

Notice is hereby given that an ordinary meeting of the Horowhenua District Council will be held on:

**Date:** Wednesday 10 December 2025  
**Time:** 11:00 am  
**Meeting Room:** Council Chambers  
**Venue:** 126-148 Oxford St  
Levin

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## **Council**

# **OPEN AGENDA**

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### **MEMBERSHIP**

**Mayor** His Worship The Mayor Bernie Wanden  
**Councillors** Councillor David Allan  
Councillor Mike Barker  
Councillor Nola Fox  
Councillor Morgan Gray  
Councillor Clint Grimstone  
Councillor Nina Hori Te Pa  
Councillor Sam Jennings  
Councillor Lani Te Raukura Ketu  
Councillor Jo Mason  
Councillor Katrina Mitchell - Kouttab  
Councillor Paul Olsen  
Councillor Alan Young

Contact Telephone: 06 366 0999  
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Email: [enquiries@horowhenua.govt.nz](mailto:enquiries@horowhenua.govt.nz)  
Website: [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz)

**Full Agendas are available on Council's website**  
**[www.horowhenua.govt.nz](http://www.horowhenua.govt.nz)**

**Full Agendas are also available to be collected from:**  
**Horowhenua District Council Service Centre, 126 Oxford Street, Levin**  
**Te Awahou Nieuwe Stroom, Foxton,**  
**Shannon Service Centre/Library, Plimmer Terrace, Shannon**  
**and Te Takeretanga o Kura-hau-pō, Bath Street, Levin**

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**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the Chief Executive Officer or the Chairperson.





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Whakataka te hau ki te tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the ocean
E hī ake ana te atakura	Let the red-tipped dawn come with a sharpened air.
He tio, he huka, he hau hū	A touch of frost, a promise of a glorious day.
Tihei mauri ora!	

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## KARAKIA WHAKAMUTUNGA

Kia whakairia te tapu	Restrictions are moved aside
Kia wātea ai te ara	so the pathway is clear
Kia turuki whakataha ai, kia turuki whakataha ai	To return to everyday activities
Haumi e, hui e, taiki e!	Draw together, affirm!

## Karakia

### 1 Apologies

### 2 Public Participation

Notification of a request to speak is required by 12 noon on the day before the meeting by phoning 06 366 0999 or emailing [public.participation@horowhenua.govt.nz](mailto:public.participation@horowhenua.govt.nz).

### 3 Late Items

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

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

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

### 4 Declarations of Interest

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

### 5 Confirmation of Minutes

#### 5.1 Meeting minutes Council, 29 October 2025

#### 6.1 Acknowledgment of Retiring Elected Memebrs



File No.: 25/669

## 7.1 Mayoral Report

Author(s)	Bernie Wanden JP <b>Mayor   Kahika</b>
Approved by	Bernie Wanden JP <b>Mayor   Kahika</b>

### PURPOSE | TE PŪTAKE

1. The purpose of this report is to inform Council and the community about events and functions and Council-related meetings that I attended from 13 October – 30 November 2025, and to provide an update on items of interest such as submissions made on behalf of Council.

### RECOMMENDATION | NGĀ TAUNAKITANGA

- A. That Council receive and note Report 25/539 Mayoral Report.

### MATTERS OF INTEREST | NGĀ TAKE HIRAHIRA

2. The following meetings, functions and events were attended from 13 October – 30 November 2025.

#### MEETINGS, FUNCTIONS AND EVENTS ATTENDED

13 October – 30 November 2025
New Triennium meeting with the Chief Executive
New Triennium meetings with all Councillors
Local Water Done Well Hui – Iwi, Mayors and Chief Executives
Oral submission to the Antisocial Road Use Legislation Amendment Bill
New Zealand Food Awards Gala Dinner
Powhiri for the new Council and Te Awahou Foxton Community Board
Mayor's Taskforce for Jobs Governance Group meeting
LGNZ – Mayor's School
Dawn Ceremony and Blessing of the new Health & Wellbeing Hub
Council Induction session #1
Electra Business & Innovation Awards
Mayor's Taskforce for Jobs Programme Update – October (in-house meeting)
Mayor's Taskforce for Jobs Lower North Island meet up
Levin Wastewater Discharge Engagement & Review Panel (ERP) Meeting
Council Induction session #2
Inaugural Meeting of Council and Te Awahou Foxton Community Board
Taitoko Health - Official Opening
Older Person's Network



Horowhenua Lake Domain Board meeting
Waiopahu College Senior Prizegiving
Horowhenua College Services Academy Award Ceremony
Ōhau Community Hall – 125 <sup>th</sup> Jubilee
Foxton Volunteer Fire Brigade - Brigade honours Night
Electra Business After 5
Tertiary Scholarship – shortlisting
Making Good Decisions training course
Local Water Done Well – Three Councils function for Councillors
Local Water Done Well - Joint Council Workshop
Repair Café – 5 <sup>th</sup> Anniversary celebration
Diwali 2025 at Gladys Taylor Park
HDC and NZTA Regional Relationship meeting
Local Water Done Well – Project Oversight Group meeting
Remembrance Day commemoration service
Age Friendly Certificate presentation to Mitre 10 Levin
Tertiary Scholarship – interviews x4
Council Induction session #3
National Day of Reflection for Survivors of Abuse in Care
LGNZ Networking function in Wellington
Rural & Provincial Sector meeting in Wellington
Mayor : Chief Executive weekly catch-up
Mayor's Taskforce for Jobs Governance Group meeting in Wellington
Foxton Beach Volunteer Fire Brigade - Honours & Awards Night
Local Water Done Well – Project Oversight Group meeting
Civic & Youth Excellence Awards Ceremony
Council Expo at Te Takeretanga o Kura-hau-pō
Council Induction session #4
Zone Three Meeting in Palmerston North – ½ day 1
Zone Three Meeting in Palmerston North – ½ day 2
Mayor's Taskforce for Jobs Programme Update – November (in-house meeting)
Mayor's Taskforce for Jobs mid-year check-in with LGNZ Team
Swearing-in of David Roache, Te Awahou Foxton Community Board member
Council Induction session #5
HDC : NZ Police liaison meeting with Inspector Ross Grantham
HDC : Horowhenua Lake Trust hui
Local Water Done Well – Project Oversight Group meeting

## COUNCIL SUBMISSIONS

3. Making submissions on Central Government consultations is an important way to represent the interests of Council and our community. It ensures local perspectives and on-the-ground knowledge are considered in national decision-making, and helps protect local priorities and services. I would like to share the following submission made by Council in September 2025:

### ANTISOCIAL ROAD USE LEGISLATION AMENDMENT BILL

Council strongly supports the Antisocial Road Use Legislation Amendment Bill. We consider this Bill to be a necessary and pragmatic step toward improving public safety, supporting the Police, and ensuring communities like ours are not subjected to the fear and disruption caused by unlawful and dangerous road behaviour.

The full submission is attached to this report.

## ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO

No.	Title	Page
<a href="#">A1</a>	Submission - Antisocial Road Use Legislation Amendment Bill - Sept 2025	10



12 September 2025

Committee Secretariat  
Justice Committee  
Parliament Buildings  
Wellington

Dear Members of the Justice Committee,

**Horowhenua District Council submission on the Antisocial Road Use Legislation Amendment Bill**

Horowhenua District Council (Council) supports the Antisocial Road Use Legislation Amendment Bill (the Bill).

Below we set out our experience and show how the proposals in the Bill would enable a an earlier and more comprehensive response to prevent disruption, violence and injuries in such situations.

*Horowhenua's experience*

In 2024 and 2025 Levin, the largest town in Horowhenua, experienced two large convoys congregating illegally, with hundreds of vehicles involved, weapons present and used, and injuries to the Police and public.

On 1 June 2024, over 200 vehicles, each with multiple occupants, converged on Levin. State Highway 1 was barricaded and weapons reportedly present. Two Police officers were injured by rocks and fireworks thrown at them.

On 30 May 2025 over 1000 people were estimated to have been involved in a convoy and illegal gathering under the guise of 'marking the anniversary' of the 2024 incident. Police prepared with the resources they had available, deploying the Eagle helicopter and Armed Offenders Squad.

Police reported that fireworks, physical aggression and a vehicle were all used against police who were attempting to break up the gathering. During the night seven people, including two police officers, were injured. Ten people were arrested. On the Wednesday following, six people appeared in the Levin District Court facing charges in relation to the incident. Police have advised their investigations are ongoing as they work through the large amount of footage and information they have.

*Wider regional impact*

The disturbances and danger that night weren't limited to Levin. While the convoy converged on Levin, several hours later they moved to the State Highway 57/Tavistock Rd intersection (north of Levin), where police were confronted with more unruly behaviour, including cars doing a number of burnouts.

The crowd then moved further north to the intersection of SH56 and Tiakitahuna Rd (between Levin and Palmerston North). There were further burnouts and unsafe driving here, and four bystanders, aged 16-20 years old, were hit by cars.

The group next moved next to Palmerston North city where diesel was poured on an intersection around 2am – numbers were estimated at around 200 at that stage. The diesel was set alight, after which the crowd dispersed.

*A nationwide issue*

This is not specific to Levin, it is a nationwide issue: We've seen this occur in New Plymouth, elsewhere in Manawatu, in Wellington and the Hutt Valley and elsewhere. Being central to these areas, Levin has been a congregation point for people from a number of those areas.

*Support for the Bill*

We support the police and their efforts to stop this behaviour, putting Police and community members – as well as spectators in harm's way. After the 2024 incident we said we wanted Police to be able to disperse crowds like these more easily, whether by stopping them or preventing them from congregating in the first place. If Police had the power available then to close the roads before those people arrived, there would very likely not have been the violence, injuries and damage that occurred.

Our residents would not have been in the frightening situation which was described succinctly in an update and warning on the Facebook site Traffic Updates – Horowhenua Kapiti Wellington (posted by the account owner, The Traffic Fox):

“Major Police action in Oxford St Levin at the moment.  
People with knives and hatchets, riot police out.  
Police eagle helicopter overhead. Police drones out too.  
AVOID LEVIN TOWN”

That is an unacceptable situation for our community to be facing.

We are concerned future gatherings may be planned and want them to be able to be stopped beforehand.

Council strongly supports the measures proposed in the Bill as Police will have the greater powers needed to prevent or shut down gatherings of the type we've experienced. Doing so would also free up Police and court time with fewer arrests, investigations and prosecutions required.

In particular Council supports:

- The amendments to the Policing Act 2008 to give Police the power to temporarily close an area to vehicle access where “*certain antisocial road use activity is occurring or is reasonably expected to occur.*”
- The new increased infringements, and
- The introduction of the new “frightening or intimidating convoy” offence.

In relation to the “*frightening or intimidating convoy*” offence, Council supports the connection of the requirement of both dangerous or reckless activity and a mental element (an intent) to frighten or intimidate another person.

Quite separate to the situations described above, we would not want to see, or agree with, peaceful parades, funeral or tangi processions be caught up in what could be a subjective feeling of being frightened or intimidated.

Council also understands that these measures apply to beach activity, as they are also public roads. Council also supports this as we are seeing an increase in disturbing and dangerous behaviour on our beaches and appreciate the wider range of tools this Bill provides, including police being able to close that road.

Council thanks the Committee for the opportunity to submit on this Bill.

We wish to speak in support of our submission.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Bernie Wanden', written in a cursive style.

Bernie Wanden JP  
**District Mayor**



File No.: 25/597

## 8.1 Adoption of Meeting Schedule

Author(s)	Alice Petersen <b>Support Officer - Democracy   Āpiha Tautoko - Manapori</b>
Approved by	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. To seek Council's approval of the proposed meeting schedule of Council and its committees for the period from 11 December 2025 to 31 December 2026.

#### **This matter relates to Pursuing Organisation Excellence**

Continuing the journey of organisational transformation by enabling a culture of service, excellence and continuous improvement.

### RECOMMENDATION | NGĀ TAUNAKITANGA

- A. That Council adopts the schedule of meetings for Council Committee Meetings as set out in Appendix A.
- B. That Council notes that additional ordinary, extraordinary and multi-day meetings may be scheduled from time to time in consultation with the Mayor and Chief Executive and in line with standing orders.
- C. That Council notes that meeting times for Council, its committees, and subcommittees will be formally notified when they are required in accordance with the Local Government Official Information and Meetings Act 1987 and Local Government Act 2002.

### BACKGROUND | HE KŌRERO TŪĀPAPA

2. Council is required to hold meetings as outlined in Schedule 7, Clause 19(1) of the Local Government Act 2002. This report outlines the proposed meeting schedule for 2026.

### DISCUSSION | HE MATAPAKINGA

3. As outlined in Schedule 7, Clause 19(1) of Local Government Act 2002, Horowhenua District Council must hold meetings that are necessary for the good governance of Horowhenua District.
4. It is good practice for Council to adopt a schedule of meetings for the following calendar year. This will allow the business of the Council to be conducted in an orderly and transparent manner, thus enabling an open democratic process, and to allow public notification of meetings to be given in compliance with the Local Government Official Information and Meetings Act 1987.
5. A schedule also allows for elected members to plan their commitments over the year.
6. The commencement time for Council meetings will be 10.00am unless otherwise stated.
7. The commencement time for Committee meetings will be 10.00am unless otherwise stated.
8. Attached in Appendix A is the meeting schedule to be adopted.
9. Additional meetings may be called from time to time.
10. The Mayor or Chairperson, or Council by resolution, may call an extraordinary meeting if there is business that that needs to be dealt with before the next scheduled meeting. Such request or resolution must set out the business to be considered

11. The Chief Executive must call an extraordinary meeting if requested in writing by the Mayor or Chairperson or by a majority of members. Only those matters contained in the request can be considered at the extraordinary meeting.

**Confirmation of statutory compliance**

In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

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

**ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO**

No.	Title	Page
A <a href="#">↓</a>	Council and committee meeting schedule - 2026	15

## Horowhenua District Council

### Council & Committee Meeting Schedule 2026



	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Council</b> Frequency: 6-weekly, 10:00am Wednesday	-	04	18	29	-	10	22	-	02	14	25	16
<b>Council - Annual Plan</b> 10.00am Wednesday					05, 06, 07 Hearings 27 Delibera tions	24 Adopt A/P						

Committees of Council	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>Risk and Assurance Committee</b> Frequency: 12-weekly, 10.00am Wednesday	-	11	-	-	20	-	-	12	-	-	11	-
<b>Community Wellbeing Committee</b> Frequency: 12-weekly, 10:00 am Wednesday	-	25	-	-	27	-	-	26	-	-	18	-
<b>Chief Executive Employment and Performance Committee</b> Frequency: 12-weekly, 10:00 am Wednesday	-	18	-	04		-	01	-	09	-	04	-
<b>Community Funding and Recognition Committee</b> Frequency: biannual and then as needed			25					23				

ALL DATES ARE SUBJECT TO CHANGE – ADDITIONAL ORDINARY, EXTRAORDINARY AND EMERGENCY MEETINGS MAY BE CALLED FROM TIME TO TIME AS ALLOWED FOR IN STANDING ORDERS

D22/147533

Adopted XX December2025 – subject to change



File No.: 25/596

## 8.2 Adoption of Committee Structure, Terms of Reference and Appointments to Committees and External Organisations

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy   Kaitohutohu Mātāmua - Manapori</b>
Approved by	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. The report sets out the Council's committee structure for the 2025-28 triennium, and the appointments to those committees for the first 18 months of this triennium.
2. The terms of reference a presented for Council's endorsement as are the initial appointment to external bodies.

### EXECUTIVE SUMMARY | TE WHAKARĀPOPOTOTANGA MATUA

3. Following each triennial election the Mayor establishes the committee structure for Council and appoints the Chairs of these committees.
4. Council is required to agree on the membership of each committee, apart from the Chair, , and make appointments to Statutory Bodies, Community Groups/Associations and other organisations.
5. The appointments committees, including their Chairs, are for an 18 month period, after which the Mayor will seek to review those appointments. The rationale for this change in approach is in recognition of the skills and experience that exist around the Council table, and a desire for those skills and experiences to be used for the benefit of the community over the full term of Council
6. It is also considered best practice for the Terms of Reference and Delegations for these committees to be adopted by Council.



## **RECOMMENDATION | NGĀ TAUNAKITANGA**

- A. That Council notes the Mayor's establishment of the following committee structure under powers pursuant to Section 41A of the Local Government Act 2002 Amendment Act 2012:
- Risk and Assurance Committee;
  - Community Wellbeing Committee;
  - Hearings and Regulatory Committee;
  - Chief Executive Employment and Performance Committee;
  - Community Funding and Recognition Committee.
- B. That Council adopts the appointments of Chair and members of all committees as outlined in Attachment A of this report.
- C. That Council appoints Kere Kere Ward Councillor David Allan to the Te Awahou Foxton Community Board.
- D. That Council notes that any elected member is welcome to attend the Te Awahou Foxton Community Board, and with the permission of its Chair may have speaking rights during the meeting.
- E. That Council adopts the Terms of Reference and Delegations for these committees as outlined in Attachment B of this report.
- F. That Council adopts the Appointments to Statutory Bodies, Community Groups and Associations as outlined in Attachment C of this report, noting further appointments are to be considered in the New Year.

## **DISCUSSION | HE MATAPAKINGA**

7. Section 41A of the Local Government Act 2002 Amendment Act 2012 sets out Mayoral powers by which the Mayor can:
- 3(b) establish committees of the territorial authority;
  - 3(c) appoint the Chairperson of each committee.
8. Following discussion with elected members the Mayor has exercised this power.
9. The committee structure separates Council's regulatory functions from its non-regulatory functions, and to improve Council's decision-making processes through the use of committees focusing on specific functional areas. Through the use of delegations to these committees, Council is able to effect an efficient and robust decision-making process. A copy of this Committee Structure and the Chairs and memberships are outlined in Attachment A of this report.
10. Appointments of Chairs and committee memberships are for 18 months after which time the Mayor will seek to relocate Chairs and membership. This will enable the Mayor to utilise, for the benefit of the community, the full range of skills and experience around the Council table to their fullest extent of the course of this triennium.
11. The Terms of Reference and Delegations for committees are presented at Attachment C. These terms of references set out the functions and powers of the each committee of council. The addition inclusion of the Procurement Review Group, a joint officer/councillor committee, is included to provide an extra layer of assurance and oversight of Council's major procurement decisions.
12. Council is also required to appoint one of the Kere Kere Ward Councillors as a member of the Te Awahou Foxton Community.

13. In making this appointment, it is noted that any Councillor is welcome to attend the Te Awahou Foxton Community Board meetings, and with the permission of the Chair, speak to the board during the meetings.
14. The District Licensing Committee and its Chair and Deputy Chair are not established under the Local Government Act 2002, but under the Sale and Supply of Alcohol Act 2012. Officer will bring further advice on the composition of the District Licensing Committee in the first quarter of 2026.
15. This committee will continue its functions under Commissioners appointed by the previous Council. The provisions of Part 7 of the Local Government Official Information and Meetings Act 1987 do not apply to the District Licensing Committee.

**Confirmation of statutory compliance**

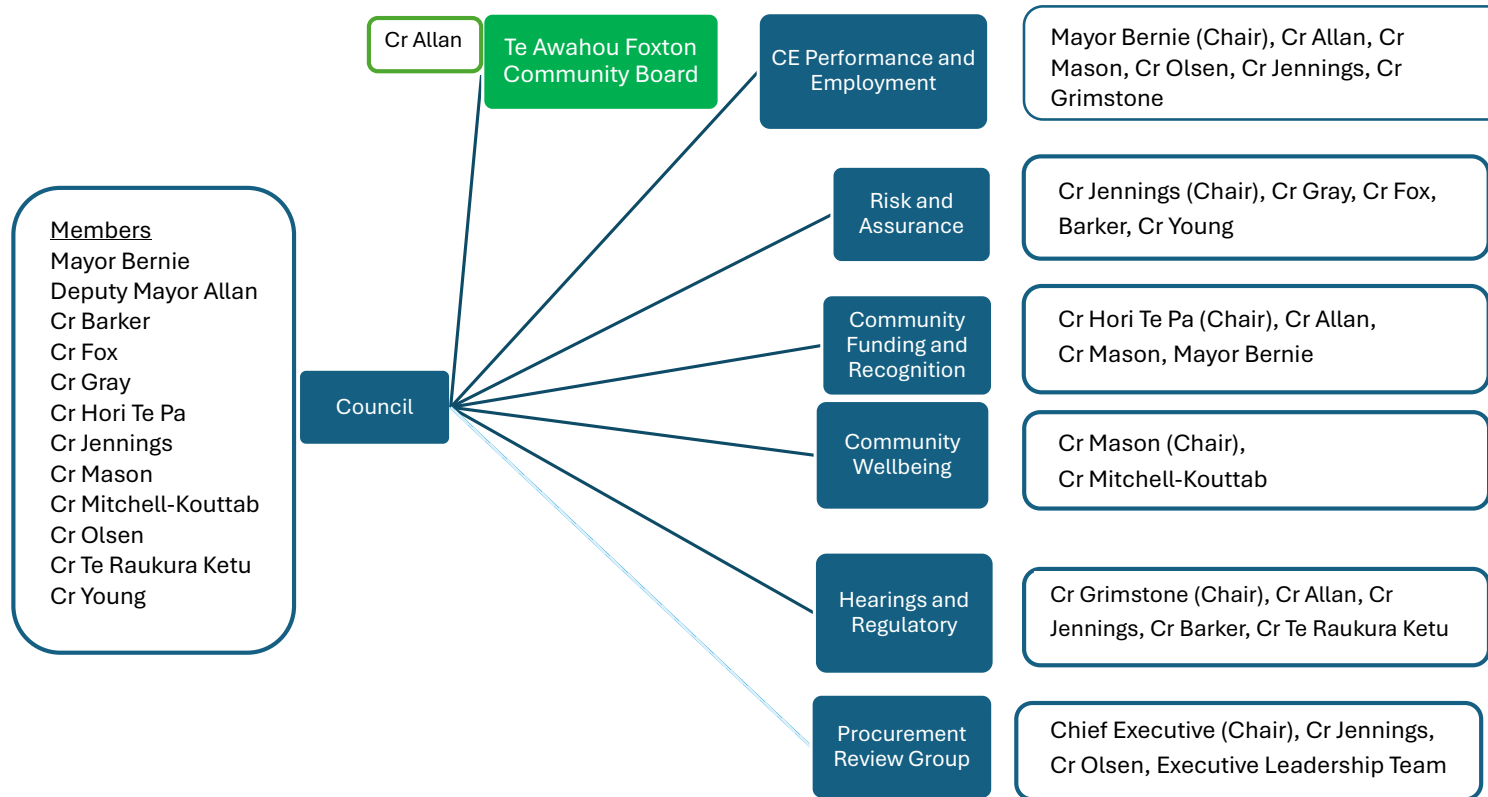
In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

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

**ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO**

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<a href="#">B</a>	Council and Committee Terms of Reference - updated 1 December 2025	21
<a href="#">C</a>	Council appointments 2025-28	45

## Horowhenua District Council – Governance Structure: 2025 – early 2027



### Notes:

Mayor Wanden is a member of each Committee (except DLC unless appointed)



# Council and Committee Terms of Reference

**2025 - 2028**



**Version Control**

<b>Version</b>	<b>Changes</b>	<b>Date</b>
0.1	Document drafted – D22/147421	03/11/2022
1.0	Adopted by Council – Resolution CO/2022/128	16/11/2022
1.1	Amended p. 6 - Risk and Assurance Committee membership increased from 7 to 8 – Resolution CO/2023/39	15/03/2023
1.2	Amendments to: quorum definition to align with standing orders; committee membership to distinguish between the number of elected members from external appointed members on committees; clarifying delegation to Community Funding and Recognition Committee; removal of reference to Taskforces; and, included reference to Sale And Supply of Alcohol Act 2012 for the District Licensing Committee – adopted by Council CO/2024/11	07/02/2024
1.3	Amendment to 2.2.2.1a) to update the grant fund titles – adopted by Council CO/2024/281	04/09/2024
2.1	Addition of Procurement Review Group, and updates for 2025-28 triennium.	01/12/2025



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UPDATED 01/12/2025

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D22/147421

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## Introduction

This document sets out the Terms of Reference and delegations for Horowhenua District Council and its committees.

The Council's business is wide-ranging, and it has obligations and powers under many statutes and regulations. It is not necessary for the full Council to deal with all matters itself, therefore committees are formed. In addition, delegation to officers via the Chief Executive, is necessary for the operation of the Council to be efficient and effective and achieve its objectives, and for its service delivery to be timely and successful.

These Terms of Reference set out the principal areas for which Council maintains overall responsibility. They also set out the delegations of council functions, duties and powers to Council committees. The Terms of Reference allow Council to ensure that its powers and functions are exercised with efficiency and effectiveness in order for good decision-making to take place.

## Establishment of Committees

Under section 41A of the Local Government Act 2002 the Mayor has the power to establish the committees of the governing body and appoint the chairperson of each committee of the governing body before the other members of the committees are determined.

**Committee** includes, in relation to the Council:

- a) A committee comprising all the members of the Council
- b) A standing committee or special committee appointed by the Council
- c) A standing committee or special committee appointed by the Mayor
- d) A joint committee appointed under clause 30 of Schedule 7 of the Local Government Act
- e) 2002
- f) Any subcommittee of a committee described in items (a) (b), (c) or (d) of this definition;  
and
- g) A subordinate decision-making body, including Subcommittees and Forums.

The terms of reference and delegations to Committees and Subcommittees are set out in full in this document.

## Quorum

The terms of reference for each committee or subcommittee contain the quorum required. Generally (unless otherwise specified) a quorum is the presence of half of the members if the number of members is even, and a majority of members if the number of members is odd. Vacancies are not included in calculating the quorum.

Appointed members are included in calculating the quorum and are counted towards the quorum when present. This reflects the expectation that appointed members will attend those committees to which they are appointed.

## Ambiguity and Conflict

In the event of ambiguity or conflict between any of the provisions contained in these terms of reference, with the result that there is uncertainty or dispute as to which Committee has the delegated authority to act in respect of a particular matter, the Mayor will decide in consultation with the Deputy Mayor and having received advice from the Chief Executive. The decision of the Mayor will be final and binding.

## Council

COUNCIL	
<b>Elected Members</b>	Thirteen
<b>External Membership</b>	None
<b>Quorum</b>	Seven
<b>Meeting Frequency</b>	Six-weekly or as required

### 1. Terms of Reference

The Council's terms of reference include the following powers which cannot be delegated to committees, officers or any other subordinate decision-making body.

*The power to:*

- a) make a rate
- b) make a bylaw
- c) borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan
- d) adopt a Long Term Plan or Annual Plan and Annual Report
- e) appoint a Chief Executive
- f) adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Governance Statement
- g) adopt a remuneration and employment policy
- h) approve or amend Council's Standing Orders
- i) approve or amend the Code of Conduct for elected members
- j) appoint and discharge members of committees
- k) establish a joint committee with another local authority or other public body
- l) make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation.

*In addition, Council can:*

- m) approve a proposed plan under the Resource Management Act 1991
- n) approve Council policy and strategy
- o) remove chairpersons of committees and subcommittees
- p) approve Council's recommendation to the Remuneration Authority for the remuneration of elected members
- q) approve the Triennial Agreement
- r) approve the Local Governance Statement
- s) determine whether or how to fill any extraordinary Council vacancies
- t) make decisions on representation reviews
- u) appoint or remove trustees, directors or office holders to Council CCOs, COs or external bodies
- v) approve the recommendation of a hearings commissioner on a proposed plan, plan change or variation (including private plan change) and
- w) approve a proposed plan or a change to a district plan under clause 17 of the First Schedule.

## Committee Terms of Reference

### 2. Risk and Assurance Committee

RISK AND ASSURANCE COMMITTEE	
<b>Elected Members</b>	Six
<b>External Membership</b>	Two members to be appointed by Council
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number
<b>Meeting Frequency</b>	12 weekly
<b>Reports to</b>	Council

#### 2.1. Area of Focus

The purpose of the Risk and Assurance Committee is to contribute to improving the governance, performance, and accountability of the Horowhenua District Council by:

- a) Ensuring that the Council has appropriate financial, health and safety, risk management and internal control systems in place.
- b) Seeking reasonable assurance as to the integrity and reliability of the Council's financial and non-financial reporting.
- c) Providing a communications link between management, the Council and the external and internal auditors and ensuring their independence and adequacy.
- d) Promoting a culture of openness and continuous improvement.

#### 2.2. Terms of Reference

The Council delegates to the Risk and Assurance Committee the following responsibilities:

- a) To monitor the Council's treasury activities to ensure that it remains within policy limits. Where there are good reasons to exceed policy, this should be recommended to Council.
- b) To review the Council's insurance policies on an annual basis.
- c) To review, in-depth, the Council's annual report and if satisfied, recommend the adoption of the annual report to Council.
- d) To work in conjunction with Management in order to be satisfied with the existence and quality of cost-effective health and safety management systems and the proper application of health and safety management policy and processes.

- e) To work in conjunction with the Chief Executive in order to be satisfied with the existence and quality of cost-effective risk management systems and the proper application of risk management policy and processes, including that they align with commitments to the public and Council strategies and plans. This will incorporate a review of the strategic risks register annually and on a quarterly basis monitor the high risks and emerging risks through an in-depth review
- f) To provide a communications link between management, the Council and the external and internal auditors.
- g) To engage with Council's external auditors and approve the terms and arrangements for the external audit programme.
- h) To engage with Council's internal auditors and approve the terms and arrangements for the internal audit programme.
- i) To monitor the organisation's response to the external and internal audit reports and the extent to which recommendations are implemented.
- j) To engage with the external and internal auditors on any one-off assignments.
- k) To work in conjunction with management to ensure compliance with applicable laws, regulations standards and best practice guidelines, ensuring the evaluation and monitoring of the organisation's legislative compliance programme and systems.
- l) Evaluate and monitor business continuity policies and planning to provide assurance as to organisational readiness.
- m) Be aware of and monitor any legal proceedings involving potential or contingent liability.
- n) Monitor the continuous improvement recommendations that come out of key reviews (CouncilMARK, Section 17a Reviews or any other) to ensure key actions and recommendations are progressed.

### 2.3. Specific Delegations

Subject to any expenditure, having been approved in the Long Term Plan or Annual Plan the Risk and Assurance Committee shall have delegated authority to approve:

- a) Risk management and internal audit programmes.
- b) Terms of the appointment and engagement of the audit with the external auditor.
- c) Additional services provided by the external auditor.
- d) The proposal and scope of the internal audit.

In addition, the Council delegates to the Risk and Assurance Committee the following powers and duties:

- e) The Risk and Assurance Committee can conduct and monitor special investigations in accordance with Council policy, including engaging expert assistance, legal advisors or external auditors, and, where appropriate, recommend action(s) to Council.
- f) The Risk and Assurance Committee can recommend to Council:
  - i. Adoption or non-adoption of completed financial and non-financial performance statements.

- ii. Governance policies associated with Council's financial, accounting, risk management, compliance and ethics programmes, and internal control functions, including the: Liability Management Policy, Treasury Policy, Sensitive Expenditure Policy, Fraud Policy, and Risk Management Policy.
- iii. Accounting treatments, changes in generally accepted accounting practice (GAAP).
- iv. New accounting and reporting requirements.

The Risk and Assurance Committee may not delegate any of its responsibilities, duties or powers.



### 3. Community Funding and Recognition Committee

COMMUNITY FUNDING AND RECOGNITION COMMITTEE	
<b>Elected Members</b>	Six
<b>External Membership</b>	None
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number
<b>Meeting Frequency</b>	As required
<b>Reports to</b>	Council

#### 3.1. Area of Focus

The Community Funding and Recognition Committee is responsible for the effective allocation and monitoring of the Council's grants. In addition, the committee is responsible for receiving, considering and determining nominations for Civic Honours and Youth Excellence Scholarships.

#### 3.2. Terms of Reference (delegations)

The Community Funding and Recognition Committee is responsible for the following areas:

- a) Approve the priorities for allocating grants within each grant fund annually
- b) To determine under delegation the allocation of funding to specified applicants and report these allocations back to Council.

In fulfilling their role, all members shall be impartial and independent at all times.

