Exemptions

- 3.42 We can grant an exemption under section 6(3)(f) of the Act if your interest is, in our opinion, so remote or insignificant that it cannot reasonably be regarded as likely to influence you when voting or taking part in discussion on the matter.
- 3.43 When determining whether an exemption is appropriate, we consider the relationship between your pecuniary interest and the matter under consideration and the significance (that is, the size, weight, and importance) of the pecuniary interest in terms of its possible influence on you when discussing or voting.
- 3.44 When we are considering an application under section 6(3)(f), we need to understand how directly the proposed decision is connected to your pecuniary interest (the remoteness ground). We also need to understand how large or important the pecuniary interest is. That means we need reasonably precise information (if it is available) on the value of the cost or benefit to you that will result from the decision. It is also useful to be able to assess any cost or benefit to you in the context of your overall financial situation or that of your business. A cost that might be significant at an individual level may not be so important if it is borne by a large business.
- 3.45 The test in the Act is an objective one. Although your views about how significant the interest is and whether it is shaping your position on the issue are relevant, they are not determinative. Ultimately, we must assess how significant the interest looks to an observer.

Declarations

- 3.46 We can grant a declaration under section 6(4) of the Act if we are satisfied that either:
- the application of the participation rule would impede the transaction of business by the authority; or
 - it would be in the interests of the electors or inhabitants of the district that the rule should not apply.

“Impede the transaction of business” ground

- 3.47 For a declaration based on the “impede the transaction of business” ground, we consider such factors as whether:
- the participation rule would preclude a majority of the members of the authority or committee from participating in the matter;
 - the declaration sought is for only a minor or procedural decision; or
 - the application of the rule could unduly distort the way in which the authority deals with the matter.

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- 3.48 To assess an application for a declaration based on the “impede the transaction of business” ground, it is useful for us to receive information on how many members might be prevented from participating, how significant the decision is for the area and the authority, and any other information that can help explain to us why it might be problematic if a member was not allowed to participate. For example, we have at times granted declarations on this ground when a number of members might otherwise have been prevented from participating in a decision on the future of an authority’s significant shareholding in a listed company.
- “Interests of the electors or inhabitants” ground**
- 3.49 For a declaration based on the “interests of the electors or inhabitants” ground, we must weigh the benefits of allowing you to participate against the risk that your pecuniary interest could be seen to unduly influence the outcome. Relevant factors could include such factors as whether:
- you have any particular expertise in the matter under consideration;
 - the views of the people in the area would be inadequately represented if you were not able to participate; or
 - the matter justifies the involvement of all elected members because of its significance to the community as a whole.
- 3.50 We may also take into account the extent to which:
- your pecuniary interest is quantifiable; or
 - the matter involves decisions focused on the rights, interests, and obligations of individuals – as opposed to matters of high-level policy or matters where the authority has only advocacy or recommendatory powers.
- 3.51 To assess whether it would be “in the interests of electors or inhabitants” for a member to be able to participate, we need to assess the benefits of allowing that member to participate against the risk that their participation could be regarded as distorting or tainting the decision. Therefore, we need information on why that member’s participation is important. It may be because they have particular expertise or knowledge, or provide an important link with another organisation or community group. It may be that the issue is so significant for the community that the participation of all elected members is seen as more important than any individual interests. There may be a strong representation argument that the views of a particular group or community would not otherwise be able to be represented at the authority table.
- 3.52 For example, we have granted a declaration on this ground when the decision related to a council position in a submission on a long-term plan being prepared by another organisation, and the relevant councillor provided an important link

Part 3 Discussing or voting at meetings – the participation rule

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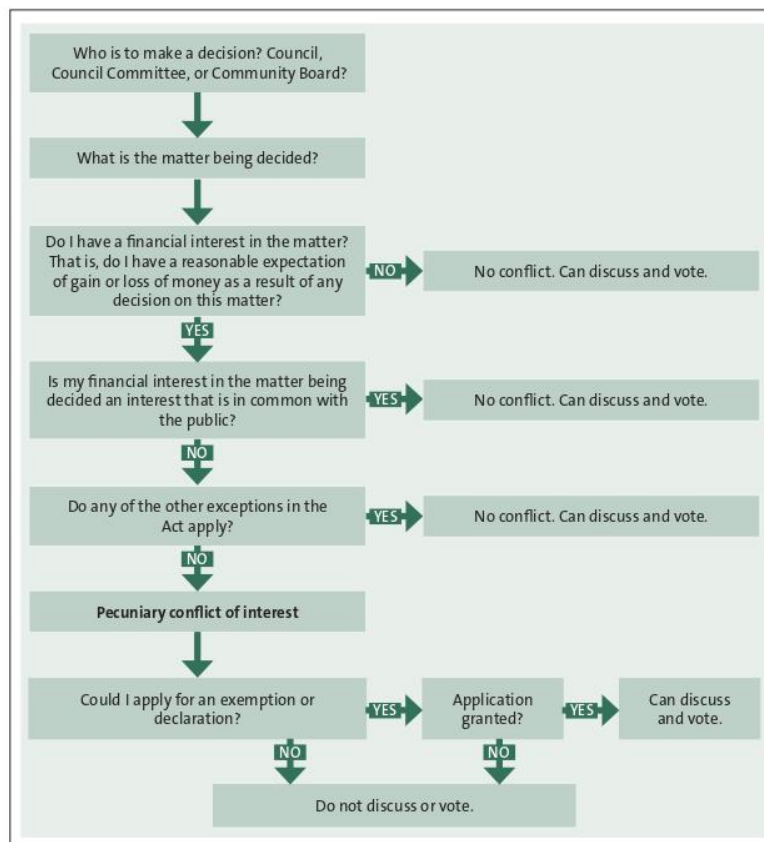
with, and voice for, the most affected section of the community. The council saw it as an important part of its role in the consultation process to give voice to that community and saw the particular councillor as critical to that process, even though the councillor was also potentially directly affected.

- 3.53 In general, we are happy to receive applications and to then ask the authority staff or affected member for any further information that we need. We recognise that, sometimes, these issues arise with some urgency because the potential conflict may be identified only shortly before the meeting in question. When a decision on a declaration is needed within a few days, it is helpful to our consideration if the initial application is as comprehensive as possible.

Part 3 Discussing or voting at meetings – the participation rule

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- 3.54 This flow diagram is provided to help you assess whether the participation rule applies to you.



Part 4

Investigation and prosecution

- 4.1 The Act is enforced by prosecution. The Auditor-General is the sole prosecuting authority.

Offences

- 4.2 There are two offences under the Act, as shown in Figure 1.

Figure 1
Offences under the Local Authorities (Members' Interests) Act 1968

Section	Offence	Penalty on conviction
5	Continuing to act as a member after becoming disqualified from office, by reason of a breach of the contracting limit under section 3(1).	A fine not exceeding \$200.
7	Failing to observe the prohibition in section 6(1) against discussing or voting on a matter in which the member has a pecuniary interest.	A fine not exceeding \$100 and, if the conviction is not successfully appealed, automatic disqualification from office.

- 4.3 Proceedings must begin within two years of the offence being committed.

Deciding whether to investigate

- 4.4 We may investigate a possible breach of the Act or related offence either on receipt of a complaint or at our own discretion.
- 4.5 To investigate a complaint, we must first be satisfied that there is enough evidence to justify an investigation. A bare allegation or simple assertion that there has been a breach is not enough.
- 4.6 A complaint should be supported with enough evidence to demonstrate that the complaint warrants further investigation, such as:
- details about the alleged pecuniary interest;
 - information about the decision taken by the relevant local authority and the member's participation in that decision; and
 - documentary evidence, such as minutes of the local authority's meeting where the decision was taken, and any supporting council reports.

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Investigating possible breaches

- 4.7 Any member of the public may complain or raise questions about your compliance with the Act. However, both the investigation and the final resolution of the matter are primarily between you and us.
- 4.8 Where a complaint is made to us that you may have breached the Act, and we decide that it warrants further investigation, we will give you full details of the complaint and an opportunity to respond to it. However, we do not disclose the identity of a person who makes a complaint. This is consistent with the approach taken by all prosecuting agencies. It is important that members of the public feel free to provide information about possible offences, without fear of their identity being disclosed.
- 4.9 We will investigate the complaint carefully to ascertain the relevant facts and to evaluate whether there has been a breach of the Act. This involves considering whether the factual circumstances disclose a breach, and whether any of the exclusions or defences can be relied on.
- 4.10 We will also seek information about the broader context of the complaint, including your reasons for acting as you did, your understanding of the nature of your interest in the matter and the general context, and the other matters you took into account.
- 4.11 Although we will give you full details of the complaint and an opportunity to respond to it, you do not have a formal right to be consulted about whether criminal charges are laid or not. However, we carefully consider whether to prosecute (see paragraphs 4.17-4.21) and take external advice from the Crown Law Office or a Crown Solicitor before beginning any prosecution.
- 4.12 If an investigation does not result in a decision to prosecute, our usual practice is to:
- inform the complainant (if there is one) that we have completed our enquiries; and
 - convey our findings in writing to you.
- 4.13 We may also inform the authority of our findings.
- 4.14 We have a discretion as to how much of our investigation we publicly report, and we carefully consider this in each case. We consider the balance between effects on a member's reputation, effects of disclosing personal financial information of the member, public accountability, and the public interest. Because the balance of these factors will differ in each case, we decide on a case-by-case basis how much of our investigation we will publicly report.

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- 4.15 We note that in some cases it better serves the public interest for us to report more fully on our investigations and conclusions.¹¹ This is particularly so where we have investigated publicly made allegations of breaches of the Act that have attracted considerable local public interest.
- 4.16 In such cases, therefore, as well as reporting our findings to you and your authority, we may also make a brief public statement about our investigation and findings. You are then accountable to the public for your conduct.

Deciding whether to prosecute

- 4.17 If we consider the circumstances warrant it, we may begin proceedings. This involves the exercise of discretion. The need to even consider prosecution is a matter of serious concern. However, in any particular situation, we may form the view that, although an offence appears to have been committed, the circumstances do not warrant prosecution.
- 4.18 In exercising our discretion, we take account of the Solicitor-General's *Prosecution Guidelines* issued by the Crown Law Office.¹² These guidelines are the accepted and authoritative description of how any prosecuting agency should exercise its discretion.
- 4.19 These guidelines require both that the facts provide evidence of a breach of the Act and that it is in the public interest to bring a prosecution.
- 4.20 There must be a reasonable prospect of obtaining a conviction – there must be credible evidence that can be relied on in court to reasonably expect that a judge will convict. The burden of proof for criminal prosecutions is stricter than the test required to invalidate an authority's decision in judicial review proceedings for bias. As well as needing to establish that there has been a breach, it must be clear that none of the exclusions or defences in the Act apply.
- 4.21 Even if there is evidence that can establish a breach, the public interest in any prosecution must also be considered. Factors relevant to that assessment include:
- whether it is more likely than not that a prosecution will result in conviction;
 - the size and immediacy of any pecuniary interest, the damage caused, the level of public concern, and the extent to which the member's participation influenced the outcome;
 - mitigating and aggravating factors, including any previous misconduct, willingness to co-operate with an investigation, evidence of recklessness or irresponsibility, and previous breaches, cautions, and warnings;

¹¹ See, for example, our *Investigation into conflicts of interest of four councillors at Environment Canterbury* (December 2009), which is available on our website, www.oag.govt.nz.

¹² *Crown Law Prosecution Guidelines* (January 2010), available at www.crownlaw.govt.nz.

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- the effect of a decision not to prosecute on public opinion;
- the availability of proper alternatives to prosecution, such as reporting publicly to the council or the public;
- the prevalence of the offending and need for deterrence;
- whether the consequences of a conviction would be unduly harsh or oppressive; and
- the likely length and expense of the trial.

4.22 This list is illustrative only and is not exhaustive.

Part 5

Other conflict of interest issues

- 5.1 Having a pecuniary interest in a matter before the local authority, as discussed in Part 3, is one type of conflict of interest. However, quite apart from the Act, there are legal rules about conflicts of interest more generally, which apply to both pecuniary and non-pecuniary conflicts of interest.
- 5.2 In this Part, we comment on other types of conflicts of interest that may be relevant to local authority members. In particular, we discuss the common law rule about bias as it relates to non-pecuniary conflicts of interest. However, this is not a formal or definitive statement of the law. Nor is it to be treated as legal advice for specific situations.
- 5.3 Although we have a specific formal role with pecuniary conflicts of interest in relation to local authorities under the Local Authorities (Members' Interests) Act, we do not have any special role with conflicts of interest generally. In particular, we have no enforcement role and cannot give formal rulings.
- 5.4 In our experience, most local authority staff are able to provide informed and practical advice to members on these issues. If staff have major concerns about a particular current or potential issue, we encourage the organisation to get specific legal advice rather than to seek general guidance from us. Alternatively, you can consult your own lawyer.

Conflicts of interest generally

- 5.5 A conflict of interest exists where two different interests intersect – in other words, where your responsibilities as a member of the local authority could be affected by some other separate interest or duty that you may have in relation to a particular matter. That other interest or duty might exist because of:
- your own financial affairs;
 - a relationship or role that you have; or
 - something you have said or done.
- 5.6 The common law requires that public decision-making be procedurally fair. In particular, conflicts of interest are usually dealt with under the rule about bias. The law about bias exists to ensure that people with the power to make decisions affecting the rights and obligations of others carry out their duties fairly and free from bias. It is summed up in the saying “no one may be judge in their own cause”.

Part 5

Other conflict of interest issues

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Bias

- 5.7 The law about bias has been developed to achieve two main goals. First, it ensures that the best decision is made based on relevant information and arguments, not ulterior motives or prejudices. Secondly, it ensures that people affected by, or interested in, a decision have trust and confidence in the process – meaning they are more likely to accept a decision once it is made.
- 5.8 This means the 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.
- 5.9 If a person challenges a local authority's decision by taking judicial review proceedings, the courts could invalidate the decision because of bias on the part of a member of the decision-making body. The question you need to consider, drawn from case law, is:¹³
- Would a fair-minded observer reasonably think that a member of the decision-making body might not bring an impartial mind to the decision, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party.*
- 5.10 The law about bias does not put you at risk of personal liability. Instead, the validity of the authority's decision could be at risk.
- 5.11 Your focus should be on the nature of the conflicting interest or relationship, and the risk it could pose for the decision-making process.
- 5.12 The need for public confidence in the process is paramount. Perception can be an important factor. Each case must be decided on its own circumstances.

How does the law about bias apply to local authorities?

- 5.13 The courts recognise that local authorities are different in nature from other decision-making bodies. As one judge has said, the fairness of a local authority decision-making process must be assessed “without too quickly importing concepts of administrative law grown from the soil of quite different contexts”.¹⁴ In particular, the democratic status of a local authority, the representative nature of the members of a local authority's governing body, and the practice where decisions are often made by a committee of members by majority vote must be recognised when applying general principles of administrative law about bias and fairness in the decision-making process. Some care must be taken when drawing principles from cases involving courts and judges, or other public bodies and officials that are required to adopt a court-like procedure.

¹³ *Saxmere Company Ltd v Wool Board Disestablishment Company Ltd* [2010] 1 NZLR 35; [2010] 1 NZLR 76.

¹⁴ *Goulden v Wellington City Council* [2006] 3 NZLR 244 at [50]. See also *Friends of Tūritea Reserve Society Inc v Palmerston North City Council* [2008] 2 NZLR 661 at [105] and *Wakatu Incorporation v Tasman District Council* [2008] NZRMA 187 at [22]-[25].

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Other conflict of interest issues

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- 5.14 The courts acknowledge that, where Parliament entrusts a function to an elected or political body (instead of to a tribunal or a court), it is natural to expect that:
- the members of the authority will bring their own experience and knowledge to the decision-making process;
 - the members may already have views – even strong or publicly stated views – about the matter; and
 - political considerations may play a part in the decision.
- 5.15 As usual, the nature and context of the particular decision will be important too. The courts are likely to take a stricter approach with decisions that directly affect the legal rights, interests, and obligations of an individual or small group of individuals (as opposed to decisions with a large policy or political element).
- 5.16 For instance, the sorts of decisions where a stricter approach may be taken include:
- licensing applications;
 - decisions under the Resource Management Act 1991;
 - decisions requiring a formal statutory process and hearing (such as road-stopping proposals);
 - dealings in land; or
 - other decisions that have a regulatory or coercive effect.
- 5.17 By contrast, the courts may take a less strict approach to decisions about:
- high-level policy-making;
 - issues in which the authority has only advocacy or recommendatory powers; or
 - operational or service functions.

Situations where a risk of bias may exist

- 5.18 The most common risks of non-pecuniary bias are where:
- your statements or conduct indicate that you have predetermined the matter before hearing all relevant information (that is, you have a “closed” mind); or
 - you have a close relationship or involvement with an individual or organisation affected by the matter.
- 5.19 Paragraphs 5.20-5.53 discuss these two types of non-pecuniary bias, and offer our comments on some common scenarios. The examples are a general guide, but each situation needs to be assessed on its own merits. Our suggestions are neither authoritative nor comprehensive.

Predetermination

- 5.20 A claim of bias may be made on the basis of predetermination. An allegation of predetermination is generally based on the expression of a view or conduct that suggests a member might have approached the issue with a closed mind. Accordingly, it is an issue within your control. By exercising care over your statements and behaviour, you should be able to prevent this issue creating problems for you.
- 5.21 For example, predetermination might occur if your public statements indicate that you made up your mind about the matter before it came to be heard and deliberated on. In other words, that you, as decision-maker, had a closed mind and were not prepared to listen fairly to all the arguments.
- 5.22 You are not expected to approach matters without any existing opinions at all. Elected members take office with publicly stated views on a wide variety of policy issues. In local authority decision-making, the courts therefore acknowledge that a degree of local knowledge and pre-existing views – especially where a matter involves wide public policy issues – is both inevitable and desirable.
- 5.23 The critical factor is that you remain, and are seen to remain, open to persuasion. That is, that you do not express views in a way that implies an unwillingness to listen fairly to new arguments or to give the matter further consideration when it comes before the authority.

What is predetermination?

- 5.24 You could create a legal risk for the decision that the local authority is making if you participate in the authority's consideration of a matter and you:
- make statements that suggest your mind is made up about the particular matter before having heard all views, that your position is so fixed that you are unwilling to fairly consider the views of others, or that you are not prepared to be persuaded by further evidence or argument; or
 - refuse to read or listen to reports or submissions presented to the authority about the matter.
- 5.25 As noted earlier, the nature of the decision is important. There is unlikely to be any legal risk in you commenting about broad policy issues, particularly where your remarks are expressed in general terms. However, the legal risk is likely to be much higher if you comment about specific decisions that are focused on the rights and interests of one individual or a few individuals, and where other people have the right to make a submission to a formal hearing about the matter.

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Other conflict of interest issues

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- 5.26 You could also create a legal risk to the authority's decision if you participate in the authority's consideration of a matter and you have made a formal submission to the authority in your personal capacity to support or oppose a particular proposal as part of a public submissions process. There may be rare situations where you may still be able to consider such matters. However, as a potential decision-maker, to avoid creating legal risk for the authority's decision, it is advisable to avoid making submissions on matters that will come before your authority for decision – doing so will usually compromise your ability to participate in the decision-making process.
- 5.27 The level of legal risk will always depend on the facts of the situation. For example, the legal risks may not be great if you make a submission before being elected as a councillor or if some years separate the submission and the decision. The key question is whether you have an open mind at the time you are making the decision.
- 5.28 It seems generally accepted that the common law does not prevent you from:
- discussing issues and exchanging ideas with members of the public;
 - promoting a particular view during debate around the meeting table; or
 - advocating opinions or policies in public – or campaigning for election – about issues of public interest;
- so long as you do not indicate that you have already closed your mind to further consideration of a particular matter.
- 5.29 General personal factors, such as your ethnicity, religion, national origin, age, political or philosophical leanings, wealth, or professional background, will, of themselves, not often constitute predetermination.

Presence at hearings

- 5.30 As noted above, predetermination can also be shown to exist through a member's conduct. For example, lengthy periods of non-attendance at a hearing could suggest that you have predetermined the matter and that your decision is not based on the evidence and submissions presented. Therefore, to avoid the risk of the decision being challenged on this basis, where evidence and submissions are being heard on a particular matter, you should be present for the whole hearing to show a willingness to consider all points of view. Very short absences might be acceptable, but lengthy periods of non-attendance at a hearing create risks.

Relationship with other persons or organisations

- 5.31 A conflict of interest may exist if you have a close relationship with a person or organisation involved in, or affected by, the matter before the local authority – for example, if the matter involves or affects a family member, or an organisation to which you belong, or a business of which you are an employee. Such a connection could affect how other people view your impartiality.
- 5.32 This sort of conflict of interest arises not from something you have said or done, but from a pre-existing state of affairs. Accordingly, no matter how careful you are, this type of conflict sometimes cannot be prevented.
- 5.33 In deciding whether to participate, you should consider:
- the extent of your personal links or involvement with the other person or group; and
 - the degree to which the matter under discussion directly affects that person or group.
- 5.34 However, it is important to bear in mind that, in politics, the merest perception of impropriety can be extremely damaging, whether or not a court would find your actions to be lawful. To avoid risks to the authority's decision, if you have any relationship with a person or organisation involved in a matter, you should seriously consider the wisdom of whether to participate at all. The safest advice is always "If in doubt, stay out".

Personal relationships

- 5.35 You could create legal risk for the authority's decision if you participate in the authority's consideration of a matter when:
- the decision directly affects a member of your immediate family or a close friend; or
 - a member of your immediate family has made a submission about the matter.
- 5.36 People can have different views on who is regarded as an immediate family member or close relative. This can make it difficult to assess whether a conflict of interest exists. However, we do not think that a person needs to be regarded as part of your immediate family for these purposes just because they are part of your wider kin group descended from a common ancestor (such as an iwi or hapū).

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Other conflict of interest issues

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- 5.37 You may want to consider carefully whether to participate where the matter involves or affects:

- a personal or professional acquaintance;
- someone who funded your election campaign; or
- a more distant relative.

- 5.38 The particular facts will always be important for assessing the legal risks.

Membership of other organisations

- 5.39 There may be increased legal risks to the authority decision if you participate in consideration of a matter before the authority involving or affecting a club or similar organisation that you are involved in if:

- you are an executive officeholder or trustee, or are otherwise strongly publicly identified with the club; or
- the matter specifically and significantly involves or affects the club – such as a proposed grant of money to the club, or something else directly affecting the club's finances or property.

- 5.40 On the other hand, the possibility of the decision being challenged is likely to be very low if you participate and:

- you are a passive or ordinary member of the club, and the organisation is relatively large; or
- the matter affects the club only indirectly – such as a broad public policy issue in which the club has chosen to take an interest.

- 5.41 Similarly, the legal risks are likely to be low if you participate and you have only a past involvement with the club, or merely have friends who are involved in the club.

Employment with other organisations

- 5.42 If the matter concerns your employer, the legal risks to the decision are likely to be high if you participate in the decision and:

- you are a senior executive (particularly where the matter directly concerns the organisation); or
- you are personally involved in the issue as part of your employment.

- 5.43 However, the legal risks to the decision are likely to be lower if you participate in the decision and you are a junior staff member (particularly in a large organisation), and have had no personal involvement in the issue through your employment. However, you will always need to exercise your judgement carefully.

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- 5.44 See also paragraph 6.11 for discussion of whether your employment might raise a question of a pecuniary interest.

Membership of committees and community boards

- 5.45 It is common for members of a local authority to also be on committees or subcommittees of the authority, or on a community board. There is normally no legal risk in your participating in the decision at one of these levels and then again when the decision reaches the governing body of the local authority.
- 5.46 However, the legal risks may be greater if your participation at the other level could raise a risk of predetermination to the decision of the governing body. An example is where you are a councillor and also a member of a community board, and the board decides to make a formal submission to the council about a review of representation arrangements for elections. In this situation, you need to decide at which level you can best participate. For example, you might choose to refrain from participating in the board's decision if you want to preserve your ability to participate later at the council level.

Appointment as the local authority's representative on another organisation

- 5.47 You may have been appointed as the authority's representative on the governing body of a council-controlled organisation or another body (for example, a community-based trust).
- 5.48 That role will not usually prevent you from participating in authority matters concerning the other organisation – especially if the role gives you specialised knowledge that it would be valuable to contribute.
- 5.49 However, you could create legal risks to the decision if your participation in that decision raises a conflict between your duty as a member of the local authority and any duty to act in the interests of the other organisation. These situations are not clear cut and will often require careful consideration and specific legal advice.
- 5.50 Similarly, if your involvement with the other organisation raises a risk of predetermination, the legal risks to the decision of the authority as a result of your participation may be higher – for example, if the other organisation has made a formal submission to the authority as part of a public submissions process.

Membership of some other public body

- 5.51 If you have been appointed or elected to the governing body of some other public entity unconnected with your position on the local authority (such as a district health board), we recommend that you consider potential conflicts of interest on a case-by-case basis. You should consider whether your ability to consider a matter before the local authority with an open mind could be affected by:
- your legal duty to act in the interests of the other body;
 - any involvement you may have had in the matter through the other body; or
 - the degree to which the other body is affected by, or interested in, the local authority's decision on the matter.
- 5.52 It may be wise to seek some specific legal advice on when it will or will not be appropriate to participate.

Other personal involvement with an organisation

- 5.53 Even if you are not formally associated with an organisation affected by a matter before the local authority, if you have a close personal involvement with the organisation, your participation may create legal risks for the decision – for example, if you have helped the organisation prepare its application to the authority, or have been paid to do so in a professional capacity.

What to do?

- 5.54 If you decide you have a non-pecuniary conflict of interest in a matter before the authority, we recommend that you follow the same procedures that you are required to follow in cases of a pecuniary interest – that is:
- declare that you have a conflict of interest when the matter comes up at the meeting;
 - refrain from discussing or voting on the matter; and
 - ensure that your declaration and abstention is recorded in the minutes.
- 5.55 We consider that it is good practice to also leave the meeting table while discussion and voting on the matter take place.
- 5.56 Non-pecuniary conflicts of interest always involve questions of judgement and degree. In the interests of openness and fairness, we encourage members to take a cautious approach. Authority staff can provide advice, and it can also be useful for you or the authority to seek legal advice. However, if in doubt, it is always safer to declare an interest and abstain from discussing or voting on the matter.
- 5.57 Appendix 3 contains summaries of a number of cases in which the courts have considered non-pecuniary conflicts of interest.

Part 6

Frequently asked questions

6.1 This Part sets out some frequently asked questions about conflicts of interest, and our answers.

6.2 **I think I might have an interest in a matter. How do I tell if it's pecuniary or non-pecuniary?**

Ask yourself whether the matter could reasonably give rise to an expectation of a gain or loss of money for you personally (or, in the case of a deemed interest,¹⁵ for your spouse or partner or a company).

6.3 **Are pecuniary interests treated more strictly than non-pecuniary interests?**

Generally, yes. Under the common law, a pecuniary interest of any size gives rise to an automatic disqualification – in effect, a presumption of bias. This rule is reflected in the Act, which governs pecuniary interests for members of local authorities (subject to the powers of exemption and declaration set out in paragraphs 3.42-3.53). On the other hand, non-pecuniary conflicts of interest involve a more discretionary judgement – you can consider all the circumstances of the situation to determine whether or not a reasonable observer would consider that a real danger of bias exists.

6.4 **Do the legal consequences of not declaring a pecuniary or non-pecuniary conflict of interest differ?**

Yes. A breach of section 6 of the Act – which relates to a pecuniary interest – can result in you being prosecuted for an offence. If convicted, your office as a member is vacated (that is, you will no longer be a member of the authority) and you could be fined up to \$100.

Failing to declare a non-pecuniary conflict of interest is not an offence. But it could result in legal proceedings that challenge the validity of the authority's decision. Those proceedings would not directly affect you personally, but you could face condemnation from your colleagues and the public if your actions resulted in the authority's decision being overturned by the courts.

6.5 **Can the common law rule about bias apply to pecuniary interests too?**

Yes. Pecuniary interests of members of local authorities are mainly governed by the Act. But the common law rule about bias could also be used to overturn a local authority's decision on the ground of a member's pecuniary interest.

6.6 Can anything else happen to me if I don't follow the rules?

Your actions might constitute a breach of the authority's code of conduct.¹⁶ The authority might also take some form of action against you – for example, a censure motion or removing you from a council committee.

For members of city councils, district councils, and regional councils, your actions could also result in personal financial liability under section 46 of the Local Government Act 2002. This might arise if your conduct contributed to the local authority incurring a loss.

6.7 Can the local authority or chairperson order me not to participate on the ground of a conflict of interest?

No. The decision about whether to participate is yours (although the authority might be able to resolve to remove you from a committee considering the matter). You should carefully consider any advice offered to you by senior members, the chief executive, or other staff. You should also consider seeking your own legal advice.

6.8 The authority has resolved that I do not have a pecuniary interest in a particular matter. Does this mean that I can participate?

No. A resolution of an authority that you do not have a pecuniary interest in a particular matter is not an authoritative statement of the law. If, in fact, you do have a pecuniary interest in the matter and you participate in discussion and voting on it, you will have committed an offence under the Act.