##### 3.2.1. Community Grants and Funding

- a) To consider the allocation of community grants in line with the relevant grants criteria and priorities for:

- Ūrupa Fund
- Youth Development Fund
- Community Events and Programmes Fund
- Operations and Small Assets Fund

To consider the Community Wellbeing Strategy and the associated Action Plan priorities: Education, Positive Ageing, Youth, Arts, Culture & Heritage, Pride & Vibrancy, and Access & Inclusion when making funding recommendations:

- b) to report to Council the allocation of funding to applicants.
- c) the criteria and focus areas for community grants funds will be reviewed by the Community Funding & Recognition Committee each triennium and recommendations regarding any significant changes will be made to Council during each three (3) year term.

##### 3.2.2. Civic Honours and Special Awards

The Committee has the delegated responsibility to make decisions on behalf of Council with all decisions to be reported to Council (In-committee).

- a) to assess and consider nominations for the following awards:
  - Certificate of Recognition
  - Civic Honours
  - 50 Years' Service Award.
- b) to receive and approve the Mayor's recommendations for Special Honours acknowledging significant and meritorious service not otherwise recognised

### 3.2.3. Youth Excellence Scholarships

The Committee has the delegated responsibility to:

- a) assess and consider nominations for Youth Excellence Scholarships and award in line with criteria and budget allocation
- b) report to Council (In-committee) funding to specified applicants.

### 3.2.4. Tertiary Scholarships

Tertiary Scholarship recipients are selected in conjunction with the sponsoring Council Manager by whom the Scholarship recipient will be required to be supervised.

One member of the Community Funding & Recognition Committee and a Council Manager from the Group in which the scholarship applicant has applied to work will:

- a) assess and consider nominations for Tertiary Scholarships and award in line with criteria and budget allocation.

The Committee will:

- b) review the scholarship criteria and make recommendations to Council each triennium.

All recommendations are reported to Council for endorsement.

### 3.2.5. International Representation Grant

International Representation Grants are awarded on an ad-hoc basis throughout the year as individuals are offered opportunities for international representation. Grants are awarded within the allocated budget and in line with the grant criteria.

As individual applications are received, a Council officer will prepare a summary report and make a recommendation. This will be circulated to Committee members via email along with a copy of the application. Committee Members will:

- a) assess and consider applications and award in line with criteria and budget allocation
- b) make decisions on behalf of Council. Due to the at times, tight timeframes, it is not always practical to report to Council prior to awarding a grant

- c) All decisions will be reported to Council.

## 4. Hearings and Regulatory Committee

HEARINGS AND REGULATORY COMMITTEE	
<b>Elected Membership</b>	Five
<b>External Membership</b>	None
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number
<b>Meeting Frequency</b>	Meets as required
<b>Reports to</b>	Council

### 4.1. Area of Focus

The Hearings Committee will consider and determine matters under these acts:

- Resource Management Act 1991
- Dog Control Act 1996

### 4.2. Terms of Reference (delegations)

The Hearings Committee has responsibility for and authority to:

1. undertake the administration of all statutory functions, powers and duties within its terms of reference, other than those specifically delegated to any other committee or retained by Council
2. approve Council's list of Hearings Commissioners under the Resource Management Act 1991 (comprising qualified Councillors sitting as Hearings Commissioners and independent Commissioners)
3. review and agree the Council's guidelines for composition of hearings panels
4. conduct statutory hearings on regulatory matters such as Council Bylaws, matters under the Dog Control Act 1996, etc, and undertake and make decisions on those hearings (excluding Resource Management Act 1991)
5. hear and determine submissions and objections in relation to proposed changes to the operative District Plan
6. hear and determine submissions and objections in relation to any proposed District Plan or variation thereof
7. hear and determine any objections made under S 357 of the Resource Management Act (under which applicants may object to certain resource consent decisions made by officers under delegated authority)
8. hear and consider matters requiring a decision as a result of the special consultative process having been undertaken and make any decisions needed as a consequence, except the actual adoption, pertaining to the formulation and review of Policy and Bylaws
9. determine matters under any other legislation where a hearing process is necessary.

Note: 4. above does not preclude Committee Members dealing with matters under the Resource Management Act 1991.



## 5. Chief Executive Employment and Performance Committee

CHIEF EXECUTIVE EMPLOYMENT AND PERFORMANCE COMMITTEE	
<b>Elected Membership</b>	Five
<b>External Membership</b>	None
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number
<b>Meeting Frequency</b>	12 Weekly
<b>Reports to</b>	Council

### 5.1. Area of Focus

The Chief Executive Employment and Performance Committee will have responsibility for the effective monitoring of the Chief Executive Officer's performance and has the authority to undertake the annual remuneration review. The Committee also has the role of undertaking any review for the purposes of clause 35 schedule 7 LGA 2002, making a recommendation under clause 34 schedule 7 LGA 2002, and (if applicable) undertaking any recruitment and selection process, for recommendation to the Council.

### 5.2. Terms of Reference (delegations)

The Chief Executive Employment and Performance Committee will have responsibility and authority to:

1. Lead the Chief Executive recruitment process in accordance with best practice and the Local Government Act 2002, with the exception of the power to appoint a Chief Executive
2. Manage any employment dispute(s) that may arise
3. Agree with the Chief Executive the annual performance objectives
4. Undertake a six monthly review to assess progress against the performance objectives, provide constructive feedback and agree to any amendments to the objectives with the Chief Executive
5. Conduct a review at the end of the financial year to assess progress against the performance objectives and provide constructive feedback
6. Undertake the annual remuneration review and make recommendations regarding remuneration to Council.

The committee do not have delegations to conduct the following – These responsibilities sit with the role of the wider Council.

7. Undertake contract renewal/extension in accordance with the Local Government Act 2002
8. Negotiate and amend the terms and conditions of employment of the Chief Executive
9. Determine annual remuneration review decisions

## 6. Community Well-being Committee

COMIUNITY WELL-BEING COMMITTEE	
<b>Elected Members</b>	Up to Three
<b>External Membership</b>	Various
<b>Quorum</b>	An elected member as Chair of the meeting. There is no set quorum for this meeting, other than n elected member as Chair, as it is a non-decision making body.
<b>Meeting Frequency</b>	12 weekly
<b>Reports to</b>	Council

### 6.1. Area of Focus

The Community Wellbeing Committee brings together representatives from Council, government and non-government organisations, and community forums. The Committee will focus on population level results and indicators (rather than specific programme deliverables or client level results) and key action plans.

### 6.2. Terms of Reference

The Community Wellbeing Committee will have responsibility to:

1. Oversee the implementation of the Community Wellbeing Strategy and associated wellbeing action plans.
2. Determine the key population level results and indicators for the next 3 years, and monitor those
3. Receive reports from the Community Development Team that summarise target population group activity by Council and Council working groups
4. Receive six monthly reports from all member agencies regarding activity directed at target population groups and provision of data that relates to specified strategy indicators
5. Actively encourage coordination of members and their activities
6. Foster strategic collaborations and partnerships
7. Provide advice to Council officers on matters of community wellbeing in relation to specific target populations
8. Seek to collectively influence relevant public policy
9. Communicate Committee activity and information, to the public
10. Educate the public and community on wellbeing matters
11. Actively seek individual agency performance improvement, as well as "community wide" improvement
12. Encourage community based local solutions to local issues
13. Keep the wider community updated on progress towards the results sought across the Horowhenua District.

## 7. Te Awahou Foxton Community Board

TE AWAHOU FOXTON COMMUNITY BOARD	
<b>Elected Members</b>	Five plus Kere Kere Ward Councillor (one)
<b>External Membership</b>	None
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number
<b>Meeting Frequency</b>	12 weekly
<b>Reports to</b>	Council

### 7.1. Purpose

The role of the Te Awahou Foxton Community Board is to:

- represent and act as an advocate for the interests of its community
- consider and report on matters referred to it by Council
- maintain an overview of services provided by Council within the community
- prepare an annual submission to Horizons Regional Council and Horowhenua District Council for expenditure within the community
- communicate and liaise with community organisations and special interest groups within the community on matters of interest and concern.

### 7.2. Terms of Reference (delegations)

The Community Board shall:

- facilitate the Council's consultation with local residents and community groups on local issues including input into the Long Term Plan, Annual Plan and policies that impact on the Community Board area
- engage with Council Officers on local issues and levels of service, including infrastructure, parks and recreation, and community services matters.

Council will consult with the Board on all issues that impact on the Board's area and allow enough time for the Board's feedback to be considered before a decision is made.

The Community Board has responsibility for and authority to:

1. Make submissions to any organisation, including submissions on resource consents notified by Horowhenua District Council or Horizons Regional Council, relating to matters of interest within the Board's area. A copy of any submissions made should be copied to the Chief Executive.
2. Represent the interests of the community at Council, Committee or Subcommittee meetings when a motion under debate relates to a matter that the Board considers to be of particular interest to residents within its area.
3. Consider matters referred to it by Officers, Council or committees, including reports relating to the provision of council services within the Board's area, and make submissions or recommendations in response to those matters as appropriate. This includes:
  - a. monitoring and keeping the Council informed of community aspirations

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- b. keeping Council informed about the level of satisfaction with services provided
  - c. providing input to proposed District Plan changes that may impact on the Board's area
  - d. providing input into strategies, policies and plans
  - e. providing input to bylaw changes that impact on the Board's area.
4. Provide input and feedback to Council Officers on the following matters:
- a. local road work priorities
  - b. traffic management issues such as traffic safety, pedestrian crossings and street lighting
  - c. application of the Resource Management Act (including notification of decisions) within the Board's area
  - d. the Emergency Management needs of the area.

This input and feedback can be provided from the full Board or from a subcommittee of the Board.

The final decision on matters in No. 4, will be made by Council Officers acting under their delegated authority.

5. The Board shall formally report back to Council on its activities at each Council meeting via a written report of the Chairperson. The Chairperson will have speaking rights at each Council meeting.

## 8. Procurement Review Group

PROCUREMENT REVIEW GROUP	
<b>Elected Members</b>	Two
<b>Officer Membership</b>	Chief Executive (Chair), Group Managers, Business Performance Manager
<b>Quorum</b>	Four, including Chief Executive and at least one elected member
<b>Meeting Frequency</b>	Monthly
<b>Reports to</b>	Risk and Assurance Committee

### 8.1. Purpose

The purpose of the Horowhenua District Council Procurement Review Group (PRG) is to manage the overall governance of procurement conducted on behalf of the Council.

### 8.2. Scope:

The scope of the PRG, in accordance with the Procurement Policy, is to meet to undertake the following core functions:

- Review and discuss as well as endorse or approve Procurement Plans which fall within Categories C and D procurement classifications.
- Approval of requests for variations to the procurement process
- Review potential conflicts of interest related to procurement.

### 8.3. Membership:

Members of the PRG include:

- Chief Executive (Chairperson)
- Elected Member (Delegated)
- Group Manager Community Experience and Services
- Group Manager Community Infrastructure
- Group Manager Community Vision and Delivery
- Group Manager Housing and Business Development
- Group Manager Organisation Performance
- Business Performance Manager
- Risk Manager

Each member of the PRG may delegate, where appropriate, another representative as/if required.

### 8.4. Members Responsibilities

The members shall:

- Be conversant with the Procurement Framework including the Procurement Strategy, Policy and Guidelines
- Raise any issues relevant to procurement at HDC
- Agree to support the terms of reference

### **8.5. Meetings:**

The maintenance and servicing of the PRG will be the responsibility of Democracy Services. This shall include notice of meeting to members, agenda preparation and minutes. The normal requirements of LGOIMA apply, as do Standing Orders.

Agendas will be circulated not less than 5 working days prior to the meeting. Recommendations for agenda items are invited from Group members no later than 7 working days prior to the date of the meeting. The minutes (outcome(s)) of the meeting will be made available to members within 5 working days of the meeting.

The PRG will meet monthly, or more frequently if required for operational reasons. Attendance at meetings may be virtual, however, notice must be given to the meeting organiser as soon as practical.

### **8.6. Attendance and Quorum**

Attendance to PRG meetings is not mandatory for all members, however, there must be a minimum of 4 members (or their delegated representative) in attendance to make a quorum. Failure to make a quorum may result in delays to procurement activities.

### **8.7. Members/roles required to attend include:**

- PRG Chair (whether the Chief Executive or delegated)
- Elected Member (Delegated or substitute)
- Group Manager of any submitted Procurement Plan or Procurement activity under review
- Business Performance Manager

Staff not listed as members may be invited, by the Chair or meeting organiser, to PRG meetings to provide context and explanation when involved with a Procurement Plan or activity being presented. Other members of staff may attend the PRG with prior approval from the Chair.

### **8.8. Confidentiality**

All attendees to a PRG meeting must ensure any commercially sensitive and/or information that could be seen to unfairly benefit external parties are not shared without prior approval from the Chair. These matters are withheld from the public in accordance with LGOIMA ss 7(2)(b)(i) or (ii), or 7(2)(h) – (j), or any other section specified in the associated report.

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### **8.9. Procurement Endorsement and Approval**

In accordance with the Procurement Policy, Category C procurements can be approved by the PRG and Category D procurements require the PRG to give endorsement prior to going to Council for approval.

## 9. District Licensing Committee

District Licensing Committee	
<b>Elected Members</b>	Two (Chairperson and Deputy Chairperson , as appointed under s. 189(2) and (3), respectively, of the Sale and Supply of Alcohol Act 2012
<b>External Membership</b>	Up to two, drawn from a panel
<b>Quorum</b>	Up to Three (as set out in s.191 of the Sale and Supply of Alcohol Act 2012)
<b>Meeting Frequency</b>	As required
<b>Reports to</b>	Statutorily independent

### 9.1. Purpose

The Sale and Supply of Alcohol Act 2012 (the Act) requires Council to appoint a District Licensing Committee to deal with licensing matters.

The District Licensing Committee is appointed to administer the Council's alcohol licensing framework, as determined by the Act.

### 9.2. Terms of Reference (delegations)

The functions of the District Licensing Committee are specified by the Act and are:

1. to consider and determine applications for licenses and manager's certificates
2. to consider and determine applications for renewal of licenses and manager's certificates
3. to consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Act
4. to consider and determine applications for the variation, suspension, or cancellation of special licenses
5. to consider and determine applications for the variation of licenses (other than special licenses) unless the application is brought under section 280 of the Act (Note: section 280 relates to applications by constables or inspectors to the Alcohol Regulatory Licensing Authority (ARLA) for the variation, suspension or cancellation of a licence, other than a special licence)
6. with the leave of the Chairperson for the licensing authority (ARLA), to refer applications to the licensing authority
7. to conduct inquiries and to make reports as may be required of it by the licensing authority under section 175 of the Act
8. any other functions conferred on licensing committees by or under the Act or any other enactment.

### **9.3. Reporting to Council**

The Committee is required to report its proceedings annually to the Licensing Authority within three months of the end of the financial year. This annual report on the proceedings and operations of the District Licensing Committee will be prepared and submitted to Council annually

## Horowhenua District Council – Council Appointments 2025-28

STATUTORY APPOINTMENTS		FORMAL RELATIONSHIP	
Horizons Regional Council – Passenger Transport Committee	Cr Mason, Cr Grimstone	Shannon Community Development Trust	Cr Olsen
Horizons Regional Council – Regional Transport Committee	Mayor Bernie Cr Allan	FORMALLY FUNDED ORGANISATIONS	
Manawatū/Wanganui Regional Disaster Relief Fund Trust	Mayor Bernie	Horowhenua Crime Prevention Camera Trust	Cr Mitchell-Kouttab
Manawatū-Wanganui Regional Civil Defence Emergency Management Joint Standing Committee	Mayor Bernie	RATEPAYER AND COMMUNITY ASSOCIATIONS - APPOINT LIAISON	
Horowhenua Lake Domain Board	Cr Hori Te Pa Professor J Procter	Waikawa Beach Ratepayers Association	Cr Gray, Cr Jennings
COUNCIL LEAD NETWORKS		Waitārere Beach Progressive and Ratepayers Association Inc.	Cr Gray, Cr Jennings
Youth Services Network	Cr Young	Manakau District Community Association	Cr Gray, Cr Jennings
Access and Inclusion	Cr Barker, Cr Mason	Hokio Progressive Association Inc.	Cr Gray, Cr Jennings
Education Horowhenua	Cr Grimstone	Shannon Progressive Association Inc.	Cr Olsen, Cr Te Raukura Ketu
Older Persons Network	Mayor Bernie, Cr Mitchell-Kouttab	Mangaore Village Residents' Association	Cr Olsen, Cr Te Raukura Ketu
Foxton Futures Governance Group	Cr Allan, Cr Fox	Tokomaru Ratepayers Association	Cr Olsen
Shannon Community Plan Governance Group	Cr Olsen, Cr Te Raukura Ketu		

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## Horowhenua District Council – Council Appointments 2025-28

Appointments – to be made at a later date

LIAISON COMMUNITY GROUPS AND ASSOCIATIONS	Requirement for appointment
Horowhenua District Health Transportation Trust	Council appointee required by Trust deed.
National Museum of Audio Visual Arts & Sciences Trust Board	Council appointee required by Trust deed.
Horowhenua Family Violence Intervention Programme Inc.	No requirement
Skills4Living	No requirement
Save Our River Trust	No requirement
Levin Budget Service	No requirement
Horowhenua Neighbourhood Support Management Committee	No requirement
Coast Access Radio Trust Board	No requirement

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## 8.3 Adoption of Standing Orders

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy   Kaitohutohu Mātāmua - Manapori</b>
Approved by	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. Council is required to adopt its Standing Orders at the beginning of each triennium. This report presents the existing Horowhenua District Council Standing Orders (LGNZ Model 2023, with no substantive amendments) for adoption.

### EXECUTIVE SUMMARY | TE WHAKARĀPOPOTOTANGA MATUA

2. Under the Local Government Act 2002 (LGA 2002), Council is required to adopt Standing Orders to govern the conduct of its meetings and the meetings of its committees, subcommittees, local boards, and any subordinate decision-making bodies.
3. Standing Orders provide a rules-based framework that supports open, transparent, inclusive, fair, and legally sound decision-making.
4. The existing Standing Orders remain fully compliant with legislation and sector best practice, based on the LGNZ Model Standing Orders (2023 Edition), which Council has utilised for the previous triennium without compliance issues.
5. The Local Government (System Improvements) Amendment Bill is currently progressing through Parliament and is expected to introduce mandatory national model Standing Orders, which will supersede local versions once enacted.
6. Legal advice confirms that substantive amendments at this time would deliver limited benefit and represent a short-lived use of Council resource, given the imminent reform. Officers therefore recommend adopting the existing Standing Orders without change and continuing to use the current Code of Conduct framework to support interim governance expectations where required.
7. Council retains the ability to consider alternative procedural selections within the current 2023 LGNZ Model if it chooses not to adopt the officer recommendation. These options are limited to the legislatively prescribed areas identified in this report.
8. Adoption of Standing Orders, and any future amendments, requires a ≥75% majority vote of members present, in accordance with Schedule 7, Clause 27 of the LGA 2002

### DELEGATION OR AUTHORITY TO ACT | TE MANA WHAKATAU I NGĀ KAWENGA

9. Council has authority to adopt Standing Orders under Schedule 7, Clause 27 of the Local Government Act 2002.
10. Although Council may elect alternative options within the current model, officers recommend no amendment at this time due to impending legislative reform, which is expected to replace local Standing Orders with a mandatory national model and reduce local discretion
11. The Bill's progress is being actively monitored. As at the time of writing, the bill has completed its Select Committee process and is awaiting its Second Reading in the House, after which further stages will follow. Final enactment timing has not yet been confirmed but is expected within the 2025/26 Parliamentary sitting calendar.

## **SIGNIFICANCE ASSESSMENT | HE AROMATAWAI MATUA**

12. This matter does not meet the requirement as significant under the Significance and Engagement Policy.
13. This is a legislative requirement.

## **RECOMMENDATION | NGĀ TAUNAKITANGA**

- A. That Council adopts the Horowhenua District Council Standing Orders for the 2025–2028 triennium in their current form, without amendment.

## **DISCUSSION | HE MATAPAKINGA**

14. Council has utilised Local Government New Zealand for Standing Orders for the past triennium. These are fully compliant with legislation and best practice in the conduct of meetings, they are also easy to use and can be tailored to meet each Council's specific requirements.
15. The Council is required to adopt a set of standing orders for the conduct of its meetings and those of its committees.
16. Standing Orders contain rules for the conduct of the proceedings of local authorities, committees, subcommittees and subordinate decision-making bodies, and local and community boards. Their purpose is to enable local authorities to exercise their decision making responsibilities in a transparent, inclusive and lawful manner. All members of a local authority must abide by standing orders.
17. During the elected member induction period for the 2025–2028 triennium, Council asked officers to explore potential options to strengthen the management of meeting attendance expectations, either through:
  - including attendance expectations or compliance mechanisms in Standing Orders, or
  - alternatively, addressing attendance matters through the Code of Conduct framework.
18. This request was forward-looking in nature, intended to support good governance and public confidence in elected member participation.
19. Officers sought legal advice on this request. Legal confirmed that it is not a prudent or worthwhile investment to make substantive local amendments at this time, due to the impending System Improvements Bill, which is likely to replace or materially displace local Standing Orders provisions once enacted.
20. Legal advised that Council should instead continue applying existing mechanisms within current Standing Orders and the Code of Conduct to set expectations in the interim, rather than re-drafting new attendance rules that may soon be superseded.
21. Therefore there are no changes to the Standing Orders from the 2022-2025 Triennium.
22. The Horowhenua District Council Standing is attached as Attachment A.

## **Options | Ngā Kōwhiringa**

23. Changes to Standing Orders requires a minimum majority of votes cast of 75% of members present. If that majority is not received the extant Standing Orders remain.
24. While officers recommend retaining the Standing Orders in their current form for the reasons outlined above, Council may still consider alternative procedural selections under the LGNZ 2023 Model if it chooses not to adopt the recommendation. These options are limited to the legislative selection areas and include:

25. Standing Order 5.6 - Voting system for Deputy Mayors and committee Chairs and deputy Chairs – (The current standing orders Council adopted System B – the person with the most votes is appointed even if they do not receive an absolute majority of votes).
26. Standing Order 19.3 – Chairperson has a casting vote – (The current standing orders Council adopted the option that the Mayor or Chairperson, or any other person presiding at a meeting, only has a deliberative vote, and that in the event of an equality of votes for any question, that question would be lost).
27. Standing Order 22 – General Procedures for speaking and moving motions. – (The current standing orders Council adopted Option C).
28. Under current standing orders, the Mayor does not have a casting vote, and Option B is used for speaking and moving motions.

#### **Standing Order 5.6**

29. While the Mayor has exercised his authority to appoint the Deputy Mayor and will shortly appoint the Chairs of committees, there may be times thorough out the course of the this term that it is necessary for Council or a committee finds its self without a Chair or a Deputy. This could occur due to conflicts of interest or illness. When this occurs standing orders empower the Council or committee to elect a Chair form amongst their own.

Council currently Standing order 5.6 sets out two options to choose from; System A and System B. This meeting may choose to confirm neither option and leave it to each meeting to determine if the situation arises where a Chair needs to be elected. Alternatively, this meeting can choose one of the options to adopt for Council and all committees to follow if the need to elect a Chair occurs.

30. System A provides that a candidate is elected if they receive the votes of the majority of all the members who are present and voting. In this system, there is first round of voting for all candidates, if no candidate receives a majority of votes, then the lowest polling candidate is removed from the second round of voting. This continues until one candidate receives a majority of voted.
31. System B provides that a candidate is elected if they receive more votes than any other candidate. There is only one round of voting.
32. In both systems, in the event of a tie, the tie is resolved by lost.
33. The current standing orders Council adopted System B.

#### **Standing Order 19.3**

34. This standing order sets out the default position should there be an equality of votes when deciding a question. It provides that the Mayor or Chairperson, or any other person presiding at a meeting, has a deliberative vote, and, in the case of an equality of votes, has a casting vote.
35. However, the Local Government Act 2002 allows for a different approach to a tied vote if expressly provided for in a Council's standing orders.
36. Council may choose to amend the standing orders so that the Mayor or Chairperson, or any other person presiding at a meeting, only has a deliberative vote. This would mean that in the event of an equality of votes for any question, that question would be lost. Any question could only be carried by a clear majority in favour.
37. The current standing orders Council adopted the option that the Mayor or Chairperson, or any other person presiding at a meeting, only has a deliberative vote, and that in the event of an equality of votes for any question, that question would be lost.

#### **Standing Order 22**

38. This standing order sets out the three possible options for moving and voting on motions during a meeting, Option A, Option B and Option C.

39. This meeting may choose to confirm none of options which would mean that Option A is adopted unless, on the recommendation of the chairperson at the beginning of the meeting, that one of the other options be adopted for the meeting, or for particular items. This would need to be resolved by a simple majority of the meeting.
40. Alternatively, this meeting could choose to adopt a default Option other than A to apply for all Council and committee meetings.

The Options are set out below:

41. *Option A/Kōwhiringa 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 (in which case it becomes the substantive motion) 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.*

42. *Option B/Kōwhiringa 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. The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.*

43. *Kōwhiringa C/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.*

44. Regardless of the option chosen the meeting may resolve by simple majority, based on the recommendation of the Chair, to adopt another option for the duration of the meeting or for a particular item.
45. The current standing orders Council adopted Option C.

Options   Ngā Kōwhiringa	Benefits   Ngā Whiwhinga	Risks   Ngā Mōrearea
<b>Option A (recommended)</b>  <b>Recommendation A</b> <ul style="list-style-type: none"> <li>Retain and adopt current 2023 LGNZ Model.</li> <li>Standing Order 5.6 – System B (one-round majority voting for Chairs)</li> <li>Standing Order 19.3 – no casting vote (tied votes are lost)</li> <li>Standing Order 22 – Option C (flexible speaking and amendment rules)</li> </ul>	<ul style="list-style-type: none"> <li>Statutory compliance achieved for current triennium.</li> <li>No duplication of effort or cost prior to reform.</li> <li>Maintains sector-aligned best practice framework.</li> <li>Legal supports interim use of existing mechanisms.</li> </ul>	<ul style="list-style-type: none"> <li>Future mandatory review required once national model is enacted.</li> </ul>
<b>Option B</b> <ul style="list-style-type: none"> <li>Adopt an amended 2023 LGNZ Model Standing Orders, with alternative settings applied to Standing Orders 5.6, 19.3, and 22, differing from the current provisions.</li> </ul>	<ul style="list-style-type: none"> <li>Statutory compliance achieved for current triennium.</li> <li>Maintains sector-aligned best practice framework.</li> </ul>	<ul style="list-style-type: none"> <li>Future mandatory review required once national model is enacted.</li> </ul>
<b>Option C (not recommended)</b> <ul style="list-style-type: none"> <li>Invest in substantive local amendments now (including attendance controls)</li> </ul>	<ul style="list-style-type: none"> <li>Statutory compliance achieved for current triennium.</li> </ul>	<ul style="list-style-type: none"> <li>Poor value for money and short lifespan before replacement.</li> </ul>

### Options Commentary | He Tāpiringa Kōrero Mō ngā Kōwhiringa

46. Officers recommend Option A (Recommendation A), as it provides the best balance of:
- Statutory compliance,
  - Governance stability in the interim,
  - No reword required, and
  - Alignment to sector reform timing and legal guidance.

## FINANCIAL AND RESOURCING | TE TAHUA PŪTEA ME NGĀ RAUEMI

47. There are no direct financial or resourcing impacts arising from the adoption of the existing Standing Orders at this time. Redrafting substantive amendments prior to national reform has been assessed as not representing good value for council resource or expenditure.

## LEGAL AND RISK | TE TURE ME NGĀ MŌREAREATANGA

48. Officers sought legal advised which advised that Council should wait until the System Improvements Bill is passed before considering substantive amendments, as the legislation is expected to introduce mandatory national model Standing Orders.
49. Legal advised that Council should use existing interim mechanisms (including current Standing Orders and the Code of Conduct) rather than redrafting new local provisions that may soon be superseded.
50. There is no legal risk in adopting the current model now.

## POLICY IMPACT | NGĀ PĀTANGA I NGĀ KAUPAPA HERE

51. The System Improvements Bill is expected to have a direct policy impact on Council Standing Orders by displacing locally developed orders with a mandatory national model.
52. Until the Bill is enacted, councils must continue to operate under existing statutory requirements, including adoption at the start of a triennium and any local elections of specified procedural options.
53. Adoption now ensures Council remains statutorily compliant during the pre-reform period.

## COMMUNICATIONS AND ENGAGEMENT | TE WHAKAWHITI PĀRONGO ME TE MAHI

54. Given the procedural nature of this decision and its non-significant status, external public consultation is not required for interim adoption.
55. Public communication will be limited to statutory notification of adoption through normal Council channels and website update once confirmed.

## NEXT STEPS | HEI MAHI

56. Following adoption of Standing Orders, officers will - update the Council website where required, confirm elected member local procedural option selections and brief elected members on key Standing Order rules through the induction process.
57. Officers will continue monitoring the System Improvements Bill through remaining Parliamentary stages.


### **Confirmation of statutory compliance**

In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

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

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**ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO**

<b>No.</b>	<b>Title</b>	<b>Page</b>
A 	Standing Orders Horowhenua District Council	54





# Standing Orders Ngā Tikanga Whakahaere Hui

**October 2025**





**Version Control**

Version	Changes	Date
0.1	Document drafted	03/11/2022
0.2	Amendments approved by Council	16/11/2022
1.0	Adopted by Council	16/11/2022
1.1	Amendment to standing order 13.8, by resolution CO/2024/281	04/09/2024
1.2	Carried forward to 2025-2028 triennium in line with the Local Government (Systems Improvement) Bill expected to become law imminently	24/10/2025

D22/147772

1

Amended 4 September 2024

## Kupu whakapuaki/Preface

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

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

These standing orders have been designed specifically for local authorities, their committees, subcommittees, subordinate decision-making bodies, and local and community boards. They fulfil, regarding the conduct of meetings, the requirements of the Local Government Act 2002 (LGA 2002) and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

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

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

All members of a local authority must abide by standing orders.

The Local Government (Systems Improvement) Bill, expected to become law in late November 2025 requires all councils to maintain their extant Standing Orders until such time as the Secretary for Local Government issues the updated Local Government Standing Orders.

## Resolution of Council on 16 November 2022 adopting Standing Orders

### 6.1 Adoption of Standing Orders

#### Resolution Number CO/2022/111

MOVED by Mayor Wanden, seconded Cr Allan:

That Report 22/581 Adoption of Standing Orders be received.

That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

**CARRIED**

#### Resolution Number CO/2022/112

MOVED by Mayor Wanden, seconded Cr Brannigan:

That Council adopt the option that the Mayor or Chairperson, or any other person presiding at a meeting, only has a deliberative vote, and that in the event of an equality of votes for any question, that question would be lost.

**CARRIED**

#### Resolution Number CO/2022/113

MOVED by Mayor Wanden, seconded Cr Allan:

The Council adopt System B for Standing Order 5.6 – Voting system for chairs, deputy Mayors and committee chairs.

**CARRIED**

#### Resolution Number CO/2022/114

MOVED by Cr Brannigan, seconded Cr Jennings:

That Council adopt Option C – General Procedures for speaking and moving motions.

**CARRIED**

#### Resolution Number CO/2022/115

MOVED by Mayor Wanden, seconded Cr Jennings:

That Council implement a Public Forum starting 40 minutes prior the start of each Council meeting, and continuing for up to 30 minutes, where members of the public can raise directly with the Mayor and Councillors any matters that are of concern to them. This is in addition to Public Participation which is provided for in Standing Order 15.

**CARRIED**

**Resolution Number CO/2022/116**

MOVED by Mayor Wanden, seconded Cr Allan:

That Council adds to Standing Order 13.1 [Agenda p.45] that “Te Awahou Foxton Community Board to have speaking rights at Council meetings and be accorded the same courtesies as provided for any non-appointed member of a meeting”, and recommends to the Board that a similar clause is included in their Standing Orders to provide the same rights for the Mayor and Councillors.

**CARRIED**

**Resolution Number CO/2022/117**

MOVED by Cr Boyle, seconded Cr Barker:

That the final two paragraphs of standing orders 4.3 be removed from the draft standing orders.

**CARRIED**

**Resolution Number CO/2022/118**

MOVED by Mayor Wanden, seconded Cr Allan:

That Council adopt Horowhenua District Council Standing Orders Ngā Tikanga Whakahaere Hui 2022-2025, including the adopted options.

**CARRIED**

## Amendment 4 September 2024

**Resolution Number CO/2024/1**

MOVED by Cr Grimstone, seconded Cr Brannigan:

...

That Council amend standing order 13.8 to read:

“Members who attend meeting by audio link or audio-visual link will be counted as present for the purposes of a quorum.”

...

**CARRIED**

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Amended 4 September 2024

## 1. Introduction/Kupu Whakataki

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

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

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

The Appendix, which follows Part 3, provides templates and additional guidance for implementing provisions within the Standing Orders. Please note, the Appendix is an attachment to the Standing Orders and not part of the Standing Orders themselves, consequently amendments to the Appendix do not require the agreement of 75% of those present. In addition, the 'Guide to Standing Orders' provides additional advice on the application of the Standing Orders; the Guide is not part of the Standing Orders.

### 1.1. Principles/Ngā Mātāpono

Standing orders are part of the framework of processes and procedures designed to ensure that our system of local democracy and in particular decision-making within local government is transparent and accountable. They are designed to give effect to the principles of good governance, which include that a local authority should:

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

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

### 1.2. Statutory references/Ngā tohutoro ā-ture

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

It is important to note that statutory references in the Standing Orders apply throughout the period of a meeting, regardless of whether 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 Ngā/kupu rāpoto

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

### 1.4. Application/Te hāngaitanga

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

## 2. Definitions/Ngā whakamārama

**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 of proposed change to the original or substantive motion.

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

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

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

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

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

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

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

- (a) 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 cl 30A of sch 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.

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

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

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

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

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

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

**Electronic link** means both an audio and audiovisual link.

**Emergency meeting** has the same meaning as defined in cl 22A of sch 7 of the LGA 2002.

**Extraordinary meeting** has the same meaning as defined in cl 22 of sch 7 of the LGA 2002.

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

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

**Item** means a substantive matter for discussion at a meeting.

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

**Joint committee** means a committee in which the members are appointed by more than one local authority in accordance with cl 30A of sch 7 of the LGA 2002.

**Karakia timatanga** means an opening prayer.

**Karakia whakamutunga** means a closing prayer.

**Lawfully excluded** means a member of a local authority who has been removed from a meeting due to behaviour that a Chairperson has ruled to be contempt.

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

**Local authority** means in the context of these Standing Orders a regional council or territorial authority, as defined in 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, extraordinary, or emergency meeting of a local authority, subordinate decision-making bodies and any community or local board of the local authority convened under the provisions of LGOIMA.

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

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

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

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

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

**Mover** means the member who initiates a motion.

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

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

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

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

**Open voting** means voting that is conducted openly and in a transparent manner (i.e. enables an observer to identify how a member has voted on an issue) and may be conducted by electronic means. The result of the vote must be announced immediately 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 publicly notified in accordance with ss 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.

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

**Presiding member** means the chairperson.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Substantive motion** means 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 a restatement of a resolution that has been voted on in parts.

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

**Working day means** a day of the week other than:

- (a) Saturday, Sunday, Good Friday, Easter Monday, Anzac Day, Labour Day, the Sovereign's birthday, Matariki, and Waitangi Day. If Waitangi Day or Anzac Day falls on a Saturday or a Sunday, then the following Monday;
- (b) The day observed in the appropriate area as the anniversary of the province of which the area forms a part; and
- (c) A day in the period commencing with 20 December in any year and ending with 10 January in the following year.

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

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

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

## General matters/Ngā take whānui

### 3. Standing orders/Ngā tikanga whakahaere hui

#### 3.1. Obligation to adopt standing orders/Te kawenga ki te whakatū tikanga whakahaere hui

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

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#### 3.2. Process for adoption and alteration of standing orders Te tukanga mō te whakatū me te whakahou i ngā tikanga whakahaere hui

The adoption of standing orders and any amendment to standing orders must be made by the Council and by a vote of not less than 75% of the members present. Similarly, in the case of a local and community board the adoption of standing orders and any amendments also requires a vote of not less than 75% of the members of the specific board.

*LGA 2002, sch 7, cl 27(3).*

#### 3.3. Members must obey standing orders/Me whai ngā mema i ngā tikanga whakahaere hui

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

*LGA 2002, sch 7, cl 16(1).*

#### 3.4. Application of standing orders/Te whakahāngai i ngā tikanga whakahaere hui

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

#### 3.5. Temporary suspension of standing orders/Te tārewa taupua i ngā tikanga whakahaere hui

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

*LGA 2002, sch 7, cl 27(4).*

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

### **3.6. Quasi-judicial proceedings/Ngā whakawā a te Kaunihera**

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

### **3.7. Physical address of members/Ngā wāhi noho o ngā mema**

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

## **4. Ngā hui/ Meetings**

### **4.1. Legal requirement to hold meetings/Te tikanga ā-ture ki te whakahaere hui**

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

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

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

### **4.2. Meeting duration/Te roa o ngā hui**

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

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

### **4.3. Language/Te reo**

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.

### **4.4. -Webcasting meetings/Te pāho mataora i ngā hui**

Webcast meetings should be provided in accordance with the protocols contained in Appendix 7.

#### 4.5. First meeting (inaugural)/Te hui tuatahi

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

*LGA 2002, sch, cl 21(1) - (4).*

#### 4.6. Requirements for the first meeting/Ngā tikanga mō te hui tuatahi

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

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

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

*LGA 2002, sch 7, cl 21(5).*

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

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

### 5. Appointments and elections/Ngā kopounga me ngā pōtitanga

### **5.1. Mayoral appointment of deputy Mayor, committee chairs and members/Te kopounga a te Koromatua i te Koromatua tuarua, ngā ūpoko o ngā komiti me ngā mema**

A Mayor may appoint the deputy Mayor, the chairperson and the members of each committee of the territorial authority. The names of any appointments made by the Mayor must be tabled at the first meeting of the council after the appointments are made. The Mayor may also appoint themselves.

*LGA 2002, s 41A(3).*

### **5.2. Council discharge of a mayoral appointment/Te whakakore a te Kaunihera i tētahi tūranga i kopoua e te Koromatua**

Nothing, however, limits or prevents a territorial authority from discharging deputy Mayor, a chairperson or a member of a committee appointed by the Mayor. Any decision by the territorial authority to discharge a deputy Mayor shall follow the procedure in Standing Order 5.5.

If the Mayor declines to appoint a deputy Mayor or committee chairpersons in accordance with LGA 2002, s 41A, the council (or a committee, if directed by the council) must elect those positions in accordance with Standing Order 5.4.

*LGA 2002, sch 7, cl 31.*

### **5.3. Establishment of committees by the Mayor/Te whakatū a te koromatua i ngā komiti**

The Mayor may establish committees of the territorial authority. Where a Mayor exercises this right, a list of the committees and their terms of reference must be tabled at the next following meeting of the council. Should the Mayor decline to establish committees under s 41A, then any decision to establish committees must follow the processes set out in these Standing Orders.

Nothing, however, limits or prevents a territorial authority from discharging or reconstituting, in accordance with cl 30 of sch 7, LGA 2002, a committee established by the Mayor, or appointing more committees in addition to any established by the Mayor.

Please note, a Mayor is a member of every committee unless specific legislation provides otherwise, such as a committee established under s 189 of the Sale and Supply of Alcohol Act 2012.

*LGA 2002, s 41A (3) and (4).*

### **5.4. Elections of regional chairpersons, deputy Mayors and deputy chairpersons/Te pōti i ngā ūpoko ā-rohe, ngā Koromatua tuarua me ngā ūpoko tuarua**

The council (or a committee responsible for making the appointment) must decide by resolution to use one of two voting systems (see Standing Order 5.6) when electing people to the following positions:

- The chairperson and deputy chairperson of a regional council;
- The deputy Mayor;
- The chairperson and deputy chairperson of a committee; and
- A representative of a local authority.

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Please note, this provision does not apply in situations where a mayor has used their powers under LGA 2002, s 41A to appoint a deputy Mayor, or committee chairs. See the LGNZ Guide to Standing Orders for more information.

*LGA 2002, sch 7, cl 25.*

### **5.5. Removal of a deputy Mayor/Te whakakore i te tūranga a tētahi Koromatua tuarua**

A deputy Mayor, whether appointed by the Mayor under the Standing Order 5.1, or elected by the council, can only be removed in accordance with cl 18, sch 7, of the LGA 2002. See Appendix 9.

*LGA 2002, sch 7, cl 18.*

### **5.6. Voting system for chairs, deputy Mayors and committee chairs/Te pūnaha pōti mō ngā ūpoko, ngā Koromatua tuarua me ngā ūpoko komiti**

When electing a regional council chair, a deputy Mayor or a committee chair the local authority must resolve to use one of the following two voting systems.

#### **System A**

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

- (a) There is a first round of voting for all candidates;
- (b) If no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (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.

*LGA 2002, sch 7, cl 25.*

## **6. Delegations/Te tuku mana**

### **6.1. Duty to consider delegations to community boards/Te haepapa ki te whakaaroaro ki te tukunga mana ki ngā poari hāpori**



The council of a territorial authority must consider whether to delegate to a community board if the delegation will enable the community board to best achieve its role.

*LGA 2002, sch 7, cl 32(6).*

**Please note:** A council is advised to delegate a range of decision-making responsibilities to its chief executive to cover the period from the day following the Electoral Office's declaration until the new council is sworn in. See the LGNZ Guide to Standing Orders for further information.

## 6.2. Limits on delegations/Ngā tepenga o te tuku mana

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

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

*LGA 2002, sch 7, cl 32 (1).*

## 6.3. Committees may delegate/Ka taea e ngā komiti te tuku mana

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

*LGA 2002, sch 7, cl (2) & (3).*

## 6.4. Use of delegated powers/Te whakamahi i ngā mana tuku

The committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, duties are delegated may, without confirmation by the council, committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.

*LGA 2002, sch 7, cl 32(2),(3), and (4).*

**6.5. Decisions made under delegated authority cannot be rescinded or amended/E kore e taea te whakakore, te whakahou rānei i ngā whakatau i raro i te mana tuku**

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

*LGA 2002, sch 7, cl 30 (6).*

**6.6. Committees and sub committees subject to the direction of the local authority/Kei raro ngā komiti me ngā komiti āpiti i te mana a te mana ā-rohe**

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

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

## **7. Committees/Ngā komiti**

**7.1. Appointment of committees and subcommittees/Te kopounga o ngā komiti me ngā komiti āpiti**

A council may appoint the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate. A committee may appoint the subcommittees that it considers appropriate unless it is prohibited from doing so by the council.

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

**7.2. Discharge or reconstitution of committees and subcommittees/Te whakakore, te whakahou rānei i ngā komiti me ngā komiti āpiti**

Unless expressly provided otherwise in legislation or regulation:

- (a) A local authority 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 council resolves otherwise, discharged when members elected at a subsequent triennial general election come into office.

*LGA 2002, sch 7, cl 30 (5) & (7).*

**Please note:** Section 12 (2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election. The same is true for District Licensing Committees (see the LGNZ Guide to Standing Orders).

### **7.3. Appointment or discharge of committee members and subcommittee members/Te kōupounga, te whakakore rānei i ngā mema komiti me ngā mema komiti āpiti**

A council may appoint or discharge any member of a committee and, if established by the council, a subcommittee. A committee may appoint or discharge any member of a subcommittee appointed by the committee unless directed otherwise by the council.

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

### **7.4. Elected members on committees and subcommittees/Te tū a ngā mema pōti ki ngā komiti me ngā komiti āpiti**

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

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

*LGA 2002, sch 7, cl 31(4).*

### **7.5. Local authority may replace members if committee not discharged/Ka āhei te mana ā-rohe ki te whakakapi i ngā mema mēnā kāore i whakakorehia te komiti**

If a local authority resolves that a committee, subcommittee or other subordinate decision-making body is not to be discharged under cl 30 (7), sch 7, LGA 2002, the local authority may replace the members of that committee, subcommittee or subordinate decision-making body after the next triennial general election of members.

*LGA 2002, sch 7, cl 31(5).*

### **7.6. Membership of Mayor/Te mematangā a te Koromatua**

The Mayor is a member of every committee of the local authority unless specific legislation provides otherwise, such as a committee established under s 189 of the Sale and Supply of Alcohol Act 2012.

*LGA 2002, s 41A(5).*

### **7.7. Decision not invalid despite irregularity in membership/Kāore e noho manakore tētahi whakatau ahakoa i rangirua te mematangā**

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

1. There is a vacancy in the membership of the local authority, committee, local or 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 the membership of a person on the committee at the time is found to have been ineligible.

*LGA 2002, sch 7, cl 29.*

### **7.8. Appointment of joint committees/Te kopounga o ngā komiti hono**

A local authority may appoint a joint committee with another local authority or other public body if it has reached agreement with each local authority or public body. The agreement must specify:

- (a) The number of members each party may appoint;
- (b) How the chairperson and deputy chairperson are to be appointed;
- (c) The terms of reference of the committee;
- (d) What responsibilities, if any, are to be delegated to the committee by each party; and
- (e) How the agreement may be varied.

The agreement may also specify any other matter relating to the appointment, operation, or responsibilities of the committee agreed by the parties.

*LGA 2002, sch 7, cl 30A(1) & (2).*

### **7.9. Status of joint committees/Te tūnga o ngā komiti hono**

A joint committee is deemed to be both a committee of a council and a committee of each other participating local authority or public body.

*LGA 2002, sch 7, cl 30A(5).*

### **7.10. Power to appoint or discharge individual members of a joint committee/Te mana ki te kopou me te whakakore i ngā mema takitahi o tētahi komiti hono**

The power to discharge any individual member of a joint committee and appoint another member in their stead must be exercised by the council or public body that made the appointment.

*LGA 2002, sch 7, cl 30A(6)(a).*

## Pre-meeting/I mua i te hui

### 8. Giving notice/Te tuku pānui

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

#### 8.1. Public notice – ordinary meetings/Te pānui tūmatanui – ngā hui noa

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

*LGOIMA, s 46.*

#### 8.2. Notice to members - ordinary meetings/Te pānui ki ngā mema – ngā hui noa

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

*LGA 2002, sch 7, cl 19(5).*

#### 8.3. Extraordinary meeting may be called/Ka āhei ki te karanga hui Motuhake

An extraordinary council meeting may be called by:

- (a) Resolution of the council, or
- (b) A requisition in writing delivered to the chief executive which is signed by:
  - i. The Mayor; or
  - ii. Not less than one third of the total membership of the council (including vacancies).

*LGA 2002, sch 7, cl 22(1).*

#### 8.4. Notice to members - extraordinary meetings/Te pānui ki ngā mema – ngā hui Motuhake

The chief executive must give notice, in writing, of the time and place of an extraordinary meeting called under the Standing Order 8.3, as well as the general nature of business to be considered, to each member of the council 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.

*LGA 2002, sch 7, cl 22(3).*

### **8.5. Emergency meetings may be called/Ka āhei ki te karanga hui ohotata**

If the business a council needs to deal with requires a meeting to be held at a time earlier than is allowed by the notice requirements for holding an extraordinary meeting and it is not practicable to call the meeting by resolution, an emergency meeting may be called by:

- (a) The Mayor; or
- (b) If the Mayor is unavailable, the chief executive.

*LGA 2002, sch 7, cl 22A(1).*

### **8.6. Process for calling an emergency meeting/Te pūnaha mō te karanga hui ohotata**

The notice of the time and place of an emergency meeting, and of the matters in respect of which the emergency meeting is being called, must be given by the person calling the meeting or by another person on that person's behalf.

The notice must be given, by whatever means is reasonable in the circumstances, to each member of the local authority, and to the chief executive, at least 24 hours before the time appointed for the meeting.

*LGA 2002, sch 7, cl 22A(2).*

### **8.7. Public notice – emergency and extraordinary meeting/Te pānui tūmatanui – ngā hui ohotata me te Motuhake**

Where an emergency or extraordinary meeting of a local authority is called but the notice of the meeting is inconsistent with these Standing Orders, due to the manner in which it was called, the local authority must cause that meeting and the general nature of business to be transacted at that meeting:

- (a) To be publicly notified as soon as practicable before the meeting is to be held; or
- (b) If it is not practicable to publish a notice in newspapers before the meeting, to be notified as soon as practicable on the local authority's website and in any other manner that is reasonable in the circumstances.

*LGOIMA, s 46(3).*

### **8.8. Meetings not invalid/Kāore e manakore ngā hui**

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

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

*LGOIMA, s 46(6).*

### **8.9. Resolutions passed at an extraordinary meeting/Ngā tatūnga i whakamanahia i te hui Motuhake**

A local authority must, as soon as practicable, publicly notify any resolution passed at an extraordinary meeting of the local authority 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.

*LGOIMA, s 51A.*

### **8.10. Meeting schedules/Ngā hōtaka hui**

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

*LGA 2002, sch 7, cl 19(6).*

### **8.11. Non-receipt of notice to members/Te kore e whiwhi pānui a ngā mema**

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

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

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

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

### **8.12. Meeting cancellations/Te whakakore hui**

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

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

## **9. Meeting agenda/Te rārangi take o ngā hui**

### **9.1. Preparation of the agenda/Te whakarite i te rārangi take**

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

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

## **9.2. Process for raising matters for a decision/Te pūnaha mō te whakatakoto take hei whakatau**

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

## **9.3. Chief executive may delay or refuse request/Ka āhei te tumu whakarae ki te whakaroa, whakakore rānei i tētahi tono**

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

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

## **9.4. Order of business/Te raupapatanga o ngā mahi**

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 10.

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/Te marohi a te ūpoko**

A chairperson, either prior to the start of the meeting and/or at the meeting itself, may include a recommendation regarding any item on the agenda brought before the meeting. Where a chairperson's recommendation varies significantly from an officer's recommendation the reason for the variation must be explained. A recommendation that differs significantly from the officer's recommendation must comply with the decision-making requirements of Part 6 of the LGA 2002.

## **9.6. Chairperson may prepare report/Te pūrongo a te ūpoko**

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

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

## **9.7. Public availability of the agenda/Te wātea o te rārangi take ki te marea**

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

*LGOIMA, ss 5 & 46A.*



### **9.8. Public inspection of agenda/Te tiro tiro a te marea i te rārangī take**

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

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

*LGOIMA, s 46A(1).*

### **9.9. Withdrawal of agenda items/Te tango take i te rārangī take**

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/Te tuari i te rārangī take**

The chief executive must send the agenda to every member of a meeting at least two clear working days before the day of the meeting, except in the case of an extraordinary meeting or an emergency meeting (see Standing Orders 8.4 and 8.10).

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/Te tūnga o te rārangī take**

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

### **9.12. Items of business not on the agenda which cannot be delayed/Ngā take kāore i runga i te rārangī take e kore e taea te whakaroa**

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

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

*LGOIMA, s 46A(7).*

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

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

### **9.13. Discussion of minor matters not on the agenda/Te kōrerorero i ngā take iti kāore i runga i te rārangi take**

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

*LGOIMA, s 46A(7A).*

### **9.14. Public excluded business on the agenda/Ngā take o te rārangi take kāore e whārikihia ki te marea**

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

*LGOIMA, s 46A(9).*

### **9.15. Qualified privilege relating to agenda and minutes/Te maru whāiti e pā ana ki te rārangi take me ngā meneti**

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

*LGOIMA, s 52.*

## **Meeting Procedures/Ngā Tikanga Hui**

### **10. Opening and closing/Te whakatuwhera me te whakakapi**

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

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

### **11. Quorum/Kōrama**

#### **11.1. Council meetings/Ngā hui Kaunihera**

The quorum for a meeting of the council 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.

*LGA 2002, sch 7, cl 23(3)(a).*

### **11.2. Committees and subcommittee meetings/Ngā hui komiti me te komiti āpiti**

A council sets the quorum for its committees and subcommittees, either by resolution or by stating the quorum in the terms of reference. Committees may set the quorums for their subcommittees by resolution, provided that it is not less than two members. (See also 7.4).

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

*LGA 2002, sch 7, cl 23(3)(b).*

### **11.3. Joint Committees/Ngā komiti hono**

The quorum at a meeting of a joint committee must be consistent with Standing Order 11.1. Local authorities participating in the joint committee may decide, by agreement, whether or not the quorum includes one or more members appointed by each local authority or any party.

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

### **11.4. Requirement for a quorum/Te herenga mō te kōrama**

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

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

### **11.5. Meeting lapses where no quorum/Ka tārewa te hui mēnā karekau he kōrama**

A meeting must lapse, and the chairperson vacate the chair, if a quorum is not present within 30 minutes of the advertised start of the meeting. Where members are known to be travelling to the meeting, but are delayed due to extraordinary circumstance, the chairperson has discretion to wait for a longer period.

No business may be conducted while waiting for the quorum to be reached. Minutes will record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended.

Should a quorum be lost, the meeting will lapse if the quorum is not present within 15 minutes.

### **11.6. Business from lapsed meetings/Ngā take mai i ngā hui tārewa**

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

## **12. Public access and recording/Te urunga a te marea me te hopunga**

### **12.1. Meetings open to the public/E tuwhera ana ngā hui ki te marea**

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

*LGOIMA, s 47 & 49(a).*

### **12.2. Grounds for removing the public/Ngā take e panaia ai te marea**

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

*LGOIMA, s 50(1).*

### **12.3. Local authority may record meetings/Ka āhei te mana ā-rohe ki te hopu i ngā hui**

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

### **12.4. Public may record meetings/Ka āhei te marea ki te hopu i ngā hui**

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

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

## **13. Attendance/Te taenga**

### **13.1. Members right to attend meetings/Te mōtika a ngā mema ki te tae ki ngā hui**

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

*LGA 2002, sch 7, cl 19(2).*

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

A member attending a meeting of which they are not an appointed member is not a member of the public for the purpose of s48 of LGOIMA. Consequently, if the meeting resolves to exclude the public then any members of the local authority who are present may remain, unless they are lawfully excluded.

Te Awahou Foxton Community Board to have speaking rights at Council meetings and be accorded the same courtesies as provided for any non-appointed member of a meeting

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

### **13.2. Attendance when a committee is performing judicial or quasi-judicial functions/Te tae ki ngā hui ina whakahaere whakawā te komiti**

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

### **13.3. Leave of absence/Te tuku tamōtanga**

A council may grant a member leave of absence following an application from that member. The council may delegate the power to grant a leave of absence to the Mayor in order to protect a members' privacy and the Council may approve an application from the Mayor. The Mayor will advise all members of the council whenever a member has been granted leave of absence under delegated authority. Meeting minutes will record that a member has leave of absence as an apology for that meeting.

### **13.4. Apologies/Ngā whakapāh**

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

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

### **13.5. Recording apologies/Te hopu whakapāha**

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

### **13.6. Absent without leave/Te tamōtanga kāore i whakaaetia**

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

*LGA 2002, sch 7, cl 5(d).*

### **13.7. Right to attend by audio or audiovisual link/Te mōtika kia tae atu mā te hononga ā-oro, ataata-rongo rānei**

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

### **13.8. Member's status: quorum/Te tūnga a te mema: kōrama**

Members who attend meetings by audio link or audio-visual link will be counted as present for the purposes of a quorum.

*LGA 2002, sch 7, cl 25A(4).*

### **13.9. Member's status: voting/Te tūnga a te mema: te pōti**

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

### **13.10. Chairperson's duties/Ngā mahi a te ūpoko**

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

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

*LGA 2002, sch 7, cl 25A(3).*

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

### **13.11. Conditions for attending by audio or audiovisual link/Ngā tikanga mō te taenga mā te hononga ā-oro, ataata-rongo rānei**

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

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

### **13.12. Te tono kia tae mā te hononga ā-oro, ataata-rongo rānei/Request to attend by audio or audiovisual 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 audiovisual link. Should, due to illness or emergency, this is not possible the member may give less notice.

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

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

### **13.13. Chairperson may terminate link/Ka āhei te ūpoko ki te whakakore i te hononga**

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

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

### **13.14. Giving or showing a document/Te tuku, te whakaatu rānei i tētahi tuhinga**

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

- (f) Transmitting it electronically;
- (g) Using the audio visual link; or
- (h) Any other manner that the chairperson thinks fit.

*LGA 2002, sch 7, cl 25(A)(6).*

### **13.15. Link failure/Ina mūhore te hononga**

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

### **13.16. Confidentiality/Te matatapu**

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

## **14. Chairperson's role in meetings/Te mahi a te ūpoko i roto i ngā hui**

### **14.1. Council meetings/Ngā hui kaunihera**

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

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

### **14.2. Other meetings/Ētahi atu hui**

In the case of committees, subcommittees and subordinate decision-making bodies, the appointed chairperson must preside at each meeting unless they vacate the chair for all 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. This person may exercise the meeting responsibilities, duties and powers of the chairperson.

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

### **14.3. Addressing the chairperson/Me pēhea te whakaingoa i te ūpoko**

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

### **14.4. Chairperson's rulings/Ngā whakataunga a te ūpoko**

The chairperson will decide all procedural questions, including points of order, where insufficient provision is made by these Standing Orders (except in cases where appoint of order questions the chairperson's ruling). Any refusal to obey a Chairperson's ruling or direction constitutes contempt (see SO 20.5).

### **14.5. Chairperson standing/Ina tū te ūpoko**

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

### **14.6. Member's right to speak/Te mōtika a te mema ki te korero**

Members are entitled to speak in accordance with these Standing Orders. Members should address the chairperson when speaking. They may not leave their place while speaking unless they have the leave of the chairperson.

### **14.7. Chairperson may prioritise speakers/Ka āhei te ūpoko ki te whakaraupapa i ngā kaikōrero**

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



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

## **15. Public Participation/Ngā Matapakinga a te Marea**

### **15.1. Requests to speak to Agenda items**

There is an opportunity for people to speak to items on a Council or Te Awahou Foxton Community Board Agenda. A request must be lodged with the Chairperson, Chief Executive or other appropriate officer of Council, or via email [public.participation@horowhenua.govt.nz](mailto:public.participation@horowhenua.govt.nz) by 12 noon on the day before the meeting and must identify the specific item to which a person wishes to speak. Requests will not be accepted for:

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

### **15.2. Approval by Chairperson**

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

### **15.3. Time limits/Ngā tepenga wā**

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

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

### **15.4. Restrictions/Ngā Herenga**

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; and
- The matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity.

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### **15.5. Questions at public participation/Ngā pātai i ngā matapakinga a te marea**

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

### **15.6. No resolutions/Kāore he tatūnga**

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.

## **16. Deputations/Ngā Teputeihana**

The purpose of a deputation is to enable a person, group, or organisation to make a presentation to a meeting on a matter or matters covered by that meeting's terms of reference. Deputations should be approved by the chairperson, or an official with delegated authority, five working days before the meeting; however, this requirement may be waived by the chairperson. Deputations may be heard at the commencement of the meeting or at the time that the relevant agenda item is being considered.

### **16.1. Time limits/Ngā tepenga wā**

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

### **16.2. Restrictions/Ngā Herenga**

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; and
- The matter is subject to a hearing, including the hearing of submissions where the local authority or committee sits in a quasi-judicial capacity.

### **16.3. Questions of a deputation/Te pātai i ngā teputeihana**

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

### **16.4. Resolutions/Ngā tatūnga**

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

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## 17. Petitions/Ngā Petihana

### 17.1. Form of petitions/Te āhua o ngā petihana

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

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

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

### 17.2. Petition presented by petitioner/Te petihana ka whakatakotohia e te kaipetihana

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

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

### 17.3. Petition presented by member/Te petihana ka whakatakotohia e tētahi mema

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

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

## **18. Exclusion of public/Te aukati i te marea**

### **18.1. Motions and resolutions to exclude the public/Ngā mōtini me ngā tatūnga ki te aukati i te marea**

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

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

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

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

*LGOIMA, s 48.*

### **18.2. Specified people may remain/Ka āhei ngā tāngata ka tohua ki te noho mai**

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

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

*LGOIMA, s 48(6).*

### **18.3. Public excluded items/Ngā take e aukatihia ana ki te marea**

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

*LGOIMA, s 46A(8).*

### **18.4. Non-disclosure of information/Te kore e whāki i ngā mōhiohio**

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

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

- (a) There are no grounds under LGOIMA for withholding the information; and

(b) The information is no longer confidential.

### **18.5. Release of information from public excluded session/Te tuku i ngā mōhiotio nō te nohoanga aukati ki te marea**

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

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

## **19. Voting/Te pōti**

### **19.1. Decisions by majority vote/Mā te nuinga e whakatau**

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

*LGA 2002, sch 7, cl 24(1).*

### **19.2. Open voting/Te pōti tuwhera**

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

*LGA 2002, sch 7, cl 24(3).*

### **19.3. Chairperson has a casting vote/Kei te ūpoko te pōti whakatau**

The Mayor or Chairperson, or any other person presiding at a meeting, only has a deliberative vote, and that in the event of an equality of votes for any question, that question would be lost.

*LGA 2002, sch 7, cl 24(2).*

### **19.4. Method of voting/Te tikanga pōti**

The method of voting must be as follows:

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

### **19.5. Calling for a division/Te tono i te wehenga**

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

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

#### **19.6. Request to have votes recorded/Te tono kia tuhi i ngā pōti**

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

#### **19.7. Members may abstain/Ka āhei ngā mema ki te noho puku**

Any member may abstain from voting.

### **20. Conduct/Ngā whanonga**

#### **20.1. Calling to order/Te tono kia tau ngā mema**

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

#### **20.2. Behaviour consistent with Code of Conduct/Ngā whanonga e hāngai ana ki te Tikanga Whakahaere**

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

#### **20.3. Retractions and apologies/Te tango kōrero me te whakapāha**

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

#### **20.4. Disorderly conduct/Ngā whanonga kino**

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

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

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

#### **20.5. Contempt/Te whakahāwea**

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

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

#### **20.6. Removal from meeting/Te pana i te tangata i te hui**

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

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

#### **20.7. Financial conflicts of interests/Ngā take taharua ahumoni**

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.

*LAMIA, ss 6 & 7.*

#### **20.8. Non-financial conflicts of interests/Ngā take taharua ahumoni-kore**

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

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

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

#### **20.9. Qualified privilege for meeting proceedings/Te maru whāiti mō ngā whakaritenga hui**



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

*LGOIMA, s 53.*

#### **20.10. Qualified privilege additional to any other provisions/He āpitihanga te maru whāiti ki ētahi atu whakaritenga**

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 local authority.

*LGOIMA, s 53.*

#### **20.11. Electronic devices at meetings/Ngā pūrere hiko i ngā hui**

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:

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

### **21. General rules of debate/Ngā tikanga whānui mō te tautohetohe**

#### **21.1. Chairperson may exercise discretion/Kei te ūpoko te tikanga**

The application of any procedural matters in this section of the Standing Orders, such as the number of times a member may speak or when a chair can accept a procedural motion to close or adjourn a debate, is subject to the discretion of the chairperson.

#### **21.2. Time limits on speakers/Te tepenga wā mā ngā kaikōrero**

The following time limits apply to members speaking at meetings:

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

#### **21.3. Questions to staff/Ngā pātai ki ngā kaimahi**

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

#### **21.4. Questions of clarification/Ngā pātai whakamārama**

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

#### **21.5. Members may speak only once/Kotahi noa iho te wā e āhei ai te mema ki te korero**

A member, depending on the choice of options for speaking and moving set out in SO 22.2 -22.4, may not speak more than once to a motion at a meeting of the council, except with permission of the chairperson. Members can speak more than once to a motion at a committee or subcommittee meeting with the chairperson's permission.

#### **21.6. Limits on number of speakers/Ngā tepenga mō te maha o ngā kaikōrero**

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

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

#### **21.7. Seconder may reserve speech/Ka āhei te kaitautoko ki te whakatārewa i tana korero**

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

#### **21.8. Speaking only to relevant matters/Me hāngai ngā kōrero ki ngā take whai panga**

Members may only speak to;

- I. any matter before the meeting
- II. a motion or amendment which they propose, and
- III. to raise a point of order arising out of debate,

Members must confine their remarks strictly to the motion or amendment they are speaking to. The chairperson's rulings on any matters arising under this Standing Order are final and not open to challenge.

#### **21.9. Restating motions/Te whakahua anō i te mōtini**

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

#### **21.10. Criticism of resolutions/Te whakahē i ngā tatunga**

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

#### **21.11. Objecting to words/Te whakahē kupu**

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

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

#### **21.12. Right of reply/Te mōtika ki te whakautu**

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

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

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

#### **21.13. No other member may speak/E kore e āhei tētahi atu mema ki te korero**

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

- I. After the mover has started their reply;
- II. After the mover has indicated that they want to forego this right; and
- III. Where the mover has spoken to an amendment to the original motion and the chairperson has indicated that he or she intends to put the motion.