However, if the authority resolves that you should be able to participate, subject to our approval being obtained, we would take the resolution into account when deciding whether to grant an exemption or declaration enabling you to participate.

6.9 I'm fairly sure that I have a non-pecuniary conflict of interest in a matter, but I still think it is important for me to participate. Can the Auditor-General grant me an official exemption?

No. We have no power to grant exemptions or declarations for non-pecuniary conflicts of interest. Nor can we provide you with a formal ruling about whether a legal conflict of interest exists – only the courts can determine that. You should approach a lawyer if you want definitive advice.

6.10 I belong to various clubs throughout my district, as well as being a member of the district council. Do I have a pecuniary interest in every matter that comes before the council that relates to those clubs?

Usually, no. Membership of community organisations such as sporting or cultural or charitable associations is unlikely to give rise to a pecuniary interest in matters involving those organisations because of their “not for profit” nature. However, it is possible that your membership of an organisation may entitle you to a share of the organisation’s assets if the organisation is wound up. You should check the rules of the organisations you belong to, to see whether you may have a pecuniary interest of this type.

A pecuniary interest may also arise in the case of, for example, a golf club occupying land leased from the authority where the lease rental has a significant bearing on the members’ subscription or other fees.

See paragraphs 5.39-5.41 for discussion of whether membership of a club might give rise to a non-pecuniary conflict of interest.

6.11 I am an employee of a company/organisation that has dealings with the authority of which I am a member. Do I have a pecuniary interest in any dealings that my company/organisation has with the authority?

The existence of an employment relationship, where you receive a fixed level of remuneration, does not, on its own, give rise to a pecuniary interest.

If there is any link between the authority’s decision and the level of remuneration paid to you as an employee of the company/organisation, then a pecuniary interest exists. For example, if you were employed by an organisation that received funding from the authority and the authority was deciding whether to stop funding that organisation, possibly resulting in the loss of your job, you would have a pecuniary interest in that decision.

See paragraphs 5.42-5.44 for discussion of whether your employment might give rise to a non-pecuniary conflict of interest.

6.12 I’m also a member of the board of another organisation. Is it relevant to the question of conflict of interest if I’ve been appointed to that organisation specifically as a representative of the local authority?

Yes. In that situation, it will often be acceptable to participate in the authority’s decisions about matters concerning that organisation. However, a conflict of interest might sometimes arise. See our discussion in paragraphs 5.47-5.50.

Appendix 1

Organisations whose members are subject to the Act

Classes of organisations

- Administering bodies under the Reserves Act 1977
- Cemetery trustees
- City councils
- College of education councils
- Community boards
- Community trusts established under the Sale of Liquor Act 1989
- District councils
- Licensing trusts
- Local boards (in Auckland)
- Polytechnic councils
- Provincial patriotic councils
- Regional councils
- University councils

Specific organisations

- Auckland Museum Trust Board
- Canterbury Museum Trust Board
- Chatham Islands Council
- Masterton Trust Lands Trust
- Museum of Transport and Technology Board
- New Zealand Council for Educational Research
- New Zealand Horticultural Export Authority
- New Zealand Māori Arts and Crafts Institute
- Ngārimu V.C. and 28th (Māori) Battalion Memorial Scholarship Fund Board
- Otago Museum Trust Board
- Pacific Islands Polynesian Education Foundation Board of Trustees
- Plumbers, Gasfitters, and Drainlayers Board
- Queen Elizabeth the Second National Trust Board of Directors
- Riccarton Bush Trustees
- Taratahi Agricultural Training Centre (Wairarapa) Trust Board
- Winston Churchill Memorial Trust Board

Appendix 2

Leading cases on pecuniary interest

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The Act does not define the term “pecuniary interest”. Its meaning is a matter for legal interpretation according to the circumstances of the particular situation. However, there is a significant body of relevant case law that offers some guidance. The most significant cases are summarised in this appendix.

***Brown v Director of Public Prosecutions* [1956] 2 All ER 189; [1956] 2 QB 369**

This case involved members of an English local authority who were tenants in houses owned by the local authority. The councillors declared their interest in a matter concerning the level of rents for council houses where there were subtenants or lodgers, but nevertheless voted on the matter albeit apparently to their disadvantage.

The judgment declared that all councillors who were tenants of the council had a pecuniary interest in that matter. This included councillors who did not at that time have subtenants or lodgers, because the houses were potential income-producing assets and the possibility existed of sub-letting or taking in lodgers in the future. In explaining the basis of the statutory prohibition, this case also indicated that it does not matter whether the result of the vote would be to the pecuniary advantage or disadvantage of the person voting:

The object of s.76(1) is clearly to prevent councillors from voting on a matter which may affect their own pockets and, therefore, may affect their judgement, and a councillor's judgement may be affected by a proposal to preserve his liability just as much as by a proposal to terminate it, particularly where other persons in a like situation are being relieved from the same liability. In those circumstances, no narrow construction ought to be put on the words “pecuniary interest” in their context in s.76(1); in particular they ought not to be construed and the contrary has not been suggested as meaning pecuniary advantage.

***Rands v Oldroyd* [1958] 3 All ER 344; [1959] 1 QB 204**

This case concerned a member of an English borough council who spoke to a motion about the letting of contracts for building council housing. The councillor was managing director and majority shareholder of a building company that had a history of building for the council.

On his appointment as vice-chairman of the housing and town planning committee of the council, the member had decided that his company would not tender in future for any building contracts with the council. However, the Court noted that the company was at all times in a position to be invited to tender for

building work for the council and to tender for such work in the future if it desired, and therefore held that the member had an indirect pecuniary interest in the matter under discussion.

Re Wanamaker and Patterson (1973) 37 DLR (3d) 575

This case involved the mayor of a town council in Alberta, Canada, who was owner and operator of a coin laundry business in premises located in the town's shopping centre. In his capacity as a member of the council, he proposed and voted on resolutions designed to secure the approval of the Minister of Highways for a project to make a cut in the median strip of a provincial highway in order to provide access for traffic on the highway to the shopping centre.

Since the effect of the improvement of access to the shopping centre would be to increase the number of customers availing themselves of the services in the shopping centre, which would be reflected in increased use of the coin laundry, the mayor would financially benefit, and consequently the question was one in which he had an indirect pecuniary interest. It did not matter that he may have been acting in good faith and in the interests of the municipality.

Downward v Babington [1975] VR 872

This case concerned a councillor of a shire in Victoria, Australia, who owned and leased certain shops. At different times, the council or its committees had before them:

- a project to allow the establishment of a supermarket in the immediate vicinity of the councillor's shops;
- a proposal to compulsorily acquire land adjoining those shops and the supermarket site for off-street parking;
- a proposal to permit development of vacant land adjoining the councillor's shops as a retail shop; and
- a proposal to buy land in the immediate vicinity for off-street parking.

The case did not involve any finding of fact as to whether the member had a pecuniary interest in those matters, but did produce a useful definition of the term "pecuniary interest":

... a councillor should be held to have a pecuniary interest in a matter before the council if the matter would, if dealt with in a particular way, give rise to an expectation which is not too remote of a gain or loss of money by him.

We have chosen to adopt this definition as appropriate in the New Zealand context, although acknowledging that our Act deals separately with the element of remoteness in section 6(3)(f).

Loveridge & Henry v Eltham County Council (1985) 5 NZAR 257

The council's chairman and deputy chairman both owned land within an area where the council proposed to establish a rural water supply scheme. As with the *Downward v Babington* case, the nature of the proceedings was such that the Court was not required to make a finding as to whether the members had a pecuniary interest in the matter. The Court did, however, observe that:

The situation contemplated by the Local Authorities (Members' Interests) Act is a particular formalised illustration of the rule that persons charged with an obligation to make decisions should not be affected by a personal motive.

The Court rejected an argument that the relevant "public" with which to compare the members' interests was the group of landowners affected by the scheme.

With rather limited reference to prior cases, the judgment used the general rules of natural justice as the base on which to state a test for compliance with section 6(1):

... would an informed objective bystander form an opinion that there was a likelihood that bias existed?

Calvert & Co v Dunedin City Council [1993] 2 NZLR 460

This case centred on procedures adopted at meetings in 1990 for determining directors' fees to be paid in relation to four local authority trading enterprises (LATEs), the directors of which had previously been appointed and included various members of the council. The council considered reports on the setting of directors' fees generally and a motion that, if passed, would have required councillor directors to remit their directors' fees to the council, receiving instead from the council sums based on the usual allowances paid in connection with local authority meetings.

That motion was dealt with by debating it separately in relation to each LATE. Councillor directors withdrew when that part of the motion which concerned the LATE of which they were directors was debated and voted on, but took part in debate and voted on those parts of the motion that concerned LATEs of which they were not directors.

The Court held that section 6 was breached when councillor directors discussed and voted on:

- a report containing opinions and recommendations about the range of directors' fees that should be payable – a direct pecuniary interest; and
- motions affecting directors' fees for LATEs to which they were not appointed – an indirect pecuniary interest.

The vote of a particular councillor in effect put their stamp of approval on the method by which the directors' fees had been calculated. That stamp of approval called for a consistent approach and vote by other councillor director members. The length of some meetings, and the memoranda and resolutions, tended to confirm that the councillor directors were in effect acting in harmony in the approach taken by the council towards directors' fees. Certainly the interest of those councillor directors was greater than that of the public at large.

The judgment is notable for the expression of certain propositions based on a review of earlier judgments:

- An indirect pecuniary interest under section 6 of the Local Authorities (Members' Interests) Act 1968 may cover a wide variety of factual situations.
- The indirect pecuniary interest may involve an interest arising from a relationship and not from any specific contract or monetary connection.
- An indirect pecuniary interest may include a potential benefit or potential liability.
- A decision as to whether a particular factual situation amounts to an indirect pecuniary benefit is assisted by considering whether an informed objective bystander would conclude that there was a likelihood or reasonable apprehension of bias.
- The motives and good faith of councillors are irrelevant to whether or not they had an indirect pecuniary interest.

***R v Secretary of State for the Environment, ex parte Kirkstall Valley Campaign* [1996] 3 All ER 304**

A rugby club wished to sell its main sports field and move to another location nearby. However, it could only realistically do so if it obtained a commercial site value for its existing site. Planning permission was therefore sought from the local urban development authority to allow the large-scale commercial development of the land.

At the same time, the club had also identified the desired location for its proposed new facilities. This happened to be a piece of open land adjacent to a large private property owned by the chairman of the urban development authority. The chairman's land was "green belt" land, and it was well known that the chairman believed his land ought to be rezoned for housing development (but any rezoning decision would be the responsibility of another council).

The Court found that the chairman had an undisguised interest, worth a great deal of money to him and his family, in getting his private land rezoned. It

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also found that a powerful argument in favour of this would have been if the neighbouring site was developed into a rugby stadium. Because it was common knowledge that that was unlikely to occur unless the club was able to secure a commercial sale price for its existing site, the Court held that this meant the chairman had – at that time – a pecuniary interest in the planning application about the club's existing site. The Court implicitly rejected an argument that his interest was too remote or insignificant.

However, the club later abandoned its proposed new location near the chairman's land. Furthermore, a fresh development proposal was submitted in respect of the club's existing site. The Court held that the chairman did not have a pecuniary interest in the authority's later decisions about the existing site. His former interest did not taint the authority's subsequent decisions.

Appendix 3

Examples of cases on non-pecuniary conflicts of interest

Cases where predetermination was found

These cases illustrate some situations where courts found members to have predetermined the matter.

English v Bay of Islands Licensing Committee [1921] NZLR 127 involved an application for renewal of an on-licence. Members of the licensing committee had previously made public statements that the application would be refused unless a new hotel was built. For instance, one member had told the applicant that it did not matter what he said in his application, because “the committee have their minds made up”. The Court held that the members’ public statements went far beyond reasonable expressions of opinion, and amounted to pledging themselves to refuse the licence. This meant they were biased, and had predetermined the application.

In an English case also involving a liquor licence, *R v Halifax Justices, ex parte Robinson* (1912) 76 JP 233, a member of the licensing authority was associated with a temperance society. That fact alone would not have constituted bias, but the Court found that the member had shown himself to have a closed mind by announcing that he would have been a “traitor” to his position if he had voted in favour of granting the licence.

In *Meadowvale Stud Farm v Stratford County Council* [1979] 1 NZLR 342, several councillors who sat on a committee considering an application for an offensive trades licence for a pig farm were also directors or shareholders of a company that occupied land next door. The councillor who was a director had insisted on the farm applying for the licence, and then the company had formally objected to the application and had been represented at the hearing in support of its objection. The Court held that the interested councillors should have been excluded from hearing the application – not only because they had a pecuniary interest in a company potentially affected by the matter, but also because of the active role the company had taken as a submitter.

In *Frome United Breweries v Bath Justices* [1926] AC 586, several members of a licensing authority had instructed a solicitor to appear before the authority on their behalf and oppose a licence application. They were held to be biased.

East Pier Developments v Napier City Council (High Court, Napier, CP26/98, 14 December 1998, Wild J) related to a lease, where the council was lessor. The lessee wished to use the land for a different purpose, and the lease agreement required it to seek the council’s approval. The Court found two members of the council to be biased. One had been closely involved in negotiations and meetings about the

matter from an early stage, and the Court held that his overall conduct indicated that from beginning to end he was determined that the council should reject the application. He was never prepared to consider it in an open-minded and impartial manner. Another member, the Court held, was single-minded in his opposition to the application, and so was also not properly open to persuasion.

In *Otago University Students Association v University of Otago* [2009] 2 NZLR 381 (HC), the High Court ruled that the University had properly excluded student Council representatives from sitting on an Appeals Board hearing code of conduct charges against two students, on the basis that the student representatives would not be able to consider the charges with an open mind. The two possible student representatives had previously been involved in submissions against the code and had served on the Student Association Executive that had publicly denounced the code.

Cases where predetermination was not found

By contrast with the above cases, the courts have often held an expression of a provisional view or broad policy stance about the matter before or during the hearing to be acceptable. The critical factor in these cases is that the views were not expressed in such a categorical way that they implied an unwillingness to listen fairly to new arguments or to give the matter genuine further consideration at the formal hearing. The courts were satisfied that the members, despite their provisional views about the general issues, remained open to persuasion about the particular decision before them.

In *Whakatane District Council v Bay of Plenty Regional Council* [2009] 3 NZLR 799 (HC), the High Court ruled that prior comments, including letters to the editor, made in support of a proposal to relocate the Regional Council offices did not mean some councillors had “irretrievably committed” to the proposal. Nor did the fact that some councillors were not able to attend all consultation meetings mean they had predetermined the issue – their absences were not significant and the councillors had taken steps to acquaint themselves with the proceedings of the consultation meetings. (The High Court’s decision was subsequently overturned on other grounds by the Court of Appeal (*Whakatane District Council v Bay of Plenty Regional Council* [2010] NZCA 346); the Court did not comment on the High Court’s findings on predetermination and councillor absence.)

In *Friends of Turitea Reserve Society Inc v Palmerston North City Council* [2008] 2 NZLR 661 (HC), the High Court ruled that the fact that the local authority, as land-owner of a reserve, would financially benefit from a decision to change the status of a reserve did not amount to predetermination or bias. Even though the local authority would receive a financial payment from an electricity generator to

install turbines on the reserve once the status was changed, the Court considered that the local authority members still approached the decision with an open mind, and noted that the purpose of the payment, when viewed in context, was legitimate.

In *Goulden v Wellington City Council* [2006] 3 NZLR 244 (HC), the High Court ruled that members of a local authority had not predetermined a code of conduct complaint against a fellow councillor. By themselves, there was nothing objectionable in the framing of a proposed motion of censure in positive terms, the mayor presiding over the meeting even though she had witnessed and been party to previous incidents, and the fact that councillors had discussed their voting intentions with each other before the meeting.

In *Wakatu Incorporation v Tasman District Council* [2008] NZRMA 187 (HC), the Court emphasised the administrative nature of the assessment about whether there was sufficient information for an application for a resource consent to be publicly notified. Even though the local authority was responsible for processing a resource consent lodged by itself, there was no evidence in the way it processed the application or assessed whether it was ready for public notification that suggested that the matter had been predetermined.

In *Riverside Casino v Moxon* [2001] 2 NZLR 78 (CA), a member of a casino licensing authority had made a number of comments during the oral hearings that were strongly critical of opponents of the application, but the Court held that they did not display a consistent pattern pointing to a closed mind. The Court also recognised that, by the time of the oral hearings, the member could be expected to have legitimately formed some preliminary views from the substantial written submissions already provided. There was no evidence that he had entered upon the process with a closed mind.

In *R v Reading Borough Council ex parte Quietlynn* (1986) 85 LGR 387, a councillor had previously written to a newspaper saying that sex shops should be banned. Some time later, he sat on a committee considering an application for a licence as a sex establishment. In that case, the Court accepted that, despite his general views, he had nevertheless acted fairly when he came to consider the application. The Court suggested that this was a field where local representatives could be expected to have views, perhaps even strong views, about whether or not, in general, licences ought to be granted.

In *R v Amber Valley District Council, ex parte Jackson* [1984] 3 All ER 501, a general declaration of policy by a party caucus within a council was held not to disqualify them from later adjudicating on a planning application, so long as they were able to consider the application on its merits.

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In *McGovern v Ku-Ring-Gai Council* (2008) 251 ALR 58 (NSWCA), it was held that, for multi-member elected decision-making bodies, not all members need to maintain an open mind until all other members were prepared to make a decision. It is legitimate for a member of a collegial body to form a conclusion based on the evidence and then to attempt to persuade other decision-makers to agree with their conclusion.

In *R (Island Farm Development Ltd) v Bridgend County Borough Council* [2006] EWHC 2189 (Admin); [2007] LLR 230, strongly expressed views and former membership of a pressure group against a development did not prevent members from considering a development application. Even though the development had been a major political issue in the election and the members were elected on the back of opposition to the development, they had approached the issue with an open mind, with a willingness to consider relevant arguments and to change their mind if the material persuaded them to do so.

Relationship with other persons or organisations

The following cases discuss non-pecuniary conflicts of interest that may arise if a person has a close relationship with an affected person or organisation.

In *Saxmere Company Ltd v Wool Board Disestablishment Company Ltd* [2010] 1 NZLR 35 (SC), the Supreme Court ruled that a judge was not prevented from sitting on a case where the lawyer was his long-standing friend, with whom he shared a number of horse-breeding interests. However, in *Saxmere Company Ltd v Wool Board Disestablishment Company Ltd* (No 2) [2010] 1 NZLR 76 (SC), the Court later changed its mind after becoming aware of more details of the relationship, and ruled that the fact that the judge was beholden or significantly indirectly indebted to the lawyer amounted to a disqualifying conflict of interest.

In *Man O'War Station v Auckland City Council* (No 1) [2002] 3 NZLR 577 (PC), a case concerning a judge, the fact that a witness in the case was the son of a former colleague of the judge was not enough to constitute bias.

In *R v Bow Street Metropolitan Stipendiary Magistrate, ex parte Pinochet Ugarte* (No 2) [1999] 2 WLR 272 (HL), a judge was held to be biased where he was an active director of a charity closely associated with one of the parties to the litigation.

In a case involving an urban development body, *R v Secretary of State for the Environment, ex parte Kirkstall Valley Campaign* [1996] 3 All ER 304, a member who held an honorary position in a rugby club was held to be not biased in relation to a planning application affecting the club. However, a member who was involved in preparing the club's development plans, and whose firm acted for the club, was biased.

Appendix 3 Examples of cases on non-pecuniary conflicts of interest

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If a number of members of the authority become too integrally associated with the proponent of an issue, then the whole authority could be found to be biased. This occurred in *Anderton v Auckland City Council* [1978] 1 NZLR 657, where the level of the council's involvement with a developer was so great that it was held to have determined in advance to allow planning applications for the developer's project. The council had completely surrendered its powers of independent judgement.

Appendix 4

Checklist for section 3(3)(a) application

Applications for prior approval for a member of an authority to be concerned or interested in a contract needs to be made by the authority on behalf of the member. We need the following information to process an application:

- the name of the member;
- the names of the parties to the contract – if the member is not a party to the contract, their relationship to the person/company who is the party to the contract;
- the payments to be made under the contract for which approval is sought;
- the duration and nature of the contract;
- the reasons the authority wishes to use the proposed contractor for this work (for instance, how the authority justifies its choice on the basis of, for example, cost, performance, quality, expertise, or experience);
- the process the authority has followed in selecting the proposed contractor (including, for example, whether other potential contractors were considered or had the opportunity to quote or tender, whether the authority followed its standard procedures for contracts of this type or value, how the proposal was evaluated, and who was involved in making the relevant recommendation or decision);
- whether this is a subcontracting situation where the Council cannot control who the head contractor chooses to use;
- whether the member concerned has had any involvement in any authority decisions about the contract; and
- whether the member declared an interest and abstained where necessary.

The application must be made in writing and addressed to:

Assistant Auditor-General – Legal
Office of the Auditor-General
Private Box 3928
Wellington 6140
Telephone: 04 917 1500
Facsimile: 04 917 1549
Email: LAMIA@oag.govt.nz

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Other publications issued by the Auditor-General recently have been:

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- Effectiveness of the Get Checked diabetes programme
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- District health boards: Availability and accessibility of after-hours services
- Matters arising from the 2009-19 long-term council community plans
- Inquiry into the Plumbers, Gasfitters, and Drainlayers Board
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- Annual Plan 2010/11
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- Local government: Examples of better practice in setting local authorities' performance measures
- Local government: Results of the 2008/09 audits
- Statement of Intent 2010-13
- Performance audits from 2008: Follow-up report
- Effectiveness of arrangements for co-ordinating civilian maritime patrols
- Auditor-General's inquiry into certain types of expenditure in Vote Ministerial Services – Part 1

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A General Guide Through The Laws Affecting Elected Members

Introduction

Congratulations on your election to the Far North District Council for the 2019-2022 triennium and your governance role over the next three years.

Some of you have been involved with Council for some time and for others this may be your first experience as a Community Board member and you will be new to the process and procedures as to how Council conducts its business.

Council is created by a Statute of Parliament and therefore some understanding of the law and legal issues plays an important role in your decision making and this paper hopes to assist with that in providing a general explanation of some of the laws that regulate the conduct of elected members.

Generally the role and function of the Elected Members, as well as the conduct of meetings are dealt with in the Local Government Act 2002 (LGA 02) and Local Government Official Information and Meetings Act 1987 (LGOIMA).

Clause 21(5)(c) of Schedule 7 of the LGA 02 requires that, at the first meeting of the Council following a triennial general election, the chief executive must give or arrange for a general explanation of certain laws affecting members, including:

1. Local Government Official Information and Meetings Act 1987;
2. Local Authorities (Members' Interests) Act 1968;
3. Sections 99, 105 and 105A of the Crimes Act 1961;
4. Secret Commissions Act 1910; and
5. Financial Markets Conduct Act 2013.

In particular your attention is drawn to certain legal provisions within the following Acts;

- Secret Commissions Act 1910
- Crimes Act 1961
- Local Authorities (Members' Interests) Act 1968;

Contravention of these provisions may result in the loss of office.

This paper is prepared to firstly meet the above mentioned statutory obligation and also to provide a resource to which members may refer in the performance of their functions. It addresses principles rather than detail, but should nevertheless be of assistance when applied to real problems.

There is a caveat to the above, as this paper does not in any way deal with all the legislation you will come into contact with that affects your role as elected members such as the Rating legislation and a plethora of other Acts that impact on how you will decide matters. The relevant sections of law should be set out in any paper that comes to you for consideration.

This paper has five parts:

- Council Structure and Governance
- Meetings
- Confidentiality
- Conflicts of Interest



- Administrative Law Principles.

Council Structure and Governance

So what is Council?

Section 12 of the LGA states that a local authority is a body corporate with perpetual succession (s12(1)). It has full capacity to carry on or undertake any activity or business, do any act, or enter into any transaction. The only restrictions on the above is that it must exercise those powers wholly or principally for the benefit of its district. There are some exclusions and you are encouraged to read section 12.

Structure of Council

The Far North District Council is comprised of the Mayor and 9 Councillors (Governance).

The purpose of Governance is to enable local decision-making and action by and on behalf of communities and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future (s10 of LGA).

The Council aims to achieve this by;

- defining the overall vision for the Far North District
- determining local policy and bylaws
- engaging and encouraging community participation in decision-making
- considering the needs and future needs of our district
- monitoring the performance of the organisation against the objectives set in the Long Term Plan
- employing the Chief Executive and monitoring their performance against agreed key performance indicators.

Role of the Mayor

The role of the Mayor is to provide leadership to Elected Members and the people of the Far North District. The Mayor performs civic duties and leads the development of Council's plans (long term and annual plans), policies and budgets for consideration by Elected Members.

The Mayor at Council meetings has one vote and in the event of a deadlock has a casting vote.

Post-election the Mayor may appoint a Councillor as Deputy Mayor and will establish committees and appoint the committee chairpersons, if he chooses to exercise this power under (s41A). Alternatively, it can be a decision of the Council.

Role of Councillor

The role of a councillor is governance - this should be open and transparent and clear. Resolutions passed at council meetings setting the strategic direction and tasking the Chief Executive to implement them should be precise and clear.

Councillors are responsible for decision-making on behalf of the ratepayer and must commit to the large amount of reading required and attend workshops to ensure they make sound decisions.

If good government is to be delivered, then the standard of integrity of the members must be the foundation of good decisions.



Role of the Chief Executive Officer

The Chief Executive Officer (CEO) has overall responsibility for the Far North District Council's operational management and is expected to be apolitical and not to make political or policy decisions. That is the role of the Elected Members.

He is responsible for employing staff, providing leadership to them and implementing and managing Council's decisions. These responsibilities are performed by him delegating tasks to his Strategic Leadership Team and then tasking the work to their staff.

A key part of the role of council staff is to provide Elected Members with comprehensive advice to enable them to make informed and effective decisions. Therefore, a high level of cooperation and mutual respect between Elected Members and staff is essential for the council to perform effectively.

To ensure such cooperation and trust is maintained, Elected Members are expected to:

- recognise the Chief Executive's role as the employer of council staff
- make themselves aware of the obligations the Far North District Council and Chief Executive have as an employer and observe those requirements at all times
- treat all council staff with courtesy and respect
- observe any guidelines the Chief Executive puts in place regarding contact with employees
- not do anything which compromises, or could be seen as compromising, a staff member's impartiality
- avoid publicly criticising council staff, especially in ways that reflect on the staff member's competence and integrity
- raise concerns about council staff directly with the Chief Executive
- raise concerns about the Chief Executive with the Mayor or the Chief Executive
- not seek to improperly influence staff in the normal undertaking of their duties

Governance versus Management

As an Elected Member your job is oversight, not operations.

Elected Members and the Chief Executive must have a clear understanding of their different roles and responsibilities. One issue that may confront Members is finding the boundary between their role and the role of Management.

In the simplest terms, Members are responsible for oversight and planning, while the Chief Executive, his general managers and staff are responsible for the day to day operational activities.

Members are not permitted to contact staff directly. Communication should be through the Chief Executive, or the relevant General Manager.

Community Boards

The Far North District has three community boards namely;

- Te Hiku in the north;
- Bay of Islands-Whangaroa in the East; and
- Kaikohe-Hokianga in the west.

The legal status of a community board is defined to constitute an unincorporated body. It is not a local authority nor is it a committee of the local authority. The local authority is therefore not entitled to censure or dismiss its members. The control and conduct of its members remains the sole jurisdiction of the board and it is for the board to adopt its own code of conduct.



The community board and can be joined into legal proceedings and the indemnities in the LGA 02 will apply to the community board members

Role of the Community Board

The Local Government Act 2002 at s52 states the role of a community board is to:

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

The Far North District Council further delegates a number of responsibilities to community boards. *From time to time Council may consider some activities and assets as having district wide significance and these will remain the responsibility of Council. This information is set out in full on the Council website.*

Powers of the Community Board

Its powers are solely those delegated to it by the local authority but it cannot hold property or hire staff. The provisions of Schedule 7 of the LGA02 apply apart from cls 15, 33 and 36.

Official Information

As an Elected Member you may be subject to information requests under the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Official information is not just documents or papers. It includes information held in any format, such as emails, phone calls, text messages, videos and photos.

Care should be taken with any information you generate or gain access to as part of your role. This information can be discoverable through the LGOIMA request process. This includes information on your personal email account or home computer, if it relates to Council business.

Personal liability of elected members

Generally Elected Members of a local authority, which extends to a member of a committee, community board, or other subordinate decision-making body, are indemnified by the local authority for the costs and damages of a civil claim where acting in good faith on council business (s 43 of the LGA 02).

Further, Members are indemnified for the costs of a successfully defended criminal action relating to the member's functions.

A director of a council-controlled organisation is not indemnified by the local authority for actions in that capacity.