#### **21.14. Adjournment motions/Ngā mōtini hei hiki i te hui**

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

#### **21.15. Chairperson's acceptance of closure motions/Te whakaae a te ūpoko ki ngā mōtini whakakapi**

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

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

## **22. General procedures for speaking and moving motions/Ngā tikanga whānui mō te kōrero me te mōtini**

### **22.1. Options for speaking and moving/Ngā kōwhiringa mō te kōrero me te mōtini**

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

Option A applies unless, on the recommendation of the chairperson at the beginning of a meeting, the meeting resolves [*by simple majority*] to adopt either of the other two options for the meeting generally, or for any specified items on the agenda.

#### **22.2. Option A/Kōwhiringa 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 (in which case it becomes the substantive motion) 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.

#### **22.3. Option B/Kōwhiringa 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.
- The meeting by agreement of the majority of members present may amend a motion with the agreement of the mover and seconder.

#### **22.4. Kōwhiringa C/Option C**

- The mover and seconder of a motion can move or second an amendment.

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- 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.

## **23. Motions and amendments/Ngā mōtini me ngā whakahoutanga**

### **23.1. Proposing and seconding motions/Te whakatakoto me te tautoko mōtini**

All motions, and amendments moved during a debate, must be seconded (including notices of motion). The chairperson may then state the motion and propose it for discussion. A motion should be moved and seconded before debate but after questions.

Amendments and motions that are not seconded are not valid and should not be entered in the minutes.

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

### **23.2. Motions in writing/Te tuhi i ngā mōtini**

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

### **23.3. Motions expressed in parts/Ngā mōtini i whakawehea**

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

### **23.4. Substituted motion/Te whakakapi mōtini**

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

### **23.5. Amendments to be relevant and not direct negatives/Me hāngai ngā whakahoutanga me kaua e whakahē i te mōtini**

Every proposed amendment must be relevant to the motion under discussion. Proposed amendments cannot be similar to an amendment that has already been lost. An amendment cannot be a direct negative to the motion or the amended motion. Reasons for not accepting an amendment can include:

- a) Not directly relevant
- b) In conflict with a carried amendment

- c) Similar to a lost amendment
- d) Would negate a committee decision if made under delegated authority
- e) In conflict with a motion referred to the governing body by that meeting
- f) Direct negative.

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

### **23.6. Foreshadowed amendments/Ngā whakahoutanga kua kōrerotia kētia**

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

### **23.7. Carried amendments/Ngā whakahoutanga i whakaaetia**

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

### **23.8. Lost amendments/Ngā whakahoutanga i whakahēngia**

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

### **23.9. Where a motion is lost/Ina whakahēngia tētahi mōtini**

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

### **23.10. Withdrawal of motions and amendments/Te tango i ngā mōtini me ngā whakahoutanga**

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

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

### **23.11. No speakers after reply or motion has been put/Kāore e āhei he kaikōrero i muri i te whakautu a te kaimōtini, i te tono rānei i te pōti**

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 has started putting the motion.

## **24. Revocation or alteration of resolutions/Te whakakore, te whakahou rānei i ngā tatūnga**

### **24.1. Member may move revocation of a decision/Ka āhei tētahi mema ki te mōtini ki te whakakore i tētahi whakataunga**

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

- (a) The resolution or part of the resolution which the member proposes to revoke or alter;
- (b) The meeting date when the resolution was passed;
- (c) The motion, if any, which the member proposes to replace it with; and
- (d) Sufficient information to satisfy the decision-making provisions of sections 77-82 of Part 6, of the LGA 2002.

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

### **24.2. Revocation must be made by the body responsible for the decision/Mā te rōpū nāna te whakatau e whakakore**

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

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

*LGA 2002, sch 7, cl 30(6).*

### **24.3. Requirement to give notice/Te herenga ki te tuku pānui**

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

### **24.4. Restrictions on actions under the affected resolution/Ngā herenga mō ngā mahi i raro i te tatūnga whai pānga**

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 local authority or the committee that made the previous resolution.

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

**24.5. Revocation or alteration by resolution at same meeting/Te whakakore, te whakahou rānei mā te tatūnga i taua hui tonu**

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.

**24.6. Revocation or alteration by recommendation in report/Te whakakore, te whakahou rānei mā te marohi ki rō Pūrongo**

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

*LGA 2002, sch 7, cl 30(6).*

**25. Procedural motions/Ngā mōtini whakahaere**

**25.1. Procedural motions must be taken immediately/Me pōti ngā mōtini whakahaere i taua wā tonu**

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

**25.2. Procedural motions to close or adjourn a debate/Ngā mōtini whakahaere ki te whakakapi, whakatārewa rānei i tētahi tautohetohe**

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

- (a) That the meeting be adjourned to the next ordinary meeting (unless the member states an alternative time and place);
- (b) that the motion under debate should now be put (a closure motion);
- (c) That the item being discussed should be adjourned to a specified time and place and not be further discussed at the meeting;



- (d) That the item of business being discussed should lie on the table and not be further discussed at this meeting; (items lying on the table at the end of the triennium will be deemed to have expired); and
- (e) That the item being discussed should be referred (or referred back) to the relevant committee or local or community board.

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

### **25.3. Voting on procedural motions/Te pōti mō ngā mōtini whakahaere**

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

### **25.4. Debate on adjourned items/Te tautohetohe i ngā take i whakatārewatia**

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

### **25.5. Remaining business at adjourned meetings/Ngā take e toe ana i ngā hui i whakatārewatia**

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

### **25.6. Business referred to the council, committee or local or community board/Ngā take e tukuna ana ki te kaunihera, komiti, poari hapori rānei**

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

### **25.7. Other types of procedural motions/Etahi atu momo mōtini whakahaere**

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

## **26. Points of order/Te tono ki te whakatika hapa**

### **26.1. Members may raise points of order/Ka āhei ngā mema ki te tono ki te whakatika hapa**

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

## **26.2. Subjects for points of order/Ngā kaupapa mō te whakatika hapa**

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

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

## **26.3. Contradictions/Ngā whakahē**

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

## **26.4. Point of order during division/Te tono whakatika hapa i te wā o te wehenga**

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

## **26.5. Chairperson's decision on points of order/Te whakatau a te ūpoko mō ngā tono whakatika hapa**

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

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

## **27. Notices of motion/Te pānui i ngā mōtini**

### **27.1. Notice of intended motion to be in writing/Me tuhi te pānui mō te mōtini e takune ana**

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

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

### **27.2. Refusal of notice of motion/Te whakahē i te pānui mōtini**

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

- (a) Is disrespectful or which contains offensive language or statements made with malice; or
- (b) Is not related to the role or functions of the local authority or meeting concerned; or
- (c) Contains an ambiguity or a statement of fact or opinion which cannot properly form part of an effective resolution, and where the mover has declined to comply with such requirements as the chief executive 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; or
- (e) Fails to include sufficient information as to satisfy the decision-making provisions of the LGA 2002, ss 77-82. If the mover of the notice of motion is unable to provide this information, or the decision is likely to be deemed a significant decision, the notice of motion should provide that the proposal is referred to the chief executive for consideration and report; or
- (f) Concerns a matter where decision-making authority has been delegated to a subordinate body or a local or community board.

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

### **27.3. Mover of notice of motion/Te kaimōtini o te pānui mōtini**

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

### **27.4. Alteration of notice of motion/Te whakarerekē i te pānui mōtini**

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

### **27.5. When notices of motion lapse/Ka tārewa te pānui mōtini**

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

### **27.6. Referral of notices of motion/Te tuku i ngā pānui mōtini**

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

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

### **27.7. Repeat notices of motion/Ngā pānui mōtini tārua**

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

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

## **28. Minutes/Ngā meneti**

### **28.1. Minutes to be evidence of proceedings/Ka noho ngā meneti hei taunakitanga mō te hui**

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

*LGA 2002, sch 7, cl 28.*

### **28.2. Matters recorded in minutes/Ngā take ka tuhi ki ngā meneti**

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

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

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

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

**28.3. No discussion on minutes/Kāore e āhei te whakawhiti  
kōrero mō ngā meneti**

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

**28.4. Minutes of last meeting before election/Ngā meneti o te  
hui whakamutunga i mua i te pōtitanga**

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

## **29. Keeping a record/Te whakarite mauhanga**

### **29.1. Maintaining accurate records/Te whakarite i ngā mauhanga tika**

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

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

*Public Records Act 2002, s 17.*

### **29.2. Method for maintaining records/Te tikanga mō te tiaki i ngā mauhanga**

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

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

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

### **29.3. Inspection/Te tiroiro**

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

*LGOIMA, s 51.*

### **29.4. Inspection of public excluded matters/Te tiroiro i ngā take aukati marea**

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

## Referenced documents/Ngā tohutoro tuhinga

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

## Appendix 1: Grounds to exclude the public/Āpitihangā 1: Ngā take e aukatihia ai te marea

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

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



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

*LGOIMA, s 7.*

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

- 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;
    - ii. The Council is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
    - iii. Proceedings of a local authority exist in relation to any application or objection under the Marine Farming Act 1971.

*LGOIMA, s 48.*

## Appendix 2: Sample resolution to exclude the public/Āpitianga 2: He tauira mō te tatūnga ki te aukati i te marea

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

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

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

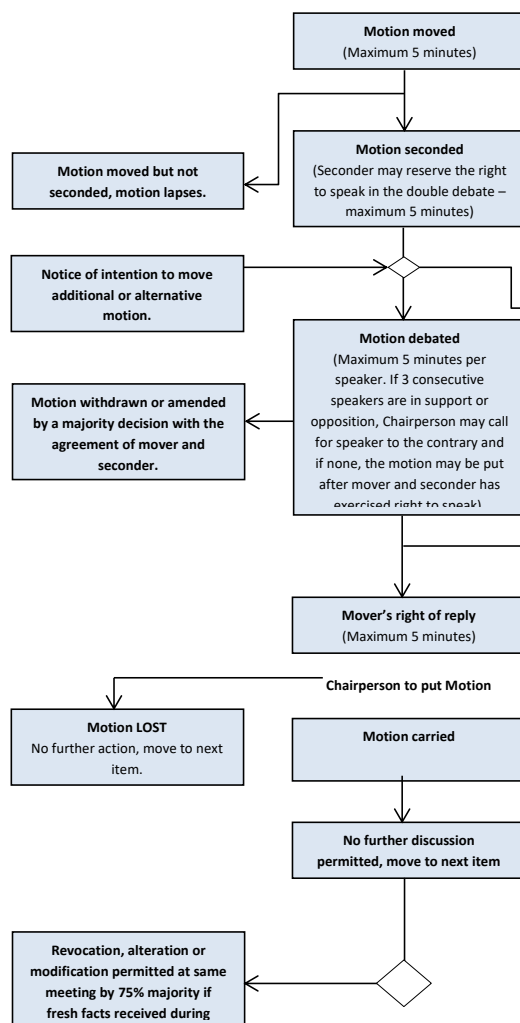
Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To prevent the disclosure of information which would— <ul style="list-style-type: none"> <li>i. be contrary to the provisions of a specified enactment; or</li> <li>ii. constitute contempt of court or of the House of Representatives (s.48(1)(b)).</li> </ul>
		To consider a recommendation made by an Ombudsman (s. 48(1)(c)).
		To deliberate on matters relating to proceedings where: <ul style="list-style-type: none"> <li>i. a right of appeal lies to a court or tribunal against the final decision of the councils in those proceedings; or</li> <li>ii. the council is required, by an enactment, to make a recommendation in respect of the matter that is the subject of those proceedings (s.48(1)(d)).</li> </ul>
		To deliberate on proceedings in relation to an application or objection under the Marine Farming Act 1971 (s.48(1)(d)).
		To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) (s 7(2)(i)).
		To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
		To maintain legal professional privilege (s 7(2)(g)).
		To prevent the disclosure or use of official information for improper gain or advantage (s. 7(2)(j)).

Meeting Item No. and subject	Reason for excluding the public	Grounds for excluding the public
		To protect information which if public would; i. disclose a trade secret; or ii. unreasonably prejudice the commercial position of the person who supplied or who is the subject of the information (s 7(2)(b)).
		To avoid serious offence to Tikanga Māori, or the disclosure of the location of waahi tapu in relation to an application under the RMA 1991 for; <ul style="list-style-type: none"> <li>• a resource consent, or</li> <li>• a water conservation order, or</li> <li>• a requirement for a designation or</li> <li>• an heritage order,</li> </ul> (s 7(2)(ba)).
		To protect information which is subject to an obligation of confidence where the making available of the information would be likely to: i. prejudice the supply of similar information, or information from the same source, where it is in the public interest that such information should continue to be supplied; or ii. would be likely otherwise to damage the public interest (s 7(2)(c)).
		To avoid prejudice to measures protecting the health or safety of members of the public (s 7(2)(d)).
		To avoid prejudice to measures that prevent or mitigate material loss to members of the public (s 7(2)(e)).
		To maintain the effective conduct of public affairs by protecting members or employees of the Council in the course of their duty, from improper pressure or harassment (s 7(2)(f)(ii)).
		To enable the council to carry out, without prejudice or disadvantage, commercial activities (s 7(2)(h)).

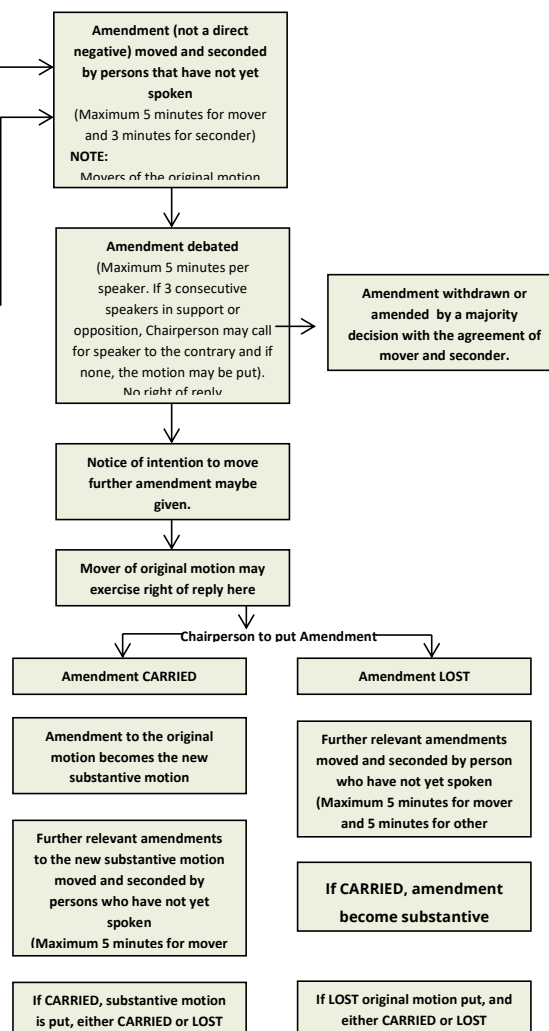
2. That *(name of person(s))* is permitted to remain at this meeting after the public has been excluded because of their knowledge of *(specify topic under discussion)*. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because *(specify)*.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

## Appendix 3: Motions and amendments (Option A)/ Āpitihangā 3: Ngā mōtini me ngā whakahoutanga (Kōwhiringa A)

### Motions without amendments

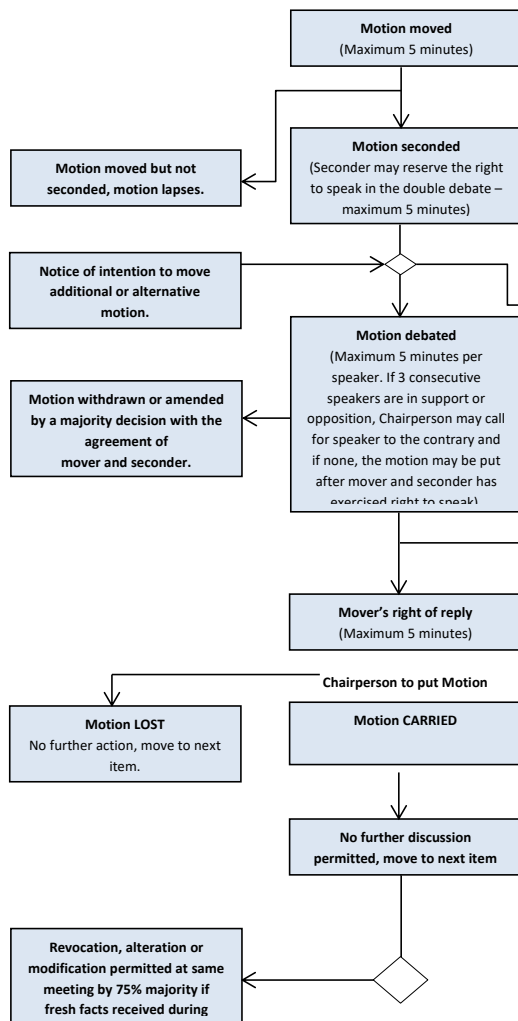


### Motions with amendments

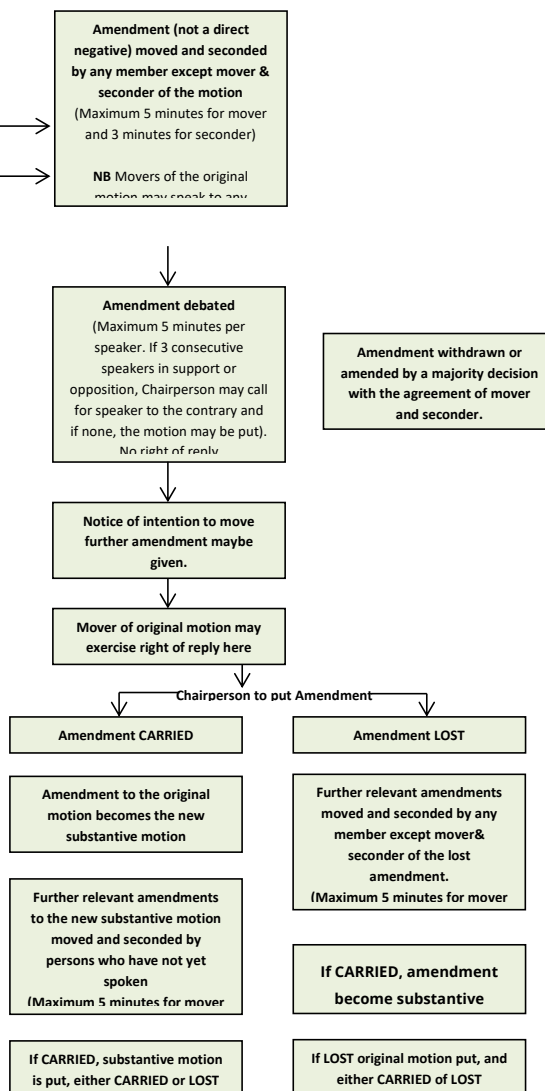


## Appendix 4: Motions and amendments (Option B)/Āpiti hanga 4: Ngā mōtini me ngā whakahoutanga (Kōwhiringa B)

### Motions without amendments



### Motions with amendments



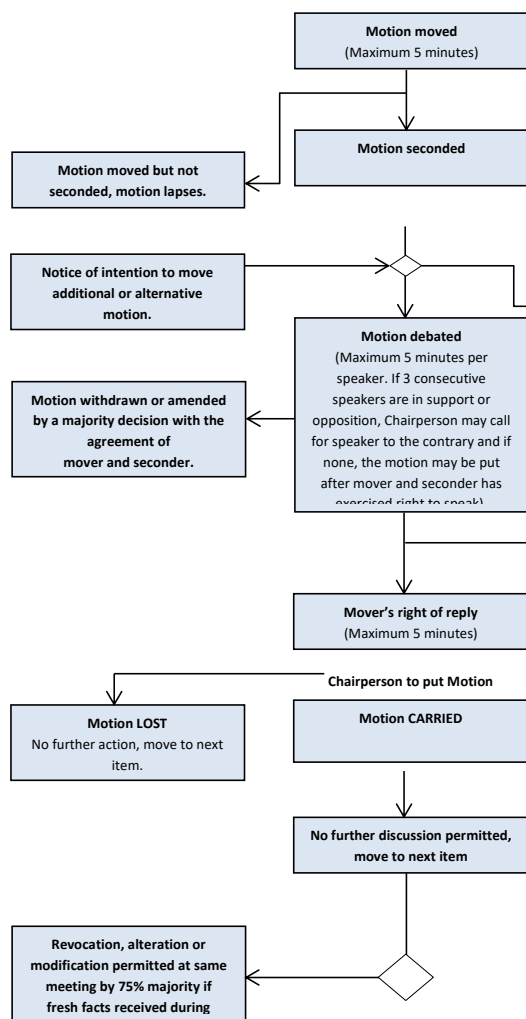
71

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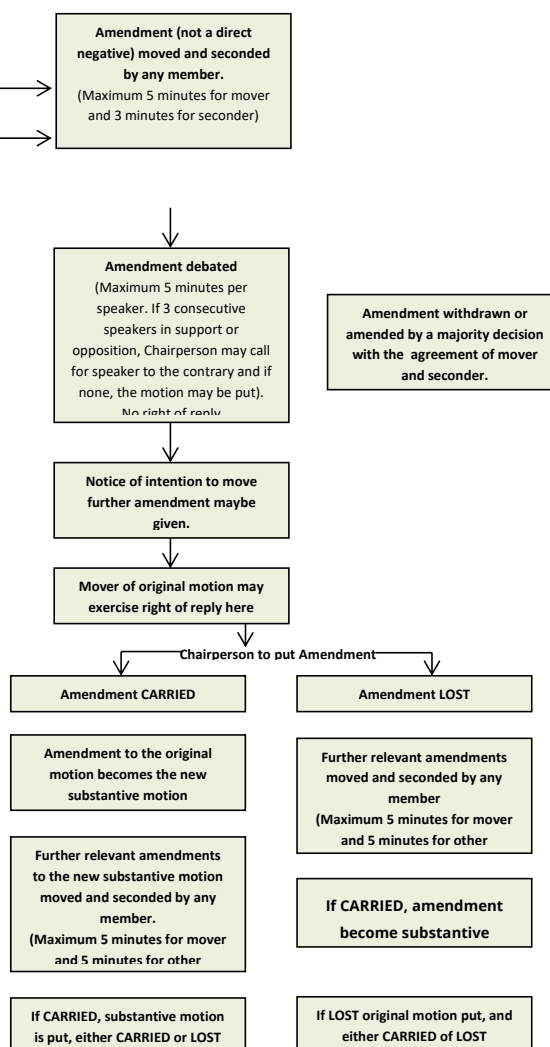
Amended 4 September 2024

## Appendix 5: Motions and amendments (Option C)/Āpiti hanga 5: Ngā mōtini me ngā whakahoutanga (Kōwhiringa C)

### Motions without amendments



### Motions with amendments



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## Appendix 6: Table of procedural motions/Āpitianga 6: Tūtohi mō ngā mōtini whakahaere

Motion	Has the Chair discretion to refuse this Motion?	Is second 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 second 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 local authority or to the relevant committee"	No	Yes	No	As to committee, time for reporting back etc only	No	No	No	Yes – 15 minutes	If carried, the original motion and all amendments are referred to the committee	If carried, the procedural motion is deemed disposed of	
(f) "Points of order"	No – but may rule against	No	Yes – at discretion of chairperson	No	No	Yes	Yes	No	Point of order takes precedence	Point of order takes precedence	See standing order 3.14

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## **Appendix 7: Webcasting protocols/Āpitihanga 7: Ngā tikanga mō te pāhotanga mataora**

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 8: Powers of a Chairperson/Āpitihanga 8: Ngā Mana Whakahaere a te Ūpoko**

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 (SO. 26.5)**

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

### **Items not on the agenda (SO.9.12)**

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

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

### **Chairperson's report (SO.9.6)**

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

### **Chairperson's recommendation (SO.9.5)**

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

### **Chairperson's voting (SO.19.3)**

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

### **Motion in writing (SO.23.2)**

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

**Motion in parts (SO.23.3)**

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

**Notice of motion (SO.27.2)**

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

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

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

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

**Action on previous resolutions (SO.**

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 (SO.27.7)**

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 local authority, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the local authority, including vacancies.

**Revocation or alteration of previous resolution**

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

**Chairperson may call a meeting**

The chairperson:

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

**Irrelevant matter and needless repetition (SO.21.8)**

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

**Taking down words (SO.21.11)**

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

**Explanations**

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

**Chairperson rising (SO.14.5)**

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 (SO.14.6)**

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

**Priority of speakers (SO.14.7)**

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

**Minutes (SO.28.1)**

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

**Questions of speakers (SO.16.3)**

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

**Withdrawal of offensive or malicious expressions (SO.20.3)**

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

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

**Chairperson's rulings (SO.14.4)**

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 (SO.20.4)**

The chairperson may:

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

**Failure to leave meeting (SO.20.6)**

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

**Audio or audio visual attendance (SO.13.10)**

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

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

- iv. The requirements in these Standing Orders are met.

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



## **Appendix 9: Process for removing a chairperson or deputy Mayor from office/Āpitianga 9: Te pūnaha mō te whakakore i te tūranga a te ūpoko, te Koromatua tuarua rānei**

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

*LGA 2002, sch 7, cl 18.*

## **Appendix 10: Sample order of business/Āpitihanga 10: He tauira mō te whakaraupapatanga o ngā take**

### **Open section**

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

### **Public excluded section**

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

## **Appendix 11: Process for raising matters for a decision/Āpitihangā 11: Te pūnaha mō te whakatakoto take hei whakatau**

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

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

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

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

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



File No.: 25/646

## 8.4 Adoption of Code of Conduct

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy   Kaitohutohu Mātāmua - Manapori</b>
Approved by	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. The purpose of this report is for Council to consider the re-adoption of the Horowhenua District Council Code of Conduct.

**This matter does not relate to a current Council priority.**

### EXECUTIVE SUMMARY | TE WHAKARĀPOPOTOTANGA MATUA

2. Council is required under Clause 15 of Schedule 7 of the Local Government Act 2002 to adopt a Code of Conduct for its members as soon as practical after the commencement of this Act.
3. The Code of Conduct presented today is the same Code that was in effect for the last triennium. That Code was based on the updated LGNZ template in 2022
4. The Local Government (System Improvements) Amendment Bill is progressing through Parliament and proposes to introduce mandatory national model Code of Conduct, which are expected to replace the current Code of Conduct once enacted. For this reason, no redrafting is proposed at this time.
5. Legal advice has confirmed that, Council should not invest in substantive amendments prior to enactment of the Bill, and Council should continue using existing Code mechanisms in the interim, rather than drafting new provisions that may soon be superseded.
6. Adoption (and any future amendment) of Code of Conduct requires a vote of not less than 75% of members present.

### DELEGATION OR AUTHORITY TO ACT | TE MANA WHAKATAU I NGĀ KAWENGA

7. Council is required under Clause 15 of Schedule 7 of the Local Government Act 2002 to adopt a Code of Conduct.
8. While councils may currently amend the Code of Conduct, it is not recommended. Legislative reform is underway that is expected to introduce standardised mandatory national Code of Conduct, significantly reducing local discretion over structure, content, and procedural settings once enacted.
9. The Bill's progress is being actively monitored. As at the time of writing, the bill has completed its Select Committee process and is awaiting its Second Reading in the House, after which further stages will follow. Final enactment timing has not yet been confirmed but is expected within the 2025/26 Parliamentary sitting calendar.

### SIGNIFICANCE ASSESSMENT | HE AROMATAWAI MATUA

10. This matter does not meet the threshold for significance under the Significance and Engagement Policy.
11. This is a legislative requirement.

## **RECOMMENDATION | NGĀ TAUNAKITANGA**

- A. That Council adopt the Horowhenua District Council Code of Conduct.

## **BACKGROUND | HE KŌRERO TŪĀPAPA**

12. Clause 15 of Schedule 7 of the Local Government Act 2002 requires a local authority to adopt a Code of Conduct for its members "as soon as practicable after the commencement of this Act".
13. The Code of Conduct may not be revoked without replacement.
14. Any amendment to, or a replacement of, the Code of Conduct requires a vote in support by 75% of the members present.
15. There is no statutory requirement for review or confirmation following an election, but given changes in the membership of Council, and changes to the Local Government Act 2002 and various amendments, it is considered timely to consider adopting a version more aligned to current best practice.
16. The key elements of the Code of Conduct are details of understanding and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in the capacity as members, including behaviour towards one another, staff and their public, and disclosure of information, including the provision of any document to elected members, and a general explanation of the Local Government Official Information & Meetings Act and any other enactment or rule of law applicable to members.
17. A copy of the Code of Conduct 2025-2028 is attached as Attachment A.

## **DISCUSSION | HE MATAPAKINGA**

18. The Code of Conduct 2025-2028 attached (the Code) sets out the standards of behavior expected from elected members in the exercise of their duties. It is modelled on the 2022 Code of Conduct Template was developed by LGNZ. Its purpose is to:
  - enhance the effectiveness of the local authority and the provision of good local government of the community, city, district or region;
  - promote effective decision-making and community engagement;
  - enhance the credibility and accountability of the local authority to its communities; and
  - develop a culture of mutual trust, respect and tolerance between the members of the local authority and between the members and management.
19. The above purpose is given effect through the values, roles, responsibilities and specific behaviours documented in Code.
20. The Code is designed to deal with the behavior of members towards:
  - each other;
  - the chief executive and staff;
  - the media; and
  - the general public.
21. The Code is also concerned with the disclosure of information that members receive in their capacity as elected members and information which impacts on the ability of the local authority to give effect to its statutory responsibilities.
22. As above the Code can only be amended by a vote of at least 75 per cent of members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the Council's Standing Orders.

23. During the elected member induction period for the 2025–2028 triennium, Council asked officers to explore potential options to strengthen the management of meeting attendance expectations, either through:
  - including attendance expectations or compliance mechanisms in Standing Orders, or
  - alternatively, addressing attendance matters through the Code of Conduct framework.
24. This request was forward-looking in nature, intended to support good governance and public confidence in elected member participation.
25. Officers sought legal advice on this request. Legal confirmed that it is not a prudent or worthwhile investment to make substantive local amendments at this time, due to the impending System Improvements Bill, which is likely to replace or materially displace local Code of Conduct provisions once enacted.
26. Legal advised that Council should instead continue applying existing mechanisms within current Standing Orders and the Code of Conduct to set expectations in the interim, rather than re-drafting new attendance rules that may soon be superseded.
27. Therefore, there are no changes to the Code of Conduct from the 2022-2025 Triennium.
28. It is important to note that Part 7 of the Local Government Official Information and Meetings Act applies to all meetings of the Council and Community Boards, as well as to committees and sub-committees of those bodies. For that reason, it is considered appropriate that once approved by Council the Code be referred to the Te Awahou Foxton Community Board for consideration and adoption.

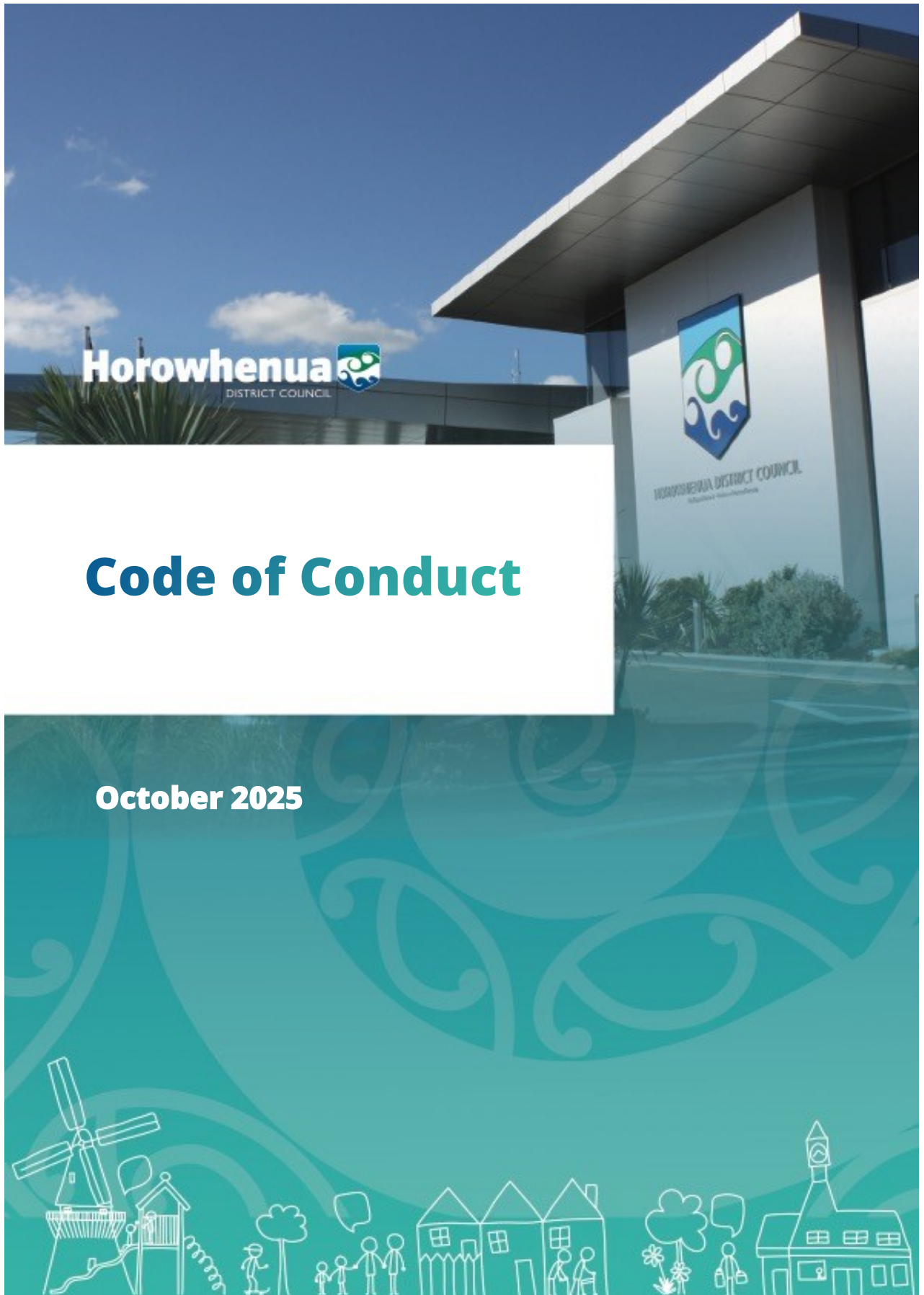
**Confirmation of statutory compliance**

In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

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

**ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO**

No.	Title	Page
<a href="#">A</a>	Code of Conduct	142





**Version Control**

Version	Changes	Date
0.1	Document drafted	03/11/2022
1.0	Adopted by Council, resolution of Council added	16/11/2022
1.1	Carried forward to 2025-2028 triennium in line with the Local Government (Systems Improvement) Bill expected to become law imminently	24/10/2025

## Resolution of Council on 16 November 2022 Adopting Code of Conduct

### 6.2 Adoption of Code of Conduct

#### Resolution Number CO/2022/1

MOVED by Mayor Wanden, seconded Cr Young:

That Report 22/582 Adoption of Code of Conduct be received.

That this matter or decision is recognised as not significant in terms of S76 of the Local Government Act.

**CARRIED**

#### Resolution Number CO/2022/2

MOVED by Cr Brannigan, seconded Cr Olsen:

That Council adopts the Code of Conduct 2022-2025

**.CARRIED**

#### Resolution Number CO/2022/3

MOVED by Mayor Wanden, seconded Cr Tukapua:

That Council recommend the Code of Conduct 2022-2025 to Te Awahou Foxton Community for adoption

**.CARRIED**

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## 1.Introduction

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

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

This purpose is given effect through the values, roles, responsibilities and specific behaviours agreed in the code.

## 2. Scope

The Code has been adopted in accordance with clause 15(1) of Schedule 7 of the Local Government Act 2002 (LGA 2002) and applies to all members, including the members of any local boards as well as the members of any community boards that have agreed to adopt it. The Code is designed to deal with the behaviour of members towards:

- Each other;
- The Chief Executive and staff;
- The media; and
- The general public.

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

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

The Local Government (Systems Improvement) Bill, expected to become law in late November 2025 requires all councils to maintain their extant Code's of Conduct until such time as the Secretary for Local Government issues the updated Code.

### 3. Values

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

1. **Public interest:** members will serve the best interests of the people within their community, district or region and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council, will work together constructively in an accountable and transparent manner;
3. **Ethical behaviour:** members will act with honesty and integrity at all times and respect the impartiality and integrity of officials;
4. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability.
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by the Code of Conduct and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which the Council operates, including a regular review and assessment of the Council's collective performance.<sup>1</sup>

These values complement, and work in conjunction with, the principles of s14 of the LGA 2002 and the governance principles of s39 of the LGA 2002.

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<sup>1</sup> See Code of Conduct Guide for examples.

## 4. Role and responsibilities

The Code of Conduct is designed to strengthen the good governance of your city, district or region. Good governance requires that the complementary roles of the governing body and the administration are understood and respected. These roles involve:

### 4.1. Members

The role of the governing body includes:

- Representing the interests of the people of the city, district or region;
- Developing and adopting plans, policies and budgets;
- Monitoring the performance of the Council against stated goals and objectives set out in its long term plan;
- Providing prudent stewardship of the Council's resources;
- Employing and monitoring the performance of the Chief Executive; and
- Ensuring the Council fulfils its responsibilities to be a 'good employer' and meets the requirements of the Health and Safety at Work Act 2015.

### 4.2. Chief Executive

The role of the Chief Executive includes:

- Implementing the decisions of the Council;
- Ensuring that all responsibilities delegated to the Chief Executive are properly performed or exercised;
- Ensuring the effective and efficient management of the activities of the local authority;
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;
- Providing leadership for the staff of the Council; and
- Employing, on behalf of the Council, the staff of the local authority, (including negotiation of the terms of employment for those staff).

The Chief Executive is the only person *directly* employed by the Council itself (s.42 LGA 2002). All concerns about the performance of an individual member of staff must, in the first instance, be referred to the Chief Executive.



## 5. Relationships

This section of the Code sets out agreed standards of behaviour between members; members and staff; and members and the public. Any failure by a member to comply with the provisions of this section can represent a breach of the Code.

### 5.1 Relationships between members

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

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

Please note, nothing in this section of the Code is intended to limit robust debate.

### 5.2 Relationships with staff

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

- Raise any concerns about employees, officers or contracted officials with the Chief Executive;
- Raise any concerns about the performance or behaviour of the Chief Executive with the Mayor/Chair or the chairperson of the Chief Executive Performance Review Committee (however described);
- Make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe these requirements at all times, such as the duty to be a good employer;
- Treat all employees with courtesy and respect and not publicly criticise any employee; and
- Observe any protocols put in place by the Chief Executive concerning contact between members and employees.

Please note, elected members should be aware that failure to observe this portion of the Code may compromise the Council's obligations to be a good employer and consequently expose the Council to civil litigation or affect the risk assessment of Council's management and governance control processes undertaken as part of the Council's annual audit.

### **5.3 Relationship with the public**

Given the vital role that democratic local government plays in our communities it is important that Councils have the respect and trust of their citizens. To facilitate trust and respect in their Council members will:

- Ensure their interactions with citizens are fair, honest and respectful;
- Be available to listen and respond openly and honestly to citizens' concerns;
- Represent the views of citizens and organisations accurately, regardless of the member's own opinions of the matters raised; and
- Ensure their interactions with citizens and communities uphold the reputation of the local authority.

## 6. Media and social media

The media play an important role in the operation and efficacy of our local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of Council. Any failure by member to comply with the provisions of this section can represent a breach of the Code.

1. In dealing with the media elected members must clarify whether they are communicating a view endorsed by their Council, committee or community board, or are expressing a personal view.
2. Members are free to express a personal view to the media or social media at any time, provided the following rules are observed:
  - Comments shall be consistent with the Code;
  - Comments must not purposefully misrepresent the views of the Council or the views of other members;
  - Social media pages controlled by members and used for making observations relevant to their role as an elected members should be open and transparent, except where abusive or inflammatory content is being posted; and
  - Social media posts about other members, council staff or the public must be consistent with section five of this Code. (See Appendix A for guidelines on the personal use of social media).

## 7. Information

Access to information is critical to the trust in which a local authority is held and its overall performance. A failure to comply with the provisions below can represent a breach of the Code.

### 1. Confidential information

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

### 2. Information received in capacity as an elected member

Occasionally members will receive information from external parties which is pertinent to the ability of their Council to properly perform its statutory duties. Where this occurs, and the information does not contravene the privacy of natural persons, the member will disclose such information to other members and/or the chief executive as soon as practicable.

## 8. Conflicts of Interest

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Members therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the member's spouse/partner has a pecuniary interest, such as through a contract with the Council. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive *immediately*. Members may also contact the Office of the Auditor-General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

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

## 9. Register of Interests

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

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

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

## 10. Ethical behaviour

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

- Claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;
- Not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or families, personal or business interests;
- Only use the Council's resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and
- Not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the Chief Executive if any such gifts are accepted. Where a gift to the value of \$50 or more is accepted by a member, that member must immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

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

## 11. Creating a supportive and inclusive environment

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

- Attending post-election induction programmes organised by the Council for the purpose of facilitating agreement on the Council's vision, goals and objectives and the manner and operating style by which members will work.
- Taking part in any assessment or evaluation of the Council's performance and operating style during the triennium.<sup>2</sup>
- Taking all reasonable steps to acquire the required skills and knowledge to effectively fulfill their Declaration of Office (the Oath) and contribute to the good governance of the city, district or region.

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<sup>2</sup> A self-assessment template is provided in the Guidance to the code.



## 12. Breaches of the Code

Members must comply with the provisions of the code (LGA 2002, schedule 7, cl. 15(4)). Any member, or the Chief Executive, who believes that the Code has been breached by the behaviour of a member may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

### 12.1 Principles

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

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

### 12.2 Complaints

All complaints made under the code must be made in writing and forwarded to the Chief Executive. On receipt of a complaint the Chief Executive must forward the complaint to the Mayor/Chair or, where the Mayor/Chair is a party to the complaint, an independent investigator, drawn from a pool of names or agency agreed in advance.

Please note, only members and the Chief Executive may make a complaint under the code.

#### Complaint referred to Mayor/Chair

On receipt of a complaint made under the provisions of the Council's Code of Conduct the Mayor/Chair will, as the situation allows:

- Interview the complainant to assess the full extent of the complaint.
- Interview the member(s) subject to the complaint.
- Assess the complaint to determine materiality.

- Where a complaint is assessed by the Mayor/Chair to be trivial, frivolous or minor, either dismiss the complaint, require an apology or other course of action, or assist the relevant parties to find a mutually agreeable solution.
- Where a complaint is found to be material, or no mutually agreed solution can be reached, the Mayor/Chair will refer the complaint back to the Chief Executive who will forward it, along with any recommendations made by the Mayor/Chair, to the Council or an adjudicative body established by the Council to assess and rule on complaints made under the Code.<sup>3</sup>

If the Mayor/Chair chooses they may, instead of undertaking an initial assessment, immediately refer the complaint to the independent investigator, via the Chief Executive.

### **Complaint referred to Independent Investigator**

On receipt of a complaint from a member which concerns the Mayor/Chair, or from the Mayor/Chair after initial consideration, the Chief Executive will forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to be referred, with recommendations if necessary, to the Council or an adjudicative body for assessing and ruling on complaints.<sup>4</sup> The process, following receipt of a complaint, will follow the steps outlined in **Appendix C**.

## **12.3 Materiality**

An alleged breach under the Code is material if, in the opinion of the Mayor/Chair or independent investigator, it would bring the Council into disrepute or, if not addressed, adversely affect the reputation of a member.

An alleged breach under this Code is non-material if, in the opinion of the Mayor/Chair or independent investigator, any adverse effects are minor and no investigation or referral is warranted.

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<sup>3</sup> Advice on establishing adjudication bodies can be found in the Guide to the Code of Conduct.

<sup>4</sup> On behalf of the Council the Chief Executive will, shortly after the start of a triennium, prepare, in consultation with the Mayor or Chairperson, a list of investigators for this purpose of undertaking a preliminary assessment. The Chief Executive may prepare a list specifically for his or her council, prepare a list jointly with neighbouring councils or contract with an agency capable of providing appropriate investigators, such as Equip.

## 13. Penalties and actions

Where a complaint is determined to be material and referred to the Council or an adjudicative body established to consider complaints, the nature of any penalty or action will depend on the seriousness of the breach.

### 13.1 Material breaches

In the case of material breaches of the Code, the Council, or the adjudicative body with delegated authority, may require one of the following:

1. A letter of censure to the member;
2. A request (made either privately or publicly) for an apology;
3. Removal of certain Council-funded privileges (such as attendance at conferences);
4. Removal of responsibilities, such as committee chair, deputy committee chair or portfolio holder;
5. Restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);
6. Limitation on any dealings with Council staff other than the Chief Executive or identified senior manager;
7. A vote of no confidence in the member;
8. Suspension from committees or other bodies to which the member has been appointed; or
9. Invitation to the member to consider resigning from the Council.

A Council or adjudicative body with delegated authority may decide that instead of a penalty, one or more of the following may be required:

- Attend a relevant training course; and/or
- Work with a mentor for a period of time; and/or
- Participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
- Tender an apology.

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

### **13.2 Statutory breaches**

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

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

## 14. Review

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

Councils are encouraged to formally review their existing Code and either amend or re-adopt it as soon as practicable after the beginning of each triennium in order to ensure that all members have the opportunity to provide their views on the Code's provisions.

## Appendix A: Guidelines on the personal use of social media

There's a big difference in speaking "on behalf of Council" and speaking "about" the Council. While your rights to free speech are respected, please remember that citizens and colleagues have access to what you post. The following principles are designed to help you when engaging in **personal or unofficial online** communications that may also refer to your Council.

1. **Adhere to the Code of Conduct and other applicable policies.** Council policies and legislation, such as LGOIMA and the Privacy Act 1993, apply in any public setting where you may be making reference to the Council or its activities, including the disclosure of any information online.
2. **You are responsible for your actions.** Anything you post that can potentially damage the Council's image will ultimately be your responsibility. You are encouraged to participate in the social media but in so doing you must exercise sound judgment and common sense.
3. **Be an "advocate" for compliments and criticism.** Even if you are not an official online spokesperson for the Council, you are one of its most important advocates for monitoring the social media landscape. If you come across positive or negative remarks about the Council or its activities online that you believe are important you are encouraged to share them with the governing body.
4. **Let the subject matter experts respond to negative posts.** Should you come across negative or critical posts about the Council or its activities you should consider referring the posts to the Council's authorised spokesperson, unless that is a role you hold, in which case consider liaising with your communications staff before responding.
5. **Take care mixing your political (Council) and personal lives.** Elected members need to take extra care when participating in social media. The public may find it difficult to separate personal and Council personas. Commenting online in any forum, particularly if your opinion is at odds with what Council is doing, can bring you into conflict with the Code should it not be clear that they are your personal views.
6. **Never post sensitive and confidential information** provided by the Council, such as confidential items, public excluded reports and/or commercially sensitive information. Such disclosure will contravene the requirements of the Code.
7. **Elected Members' social media pages should be open and transparent.** When commenting on matters related to the local authority no members

should represent themselves falsely via aliases or differing account names or block. Neither should they block any post on any form of social media that they have control over unless there is clear evidence that the posts are actively abusive. Blocking constructive debate or feedback can be seen as bringing the whole Council into disrepute.

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

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

### The Local Authorities (Members' Interests) Act 1968

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

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

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

- A person, or spouse/partner, is "concerned or interested" in the contract or where they have a pecuniary interest in the decision; or
- A person, or their spouse/partner, is involved in a company that is "concerned or interested" in the contract or where the company has a pecuniary interest in the decision.

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

### Determining whether a pecuniary interest exists

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

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

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



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

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

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

### **The contracting rule**

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

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

### **Non-pecuniary conflicts of interest**

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

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

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

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

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

In determining whether or not they might be perceived as biased, members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing that platform, then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in quasi-judicial settings, such as an RMA hearing).

#### **Local Government Official Information and Meetings Act 1987**

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

- Create a disturbance or a distraction while another Councillor is speaking;
- Be disrespectful when they refer to each other or other people; or
- Use offensive language about the Council, other members, any employee of the Council or any member of the public.

See Standing Orders for more detail.

#### **Secret Commissions Act 1910**

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

If convicted of any offence under this Act a person can be imprisoned for up to two years, and/or fines up to \$1000. A conviction would therefore trigger the ouster provisions of the LGA 2002 and result in the removal of the member from office.

### **Crimes Act 1961**

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

- Accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council; and
- Use information gained in the course of their duties for their, or another person's, monetary gain or advantage.

Elected members convicted of these offences will automatically cease to be members.

### **Financial Markets Conduct Act 2013**

Financial Markets Conduct Act 2013 (previously the Securities Act 1978) essentially places elected members in the same position as company directors whenever Council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

### **The Local Government Act 2002**

The Local Government Act 2002 (LGA 2002) sets out the general powers of local government, its purpose and operating principles, and details the personal liability of members.

Although having qualified privilege, elected members can be held personally accountable for losses incurred by a local authority where, following a report from the Auditor General under s44 LGA 2002, it is found that one of the following applies:

- a) Money belonging to, or administered by, a local authority has been unlawfully expended; or
- b) An asset has been unlawfully sold or otherwise disposed of by the local authority; or
- c) A liability has been unlawfully incurred by the local authority; or
- d) A local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.

Members will not be personally liable where they can prove that the act or failure to act resulting in the loss occurred as a result of one of the following:

- a) Without the member's knowledge;
- b) With the member's knowledge but against the member's protest made at or before the time when the loss occurred;
- c) Contrary to the manner in which the member voted on the issue; and

- d) In circumstances where, although being a party to the act or failure to act, the member acted in good faith and relied on reports, statements, financial data, or other information from professional or expert advisers, namely staff or external experts on the matters.

In certain situation members will also be responsible for paying the costs of proceedings (s47 LGA 2002).

## Appendix C: Process where a complaint is referred to an independent investigator

*The following process is a guide only and Councils are encouraged to adapt this to their own specific circumstances.*

### Step 1: Chief Executive receives complaint

On receipt of a complaint under the Code, whether from a member (because the complaint involves the Mayor/Chair) or from the Mayor/Chair after an initial assessment, the Chief Executive will refer the complaint to an investigator selected from a list agreed at the start of the triennium. The Chief Executive will also:

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

### Step 2: Investigator makes preliminary assessment

On receipt of a complaint the investigator will assess whether:

1. The complaint is trivial or frivolous and should be dismissed;
2. The complaint is outside the scope of the Code and should be re-directed to another agency or institutional process;
3. The complaint is minor or non-material; or
4. The complaint is material and a full assessment is required.

In making the assessment the investigator may make whatever initial inquiry is necessary to determine their recommendations, including interviewing relevant parties, which are then forwarded to the Council's Chief Executive. On receiving the investigator's preliminary assessment the Chief Executive will:

1. Where an investigator determines that a complaint is trivial or frivolous, inform the complainant, respondent and other members (if there are no grounds for confidentiality) of the investigator's decision.
2. In cases where the investigator finds that the complaint involves a potential legislative breach and outside the scope of the Code, forward the complaint

to the relevant agency and inform the Chief Executive who will then inform the complainant, the respondent and members.

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

If the subject of a complaint is found to be non-material, but more than trivial or frivolous, the investigator will inform the chief executive and, if they choose, recommend a course of action appropriate to the breach, such as:

- That the respondent is referred to the Mayor/Chair for guidance; and/or
- That the respondent attend appropriate courses or programmes to increase their knowledge and understanding of the matters resulting in the complaint.

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

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

If the subject of a complaint is found to be material, the investigator will inform the Chief Executive, who will inform the complainant and respondent. The investigator will then prepare a report for the Council on the seriousness of the breach. In preparing that report, the investigator may:

- Consult with the complainant, respondent and any directly affected parties; and/or
- Undertake a hearing with relevant parties; and/or
- Refer to any relevant documents or information.

On receipt of the investigator's report, the Chief Executive will prepare a report for the relevant Council body charged with assessing and ruling on material complaints, which will meet to consider the findings and determine whether or not a penalty, or some other form of action, will be imposed. The Chief Executive's report will include the investigator's full report.

**Step 5: Process for considering the investigator's report**

The investigator's report will be considered by the Council or adjudicative body established for considering reports on Code of Conduct complaints, or any other body that the Council may resolve, noting that the process will meet the principles set out in section 12.1 of the Code.



The Council, or adjudicative body, will consider the Chief Executive's report in open meeting, except where the alleged breach concerns matters that justify, in accordance with LGOIMA, the exclusion of the public. Before making any decision on a specific complaint, the relevant body will give the respondent an opportunity to appear and speak in their own defense. Members with an interest in the proceedings, including the complainant and the respondent, should not take part in these proceedings in a decision-making capacity.

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

The report, including recommendations from the adjudicative body, should that body have no formal delegations, will be heard and accepted by the Council in open session, unless grounds for excluding the public exist, without debate.



File No.: 25/651

## 8.5 Confirmation of Elected Member Remuneration

Author(s)	Grayson Rowse <b>Principal Advisor - Democracy   Kaitohutohu Mātāmua - Manapori</b>
Approved by	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. This report seeks Council approval to submit to the Remuneration Authority, the proposed remuneration rates, as per the 2025/26 Determination.

### EXECUTIVE SUMMARY | TE WHAKARĀPOPOTOTANGA MATUA

2. At the beginning of each triennium, the Remuneration Authority sets a governance remuneration pool and a minimum level of remuneration for Councillors.
3. Council is then required to allocate the remuneration pool amongst councillors, considering matters such as positions of responsibility that individual councillors may hold, including that of Deputy Mayor.
4. The remuneration pool must be fully allocated.
5. Once allocated, the proposal is returned to the Remuneration Authority for their final determination.

### DELEGATION OR AUTHORITY TO ACT | TE MANA WHAKATAU I NGĀ KAWENGA

6. Council is required under the Remuneration Authority Act 1977 and Local Government Members (2024/25) Determination 2024 to set allocate the pool amongst Elected Members.

### SIGNIFICANCE ASSESSMENT | HE AROMATAWAI MATUA

7. This matter does not reach the threshold to be considered significant under the Significance and Engagement Policy. No public consultation is required on this matter.

## **RECOMMENDATION | NGĀ TAUNAKITANGA**

- A. That Council notes the Remuneration Authority has allocated a governance remuneration pool of \$557,603 and that this pool must be allocated as remuneration to elected members in its entirety.
- B. That Council approves the following remuneration be submitted to the Remuneration Authority for a final determination:

<b>Position</b>	<b>No. of positions</b>	<b>Amount</b>
Deputy Mayor	1	\$66,288
Chairperson - Risk and Assurance Committee	1	\$56,540
Chairperson – Hearings and Regulatory Committee	1	\$52,641
Chairperson – Community Wellbeing Committee	1	\$52,641
Chairperson – Community Funding and Recognition Committee	1	\$48,742
Member – Chief Executive Performance & Employment Committee and Procurement Review Group	1	\$46,792
Councillor x6 positions at \$38,993 each	6	\$38,993
<b>TOTAL (rounded up)</b>		<b>\$557,603</b>

## **BACKGROUND | HE KŌRERO TŪĀPAPA**

8. The Remuneration Authority through the Local Government Members Determination sets remuneration for elected members in local government. The Determination covers all New Zealand councils, both territorial and regional, and their community and local boards, and is specific to each Council.
9. Since the 2019 local government elections, a 'governance pool' has been allocated by the Remuneration Authority to each council and aligned with the ranking of the council on the size index.
10. The governance pool provides the total amount that must be allocated in remuneration to Councillors in each individual Council (aside from the Mayor, whose remuneration will be determined by the Authority).

## **DISCUSSION | HE MATAPAKINGA**

11. The Horowhenua District Council Determination for the year 2025/26, which applies from 1 July 2025 to 30 June 2026. The determination can be accessed here: [Local Government Elected Members \(2025/26\) Determination 2025 \(SL 2025/140\) \(as at 01 September 2025\) – New Zealand Legislation](#)
12. This determination included the remuneration rates applicable after the 2025 local body elections.
13. The approach applied during Phase One and Phase Two aligns with the methodology prescribed by the Remuneration Authority. It reflects established and consistent practice at Horowhenua District Council, as well as standard sector-wide remuneration allocation processes used across local authorities throughout New Zealand.
14. The setting of remuneration following the election occurs in two phases.

### **Phase One - Remuneration following the 2025 local government elections**

15. The Remuneration Authority sets a remuneration pool for the Horowhenua District Council – this is \$557,603.

16. Effective from the day after official declaration of results, the Mayor and all Councillors will be paid the rates prescribed in the 2025 Determination for Horowhenua District Council:
- |   |           |
|---|-----------|
| Mayor                                       | \$157,896 |
| Councillor (Minimum allowable remuneration) | \$37,174  |
17. Effective from the day after official declaration of results, the Te Awahou Foxton Community Board Chair and members will be paid the rates prescribed in the 2022 Determination for Horowhenua District Council:
- |   |          |
|---|----------|
| Te Awahou Foxton Community Board, Chairperson | \$14,999 |
| Te Awahou Foxton Community Board, Member      | \$7,499  |

### **Phase Two - Implementing the Governance remuneration pool**

18. The Council determines how the remuneration pool will be distributed. The Council will make the decision regarding remuneration of positions of responsibility and will also need to decide on the base remuneration for Councillors with no position/s of responsibility.
19. The pool enables extra remuneration to be paid to Councillors who take on additional responsibilities, for example deputy mayors or committee chairs/deputy chairs. The pool cannot be used to pay allowances and is required to be fully distributed to elected members.
20. The Remuneration Authority has advised, through its Determination, that the annualised value of the pool to be allocated by Horowhenua District Council in the 2025/26 year is \$557,603. This excludes the Mayoral salary, which is fixed and sits outside the pool.
21. Councils are required to submit their decisions to the Remuneration Authority for approval. The Authority then issues a new Determination. The Authority advises that the decision on allocation of the governance pool must be received by them by 30 January 2026.
22. Regardless of the Determination date, all remuneration changes will be backdated to the effective date. Approved base remuneration rate for Councillors without positions of responsibility will be backdated to the day after the date on which the official election results were declared. Approved remuneration rates for the positions of responsibility will be backdated to the day after the council formally voted to confirm its recommendations.

### **Position Ratios**

23. In setting the allocation of the remuneration pool, consideration has been given the various positions of responsibility around the table. The Deputy Mayor a significantly higher workload than councillors generally because of the additional responsibilities. Similarly, the Chairs of committees have additional responsibilities because of their role. Some committees have a greater oversight and monitoring role and members of those committees receive an additional weighting because of the greater workload required of those committees.
24. The additional weighting, over and above a councillor's base rate for the positions of additional responsibility are:

Position	* Weighting
Deputy Mayor	+0.60
Chairperson of committee	+0.25
Member – Chief Executive Performance and Employment Committee	+0.10
Member – Procurement Review Group	+0.10

\* Weightings are applied cumulatively

25. The weightings are applied cumulatively. For example, if Councillor A was a chairperson of a committee and deputy mayor, their weighting would be +0.60, for Deputy Mayor, and +0.25, for chairperson, over and above the base councillor rate, or 1.85 the base councillor rate.
26. The proposed remunerations rates are set out below. The Remuneration Authority had set a minimum remuneration rate for Councillors of \$37,174; the reallocation of the pool results in a 4.89% increase on the base rate for Councillors, to a rate of \$38,993 per annum.

Position	Ratio to Councillor Base Remuneration	Councillor Base Rate	Total
Minimum Councillor Rate		\$37,174	
Councillor	1	\$38,993	\$38,993
Deputy Mayor	1.70	\$38,993	\$66,288
Chairperson - Risk and Assurance Committee	1.45	\$38,993	\$56,540
Chairperson – Hearings and Regulatory Committee	1.35	\$38,993	\$52,641
Chairperson – Community Wellbeing Committee	1.35	\$38,993	\$52,641
Chairperson – Community Funding and Recognition Committee	1.25	\$38,993	\$48,742
Member – Chief Executive Performance & Employment Committee and Procurement Review Group	1.20	\$38,993	\$46,792

27. The table above sets out the proposed remuneration rates for elected members, to be submitted to the Remuneration Authority for a final determination to be made.

### Options | Ngā Kōwhiringa

28. Council must use the full remuneration allocation and must not pay any one councillor less than the minimum set by the Remuneration Authority.
29. The table below set out approaches Council may take and the benefits and risks associated with those approaches. Officers recommend option 1.

Options   Ngā Kōwhiringa	Benefits   Ngā Whiwhinga	Risks   Ngā Mōrearea
<b>Option 1 (recommended)</b>  <b>See Recommendation B</b> <ul style="list-style-type: none"> <li>Council can adopt the proposed remuneration structure as outlined in point 25. Offices will then forward the proposed remuneration structure to the Remuneration Authority for their consideration. The Remuneration Authority</li> </ul>	<ul style="list-style-type: none"> <li>Enables timely submission to the Remuneration Authority, supporting gazettal in the next scheduled round.</li> <li>Allows remuneration adjustments and back-payments to occur as soon as legally permitted following gazettal.</li> <li>Aligns with standard process and statutory requirements, supporting</li> </ul>	<ul style="list-style-type: none"> <li>Limited risk, as this option follows the established and endorsed process.</li> <li>Remuneration changes cannot be applied until gazetted, meaning a short delay before adjustments and back-payments commence.</li> </ul>

will gazette by early March 2026. Adjustment and back payments can then be made.	efficiency and good governance.	
<b>Option 2 (not recommended)</b> <ul style="list-style-type: none"> <li>Councillors can make changes to the proposed remuneration structure today, and officers can forward the revised remuneration structure to the Remuneration Authority for determination and action.</li> </ul>	<ul style="list-style-type: none"> <li>Enables timely submission to the Remuneration Authority, supporting gazettal in the next scheduled round.</li> <li>Allows remuneration adjustments and back-payments to occur as soon as legally permitted following gazettal.</li> <li>Still allows submission before the Authority's 30 January 2026 cut-off, retaining eligibility for the next planned gazettal round.</li> </ul>	<ul style="list-style-type: none"> <li>Amendments made today will need to be checked for alignment against the Remuneration Authority requirements before adoption.</li> </ul>
<b>Option C (not recommended)</b> <ul style="list-style-type: none"> <li>Option 3: Reject the proposed remuneration structure and ask officer to come back with further proposals for consideration. Any further proposal that are considered and adopted will need to be considered and determined by the Remuneration Authority. The Authority have not set any further dates for gazetting any proposal received after 30 January 2026.</li> </ul>	<ul style="list-style-type: none"> <li>Allows council to explore alternative ratios if members feel the current proposal is not fit-for-purpose.</li> </ul>	<ul style="list-style-type: none"> <li>Creates uncertainty due to undefined gazettal timing beyond January 2026.</li> <li>Likely to delay remuneration adjustments and back-payments, potentially for an extended period.</li> <li>Submission after 30 January 2026 risks missing the Authority's next gazettal cycle with no dates currently set for later proposals.</li> </ul>

## FINANCIAL AND RESOURCING | TE TAHUA PŪTEA ME NGĀ RAUEMI

30. The remuneration is set by the Authority and has been budgeted for within current budgets.

## LEGAL AND RISK | TE TURE ME NGĀ MŌREAREATANGA

31. The Remuneration Authority reviews the proposed remuneration to ensure it meets all required standards before the final determination is gazetted.

## NEXT STEPS | HEI MAHI

32. If the proposed structure is adopted by Council today, officers will present the proposal to the Remuneration Authority for their determination. The Authority will gazette the determination by early March 2026.

33. Once adopted, councillors' remuneration will be recalculated and backdated to: for a councillor with no additional responsibilities, the proposed remuneration will take effect from the day after the date on which the official election result were declared; and for a councillor with positions of additional responsibilities, the proposed remuneration will take effect from that day after the council formally votes on those positions.

**Confirmation of statutory compliance**

In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

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

**ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO**

There are no appendices for this report



File No.: 25/674

## 8.6 Local Water Done Well - Foundation Documents for the Joint Water Services Council-Controlled Organisation known as Central Districts Water

Author(s)	Rob Benefield <b>Commercial &amp; Operations Manager   Kaiwhakahaere o ngā Kawenga Mahi</b>
Approved by	Daniel Haigh <b>Group Manager Community Infrastructure   Tumu Rangapū, Tūāhanga Hapori</b>
	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. This report seeks Council's approval of the Constitution for Central Districts Water, the Shareholders' Agreement for Central Districts Water, and the establishment of a joint committee made up of representatives from across the Shareholding Councils and mana whenua partners and endorses the terms of reference.