The indemnity does not cover any loss found by the Auditor-General to have been incurred or that may be attributed to an unlawful act or omission, or to an intentional or negligent failure to enforce the collection of valid debts by the Council. This could lead to the potential liability of members found responsible to account for the loss. If the Auditor-General makes a report on a loss to a local authority, without limiting the liability of any other person, the loss is recoverable as a debt due to the Crown against the members jointly and severally (s46 of the LGA02).

A member may have a defence to a claim for the recovery of the loss by proving the act or failure resulted without the defendant's knowledge or with knowledge but against the protest or contrary to a vote of the defendant (s46 (4) of the LGA02). For the defence to be upheld the member must have taken some positive step as a failure to vote, abstention or silence on the vote may be taken as assent.



A further defence is available to a member where the legality of a matter was questioned or in doubt, and advice was obtained from a competent professional adviser.

Meetings

Most business of the Council is to be conducted before the public and generally, information held by the Council should be readily available to the public. The law requires a high standard of transparency to ensure that those governed know what has been done and why.

The fundamental principle in the LGOIMA is that information held by the Council is publicly available, unless one or more specified withholding grounds apply.

The LGOIMA deals with local authority meetings in Part VII. Briefly:

- (a) The Act states the grounds upon which the public may be excluded from meetings (section 48). That may generally only occur when good reason to withhold information exists, and there is a statutory definition of that concept in section 7 of the Act. Also, the public may be excluded where the subject matter of discussion is one in respect of which a right of appeal exists to any Court or Tribunal against the decision made by the Council.
- (b) In excluding the public, the Council must make a resolution stating the subject of each matter to be considered while the public is excluded, and the reasons must be given for excluding the public, in terms of the statutory grounds.
- (c) Chairpersons at meetings may require members of the public to leave a meeting if the behaviour of the person concerned is likely to prejudice or continue to prejudice the orderly conduct of the meeting (section 50). Councillors themselves whose conduct prevents the orderly conduct of the meeting may be asked to leave by the presiding member under the standing orders.
- (d) If a meeting is open to the public, and an agenda is supplied to a member of the public or the minutes of a meeting are produced for inspection by any member of the public after the conclusion of the meeting, any defamatory matter which is published in this way is to be treated as privileged, unless the publication was predominantly motivated by ill will (section 52). Oral statements made at meetings of the Council are also privileged, unless the statement is proved to be predominantly motivated by ill will (section 53). Ordinarily, a statement that is "privileged" cannot support a cause of action for defamation (even though that statement might be untrue or misleading).
- (e) Items which are not on an agenda for a meeting may nevertheless be dealt with if the meeting resolves to do so and the chairperson explains in open meeting why the item is not on the agenda and why consideration of it cannot be delayed to a subsequent meeting (section 46A(7)). (If the item is a minor matter relating to the general business of the Council then it may be discussed without the meeting having resolved to do so, so long as the chair explains at the beginning of the meeting, and when it is open to the public, that the item will be discussed, but in that case no resolution, decision or recommendation may be made except to refer the item to a subsequent meeting for further discussion (section 46A(7A)).)

Confidentiality

There are occasions when, for particular and limited reasons, which are specified by law, the Council must conduct its business privately and protect the privacy or confidentiality of information it holds. When the public is excluded by due resolution of the Council and when the Council holds information confidentially, then it is critical that the rules of confidentiality are observed and maintained by the members and the officers of the Council.



The Council has adopted as the rules for the conduct of its business Standing Orders. Included therein is a provision that:

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 presented or will be presented to any meeting from which the public is excluded or proposed to be excluded." (rule 17.4)

The obligation to comply with Standing Orders is reinforced by the LGA, which provides in clause 16(1) of Schedule 7, that:

"A member of a local authority must abide by the standing orders adopted under clause 27"

Then, section 238(1) of that Act addresses default:

"238 Offence of failing to comply with Act

(1) Every person who acts contrary to, or fails to comply with, a direction or prohibition given under this Act, or under an authority given to a local authority or to a member or officer of a local authority, commits an offence and is liable on conviction to the penalty specified in section 242(2)."

Quite simply, a breach of standing orders may be an offence that might lead to prosecution and a fine not exceeding \$5000.00.

It might be thought that the obligation of confidentiality is less than the obligation for open government. It is not. The duty in each regard is the same.

Governance must be conducted in accordance with the law. The conduct of Council must be fully open until it becomes confidential according to law. Once confidentiality is imposed, that obligation must be observed with equal assurance.

Whistle blowing can be honourable. There are times and places for doing so. They do not include "going public". That is political self-promotion and is dishonourable.

The Ombudsmen's Office and the Auditor-General may be contacted and consulted with any concerns about due standards of performance by the Council, that **will maintain the confidentiality of the Council**.

Members must keep to the law. They cannot choose when to obey and when to breach the law. The constant and consistent observance of the law is necessary for the delivery of good governance.

Conflicts of Interest

Members' Financial Interests

The following comments are not an explanatory guide as these comments are limited to a few provisions only.

The Council does not provide legal advice to its members. Each member must seek his or her own independent legal advice.

The Council itself is only indirectly affected. It has some indirect concern for a member's interest, however, because of certain consequences that can follow in the event of the breach by a member.

First, an extraordinary vacancy could result as a consequence of a breach of the Act, but more particularly the breach might be grounds, in certain circumstances, for impugning or challenging, a Council decision.

The object of the statutory provisions discussed below:



"is clearly to prevent councillors from voting on all matters which may affect their own pockets and therefore may affect their judgment".¹

The cases make it clear that it is irrelevant whether there is or is not an actual pecuniary advantage or disadvantage as a result of the vote.

The Local Authorities (Members' Interests) Act 1968

The Local Authorities Members' Interests Act 1968 (LAMIA) is one of the most important statutes governing the conduct of elected members and we strongly recommend you familiarise yourself with its provisions. *(Also see the Auditor General's Guidance for Members of Local Authorities about the Local Authorities (Members Interests) Act 1968.)* This has been provided to you in your induction pack.

It has two main aspects:

1. The prohibition of certain contracts between local authorities and their members.
2. The prevention of voting on or discussing questions in which a member has a pecuniary interest.

As to the first aspect, LAMIA provides that no-one may be elected or appointed or be a member of a local authority or of any committee of it, if the total payments to be made by the Council in respect of contracts made by it with that person exceeds \$25,000 (including GST) in any year. The Act covers contracts made by the Council directly with the person concerned, and also contracts made by the Council in which the Councillor is concerned or interested. Special provisions deal with companies in which a member or his or her spouse is interested either as a shareholder, or as a member of the company, or by virtue of certain management positions. There are a number of exceptions to this rule but, in case of any doubt, Councillors should refer to the Chief Executive so that proper advice is obtained.

To assist section 3 is set out in full below

3 Disqualifying contracts between local authorities and their members

- (1) *Except as provided in subsection (3), no person shall be capable of being elected as or appointed to be or of being a member of a local authority or of any committee of a local authority, if the total of all payments made or to be made by or on behalf of the local authority in respect of all contracts made by it in which that person is concerned or interested exceeds \$25,000 in any financial year.*
- (2) *For the purposes of subsection (1), a member of a local authority or of a committee thereof shall be deemed to be concerned or interested in a contract made by a local authority with an incorporated company, if—*
 - (a) *the member or his spouse or partner singly or between them own, whether directly or through a nominee, 10% or more of the issued capital of the company or of any other company controlling that company; or*
 - (b) *the member or his spouse or partner is a member of the company, and either of them is the managing director or the general manager (by whatever names they are called) of the company; or*
 - (c) *the member or his spouse or partner is a member of a company controlling the company with which the contract is made and either of them is the managing director or the general manager (by whatever names they are called) of that controlling company; or*
 - (d) *the member or his spouse or partner is the managing director or general manager (by whatever names they are called) of the company and either of them is a member of a company controlling that company;*

provided that nothing in this subsection shall apply with respect to the spouse or partner of any member where, at the time when the contract was entered into,—



- (i) *the member and his spouse or partner were living apart; or*
 - (ii) *in any case to which paragraph (a) applies, the member did not know and had no reasonable opportunity of knowing that his spouse or partner owned any part of the issued capital of the company or of any company controlling that company; or*
 - (iii) *in any case to which paragraph (b) or paragraph (c) or paragraph (d) applies, the member did not know and had no reasonable opportunity of knowing that his spouse or partner was a member of the company or of the controlling company, as the case may be, or held any of the offices specified in any of those paragraphs.*
- (2A) *For the purposes of subsection (1), a member of a local authority or of a committee thereof shall be deemed to be concerned or interested in a contract made by the local authority in which his spouse or partner is concerned or interested (not being a contract made with an incorporated company):*
- provided that nothing in this subsection shall apply with respect to the spouse or partner of any member where, at the time when the contract was entered into,—*
- (a) *the member and his spouse or partner were living apart; or*
 - (b) *the member did not know and had no reasonable opportunity of knowing that his spouse or partner was concerned or interested in the contract.*
- (3) *Notwithstanding anything in subsection (1),—*
- (a) *no person shall be disqualified under this section by virtue of his being concerned or interested in any contract made in any special case with the prior approval of the Auditor-General on the application of the local authority. In any such special case the Auditor-General may authorise the payment and receipt of such amount as it thinks fit:*
 - (aa) *a person shall be deemed not to have been disqualified by virtue of his being concerned or interested in any contract made in any special case where, on the application of the local authority, the subsequent approval of the Auditor-General is obtained; which approval shall be given only if the Auditor-General is satisfied that—*
 - (i) *there is a sufficient special reason why prior approval was not obtained under paragraph (a); and*
 - (ii) *prior approval would have been obtained under paragraph (a) if that approval had been sought:*
 - (ab) *no person shall be disqualified under this section by virtue of his being concerned or interested in any contract made on behalf of the local authority by an employee or committee of the local authority (unless the member of the local authority is a member of that committee) acting under delegated authority, where it is verified in writing to the Auditor-General, by such 1 or more persons and in such manner as the Auditor-General requires, that the member did not know and had no reasonable opportunity of knowing of that contract at the time it was made:*
 - (b) *where a person is concerned or interested in any contract solely by reason of being concerned or interested in any subcontract relating thereto, the provisions of this section shall, with the necessary modifications, apply to him as if references in this section to the amount payable by or on behalf of the local authority in respect of a contract were references to the amount payable by or on behalf of the contractor in respect of the subcontract:*



- (c) *in assessing under this section the amount of any payment made or to be made by or on behalf of the local authority in respect of any contract, no account shall be taken of any sum paid or to be paid as a refund of a deposit:*
- (d) *an interest in—*
- (i) *any loan raised by the local authority, whether on security or otherwise; or*
 - (ii) *any payments made or to be made in respect of advertisements inserted by the local authority in any newspaper; or*
 - (iii) *any lease granted or agreed to be granted to the local authority; or*
 - (iv) *any payment received by way of compensation under the [Public Works Act 1981](#) for any loss, damage, or injury suffered by reason of the exercise of any power under that Act; or*
 - (v) *any advance made by the local authority under the Rural Housing Act 1939; or*
 - (vi) *any advance made or guarantee given by the local authority under [Part 32](#) of the Local Government Act 1974; or*
 - (vii) *any contract for the supply of goods or services made during a state of emergency declared, or a transition period for which notice is given, under the [Civil Defence Emergency Management Act 2002](#), if that contract does not continue for more than 1 month after the end of that state of emergency or transition period, and if the goods or services are supplied at charges not in excess of those normally applying in the district of the local authority or in the area under its jurisdiction at the time immediately preceding the state of emergency or transition period,—*
- shall not constitute a disqualification under this section:*
- (e) *[Repealed]*
- (f) *no person shall be disqualified under this section by virtue of his being concerned or interested in any contract made before his election or appointment, if before that election or appointment his obligation in respect of the contract had been performed and the amount to be paid by or on behalf of the local authority in respect of the contract had been fixed; and any payment made thereafter by or on behalf of the local authority in respect of the contract shall not operate to disqualify that person for continuing to hold office or be taken into account for the purpose of calculating the amount that may be lawfully paid to him as a member of the local authority or, as the case may be, of a committee thereof in the same financial year in respect of any contract or contracts:*
- (g) *no person shall be disqualified under this section by virtue of his being concerned or interested in any contract, whether of a continuing nature or otherwise, made before his election or appointment and in respect of which his obligations have not been performed before that election or appointment, where the amount to be paid by or on behalf of the local authority in respect of the performance of the contract has been fixed in that contract subject to such amendments and additions as may be provided for in the contract, or, where the amount to be paid by or on behalf of the local authority in respect of the performance of the contract is not ascertainable until the contract has been performed, if—*
- (i) *the contract is for a continuous period not exceeding 12 months from the date on which the contract is made; or*



- (ii) *the contract is for a continuous period exceeding 12 months from the date on which the contract is made and that person has, with the consent of the local authority, relinquished that contract before acting as a member and within 1 month after the date of his election or appointment, as the case may be;—*

and any payment made thereafter by or on behalf of the local authority in respect of the contract shall not operate to disqualify that person for continuing to hold office or be taken into account for the purpose of calculating the amount that may be lawfully paid to him as a member of the local authority or, as the case may be, of a committee thereof in the same financial year in respect of any contract or contracts:

- (h) *no person shall be disqualified under this section by virtue of his being concerned or interested in any contract as an administrator or a trustee of any estate or trust in which he is not a beneficiary, or as the manager appointed under the [Protection of Personal and Property Rights Act 1988](#):*
- (i) *no person shall be disqualified under this section by virtue of his being concerned or interested in any agreement entered into pursuant to section 81 of the Noxious Plants Act 1978:*
- (j) *no person who is a member of a community board is disqualified under this section by virtue of that person or that person's spouse or partner being concerned or interested in any contract made by a territorial authority, if—*
- (i) *the contract, except for any preliminary work associated with it, is to be performed wholly outside the area under the jurisdiction of the community board of which that person is a member; and*
- (ii) *the contract is one in which the community board has no jurisdiction or control or which has not been reported on to the territorial authority by the community board; and*
- (iii) *neither that person nor that person's spouse or partner is also a member of the territorial authority that made the contract.*
- (3A) *Nothing in subsection (3)(j)(iii) applies with respect to the spouse or partner of a member where, at the time when the contract was entered into, the member and the member's spouse or partner were living apart.*
- (4) *For the purposes of subsection (3)(j), **territorial authority** has the same meaning as in the [Local Government Act 2002](#).*

The penalty for breach of these provisions (contained in section 3 of LAMIA) is immediate loss of office as well as the possibility of a fine being imposed (sections 4 and 5).

Section 6 of LAMIA provides that a member of a local authority or of a committee of it shall not vote on or take part in the discussion of any matter before the governing body of that local authority or before that committee in which he or she has, directly or indirectly, any pecuniary interest, other than an interest in common with the public. Once again, there are special provisions dealing with a pecuniary interest in the context of the interests of the member or his or her spouse in a company. The Office of the Auditor-General is empowered to declare that the rule will not apply with respect to any specified matter or specified class of matter on particular occasions. In doing so it must act in the interests of the electors or inhabitants of the district.

To assist section 6 is set out in full below:

Member of local authority or committee not to discuss or vote on question in which he has pecuniary interest



- (1) *A member of a local authority or of a committee thereof shall not vote on or take part in the discussion of any matter before the governing body of that local authority or before that committee in which he has, directly or indirectly, any pecuniary interest, other than an interest in common with the public.*
- (1A) *Nothing in subsection (1) shall apply in any case where a member of a local authority or a committee of the local authority has been elected by or appointed to represent any activity, industry, business, organisation, or group of persons and his pecuniary interest is not different in kind from the interests of other persons in the activity, industry, business, organisation, or group by which the member is elected or in respect of which he is appointed.*
- (2) *For the purposes of subsection (1), where an incorporated company has, directly or indirectly, a pecuniary interest in a matter before the governing body of a local authority or before a committee thereof, a member of the local authority or, as the case may be, of the committee shall be deemed to have a pecuniary interest in the matter, if—*
- (a) *the member or his spouse or partner singly or between them own, whether directly or through a nominee, 10% or more of the issued capital of the company or of any other company controlling that company; or*
 - (b) *the member or his spouse or partner is a member of the company, and either of them is the managing director or the general manager (by whatever names they are called) of the company; or*
 - (c) *the member or his spouse or partner is a member of a company controlling the company having a pecuniary interest in the matter before the governing body of the local authority or, as the case may be, before the committee, and either the member or his spouse or partner is the managing director or the general manager (by whatever names they are called) of that controlling company; or*
 - (d) *the member or his spouse or partner is the managing director or general manager (by whatever names they are called) of the company having a pecuniary interest in the matter before the governing body of the local authority or, as the case may be, before the committee, and either of them is a member of a company controlling that company.*
- (2A) *Where the spouse or partner of a member of a local authority or of any committee thereof has, directly or indirectly, a pecuniary interest in a matter before the governing body of a local authority or before a committee thereof as the owner or one of the owners (otherwise than as a member of an incorporated company) of an estate or interest in any real or personal property or of any business or as a party to any contract or proposed contract with the local authority, the member shall, for the purposes of subsection (1), be deemed to have a pecuniary interest in the matter.*
- (2B) *Nothing in subsection (2) or subsection (2A) shall apply with respect to the spouse or partner of any member where, at the time when the member took part in the discussion of or, as the case may be, voted on the matter before the local authority or committee, the member and his spouse or partner were living apart.*
- (3) *Nothing in subsection (1) shall apply with respect to any of the following matters:*
- (a) *any payment to or for the benefit of a member where it is legally payable and the amount or maximum amount or the rate or maximum rate of the payment has already been fixed; or*
 - (b) *any contract of insurance insuring members against personal accident; or*
 - (c) *an election or appointment of a member of the local authority to any office, notwithstanding that any remuneration or allowance is or may be payable in respect of that office; or*
 - (d) *any formal resolution to seal or otherwise complete any contract or document in accordance with a resolution already adopted; or*



- (e) *the preparation, recommendation, approval, or review of a district plan under the [Resource Management Act 1991](#) or any section of such a scheme, unless the matter relates to any variation or change of or departure from a district scheme or section thereof or to the conditional use of land as defined in that Act; or*
- (ea) *the preparation, recommendation, approval, or review of general schemes under the [Soil Conservation and Rivers Control Act 1941](#) for the preventing or minimising of damage by floods and by erosion; or*
- (eb) *the preparation, recommendation, approval, or review of reports as to the effect or likely effect on the environment of any public work or proposed public work within the meaning of the [Public Works Act 1981](#); or*
- (f) *any matter in which, in the opinion of the Auditor-General given before the vote or discussion and on written application to the Auditor-General for his or her opinion, the pecuniary interest of a member is so remote or insignificant that it cannot reasonably be regarded as likely to influence him in voting on or taking part in the discussion of that matter.*
- (4) *Notwithstanding anything in subsection (1), the Auditor-General may, of his or her own motion or upon written application made to him or her by the member concerned, declare that that subsection shall not apply with respect to any specified matter or specified class of matter to be considered by the local authority or committee, as the case may be, if the Auditor-General is satisfied that the application of that subsection would impede the transaction of business by the local authority or committee or that it would be in the interests of the electors or inhabitants of the district of the local authority or of the area under its jurisdiction that the subsection should not apply.*
- (5) *Any person who under subsection (1) is prohibited from voting on or taking part in the discussion of any matter at any meeting at which he is present shall, when the matter is raised before the local authority or committee of which he is a member, declare to the meeting that he has a pecuniary interest in the matter, and the fact of the disclosure of interest and of the abstention from discussion and voting shall be recorded in the minutes of the meeting. Any such record in the minutes of the meeting shall be prima facie evidence of its contents, in the event of any question arising as to whether a member made a disclosure of interest and abstained from discussion and voting.*
- (6) *Notwithstanding anything in subsection (1), a member of any of the following bodies:*
 - (a) *the University Grants Committee:*
 - (b) *the Council of Massey University:*
 - (c) *the Council of the University of Auckland:*
 - (d) *the Council of the University of Canterbury:*
 - (e) *the Council of the University of Otago:*
 - (f) *the Council of the University of Waikato:*
 - (g) *the Council of the Victoria University of Wellington:*
 - (gg) *[Repealed]*
 - (h) *the Council of Lincoln University:*
 - (i) *[Repealed]*



(j) [Repealed]

(k) [Repealed]

shall be entitled to take part in the discussion before that body, or any committee thereof, of any matter that directly or indirectly affects his salary or allowances, but shall not be entitled to vote thereon.

The penalty for discussing or voting when there is a pecuniary interest is, once again, loss of office, but only upon conviction of an offence (section 7). Related to these statutory provisions is the common law principle of natural justice, which includes obligations to listen to both sides and not to be a judge in one's own cause.



Indirect Pecuniary Interest

One question that at some stage may face an elected member is how does one deal with an indirect pecuniary interest? At what point, or in what way, is the interest to be distinct from that of the public in general? Not surprisingly, because the circumstances can be infinite in their variety, the Courts have deliberately refrained from providing fixed boundaries. Each case must be considered on its own facts.

The Courts have recognised that the constraint should not be interpreted so as to make

*"The conduct of municipal business impossible and recognised that since a contravention is made an offence punishable by a penalty the language should only be given meaning which it clearly bears"*ⁱⁱ

What is clear is that is that the member's interest is not to be one that is shared in common with the public, it has to be "special and peculiar to him/herself".

The meaning of "the public" is very vague. It will depend upon the circumstances of the case and will always be a question of degree.

An indirect pecuniary interest may involve (see section 6 of LAMIA):

- An interest arising from a relationship and not from any specific contract or monetary connection; and
- Considering whether an informed objective bystander would conclude that there was a likelihood or reasonable apprehension of bias; and
- That any motives and good faith of councillors are irrelevant to whether or not they had an indirect pecuniary interest; and
- Either a potential benefit or a potential liability. It does not matter whether a member gains or loses from his or her interest, "the situation contemplated by the legislation is a particular formalised illustration of the rule that persons charged with an obligation to make decisions should not be affected by any personal motive".

It must be emphasised that pecuniary interests are ones for members themselves to address and resolve. It is not the business of the Council to order, direct or formally advise any member what he or she should do in any particular instance.

Only the member will know sufficient detail to be able to determine his or her liability. There is no authority for the executive of the Council to provide legal advice to members as to their personal affairs.

Crimes of Bribery and Corruption - Crimes Act 1961

Councillors are within the definition of an "official" in section 99 of the Crimes Act. Section 105 of that Act provides that every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, any bribe for himself or any other person in respect of any act done or omitted, or to be done or omitted, by him or her in an official capacity.

Putting this simply, it is an offence against this section to seek or obtain a reward for performing one's official duties as a councillor.

Section 105A, further states that it is an offence, carrying a term of imprisonment of up to 7 years, for an official to use any information acquired by him or her in an official capacity to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or herself, or any other person.

Secret Commissions Act 1910

The Secret Commissions Act 1910 deems every councillor to be an agent of the Council (section 16(1)(b)). It creates offences in relation to accepting inducements or rewards for doing or forbearing to do something in relation to the Council's affairs, or showing or having shown favour or disfavour to any person in relation to the Council's affairs or business (section 4(1)). It is an offence, similarly, to divert, obstruct, or interfere with the proper course of the affairs or



business of the Council, or to fail to use due diligence in the prosecution of its affairs or business, with intent to obtain any gift or other consideration from any person interested in the affairs or business of the Council (section 4(2)).

Section 5 makes it an offence for a member not to disclose to the Council his or her pecuniary interest in a contract when making a contract on behalf of the Council.

Section 9 of the Act makes it an offence to aid or abet, or to be in any way directly or indirectly concerned in, or privy to, the commission of any offence against the Act.

Conviction of an offence under the Act carries with it the possibility of imprisonment for up to 7 years. Such a conviction would also have the consequence of loss of office, in terms of clause 1 of Schedule 7 to the Local Government Act 2002.

Financial Markets Conduct Act 2013

Under the Financial Markets Conduct Act 2013, elected members are in a similar position to company directors if the Council were to issue financial products, such as equity or debt securities, under its borrowing powers. Elected members may therefore be personally liable if product disclosure statements to investors contain untrue information, and may be liable for civil action or criminal prosecution if the requirements of the Act, such as keeping an audited register of financial products issued, are not met.

Health and Safety at Work Act 2015

The Act specifically exempts Local body members at section 52 set out below.

52 Liability of certain office holders

- (1) An office holder listed in subsection (2), when acting in that capacity, does not commit an offence under [section 47](#), [48](#), or [49](#) for a failure to comply with the duty imposed by [section 44](#) (duties of officers).
- (2) The office holders are—
 - (a) a member of the governing body of a territorial authority or regional council elected in accordance with the [Local Electoral Act 2001](#);
 - (b) a member of a local board elected or appointed under the [Local Electoral Act 2001](#);
 - (c) a member of a community board elected or appointed in accordance with the [Local Electoral Act 2001](#);
 - (d) a trustee of a board of a school appointed or elected under the [Education Act 1989](#).
- (3) In this section,—

board and **trustee**, in relation to a school, have the same meanings as in [section 92\(1\)](#) of the Education Act 1989

community board means a board established under [section 49\(1\)](#) of the Local Government Act 2002

local authority and **local board** have the same meanings as in [section 5\(1\)](#) of the Local Government Act 2002.



Administrative Law Principles

This is a brief introductory overview of administrative law principles, which apply to the making of all decisions by the Council. There is an overriding obligation to make decisions fairly.

The Council is subject to the same laws as any other person or body corporate. However, The Council is not the same as a company or an individual. Its public nature, derived from the Crown and being in control of public funds creates a need for additional obligation that Council must adhere to. These additional obligations are the administrative law principles otherwise known as the rules of natural justice which apply to council's decision making.

The Council can be taken to court for both private claims and public action. An example of a private claim is seeking damages against the Council for breach of contract and an example of a public action is judicial review of a Council decision.

What then are the administrative law principles? Three major categories of grounds for judicial review have been recognised. One judge has spoken of illegality, irrationality and procedural impropriety. Another would have councils act in accordance with law, fairly and reasonably.

These are clearly broad principles and are of universal application. Narrower legal terms apply to certain kinds of behaviour, which are found within these requirements to achieve fairness.

Illegality /Procedural Impropriety

Although Council has a power of general competence, that power is given and constrained by the Local Government Act 2002, other legislation and the common law. This means it cannot do whatever it wants in whatever manner it chooses.

Whenever the Council does act, by resolution of the members themselves in Council meeting, by committee, subcommittee or delegated officer, it must act in the manner specified in the legislation or standing orders. Particular attention should be given to procedural compliance as a failure to comply with the statutory duties set out in the LGA02 can result in the decision of the Council being illegal and on judicial review overturned.

A Degree of Conflict in Council Decision Making is Allowed

Elected members will often be involved in other organisations in the community, in addition to private interests and those of their friends and families. Accordingly, having possible conflicting interests is natural and unavoidable

It however is important to note that a conflict only arises if, in a particular situation, there is an overlap between private interest and responsibilities to a public entity, or where a person's duty to one entity is in conflict with a duty to another entity (a conflict of roles/duties).

The law recognises the inevitability of a degree of conflict within councils when exercising certain functions. It is established, for example, that a council may object to its own district plan and apply to itself for resource consent.

Where there is inevitably an element of pre-consideration by the council of the issue it has to decide, the Courts have tolerated:

"a departure from the standard of even-handed justice which the law requires from those who occupy judicial office, or those who are commonly regarded as holding a quasi-judicial office..."ⁱⁱⁱ

This lesser standard of impartiality has been described in the case of councils in these terms:

"... the state of impartiality which is required in a council to preserve a freedom, notwithstanding earlier investigations and decisions, to approach their duty of inquiring into and disposing of objections without a



closed mind, so that if considerations advanced by objectors bring them to a different frame of mind they can and will go back on their proposals.”^v

However, that the necessary element of inevitability is lacking where one member of the Council chooses to make preliminary submissions to the Council or become publicly involved on behalf of one particular option, rather than argue his case in the deliberations of the Council. By taking a prior public position, he steps outside the Council and should not, subsequently, seek to rejoin the Council in its deliberations.

The Council's actions will be tested for bias against strict rules. There must be no:

“suspicion of bias reasonably and not fancifully entertained by responsible minds.”^v

Bias

The law around conflict of interest and bias is interesting but difficult to apply as it is often a matter of degree. For example in our legislation it is not just a matter of exclusion from the vote, but also exclusion from the deliberation on the particular issue. A public body must be seen to be impartial when making a decision. A prior contract, undertaking or commitment may make later considerations unlawful.

Bias and section 6 of LAMIA are similar in some respects. The test is:

“whether an informed objective bystander would conclude that there was a likelihood or reasonable apprehension of bias”.^{vi}

Bias is part of the administrative law principles of natural justice, which requires the Council to act fairly in reaching its decisions. The fairness principle has been described in these terms:

“In exercising that discretion as in exercising any other administrative function they [members] owe a constitutional duty to perform it fairly and honestly... What is a fair procedure to be adopted at a particular enquiry will depend on the nature of its subject matter.”^{vii}

More particularly, in the present context:

“presumptive bias through interest is a disqualifying factor in the judicial process not because actual bias was present, but because a reasonable man might think it was.”^{viii}

A breach, however, does not automatically invalidate a decision, nor render it void. The decision remains until it is declared by a court to be invalid and set aside.

Administrative law principles, sometimes spoken of as "natural justice", require the Council to act fairly in reaching its decisions. Among other things, that duty requires that conflicting views to be considered in any particular process are given a fair hearing and that the decision is free of predetermination or bias.

Administrative law principles are matters of public law affecting the Council, rather than private law by which a member can be subjected to sanctions. The remedy in public law, in the event of conflict giving rise to bias, is the invalidation of the Council decision, not the imposition of a penalty. It is this potential consequence of non-pecuniary conflict of interest that affects the Council.

The Council needs to consider the decision-making process. Is the process impartial? Might an informed objective bystander think that a member has a conflict of interest? To this extent, the duty of disclosure by members to the Council is vital.

Reasonableness

The test for reasonableness, known as **Wednesbury unreasonableness**^{ix} was stated like this:



"...a person entrusted with a discretion must so to speak direct to himself properly in law. He must call his own attention to the matters which he is bound to consider. He must exclude from his consideration matters which are irrelevant to what he has to consider. If he does not ... he may truly be said ... to be acting "unreasonably"."

Further, what is often quoted:

"If a decision is so unreasonable that no reasonable authority could ever have come to it then the courts can interfere."

It is on this standard that rates of McKenzie and Waimate Districts have been struck down.

The Court of Appeal has stated the test of unreasonableness in *Wellington City Council v Woolworths* in this way:

"For the ultimate decisions to be invalidated as "unreasonable" to repeat expressions used in the cases, the must be so perverse or absurd or outrageous in their defiance of logic that Parliament could not have contemplated such decisions being made by an elected council."^x

Just because a wide majority of elected representatives, often considering the matter a number of times, have come to a decision which seemed to them to be wise policy, well made, the Courts have nevertheless exercised the power to review and uphold, or reject those Council decisions.

The approach has been refined by the High Court in the recent case of *MPR v Refugee Status Appeals Authority*. Judge Duffy said at paragraph 14:

"The test for reasonableness can vary according to the context. Decisions that are entirely about money or that largely involve questions of central or local government policy are subject to the test applied in Wellington City Council v Woolworths (No 2) [1986] 2 NZLR 537 (CA) at 545.... However, it has long been recognised that a lower threshold may be applied in cases involving human rights."^{xi}

Conclusion

In decision-making, the Council must act with lawful authority in accordance with lawful procedure and produce rational results. This sounds simple, but in practice circumstances and complexity of the matters that you may have to deal with often make for difficulties in coming to a decision. When there is doubt, act carefully, ask and take advice and in need request further information so that at all times you as a Councillor can strive to make the best decisions you can for the benefit of the district.

References and Acknowledgements

- ⁱ Brown v DPP [1956] 2 All ER 189,192, Donovan J
- ⁱⁱ Downward v Babington [1975] VR 872,877
- ⁱⁱⁱ Franklin v Minister of Town & Country Planning [1948] AC 87 at 103
- ^{iv} Lower Hutt City Council v Bank [1974] 1 NZLR 545 at 550
- ^v Turner v Allison and Others [1971] NZLR 833 at 848
- ^{vi} Calvert & Co v Dunedin City Council [1993] 2 NZLR 460
- ^{vii} Bushell v Secretary of State for the Environment [1981] AC 75, 95
- ^{viii} Meadowvale Stud Farms Limited v Stratford County Council [1979] 1 NZLR 342
- ^{ix} Associated Provincial Housing Ltd v Wednesbury Corporation [1948] 1KB 2
- ^x Wellington City Council v Woolworths New Zealand Limited [1996] NZLR 537
- ^{xi} MPR v Refugee Status Appeals Authority [2012] NZHC 567

I further wish to acknowledge Brookfields Lawyers and the ongoing guidance in the matters.

5.6 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD FIRST MEETING**File Number: A2715669****Author: Kim Hammond, Meetings Administrator****Authoriser: William J Taylor MBE, General Manager - Corporate Services****PURPOSE OF THE REPORT**

To note the date and time of the first meeting of the Bay of Islands-Whangaroa Community Board.

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board receive the report “Bay of Islands-Whangaroa Community Board First Meeting”.

1) BACKGROUND

The Local Government Act (2002) cl. 21(5), Schedule 7, sets out a number of requirements of business that must be conducted at the Inaugural Meeting. This includes:

- (d) The fixing of the date and time of the first meeting of the local authority, or the adoption of a schedule of meetings.

The Bay of Islands-Whangaroa Community Board’s first meeting has been scheduled for Monday 9 December 2019 at 10.00 am.

2) DISCUSSION AND OPTIONS

The schedule of formal meetings will be tabled to Council and the Community Boards at their meetings in December.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary provisions required as a result of this report.

ATTACHMENTS

Nil

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	Low Significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Local Government Act 2002.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	Proposal is of local importance.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Not applicable.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Not applicable.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial or budgetary implications.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

5.7 BAY OF ISLANDS-WHANGAROA COMMUNITY BOARD APPOINTMENT TO DISABILITY ACTION GROUP

File Number: A2701392

Author: Aya Morris, Community Development Advisor

Authoriser: Sheryl Gavin, Manager Corporate Planning and Community Development

PURPOSE OF THE REPORT

The purpose of the report is to give the Bay of Islands-Whangaroa Community Board the opportunity to appoint a member to the Disability Action Group.

EXECUTIVE SUMMARY

- The Disability Action Group includes a representative from Council and each of the community boards.
- The Bay of Islands-Whangaroa Community Board is able to appoint a member as their delegate to the group.
- Information about the 2018-2019 operation of the group is presented as an attachment to the report.

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board appoint _____ as its representative on the Disability Action Group.

1) BACKGROUND

The Disability Action Group is a stakeholder engagement group which was established by the Council and consists of elected members, representatives of external groups involved with people of various abilities, and people with a lived experience of disability.

In June 2013 the Council adopted Policy 3211 – Equity and Access for People with Disabilities. The Disability Action Group meets quarterly to assist the Council to meet the objectives of the policy, including building the capacity of disabled groups to take responsibility for advocating on their own behalf.

The Disability Action Group Annual Report 2018-2019 is presented as an attachment to this report in order to provide information to the Community Board on the operations of the group.

2) DISCUSSION AND OPTIONS

The Bay of Islands-Whangaroa Community Board can appoint one of its members to the Disability Action Group. The appointee would enable communication between the group and the board and ensure the Bay of Islands-Whangaroa community's views are represented on the group.

Reason for the recommendation

To allow for appointment of a Community Board member to the Disability Action Group.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications.

ATTACHMENTS

1. **Disability Action Group Annual Report 2018-2019 - A2701397** [!\[\]\(38441ceaa711016e0bf2ad46ad394ff4_img.jpg\)](#) 

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	The proposal has a low level of significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Policy 3211 – Equity and Access for People with Disabilities
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	The matter has District wide relevance and delegates from each of the community boards and Council are requested.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	Māori are considered as part of the group's operation.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	The group specifically seeks to engage with these people.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no additional financial implications.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

Disability Action Group Annual Report 2019

The Disability Action Group (DAG) works with the Far North District Council (FNDC) to advocate for a more accessible environment for Far North residents and visitors with disabilities.

This report covers the period 30 June 2018-1 July 2019 and outlines key areas of advocacy and action for the DAG during this time.

DAG structure, strategy and operation

The DAG has held quarterly meetings and an annual strategic workshop as outlined in the recently developed Terms of Reference. A speaker with a wireless microphone has increased accessibility for those attending DAG meetings.

DAG engagement with Council and Community Boards

The DAG strategic goals developed through the annual strategic workshop have been presented to Council through a DAG deputation to a Council meeting.

The DAG annual report has been presented to each of the three community boards, gaining support for the DAG request to reinstate a community board agenda item about disabilities.

DAG engagement with FNDC staff

The DAG chairperson has met directly with the FNDC CEO to discuss the work of the DAG.

The DAG has given feedback on Reserve Management Plans for Lindvart Park and Kerikeri Domain.

The DAG has made a submission on the Draft District Plan to advocate for increased accessibility across all zones.

The DAG has engaged with the FNDC Transport Planner to provide feedback on the process to create new accessible car parking spaces, to recommend new spaces, and to recommend improvements for existing spaces. DAG has advocated for increased monitoring for accessible car parking spaces.

The DAG chairperson attended a workshop about the FNDC Integrated Transport Strategy.

The DAG has provided feedback to the Strategy & Policy team regarding the future review of the Equity and Access for People with Disabilities policy.

DAG promotion

The FNDC has issued a DAG media release which generated two articles in local newspapers, been featured in a social media post on the FNDC Facebook page, and recruited new members.

Accessible transport

The DAG has engaged with a range of agencies to advocate for improvements in accessible transport. These have included Northland DHB, Northland Regional Council, FNDC, and local Members of Parliament, Matt King and Kelvin Davis. The DAG has advocated for the allocation of FNDC funding to support accessible transport through schemes such as Total Mobility.

Disability Awareness Training

The DAG has successfully advocated to FNDC to provide disability awareness training for staff in line with the Equity and Access for People with Disabilities policy. The next round of training has been scheduled for 2019.

Equity and Access

The DAG has advocated for equity and access in matters other than accessibility for people with mobility or sensory impairments. For example the DAG has advocated for the needs of people with intellectual disabilities, mental health conditions and respiratory disabilities in their work.

5.8 BAY OF ISLANDS-WHANGAROA STATEMENT OF FINANCIAL PERFORMANCE ACTIVITIES BY WARD FOR THE PERIOD ENDING 30 SEPTEMBER 19

File Number: A2715695

Author: Sam Chapman, Accounting Support Officer

Authoriser: Janice Smith, Chief Financial Officer

PURPOSE OF THE REPORT

The purpose of the report is to provide the Bay of Islands – Whangaroa Community Board with financial statements for the period ended 30 September 2019.

EXECUTIVE SUMMARY

The financial report is ward-specific, covering the activities in the Bay of Island - Whangaroa ward only.

Understanding the report

Variances in excess of \$100k and significant “%” variances will be commented on.

The financial year runs from 01 July 2019 to 30 June 2020.

The “Year to date” columns reflect income and expenses for the period 01 July 2019 to 30 September 2019.

The variances column highlights the difference between the budget set in the 2019/20 Annual Plan and actual income and expenses as at 30 September 2019.

The full year columns show the budgeted income and expenses for the full 12 months from 01 July 2019 to 30 June 2020.

The full year forecast column shows the best estimate for the actual year end position as advised by Managers.

Unfavourable variances will represent expenses higher than budget or income less than budget.

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board receive the report Bay of Islands-Whangaroa Statement of Financial Performance Activities by Ward for the period ending 30 September 2019.

BACKGROUND

This is the first quarterly financial report for 2019-2020 detailing the financial performance of community activities to be provided to the Bay of Islands-Whangaroa Community Board.

DISCUSSION AND NEXT STEPS

Refer to the commentary in the attached statement

FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no specific financial implications for this report.

ATTACHMENTS

1. **2019-11-04 BWCB Statement of Financial Performance Activities by Ward for the period ending 30 September 19 - A2715259** [!\[\]\(756219e9389f679d57027482aa5cf5fc_img.jpg\)](#) 

Statement of Financial Performance
Community Activities by Ward
for the period ending
30-September-2019
Bay of Islands - Whangaroa

	Year to date		Year to date		Full year			Full year
	Actual	Annual Plan Budget	Variance		Annual Plan Budget	Carry Forward Budgets	Total Annual Budget	Forecast
Operations								
Operational income								
Rates - general (excl water supply rates)	1,232	1,231	1	0%	4,923	0	4,923	4,923
Rates - penalties	0	28	(28)	-100%	113	0	113	113
Fees & charges (inc water supply rates)	22	27	(5)	-20%	108	0	108	108
Central govt subsidies - operational	10	15	(5)	-35%	59	0	59	59
Other income	6	1	5	696%	3	0	3	3
Capital income								
Central govt subsidies - new works	185	0	185	100%	0	0	0	3
Central govt subsidies - renewals	32	0	32	100%	0	0	0	95
Total operating income	1,486	1,302	184	14%	5,206	0	5,206	5,304
Expenditure								
Amenity Lighting	17	22	6	25%	89	0	89	89
Carparks	19	33	14	43%	132	0	132	132
Cemeteries	23	30	7	22%	119	0	119	119
Community Centres	13	23	10	44%	92	0	92	92
Footpaths	26	132	106	81%	528	0	528	528
Halls	28	76	48	63%	299	0	299	299
Parks & Reserves	12	445	433	97%	1,789	0	1,789	1,789
Public Toilets	131	204	74	36%	942	0	942	942
Swimming Pools	98	20	(78)	-399%	621	0	621	621
Town Maintenance	163	190	26	14%	809	0	809	809
Total operating expenditure	530	1,174	645	55%	5,420	0	5,420	5,420
Net operating surplus/(deficit)	956	127	829		(214)	0	(214)	(116)

Commentary - Bay of Islands - Whangaroa

Operational Income
 There is no significant variance.

Capital Income
 Central Government Subsidies New Works - TIFF grant for public toilets at Waitangi Boat Ramp and Haruru Falls are unbudgeted.

Expenditure
 Footpaths and Parks and Reserves - Depreciation not finalised until October after signing off last year's audit.
 Swimming Pools - Grant paid earlier than expected.

5.9 STATEMENT OF COMMUNITY BOARD FUND ACCOUNT AS AT 30 SEPTEMBER 2019**File Number: A2707902****Author: Sam Chapman, Accounting Support Officer****Authoriser: Janice Smith, Chief Financial Officer****PURPOSE OF THE REPORT**

The Community Fund account provides information on financial matters relating to the Bay of Islands-Whangaroa Community Board's Community Fund which is allocated in accordance with the Community Grant Fund Policy.

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board receives the report entitled "Statement of the Bay of Islands-Whangaroa Community Board Community Fund account as at 30 September 2019".

1) BACKGROUND

The statement is attached for the Board's information and to provide sufficient information to enable the Board to allocate funds in accordance with the funds available. In accordance with the Community Grant Policy, section 10, *"applications in excess of \$3,000 may require the applicant to attend a Board meeting, subject to the Chairperson's discretion"*.

Community Fund Account balance as at 01 July 2019	\$194,572.00
• Plus Community grant refund from Be Free Incorporated	\$386.09
• Less funds granted and uplifted to 30 September 2019	\$38,277.00
• Less funds not uplifted from 01 July 2019 for Kerikeri Business Association and Mai Lyfe Incorporated	\$8,145.00
• Less funds not uplifted from 12 August 2019	\$20,600.00
• Less funds not uplifted from 23 September 2019	\$62,056.00
Community Fund Account balance as at 30 September 2019	\$65,880.09

2) DISCUSSION AND OPTIONS


Board members will consider the applications on the agenda and make a decision on what level of funding to allocate. The uncommitted balance in the Community Fund account as at 30 September 2019 is \$62,880.09.

Recent amendments to the Community Grant Fund Policy allow the Community Board to allocate, by resolution, funding directly to key projects identified in their strategic plan to the maximum amount of \$20,000 in any financial year.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

The Far North District Council has delegated the allocation of funds from the Bay of Islands-Whangaroa Community Fund account to the Bay of Islands-Whangaroa Community Board. The statement of the Community Fund account as at 30 September 2019 is attached.

ATTACHMENTS

1. **2019-11-04 BWCB Statement of Bay of Islands-Whangaroa Community Board Fund Account as at 30 September 19 - A2709512** [!\[\]\(30a147af384f9f71632c2ff17bc706c8_img.jpg\)](#) 

Far North District Council**Bay of Islands - Whangaroa Community Board****Statement of the Community Fund Account as at 30 September 2019**

Allocation Grants & Donations Annual Budget 2019-20	161,239.00	
Community Board Placemaking Fund	33,333.00	
Refund of Community Grant from Be Free Incorporated	386.09	
		<u>194,958.09</u>

Less Expenditure 2019/20 (Funds Uplifted)**July 19**

Carbon Neutral New Zealand Trust for development of the Great Kiwi Carbon Challenge	7,694.00	
Bay of Islands Blues and Jazz Festival hireage of shuttle bus	2,489.00	
Youthline Auckland operational costs	1,939.00	
Pungaere Cemetery Trust purchase and replacement of gates	1,550.00	
Russell Bowling club re-roofing the clubhouse and equipment shed	20,000.00	

August 19

Te Pokapū Tiaki Taiao o Te Tai Tokerau Trust on behalf of Ecocentre Kaitiaki/Far North Environment		
Centre for the contractor fees for the Timebank Coordinator for 6 month period	2,880.00	
Bays of Islands Charitable Trust for venue hire of Russell Bowling Club	1,725.00	
		<u>38,277.00</u>

Balance as at 30 September 2019**\$156,681.09****Less Commitments 2019/20 (Funds not yet uplifted)****Meeting 23.09.19**

Bay of Islands Animal Rescue Trust for costs towards Bark in the Park	1,990.00	
Bay of Islands Festival Trust for contract costs of the Festival Director	7,500.00	
Be Free Incorporated for equipment hire for Far North Summer Sounds 2020	5,000.00	
Dynamo Cycling and Sports Club Incorporated for first aid and medical support for the Tour of Northland Cycle Challenge 2020	500.00	
Eddie Trust for venue hire of Cherry Park House, advertising costs, facilitator fees, administration cost and mileage	3,366.00	

Kawakawa Hundertwasser Park Charitable Trust for purchase of materials for the entrance at Te Hononga	20,000.00	
Kerikeri Sports Complex Incorporated for facilitator/professional fees for stage one of the new playground at Kerikeri Sports Complex	10,000.00	
Living Waters Bay of Islands for pest/predator control at Pipiroa and Te Wāhū catchments	5,000.00	
Matauri Marae Trustees for equipment hire for the Piri Wiremu Mokena Sports Tournament 2020	2,700.00	
Russell Centennial Trust Board for contractor fees to ensure Russell Museum meets New Zealand's Museums Standards	5,000.00	
Te Rununga o Ngāti Rehia on behalf of Tuhono Kerikeri Partnership Project for hireage of buses for the Dawn Blessing, Opening Ceremony and Kororipō Heritage Park Festival Day	1,000.00	

Meeting 12.08.19

Kerikeri Baptist Church on behalf of Busy Bee Knitting Group for purchase of wool and other materials	2,000.00	
Kerikeri Open Art Studios Trail for venue hire and signage	2,000.00	
Te Rūnanga o Ngāti Rehia on behalf of Tuhono Kerikeri Partnership Project for entertainment, equipment hire, traffic management and security, St Johns, Waste Management and hireage of photographer/videographer	16,600.00	

Meeting 01.07.19

Kerikeri District Business Association for purchase of flags and costs of facilitator/professional fees (road closure) to support Tuhono Kerikeri	6,000.00	
Mai Lyfe Incorporated for purchase of equipment for 3 on 3 basketball events	2,145.00	

Less Commitments 2019/20 (Funds not yet uplifted)90,801.00**Balance 30 September 2019 Uncommitted/(Overcommitted)****65,880.09****Prior Year Commitments (Funds not yet uplifted)****Meeting 20.05.19**

Russell Baptist Church - Development of carpark outside church	8,000.00	
Mai Lyfe - Resurfacing of the basketball court at Kerikeri Domain	25,333.00	

Meeting 15.04.19

Volunteering Northland - Assist with annual operation costs	5,000.00	
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Meeting 05.11.18

Kaero Christmas Parade Organising Committee for Kaero Christmas Parade and Traffic Management	5,000.00	
Lions Club of Kerikeri for Traffic Management of Kerikeri Santa Parade	2,228.62	
Kawakawa Santa Parade for Kawakawa Santa Parade and Traffic Management	2,500.00	
	<u>48,061.62</u>	

6 STRATEGIC PLANNING AND POLICY GROUP

6.1 RURAL TRAVEL FUNDING PROJECT REPORTS

File Number: A2718812

Author: Kathryn Trewin, Funding Advisor

Authoriser: Sheryl Gavin, Manager Corporate Planning and Community Development

PURPOSE OF THE REPORT

To receive the project reports from previous funding applicants to the Rural Travel Funding Scheme.

EXECUTIVE SUMMARY

- Recipients of funds from the Rural Travel Funding must complete and submit a project report form within two months of funding being spent to subsidise travel for youth to participate in sporting activity and or competition

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board note the Rural Travel Project Reports from:

- Bay of Islands College
- Kerikeri High School
- Moerewa Tigers

1) BACKGROUND

The Far North District Council, as part of its agreements with Sport New Zealand and Sport Northland to administer Rural Travel funding, is required to submit an annual report on how the funding was allocated. To assist the Council in compiling this report and to ensure accountability from applicants a project report form for funding is requested. The Community Boards have in the past indicated a preference to support applicants that have returned a completed project report form for previous funding.

2) DISCUSSION AND OPTIONS

A copy of the project report forms are attached for the Board to receive. If Board members have concerns or issues with any of these reports, they should be discussed at this point of the meeting.

Reason for the recommendation

To receive the project reports from previous funding applicants to the Rural Travel Funding Scheme.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary requirements.

ATTACHMENTS

- Rural Travel Fund Report - Bay of Islands College - A2718810  
- Rural Travel Fund Report - Kerikeri High School - A2718811  
- Rural Travel Fund Report - Moerewa Tigers - A2718809  

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	N/A.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	N/A.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is a community board report.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	N/A.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	The Community Board has delegated authority to allocate funding.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.



Far North
District Council



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FAR NORTH RURAL TRAVEL FUND PROJECT REPORT

A. Details

Name of organisation: Bay of Islands College
 Contact person: Lynda Scott
 Postal address: PO Box 98, Kawakawa 0243
 Telephone: 0210403643 Email: lsc@boic-school.nz

B. FINANCIAL (Attach copies of relevant bank statements, all invoices & receipts for granted Rural Travel Fund)

1. Please indicate the successful amount that you received

\$ 660-00 (FNDC contribution) \$ 438-40 (Other Funders) Parents
 \$ 400-00 (Your Contribution) \$ 1498-40 (Total)

2. What other, if any, organisations did you receive funding from? (briefly explain using the following table)

Date	Organisation	Purpose of Funding	Amount Received
			\$
		N/A	\$
			\$
TOTAL EXPENSES			\$

1. Please explain in detail how the funding you received through the FNDC Travel Fund was spent (in the following table)

Date	Supplier/Service/Provider	Item	Expense (\$)
			\$
			\$
		N/A	\$
			\$
			\$
Receipts required			\$
TOTAL EXPENSES			\$

(office use only)

Application No -

Document No -



Far North
District Council



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C. DESCRIPTION OF FUNDING ALLOCATION

1. What were some of the benefits in having the travel fund approved?

It gave our students the opportunity to take part in Sport at a reduced cost.

2. In your opinion did the Far North Rural Travel Fund help your organisation/group increase participation in sport/recreation?

Once again, we were able to maintain our participation numbers.

D. FUNDING TIMEFRAMES

Funds must be expended within six months of being received. If funding is not spent as allocated it is expected that the funding will be returned to Council.

E. Checklist

- ✓1. Have you answered every question?
- ✓2. Have you attached a recent bank statement showing the funding being spent?
- ✓3. Have you attached all receipts as proof of expenditure?

Thank you for taking the time to complete the project report. Please remember that in not returning a project report your organisation or group can be deemed ineligible for future funding.

Send your project report and attached documents to;

Meetings Administrator
Far North District Council
Private Bag 752
KAIKOHE
0440

Or contact us;

(09) 401 5200
ask.us@fndc.govt.nz
www.fndc.govt.nz

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Far North
District Council



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Creating a More Active Northland



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NEW ZEALAND

FAR NORTH RURAL TRAVEL FUND PROJECT REPORT

A. Details

Name of organisation: Kerikeri High School
 Contact person: Bettina Simpson
 Postal address: Po Box 42 Kerikeri 0245
 Telephone: 407 8916 Email: BSimpson@kerikerihigh.ac.nz

B. FINANCIAL (Attach copies of relevant bank statements, all invoices & receipts for granted Rural Travel Fund)

1. Please indicate the successful amount that you received

\$ 1000.00 (FNDC contribution) \$ _____ (Other Funders)
 \$ 2484.32 (Your Contribution) \$ 3484.32 (Total)

2. What other, if any, organisations did you receive funding from? (briefly explain using the following table)

Date	Organisation	Purpose of Funding	Amount Received
			\$
			\$
			\$
TOTAL EXPENSES			\$

1. Please explain in detail how the funding you received through the FNDC Travel Fund was spent (in the following table)

Date	Supplier/Service/Provider	Item	Expense (\$)
JUL - SEP	CLARKS BUSES	BUS FOR RUGBY	\$ 250.00
JUL - SEP	KKHS VAN	VAN AWAY TRIPS FOOTBALL ^{GIRLS}	\$ 250.00
JUL - SEP	KKHS VAN	VAN AWAY TRIPS FOOTBALL ^{BOYS}	\$ 250.00
JUL - SEP	KKHS VAN	VAN TRAVEL HOCKEY	\$ 250.00
			\$
Receipts required			
TOTAL EXPENSES			\$ 1000.00

(office use only) Application No - Document No -



Far North
District Council



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**SPORT
NEW ZEALAND**

C. DESCRIPTION OF FUNDING ALLOCATION

1. What were some of the benefits in having the travel fund approved?

LESS EXPENSE FOR STUDENTS. FEES COULD BE REDUCED.

2. In your opinion did the Far North Rural Travel Fund help your organisation/group increase participation in sport/recreation?

BY KEEPING COSTS DOWN IE SPORTING FEES WE ARE ABLE TO ELIMINATE COSTS AS A REASON FOR NOT PLAYING. ALSO WITH FOUR FOOTBALL AND A RUGBY TEAM ALL WANTING SCHOOL VANS ON A WEDNESDAY (WE ONLY HAVE THREE) IF WE NEED TO HIRE A VAN (WHICH COSTS DOUBLE) THIS DOES NOT IMPACT TOO MUCH ON OUR BUDGET.

D. FUNDING TIMEFRAMES

Funds must be expended within six months of being received. If funding is not spent as allocated it is expected that the funding will be returned to Council.

E. Checklist

1. Have you answered every question?
2. Have you attached a recent bank statement showing the funding being spent?
3. Have you attached all receipts as proof of expenditure?

Thank you for taking the time to complete the project report. Please remember that in not returning a project report your organisation or group can be deemed ineligible for future funding.

Send your project report and attached documents to;

Advisory Services Officer
Far North District Council
Private Bag 752
KAIKOHE
0440

Or contact us;

(09) 401 5200
ask.us@fndc.govt.nz
www.fndc.govt.nz

(office use only)	Application No -	Document No -
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FAR NORTH RURAL TRAVEL FUND PROJECT REPORT

A. DETAILS

Name of organisation: Moerewa Tigers Rugby League Club

Contact person: Peter Prime

Postal address: PO Box 97, Moerewa

Telephone: 021 08734211 Email: moerewatigers@yahoo.com

B. FINANCIAL (Attach copies of relevant bank statements, all invoices & receipts for granted Rural Travel Fund)

1. Please indicate the successful amount that you received

\$ 1700 (exc GST) (FNDC Travel Fund) \$ _____ (Other Funders)

\$ 400 (_____ (Your Contribution) \$ _____ (Total)

2. What other, if any, organisations did you receive funding from? (Briefly explain in the following table

Date	Organisation	Purpose of funding	Amount Received

3. Please explain in detail how the funding you received through to FNDC Travel Fund was spent using the following table

Date	Supplier/Service/Provider	Item	Expense (\$)
15/8/19	MTA	Fuel Vouchers	\$ 1700
			\$
			\$
			\$
			\$
Receipts required			TOTAL EXPENSES \$

C. DESCRIPTION OF FUNDING ALLOCATION

1. What were some of the benefits in having the travel fund approved?

Assisting families in funding their travel in getting children participating in Rugby League in Whangarei, increasing physical activity of children through Rugby League.

2. In your opinion did the Far North Rural Travel Fund help your organisation/group increase participation in sport/recreation and/or greater use of your recreational area.

Yes, we had 5 Junior teams in 2019, compared with 3 teams in 2018.

D. EXPENDITURE TIMEFRAME

Funds must be expended within six months of being received. If funding is not spent as allocated it is expected that it will be returned to Council.

Checklist:

1. Have you answered every question? Yes
2. Have you attached a recent bank statement to show the funding being spent? Yes
3. Have you attached all receipts as proof of expenditure? Yes

Thank you for taking the time to complete the project report. Please remember that in not returning a project report your organisation or group can be deemed ineligible for future funding.

Send your project report and attached documents to;

Advisory Services Officer
Far North District Council
Private Bay 752
Kaikohe 0440

Or contact us;

(09) 401 5200
ask.us@fndc.govt.nz
www.fndc.govt.nz

6.2 RURAL TRAVEL FUNDING - APPLICATIONS SUMMER ROUND 2019/20**File Number:** A2713194**Author:** Kathryn Trewin, Funding Advisor**Authoriser:** Sheryl Gavin, Manager Corporate Planning and Community Development**PURPOSE OF THE REPORT**

To allocate Rural Travel Funding for the 2019/20 summer sporting season.