**This matter relates to Local Water Services Done Well**

Position Council for future changes to Local Waters Done Well waters arrangements.

### EXECUTIVE SUMMARY | TE WHAKARĀPOPOTOTANGA MATUA

2. The Constitution and Shareholders' Agreement are the principal foundation documents for Horowhenua District Council, Palmerston North City Council, and Rangitīkei District Council in establishing the joint Water Services Council-Controlled Organisation, to be known as Central Districts Water Ltd.
3. The three Councils are being asked to approve these two documents so that Central Districts Water can be incorporated as a legal entity, and the Shareholder Committee and Board of Directors subsequently appointed.

### DELEGATION OR AUTHORITY TO ACT | TE MANA WHAKATAU I NGĀ KAWENGA

4. The authority to establish and enter into a Joint Council Controlled Water Services Entity is provided for in the Local Government Act 2002, and Local Government (Water Services Preliminary Arrangements) Act 2024.

### SIGNIFICANCE ASSESSMENT | HE AROMATAWAI MATUA

5. This matter is assessed as not significant.
6. The three Council's three waters networks are strategic assets under their respective Significance and Engagement Policies. The Councils have consulted with their communities on the future service delivery model in line with the provisions in the Local Government (Water Services Preliminary Arrangements) Act 2024 and the Local Government Act 2002.
7. No further community consultation of engagement is required to make the decisions recommended in this report.

## RECOMMENDATION | NGĀ TAUNAKITANGA

- A. That Council, as a shareholder of Central Districts Water, approves the attached Constitution for Central Districts Water, and delegates to the Chief Executive to sign any documents required to approve the Constitution on behalf of Horowhenua District Council.
- B. That Council, as a shareholder of Central Districts Water, approves the attached Shareholders' Agreement for Central Districts Water, and delegated to the Chief Executive to sign the Shareholders' Agreement on behalf of Horowhenua District Council.
- C. That Council delegates to the Chief Executives of Horowhenua District Council, Palmerston North City Council, and Rangitīkei District Council the ability to agree to any minor, non-material changes to the Constitution and Shareholders' Agreement prior to final approval, and to report back to their respective Council on any changes made under this delegation.
- D. That Council approves the establishment of a joint committee made up of representatives from across the Shareholding Councils and mana whenua partners and endorses the terms of reference included in Schedule 3 of the Shareholders' Agreement.
- E. That Council notes, as the next step in establishing Central Districts Water as a joint Water Services Council-Controlled Organisation, that it will be required to appoint its representative(s) to the Shareholders Committee and delegate the power to make decisions recorded in Section 2 of Schedule 3 of the Shareholders' Agreement.
- F. That Council delegates to the Chief Executive that authority to sign documentation on behalf of Council to complete the incorporation and registration of Central Districts Water with the Companies Office and all related formalities.

## BACKGROUND | HE KŌRERO TŪĀPAPA

8. During February-April 2025, Horowhenua District Council, Palmerston North City Council and Rangitīkei District Council consulted with their communities on options for the future of water services delivery in their districts. All three included within their options a multi-council Water Services Council-Controlled Organisation (WS-CCO), as well as an in-house arrangement.
9. Community feedback strongly supported collaboration with other Councils. Based on this feedback, in May and June 2025, the three Councils each resolved to form a jointly owned Water Services Council-Controlled Organisation (Water Organisation).
10. Following these decisions, the three Councils worked together to prepare a joint Water Services Delivery Plan (WSDP) which was submitted on 21 August 2025. On 10 November 2025, the Secretary for Local Government confirmed acceptance of the WSDP, noting that the Department's monitoring of the Plan's implementation will focus on:
  - Delivery of the capital programme, in particular the projects required to achieve regulatory compliance, and
  - Operational expenditure.
11. A Collaboration Agreement was signed by the Chief Executives of the three Councils on 17 September 2025. This Agreement set out how the three Councils will work together to establish the Water Organisation. In addition, the three Councils identified five Transition Principles that would underpin the work, being:

	Principle	Rationale
1	<i>Maintain Service Continuity</i> Ensure water services remain safe, reliable, and compliant throughout the transition. Make	Keeping water services safe and reliable, and acting quickly, means potential service interruptions are minimised, and the transition stays on track.

	decisions and act promptly to avoid delays and keep outcomes on track.	
2	<b><i>Collaborate to Gain Efficiencies and Solve Issues</i></b> Work together proactively to identify and resolve challenges quickly and constructively for the benefit of our communities.	Working together means problems get identified, a pathway forward decided, and solutions obtained efficiently and effectively.
3	<b><i>Support Staff Wellbeing</i></b> Prioritise clear communication, job security, and wellbeing for all staff involved in the transition.	Supporting staff helps everyone stay focused and positive, making the transition smoother.
4	<b><i>Transparent Engagement</i></b> Keep communities and stakeholders informed with timely updates and look to provide opportunities for feedback.	Keeping people informed builds trust and helps avoid confusion or surprises.
5	<b><i>Iwi Involvement</i></b> Recognise and seek to reflect existing relationships and arrangements with Iwi by engaging early, openly, and respectfully, ensuring their perspectives and rights are actively considered in all transition decisions and actions.	Ensuring that Iwi voices are heard and respected, strengthening outcomes for everyone.

12. The following chart is a high-level roadmap of the planned phases of the project, reflecting the implementation plan included in the WSDP.



13. The immediate focus (December 2025-February 2026 in the timeline above) is on agreeing key terms relating to the governance and commercial arrangements for the new Water Organisation, and including Iwi from the three districts in those discussions.
14. Following the appointment of Chris Dyhrberg as Executive Director for the project, the three Council Chief Executives, who form the Project Steering Group (PSG), in consultation with the three Mayors, who form the Project Oversight Group (POG), have finalised an Establishment Team, which includes a secretariat, six workstream leads, and a transition manager for each Council.

#### Central District Water - Structure



## DISCUSSION | HE MATAPAKINGA

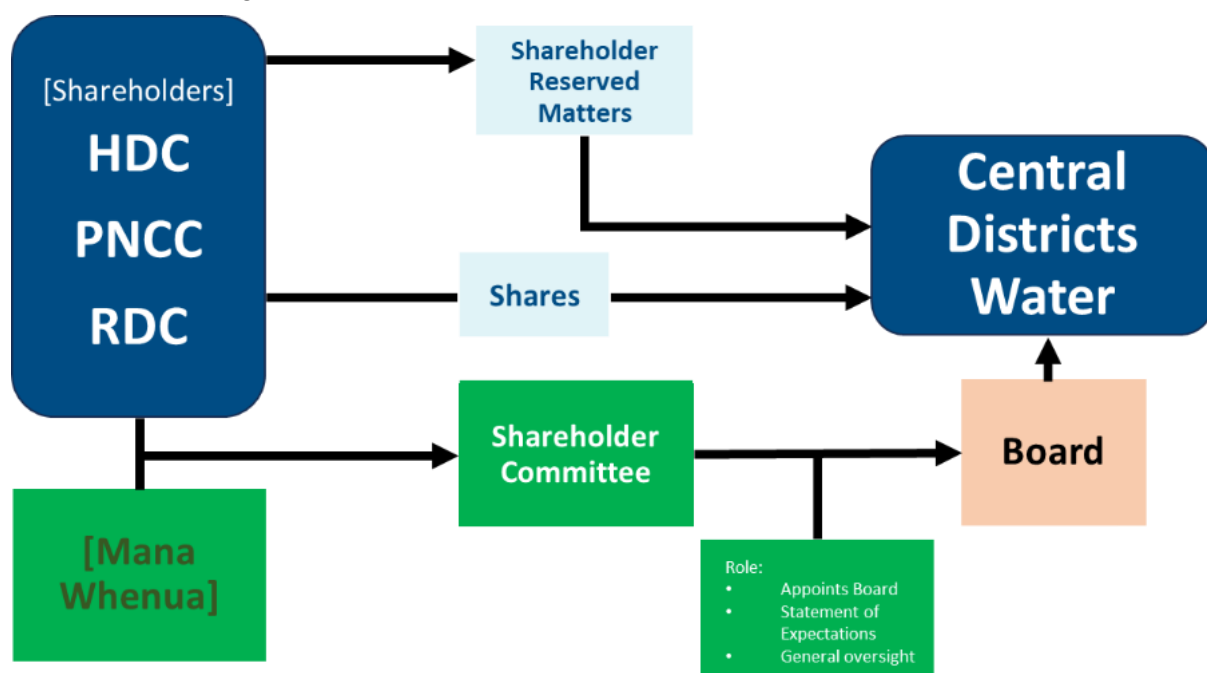
15. The critical step in establishing Central Districts Water is for the three Councils, as shareholders, to adopt the Constitution and Shareholders' Agreement for the new entity. These documents have been prepared by Simpson Grierson, the legal advisors to the three Councils, based on the templates provided by the Department of Internal Affairs.
16. The advice and final documents presented to Council for consideration have been guided by Elected Member voice through a series of joint and individual Council workshops. It is important to recognise that the documents recommended for adoption, reflect those preferences where the most alignment exists between the three shareholding parties.
17. To guide decision making, Simpson Grierson has prepared a table that identifies key features of the documents, the various options available relative to those features, and their recommendations to the Councils. This table is included as *Attachment A*.
18. The Constitution is a document that establishes some of the key frameworks for how the Water Organisation to be known as Central Districts Water will operate, sets out its objectives and the rules for its governance structure. Key provisions include:
  - Complying with budgeting and reporting requirements (under the Local Government (Water Services) Act 2025 and as required by the Shareholders Committee).
  - Requiring an annual meeting of shareholders (and setting the rules for these).
  - Allowing payment of dividends (or not).
19. The Shareholders Agreement sets out the details of how the relationships will work between the three Councils as shareholders, and between the shareholders and the Board of Central

Districts Water, and how mana whenua will be involved in oversight of Central Districts Water. Key provisions include:

- Establishing the Shareholders Committee (and defining its terms of reference), as the representative forum for the shareholders and iwi representatives to provide oversight of, and exercise powers delegated to the Committee by the shareholders in respect of, Central Districts Water (including the appointment of the Board of Directors),
  - Defining the share capital for the company,
  - Setting out 'reserved matters' – i.e. decisions that require unanimous or special agreement of the shareholders (such as entry or exit of shareholders, amalgamation, or liquidation),
  - Providing for how disputes are to be dealt with.
20. Both documents are intended to apply from establishment of the Water Organisation and will enable us to progress to the next steps.
21. The proposed Constitution is included as *Attachment B* and the Shareholders' Agreement as *Attachment C*.
22. An introductory briefing on the Foundation Documents was provided for each Council individually on 23 October 2025 (Rangitikei) and 29 October 2025 (Horowhenua and Palmerston North). This was followed by a more detailed briefing for all three Councils on 7 November 2025. This focused on:
- Shareholding options, decision-making roles and responsibilities, and
  - The approach to involving mana whenua partners is governance and decision-making as part of the Shareholders Committee.
23. There was general acceptance of establishing a Shareholders Committee as the basis for collective decision-making by all three shareholder Councils. Two characteristics noted:
- It will be a joint committee under the Local Government Act 2002, and thus subject to the Local Government Official Information and Meetings Act (LGOIMA) in the same way that Councils are (in relation to both the official information and meetings).
  - Council must formally appoint all members (including any mana whenua representative nominated by Iwi), and delegate the necessary powers to make decisions on their behalf to those members (based on the content of the Shareholders' Agreement).
24. The Shareholders Committee's major functions are:
- Appointment of directors to the Water Organisation Board.
  - Developing, adopting and providing a Statement of Expectations to Central Districts Water (which is to inform decisions made by the Water Organisation).
  - Commenting on the Water Services Strategy developed by Central Districts Water but not approving (the WSS is a document comparable to Councils' Long Term Plans).



25. The proposed governance structure and accountabilities are depicted below:



26. There was general agreement to the principle of having an independent non-voting chairperson of the Shareholders Committee. This will provide for the appointment, by the remaining members of the Shareholders Committee, of a person who can bring relevant skills, knowledge, or expertise (including relation to governance) to the business of the Committee, be a facilitator for the Committee's discussions and help with the workload.
27. Clarification was provided on the following matters raised:
- A skills matrix for appointment Directors is essential and is being developed.
  - Local pricing will be a topic for the future Statement of Expectations – but will be addressed in the WSDP as approved. There will be price harmonisation *within* each Council area.
  - The borrowing through the Local Government Funding Agency (LGFA) is not affected by any credit rating by an external agency such as S&P.
  - The Department of Internal Affairs (DIA) cannot require Central Districts Water to accept another council as a shareholder in the Water Organisation – but it can require another council to negotiate entry with the three existing shareholding councils in the interests of providing a more financially sustainable delivery of water services.
  - Mixed rural water supplies in Rangitikei will not be transferred to Central Districts Water.
28. During discussion, four issues emerged where further consideration was needed before finalising the provisions of the Constitution and Shareholders' Agreement. These were:
- a) Should payment of a dividend (i.e. a distribution) to shareholders be permitted?
  - b) Should shareholders be required to consult with their respective councils and gain their endorsement before approving the Statement of Expectations?
  - c) What is the optimum size of the Shareholders Committee?
  - d) How should mana whenua be represented on the Shareholders Committee?

29. A separate briefing was prepared in conjunction with Simpson Grierson and Morrison Low for discussion with each Council. This is included as *Attachment 4*. It identified the relevant statutory provisions, options, and what other multi-council Water Organisations are doing, posed some questions and provided an overall evaluation. This discussion paper was circulated to each Council. It was also discussed at workshops on 19 November 2025 (Horowhenua), 27 November 2025 (Rangitikei), and 3 December 2025 (Palmerston North). Feedback and questions were requested from Palmerston North Elected Members by email. The proposed position that takes into account all of the three Council's views, and reflected in the foundation documents is:
- a) Dividends: Prohibit unless unanimously agreed by the shareholders.
  - b) Requirement for consultation on the Statement of Expectation: No specific requirement, this is a matter for the delegation given by each Council to its appointed representatives on the Shareholders Committee (so could be an instruction in that delegation), along with a general expectation that the representatives would keep the Council informed of progress by the Committee.
  - c) Size of the Shareholders Committee: Three representatives per Council (one of which would be a mana whenua representative). An independent non-voting Chair.
  - d) Mana whenua representation: Three mana whenua representatives in total – being one of each Council's three representatives (The mana whenua representatives would be recommended by the mana whenua Roopū (Ngā Tapuwae o Hau)), and then confirmed by the relevant Council. It is proposed that a Memorandum of Understanding (MoU) be negotiated and entered into between Ngā Tapuwae o Hau, the three Councils and Central Districts Water that records the mechanism to make recommendations and any other relevant matters relating to the Shareholders Committee or the relationship between the five parties.
30. The table below summarises where the details of the key matters in the decision-making table are included in the documents.

<b>Constitution</b>	
Key Matters	Clause/Schedule
Shareholder role in Water Services Strategy and Annual Budget	Clause 3.2
Dividends	Clause 8
Size and composition of the WS-CCO Board	Clause 12.2
Board skills requirement	Clause 12.5
Board Member term and reappointment	Clause 12.6
<b>Shareholders Agreement</b>	
Share allocation	Schedule 1, Clause 2.2, 7.2
Board member term and reappointment	Schedule 1
Establishment of the Shareholders Committee	Schedules 1 & 3, Clause 6.1
Size and composition of shareholders	Schedule 1, Clause 6.2
Iwi participation in the Shareholders Committee	Schedule 3

Decision making framework	Schedule 2 & 3, Clause 5.1 (note clause 12.11 constitution)
Shareholder exit	Schedule 1, Clause 9.5 and 9.7

### Options | Ngā Kōwhiringa

Options   Ngā Kōwhiringa	Benefits   Ngā Whiwhinga	Risks   Ngā Mōrearea
<b>Option A (recommended)</b> <ul style="list-style-type: none"> <li>Approve the attached Constitution and Shareholders' Agreement</li> </ul>	<ul style="list-style-type: none"> <li>Aligns with the decisions the three Councils have made to date</li> <li>Is consistent with the timeframes and commitments the Councils have made to Internal Affairs in their joint Water Services Delivery Plan to establish the Water Organisation</li> <li>Documents give effect to agreements and understandings reached between partner Councils and Iwi.</li> <li>Provides the governance framework for effective delivery of water services across the three Council areas.</li> </ul>	<ul style="list-style-type: none"> <li>No known disadvantages</li> </ul>
<b>Option B (status quo)</b> <ul style="list-style-type: none"> <li>Do not approve the attached Constitution and Shareholders' Agreement</li> </ul>	<ul style="list-style-type: none"> <li>No known advantage.</li> </ul>	<ul style="list-style-type: none"> <li>Does not align with the decisions which the three Councils have made to date</li> <li>Does not deliver on the timeframes and commitments the Councils made to Internal Affairs in their Water Services Delivery Plan</li> <li>Creates a possible risk of intervention by the Government, which will be focused on implementing the</li> </ul>



		<p>commitments made in the WSDP.</p> <ul style="list-style-type: none"><li>• Does not meet agreements and understandings reached with partner Councils and with iwi.</li><li>• Leaves the Councils in limbo with no defined governance framework for delivering water services across their area.</li></ul>
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31. Option A is recommended. Approving the Constitution and Shareholders' Agreement enables the establishment of the joint Water Organisation to continue on its planned timeframes and ensures the three Councils meet the commitments made in their Water Services Delivery Plan.

#### ENGAGING WITH MĀORI | TE MAHI TAHI KI TE MĀORI

32. Council has various legislative obligations to consider the views of mana whenua in its decision-making. In particular, Parts 2 and 6 of the Local Government Act 2002 provide principles and requirements for local authorities that are intended to facilitate participation by Māori in local authority decision-making processes. These obligations are not affected by the establishment of the Water Organisation. However, the obligations are relevant to how the councils undertake their decision-making as shareholders of the Water Organisation.

33. The following table sets out the iwi across the three Councils:

<b>Horowhenua District Council</b>	Muaūpoko	
	Rangitāne o Manawatū	
	Ngāti Raukawa ki te Tonga	Ngāti Turanga Ngāti Rākau Ngāti Te Au Ngāti Takihiku Ngāti Ngārongo Ngāti Whakatere Ngāti Pareraukawa Ngāti Huia ki Poroutawhao Ngāti Huia ki Matau Ngāti Kikopiri Ngāti Hikitanga Ngāti Wehi Wehi
<b>Rangitīkei District Council</b>	Ngāti Parewahawaha	
	Nga Wairiki Ngāti Apa	Ngā Ariki Ngāti Kauae/Tauira Ngā Wairiki ki Uta Kauangaroa Whangaehu
	Ngāti Hinemanu/Ngāti Paki	
	Mōkai Pātea	Ngāti Hauiti Ngāti Whitikaupeka Ngāti Tamakōpiri Ngāi Te Ohuake
	Ngāti Rangitūhia	
	Rātana Community	
<b>Palmerston North City Council</b>	Rangitāne o Manawatū	

34. These Iwi established a Roopū (Ngā Tapuwae o Hau) as the principal contact for the three Councils in discussing the transition programme and Iwi involvement.
35. At the hui hosted by Rangimarie Marae on 19 August 2025, all parties, including Councils, acknowledged the importance of partnership, and Māori contribution to decision making.
36. Ngā Tapuwae o Hau's legal advisor was provided with a copy of the decision making table prepared by Simpson Grierson.

## FINANCIAL AND RESOURCING | TE TAHUA PŪTEA ME NGĀ RAUEMI

37. While there are no immediate financial implications with adopting the Constitution and Shareholders' Agreement, this allows the next phase of the establishment of Central Districts Water to commence, which has been budgeted and provisioned for in the WSDP.
38. The Collaboration Agreement includes a budget for getting Central Districts Water to be operational: it notes that the transition costs up until 30 June 2027 will be debt funded and transferred to Central Districts Water.

## LEGAL AND RISK | TE TURE ME NGĀ MŌREAREATANGA

### Impact on Strategic Risks

#### *Delayed appointment of the Board of Directors*

39. Adopting the Constitution and Shareholders' Agreement enables the formal establishment of the Shareholders Committee, which is the forum that will be responsible for appointing the Water Organisation's Board of Directors – and it is the Board's role to appoint the Chief Executive. This recommended option addresses the risk of director appointments being delayed, as it:
  - Allows the Shareholders Committee to confirm the composition of the Board by April 2026,
  - Adheres to the implementation timeline in the WSDP (and thus not be an issue in the monitoring undertaken by the DIA), and
  - Provides the maximum opportunity to ensure an efficient transition of water services from the three Councils and to negotiate service delivery requirements and the transfer agreements required by law.

#### *Delayed engagement with Iwi*

40. Including Iwi representation on the Shareholders Committee from the outset allows their perspectives to be shared with the Council shareholders and influence the Statement of Expectations to be provided to the Board. Inviting Iwi to join the workstreams will broaden Iwi understanding of the transition of water services. The recommended options addresses the risk of engagement with Iwi being delayed, as it:
  - Demonstrates compliance with the statutory requirement to facilitate participation by Māori in local authority decision-making processes,
  - Supports input from Iwi on appointment the Board, and
  - Provides recognition of te ao Māori.

## NEXT STEPS | HEI MAHI

41. All three Councils are considering these documents at meetings on 10 and 11 December 2025.
42. Following approval of the Shareholders' Agreement by each Council, which includes the terms of reference for the Shareholders Committee, the Councils and Iwi will confirm their nominated representative(s) to the Shareholders Committee, and delegate all necessary powers to the Committee. This will then enable continuation of the recruitment process of the Board of Directors initiated by the Project Oversight Group, and subsequently to make those Director appointments.
43. Central Districts Water will need to be legally incorporated and registered with the Companies Office, with the final Constitution uploaded to the Companies Office register.

### **Confirmation of statutory compliance**

In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

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

### **ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO**

<b>No.</b>	<b>Title</b>	<b>Page</b>
<a href="#">A</a>	HDC PNCC RDC - Constitution	195
<a href="#">B</a>	HDC PNCC RDC - Shareholders Agreement	217
<a href="#">C</a>	HDC PNCC RDC - LWDW Decision Making Table	249

*Final version 2 December 2025*

## CONSTITUTION OF CENTRAL DISTRICTS WATER LIMITED

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SIMPSON  
GRIERSON

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**SCHEDULES**

SCHEDULE 1 RULES FOR SHAREHOLDER MEETINGS  
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## 1. DEFINITIONS AND INTERPRETATION

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### 1.1 In this Constitution, unless the context otherwise requires:

**Board** means Directors who number not less than the required quorum, acting together as a board of Directors.

**Board Skills Matrix** has the meaning given to it in the Shareholders' Agreement.

**Business Day** means a day (other than a Saturday, a Sunday or a public holiday) on which registered banks are open for business in the Manawātū-Whanganui region, New Zealand.

**Chair** means the chair of the Board appointed in accordance with clause 12.8.

**Companies Act** means the Companies Act 1993.

**Company** means Central Districts Water Limited.

**Constitution** means this constitution of the Company (including the Schedules) and all amendments to it from time to time.

**Director** means a person appointed as a director of the Company in accordance with this Constitution.

**Distribution** means the payment of a dividend and any other "distribution" as that term is defined in section 2 of the Companies Act.

**Financial Year** has the meaning given to it in section 4 of the LG(WS) Act.

**Independent Director** means a Director who is neither a current elected member of any Local Authority that is a Shareholder nor a current employee of any Shareholder or the Company.

**LGA** means the Local Government Act 2002.

**LG(WS) Act** means the Local Government (Water Services) Act 2025.

**Local Authority** has the meaning given to it in section 5 of the LGA.

**Reserved Matter** has the meaning given to it in the Shareholders' Agreement.

**Service Area** means the combined service areas (as defined in section 4 of the LG(WS) Act) of the Shareholders being, at the date of adoption of this Constitution, the territorial districts of Palmerston North, Rangitikei and Horowhenua.

**Shareholder** means any person for the time being registered in the Company's share register as the holder of one or more Shares.

**Shareholders' Agreement** means the current shareholders' agreement relating to the Company entered into between the Company and the Shareholders (as amended or replaced from time to time).

**Shareholders Committee** has the meaning given to it in the Shareholders' Agreement.

**Shares** means the shares in the Company on issue from time to time.

**Special Resolution** means a resolution that is approved by 75% of the votes of those Shareholders entitled to vote and voting on the question.

**Statement of Expectations** has the meaning given to it in section 220 of LG(WS) Act.

**Subsidiary** has the meaning given to it in the Companies Act.

**Water Organisation** has the meaning given to it in section 4 of the LG(WS) Act.

**Water Services** has the meaning given to it in section 4 of the LG(WS) Act, which will be the water services transferred by the Shareholders to the Company in accordance with the Transfer Agreement between each Shareholder and the Company.

**Water Services Annual Budget** has the meaning given to it in section 220 of the LG(WS) Act.

**Water Services Annual Report** has the meaning given to it in section 220 of the LG(WS) Act.

**Water Services Half-yearly Report** means the document referred to in section 248 of the LG(WS) Act.

**Water Services Strategy** has the meaning given to it in section 220 of the LG(WS) Act.

**1.2 Interpretation:** In this Constitution, the following rules of interpretation apply, unless the context requires otherwise:

- (a) headings are for convenience only and do not affect interpretation;
- (b) the singular includes the plural and vice versa, and a gender includes other genders;
- (c) another grammatical form of a defined word or expression has a corresponding meaning;
- (d) words in this Constitution have the same meaning as in the Companies Act unless inconsistent with the context;
- (e) a reference to a party, person or entity includes:
  - (i) an individual, firm, company, trust, partnership, joint venture, association, corporation, body corporate, estate, state, government or any agency thereof, municipal or local authority and



any other entity, whether incorporated or not (in each case whether or not having a separate legal personality); and

- (ii) an employee, agent, successor, permitted assign, executor, administrator and other representative of such party, person, entity;
- (f) a reference to dollars or \$ is to New Zealand currency and excludes every tax and duty;
- (g) a reference to a clause or schedule is to a clause or schedule of this Constitution;
- (h) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- (i) references to the word 'include' or 'including' are to be construed without limitation;
- (j) references to any form of law are to New Zealand law, including as amended or re-enacted;
- (k) a reference to a document or instrument includes the document or instrument as novated, altered, supplemented or replaced from time to time;
- (l) "written" and "in writing" include any means of reproducing words, figures or symbols in a tangible and visible form;
- (m) any obligation falling due for performance on or by a day other than a Business Day will be performed on or by the Business Day immediately following that day; and
- (n) an obligation not to do something includes an obligation not to allow or cause that thing to be done.

**1.3** If there is any conflict:

- (a) between a provision of this Constitution and the provisions of the Shareholders' Agreement, the terms of the Shareholders' Agreement will prevail (other than to the extent prohibited by the Companies Act) and the Shareholders must pass such resolutions as may be necessary to amend the provisions of this Constitution to make it consistent with the Shareholders' Agreement;
- (b) between a provision in this Constitution and a mandatory provision in the Companies Act, the LG(W)S Act or the LGA, then the mandatory provision in the Companies Act, the LG(W)S Act or the LGA will prevail; and
- (c) between:

- (i) a provision in this Constitution and a provision in the Companies Act which is expressly permitted to be altered by this Constitution; or
- (ii) a word or expression defined or explained in the Companies Act and a word or expression defined or explained in this Constitution,

then the provision, word or expression in this Constitution will prevail.

## 2. CAPACITY

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- 2.1 **Water Organisation:** As at the date of its incorporation, the Company is a Water Organisation in terms of section 44 of the LG(WS) Act.
- 2.2 **Business:** The Company must not carry on any business other than the provision of, or preparation for the provision of, Water Services and activities that are related to, or necessary for, the provision of, or preparation for the provision of, Water Services, in order to:
  - (a) meet the objectives set out in section 17 of the LG(WS) Act for the Service Area; and
  - (b) maximise the cost efficiency of providing Water Services.
- 2.3 **Capacity:** Subject to this Constitution, the Companies Act, the LG(WS) Act, the LGA and any current Statement of Expectations, the Company has full capacity, rights, powers and privileges to carry on or undertake any business or activity, do any act, or enter into any transaction.

## 3. WATER ORGANISATION REQUIREMENTS

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- 3.1 The Company must comply with:
  - (a) its obligations under the LGA and LG(WS) Act, including preparing, adopting and publishing its Water Services Strategy, Water Services Annual Budget, Water Services Half-yearly Report and Water Services Annual Report;
  - (b) Parts 1 – 7 of the Local Government Official Information and Meetings Act 1987; and
  - (c) all other laws applicable to the Company and its Business activities.
- 3.2 **Shareholder Input:** The Shareholders are entitled to comment on the Company's draft Water Services Strategy and draft Water Services Annual Budget, and the Company must consider those comments. However, the Shareholders will not have the power to require changes or approve the final Water Services Strategy or final Water Services Annual Budget.
- 3.3 **Auditor:** In accordance with the LGA, the auditor for the Company will be the Auditor-General.

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#### 4. SHARES

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**4.1 Issue of Shares:** Subject to this Constitution, the Shareholders' Agreement and the LG(WS) Act, the Board may:

- (a) issue Shares at any time, to any Shareholder or any other person permitted to hold Shares in accordance with the LG(WS) Act and in such numbers as it thinks fit;
- (b) issue Shares in different classes which have different rights;
- (c) issue Shares which are redeemable (as defined in section 68 of the Companies Act); and
- (d) divide existing Shares into different classes which have different rights.

#### 5. CALLS ON SHARES

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**5.1 Board may make calls:** Subject to the Shareholders' Agreement, the Board may make calls on any Shareholder in respect of any money unpaid on their Shares, and not previously made payable at a fixed time, by prior written notice to the relevant Shareholder specifying the time and date for payment (such time and date to be no earlier than 10 Business Days after the notice is given to the relevant Shareholder). The relevant Shareholder must comply with the terms of any call made by the Board. A call may be payable by instalments. The Board may revoke or postpone a call.

**5.2 Interest and expenses:** A person who fails to pay a call on the due date must pay:

- (a) interest on that money from the day payment was due to the day of actual payment at a rate fixed by the Board; and
- (b) all expenses which the Company has incurred or may incur because of non-payment,

provided that the Board may waive payment of all or part of that interest or those expenses.

#### 6. LIEN OVER SHARES

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**6.1 Existence and subject matter of lien:** If a Shareholder fails to pay any call on the due date, the Board may at any time by written notice to the Shareholder require payment of the unpaid amount together with any amount payable under clause 5.2. Such notice must specify a further date (not earlier than 10 Business Days from the date of the notice) by which payment is required to be made, and must state that if such payment is not made on or before the specified date, clause 6.2 will apply.

**6.2 Company has first lien:**

- (a) The Company has a first lien over:

- (i) each Share and the proceeds of sale of the Share; and
  - (ii) all distributions made in respect of the Share,
- for:
- (iii) all unpaid calls owing in respect of the Shares and any amount payable under clause 5.2; and
  - (iv) sale expenses owing to the Company in respect of the Shares.
- (b) The registration of any transfer of a Share will not operate as a waiver of any lien the Company may have on that Share, unless notice to the contrary is given by the Company to the transferee.

## 7. TRANSFER OF SHARES

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- 7.1 Right to transfer:** Subject to any restrictions set out in this clause 7, the LGA, the LG(W.S) Act and the Shareholders' Agreement, a Share may be transferred by entry of the name of the transferee in the share register for the Company following receipt by the Company of a validly signed form of transfer.
- 7.2 Prior approval required:** No Shareholder may sell, assign, transfer or dispose of, directly or indirectly, the legal or beneficial ownership of any of its Shares except in accordance with the provisions of this clause 7 and unless such sale, assignment, transfer or disposal:
- (a) has first been approved in writing by all Shareholders; or
  - (b) is a permitted transfer in accordance with clause 7.4.
- 7.3 No delay:** Subject to clause 7.5, the Board may not exercise any powers conferred by this Constitution to refuse or delay the registration of any sale, assignment, transfer or disposal of Shares completed in accordance with clause 7.2.
- 7.4 Permitted transfers:** Subject to the LG(W.S) Act, the restrictions in this clause 7 do not apply to the transfer of Shares by a Local Authority to:
- (a) another Local Authority that has a territorial district within the Service Area; or
  - (b) any successor Local Authority to that Local Authority.
- 7.5 Board may refuse to register:** The Board may refuse or delay the registration of any transfer of a Share to any person if:
- (a) the transfer would result in a breach of law, this Constitution or the Shareholders' Agreement;
  - (b) any money payable on that Share is due for payment and has not been paid;

- (c) the Company has an unsatisfied lien on that Share or the proceeds of sale of that Share;
- (d) the transferee is a person without legal capacity to contract or the transfer has not been properly executed;
- (e) the transfer is not accompanied by proof (reasonably required by the Directors) of the right of the transferor to make the transfer; or
- (f) the transfer document is not in the usual or common form or otherwise in the form prescribed by the Board from time to time (if any),

provided that the Board must at all times comply with section 84 of the Companies Act.