RECOMMENDATION**That the Bay of Islands-Whangaroa Community Board allocates Rural Travel Grant funding in accordance with the recommendations received from Sport Northland as follows:**

a)	Bay of Islands College	\$450
b)	Bay of Islands College Amateur Swimming Club	\$1000
c)	Bream Bay Swimming - Northern Branch	\$610
d)	Kerikeri Gymnastics	\$1000
e)	Kerikeri High School	\$2456
f)	Matauri Bay School	\$1000
g)	Russell Sports Club	\$500
h)	Bay of Islands Special Olympics	\$1013
Total		<u>\$8029</u>

1) BACKGROUND

The Rural Travel Fund was developed in response to concerns raised by Councils throughout the country about the lack of participation in sport by young people living in rural communities. The Fund was introduced as an interim measure until a rural participation strategy was fully developed and implemented. The strategy is yet to be developed.

Kiwisport was launched in 2009 by Prime Minister John Key and funding is given to Sport Northland to achieve three objectives. One of the barriers that has been identified in Northland is the cost of travel. Sport Northland agreed to give part of its funding to the Far North District Council to add to its Rural Travel Fund to overcome the travel barrier and help achieve their three objectives.

Council receives funding based on a per capita basis and gave the three Community Boards delegated authority to allocate the funding. Each Board receives a sum based on the number of people between ages five and nineteen living in their respective areas. Figures are based on the 2013 census results. This funding round is the second of two funding rounds for the current financial year, for sporting activities taking place in winter, or until November 2019 when the next round of funding is allocated.

Council advertises that funding is available approximately one month before applications close in local newspapers and on Council's facebook page. The Sport Northland representatives also forward information of the fund to clubs and schools that they work with as a more targeted approach to advertise the funding is available.

2) DISCUSSION AND OPTIONS

It is each Community Board's role to determine which applications best meet the criteria and will have the most positive broad effect in their communities. The following table is a guide to the funding criteria.

Funding is available for activities taking place within the district. It is understood, that in some cases, competitions do not exist within the district and travel is required in which case the Community Boards may use their discretion.

Project reports for any previous grants have been received from all the current applicants. Further detailed information provided by Sport Northland regarding their recommendations has been distributed to Board Members separately.

	Sport Northland (Kiwisport)	Sport New Zealand (Rural Travel)
What are the Objectives?	<ol style="list-style-type: none"> 1. Increase the number of children participating in sport 2. Increase the availability and accessibility of sport for children 3. Support the development of skills to enable effective participation. 	Subsidise travel for junior teams participating in local sport competition.
How much is available?	\$25,000.00 across the Far North District.	\$25,080.30 across the Far North District.
Funding is not available for	Coaches, referees, children playing in Regional or District rep teams, club/school sport administration.	Activities taking place during school hours, coaches, referees, club/school sport administration, travel to training.
Who can apply?	Schools, clubs or individuals.	Schools, clubs or individuals.
What age group is funding for?	Funding is available for school aged children. This is understood to be ages 5 - 18 years of age.	Funding is available for youth/children aged 5 - 19 years of age.
Eligible Sports	Team or individual organised sporting activities such as volleyball, netball, rugby; hockey, football, orienteering, waka ama, basketball, ki-o-rahi, shooting, athletics, swimming.	Sports that have regular grass roots competitions such as netball, hockey, rugby, rugby league, softball, football, touch rugby, basketball.

Applicants are advised, when granted funds, that the funds are to be uplifted within three months and that a project report form is required if they wish to be eligible to apply for future funding.

1	Bay of Islands College	\$450.00
2	Bay of Islands Amateur Swimming Club Inc	\$1000.00
3	Bream Bay Swimming - Northern Branch	\$610.00
4	Kerikeri Gymnastics	\$1000.00
5	Kerikeri High School	\$2456.00
6	Matauri Bay School	\$1000.00
7	Russell Sports Club	\$500.00
8	Bay of Islands Special Olympics	\$1013.00

Reason for the recommendation

To fulfil the requirements of the Sport NZ Rural Travel Fund agreement with Sport New Zealand and the Kiwisport agreement with Sport Northland to increase participation in sport by young people living in rural communities.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

Council receives two grants annually that make up this funding budget - \$25,080.30 from Sport New Zealand and \$25,000 (plus GST) from Sport Northland.

The total budget for rural travel funding for the 2019/20 financial year is \$50,080.30. The percentage of youth throughout the district is translated into percentages to calculate the percentage of funding each Board can allocate. It is recommended that only 40% of the total funding be allocated for summer activities and the remainder allocated for the busier winter sporting season.

The total available funds for the summer season is to \$8,029.80.

%	Board	40% Summer	60% Winter	Total
40.5%	Bay of Islands-Whangaroa Community	\$8,029.80	\$12,044.70	\$20,074.50
31.5%	Te Hiku Community	\$6,245.40	\$9,368.10	\$15,613.50
28%	Kaikohe-Hokianga Community	\$5,551.47	\$8,327.20	\$13,878.67

ATTACHMENTS

1. Rural Travel Fund Bay of Islands College Application - A2690857 [↓](#) 
2. Rural Travel Fund Bay of Islands Swimming Club Application - A2690946 [↓](#) 
3. Rural Travel Fund Bream Bay Swimming - Northern Branch Application - A2690781 [↓](#) 
4. Rural Travel Fund Kerikeri Gymnastics Application - A2690839 [↓](#) 
5. Rural Travel Fund Kerikeri High School Application - A2690899 [↓](#) 
6. Rural Travel Fund Matauri Bay School Application - A2690920 [↓](#) 
7. Rural Travel Fund Russell Sports Club Application - A2698504 [↓](#) 
8. Rural Travel Fund Special Olympics Application - A2690853 [↓](#) 

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This report is of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	The Council promotes a vibrant and thriving economy that encourages a wide range of sporting activities and a safe a healthy district where young people are valued.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This is delegated to Community Boards to consider.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are none that affect Maori any greater than other residents of the District.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences.	Anyone in the district participating in organised sporting activities could be eligible for funding. To try and capture everyone the funding is advertised a month in advance in newspapers, social media and word of mouth
State the financial implications and where budgetary provisions have been made to support this decision.	Funding is provided by Sport Northland (Kiwisport) and Sport New Zealand (Rural Travel).
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.



FAR NORTH RURAL TRAVEL FUND APPLICATION FORM

Schools, clubs or other sporting/activity organisations can apply for this funding. Funding is specifically to subsidise travel to and from sporting competitions/practices within the Far North District for school aged children (between ages 5 - 19 years) with the aim of increasing the number of children participating in sport, provide additional opportunities for participation in organised sport and to improve the development of skills to enable effective participation.

All applications are considered by the Community Boards, and advice is given from Sport Northland Representatives.

Priority will be given to those applications with a focus on providing sporting opportunities to - the appropriate age group, travel to regular sporting competition; competition within the District; funding for the upcoming season; applicants not seeking more than 50% of their total travel cost; applicants that have provided Project Reports for previous funds granted.

A. Details

Name of organisation: Bay of Islands College
 Postal address: Po Box 58 Kawakawa 0243
 Primary contact name: Lynda Scott
 Telephone: 021040 3643 Email: lsc@boic.school.nz

B. Secondary Contact Name

Name: Dave Scott Telephone: 0210547608
 Email: dsc@boic.school.nz

C. Organisation Details

1. Is your organisation registered for GST?
 No ☐ Yes - give number 111 581 927
2. How many members belong to your club/organisation? 348
3. Will the travel subsidy benefit participants aged between 5 and 19 (please circle) YES NO
 (If so how many participants) approximately 125
4. How many participants are aged between 5-12 yrs 6
5. How many participants are aged between 13-19 yrs 119
6. What percentage of your participants are new to this sporting activity? approx. 30%
7. What is this funding going to be used for? (Briefly explain)
To assist with travel to local & regional
competitions from 1st November 2019 to
31st March 2020.
(see attached letter for further details)

D. Financial Details**1. Budget**TOTAL budget required \$ 1060Your contribution \$ 300*Other funders/parent contributions \$ 310**This Application Is For** \$ 450

* The intention of this fund is to **subsidise** expenses. Applicants need to show they have made a partial financial contribution towards the travel costs.

Our decision makers look more favourably on applicants who have made an effort to obtain funding through other avenues, be that fundraising, applying for other grants, parent contributions.

2. Please briefly explain where/how you have sought funding from other organisations and if so what was the result.

Organisation - (including other councils)	Amount requested (\$)	Results date (if known)
Parent Contribution	\$310	Will vary

E. Declaration

We hereby declare that the information supplied here on behalf of our organisation is correct?

We consent to Far North District Council collecting the personal contact details and information provided in this application, retaining and using these details and disclosing them to Sport NZ for the purpose of review of the rural travel fund. This consent is given in accordance with the Privacy Act 1993.

1. Name: Lynda ScottPosition in organisation / title: Sport CoordinatorSignature: Lynda Scott Date: 23/9/192. Name: Dave ScottPosition in organisation / title: HOD Sport / PE TeacherSignature: Dave Scott Date: 25/9/19**Checklist:**

- ☒ 1. If you have applied for funding in the past please ensure a **project report form** has been completed and returned (this can affect your eligibility)
- ☒ 2. Have you answered every question?
- ☒ 3. Is your balance sheet or financial statement attached?
- ☒ 4. Is your deposit slip attached? (in case your application is approved)
- ☒ 5. Is your draft travel calculation breakdown attached? (refer to your Sport Northland representative).



FAR NORTH RURAL TRAVEL FUND APPLICATION FORM

Schools, clubs or other sporting/activity organisations can apply for this funding. Funding is specifically to subsidise travel to and from sporting competitions/practices within the Far North District for school aged children (between ages 5 - 19 years) with the aim of increasing the number of children participating in sport, provide additional opportunities for participation in organised sport and to improve the development of skills to enable effective participation.

All applications are considered by the Community Boards, and advice is given from Sport Northland Representatives.

Priority will be given to those applications with a focus on providing sporting opportunities to - the appropriate age group, travel to regular sporting competition; competition within the District; funding for the upcoming season; applicants not seeking more than 50% of their total travel cost; applicants that have provided Project Reports for previous funds granted.

A. Details

Name of organisation: BAY OF ISLANDS AMATEUR SWIMMING CLUB INC.
 Postal address: PO BOX 87 KAWAKAWA
 Primary contact name: JOYCE HAWKE
 Telephone: 094050227 Email: BOSCFUNDING@GMAIL.COM

B. Secondary Contact Name

Name: MEGAN BAYER Telephone: 0262675328
 Email: BAYEROFISLANDS@GMAIL.COM

C. Organisation Details

1. Is your organisation registered for GST?

No

☐

Yes - give number

53 27 4641

2. How many members belong to your club/organisation? 55

3. Will the travel subsidy benefit participants aged between 5 and 19 (please circle) YES / NO

(If so how many participants) 40

4. How many participants are aged between 5-12 yrs 25

5. How many participants are aged between 13-19 yrs 15

6. What percentage of your participants are new to this sporting activity? 9 %

7. What is this funding going to be used for? (Briefly explain)

THE FUNDING WOULD ASSIST IN THE COST OF TRANSPORTING THE CHILDREN TO TRAINING AT THE KAWAKAWA POOL FROM SURROUNDING AREAS. IT WOULD ALSO ASSIST IN TRANSPORTING COSTS TO WHANGAREI AND DARGAVILLE TO ENABLE THE SWIMMERS TO COMPETE AT COMPETITIONS AND GAIN EXPERIENCE IN COMPETITIVE SWIMMING. THESE COST ARE CURRENTLY FUNDED BY THE PARENTS.

D. Financial Details**1. Budget**TOTAL budget required \$ 28,190.24

Your contribution \$ _____

*Other funders/parent contributions \$ 28,190.24**This Application Is For** \$ 5,000 -

* The intention of this fund is to **subsidise** expenses. Applicants need to show they have made a partial financial contribution towards the travel costs.

Our decision makers look more favourably on applicants who have made an effort to obtain funding through other avenues, be that fundraising, applying for other grants, parent contributions.

2. Please briefly explain where/how you have sought funding from other organisations and if so what was the result.

Organisation - (including other councils)	Amount requested (\$)	Results date (if known)

E. Declaration

We hereby declare that the information supplied here on behalf of our organisation is correct?

We consent to Far North District Council collecting the personal contact details and information provided in this application, retaining and using these details and disclosing them to Sport NZ for the purpose of review of the rural travel fund. This consent is given in accordance with the Privacy Act 1993.

1. Name: MEGAN BRYER
 Position in organisation / title: President / champion
 Signature: [Signature] Date: 2.9.19
2. Name: JOYCE HAWKE
 Position in organisation / title: Funding co-ordinator
 Signature: [Signature] Date: 2.9.19

Checklist:

1. If you have applied for funding in the past please ensure a **project report form** has been completed and returned (this can affect your eligibility)
2. Have you answered every question?
3. Is your balance sheet or financial statement attached?
4. Is your deposit slip attached? (in case your application is approved)
5. Is your draft travel calculation breakdown attached? (refer to your Sport Northland representative).



Karikeri Service Centre
26 SEP 2019



FAR NORTH RURAL TRAVEL FUND APPLICATION FORM

Schools, clubs or other sporting/activity organisations can apply for this funding. Funding is specifically to subsidise travel to and from sporting competitions/practices within the Far North District for school aged children (between ages 5 - 19 years) with the aim of increasing the number of children participating in sport, provide additional opportunities for participation in organised sport and to improve the development of skills to enable effective participation.

All applications are considered by the Community Boards, and advice is given from Sport Northland Representatives.

Priority will be given to those applications with a focus on providing sporting opportunities to - the appropriate age group, travel to regular sporting competition; competition within the District; funding for the upcoming season; applicants not seeking more than 50% of their total travel cost; applicants that have provided Project Reports for previous funds granted.

A. Details

Name of organisation: Bream Bay Swimming club - Northern Squad.
 Postal address: 11 Dawn Dutton 303 Hewitt Rd, Mata, RD1 Whangarei
 Primary contact name: Georgie White
 Telephone: 027 44 971 44 Email: whitetribe@xtra.co.nz

B. Secondary Contact Name

Name: Beth Finer Telephone: 021 023 47064
 Email: djfiner@xtra.co.nz

C. Organisation Details

- Is your organisation registered for GST?
 No ☒ Yes - give number

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- How many members belong to your club/organisation? 29
- Will the travel subsidy benefit participants aged between 5 and 19 (please circle) YES NO
 (If so how many participants) _____
- How many participants are aged between 5-12 yrs 12
- How many participants are aged between 13-19 yrs 11
- What percentage of your participants are new to this sporting activity? 20 %
- What is this funding going to be used for? (Briefly explain)
As attached.

D. Financial Details**1. Budget**TOTAL budget required \$ 1500-Your contribution \$ ~~Shortfall~~*Other funders/parent contributions \$ Shortfall**This Application Is For** \$ 1500-

* The intention of this fund is to **subsidise** expenses. Applicants need to show they have made a partial financial contribution towards the travel costs.

Our decision makers look more favourably on applicants who have made an effort to obtain funding through other avenues, be that fundraising, applying for other grants, parent contributions.

2. Please briefly explain where/how you have sought funding from other organisations and if so what was the result.

Organisation - (including other councils)	Amount requested (\$)	Results date (if known)

E. Declaration

We hereby declare that the information supplied here on behalf of our organisation is correct?

We consent to Far North District Council collecting the personal contact details and information provided in this application, retaining and using these details and disclosing them to Sport NZ for the purpose of review of the rural travel fund. This consent is given in accordance with the Privacy Act 1993.

1. Name: Georgie WhitePosition in organisation / title: Funding CoordinatorSignature: [Signature] Date: 26/9/192. Name: Beth FinerPosition in organisation / title: Events OfficerSignature: [Signature] Date: 26/9/19**Checklist:**

1. If you have applied for funding in the past please ensure a **project report form** has been completed and returned (this can affect your eligibility)
2. Have you answered every question?
3. Is your balance sheet or financial statement attached?
4. Is your deposit slip attached? (in case your application is approved)
5. Is your draft travel calculation breakdown attached? (refer to your Sport Northland representative).

Eastern Ward.



FAR NORTH RURAL TRAVEL FUND APPLICATION FORM

Schools, clubs or other sporting/activity organisations can apply for this funding. Funding is specifically to subsidise travel to and from sporting competitions/practices within the Far North District for school aged children (between ages 5 - 19 years) with the aim of increasing the number of children participating in sport, provide additional opportunities for participation in organised sport and to improve the development of skills to enable effective participation.

All applications are considered by the Community Boards, and advice is given from Sport Northland Representatives.

Priority will be given to those applications with a focus on providing sporting opportunities to - the appropriate age group, travel to regular sporting competition; competition within the District; funding for the upcoming season; applicants not seeking more than 50% of their total travel cost; applicants that have provided Project Reports for previous funds granted.

A. Details

Name of organisation: Kenkeni Gymnastics Club Inc.
 Postal address: PO Box 40 Kenkeni
 Primary contact name: Janet McLea
 Telephone: 021 0517766 Email: kenkerigymclub@gmail.com

B. Secondary Contact Name

Name: Amber Shaw Telephone: 0212409969
 Email: amberjayneshaw@gmail.com

C. Organisation Details

1. Is your organisation registered for GST?

No ☒ Yes - give number

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2. How many members belong to your club/organisation? 130

3. Will the travel subsidy benefit participants aged between 5 and 19 (please circle) YES / NO
 (If so how many participants) 130

4. How many participants are aged between 5-12 yrs 110

5. How many participants are aged between 13-19 yrs 20

6. What percentage of your participants are new to this sporting activity? 30 %

7. What is this funding going to be used for? (Briefly explain)

We have many families that travel great distances to participate in gymnastics. As a club in our community we would like to assist them so that they can continue to bring their children to gymnastics.

We also have at least 8 competitions every year with an average of 10 gymnasts competing.

These take place mainly in Kaitia, Whangarei and sometimes Auckland.

D. Financial Details

1. Budget

TOTAL budget required \$ 14650
 Your contribution \$ 2270
 *Other funders/parent contributions \$ 10770

This Application Is For \$ 1610

** The intention of this fund is to subsidise expenses. Applicants need to show they have made a partial financial contribution towards the travel costs.*

Our decision makers look more favourably on applicants who have made an effort to obtain funding through other avenues, be that fundraising, applying for other grants, parent contributions.

2. Please briefly explain where/how you have sought funding from other organisations and if so what was the result.

Organisation - (including other councils)	Amount requested (\$)	Results date (if known)
Striders	\$400	They now only fund multisport so no
We have fundraised within the club with sausage sizzlers, holding competitions		raffles, bake sales,

E. Declaration

We hereby declare that the information supplied here on behalf of our organisation is correct?

We consent to Far North District Council collecting the personal contact details and information provided in this application, retaining and using these details and disclosing them to Sport NZ for the purpose of review of the rural travel fund. This consent is given in accordance with the Privacy Act 1993.

1. Name: Amber Shaw
 Position in organisation / title: Committee Member
 Signature: A. Shaw Date: 8/10/19

2. Name: Janet McLea
 Position in organisation / title: President
 Signature: pp A. Shaw Date: 8/10/19

Checklist:

1. If you have applied for funding in the past please ensure a **project report form** has been completed and returned (this can affect your eligibility)
2. Have you answered every question?
3. Is your balance sheet or financial statement attached?
4. Is your deposit slip attached? (in case your application is approved)
5. Is your draft travel calculation breakdown attached? (refer to your Sport Northland representative).



FAR NORTH RURAL TRAVEL FUND APPLICATION FORM

Schools, clubs or other sporting/activity organisations can apply for this funding. Funding is specifically to subsidise travel to and from sporting competitions/practices within the Far North District for school aged children (between ages 5 - 19 years) with the aim of increasing the number of children participating in sport, provide additional opportunities for participation in organised sport and to improve the development of skills to enable effective participation.

All applications are considered by the Community Boards, and advice is given from Sport Northland Representatives.

Priority will be given to those applications with a focus on providing sporting opportunities to - the appropriate age group, travel to regular sporting competition; competition within the District; funding for the upcoming season; applicants not seeking more than 50% of their total travel cost; applicants that have provided Project Reports for previous funds granted.

A. Details

Name of organisation: Kerikeri High School
 Postal address: Po Box 42 Kerikeri 0245
 Primary contact name: Bethina Simpson
 Telephone: 407 8916 Email: BSimpson@kerikeri.ac.nz

B. Secondary Contact Name

Name: Susan Manning Telephone: 407 8916
 Email: SManning@Kerikeri.ac.nz

C. Organisation Details

1. Is your organisation registered for GST?

No ☐

Yes - give number

2. How many members belong to your club/organisation? 40 students playing

3. Will the travel subsidy benefit participants aged between 5 and 19 (please circle) (YES) / NO
 (If so how many participants) 40 students

4. How many participants are aged between 5-12 yrs _____

5. How many participants are aged between 13-19 yrs 40

6. What percentage of your participants are new to this sporting activity? 5 %

7. What is this funding going to be used for? (Briefly explain)

Travel subsidy for Saturday games from Kerikeri High School to
playing field. As cricket games that can range from 4 hrs to longer, parents
are reluctant to give up their Saturdays to drive and attend away games.
By using a school van with the coach driving we eliminate all this =>
removing another barrier to playing (in addition to cost)

D. Financial Details**1. Budget**TOTAL budget required \$ 6856.00Your contribution \$ 4400.00

*Other funders/parent contributions \$ _____

This Application Is For \$ 2456.00

* The intention of this fund is to **subsidise** expenses. Applicants need to show they have made a partial financial contribution towards the travel costs.

Our decision makers look more favourably on applicants who have made an effort to obtain funding through other avenues, be that fundraising, applying for other grants, parent contributions.

2. Please briefly explain where/how you have sought funding from other organisations and if so what was the result.

Organisation - (including other councils)	Amount requested (\$)	Results date (if known)

E. Declaration

We hereby declare that the information supplied here on behalf of our organisation is correct?

We consent to Far North District Council collecting the personal contact details and information provided in this application, retaining and using these details and disclosing them to Sport NZ for the purpose of review of the rural travel fund. This consent is given in accordance with the Privacy Act 1993.

1. Name: Bettina SimpsonPosition in organisation / title: Sports Co-OrdinatorSignature: Bettina Simpson Date: 9/9/192. Name: Susan ManningPosition in organisation / title: Finance ManagerSignature: Susan Manning Date: 9/9/19**Checklist:**

1. If you have applied for funding in the past please ensure a **project report form** has been completed and returned (this can affect your eligibility)
2. Have you answered every question?
3. Is your balance sheet or financial statement attached?
4. Is your deposit slip attached? (in case your application is approved)
5. Is your draft travel calculation breakdown attached? (refer to your Sport Northland representative).



FAR NORTH RURAL TRAVEL FUND APPLICATION FORM

Schools, clubs or other sporting/activity organisations can apply for this funding. Funding is specifically to subsidise travel to and from sporting competitions/practices within the Far North District for school aged children (between ages 5 - 19 years) with the aim of increasing the number of children participating in sport, provide additional opportunities for participation in organised sport and to improve the development of skills to enable effective participation.

All applications are considered by the Community Boards, and advice is given from Sport Northland Representatives.

Priority will be given to those applications with a focus on providing sporting opportunities to - the appropriate age group, travel to regular sporting competition; competition within the District; funding for the upcoming season; applicants not seeking more than 50% of their total travel cost; applicants that have provided Project Reports for previous funds granted.

A. Details

Name of organisation: Matauri Bay School

Postal address: 2223 Wainui Road Matauri Bay 0478

Primary contact name: Jared Nordstrom

Telephone: 02108336155 Email: principal@matauribay.school.nz

B. Secondary Contact Name

Name: Leeann Turner Telephone: _____

Email: admin@matauribay.school.nz

C. Organisation Details

1. Is your organisation registered for GST? 055-252-033

No ☐

Yes - give number

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2. How many members belong to your club/organisation? 70

3. Will the travel subsidy benefit participants aged between 5 and 19 (please circle) YES / NO

(If so how many participants) 70

4. How many participants are aged between 5-12 yrs 60

5. How many participants are aged between 13-19 yrs 10

6. What percentage of your participants are new to this sporting activity? 50 %

7. What is this funding going to be used for? (Briefly explain)

Travel funding for sports events out of our local area. For example travelling to Whangarei
to play in rugby 7's, Ripa rugby and quick rip tournaments. We participate in at least 5 per year that
require van hireage and travel subsidies.

D. Financial Details

1. Budget

TOTAL budget required \$ 2,500Your contribution \$ 1,500

*Other funders/parent contributions \$ _____

This Application Is For \$ 1,000

* The intention of this fund is to subsidise expenses. Applicants need to show they have made a partial financial contribution towards the travel costs.

Our decision makers look more favourably on applicants who have made an effort to obtain funding through other avenues, be that fundraising, applying for other grants, parent contributions.

2. Please briefly explain where/how you have sought funding from other organisations and if so what was the result.

Organisation - (including other councils)	Amount requested (\$)	Results date (if known)
Runanga Whangaroa	\$500	September 2019

E. Declaration

We hereby declare that the information supplied here on behalf of our organisation is correct?

We consent to Far North District Council collecting the personal contact details and information provided in this application, retaining and using these details and disclosing them to Sport NZ for the purpose of review of the rural travel fund. This consent is given in accordance with the Privacy Act 1993.

1. Name: Jared NordstromPosition in organisation / title: PrincipalSignature: [Signature] Date: 29.7.19

2. Name: _____

Position in organisation / title: _____

Signature: _____ Date: _____

Checklist:

1. If you have applied for funding in the past please ensure a **project report form** has been completed and returned (this can affect your eligibility)
2. Have you answered every question?
3. Is your balance sheet or financial statement attached?
4. Is your deposit slip attached? (in case your application is approved)
5. Is your draft travel calculation breakdown attached? (refer to your Sport Northland representative).



FAR NORTH RURAL TRAVEL FUND APPLICATION FORM

Schools, clubs or other sporting/activity organisations can apply for this funding. Funding is specifically to subsidise travel to and from sporting competitions/practices within the Far North District for school aged children (between ages 5 - 19 years) with the aim of increasing the number of children participating in sport, provide additional opportunities for participation in organised sport and to improve the development of skills to enable effective participation.

All applications are considered by the Community Boards, and advice is given from Sport Northland Representatives.

Priority will be given to those applications with a focus on providing sporting opportunities to - the appropriate age group, travel to regular sporting competition; competition within the District; funding for the upcoming season; applicants not seeking more than 50% of their total travel cost; applicants that have provided Project Reports for previous funds granted.

A. Details

Name of organisation: RUSSELL SPORTS CLUB
 Postal address: PO BOX 190, RUSSELL, 0202
 Primary contact name: GAVIN MAIOHA
 Telephone: 0291288101 Email: ange-gav02@hotmail.com

B. Secondary Contact Name

Name: ROSS PENNINGTON Telephone: 0275782237
 Email: peoplesolutions@extra.co.nz

C. Organisation Details

1. Is your organisation registered for GST?
 No ☐ Yes - give number 11355172 K9 2
2. How many members belong to your club/organisation? _____
3. Will the travel subsidy benefit participants aged between 5 and 19 (please circle) (YES) / NO
 (If so how many participants) 25
4. How many participants are aged between 5-12 yrs 10
5. How many participants are aged between 13-19 yrs 15
6. What percentage of your participants are new to this sporting activity? 30 %
7. What is this funding going to be used for? (Briefly explain)

FUNDING WILL BE USED TO SUBSIDISE TRAVEL TO AND FROM A WEEKLY TOUCH FOOTBALL COMPETITION HELD AT SIMPSON PARK IN MOEREWĀ. ALSO FOR TRAININGS ~~HELD~~ AND GAMES HELD AT RUSSELL SPORTS FIELDS.

D. Financial Details**1. Budget**

TOTAL budget required \$ _____

Your contribution \$ _____

*Other funders/parent contributions \$ _____

This Application Is For \$ _____

** The intention of this fund is to subsidise expenses. Applicants need to show they have made a partial financial contribution towards the travel costs.*

Our decision makers look more favourably on applicants who have made an effort to obtain funding through other avenues, be that fundraising, applying for other grants, parent contributions.

2. Please briefly explain where/how you have sought funding from other organisations and if so what was the result.

Organisation - (including other councils)	Amount requested (\$)	Results date (if known)

E. Declaration

We hereby declare that the information supplied here on behalf of our organisation is correct?

We consent to Far North District Council collecting the personal contact details and information provided in this application, retaining and using these details and disclosing them to Sport NZ for the purpose of review of the rural travel fund. This consent is given in accordance with the Privacy Act 1993.

1. Name: GAVIN MAIOHAPosition in organisation / title: COMMITTEE MEMBER, RUGBY COORDINATORSignature: [Signature] Date: 16-9-19

2. Name: _____


Position in organisation / title: _____


Signature: _____ Date: _____

Checklist:


1. If you have applied for funding in the past please ensure a project report form has been completed and returned (this can affect your eligibility)
2. Have you answered every question?
3. Is your balance sheet or financial statement attached?
4. Is your deposit slip attached? (in case your application is approved)
5. Is your draft travel calculation breakdown attached? (refer to your Sport Northland representative).

WHANGAROA WARD.





**SPORT
NORTHLAND**
Creating a More Active Northland



**SPORT
NEW ZEALAND**

FAR NORTH RURAL TRAVEL FUND APPLICATION FORM

EASTERN

Schools, clubs or other sporting/activity organisations can apply for this funding. Funding is specifically to subsidise travel to and from sporting competitions/practices within the Far North District for school aged children (between ages 5 - 19 years) with the aim of increasing the number of children participating in sport, provide additional opportunities for participation in organised sport and to improve the development of skills to enable effective participation.

All applications are considered by the Community Boards, and advice is given from Sport Northland Representatives.

Priority will be given to those applications with a focus on providing sporting opportunities to - the appropriate age group, travel to regular sporting competition; competition within the District; funding for the upcoming season; applicants not seeking more than 50% of their total travel cost; applicants that have provided Project Reports for previous funds granted.

A. Details

Name of organisation: SPECIAL OLYMPICS BAY OF ISLANDS

Postal address: PO BOX 158 KAIKOE REGISTERED CHARITY CC48492

Primary contact name: NICOLE GRIMME (CHAIRPERSON)

Telephone: 021 1511105 Email: nicolegrimme@hotmail.com
specialolympicsbayofislands@hotmail.com

B. Secondary Contact Name

Name: EILEEN BEDFORD Telephone: 09 407 4380

Email: richalwa@xtra.co.nz

C. Organisation Details

- Is your organisation registered for GST?
No ☒ Yes - give number

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- How many members belong to your club/organisation? 51
- Will the travel subsidy benefit participants aged between 5 and 19 (please circle) YES / NO
(If so how many participants) 5
- How many participants are aged between 5-12 yrs 2
- How many participants are aged between 13-19 yrs 3
- What percentage of your participants are new to this sporting activity? 10 %
- What is this funding going to be used for? (Briefly explain)
TRANSPORTING ATHLETES TO/FROM SWIMMING TRAINING
SESSIONS AT KAWAKAWA INDOOR POOL
JOURNEY FROM KOKIKERI TO KAWAKAWA RETURN
2 SESSIONS A WEEK MONDAY AND THURSDAY
TRAINING TOWARDS QUALIFICATION FOR NATIONALS
COMPETITION. SPECIAL OLYMPICS NATIONALS IS ONCE
EVERY 4 YEARS.

D. Financial Details**1. Budget**TOTAL budget required \$ 4341.12Your contribution \$ 1000.00

*Other funders/parent contributions \$ _____

This Application Is For \$ 4341.12

* The intention of this fund is to **subsidise** expenses. Applicants need to show they have made a partial financial contribution towards the travel costs.

Our decision makers look more favourably on applicants who have made an effort to obtain funding through other avenues, be that fundraising, applying for other grants, parent contributions.

2. Please briefly explain where/how you have sought funding from other organisations and if so what was the result. NOT SOUGHT FOR TRAVEL

Organisation - (including other councils)	Amount requested (\$)	Results date (if known)
<u>GENERAL FUNDRAISING</u>	<u>\$1,000</u>	

E. Declaration

We hereby declare that the information supplied here on behalf of our organisation is correct?

We consent to Far North District Council collecting the personal contact details and information provided in this application, retaining and using these details and disclosing them to Sport NZ for the purpose of review of the rural travel fund. This consent is given in accordance with the Privacy Act 1993.

1. Name: NICOLE GRIMMEPosition in organisation / title: CHAIRPERSONSignature: N. Grimme Date: 8/10/20192. Name: EILEEN BEDFORDPosition in organisation / title: VICE CHAIRPERSON

Signature: _____ Date: _____

Checklist:

1. If you have applied for funding in the past please ensure a project report form has been completed and returned (this can affect your eligibility)
2. Have you answered every question?
3. Is your balance sheet or financial statement attached?
4. Is your deposit slip attached? (in case your application is approved)
5. Is your draft travel calculation breakdown attached? (refer to your Sport Northland representative).

CALCULATION 21 WEEKS 76c PER KM (IRD RATE)
 KERIKERI 34 KMS RETURN = 68kms
 68 X 2 WEEKLY 136 X 21 WEEKS = 2856 kms
 TWO CARS 2856 X 2 = 5712 kms = 4341.12

6.3 FUNDING PROJECT REPORTS

File Number: A2718808

Author: Kathryn Trewin, Funding Advisor

Authoriser: Sheryl Gavin, Manager Corporate Planning and Community Development

PURPOSE OF THE REPORT

Recipients of funds from the Community Board's Local Grant Fund must complete and submit a project report no later than two months after the completion of their project.

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board note the project reports received from:

- a) Kaikohe Photography Club
- b) Living Waters
- c) Paihia Christmas Parade

1) BACKGROUND

Clause 15 of the Community Grant Policy states that: "At the completion of a project that received community funding, recipients are required to complete a Project Report. These reports must be received no later than two months after the completion of the project, or, if the activity is ongoing, within two months of the funding being spent. Recipients who do not complete this form are ineligible for Council funding for a period of five years."

2) DISCUSSION AND OPTIONS

Copies of the project reports are attached for the Board's information. Should Board members have concerns or issues with these reports, these should be discussed at this part of the meeting.

Reason for the recommendation

To receive the project reports from funding applicants in accordance with the Community Grant Policy.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

There are no financial implications or budgetary requirements.

ATTACHMENTS

- 1. Community Grant Project Report - Kaikohe Photography Club - A2718805 [↓](#) 
- 2. Community Grant Project Report - Living Waters - A2718807 [↓](#) 
- 3. Community Grant Project Report - Paihia Christmas Parade - A2718806 [↓](#) 

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Community Grant Policy.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	It is the responsibility of each Community Board to confirm the funding that they allocated has been spent correctly.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	There are no implications on Māori in confirming the project reports. Any implications on Māori arising from matters included in project reports should be considered as part of the relevant report.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	This report is asking for the project reports to be approved, any interests that affect other people should be considered as part of the individual reports.
State the financial implications and where budgetary provisions have been made to support this decision.	There are no financial implications or the need for budgetary provision.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.



**Far North
District Council**

**Project Report
COMMUNITY GRANT FUND - LOCAL**

F0080402

At the completion of a project that received community funding, recipients are required, as stated in the Community Grant Policy, to submit a Project Report to the Community Board. Project Reports are to be received no later than two months after the completion of the project or if the activity is ongoing, within two months of the funding being spent.

Applicants who fail to provide a project report within the required time will not be considered for future funding.

Please return the completed form to:

Governance Support

Far North District Council

Private Bag 752

KAIKOHE 0440

or email to: governance@fndc.govt.nz (PDF attachment via email is preferred)

Name of organisation:

Bay of Islands - KAIKOHE Photography Club

Name & location of project:

CHANGING VIEW OF THE Bay of Islands - BoI

Date of project/activity:

COMPLETED SEPTEMBER 2019

Which Community Board did you receive funding from?

☐

Te Hiku

☐

Kaikohe-Hokianga

☒

Bay of Islands-Whangaroa

Amount received from the Community Fund:

\$ 563.00

Please give details of how the money was spent:

- Your contribution to the project and the funding you received from the Community Board must be accounted for
- Attach supplier receipts or bank statements to show proof of expenditure of Community Board funds.

Supplier/Description	\$amount	Receipt/s attached (please tick)
Venue Hire (Cherry Park House)	\$ 20.00	✓
Advertising / Promotion (Stuff)	\$ 126.50	✓
Administration	\$ 100.00	
Equipment Hire (Photobooth Projector)	\$ 150.00	
Cost over. Total:	\$ 146.50	

Give a brief description of the highlights of your project including numbers participating:

Refer Attached

Describe the main findings in your evaluation of the project/event; describe how your project/event benefited the community:

Refer Attached

Please provide details and attach or email photos and/or any marketing collateral that was produced for your event/project acknowledging the Community Board:

Refer Attached Photos of Completed Book (These are being donated to the local libraries.

If you have a Facebook page that we can link to please give details:

This report was completed by:

Name: John Stokley
Address: 26 Riverside Rd. Kaitake
Phone: mob: 021 1074471
Email: jwstokley@gmail.com
Date: 25/09/2019



**Far North
District Council**

**Project Report
COMMUNITY GRANT FUND - LOCAL**

F0080402

At the completion of a project that received community funding, recipients are required, as stated in the Community Grant Policy, to submit a Project Report to the Community Board. Project Reports are to be received no later than two months after the completion of the project or if the activity is ongoing, within two months of the funding being spent.

Applicants who fail to provide a project report within the required time will not be considered for future funding.

Please return the completed form to:

Governance Support

Far North District Council

Private Bag 752

KAIKOHE 0440

or email [to: governance@fndc.govt.nz](mailto:governance@fndc.govt.nz) (PDF attachment via email is preferred)

Name of organisation:

Bay of Islands Maritime Park Inc—Living Waters-BOI working group

Name & location of project:

Ecological Restoration of Pipiroa and Te Wahapu Reserves at Okiato

Date of project/activity:

Start 2015 and ongoing. Includes animal pest control 2018-19 year

Which Community Board did you receive funding from?

☐ Te Hiku

☐ Kaikohe-Hokianga

☒ Bay of Islands-Whangaroa

Amount received from the Community Fund:

\$500.00 contribution to 2018-19 animal pest control

Please give details of how the money was spent:

- Your contribution to the project and the funding you received from the Community Board must be accounted for
- Attach supplier receipts or bank statements to show proof of expenditure of Community Board funds.

Supplier/Description	Amount	Receipt/s attached (please tick)
Russell Landcare Trust (part funding of animal pest control in 100ha of Council lands in 2018/19)	\$ 1500.00	invoice
	\$	
	\$	
	\$	
Total:	\$ 1500.00	

Give a brief description of the highlights of your project including numbers participating:

The past year's work on the project has included ongoing intensive animal pest control in the twin catchments of the Pipiroa and Te Wahapu streams. The Councils Scenic Reserves and adjoining reserves and other lands total about 100 hectares at the core of these catchments, so are included in the comprehensive programme over 250 hectares. The animal pest control work on the Council land is contracted to Russell Landcare Trust, under an authority granted by Andy Finch within the Project Management Agreement that Living Waters BOI has with FNDC. In addition to the contracted animal pest control work, the ecological restoration project this past year has included 550 hours of volunteer work on other animal pest control, intensive plant pest control (especially wild ginger, banana passionfruit, pampas, etc), site preparation and planting of 500 native plants in the Reserves

Describe the main findings in your evaluation of the project/event; describe how your project/ event benefited the community:

Our main findings from the project were that animal pests can be reduced to such low numbers that the native forests and wetlands start to regenerate and recover from decades of browsing by possums, seed eating by rats and wildlife predation by stoats, weasels and rats. We also found that the control needed to be both intensive (at closer than 100m spacings with multiple trap and bait station types) and extensive (large enough scale that the pests do not reinvade far from the uncontrolled margins). As well as benefitting the forests, wetlands and wildlife, the project also benefitted the 3000+ people who walk through these Council Reserves each year along the Okiato-Russell Walkway, who now get to hear or see much higher numbers of kiwi, weka, tui, fernbirds, kukupa/kereru, tomtits, and other wildlife, as well as admiring the lush understorey of regenerating native forest. The Council also benefits in terms of having the community undertake several of FNDC's statutory obligations under the Reserves Act 1977 as the Administering Body for the Reserves it vested in itself after subdivisions.

Please provide details and attach or email photos and/or any marketing collateral that was produced for your event/project acknowledging the Community Board:

Earlier grants by the Community Board were acknowledged in signage and Living Waters newsletters, but the grant spent this last year has not yet been acknowledged publicly.

If you have a Facebook page that we can link to please give details:

N/A

This report was completed by:

Name: **Chris Richmond**

Address: **PO Box 201, Russell 0241**

Phone: mob: **0211581201**

Email: **chris@livingwatersboi.org.nz**

Date: **30 August 2019**



**Far North
District Council**

**Project Report
COMMUNITY GRANT FUND - LOCAL**

F0080402

At the completion of a project that received community funding, recipients are required, as stated in the Community Grant Policy, to submit a Project Report to the Community Board. Project Reports are to be received no later than two months after the completion of the project or if the activity is ongoing, within two months of the funding being spent.

Applicants who fail to provide a project report within the required time will not be considered for future funding.

Please return the completed form to:

Governance Support
Far North District Council
Private Bag 752
KAIKOHE 0440

or email to: governance@fndc.govt.nz (PDF attachment via email is preferred)

Name of organisation: Business Paihia Inc.
Name & location of project: Paihia Christmas Parade
Date of project/activity: 7 Dec 2018

Which Community Board did you receive funding from?

☐ Te Hiku

☐ Kaikohe-Hokianga

☒ Bay of Islands-Whangaroa

Amount received from the Community Fund: \$ 5020.50

Please give details of how the money was spent:

- Your contribution to the project and the funding you received from the Community Board must be accounted for
- Attach supplier receipts or bank statements to show proof of expenditure of Community Board funds.

Supplier/Description	Amount	Receipt/s attached (please tick)
FNDC - Road Closure.	\$ 422.32	✓
Kia Tu Pato - Road Closure.	\$ 2150.51	✓
Blah Blah Marketing - admin, marketing, ops.	\$ 1746.57.	✓
Magician - Mike the Magician	\$ 420	✓
AV Northland Ltd	Total: \$ 287.50.	✓
TOTAL		5026.90. ✓

Give a brief description of the highlights of your project including numbers participating:

Around 400 people.
AMAZING community participation.

Describe the main findings in your evaluation of the project/event; describe how your project/event benefited the community:

- The event brings the community together to celebrate Christmas and really the start of the Summer season in Paihia.
- Its a pleasure to watch everyone congregating together.
- Bringing all the schools and daycares etc together.

Please provide details and attach or email photos and/or any marketing collateral that was produced for your event/project acknowledging the Community Board:

Business Paihia newsletter(x3) website. (www.paihianz.co.nz)
At the parade.

If you have a Facebook page that we can link to please give details:

This report was completed by:

Name:
Address:
Phone: mob:
Email:
Date:

6.4 LOCAL COMMUNITY GRANT FUNDING APPLICATIONS

File Number: A2718188

Author: Kathryn Trewin, Funding Advisor

Authoriser: Sheryl Gavin, Manager Corporate Planning and Community Development

PURPOSE OF THE REPORT

The purpose of this report is to summarise applications for Local Community Grant funding to enable the Bay of Islands-Whangaroa Community Board to determine which application/s will receive funding at the 4 November 2019 meeting.

EXECUTIVE SUMMARY

- The Bay of Islands- Whangaroa Community Board has \$65,880 unallocated funding available for the 2019/20 financial year.
- Thirteen applications for funding have been received requesting a total of \$70,137.
- Five applications are for Christmas events that meet the Boards strategic priority to: *"Fund one Christmas event or Parade in Kerikeri, Kaeo, Kawakawa, Moerewa, Paihia and Russell of up to \$2500 per annum for the event, plus traffic management costs up to a maximum of \$2500."*

RECOMMENDATION

That the Bay of Islands-Whangaroa Community Board, in considering the provisions of the Community Grant Policy, authorise funding (plus GST if applicable) be paid from the Board's Community Fund as follows:

Kerikeri Lions Club – Kerikeri Christmas Parade	\$5,000
Kaeo Christmas Parade	\$2,500
Kawakawa Business Association – Kawakawa Christmas Parade	\$5,000
He Iwi Kotahi Tatou Trust – Meri Kirimete Moerewa	\$2,500
Business Paihia – Paihia Christmas Parade	\$4,466
Waikare Marae Trustees – Tuia 250	\$5,000
Tukau Community Fund – Christmas Lunch	\$2,500
Pavlova Press – Tūhono Kerikeri Book	\$2,500
Ngati Rahiri – Christmas Carols at Te Tii	\$2,500
Motatau School – Resurfacing of the school swimming pool	\$5,000
Kerikeri Business Association – Kerikeri Street Party	\$1,000
Circability – Circus workshops and tour	\$1,000
Business Paihia – Summer Series Street Entertainers	\$1,000
Total	\$39,966

1) BACKGROUND

Each application has been checked by staff for completeness and complies with the conditions of the Community Grant Policy, Community Outcomes as stated in the LTP, and all provisions listed on the application form.

2) DISCUSSION AND OPTIONS

Applicant	Project	Requested	Recommended	Purpose	Community Outcome	Type
Kerikeri Lions Club	Kerikeri Christmas Parade	\$5,000	\$5,000	<p>The Strategic Plan for the Bay of Islands Community Board resolved to <i>fund one Christmas event or Parade in Kerikeri, Kaeo, Kawakawa, Moerewa, Paihia and Russell of up to \$2500 per annum for the event, plus traffic management costs up to a maximum of \$2500.</i></p> <p>The application for the Kerikeri Christmas Parade notes that in 2018 the traffic management plan was sponsored by Broadspectrum. As this has not yet been confirmed for the 2019 year, \$2500 has been allocated as a precaution in accordance with the resolution.</p> <p>The Kaeo and Moerewa events have not indicated a requirement for a traffic management plan for their events.</p>	Proud, vibrant communities	Event
Kaeo Christmas Parade	Kaeo Christmas Parade	\$2,500	\$2,500		Proud, vibrant communities	Event
Kawakawa Business Association	Kawakawa Christmas Parade	\$5,000	\$5,000		Proud, vibrant communities	Event
He Iwi Kotahi Tatou Trust	Meri Kirimete Moerewa	\$2,500	\$2,500		Proud, vibrant communities	Event
Business Paihia Inc	Paihia Christmas Parade	\$4,466	\$4,466		Proud, vibrant communities	Event

Applicant	Project	Requested	Recommended	Purpose	Community Outcome	Type
Waikare Marae Trustees	Tuia 250	\$5,000	\$5,000	Waikare Marae will be hosting a ceremony to commemorate their encounter with Captain Cook and his crew when they landed at Motuarohia Island as part of the Tuia 250 commemorations.	i) Proud, vibrant communities ii) A wisely managed and treasured environment that recognises the special role of tangata whenua as kaitiaki	Event
Tukau Community Fund	Christmas Lunch in Kawakawa	\$6,400	\$2,500	This application is a second Christmas event in Kawakawa and has been considered in alignment with the previous resolution of the Board regarding Christmas events.	Proud, vibrant communities	Event
Pavlova Press	Tūhono Kerikeri Book	\$7,740	\$2,500	This application is for a book that will be prepared using contributions from local poets and authors (to be called for) as part of the Tūhono Kerikeri (200 th anniversary of the establishment of the Kerikeri Mission Station) commemorations	Proud, vibrant communities	Event

Applicant	Project	Requested	Recommended	Purpose	Community Outcome	Type
Ngati Rahiri	Christmas Carols at Te Tii	\$4,559	\$2,500	This application is a second Christmas event in Paihia and has been considered in alignment with the previous resolution of the Board regarding Christmas events.	Proud, vibrant communities	Event
Motatau School	Swimming Pool Resurfacing	\$14,775	\$5,000	This application is for half the costs of resurfacing and painting the Motatau school swimming pool. The school has also applied to Oxford Trust for funding.	i) Proud, vibrant communities ii) Communities that are healthy, safe, connected and sustainable	Infrastructure
Kerikeri Business Association	Kerikeri Street Party	\$3,737	\$1,000	This is an annual event that follows the Kerikeri Half Marathon. The Kerikeri Business Association have also received funding from the Events Investment Fund in the amount of \$5000 for this event.	Proud, vibrant communities	Event

Applicant	Project	Requested	Recommended	Purpose	Community Outcome	Type
Circability	Circus workshops and tour	\$5,560	\$1,000	This organisation is based outside of the district and is seeking funds to run workshops for participants with special needs (eg wheelchair/sight impaired etc), followed by a tour of the region.	Proud, vibrant communities	Event
Business Paihia	Summer series street entertainers	\$2,900	\$1,000	Business Paihia Inc is requesting assistance to pay for street entertainers to run workshops and performances on the Paihia Village Green over the Christmas season.	Proud, vibrant communities	Event

Assessment of Applications

Each applicant was required to complete a standard application form and provide supporting information.

For each application, the Board has three options.

Option 1 Authorise funding for the full amount requested

Option 2 Authorise partial funding

Option 3 Decline funding

Reason for the recommendation

Each application has been assessed and meets the criteria of the Community Grant Policy, Community Outcomes as listed in the LTP, and the conditions listed on the application form.

3) FINANCIAL IMPLICATIONS AND BUDGETARY PROVISION

The Board allocates funding in accordance with the Community Grant Policy and considers applications received against available funds as reported in each meeting's agenda.

ATTACHMENTS

1. Funding Application - Kerikeri Lions Christmas Parade - A2717310 [↓](#) 
2. Schedule of Supporting Documents - Kerikeri Lions Christmas Parade - A2717780 [↓](#) 
3. Funding Application - Kaeo Christmas Parade and Festival Committee - A2717476 [↓](#) 
4. Schedule of Supporting Documents - Kaeo Christmas Parade - A2718804 [↓](#) 
5. Funding Application - Kawakawa Business and Community Association (Kawakawa Christmas Parade) - A2717480 [↓](#) 
6. Schedule of Supporting Documents - Kawakawa Business and Community Association - A2717785 [↓](#) 
7. Funding Application - He Iwi Kotahi Tatau Trust - A2717353 [↓](#) 
8. Schedule of Supporting Documents - He Iwi Kotahi Tatou Trust - A2717779 [↓](#) 
9. Funding Application - Business Paihia Incorporated (Paihia Christmas Parade) - A2717186 [↓](#) 
10. Schedule of Supporting Documents - Paihia Christmas Parade - A2717781 [↓](#) 
11. Funding Application - Waikare Marae Trustees - A2717410 [↓](#) 
12. Schedule of Supporting Documents - Waikare Marae Trustees - A2717788 [↓](#) 
13. Funding Application - Tukau Community Fund - A2717318 [↓](#) 
14. Schedule of Supporting Documents - Tukau Community Fund - A2717783 [↓](#) 
15. Funding Application - Pavolva Press - A2717232 [↓](#) 
16. Schedule of Supporting Documents - Pavlova Press - A2717787 [↓](#) 
17. Funding Application - Ngati Rahiri Maori Komiti - A2717196 [↓](#) 
18. Schedule of Supporting Documents - Ngati Rahiri Maori Komiti - A2717782 [↓](#) 
19. Funding Application - Motatau School - A2717323 [↓](#) 
20. Schedule of Supporting Documents - Motatau School - A2717784 [↓](#) 
21. Funding Application - Kerikeri Business Association - A2717215 [↓](#) 
22. Schedule of Supporting Documents - Kerikeri Business Association - A2717786 [↓](#) 
23. Funding Application - Circability Trust - A2718138 [↓](#) 
24. Schedule of Supporting Documents - Circability Trust - A2718144 [↓](#) 
25. Funding Application - Business Paihia Incorporated - A2717280 [↓](#) 
26. Schedule of Supporting Documents - Business Paihia Incorporated - A2717778 [↓](#) 

Compliance schedule:

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by the Council's Significance and Engagement Policy	This is a matter of low significance.
State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the LTP) that relate to this decision.	Community Grant Policy.
State whether this issue or proposal has a District wide relevance and, if not, the ways in which the appropriate Community Board's views have been sought.	This report does not have district-wide relevance.
State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.	No implications for Māori in relation to land and/or water.
Identify persons likely to be affected by or have an interest in the matter, and how you have given consideration to their views or preferences (for example – youth, the aged and those with disabilities).	Considered in the application.
State the financial implications and where budgetary provisions have been made to support this decision.	Budgetary Provision has been made and the grant is allocated in accordance with the Community Grant Policy.
Chief Financial Officer review.	The Chief Financial Officer has not reviewed this report.

Local Grant Application Form



Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the Community Grant Policy to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website www.fndc.govt.nz
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of, please contact the Governance team at DDI (09) 401 5231, freephone 0800 920 029, or governance@fndc.govt.nz – we're happy to help.**
- **Send your completed form** to governance@fndc.govt.nz or to any Council service centre

The following **must** be submitted along with this application form:

- ☐ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☐ Most recent bank statements and (signed) annual financial statements
- ☐ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☐ Signed declarations on pgs 5-6 of this form

Applicant details

Organisation	<u>LIONS CLUB OF KERIKERI</u>	Number of Members	<u>15</u>
Postal Address	<u>PO Box 22 KERIKERI</u>	Post Code	
Physical Address	<u>NIL</u>	Post Code	
Contact Person	<u>BRUCE HENDERSON</u>	Position	<u>SECRETARY</u>
Phone Number	<u>09 407 3243</u>	Mobile Number	<u>027 407 3010</u>
Email Address	<u>jenbru@xtra.co.nz</u>		

Please briefly describe the purpose of the organisation.

TO SERVE OUR COMMUNITY

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Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku ☐ Kaikohe-Hokianga ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity KERIKERI / LIONS / McDONALD'S ^{Christmas PARADE} Date 7 12 2019
 Location KERIKERI TOWN CENTRE Time 12 Noon to 3 PM
 Will there be a charge for the public to attend or participate in the project or event? ☐ Yes ☒ No
 If so, how much? NIL

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

THIS XMAS PARADE IS AN ICONIC EVENT ^{year}
 SPONSORED BY LIONS CLUB OF KERIKERI FOR 35.
 THE FLOATS CAN BE ASSEMBLED ON THE DOMAIN
~~THE~~ SATURDAY MOR 8 AM NO CHILDREN CAN BE INVOLVED
 THERE IS NO CHARGE FOR COMMUNITY FLOATS
 THE FLOATS LEAVE THE DOMAIN AT NOON
 LED BY HIGHLAND PIPE BAND AND THE LAST FLOAT
 IS THE SANTA FLOAT THE ROUTE AROUND THE
 RING ROAD SYSTEM TURN LEFT FROM FAIRWAY
 TO NEW WORLD ROUNDABOUT & BACK INTO TOWN
 AND INTO THE DOMAIN WHERE SANTA HAS \$200
 LIZZY SCRAMBLES. PRIZES FOR FLOATS ARE
 ANNOUNCED.
 WE PROVIDE AT NO CHARGE SUNDAY CASTLE
 SLIDES, ELECTRIC POWERED CARS & A SMALL
 FERRIS WHEEL. RON McDONALD DOES A SHOW.

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Local Grant Application Form



Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire		
Advertising/Promotion		
Facilitator/Professional Fees ²		
Administration (incl. stationery/copying)		
Equipment Hire		
Equipment Purchase (describe)		
Utilities		
Hardware (e.g. cement, timber, nails, paint)		
Consumable materials (craft supplies, books)		
Refreshments		
Travel/Mileage		
Volunteer Expenses Reimbursement		
Wages/Salary		not applicable
Volunteer Value (\$20/hr)		not applicable
Other (describe)		
Budget provided	Refer attached budget	
TOTALS		

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

Local Grant Application Form



Financial Information

Is your organisation registered for GST? ☐ Yes ☒ No GST Number \$16000-00

How much money does your organisation currently have? \$16000-00

How much of this money is already committed to specific purposes? \$16000-00

List the purpose and the amounts of money already tagged or committed (if any): High School 3
youngsters to counter RT Thompson

Purpose	Amount
3 High School youth on RT Thompson	\$2 400
Amusement youth	1 000
Fire Brigade youth	1 000
Damen upgrade sports equip	3 000
BBQ	11 000
TOTAL	

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Broad Spectrum	2500	Yes / Pending
McDonalds	8000	Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
Kerikeri Parade	\$3500	2018	Y / N
	5000	2017	Y / N
	NIL	2016	Y / N
	NIL	2015	Y / N
	NIL	2014	

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Kerikeri Service Centre

11 OCT 2019



Local Grant Application Form

Privacy Information

The information you have provided on this form is required so that your application for funding can be processed. Once this application is lodged with the Council it becomes public information and may be made available on the Council's website. **If there is sensitive information in the proposal or personal details you wish to be withheld, please advise.** These details are collected to inform the general public and community groups about all funding applications which have been submitted to the Far North District Council.

Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

THE LIONS CLUB OF KERIKERI

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One

[Signature]

Signatory Two

[Signature]

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Local Grant Application Form



We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained **in advance** from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within **two months** of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name BRUCE HENDERSON Position SECRETARY
 Postal Address 41 FAIRWAY DR KERIKERI Post Code 0230
 Phone Number Mobile Number 027 4073010
 Signature B Henderson Date 11 Oct 2019

Signatory Two

Name HUGH ROSS-TAYLOR Position PRESIDENT
 Postal Address 11 KINGSFORD DR. R.D.T. Post Code 0294
 Phone Number Mobile Number 022 0344225
 Signature H Ross-Taylor Date 11 Oct 2019

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Schedule of Supporting Documentation**KERIKERI LIONS CLUB – KERIKERI CHRISTMAS PARADE**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Quote for rides
2	Quote for Sound System
3	Quote for safety vests
4	Background of event
5	Costs for road closure for 2018 parade
6	Accounts for 2018 parade
7	Copy of bank statement

Local Grant Application Form



Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the [Community Grant Policy](#) to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website www.fndc.govt.nz
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of**, please contact the Governance team at DDI (09) 401 5231, freephone 0800 920 029, or governance@fndc.govt.nz – we're happy to help.
- **Send your completed form** to governance@fndc.govt.nz or to any Council service centre

The following must be submitted along with this application form:

- ☐ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☐ Most recent bank statements and (signed) annual financial statements
- ☐ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☐ Signed declarations on pgs 5-6 of this form

Applicant details

Organisation	Kaeo Christmas Parade & Festival Committee		Number of Members	10
Postal Address	P.O. Box 357, KAEO		Post Code	0478
Physical Address	c/- 12 Lower Rd, RD1, KAEO		Post Code	0478
Contact Person	Eljon Fitzgerald	Position	Chairperson	
Phone Number	09-4050180	Mobile Number	021-02206851	
Email Address	Eljon.Fitzgerald@gmail.com			

Please briefly describe the purpose of the organisation.