## 8. DISTRIBUTIONS

- 8.1 Distributions:** The Company must not pay any Distribution in any way, directly or indirectly, to any Shareholder.

## 9. COMPANY ACQUIRING ITS OWN SHARES

- 9.1 Company may acquire its own Shares:** The Company may purchase or otherwise acquire its own Shares only if it has first been authorised to do so by Special Resolution in which case the Shares purchased or otherwise acquired will be deemed to be cancelled immediately on acquisition.

## 10. SHAREHOLDER MEETINGS

- 10.1 Annual meeting:** The Board must hold an annual Shareholders' meeting in accordance with section 120 of the Companies Act unless in the case of any annual meeting, everything required to be done at that meeting (whether by way of resolution or otherwise) is done by written resolution in accordance with section 122 of the Companies Act.

- 10.2 Special meetings:** A special Shareholders' meeting:

- (a) may be called at any time by the Board; and
- (b) must be called by the Board on the written request of the Shareholders Committee.

- 10.3 Proceedings at Shareholders' meetings:** The provisions of Schedule 1 to the Companies Act as modified by this Constitution, including the rules set out in Schedule 1, govern proceedings at Shareholders' meetings.

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**11. REPORTING REQUIREMENTS**

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**11.1 Reporting:** Subject to clause 11.2:

- (a) the Board must prepare the reports required by the Shareholders Committee by notice in writing to the Company (such notice must comply with the requirements in section 249(4) of the LG(WS) Act), in accordance with the requirements specified in that notice;
- (b) within eight months of the start of each Financial Year of the Company, the Board must prepare, adopt and deliver to the Shareholders (in accordance with section 248 of the LG(WS) Act) a Water Services Half-yearly Report, which must include information required to be included by any current Statement of Expectations, and publish that report in accordance with section 223 of LG(WS) Act; and
- (c) within three months of the end of each Financial Year of the Company, the Board must prepare, adopt and deliver to the Shareholders (in accordance with section 243 of the LG(WS) Act), and publish in accordance with section 223 of the LG(WS) Act, its Water Services Annual Report for that Financial Year, which must include the information required to be included by:
  - (i) the Statement of Expectations;
  - (ii) the Companies Act; and
  - (iii) section 246 of the LG(WS) Act.

**11.2 Information to be withheld:** Nothing in this clause 11 requires the inclusion in any Statement of Expectations, annual report, financial statements or quarterly report required to be produced under this Constitution of any information that may be properly withheld if a request for that information was made under the Local Government Official Information and Meetings Act 1987.

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**12. DIRECTORS**

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**12.1 Independent Directors:** All Directors must be Independent Directors.

**12.2 Number of Directors:** The minimum number of Directors is three and the maximum number of Directors is seven.

**12.3 Appointment and removal by Shareholders Committee:**

- (a) Subject to clause 12.1 and the Shareholders' Agreement, the Shareholders Committee must appoint up to the maximum number of Directors set out in clause 12.2, by notice in writing to the Company. Directors may be removed and replaced in the same way.
- (b) The Shareholders and the Company must promptly take such steps as may be necessary to effect the appointment, replacement or removal of any individual (including if a Director fails to vacate office when required to do

so) in accordance with this clause 12.3 if applicable, including, in the case of the Shareholders, by exercising their voting rights in the relevant Shareholders' meeting (or by way of written resolution).

**12.4 Appointment and removal where vacancy exists:** Where there is a casual vacancy on the Board, the Board may, by majority vote, recommend an appointment to fill that vacancy to the Shareholders Committee for its approval in accordance with the Shareholders' Agreement. A Director appointed under this clause 12.4 may be removed and replaced in the same way.

**12.5 Skills of Directors:**

- (a) A person may only be appointed to be a Director if the person has, in the opinion of the Shareholders Committee, the skills, knowledge, or experience to:
  - (i) guide the Company, given the nature and scope of its activities; and
  - (ii) contribute to the achievement of the objectives of the Company.
- (b) All Director appointments must be made in accordance with the Board Skills Matrix, with the aim of ensuring that the Board as a whole has the skills required by the Board Skills Matrix.

**12.6 Term of Appointment:** Unless otherwise approved by the Shareholders:

- (a) No person may be appointed as a Director for a term of more than three consecutive years (**Term**).
- (b) A Director may be reappointed at the expiry of his or her Term of appointment, provided that, subject to this clause 12.6, no Director may be appointed for more than three consecutive Terms.

**12.7 Vacation of office:** A Director vacates office if that Director:

- (a) resigns by written notice of resignation to the Company. The notice is to be effective when it is received at that address or at a later time specified in the notice;
- (b) reaches the end of their Term and is not reappointed;
- (c) is removed from office in accordance with clause 12.4;
- (d) becomes disqualified from being a Director pursuant to section 151 of the Companies Act or clause 12.17; or
- (e) dies.

**12.8 Appointment of Chair:**

- (a) The Board may appoint a Chair:

- (i) by majority vote of the Board; and
  - (ii) with endorsement from the Shareholders Committee.
- (b) The Chair will hold office until:
  - (i) they cease to be a Director of the Company; or
  - (ii) a new Chair is appointed by the Board.
- 12.9 Powers of the Board:**
  - (a) Subject to clause 12.9(b) and any restrictions in the Companies Act, the LG(WS) Act, the Shareholders' Agreement or this Constitution, the business and affairs of the Company must be managed by or under the direction or supervision of the Board.
  - (b) The Board has, and may exercise, all the powers necessary for managing, directing and supervising the management of the business and affairs of the Company except to the extent that this Constitution, the Shareholders' Agreement, the Companies Act or the LG(WS) Act expressly requires those powers to be exercised by the Shareholders or any other person.
- 12.10 Prohibited matters:** Notwithstanding clause 12.9(b), except to the extent permitted by the Shareholders' Agreement, the Board must not, and must not cause the Company to:
  - (a) incur indebtedness to any person other than the New Zealand Local Government Funding Agency Limited or a New Zealand registered banking institution; or
  - (b) grant a security interest over any of the assets of the Company except as permitted by the LG(WS) Act.
- 12.11 Shareholder Reserved Matters:** Notwithstanding clause 12.9(b), but subject to any restrictions in the LG(WS) Act, the Board must not, and must not cause the Company to enter into any transaction or matter that is a Reserved Matter, unless first approved in writing by the Shareholders in accordance with the Shareholders' Agreement.
- 12.12 Solvency test:** Notwithstanding any approval obtained pursuant to clause 12.10, the Board must not cause the Company to borrow or raise any money, or enter into or incur any guarantee or other liability of any nature, if the effect of doing so would be that the Company will not satisfy the solvency test (as that term is defined in the Companies Act).
- 12.13 Proceedings of the Board:** The provisions of the Schedule 3 to the Companies Act as modified by this Constitution, including the rules set out in Schedule 2, govern proceedings at meetings of Directors.



**12.14 Directors duties:** In addition to the duties set out in the Companies Act, the Directors must assist the Company to meet the requirements set out in the Statement of Expectations or the LG(WS) Act.

**12.15 Directors to act in good faith:** A Director, when exercising powers or performing duties, must act in a manner which that Director believes to be in the best interests of the Company (notwithstanding that it may not be in the best interests of any particular Shareholder).

**12.16 Indemnity and insurance of Directors and employees:** The Company may indemnify and effect insurance in accordance with any part or all of section 162 of the Companies Act provided that:

- (a) the Board must ensure that particulars of any indemnity given to, or insurance taken out for, any director, or employee of the Company are immediately entered in the interests register; and
- (b) the Board may impose any conditions in relation to any indemnity or insurance if the conditions do not contravene the Companies Act.

For the purposes of this clause 12.16 "director" includes any former director, "employee" includes any former employee and "Company" includes any related company.

**12.17 Disqualification of Directors:** A person will be disqualified from holding the office of Director if he or she:

- (a) is or becomes disqualified from being a Director under any provision of the Companies Act or the LG(WS) Act; or
- (b) is not or ceases to be an Independent Director.

**12.18 Remuneration of Directors:**

- (a) The Shareholders Committee will determine the total sum available to the Board each year to make remuneration payments in accordance with clause 12.18(b).
- (b) The Board may not authorise any form of remuneration to be paid to a Director without Board approval and unless such payment is made and authorised in accordance with the provisions of the Companies Act and the Shareholders Committee resolution passed in accordance with clause 12.18(a).
- (c) The Board may authorise the reimbursement by the Company of reasonable travelling, hotel and other expenses incurred by Directors in attending Board meetings, Shareholder Committee meetings, Shareholder meetings or in relation to any other affairs of the Company.

**12.19 Other offices with company held by Director:**

- (a) Any Director may act by himself or herself or by the Director's firm in a professional capacity for the Company, and the Director or the Director's firm will be entitled to remuneration for professional services as if the Director were not a Director. Nothing in this clause authorises a Director or the Director's firm to act as auditor of the Company.
- (b) A Director may hold any other office or place of profit in the Company (other than the office of auditor) in conjunction with the Director's office of Director for such period and on such terms (as to remuneration and otherwise) as the Board may determine, subject to the necessary reporting disclosures and avoidance of conflicts of interest.

**13. INTERESTS OF DIRECTORS**

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**13.1 Disclosure of interests:** A Director must disclose particulars of any interest in a transaction or proposed transaction of the Company in accordance with section 140 of the Companies Act.

**13.2 Interested Directors:** As set out in section 139 of the Companies Act, a Director is "interested" in a transaction to which the Company is a party if:

- (a) they are a party to the transaction or may derive a material financial benefit from it;
- (b) they have a material interest in another party to the transaction;
- (c) they are a director, officer or trustee of another party to the transaction;
- (d) they are a director, officer or trustee of a person who may derive a material financial benefit from the transaction;
- (e) they are a parent, child or spouse, civil union partner, or de facto partner of a person described in clauses 13.2(a) to 13.2(d); or
- (f) they are otherwise directly or indirectly materially interested in the transaction.

**13.3 Interested Directors may not act:** A Director who is interested in a transaction entered into, or to be entered into, by the Company must not do any of the following:

- (a) vote on or sign a document relating to that transaction on behalf of the Company; or
- (b) do any other thing in their capacity as a Director in relation to that transaction,

provided that a Director may vote, sign documents and otherwise do any other thing in their capacity as a Director with regard to any matter relating to the following:

- (c) any payment or other benefit of the kind referred to in section 161 of the Companies Act in respect of that Director in accordance with clause 12.18;
- (d) the entry into an indemnity or insurance arrangement in respect of that Director in their capacity as a director of the Company in accordance with clause 12.16; or
- (e) transactions in which a Director is interested solely in their capacity as a director of a Subsidiary of the Company.

**13.4 Interests register review:** The Board will review the interests register at the beginning of every Board meeting.

**13.5 No prohibition re quorum:** No prohibition under this clause 13 will prevent the attendance of a Director at a Board meeting from counting for quorum purposes.

#### **14. NOTICES**

**14.1 Service:** Notices may be served by the Company upon any Director or Shareholder by personal delivery, electronic means or by posting it in a prepaid envelope or package addressed to the recipient at his or her last known address (or, in the case of a company, its registered office). A notice may be given by the Company to joint Shareholders by giving the notice to the joint Shareholder named first in the Share Register in respect of the Share, or to such other person as or the joint Shareholders may in writing direct.

**14.2 Time of service:** Notices are deemed served at the following times:

- (a) when given personally, on delivery;
- (b) when sent by post or document exchange, five Business Days after (but exclusive of) posting; and
- (c) when sent by email, at the time of transmission, if (in the event receipt is disputed) the sender produces a printed copy of the email which evidences that the email was sent to the email address of the recipient.

Any notice which has been served on a Saturday, Sunday or public holiday is deemed to be served on the first Business Day after that day.

#### **15. LIQUIDATION**

**15.1** If the Company is liquidated, the liquidator may, with the unanimous approval of the Shareholders and any other approval required by the Companies Act or the LG(W)S Act, but subject to the requirements of the Shareholders' Agreement (as notified by any Shareholder to the liquidator) and, if applicable, the rights or restrictions attached to the different classes of shares issued by the Company:

- (a) distribute to the Shareholders in kind the whole or any part of the assets of the Company; and

- (b) vest the whole or any part of any such assets in trustees upon such trusts for the benefit of the persons so entitled as the liquidator thinks fit, but so that the Shareholders are not compelled to accept any Shares or other securities on which there is any liability.

## 16. METHODS OF CONTRACTING

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**16.1 Deeds:** A deed which is to be entered into by the Company may be signed on behalf of the Company by:

- (a) two or more Directors;
- (b) a Director, and any person authorised by the Board, whose signatures must be witnessed; or
- (c) one or more attorneys appointed by the Company.

**16.2 In writing:** Subject to clause 16.1, an obligation or contract which is required by law to be in writing, and any other written obligation or contract which is to be entered into by the Company, may be signed on behalf of the Company by two people acting under the express or implied authority of the Company.

**16.3 Other:** Subject to clause 16.1, any other obligation or contract may be entered into on behalf of the Company in writing or orally by two people acting under the express or implied authority of the Company.

**SCHEDULE 1**  
**RULES FOR SHAREHOLDER MEETINGS**

**1. CHAIR**

- 1.1** If the Chair is present at the meeting, he or she must chair the meeting.
- 1.2** If there is no Chair or if the Chair is not present at the meeting within 15 minutes of the start time, the Directors present may elect a chair for that meeting, failing which, the Shareholders (or their representatives) present may elect a chair for that meeting.

**2. NOTICE OF MEETINGS**

- 2.1** Each Shareholder and every Director of the Company must be sent written notice of the time and place of the meeting at least 10 Business Days before the meeting.
- 2.2** The notice must state:
- (a)** the nature of the business to be discussed at the meeting in sufficient detail to enable the Shareholders to form a reasoned judgment in relation to it; and
  - (b)** the text of any Reserved Matter resolution to be put to the meeting.
- 2.3** An irregularity in a notice of a meeting is waived if:
- (a)** the Shareholders attend the meeting without protest as to the irregularity; or
  - (b)** if each Shareholder agrees to the waiver.
- 2.4** If a meeting is adjourned for 30 days or more, notice of the adjourned meeting must be given as in the case of an original meeting. It is not otherwise necessary to give any new notice for an adjourned meeting.
- 2.5** The accidental omission to give a notice of a meeting to, or the non-receipt of a notice of a meeting by, any person entitled to receive notice does not invalidate the proceedings at that meeting.

**3. METHODS OF HOLDING MEETINGS**

- 3.1** A Shareholders' meeting may be held in any of the following ways:
- (a)** at the place, date, and time appointed for the meeting;
  - (b)** by means of audio, or audio and visual, communication; or
  - (c)** a combination of (a) and (b).

Schedule 1: Rules for Shareholder Meetings

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The Shareholders (or their representatives) participating must constitute a quorum and must all be able to simultaneously hear all participants throughout the meeting.

**4. QUORUM**

**4.1** No business may be transacted at a Shareholder meeting if a quorum is not present.

**4.2** A quorum for a Shareholder meeting is present if each Shareholder or their proxies:

- (a) is present; or
- (b) has completed postal votes (where permitted).

**4.3** If a quorum is not present within the 30 minutes after the start time for the meeting:

- (a) if the meeting is called under section 121(b) of the Companies Act, the meeting is dissolved; or
- (b) for any other meeting, the meeting is adjourned to:
  - (i) the same day in the following week at the same time and place; or
  - (ii) to another date, time and place to be fixed by the Directors.

**5. ADJOURNMENTS**

**5.1** The chair:

- (a) may adjourn the meeting from time to time and from place to place, but no business can be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place; and
- (b) must adjourn the meeting as above if directed to do so by the meeting.

**6. VOTING**

**6.1** If a Shareholder meeting is held under rule 3.1(b), unless a poll is demanded, voting at the meeting will be by:

- (a) voting by voice; or
- (b) voting by show of hands,

and the chair of the meeting will decide which method is used.

**6.2** A declaration by the chair of the meeting that a resolution is carried by the necessary majority is conclusive evidence of that fact unless a poll is demanded.

**6.3** Subject to the Shareholders' Agreement and to any rights or restrictions attached to any Share:

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Schedule 1: Rules for Shareholder Meetings

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- (a) where voting is by voice or a show of hands, every Shareholder present in person or by representative has one vote; and
- (b) on a poll every Shareholder present in person or by representative has one vote in respect of every Share held by that Shareholder which entitles a Shareholder to vote; and
- (c) in the case of an equality of votes, the chair of the meeting does not have a casting vote.

**7. PROXIES AND POSTAL VOTES**

**7.1** Each Shareholder has the right to appoint a representative as its proxy to attend and vote at Shareholder meetings on its behalf. Any such representative so appointed is entitled to attend and be heard at Shareholder meetings and to demand or join in demanding a poll, as if that representative was the relevant Shareholder.

**7.2** A Shareholder may not cast a postal vote at a Shareholders' meeting unless the Board has previously authorised postal votes for that meeting in which case:

- (a) the notice of that meeting must state whether postal votes are authorised; and
- (b) postal voting must be carried out in accordance with clause 7 of the Schedule 1 to the Companies Act.

**8. MINUTES**

**8.1** The Board must ensure that minutes are kept of all proceedings at Shareholder meetings.

**8.2** Minutes which have been signed correct by the Chair of the meeting are prima facie evidence of the proceedings.

**9. SHAREHOLDER PROPOSALS**

**9.1** The Shareholders may give written notice to the Board of a matter the Shareholder proposes to raise for discussion or resolution at the next Shareholder meeting. The provisions of clause 9 of Schedule 1 of the Companies Act apply to any notice given under this rule 9.1.

**9.2** The Chair of a Shareholder meeting will allow a reasonable opportunity for the Shareholders to question, discuss or comment on the management of the Company.

**10. OTHER PROCEEDINGS**

**10.1** Except as provided in this Schedule 1, and subject to this Constitution, a Shareholder meeting may regulate its own procedure.

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**SCHEDULE 2**

**RULES FOR BOARD PROCEEDINGS**

**1. FREQUENCY OF MEETINGS**

- 1.1** The Board will meet at least 10 times per annum, or as otherwise resolved by the Board.

**2. NOTICE OF MEETING**

- 2.1** A Director or, if requested by a Director to do so, an employee of the Company, may convene a meeting of the Board by giving notice in accordance with this clause.
- 2.2** At least five Business Days' notice of a meeting of the Board must be given to every Director who is in New Zealand. The notice must include the date, time and place of the meeting and the matters to be discussed.
- 2.3** An irregularity in the notice of the meeting is waived if all Directors attend the meeting without protest as to the irregularity or if all Directors entitled to receive notice of the meeting agree to the waiver.
- 2.4** Notice of a meeting may be given by any means, including by telephone. Notice given by a letter addressed to a Director at his or her last known residential address in New Zealand will be deemed to have been given on the next Business Day after the letter is posted.

**3. METHOD OF HOLDING MEETINGS**

- 3.1** The Board may meet in person or by any technological means that allow participating Directors to be in communication with other participating Directors in a manner that is relatively contemporaneous. Where Directors are not all in attendance in one place but are holding a meeting through such a system of communication:
- (a)** the participating Directors will be taken to be assembled together at a meeting and present at that meeting (including for the purposes of quorum requirements);
  - (b)** the meeting will be taken to be held at the place agreed to by the participating Directors so long as at least one participating Director is physically present at that place; and
  - (c)** all proceedings at meetings conducted in such a manner will be valid and effective as if conducted at a meeting at which all of them were physically present.



Schedule 2: Rules for Board Proceedings

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**4. QUORUM**

**4.1** At any meeting of Directors:

- (a) a quorum will only be present if at least a 75% of Directors are present; and
- (b) any resolution, unless otherwise specified in this Constitution or the Shareholders' Agreement, will be passed if a majority of the votes cast on it are in favour of it.

**4.2** If a quorum is not present within 30 minutes of the time appointed for the commencement of the Board meeting, the Board meeting must be adjourned to the same day in the following week at the same time and place, or to such other date, time and place as the chairperson may appoint, and if at the adjourned meeting a quorum is not present within one hour after the time appointed for the commencement of the meeting, the Directors present (regardless of the person who appointed them) will constitute a quorum. No business may be transacted at a meeting of Directors if a quorum is not present.

**5. VOTING**

**5.1** Every Director has one vote.

**5.2** The Chair does not have a casting vote.

**5.3** Subject to clause 12.10, a resolution of the Board is passed if it is agreed to by all Directors present without dissent or if a majority of the votes cast on it are in favour of it.

**5.4** A Director who abstains from voting is not presumed to have voted in favour of, or dissented to, the relevant resolution of the Board.

**6. MINUTES**

**6.1** The Board must ensure minutes are kept of all proceedings at meetings of the Board.

**7. RESOLUTIONS**

**7.1** A resolution in writing, signed or assented to by all Directors then entitled to receive notice of a Board meeting, is as valid and effective as if it had been passed at a meeting of the Board duly convened and held.

**7.2** A resolution may consist of several documents (including facsimile or other similar means of communication) in like form each signed or assented to by one or more Directors.

**7.3** A copy of all resolutions must be entered in the minute book of Board proceedings.

Schedule 2: Rules for Board Proceedings

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**8. NO NOTICE TO DIRECTORS OUTSIDE NEW ZEALAND**

- 8.1** It is not necessary to give notice of a meeting of the Board to any Director temporarily absent from New Zealand.

**9. OTHER PROCEEDINGS**

- 9.1** Except as provided in this Schedule 2 and this Constitution, the Board may regulate its own procedure.

## **SHAREHOLDERS' AGREEMENT RELATING TO CENTRAL DISTRICTS WATER LIMITED**

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**HOROWHENUA DISTRICT COUNCIL**

**PALMERSTON NORTH CITY COUNCIL**

**RANGITIKEI DISTRICT COUNCIL**

**SIMPSON  
GRIERSON** 

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DEED DATED

2025

**PARTIES**

1. **HOROWHENUA DISTRICT COUNCIL (HDC)**
2. **PALMERSTON NORTH CITY COUNCIL (PNCC)**
3. **RANGITIKEI DISTRICT COUNCIL (RDC)**

**BACKGROUND**

- A.** HDC, PNCC and RDC:
- (i) intend to incorporate the Company to become the water organisation responsible for delivering water services in the Service Area; and
  - (ii) will each contemporaneously on Day One, expected to be 1 July 2027, transfer water services assets, liabilities and other matters to the Company pursuant to the Transfer Agreements. From Day One, the Company will be a water services provider under the Local Government (Water Services) Act 2025, which was enacted to give effect to the Local Water Done Well water reforms.
- B.** The purpose of this agreement is to record how the parties will manage their shareholdings in the Company and their respective relationships with each other.
- C.** Once incorporated, the Company will accede and become a party to this agreement to record certain obligations owed to it by, and owed by it to, the Shareholders.

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## AGREED TERMS

### 1. DEFINITIONS AND INTERPRETATION

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#### 1.1 Definitions: In this agreement the following definitions apply:

**Alternate** means, in relation to a Shareholder, an alternate to that Shareholder's appointed Shareholders Committee Representative to attend and vote at meetings of the Shareholders Committee but only where the relevant Shareholder's appointed Shareholders Committee Representative is unable to do so.

**Board** means the board of Directors of the Company.

**Board Skills Matrix** means a matrix setting out the skills which are required to be represented on the Board, by being held by one or more Directors in office, as adopted and amended by the Shareholders Committee from time to time in accordance with Schedule 3.

**Business** means the business and activities set out in clause 2.1 of the Constitution.

**Business Day** means a day (other than a Saturday, a Sunday or a public holiday) on which registered banks are open for business in the Manawatū-Whanganui region, New Zealand.

**Companies Act** means the Companies Act 1993.

**Company** means Central Districts Water Limited.

**Confidential Information** means the provisions of this agreement and all other information of a confidential nature (which, where the confidentiality of the information is not expressly stated, will be determined by the recipient, acting reasonably) obtained by one party from the other party under or in connection with this agreement, including, in relation to the Company, trade secrets, proprietary information and confidential information belonging to the Company that are not generally known to the public, including information concerning business plans, financial statements and other information provided pursuant to this agreement, operating practices and methods, expansion plans, strategic plans, marketing plans, contracts, customer lists or other business documents which the Company treats as confidential, and any other information in respect of which the Company is bound by an obligation of confidence owed to a third party.

**Constitution** means the constitution of the Company as filed with the New Zealand Companies Office on the incorporation of the Company, as amended or replaced from time to time.

**Day One** means 1 July 2027, or any later date agreed by all Shareholders.

**Day Zero** means the date the Company is incorporated.

**Director** means a director of the Company.

**Event of Default** means, in relation to a Shareholder, where a Shareholder breaches or fails to observe any of the obligations under this agreement and:

- (a) if that breach or failure is capable of remedy, does not remedy that breach or failure within 20 Business Days of notice from any other Shareholder specifying the breach or failure and requiring remedy;
- (b) that breach or failure is not capable of remedy; or
- (c) that breach or failure is material in the context of the obligations of that Shareholder under this agreement.

**Financial Year** means:

- (a) the period from the Day Zero to 30 June immediately following Day Zero;
- (b) each subsequent period commencing on 1 July and ending on the next 30 June during the Term; and
- (c) the period from 1 July immediately preceding the end of the Term, to the end of the Term.

**Independent Director** means a Director who is neither a current elected member of any Local Authority that is a Shareholder nor a current employee of any Shareholder or the Company.

**LGA** means the Local Government Act 2002.

**LGFA** means New Zealand Local Government Funding Agency Limited.

**LG(WS) Act** means the Local Government (Water Services) Act 2025.

**Local Authority** has the meaning given to it in section 5 of the LGA.

**Ordinary Resolution** means a resolution that is approved by a simple majority of the votes of those Shareholders entitled to vote and voting on the question.

**Reserved Matters** means matters of the nature listed in Schedule 2.

**Security Interest** includes a mortgage, debenture, charge, lien, pledge, assignment or deposit by way of security, bill of sale, lease, hypothecation, hire purchase, credit sale, agreement for sale on deferred terms, option, right of pre-emption, caveat, claim, covenant, interest or power in or over an interest in an asset and any agreement or commitment to give or create any such security interest or preferential ranking to a creditor including set off.

**Service Area** means the combined service areas (as defined in section 4 of the LG(WS) Act) of the Shareholders being, at the date of adoption of this agreement, the territorial districts of Palmerston North, Rangitikei and Horowhenua.

**Shares** means shares in the Company on issue from time to time.

**Shareholder** means a shareholder in the Company and includes any person who subsequently becomes a shareholder.

**Shareholders Committee** means the joint committee formed by the Shareholders pursuant to clause 6.1.

**Shareholders Committee Representative** means a member of the Shareholders Committee.

**Special Resolution** means a resolution that is approved by 75% of the votes of those Shareholders entitled to vote and voting on the question.

**Statement of Expectations** has the meaning given to it in section 220 of the LG(WS) Act.

**Term** means the term of this agreement as set out in clause 10.1.

**Terms of Reference** means the terms of reference of the Shareholders Committee in the form set out in Schedule 3, as amended from time to time in accordance with this agreement.

**Transfer Agreement** has the meaning given to it in section 4 of the LG(WS) Act.

**Unanimous Resolution** means a resolution that is approved by all of the Shareholders entitled to vote and voting on the question.

**Water Services** has the meaning given to it in section 4 of the LG(WS) Act, which will be the water services transferred to the Water Organisation in accordance with the Transfer Agreement between the Water Organisation and each Shareholder.

**Water Services Annual Budget** has the meaning given to it in section 220 of the LG(WS) Act.

**Water Services Strategy** has the meaning given to it in section 220 of the LG(WS) Act.

**1.2 Interpretation:** In this agreement, unless the context otherwise requires:

- (a) headings are for convenience only and do not affect interpretation;
- (b) the singular includes the plural and vice versa, and a gender includes other genders;
- (c) another grammatical form of a defined word or expression has a corresponding meaning;
- (d) words in this agreement have the same meaning as in the Companies Act unless inconsistent with the context;
- (e) a reference to a party, person or entity includes:



- (i) an individual, firm, company, trust, partnership, joint venture, association, corporation, body corporate, estate, state, government or any agency thereof, municipal or local authority and any other entity, whether incorporated or not (in each case whether or not having a separate legal personality); and
  - (ii) an employee, agent, successor, permitted assign, executor, administrator and other representative of such party, person, entity;
- (f) a reference to dollars or \$ is to New Zealand currency and excludes every tax and duty;
- (g) a reference to a clause or schedule is to a clause or schedule of this agreement;
- (h) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- (i) references to the word "include" or "including" are to be construed without limitation;
- (j) references to any form of law are to New Zealand law, including as amended or re-enacted;
- (k) a reference to a document or instrument includes the document or instrument as novated, altered, supplemented or replaced from time to time;
- (l) "written" and "in writing" include any means of reproducing words, figures or symbols in a tangible and visible form;
- (m) any obligation falling due for performance on or by a day other than a Business Day will be performed on or by the Business Day immediately following that day; and
- (n) an obligation not to do something includes an obligation not to allow or cause that thing to be done.

**1.3 Subsidiaries of the Company:** If at any time the Company has a subsidiary (as defined in the Companies Act) or subsidiaries, clauses 3.1, 5.1 and 6.1 will be read so as to relate to the group of companies consisting of the Company and its subsidiaries, rather than to the Company alone.

## **2. SHARES**

**2.1 Initial Shares on Issue:** As at the date of incorporation, the Company will have the number of Shares set out in Schedule 1 which are held by the Shareholders set out in Schedule 1.

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- 2.2 Ordinary Shares:** As at Day Zero, all Shares on issue will be fully paid, ordinary shares ranking equally in all respects.

**3. PURPOSE OF COMPANY**

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- 3.1 Purpose:** It is the intention of the Shareholders that the Company is to carry on the Business.

- 3.2 Initial business set up:** The Shareholders will work together to procure the initial business set up, operational steps, and transactions described and summarised in Schedule 1.

**4. BOARD AND DIRECTORS**

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**4.1 Board:**

- (a) The Company will have no less than the minimum and no more than the maximum number of Directors specified in the Constitution.
- (b) The Directors will be appointed and removed by the Shareholders Committee in accordance with the Constitution and Schedule 3.

- 4.2 Performance evaluation:** The Board will undertake a self-evaluation of its performance on an annual basis, in line with accepted good governance principles and practices, and the results will be reported directly to the Shareholders Committee and to the Chief Executives (or equivalent) of each of the Shareholders.

**5. SHAREHOLDERS' OBLIGATIONS**

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**5.1 Voting and Shareholder reserved matters:**

- (a) Subject to clause 5.1(b) and any resolution that is required by the Companies Act or the Constitution to be passed as a Special Resolution or Unanimous Resolution, all resolutions of meetings of the Shareholders may be passed by Ordinary Resolution.
- (b) The Company will not enter into any transaction or matter which is a Reserved Matter unless the entry into such transaction or matter is approved in writing by:
  - (i) the Shareholders who together hold at least the required percentage of all Shares held by the Shareholders to meet the required approval threshold, as listed in Schedule 3; or
  - (ii) if such an approval threshold is not listed in Schedule 3, by Special Resolution.

- 5.2 Duty to comply with Constitution:** Each Shareholder will comply with the Company's Constitution.

- 5.3 Compliance with laws:** The Shareholders will each ensure they comply with their, and the Company complies with its, obligations under the LGA, Local Government (Water Services Preliminary Arrangements) Act 2024, the LG(WS) Act, the Local Government Official Information and Meetings Act 1987, the Companies Act and all other laws applicable to the Shareholders and the Company.
- 5.4 Spirit of collaborative working:** The Shareholders must at all times act in a spirit of co-operation and collaborative working, endeavouring to act together to allow for the effective communication of the Shareholders' intentions or requirements to the Company.
- 5.5 No surprises:** The Shareholders will use best endeavours to act under the principle of "no surprises", both with the Company and with each other in relation to their respective interests.