To manage and coordinate the annual Kaeo Community Christmas Parade & Festival.

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Local Grant Application Form



Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire <i>for Santa's Float Project</i>	200 -	200 -
Advertising/Promotion	300 -	300 -
Facilitator/Professional Fees ² <i>Brass Band & Entertainment</i>	600 -	600 -
Administration (incl. stationery/copying)	50 -	-
Equipment Hire <i>sound system</i>	200 -	200 -
Equipment Purchase (describe) <i>Public Liability Insurance</i>	222 -	222 -
Utilities <i>Pontaloon & delivery</i>	300 -	300 -
Hardware (e.g. cement, timber, nails, paint) <i>Santa's float</i>	300 -	-
Consumable materials (craft supplies, books) <i>Constructing float</i>	150 -	-
Refreshments <i>Water & cups</i>	100 -	100 -
Travel/Mileage <i>Kaka for Marquee</i>	100 -	100 -
Volunteer Expenses Reimbursement	-	-
Wages/Salary	-	not applicable
Volunteer Value (\$20/hr) <i>100 hours</i>	2000 -	not applicable
Other (describe) <i>Prizes for Best Floats - Business, Community, schools, Best Decorated Bikes & Trikes</i>	500 -	500 -
TOTALS	5022 -	2500 -

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

- ☐ Te Hiku
 ☐ Kaikohe-Hokianga
 ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity Kaeo Christmas Parade - Festival Date 07.12.19

Location Whangaroa College Sportsfield Time 12.00 noon

Will there be a charge for the public to attend or participate in the project or event? ☐ Yes ☒ No

If so, how much? N/A

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

This is the premier social gathering of the Kaeo and Whangaroa community each year, bringing young and old together to celebrate the festive season and our "Small Town - Big Spirit" town motto. For community and sports groups it is a time to fundraise through stalls, showcase their organisation and recruit new members. For families and Whānau it is a time to have fun with the kids, dress up in costumes and enjoy the on-stage entertainment and demonstrations. This years theme is SAVE the Planet and will promote recycling, repurposing, Plastic free and environmentally friendly themes. Of course, the festival and parade is about the kids and socialising with friends and neighbours - a good time to share ideas and support one another.

Local Grant Application Form



Financial Information

Is your organisation registered for GST? ☐ Yes ☒ No GST Number

How much money does your organisation currently have?

How much of this money is already committed to specific purposes?

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
New Banners - Poles	800 —
TOTAL	

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Current Funds	2500	<input checked="" type="radio"/> Yes / <input type="radio"/> Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
2018 Kaeo Christmas Parade	2500 —	29.11.18	<input checked="" type="radio"/> Y / N
2017 " " "	2500 —	Nov 17	<input checked="" type="radio"/> Y / N
2016 " " "	2000 —	Nov 16	<input checked="" type="radio"/> Y / N
2015 " " "	2500 —	Nov 15	<input checked="" type="radio"/> Y / N

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Local Grant Application Form



Privacy Information

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Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

Kaero Christmas Parade & Festival Committee

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One



Signatory Two

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Local Grant Application Form



We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
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3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained **in advance** from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within **two months** of the end of the project, or, if the activity is ongoing, within **two months** of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name Eliza Fitzgerald Position Chairperson
 Postal Address 12 Lower Road RD 1 Kaero Post Code 0478
 Phone Number 09-4050180 Mobile Number 021 02206851
 Signature [Signature] Date 10/10/19

Signatory Two

Name Lorraine Gaulton Position Treasurer
 Postal Address Mangamānaki Rd RD 1 KAERO Post Code 0478
 Phone Number 09-4050786 Mobile Number 0211820552
 Signature [Signature] Date 10/10/19

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Schedule of Supporting Documentation**KAEO CHRISTMAS PARADE**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Budget
2	Quote – Brass Band
3	Quote – Sound System
4	Quote - Portaloos
5	Quote - Insurance
6	Bank Statement
7	Financial Statement
8	Event Programme
9	Health and Safety Plan

Local Grant Application Form



Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the [Community Grant Policy](#) to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website www.fndc.govt.nz
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- **If there's anything on this form you're not sure of**, please contact the Governance team at DDI (09) 401 5231, freephone 0800 920 029, or governance@fndc.govt.nz – we're happy to help.
- **Send your completed form** to governance@fndc.govt.nz or to any Council service centre

The following **must** be submitted along with this application form:

- ☐ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☐ Most recent bank statements and (signed) annual financial statements
- ☐ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☐ Signed declarations on pgs 5-6 of this form

Applicant details

Organisation	Kawakawa Business & Community Association.		Number of Members	40
Postal Address	c/o 11 Gillies Street, Kawakawa.		Post Code	
Physical Address			Post Code	
Contact Person	Malcolm Francis	Position	Chairman	
Phone Number	09 404 6048	Mobile Number	—	
Email Address	Kawakawa@hammerhardware.co.nz			

Please briefly describe the purpose of the organisation.

To provide a voice for local people & businesses & plan for the good of our town of Kawakawa

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Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku

☐ Kaikohe-Hokianga

☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity Kawakawa Xmas Parade 2019 Date Saturday 7th Dec.
Location Gillies Street, Kawakawa Time 11-12pm.

Will there be a charge for the public to attend or participate in the project or event?

☐ Yes

☒ No

If so, how much?

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

Our whole community, especially families with children benefit from our Xmas parade. It is an annual event which the whole community looks forward to as a celebration of Xmas and the end of the year.

600 people usually attend from all over our area of the Bay of Islands. The Parade follows the train from the end of town, at The Star Hotel to the over end of town, outside Klondike Tavern. Community Groups, Schools, Businesses and Day Care enter floats and this year it will be followed by a festival hosted by Ngata the FM.

Local Grant Application Form



Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire		
Advertising/Promotion	\$ 570	\$570.
Facilitator/Professional Fees ²		
Administration (incl. stationery/copying)		
Equipment Hire <i>Bouncy Castle</i>	\$600	\$600.
Equipment Purchase (describe)		
Utilities		
Hardware (e.g. cement, timber, nails, paint)		
Consumable materials (craft supplies, books)		
Refreshments	\$200	\$200.
Travel/Mileage		
Volunteer Expenses Reimbursement <i>(maori workers)</i>	\$200	\$200.
Wages/Salary		not applicable
Volunteer Value (\$20/hr)	200 hrs.	not applicable
Other (describe) <i>Traffic Management</i>	\$2,600	\$2,600.
<i>Public Liability</i>	800	800.
TOTALS	4,970	4,970

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

Local Grant Application Form



Financial Information

Is your organisation registered for GST?

☐ Yes ☒ No

GST Number

How much money does your organisation currently have?

\$15,109.53.

How much of this money is already committed to specific purposes?

\$9,500.00.

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
Town Camera System.	\$9,500.
TOTAL	\$9,500.

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
—	—	Yes / Pending
None		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
			Y / N
			Y / N
			Y / N
			Y / N

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Local Grant Application Form



Privacy Information

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Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

Kawakawa Business & Community Association

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One



Signatory Two



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Local Grant Application Form



We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
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3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained **in advance** from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on-signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within **two months** of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name MALCOLM FRANCIS Position CHAIRMAN

Postal Address CL- 11 GURIES ST, KAWAKAWA Post Code 0210

Phone Number 09-404-0773 Mobile Number 0277667767

Signature [Signature] Date 11th Oct 2019

Signatory Two

Name Kate Moroney Position Secretary

Postal Address 27 Johnston Road, Kawakawa Post Code

Phone Number 09 404 0842 Mobile Number —

Signature [Signature] Date 11th October 2019

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Schedule of Supporting Documentation

KAWAKAWA BUSINESS ASSOCIATION – CHRISTMAS PARADE

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Quote for traffic management plan
----------	--

Record No - A 2711344.

Local Grant Application Form



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- **If there's anything on this form you're not sure of**, please contact the Governance team at DDI (09) 401 5231, freephone 0800 920 029, or governance@fndc.govt.nz – we're happy to help.
- **Send your completed form** to governance@fndc.govt.nz or to any Council service centre

The following **must** be submitted along with this application form:

- ☐ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☐ Most recent bank statements and (signed) annual financial statements
- ☐ Programme/event/project outline
- ☐ A health and safety plan
- ☒ Your organisation's business plan (if applicable)
- ☒ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☒ Signed declarations on pgs 5-6 of this form

Applicant details

Organisation	He Iwi Kotahi Tatau Trust		OR HIKITI	Number of Members	500+
Postal Address	PO Box 154, Moerewa		Post Code	0211	
Physical Address	53 Main Rd, Moerewa		Post Code	0211	
Contact Person	Pamela Anne Simon	Position	Alternative Ed		
Phone Number	09-40 412 99	Mobile Number	027 911 5580		
Email Address	pamela.anne.21@gmail.com				

Please briefly describe the purpose of the organisation.

HIKITI is Moerewa's Community Organisation providing social services to engage with the people for over 30 years

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Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku ☐ Kaikohe-Hokianga ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity Mei Kiri Mete Motu Date TBC

Location Meerewa Christian Fellowship Main Rd Time 10 - 2pm

Will there be a charge for the public to attend or participate in the project or event? ☐ Yes ☒ No

If so, how much? No - Free Whangaroa Day

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

as attached page 2.b

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Local Grant Application Form



Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire	—	—
Advertising/Promotion	1,300	1,300
Facilitator/Professional Fees ²	1,100	—
Administration (incl. stationery/copying)	1,500	—
Equipment Hire	4,000	1,000
Equipment Purchase (describe)	4,000	2,000
Utilities	300	150
Hardware (e.g. cement, timber, nails, paint)	400	—
Consumable materials (craft supplies, books)	1,000	—
Refreshments	2,500	1,200
Travel/Mileage	—	—
Volunteer Expenses Reimbursement	—	—
Wages/Salary	—	not applicable
Volunteer Value (\$20/hr)	2,500	not applicable
Other (describe)	—	—
TOTALS	*18,600.00	*5,650.00 *2,500.00

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

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Local Grant Application Form

Financial Information

Is your organisation registered for GST? ☐ Yes ☐ No GST Number 25-482-591

How much money does your organisation currently have? \$235,100 *But all allocated*

How much of this money is already committed to specific purposes? 100%

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
Housing	53,000
Social Services - Family Resource	15,000
Alternative Education	92,000
Wt program - Over	2,500
Admin	63,100
Certain Bank	10,000
TOTAL	\$235,600

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Admin - Volunteer	2,600	Yes / Pending
Hikiti	500	Yes / Pending
Facilitation - Ngati Hine	2,000	Yes / Pending
Tumeke	3,000	Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
Moerewa Xmas 2018	\$5,400.00	15 Dec 18	(Y) / N
	—		Y / N
	—		Y / N
	—		Y / N

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Local Grant Application Form



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Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

He Iwi Kotahi Tatau Trust.

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One

Signatory Two

[Handwritten signatures of Signatory One and Signatory Two]

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Local Grant Application Form



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7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
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10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name Wai Upohi Position Senior Manager ★
 Postal Address 100401020 Post Code 0211
 Phone Number 027 401020 Mobile Number 027 401020
 Signature [Signature] Date 14 / 10 / 2019

Signatory Two

Name Pamela Anne Upohi Simon Position Project Manager For Kins
 Postal Address 190 Ohangai Rd, RD1 Kawakawa Post Code 0281
 Phone Number 027 911 5580 Mobile Number 027 911 5580
 Signature [Signature] Date 14 / 10 / 2019

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Schedule of Supporting Documentation**HE IW KOTAHI TATOU TRUST – MERI KIRIMETE MOEREWĀ**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Background
2	Annual (Performance) Report
3	Plan for Moerewa Christmas 2019
4	Evacuation Plan
5	Building Warrant of Fitness
6	Bank Statement

Local Grant Application Form



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- **Send your completed form** to governance@fndc.govt.nz or to any Council service centre

The following **must** be submitted along with this application form:

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- ☐ Most recent bank statements and (signed) annual financial statements
- ☐ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☐ Signed declarations on pgs 5-6 of this form

Applicant details

Organisation	<u>Business Paihia Inc.</u>	Number of Members	<u>110</u>
Postal Address	<u>PO Box 339 Paihia</u>	Post Code	<u>0200</u>
Physical Address		Post Code	
Contact Person	<u>Steph Goddard</u>	Position	<u>Administrator</u>
Phone Number		Mobile Number	<u>021 122 9307</u>
Email Address	<u>steph@blabblabmarketing.co.nz</u>		

Please briefly describe the purpose of the organisation.

Incorporation of businesses from Paihia, Waitangi, Kerikeri, Opua, Haurua Falls. Bring people to the region, promote community.

Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku

☐ Kaikohe-Hokianga

☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity Paihia Christmas Parade Date 6th Dec 2019

Location Paihia Time 5:30pm.

Will there be a charge for the public to attend or participate in the project or event?

☐ Yes

☒ No

If so, how much?

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

- All of the area.
 - Brings the whole community together to celebrate the town + surrounding area.
 - Schools, businesses + community groups all participate.
 - This year focusing on an environmentally friendly parade.
 As organisers replacing the 'plastic' lolly scramble.
 Encouraging people to protect the environment.

Local Grant Application Form



Financial Information

Is your organisation registered for GST?



Yes



No

GST Number

93973186

How much money does your organisation currently have?

20th Sept 2020

41,964 - 83

How much of this money is already committed to specific purposes?

41,964 - 83

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
Summer Circus	\$3,000
Fireworks	\$3,000.
'it' Bay of Islands Food & Wine Festival	\$35,964 - 83
TOTAL	41,964 - 83

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Local business sponsors.		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
Christmas Parade 2018	5020.50.		(Y) / N
" " 2017	3322.75.	9/10/2017	(Y) / N
Street Party 2017	5750.	13/4/2017	(Y) / N
Christmas Parade 2016	8050	20/5/2016	(Y) / N
" " 2015	2875	20/11/2015	(Y)
NY Eve / Summer Festival	6901	26/11/2017	(Y)
Christmas Parade.	2875	16/10/2014	(Y)

Local Grant Application Form



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10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name Nick Madden Position Executive Committee member
 Postal Address 7 The Anchorage East, Waiata Post Code 0204
 Phone Number Mobile Number 021 213 5819
 Signature N. Madden Date 3/10/19

Signatory Two

Name Rachel Paterson Position Treasurer
 Postal Address P O Box 244 Paihia Post Code 0247
 Phone Number Mobile Number 0274 787 988
 Signature R. Paterson Date 03 Oct 2019

Local Grant Application Form



Privacy Information

The information you have provided on this form is required so that your application for funding can be processed. Once this application is lodged with the Council it becomes public information and may be made available on the Council's website. **If there is sensitive information in the proposal or personal details you wish to be withheld, please advise.** These details are collected to inform the general public and community groups about all funding applications which have been submitted to the Far North District Council.

Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

Business Paihia Inc.

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One

[Signature]

Signatory Two

R. J. Paterson

Schedule of Supporting Documentation**BUSINESS PAIHIA – PAIHIA CHRISTMAS PARADE**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Breakdown of Costs
2	Bank Account Details
3	Quote from Blah Blah Marketing
4	Annual Report for Business Paihia Inc
5	Quote for Traffic Management Plan
6	Bank Statement

A 211010

Local Community Grant Fund Application Form



Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- If there's anything on this form you're not sure of, please contact the Governance team at DDI (09) 401 5188, freephone 0800 920 029, or governance@fndc.govt.nz – we're happy to help.
- Please see Section 1 of the Community Grant Policy to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered.
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.

The following **must** be submitted along with this application form:

- ☒ Signed applicant declaration
- ☐ Two quotes for purchases where practicable, or evidence of expected purchases *coming*
- ☒ Business plan (including project costs) *costs*
- ☒ Details of all other funding secured or pending approval for this project (minimum 50%)
- ☒ Programme outline (if applying for operating costs) - *finalised copy to come.*
- ☐ A health and safety plan *Coming (we already have one for Marae, but will need to make additions for the helicopter hire!)*

Applicant details

Organisation	Waikare Marae Trustees		Number of Members	2500
Postal Address	PO Box 189, Kawakawa		Post Code	
Physical Address	1692 Waikare Road, Pearl Reef		Post Code	0282
Contact Person	Shirley <i>Shirley</i> Adie <i>Adie</i> Kate <i>Kate</i>	Position	Secretary <i>Secretary</i>	
Phone Number	Treasurer	Mobile Number	022 3079446	
Email Address	shirley <i>p-retia@hotmail.com</i>			

Please briefly describe the purpose of the organisation.

Waikare Marae is home to the hapu of Te Kaitiaki a community hub for meetings and welcoming to the wider community. It is the civil defence hub, a meeting place for health and conservation entities & the local school. As well as being our base for tangi, hui, unveilings and birthdays.

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Local Community Grant Fund Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku ☐ Kaikohe-Hokianga ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Event Tuia 250 - Nga Haukaiinga o Waikare Date 8th Nov 2019
Location Waikare Marae Time 11:30am

Are you applying for annual funding for the remaining years of the triennium? ☐ Yes ☒ No

If so, how much? —

Outline your project and the services it will provide. Tell us:

- How it will enhance access to facilities and for whom
- How it will broaden the range of activities and experiences available to the community
- How it will enhance communities or volunteer capability to provide services.

Te Kapotai of

Waikare Marae are hosting a ceremony to commemorate their encounter with Cook & his men when they landed on Motuarohia Island. Te Koukou (of Te Kapotai) was wounded. Tupia the Tahitian navigator & interpreter, who spoke a language similar to Maori followed Te Koukou to Waikare & treated the gunshot wound, staying with him 3 days. As a sign of thanks, Te Koukou gave Tupia a carved whale both pendant & hea (comb).

The celebration at Waikare Marae will require a marquee to accommodate the numbers attending. And due to hire ^{of VIPs} consistency of helicopter with landing pad and extra car parking.

The celebration will be followed by a delicious lunch, as per the Waikare Marae reputation.

Still quotes and confirmation of donations to come. Other costs being met by our lands trust.

¹ The triennium refers to the three-year period between local elections.

Local Community Grant Fund Application Form



Project Cost

Provide a detailed costs estimate for the project or event. Funding requested may not exceed 50% of the total project cost.

Total Cost - provide the total amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire <i>Food</i>	5200	
Advertising/Promotion		
Facilitator/Professional Fees ²		
Administration (incl. stationery/copying)		
Equipment Hire	<i>helicopter 1000</i> <i>mezzanine 1200</i>	
Equipment Purchase (describe) <i>hire additional chairs + crockery 6000</i>		
Utilities		
Hardware (e.g. cement, timber, nails, paint) <i>metal</i>	500	
Consumable materials (craft supplies, books)		
Refreshments		
Travel/Mileage	300	
Volunteer Expenses Reimbursement		
Wages/Salary		not applicable
Volunteer Value		not applicable
Other (describe) <i>Removal of rubbish</i>	500	
TOTALS	15,700	5,000

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

Local Community Grant Fund Application Form



Financial Information

Is your organisation registered for GST? ☐ Yes ☐ No GST Number

What are your organisation's currently accessible financial resources?

How much of this is tagged or committed for specific purposes?

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
Driveway maintenance	estimated 2000
Aidullion block refurbishment	" 2000
repairs and maintenance - water pump	800
Te Huihuinga renovation	unpriced, still working on concepts it will be more than 25k
TOTAL	27,000

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Private donations	TBC	Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
			Y / N
			Y / N
NIL			Y / N
			Y / N

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Local Community Grant Fund Application Form



Privacy Information

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Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

Waikare Marae Trustees

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

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Privacy Information

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Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

Waikare Marae Trustees Committee

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One



Signatory Two



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Local Community Grant Fund Application Form



We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained in advance from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within two months of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.
11. To notify the Far North District Council immediately if our GST status changes.

Signatory One

Name Position
 Postal Address Post Code
 Phone Number Mobile Number
 Signature Date

Signatory Two (if applicable)

Name Position
 Postal Address Post Code
 Phone Number Mobile Number
 Signature Date

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Schedule of Supporting Documentation**WAIKARE MARAE TRUSTEES – TUIA 250**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Copy of Accounts
2	Budget
3	Bank statement
4	Hapū development plan
5	Quote from Cowleys
6	Health and Safety Plan
7	Quote from Salt Air

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the [Community Grant Policy](#) to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website www.fncd.govt.nz
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of**, please contact the Governance team at DDI (09) 401 5231, freephone 0800 920 029, or governance@fncd.govt.nz – we're happy to help.
- **Send your completed form** to governance@fncd.govt.nz or to any Council service centre

The following must be submitted along with this application form:

- ☐ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☐ Most recent bank statements and (signed) annual financial statements
- ☐ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☐ Signed declarations on pgs 5-6 of this form

Organisation	Tukau Community Fund	Number of Members	
Postal Address	91 Hupara Rd, RD2, Kaikōhe	Post Code	0472
Physical Address		Post Code	
Contact Person	Seeson - Mary Danks	Position	Kaiwhakahaere
Phone Number	021 885 211	Mobile Number	
Email Address	seesonmarydanks@tukaulaw.co.nz		

Please briefly describe the purpose of the organisation.

Rangatiratanga - To empower our local communities by supporting their needs and aspirations.

Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku ☐ Kaikohe-Hokianga ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity Date
 Location Time

Will there be a charge for the public to attend or participate in the project or event? ☐ Yes ☒ No

If so, how much?

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

- Struggling families/individuals - Kaumatua of the communities will be invited (agencies/groups are approached to provide details)

- Catered lunch served, activities: entertainment from local groups, Xmas hampers given out as they leave.

- Huge part of the community are involved:

- * Preparation of the food/venue: hampers.
- * Supervision: service of food to tables.
- * Cooking of kai is undertaken by local marae, bakery, cafe, individuals, as well as on-site.
- * Hampers are collated, items collected.
- * Contributions are collected.

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Local Grant Application Form



Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire		
Advertising/Promotion		
Facilitator/Professional Fees ²		
Administration (Incl. stationery/copying)		
Equipment Hire		
Equipment Purchase (describe)		
Utilities		
Hardware (e.g. cement, timber, nails, paint)		
Consumable materials (craft supplies, books)		
Refreshments		
Travel/Mileage		
Volunteer Expenses Reimbursement		
Wages/Salary		not applicable
Volunteer Value (\$20/hr)		not applicable
Other (describe)		
Family hampers 40 @ \$120	4800	
xmas lunch 300 @ \$20	6000	
birthday hampers 40 @ \$50	2000	
TOTALS	12 800	6 400

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

Local Grant Application Form



Financial Information

Is your organisation registered for GST? ☒ Yes ☐ No GST Number 123-134-508

How much money does your organisation currently have? None

How much of this money is already committed to specific purposes? None

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
TOTAL	

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
Menstrual Cups Bol	\$6250	7.2.18	(Y) / N
" " Kaikore	\$6250	26.2.18	(Y) / N
Community Lunch	\$4000	Dec 17	(Y) / N
" "	\$5400	Dec 18	(Y) / N

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Local Grant Application Form



Privacy Information

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Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

Tukau Community Fund

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One

Signatory Two





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Local Grant Application Form



We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained **in advance** from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within **two months** of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name	<input type="text" value="Season-Mary Downs"/>	Position	<input type="text"/>
Postal Address	<input type="text" value="91 Hupara Rd, RD2, Kaikohe"/>		Post Code <input type="text" value="0472"/>
Phone Number	<input type="text"/>	Mobile Number	<input type="text" value="021 885 211"/>
Signature	<input type="text" value="Season-Mary Downs"/>	Date	<input type="text"/>

Signatory Two

Name	<input type="text"/>	Position	<input type="text"/>
Postal Address	<input type="text"/>		Post Code <input type="text"/>
Phone Number	<input type="text"/>	Mobile Number	<input type="text"/>
Signature	<input type="text"/>	Date	<input type="text"/>

Schedule of Supporting Documentation**TUKAU COMMUNITY FUND – KAWAKAWA CHRISTMAS LUNCH**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Background
2	Bank details
3	Quote from Countdown
4	Performance Report
5	Quote from Hotprintz

Kerikeri Service Centre

10 OCT 2019



Local Grant Application Form

Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
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- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website www.fndc.govt.nz
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of**, please contact the Governance team at DDI (09) 401 5231, freephone 0800 920 029, or governance@fndc.govt.nz – we're happy to help.
- **Send your completed form** to governance@fndc.govt.nz or to any Council service centre

The following **must** be submitted along with this application form:

- ☒ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☒ Most recent bank statements and (signed) annual financial statements
- ☒ Programme/event/project outline
- ☒ A health and safety plan *N/A*
- ☒ Your organisation's business plan (if applicable) *Business statement*
- ☒ If your event is taking place on Council land or road/s, evidence of permission to do so *N/A*
- ☒ Signed declarations on pgs 5-6 of this form

Applicant details

Organisation	Pavlova Press	Number of Members	2
Postal Address	PO Box 706, Kerikeri	Post Code	0245
Physical Address	6 Cochrane Dr, Kerikeri	Post Code	0230
Contact Person	Kathy Derrick	Position	Business Partner
Phone Number	09 4073136	Mobile Number	021 2141319
Email Address	kderrick@xtra.co.nz		

Please briefly describe the purpose of the organisation.

Pavlova Press is a new publishing company based in the Far North with the goal of launching new voices. (Also see attached.)

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Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku ☐ Kaikohe-Hokianga ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity Date

Location Time

Will there be a charge for the public to attend or participate in the project or event? ☐ Yes ☒ No

If so, how much?

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how, and
- How it will broaden the range of activities and experiences available to the community.

Pavlova Press will publish a collection of 200 'shorts' (short prose and poetry) from writers with a Kerikeri connection in order to support, extend and complement the Tuhono Kerikeri! bicentennial programme. Tuhono Kerikeri! "invites the community to become actively involved and engaged in celebrating their sense of space and place, and unity..." Guidance for the project will be sought through discussion with Ngāti Rehia and other local iwi.

The arts, including literature, create the identity of a culture or community as much as historical events and politics, and with this book we hope to reflect broad dimensions of ethnicity, gender, socio-economic status, age, abilities and beliefs. It will, therefore, speak for and to a wide range of people in the community and beyond. It provides an opportunity for the local community to celebrate who they are and to honour Kerikeri settlement. The reader will experience deeper engagement with the community as a result. Final prose and poetry will be selected by a team familiar with the Kerikeri area and experienced in writing and publishing short prose and poetry. Being a local publication, the anthology would be added to the collections of the district's libraries, thus freely available to all residents. Books would also be made available through tourist retailers and at local markets.

Project activities include: submission call for Kerikeri-themed writing; selection and compilation of pieces for publication; editing and proofreading; publication (design and printing); marketing and distribution.

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Local Grant Application Form



Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire	NA	
Advertising/Promotion	322	322
Facilitator/Professional Fees ²	19976	7418
Administration (incl. stationery/copying)	NA	
Equipment Hire	NA	
Equipment Purchase (describe)	NA	
Utilities	NA	
Hardware (e.g. cement, timber, nails, paint)	NA	
Consumable materials (craft supplies, books)	NA	
Refreshments	NA	
Travel/Mileage	NA	
Volunteer Expenses Reimbursement	NA	
Wages/Salary	2500	not applicable
Volunteer Value (\$20/hr)	Donated hours as per attached	not applicable
Other (describe)	NA	
TOTALS	22798	7740

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

Local Grant Application Form



Financial Information

Is your organisation registered for GST? ☐ Yes ☒ No GST Number

How much money does your organisation currently have?

How much of this money is already committed to specific purposes?

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
Publication of an anthology titled Scoria: Short prose from the cinder cone	\$4200
TOTAL	\$4200

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Potential book sales	15000	Yes / Pending
We are actively seeking other funding avenues and		Yes / Pending
will make applications as appropriate, including		Yes / Pending
to the Creative Communities Scheme.		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
			Y / N
			Y / N
			Y / N
			Y / N

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Local Grant Application Form



Privacy Information

The information you have provided on this form is required so that your application for funding can be processed. Once this application is lodged with the Council it becomes public information and may be made available on the Council's website. **If there is sensitive information in the proposal or personal details you wish to be withheld, please advise.** These details are collected to inform the general public and community groups about all funding applications which have been submitted to the Far North District Council.

Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)


Pavlova Press

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One



Signatory Two



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Local Grant Application Form



We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained in advance from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within **two months** of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name	<input type="text" value="Kathy Derrick"/>	Position	<input type="text" value="Business Partner"/>
Postal Address	<input type="text" value="PO Box 706, Kerikeri"/>		Post Code <input type="text" value="0245"/>
Phone Number	<input type="text" value="09 4073136"/>	Mobile Number	<input type="text" value="021 2141319"/>
Signature	<input type="text" value="Kathy Derrick"/>	Date	<input type="text" value="10/10/2019"/>

Signatory Two

Name	<input type="text" value="Jac Jenkins"/>	Position	<input type="text" value="Business Partner"/>
Postal Address	<input type="text" value="339 Kohukohu Rd, RD 1, Kohukohu"/>		Post Code <input type="text"/>
Phone Number	<input type="text" value="09 4055360"/>	Mobile Number	<input type="text" value="021 02621978"/>
Signature	<input type="text" value="Jac Jenkins"/>	Date	<input type="text" value="10/10/2019"/>

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Schedule of Supporting Documentation**PAVLOVA PRESS – 200 PIECES FOR 200 YEARS**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Background
2	Budget
3	Quote from Design&Print
4	Quote from Fast Fibres Poetry
5	Quote from Michelle Elvy
6	Quote from Editline
7	Quote from CVD Limited
8	Quote from Your Books
9	Bank Statement

Local Community Grant Fund Application Form



Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- If there's anything on this form you're not sure of, please contact the Governance team at DDI (09) 401 5188, freephone 0800 920 029, or governance@fndc.govt.nz – we're happy to help.
- Please see Section 1 of the [Community Grant Policy](#) to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered.
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.

The following **must** be submitted along with this application form:

- ☒ Signed applicant declaration
- ☒ Two quotes for purchases where practicable, or evidence of expected purchases
- ☒ Business plan (including project costs)
- ☐ Details of all other funding secured or pending approval for this project (minimum 50%)
- ☐ Programme outline (if applying for operating costs)
- ☐ A health and safety plan

Applicant details

Organisation	<input type="text" value="NGATI RAHIRI MAORI KOMITI"/>	Number of Members	<input type="text" value="7"/>
Postal Address	<input type="text" value="5/54 TE KEMARA AVE PAIHIA"/>	Post Code	<input type="text" value="0200"/>
Physical Address	<input type="text" value="5/54 TE KEMARA AVE PAIHIA"/>	Post Code	<input type="text" value="0200"/>
Contact Person	<input type="text" value="WAIRETI PAORA"/>	Position	<input type="text" value="ADMINISTRATOR"/>
Email address	<input type="text" value="pwairati@gmail.com"/>	Mobile Number	<input type="text" value="021 0825 2926"/>

Please briefly describe the purpose of the organisation.

- ❖ By providing events whereby whanau from the neighbouring communities can attend and enjoy.
- ❖ To build relationships with other communities interested in providing such events for the wellbeing of communities.

Record No = A2706864¹

Local Community Grant Fund Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

- ☐ Te Hiku ☐ Kaipara Hokianga ☐ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Event Date
Location Time

Are you applying for annual funding for the remaining years of the triennium?¹ ☐ Yes ☐ No

If so, how much?

Outline your project and the services it will provide. Tell us:

- How it will enhance access to facilities and for whom
- How it will broaden the range of activities and experiences available to the community
- How it will enhance/communities or volunteer capability to provide services.

Our kaupapa, Carols in the Park will be held on Te Tii Waitangi Marae and is free of charge to our community and visitors.

In keeping with the theme of Carols in the Park, the varied entertainment, cultural attendance and experiences will demonstrate how the majority rather than the minority of our community will benefit.

The increased community sustainability will be achieved with the support of local volunteers (whanau, hapu and community alike) participation.

A concerted effort of exercising *kaitiakitanga* caring for our papa whenua/environment, the meet and greet/hosting of manuhiri, travelers and visitors, will set the theme for an enjoyable pre xmas event.

¹ The triennium refers to the three-year period between local elections.

Local Community Grant Fund Application Form



Project Cost

Provide a detailed cost estimate for the project or event. Funding requested may not exceed 50% of the total project cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire	300.00	300.00
Advertising/Promotion	350.00	200.00
Facilitator/Professional Fees/MC	NIL	NIL
Administration (incl. stationery/copying)	400.00	200.00
Equipment Hire - sound system	2000.00	1035.00
Equipment Purchase (describe-lighting)	750.00	400.00
Utilities	NIL	NIL
Consumable materials (craft supplies, books)	500.00	441.40
Refreshments		
Manaakitanga 1 - countdown	400.00	207.39
Manaakitanga 2 - churchills	600.00	575.00
Travel/Mileage	NIL	NIL
Volunteer Expenses Reimbursement		
Wages/Salary		not applicable
Volunteer Value		not applicable
Other (describe)		
Stage koha	NIL	200.00
Entertainment koha	1500.00	1000.00
TOTALS	\$6,800.00	\$4,558.79

Financial Information

Local Community Grant Fund Application Form



Is your organisation registered for GST? ☐ Yes ☒ No GST Number

What are your organisation's currently accessible financial resources?

How much of this is tagged or committed for specific purposes?

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
Mitamitaga North Juniors Australia Campaign Fundraiser	100.00
TOTAL	\$100.00

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
CAROLS 2016	3,995.63	8 Dec 2016	Y / N
CAROLS 2017	2,000.00	23 Nov 2017	Y / N
CAROLS 2018	2,000.00	15 Nov 2018	Y / N

Local Community Grant Fund Application Form



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Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

NGATI RAHIRI MAORI KOMITI

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Local Grant Application Form



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On behalf of: (full name of organisation)

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2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
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 - Regular financial reporting to every full meeting of the governing body

Signatory One



Signatory Two



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Page 5

Schedule of Supporting Documentation**NGATI RAHIRI – CHRISTMAS CAROLS**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Quote from Arthurs Emporium
2	Copy of resolution to apply for funding
3	Quote from Churchills Butchery
4	Quote from Countdown
5	Advertising poster
6	Quote for sound system
7	Bank Statement

Local Grant Application Form



Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the Community Grant Policy to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website www.fndc.govt.nz
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of**, please contact the Governance team at DDI (09) 401 5231, freephone 0800 920 029, or governance@fndc.govt.nz – we're happy to help.
- **Send your completed form** to governance@fndc.govt.nz or to any Council service centre

The following **must** be submitted along with this application form:

- ☒ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☒ Most recent bank statements and (signed) annual financial statements
- ☐ Programme/event/project outline
- ☐ A health and safety plan – *Rules/contract for Key Holders*
- ☒ Your organisation's business plan (if applicable)
- ☒ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☐ Signed declarations on pgs 5-6 of this form

Applicant details

Organisation	<u>Motatau School</u>	Number of Members	<u>68</u>
Postal Address	<u>18 Henare Rd Motatau</u>	Post Code	
Physical Address	<u>RD1 Kawakawa</u>	Post Code	<u>0281</u>
Contact Person	<u>Donna Adams</u>	Position	<u>Principal</u>
Phone Number	<u>09 4040590</u>	Mobile Number	<u>02108277091</u>
Email Address	<u>principal.motatau@xtra.co.nz</u>		

Please briefly describe the purpose of the organisation.

We are a full primary school in rural Northland and we manage a swimming pool used by the community and ourselves.

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Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku ☐ Kaikohe-Hokianga ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

updated to 30
November 2019

Name of Activity Swimming Pool Repaint Date 30 Oct 2019
Location Motatau School Time One week to repaint

Will there be a charge for the public to attend or participate in the project or event?

☐ Yes ☒ No

If so, how much?

-

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

Our school pool complex has been operating for over 40 years and used by the school, the community, 2 local Kohanga Reo and a local school (Moerewa) and Early Childcare Centre. The community helped install the pool and support the school whenever working bees requiring "labour" is involved. e.g. concreting, cleaning, mowing and plumbing.

Unfortunately these skills don't fall within the scope of preparing, repairing, priming & painting the pool floor walls and surfaces.

The benefits are having a pool includes the opportunities for teaching and learning about 'water safety', 'swimming strokes, stamming and fitness. Whanau can enjoy the pool with others - whanauangatanga. Our school hosts annual swimming events with 6 other school & is a time to participate. Compete, enjoy, fundraise and promote hauora. The pool attracts people from other areas, as part of activities to do when at

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Motatau.

Local Grant Application Form



Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

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- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire	n.a.	
Advertising/Promotion	n.a.	
Facilitator/Professional Fees ²	n.a.	
Administration (incl. stationery/copying)	n.a.	
Equipment Hire	n.g.	
Equipment Purchase (describe) refer to quote	14,775.00	14,775.00
Utilities	n.a.	
Hardware (e.g. cement, timber, nails, paint)	n.a.	
Consumable materials (craft supplies, books)	n.a.	
Refreshments	n.a.	
Travel/Mileage	n.a.	
Volunteer Expenses Reimbursement	n.a.	
Wages/Salary	—	not applicable
Volunteer Value (\$20/hr)	—	not applicable
Other (describe)		
TOTALS	14,775.00	14,775.00

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

Local Grant Application Form



Financial Information

Is your organisation registered for GST?

☒ Yes ☐ No

GST Number

017348404

How much money does your organisation currently have?

\$200,642.51

How much of this money is already committed to specific purposes?

\$150,642.51

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
Pool Repaint	\$5,000
Pump Pool Equipment - filters	\$2,000
Pool Enclosure - grounds	\$1,000
Chemical Storage Shed	\$5,000
TOTAL	\$13,000

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Oxford Sports Trust	\$14,775.00	Yes / <u>Pending</u>
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
na	-	-	Y / N
			Y / N
			Y / N
			Y / N

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Local Grant Application Form



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This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

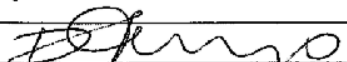
Motatau School

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One



Signatory Two



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Local Grant Application Form



We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained **In advance** from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within **two months** of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name Donna Adams Position Principal
 Postal Address 18 Henare Rd Motatau Post Code 0281
 Phone Number 09 4040372 Mobile Number 02108277091
 Signature [Signature] Date 27/9/2019

Signatory Two

Name Priscilla Brown Position Administrator
 Postal Address 946 Matawaua Maromaku Rd Post Code 0281
 Phone Number 09 4040661 Mobile Number 0212503092
 Signature [Signature] Date 27/9/2019

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Schedule of Supporting Documentation**MOTATAU SCHOOL – SWIMMING POOL**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	ID for applicant
2	Letter to explain no competitive quote
3	Letter from applicant providing background
4	Quote from Eastern Recreation Ltd
5	Annual Report
6	Safety Plan for Pool Users
7	Copy of bank account details

Local Grant Application Form



Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the Community Grant Policy to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website www.fndc.govt.nz
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of**, please contact the Governance team at DDI (09) 401 5231, freephone 0800 920 029, or governance@fndc.govt.nz – we're happy to help.
- **Send your completed form** to governance@fndc.govt.nz or to any Council service centre

The following **must** be submitted along with this application form:

- ☒ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☒ Most recent bank statements and (signed) annual financial statements
- ☒ Programme/event/project outline
- ☒ A health and safety plan
- ☒ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☒ Signed declarations on pgs 5-6 of this form

Applicant details

Organisation	<u>Kerikeri District Business Assoc</u>	Number of Members	<u>175</u>
Postal Address	<u>PO Box 304 Kerikeri</u>	Post Code	
Physical Address	<u>108 Kerikeri RD Kerikeri</u>	Post Code	
Contact Person	<u>Jason Vokes</u>	Position	<u>PRESIDENT</u>
Phone Number	<u>021 027 105 96</u>	Mobile Number	<u>09 4077250</u>
Email Address	<u>vokes.jasane@gmail.com</u>		

Please briefly describe the purpose of the organisation.

THE KKDBA REPRESENTS LOCAL BUSINESS PEOPLE
WITH THE PRIMARY AIM OF CREATING AN ENVIRONMENT.

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FOR BUSINESSES TO PROSPER AND GROW. ORGANISING
EVENTS DESIGNED TO BRING BUSINESS TO THE DISTRICT.

Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku

☐ Kaikohe-Hokianga

☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity Kerikeri Half Marathon Street Party Date 23rd Nov 2019.

Location Kerikeri Main St. Time 5-9pm.

Will there be a charge for the public to attend or participate in the project or event? ☐ Yes ☒ No

If so, how much?

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

THIS EVENT FOLLOWS THE KERIKERI HALF MARATHON AND HAS A POSITIVE OUTCOME OF RETAINING VISITORS FOR AN EXTRA NIGHTS ACCOMMODATION IN THE BAY OF ISLANDS. LAST YEAR 3,000 PLUS PEOPLE PARTICIPATED / VISITED DUE TO THE HALF MARATHON OF WHICH 1,000 PLUS ARE VISITORS TO THE REGION. ASB ARE THE NATIONAL SPONSOR AND IT IS PROMOTED IS AROUND AND THROUGHOUT THE NORTH. THE B.O.I THEREFORE ESTOYS MANY AUSTRALIAN VISITORS. SPORT NORTHLAND APPRECIATE THE EFFORTS OF THE KKDBA IN COMBINING WITH THE 1/2 MARATHON - ADDING TO THE OVERALL EVENT.

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Local Grant Application Form



Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire		
Advertising/Promotion		
Facilitator/Professional Fees ²		
Administration (incl. stationery/copying)		
Equipment Hire		
Equipment Purchase (describe)		
Utilities		
Hardware (e.g. cement, timber, nails, paint)		
Consumable materials (craft supplies, books)		
Refreshments		
Travel/Mileage		
Volunteer Expenses Reimbursement		
Wages/Salary		not applicable
Volunteer Value (\$20/hr)		not applicable
Other (describe) SECURITY	9 2,226.79	2,226.79
ROAD CLOSURE	11,510.00	11,510.00
TOTALS	13,736.79	13,736.79

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

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Local Grant Application Form



Financial Information

Is your organisation registered for GST? ☒ Yes ☐ No GST Number 553409100

How much money does your organisation currently have? +\$5,099.

How much of this money is already committed to specific purposes? +\$5,000

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
ADMINISTRATION	+\$5,000
TOTAL	

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
OXFORD TRUST	8,000	Yes / <u>Pending</u>
FNUC ERECTION FUND	5,000	<u>Yes</u> / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
STREET PART	2,500	2017	<u>Y</u> / N
Tohono flags	6,000	2019	Y / <u>N</u>
			Y / N
			Y / N

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Local Grant Application Form



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4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
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9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name JASON VOKED Position PRESIDENT

Postal Address P.O. Box 304 KERIKERI Post Code 0245

Phone Number 09 407 4317 Mobile Number 021 027 105 96

Signature [Signature] Date 13/9/2019

Signatory Two

Name ROBYN TEELISK Position TREASURER

Postal Address P.O. Box 304 KERIKERI Post Code

Phone Number 09 407 2250 Mobile Number 021 556 102

Signature [Signature] Date 13/9/2019

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Local Grant Application Form



Privacy Information

The information you have provided on this form is required so that your application for funding can be processed. Once this application is lodged with the Council it becomes public information and may be made available on the Council's website. **If there is sensitive information in the proposal or personal details you wish to be withheld, please advise.** These details are collected to inform the general public and community groups about all funding applications which have been submitted to the Far North District Council.

Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

 Kerikeri Business Association

We, the undersigned, declare the following:

In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One



Signatory Two



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Schedule of Supporting Documentation**KERIKERI BUSINESS ASSOCIATION – STREET PARTY**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Audited Financial Statements
2	Bank Statement
3	Quote for Security
4	Quote for Traffic management
5	Bank Account details
6	Copy of Event Investment Funding Application

Local Grant Application Form



Instructions

Please read carefully:

- Read this application form in full before you start filling it in. It is easier to complete an application if you have the information you need at your fingertips.
- Please see Section 1 of the [Community Grant Policy](#) to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website www.fndc.govt.nz
- **Incomplete, late, or non-complying** applications will not be accepted.
- Applicants who have failed to complete a Project Report for previous funding granted within the last five years are not eligible for funding.
- **If there's anything on this form you're not sure of**, please contact the Governance team at DDI (09) 401 5231, freephone 0800 920 029, or governance@fndc.govt.nz – we're happy to help.
- **Send your completed form** to governance@fndc.govt.nz or to any Council service centre

The following must be submitted along with this application form:

- ☐ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☐ Most recent bank statements and (signed) annual financial statements
- ☐ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☐ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☐ Signed declarations on pgs 5-6 of this form

Applicant details

Organisation	Circability Trust (Reg no: CC48564)	Number of Members	12
Postal Address	PO Box 78414	Post Code	1245
Physical Address	203-271 Victoria Street West	Post Code	
Contact Person	Dawn Hutchesson	Position	General Manager
Phone Number	0212752243	Mobile Number	0212752243
Email Address	general.manager@circability.org		

Please briefly describe the purpose of the organisation.

We are an award winning Circus Arts organisation, improving lives through 'inclusion in action' already reaching over 5,000 New Zealanders a year.

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Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☒ Te Hiku ☐ Kaikohe-Hokianga ☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity **Circability - Inclusive Circus Arts Tour** Date **February 2020**

Location **Northland - Kaitia and Kerikeri** Time **tbc**

Will there be a charge for the public to attend or participate in the project or event? ☒ Yes ☐ No

If so, how much? **Koha only (we are hoping for \$12 x 100 participants -\$1200)**

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

Power of Inclusion ("POI") is an Inclusive Circus Arts programme co delivered by people with (or without) disabilities.

It promotes professional development of persons with disabilities to deliver programmes to others.

The POI tour begins February 2020: 12 x 2 hour performances with inclusive teaching teams at kindergartens, schools, public events across Northland.

PLEASE SEE ATTACHED: What we want to do, the Process, the key people and how this project will deliver outcomes.

Local Grant Application Form



Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the **total** amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire		
Advertising/Promotion	2280	600
Facilitator/Professional Fees ²	7035	3517
Administration (incl. stationery/copying)		
Equipment Hire		
Equipment Purchase (describe)		
Utilities		
Hardware (e.g. cement, timber, nails, paint)		
Consumable materials (craft supplies, books)		
Refreshments		
Travel/Mileage	1443	1443
Volunteer Expenses Reimbursement		
Wages/Salary		not applicable
Volunteer Value (\$20/hr)		not applicable
Other (describe)		
TOTALS	10,758	5560

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

Local Grant Application Form



Financial Information

Is your organisation registered for GST? ☒ Yes ☐ No GST Number **10972571**

How much money does your organisation currently have? **50000**

How much of this money is already committed to specific purposes? **100%**

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
We have raised initial pilot funding for the POI programme from MYD but this does NOT include the performance tour (Northland), it is for the pilot programme only. At the end of this pilot we want to take the participants "on the road" in Northland.	50000
TOTAL	50000

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Whangarei District Council	\$4,000	Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
NONE (from Far North)			Y / N
			Y / N
			Y / N
			Y / N

Local Grant Application Form



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Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

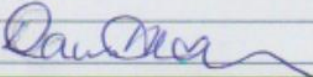
Circability Trust

We, the undersigned, declare the following:


In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agenda, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One



Signatory Two



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Local Grant Application Form



We agree to the following conditions if we are funded by Local Community Grant Funding:

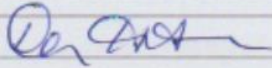
1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
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5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
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10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name **Dawn Hutchesson** Position **General Manager**

Postal Address **as above** Post Code

Phone Number Mobile Number **0212752243**


Signature  Date **9.10.19**

Signatory Two

Name **Ariane Craig-Smith** Position **Senior Administrator**

Postal Address **as above** Post Code

Phone Number Mobile Number **0212209246**

Signature  Date **9.10.19**

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Schedule of Supporting Documentation**CIRCABILITY – WORKSHOPS AND TOUR**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Budget
2	Poster
3	Project Details
4	Strategic Plan
5	Letter from Circability
6	Bank Statement
7	Quote from IntoFrame Ltd
8	Quote – Mode Car and Camper Rentals
9	Quote – Arts Access Aotearoa
10	Letter of Support - L'Arche
11	Letter of Support – Auckland Council
12	Letter of Support – Manu Tukumuku
13	Letter of Support – Middle School West Auckland
14	Health and Safety Policy

Saved A510481

Local Grant Application Form



Instructions

Please read carefully:

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- Please see Section 1 of the [Community Grant Policy](#) to ensure you are eligible.
- All applications are to be submitted 15 clear working days prior to the Community Board meeting where the application will be considered. Deadlines dates are on Council's website www.fndc.govt.nz
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The following **must** be submitted along with this application form:

- ☒ Quotes (or evidence of costs) for all items listed as total costs on pg 3
- ☒ Most recent bank statements and (signed) annual financial statements ✓
- ☐ Programme/event/project outline
- ☐ A health and safety plan
- ☐ Your organisation's business plan (if applicable)
- ☒ If your event is taking place on Council land or road/s, evidence of permission to do so
- ☐ Signed declarations on pgs 5-6 of this form ✓

Applicant details

Organisation	Business Paihia Inc.		Number of Members	110
Postal Address	PO Box 339, Paihia.		Post Code	0202
Physical Address			Post Code	
Contact Person	Steph Godsiff	Position	Administrator	
Phone Number		Mobile Number	021 122 9307	
Email Address	Steph@blabblabmarketing.co.nz			

Please briefly describe the purpose of the organisation.

An incorporation of Businessess from Paihia, Waitangi, Kerikeri, Opua and Maru Falls. We bring people to the region and promote community development.

Local Grant Application Form



Project Details

Which Community Board is your organisation applying to (see map Schedule A)?

☐ Te Hiku

☐ Kaikohe-Hokianga

☒ Bay of Islands-Whangaroa

Clearly describe the project or event:

Name of Activity Summer Event - Street Entertainment

Location Paihia Village Green

Date 29th Dec - 9th Jan 2020

Time 2pm, 6pm, 9pm.

Will there be a charge for the public to attend or participate in the project or event?

If so, how much? It is koha if they wish.

☐ Yes ☒ No

Outline your activity and the services it will provide. Tell us:

- Who will benefit from the activity and how; and
- How it will broaden the range of activities and experiences available to the community.

For the past 6 years Business Paihia has brought a circus/street performers up from Wellington.

For 10 days they do shows on the Paihia Village Green and also workshops for kids.

- Shows 2pm, 6pm, 9pm

- Various workshops.

- Really good free entertainment on New Year's eve - free and is in a no drinking area so great for families.

The circus brings people from all over the Far North, and visitors also love it.

A great boost for the community.

Local Grant Application Form



Project Cost

Provide a detailed costs estimate for the activity. Funding requested may not exceed 50% of the total cost.

Total Cost - provide the total amount of the estimated quoted cost against the appropriate item.

Amount Requested - provide (against the item) the amount the Board is being requested to contribute.

Please Note:

- You need to provide quotes (or evidence of costs) for everything listed in the total costs column
- If your organisation is GST registered, all requested amounts must be GST exclusive.
- Do not enter cents – round the values up or down to the nearest dollar
- Do not use the dollar sign (\$) – just enter the dollar value
- If you are applying for operating costs of a programme, please attach a programme outline

Expenditure	Total Cost	Amount Requested
Rent/Venue Hire		
Advertising/Promotion	1200	
Facilitator/Professional Fees ²		
Administration (incl. stationery/copying)	200	
Equipment Hire		
Equipment Purchase (describe)		
Utilities		
Hardware (e.g. cement, timber, nails, paint)		
Consumable materials (craft supplies, books)		
Refreshments		
Travel/Mileage		
Volunteer Expenses Reimbursement		
Wages/Salary		
Volunteer Value (\$20/hr)		not applicable
Other (describe)		not applicable
• Street performers / Crew.	6300	
• Accommodation	2000	2900
TOTAL	\$9,700	

\$2900

² If the application is for professional or facilitator fees, a job description or scope of work must be attached.

Local Grant Application Form



Financial Information

Is your organisation registered for GST?



Yes



No

GST Number

93973186

How much money does your organisation currently have? 20 Sept 2020

41,964.83

How much of this money is already committed to specific purposes?

41,964.83

List the purpose and the amounts of money already tagged or committed (if any):

Purpose	Amount
Summer Circus	\$3000
Fireworks	\$3000
"it" Bay of Islands Food & Wine Festival	\$35,964.83
TOTAL	41,964.83

Please list details of all other funding secured or pending approval for this project (minimum 50%):

Funding Source	Amount	Approved
Sponsorship from local business		Yes / Pending
Pebbles	\$2000	Yes / Pending
		Yes / Pending
		Yes / Pending

Please state any previous funding the organisation has received from Council over the last five years:

Purpose	Amount	Date	Project Report Submitted
Christmas Parade	5020.50		(Y) / N
" " 2017	3322.35	9/10/2017	(Y) / N
Street Party 2017	5750	13/4/2017	(Y) / N
Christmas Parade 2016	3299.25	29/11/2016	(Y) / N
Street Party 2016	8050	20/5/2016	(X)
Christmas Parade 2015	2875	20/11/2015	(X)
N.S. Eve / Summer Festival	6901	26/11/2014	(X)
Christmas Parade	2875	16/10/2014	(Y)

Local Grant Application Form



Privacy Information

The information you have provided on this form is required so that your application for funding can be processed. Once this application is lodged with the Council it becomes public information and may be made available on the Council's website. If there is sensitive information in the proposal or personal details you wish to be withheld, please advise. These details are collected to inform the general public and community groups about all funding applications which have been submitted to the Far North District Council.

Applicant Declaration

This declaration must be signed by two people from your organisation who are 18 years of age or older with the authority to sign on behalf of the organisation. Signatories cannot be an undischarged bankrupt, cannot be immediately related, cannot be partners, and cannot live at the same address. They must have a daytime contact phone number and be contactable during normal business hours.

On behalf of: (full name of organisation)

Business Paihia Inc.

We, the undersigned, declare the following:
In submitting this application:

1. We have the authority to commit our organisation to this application and we have been duly authorised by our governing body.
2. We acknowledge and agree that the Far North District Council may disclose or obtain information related to the funding of the organisation from any other government department or agency, private person, or organisation.
3. We have attached our organisation's most recent statement of income and expenditure, annual accounts, or other financial documents that demonstrate its ability to manage a grant.
4. Individuals associated with our organisation will not receive a salary or any other pecuniary gain from the proceeds of any grant money arising from this application.
5. The details given in all sections of this application are true and correct to the best of our knowledge, and reasonable evidence has been provided to support our application.
6. We have the following set of internal controls in place:
 - Two signatories to all bank accounts (if applicable)
 - A regularly maintained and current cashbook or electronic equivalent
 - A person responsible for keeping the financial records of the organisation
 - A regularly maintained tax record (if applicable)
 - A regularly maintained PAYE record (if applicable)
 - The funding and its expenditure shown as separate entries in the cash book or as a note to the accounts
 - Tracking of different funding, e.g. through a spreadsheet or journal entry
 - Regular financial reporting to every full meeting of the governing body

Signatory One

[Signature]

Signatory Two

[Signature]

Local Grant Application Form



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Signatory One

Signatory Two

Local Grant Application Form



We agree to the following conditions if we are funded by Local Community Grant Funding:

1. To uplift any funding granted within 3 months of the date on the letter of agreement. Failure to do so will result in loss of the grant money.
2. To spend the funding within 12 months of the date of grant approval unless written approval for an extension is obtained from Council before that 12 month period ends.
3. To spend the funding only for the purpose(s) approved by Far North District Council unless written approval for a change of purpose(s) is obtained in advance from the Community Board.
4. To return to the Far North District Council any portion of the funding that we do not spend. If our payment includes GST we will return the GST component of the amount to be returned.
5. To acknowledge the receipt of Community Board funds as a separate entry in our accounts, or in a note to our accounts, in our organisation's annual report.
6. To acknowledge any financial contribution from Far North District Council on signage and in any publicity relating to the project. Contact Governance Support for digital imagery.
7. To make available any files or records that relate to the expenditure of this funding for inspection if requested by the Far North District Council or its auditors.
8. To complete and return a Project Report within **two months** of the end of the project, or, if the activity is ongoing, within two months of the funding being spent. Applicants who fail to provide a project report within this timeframe will not be considered for funding for stand-down period of five years.
9. To inform the Far North District Council of significant changes in our organisation before this application has been considered, or the funding has been fully used and accounted for (such as change in contact details, office holders, financial situation, intention to wind up or cease operations, or any other significant event).
10. To lay a complaint with the Police and notify the Far North District Council immediately if any of the funding is stolen or misappropriated.

Signatory One

Name Nick Madden Position Executive Committee member
 Postal Address 7 The Anchorage East, Waiata Post Code 0204
 Phone Number Mobile Number 021 213 5819
 Signature N. Madden Date 3/10/19

Signatory Two

Name Rachel Paterson Position Treasurer
 Postal Address P O Box 244 Paihia Post Code 0247
 Phone Number Mobile Number 0274 787 988
 Signature R. Paterson Date 03 Oct 2019

Schedule of Supporting Documentation**BUSINESS PAIHIA INC – SUMMER SERIES**

The following supporting documentation has been provided in support of the grant application and is emailed under separate cover.

1	Bank Statement
2	Annual Report
3	Letter regarding comparative quote
4	Quote from Colossal
5	Insurance Coverage Summary from AON
6	Health & Safety Plan from Colossal
7	Application to Use Village Green – Focus Paihia
9	Bank account details (Deaf Action NZ)

7 MEETING CLOSE