## **6. SHAREHOLDERS COMMITTEE**

### **6.1 Establishment and Terms of Reference:**

- (a) After the approval of this agreement, the Shareholders will jointly establish, maintain and operate a Shareholders Committee in accordance with the Terms of Reference to provide overarching governance of the Company, including:
- (i) in relation to the appointment of Directors to the Board of the Company, including Directors to be appointed on incorporation;
  - (ii) to assist the Shareholders to fulfil their obligations under this agreement; and
  - (iii) where the Company has any obligation to consult with the Shareholders under the LG(WS) Act or other applicable law, to allow the Company to meet such obligation by consulting with the Shareholders Committee.
- (b) The Shareholders Committee will be established as a joint committee under clause 30(1)(b) of Schedule 7 to LGA.
- (c) Each Shareholder:
- (i) hereby confirms the Terms of Reference for the Shareholders Committee are on the terms attached at Schedule 3 to this agreement, as amended from time to time in accordance with this agreement;
  - (ii) will appoint Shareholders Committee Representatives and Alternates in accordance with the Terms of Reference and clause 6.2; and
  - (iii) agrees to delegate to the Shareholders Committee the responsibilities and powers necessary to participate in and carry

out the Shareholders Committee governance oversight responsibilities, including those responsibilities and powers set out in Schedule 3, and in relation to agreeing:

- (A) when Shareholder meetings, or resolutions in lieu of Shareholder meetings, are required (without prejudice to Shareholder and Board rights to call meetings under the Constitution or the Companies Act); and
  - (B) the appointment, removal and remuneration of Directors.
- (d) Any amendment to the Terms of Reference must be by unanimous agreement of the Shareholders (or of the Shareholders Committee Representatives duly authorised pursuant to clause 6.4).

**6.2 Appointing and replacing a Shareholders Committee Representative:** Each Shareholder must appoint three members to the Shareholders Committee, of which one must be an elected member of that Shareholder, and one must be a representative for mana whenua. In addition, each Shareholder is to appoint two Alternates, one for its representative for mana whenua and one for the other Shareholder Committee members appointed by it. Each Shareholder's appointed Shareholders Committee Representative and/or Alternates may be replaced from time to time by that Shareholder providing written notice to the Shareholders Committee and the other Shareholders.

**6.3 Independent Chairperson**

- (a) The Shareholders Committee may, by unanimous vote, appoint an independent chairperson, to act as the chairperson of the Shareholders Committee (**Independent Chairperson**).
- (b) To be independent, and qualify for appointment under clause 6.3(a), a person must be neither a current elected member of any Shareholder nor a current employee of any Shareholder or the Company, or employed or otherwise associated with any Mana Whenua member of the Shareholders Committee. To qualify for appointment as Independent Chairperson, a person must also not be disqualified from holding office as a director of a company under section 151 of the Companies Act.
- (c) The Independent Chairperson shall not have a vote on any resolution of the Committee, or be counted in the quorum for a Committee meeting, but shall be permitted to engage fully at Committee meetings and in the Committee decision-making process.
- (d) The Committee shall decide upon the remuneration (if any) of the Independent Chairperson, which shall be paid in equal amounts by the Shareholders.
- (e) An Independent Chairperson may be removed and replaced at any time by unanimous vote of the Committee.

- (f) An Independent Chairperson may resign at any time by notice to the Committee.
  - (g) An Independent Chairperson shall hold office until they:
    - (i) cease to be independent as provided in clause 6.3(a);
    - (ii) are removed from office under clause 6.3(e);
    - (iii) resign in accordance with clause 6.3(f); or
    - (iv) become a person disqualified from holding office as a director of a company under section 151 of the Companies Act.
- 6.4 Authority of Shareholders Committee Representatives:** Subject to the delegations under clause 6.1 above, the Shareholders agree that any action, matter or decision for a Shareholder under this agreement may be exercised by a duly authorised Shareholders Committee Representative or Alternate, each of whom must be an elected member of a Shareholder.
- 6.5 Shareholders Committee meetings:** Unless the Shareholders Committee determines otherwise, the Shareholders Committee will meet on a quarterly basis.
- 6.6 Attendance of Shareholders Committee Representatives at meetings:** Each Shareholder will ensure that each of its appointed Shareholders Committee Representatives or their Alternates attend each meeting of the Shareholders Committee.
- 6.7 Failure to attend:** If a Shareholder's appointed Shareholders Committee Representative or their Alternates are not present at two or more consecutive meetings of the Shareholders Committee, then that Shareholder will be required, on notice by any other Shareholder, to replace that Shareholder's appointed Shareholders Committee Representative and/or Alternates (as appropriate).
- 7. LOANS AND GUARANTEES BY SHAREHOLDERS**
- 
- 7.1 Loans and guarantees:** Subject to clause 7.2, no Shareholder will be required to make any loans to the Company or guarantee the obligations of the Company, to any creditor or other party except with the express prior agreement of such Shareholder.
- 7.2 LGFA funding guarantee:** The Shareholders agree that, at the required or desirable time before Day One, each Shareholder will take all steps necessary, including providing any guarantee (in amounts proportionate to their shareholdings, or otherwise as may be agreed with LGFA), to enable the Company to access funding through LGFA.
- 8. STATEMENT OF EXPECTATIONS**
- 
- 8.1 Preparation:**

- (a) The Shareholders will be responsible for jointly preparing a Statement of Expectations for the Company in accordance with the LG(WS) Act, within the time periods required by the LG(WS) Act.
- (b) The Shareholders will delegate responsibility for preparing and adopting the Statement of Expectations to the Shareholders Committee in accordance with clause 6.1.
- (c) Unless the Shareholders otherwise agree, or an alternative process is provided for in the LG(WS) Act (in which case that alternative process will be followed), the Shareholders Committee will meet at least eight months before the date on which the Company is required to prepare a Water Services Strategy under the LG(WS) Act, to discuss and agree to the process for preparing the next Statement of Expectations, which will be consistent with the Constitution and the process requirements set out in the LG(WS) Act, and will publish that process on the website of one or more of the Shareholders in accordance with the LG(WS) Act.
- (d) In addition to the requirements specified in the LG(WS) Act, the Statement of Expectations will also include the matters set out in Schedule 1.
- (e) No later than the period set out in Schedule 1 before the publication date, or an alternative date agreed by the Shareholders, the agreed Statement of Expectations will be circulated to the Chairperson of the Board, the Chief Executive of the Company and the Shareholders Committee.

## 9. SHARES AND SHAREHOLDERS

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- 9.1 **No sale:** No Shareholder may directly or indirectly sell, transfer, or dispose of the legal or beneficial ownership of, or the control of, any of its Shares otherwise than in compliance with this agreement, the Constitution and the LG(WS) Act.
- 9.2 **No Security Interest:** A Shareholder must not grant a Security Interest over any of its Shares.
- 9.3 **Share issue:** Subject to approval of the Shareholders in accordance with clause 5.1, the Board may issue Shares in accordance with the Constitution and this agreement, including the principles set out in Schedule 1.
- 9.4 **Additional Shareholders:** Subject to the approval of the Shareholders in accordance with clause 5.1, additional Local Authorities may become shareholders in the Company in accordance with the Constitution, the principles set out in Schedule 1, and Schedule 2.
- 9.5 **Exiting shareholders:** A Local Authority may cease to be a shareholder in the Company in accordance with the Constitution and the principles set out in Schedule 1 (a **Shareholder Exit**).
- 9.6 **Amalgamation of Local Authorities:** In the event of an amalgamation (**Amalgamation Event**), the Shareholders Committee will meet and discuss the effect of the amalgamation on the shareholding structure of the Company and will exercise their

voting rights to ensure that the shareholding percentages for the Shares remain reasonable as agreed by all Shareholders.

**9.7 Consequences of Shareholder Exit or Amalgamation:** If a Shareholder Exit or Amalgamation Event occurs or is likely to occur:

- (a) the Shareholders Committee will meet and discuss the effect of the Shareholder Exit or Amalgamation Event on the shareholding structure of the Company and will exercise their voting rights to ensure that the structure (including the relative shareholding percentages of the remaining Shareholders) remains fit for purpose having regard to the purpose of the Company as set out in clause 3; and
- (b) if requested by a Shareholder, the Shareholders Committee will meet and discuss the effect of the Shareholder Exit or Amalgamation Event on the arrangements contemplated under this agreement more widely in accordance with the following principles:
  - (i) each Shareholder acknowledges their ongoing commitment to the principle of co-operation and collaborative working as set out in clause 5.4; and
  - (ii) the arrangements in respect of the governance of the Company must continue to be fit for the purpose of the Company as a water organisation and the respective community and economic interests of the remaining Shareholders.

**10. TERM AND TERMINATION**

**10.1 Term:** Subject to clause 11.2, the **Term** of this agreement commences on the date signed by all Shareholders and continues until the first date on which:

- (a) only one Shareholder owns all Shares;
- (b) none of the Shareholders hold Shares;
- (c) all Shareholders agree that this document is terminated; or
- (d) the Company is liquidated.

**11. CONSEQUENCES OF TERMINATION**

**11.1 Effect of termination:** Any termination of this agreement with respect to a Shareholder does not affect any accrued rights that Shareholder may have against the other parties to this agreement or which the other parties to this agreement may have against it.

**11.2 Survival:** Termination of this agreement will not affect the rights and obligations of the Shareholders set out in clauses 1, 11, 13, 15, 16 and 17 which are intended to survive the termination of this agreement.

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**12. SUSPENSION OF RIGHTS**

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**12.1 Consequences:** If an Event of Default occurs in respect of a Shareholder (the **Defaulting Shareholder**), the Non-Defaulting Shareholders may, while that Event of Default continues, by notice in writing to the Defaulting Shareholder require that the Defaulting Shareholder is suspended as follows:

- (a) all rights of the Defaulting Shareholder under this agreement (including the right to vote on a Reserved Matter) and all rights attaching to the Defaulting Shareholder's Shares (**Default Shares**) (including that Shareholder's right to vote) are suspended and that Shareholder is not to be counted for the purpose of determining a quorum for a Shareholders' meeting;
- (b) all voting rights of the Shareholders Committee Representatives appointed by the Defaulting Shareholder are suspended; and
- (c) all Director appointment rights of the Defaulting Shareholder are suspended.

**12.2 Non-Defaulting Shareholder:** For the purposes of clause 12.1:

- (a) **Non-Defaulting Shareholders** means all Shareholders which are not the Defaulting Shareholder; and
- (b) any notice which may be given by the Non-Defaulting Shareholders may be given by a Shareholder or Shareholders which holds or hold more than half of the Shares held by all Non-Defaulting Shareholders.

**12.3 Default interest:** If any party does not pay any amount payable under this agreement on the due date for payment (**Due Date**) that party will pay to the other party interest (both before and after judgment) on that amount. That interest will be:

- (a) paid at the rate set out in Schedule 1;
- (b) paid by instalments at intervals of 10 Business Days from the Due Date; and
- (c) calculated on a daily basis from and including the Due Date until the unpaid amount is paid in full.

The right of a party to require payment of interest under this clause does not limit any other right or remedy of that party.

**12.4 Other remedies:** Clauses 12.1 and 12.3 are without prejudice to any other right, power or remedy under this agreement, at law, or otherwise, that any Shareholder has in respect of a default by any other Shareholder.

**13. DISPUTE RESOLUTION**

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**13.1 Notice in writing:** If a party claims that a dispute has arisen, that party must give written notice to the other parties. The written notice must specify the nature of the dispute.



**13.2 Negotiation:**

- (a) On receipt of a notice delivered in accordance with clause 13.1 and before any party may refer a dispute to arbitration or expert determination, the Shareholders Committee Representatives must, in good faith and acting reasonably, do their best to resolve the dispute quickly and efficiently through negotiation.
- (b) If any Shareholders Committee Representative considers that the dispute is not being resolved in a timely manner, such Shareholders Committee Representative may serve written notice on the other parties' Shareholders Committee Representatives to escalate the dispute to the Chief Executives or equivalent (where the Shareholders Committee Representatives are not the Chief Executive or equivalent) of the applicable Shareholders for resolution.
- (c) If the dispute has not been resolved within 20 Business Days (or within such other period as agreed by the parties) of the date of the notice referred to in clause 13.2, any party may submit the dispute to arbitration or expert determination.

**13.3 Arbitration:**

- (a) If the parties do not resolve the dispute by negotiation, and unless the parties agree to refer the dispute to Expert Determination, any party (the **Initiating Party**) may refer that dispute to binding arbitration by issuing a written notice (**Arbitration Notice**) to the other party or parties (together with the Initiating Party, the **Disputing Parties**) for final resolution in accordance with the provisions of this clause 13.3 and in accordance with the provisions of the Rules of Arbitration of the New Zealand Dispute Resolution Centre, as amended or modified from time to time (**NZDRC Rules**).
- (b) The arbitral panel will consist of one arbitrator. The arbitrator will be appointed by the agreement of the Disputing Parties or, failing agreement within 10 Business Days of the date of the Arbitration Notice, in accordance with the NZDRC Rules.
- (c) The seat of arbitration will be as set out in Schedule 1 and the arbitration will be conducted in the English language.
- (d) The award of the arbitration will be in writing and must include reasons for the decision.
- (e) The award of the arbitration will be final and binding on the parties. No party may appeal to the High Court under Clause 5 of the Second Schedule of the Arbitration Act 1996 on any question of law arising out of an award.
- (f) The award will allocate or apportion the costs of the arbitration as the arbitrator deems fair.

- (g) Neither the existence of any dispute nor the fact that any arbitration is pending will relieve any of the Parties of their respective obligations under this agreement.

**13.4 Expert Determination:** If the parties agree to refer the dispute to an Expert Determination, then:

- (a) any Shareholder or the Company may refer the dispute to such firm of chartered accountants or lawyers (depending on the nature of the matters in issue) with suitable experience in dealing with such matters as are in dispute:

- (i) as is agreed by a majority of the Shareholders Committee and the Company; or
- (ii) failing agreement within 5 Business Days of the date of any Shareholder notifying details of its suggested expert to the other Shareholders and the Company, as is appointed by the President for the time being of the New Zealand Law Society,

(the **Expert**). The Expert will be required to make a decision in respect of the issue or dispute (and any consequential adjustments) within 10 Business Days from the date upon which the matter is referred to him or her.

- (b) The decision of the Expert will, in the absence of fraud or manifest error, be conclusive and binding on all Shareholders and the Company.

- (c) In resolving an issue or dispute under this clause:

- (i) the Expert will be deemed to be acting as an expert, not as a mediator or an arbitrator;
- (ii) nothing in this clause will constitute a submission to arbitration under the Arbitration Act 1996;
- (iii) each Shareholder and the Company must give the Expert any information and assistance, and will ensure that its duly authorised representatives meet with the Expert, as the Expert may reasonably require in order to expedite the resolution of the issue or dispute; and
- (iv) the Shareholders and the Company will be jointly and severally liable to the Expert for all costs incurred by the Expert, but the Expert may allocate, to any one or more of the Shareholders and the Company, the responsibility for payment of those costs and that allocation will be binding on the Shareholders and the Company.

**13.5 Implementation of agreement:** The parties must do whatever is reasonably necessary to put into effect any negotiated or arbitral award, or Expert Determination or other resolution. This includes exercising voting rights and other powers as required.

**13.6 Rights and obligations during a dispute:** During a dispute, each party must continue to perform its obligations under this agreement.

**13.7 Interlocutory relief and right to terminate:** This clause does not restrict or limit the right of a party to obtain interlocutory relief, or to immediately terminate this agreement where this agreement provides such a right.

#### **14. DISTRIBUTION PRINCIPLES ON LIQUIDATION**

**14.1 Principles:** The principles which govern the distribution on liquidation of the Company (which are intended to be legally binding) include:

- (a) each Shareholder would be entitled to have the original Water Services assets it transferred to the Company (or representative equivalent assets) transferred back to it along with the relevant debt apportioned to those assets;
- (b) an adjustment amount may be payable on liquidation by any Shareholder to reflect effective compensation for the costs of any new Water Services assets that may transfer to such Shareholder, less the allocation and assumption of a share of the Company's debt (and other liabilities) for the new Water Services assets; and
- (c) the basis on which that adjustment amount is set will be determined by the Shareholders Committee.

#### **15. CONFIDENTIAL INFORMATION AND PUBLIC ANNOUNCEMENTS**

**15.1 Confidentiality:** Each party must keep confidential the Confidential Information and must not disclose or permit the disclosure of any Confidential Information to any other person. If a party becomes aware of a breach of this obligation, that party will immediately notify the other parties.

**15.2 Further permitted use and disclosure:** This agreement does not prohibit the disclosure of Confidential Information by a party in the following circumstances:

- (a) the other parties have consented to the disclosure of the relevant Confidential Information;
- (b) the disclosure is specifically contemplated and permitted by this agreement;
- (c) the disclosure of Confidential Information is to an employee, subcontractor, agent or representative who needs it for the purposes of this agreement;
- (d) the disclosure is to a professional adviser in order for it to provide advice in relation to matters arising under or in connection with this agreement;
- (e) the disclosure is required by a court or governmental or administrative authority; or

- (f) the disclosure is required by applicable law or regulation, including under the Local Government Official Information and Meetings Act 1987.

**15.3 Public announcements and media releases:** Each party agrees that it will not make any public announcements or issue media releases in connection with, or on behalf of, the other Shareholders or the Company in relation to the Company or Water Services, except with the written consent of the other Shareholders. Nothing in this provision will prohibit or restrict a Shareholder from making a public announcements or media releases in connection with the Shareholder's own involvement with, or policies in relation to, the Company.

## **16. NOTICES**

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**16.1 Giving notices:** Any notice or communication given to a party under this agreement is only given if it is in writing and sent in one of the following ways:

- (a) delivered or posted to that party at its address and marked for the attention of the relevant department or officer (if any) set out in Schedule 1; or
- (b) emailed to that party at its email address and marked for the attention of the representative set out in Schedule 1.

**16.2 Change of details:** If a party gives the other party three Business Days' notice of a change of its postal address or email address, any notice or communication is only given by that other party if it is delivered, posted or emailed to the latest postal address or email address.

**16.3 Time notice is given:** Any notice or communication is to be treated as given at the following time:

- (a) if it is delivered, when it is left at the relevant address;
- (b) if it is sent by post, five Business Days after it is posted; or
- (c) if it is sent by email, when it is received in readable form addressed in the manner specified above.

However, if any notice or communication is given, on a day that is not a Business Day or after 5pm on a Business Day, in the place of the party to whom it is sent it is to be treated as having been given at the beginning of the next Business Day.

## **17. GENERAL**

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**17.1 Company incorporation:** The Shareholders agree to take all steps necessary to incorporate the Company at a time to be agreed by the Shareholders (and, in any case, by no later than 31 May 2026) and to procure that, on or as soon as reasonably practicable after incorporation, the Company becomes a party to this agreement.

**17.2 No partnership, joint venture:** Nothing in this agreement will create or evidence any partnership, joint venture, agency, trust or employer/employee relationship between any of the Shareholders, and a Shareholder may not make, or allow to be made, any

representation that any such relationship exists between any of the Shareholders. A Shareholder will not have authority to act for, or to incur any obligation on behalf of, any other Shareholder, except as expressly provided for in this agreement.

**17.3 No privity:** Other than as expressly provided for in this agreement, this agreement is not intended to confer a benefit on any person or class of persons who is not a party to it.

**17.4 Counterparts:** This agreement is deemed to be signed by a Shareholder if that Shareholder has signed or attached that Shareholder's signatures to any of the following formats of this agreement:

- (a) an original;
- (b) a photocopy; or
- (c) an electronic copy.

and if every Shareholder has signed or attached that Shareholder's signatures to any such format and delivered it in any such format to the other Shareholders, the executed formats will together constitute a binding agreement between the Shareholders.

**17.5 Entire agreement:** This agreement contains everything the parties have agreed in relation to the subject matter it deals with. No party can rely on an earlier written agreement or anything said or done by or on behalf of another party before this agreement was executed.

**17.6 Severance:** If any provision of this agreement is, or becomes unenforceable, illegal or invalid for any reason it will be deemed to be severed from this agreement without affecting the validity of the remainder of this agreement and will not affect the enforceability, legality, validity or application of any other provision of this agreement.

**17.7 Further assurance:** Each Shareholder will make all applications, execute all documents and do or procure all other acts and things reasonably required to implement and to carry out its obligations under, and the intention of, this agreement.

**17.8 Variation:** No variation of this agreement will be of any force or effect unless it is in writing and signed by the parties to this agreement.

**17.9 Assignments and transfer:** A party must not assign or transfer any of its rights or obligations under this agreement without the prior written consent of each of the other parties.

**17.10 Costs:** Except as otherwise set out in this agreement, each party must pay its own costs and expenses, including legal costs and expenses, in relation to preparing, negotiating, executing and completing this agreement and any document related to this agreement.

**17.11 Inconsistency with Constitution:** If there is any inconsistency between:

- (a) a provision in this document and a mandatory provision in the LG(WS) Act, the LGA or the Companies Act, then the mandatory provision in the LG(WS) Act, the LGA, or the Companies Act (as the case may be) will prevail; and
- (b) this document and the Constitution then each party agree to abide by this document and to do everything required to change the Constitution so that it is consistent with this document.

**17.12 Waivers:**

- (a) A waiver of any right, power or remedy under this agreement must be in writing signed by the Council granting it. A waiver only affects the particular right, obligation or breach for which it is given. It is not an implied waiver of any other right, obligation or breach or an implied waiver of that right, obligation or breach on any other occasion.
- (b) The fact that a party fails to do, or delays in doing, something the party is entitled to do under this agreement does not amount to a waiver.

**17.13 Governing law:** This agreement is governed by the laws of New Zealand.

**SIGNATURES**

**HOROWHENUA DISTRICT COUNCIL**

By:

\_\_\_\_\_  
Signature of Authorised Signatory

\_\_\_\_\_  
Signature of Authorised Signatory

\_\_\_\_\_  
Name of Authorised Signatory

\_\_\_\_\_  
Name of Authorised Signatory

**PALMERSTON NORTH CITY COUNCIL**

By:

\_\_\_\_\_  
Signature of Authorised Signatory

\_\_\_\_\_  
Signature of Authorised Signatory

\_\_\_\_\_  
Name of Authorised Signatory

\_\_\_\_\_  
Name of Authorised Signatory

**RANGITIKEI DISTRICT COUNCIL**

By:

\_\_\_\_\_  
Signature of Authorised Signatory

\_\_\_\_\_  
Signature of Authorised Signatory

\_\_\_\_\_  
Name of Authorised Signatory

\_\_\_\_\_  
Name of Authorised Signatory

**SCHEDULE 1**

**FURTHER DETAILS**

<div>Service Area(s) for provision of "Water Services"</div> <div>(Clause 1.1)</div>	<div>The Service Area for the provision of Water Services initially relates to the territorial districts of:</div> <div>(a) Horowhenua District Council;</div> <div>(b) Palmerston North City Council; and</div> <div>(c) Rangitikei District Council.</div>												
<div>Initial share issue and shareholding</div> <div>(Clause 2.1)</div>	<div>Total Shares to be issued on incorporation: 100</div> <div>Initial Shareholders, their shareholdings and voting percentages are:</div> <table><tr><th>Shareholder</th><th>Number of Shares</th><th>Voting %</th></tr><tr><td>Horowhenua District Council</td><td>25</td><td>25%</td></tr><tr><td>Palmerston North City Council</td><td>65</td><td>65%</td></tr><tr><td>Rangitikei District Council</td><td>10</td><td>10%</td></tr></table>	Shareholder	Number of Shares	Voting %	Horowhenua District Council	25	25%	Palmerston North City Council	65	65%	Rangitikei District Council	10	10%
Shareholder	Number of Shares	Voting %											
Horowhenua District Council	25	25%											
Palmerston North City Council	65	65%											
Rangitikei District Council	10	10%											
<div>Initial business set up activities</div> <div>(Clause 3.2)</div>	<div>In addition to the matters expressly covered elsewhere in this document:</div> <div>(a) <b>Service Level Agreements:</b> Each Shareholder and the Company will, prior to Day One, agree and enter into appropriate service level agreements, under which each Shareholder shall provide support services to the Company as required by the Company on an interim basis before its own systems, processes and capabilities are in place.</div> <div>(b) <b>Transfer Agreements:</b> Each Shareholder and the Company will, prior to Day One, agree and enter into a separate Transfer Agreement (as between each Shareholder and the Company), for the transfer of that Shareholder’s Water Services obligations (and associated assets, liabilities and debts) to the Company on the terms contained in the relevant Transfer Agreement.</div> <div>(c) <b>Shared Services:</b> Determine which services (if any) will be shared between the Company and any Shareholder.</div>												
<div>Other matters to be included in the Statement of Expectations</div>	<div>The following matters will be addressed in the Statement of Expectations (unless otherwise determined by the Shareholders Committee):</div> <div>(a) relationships with Shareholders, the communities of each Shareholder, and customers;</div>												

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Schedule 1 Further Details

(Clause 8.1(d))	<ul style="list-style-type: none"> <li>(b) performance indicators;</li> <li>(c) strategic priorities for the Water Services Strategy;</li> <li>(d) third party obligations;</li> <li>(e) specific obligations of the Shareholders; and</li> <li>(f) requirement to undertake community and/or customer engagement.</li> </ul>
<p><b>Time period before publication to provide the agreed Statement of Expectations to the Chairperson of the Board, the Chief Executive of the Company and the Shareholders Council</b></p> <p>(Clause 8.1(c))</p>	<p>15 Business Days</p>
<p><b>Principles for share issue</b></p> <p>(Clause 9.3)</p>	<p><b>New Shareholders</b></p> <p>The principles which govern the process for additional Local Authorities joining after the establishment of the Company (which are intended to be legally binding) include:</p> <ul style="list-style-type: none"> <li>(a) additional Local Authorities may become shareholders in the Company;</li> <li>(b) additional Local Authorities would be issued shares in same manner as Horowhenua District Council, Palmerston North City Council, and Rangitikei District Council, as the founding shareholding councils;</li> <li>(c) a “buy in” price will be payable;</li> <li>(d) the “buy in” price will be set on a basis that takes into account a proportionate share of the costs incurred by the founding shareholding councils to establish the Company; and</li> <li>(e) the basis on which that “buy in” price is set will be determined by the Shareholders Committee.</li> </ul>
<p><b>Principles for exiting shareholders</b></p> <p>(Clause 9.5)</p>	<p>The principles which govern the process for any Shareholder Exit after the establishment of the Company (which are intended to be legally binding) include:</p> <ul style="list-style-type: none"> <li>(a) a Shareholder may exercise its right to exit the Company by giving two years’ notice of its intention to cease to be a Shareholder. The terms on which the exit may occur, such as any “buy out” price will be a Reserved Matter;</li> <li>(b) the right to exit may only be exercised after a period of no less than 10 years from Day One;</li> </ul>

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Schedule 1 Further Details

	<p>(c) the exiting Shareholder would be entitled to have the original water services assets it transferred to the Company (or representative equivalent assets) transferred back to it along with the relevant debt apportioned to those assets;</p> <p>(d) a “buy out” price may be payable by the exiting Shareholder on the Shareholder Exit to reflect effective compensation for the costs of any new water services assets that may transfer to the exiting Shareholder, less the allocation and assumption of a share of the Company’s debt (and other liabilities) for the new water services assets; and</p> <p>(e) the basis on which that “buy out” price is set will be determined by the Shareholders Committee.</p>
<p><b>Interest rate payable on payment default</b> (Clause 12.3(a))</p>	<p>Bill Rate plus 3% per annum</p> <p>For the purposes of this paragraph, <b>Bill Rate</b> means:</p> <p>(a) the bank bill reference (bid) rate (rounded upwards, if necessary, to the nearest two decimal places) administered by the New Zealand Financial Benchmark Facility (or any other person which takes over the administration of that rate) for the relevant period and displayed on page BKBM of the Bloomberg screen or Thomson Reuters equivalent (or its or their successor page); or</p> <p>(b) if this rate does not appear on page BKBM of the Bloomberg screen or Thomson Reuters equivalent (or its or their successor page) or if such page is not available, the average of the mean bid and offered rates of Westpac New Zealand Limited for bank bills of exchange having a tenor of 90 days at 10.45 am on that Business Day, provided always that if such rate would be less than zero, it will be zero.</p>
<p><b>Place of arbitration</b> (Clause 13.3(c))</p>	<p>Palmerston North</p>

Schedule 1 Further Details

Address for notices <i>(Clause 15.1)</i>	Horowhenua District Council	Rangitikei District Council
	126 Oxford Street, Levin 5510, New Zealand  Email: <a href="mailto:moniqued@horowhenua.govt.nz">moniqued@horowhenua.govt.nz</a>  Attention: <b>Monique Davidson</b>	46 High Street, Marton 4710, New Zealand  Email: <a href="mailto:carol.gordon@rangitikei.govt.nz">carol.gordon@rangitikei.govt.nz</a>  Attention: <b>Carol Gordon</b>
	Palmerston North City Council	Central Districts Water Limited
	32 The Square, Palmerston North 4410, New Zealand  Email: <a href="mailto:waid.crockett@pncc.govt.nz">waid.crockett@pncc.govt.nz</a>  Attention: <b>Waid Crockett</b>	32 The Square, Palmerston North 4410, New Zealand  Email: <a href="mailto:chris.dyhrberg@pncc.govt.nz">chris.dyhrberg@pncc.govt.nz</a>  Attention: <b>Chris Dyhrberg</b>
<b>Shareholders Committee membership</b> <i>(Schedule 3)</i>	<p>Total number of members of the Shareholders Committee: up to 10.</p> <p>Initial members of the Shareholders Committee:</p> <ul style="list-style-type: none"> <li>3 members appointed by Horowhenua District Council;</li> <li>3 members appointed by Palmerston North City Council;</li> <li>3 member appointed by Rangitikei District Council; and</li> <li>1 independent member appointed pursuant to Terms of Reference.</li> </ul> <p>Quorum for meetings of the Shareholders Committee: at least five members (or their Alternates) in total, including at least one Shareholders Committee Representative that is an elected member of each appointing Council.</p>	

SCHEDULE 2

RESERVED MATTERS REQUIRING SHAREHOLDER APPROVAL

MATTER OR TRANSACTION	REQUIRED APPROVAL
<b><i>Special Resolution matters</i></b>	
"Major transactions" as that term is defined in the Companies Act.	Special Resolution
Any alteration to, or revocation of, the Constitution (other than clause 8 of the Constitution relating to Distributions (as defined in the Constitution)).	Special Resolution
Any issue of Shares, securities that are convertible into or exchangeable for Shares, or options to acquire Shares (to a Shareholder).	Special Resolution
Any alteration of rights, privileges or conditions attaching to the Shares.	Special Resolution
Any consolidation, division, or subdivision of Shares.	Special Resolution
Any cancellation, buy-back or reduction of Shares, securities that are convertible into or exchangeable for Shares, or options to acquire Shares.	Special Resolution
The giving of any financial assistance for the purpose of, or in connection with, the purchase of Shares.	Special Resolution
The terms of any Shareholder Exit.	Special Resolution
Making a material change in the nature of the Company's business or engaging in business activities other than the Business.	Special Resolution
Incurring any indebtedness to any person other than New Zealand Local Government Funding Agency Limited or a New Zealand registered banking institution.	Special Resolution
Granting any security interest over any of the assets of the Company.	Special Resolution
<b><i>Unanimous Resolution matters</i></b>	
Any issue of Shares, securities that are convertible into or exchangeable for Shares, or options to acquire Shares (to anyone other than a Shareholder).	Unanimous Resolution
Liquidation or winding up of the Company.	Unanimous Resolution

Schedule 2: Matters requiring Shareholder approval

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Amalgamation Event.	Unanimous Resolution
Transfer of Shares (except as permitted in the Constitution).	Unanimous Resolution
Any alteration to, or revocation of, the Terms of Reference.	Unanimous Resolution
Any amendment to clause 8 of the Constitution relating to Distributions.	Unanimous Resolution

### SCHEDULE 3

#### SHAREHOLDERS COMMITTEE TERMS OF REFERENCE

##### 1. PURPOSE

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The Shareholders Committee (**Shareholders Committee**) is established, as a joint committee under clause 30(1)(b) of Schedule 7 to the LGA to:

- (a) Provide governance oversight of the Company, once established, which will provide Water Services in the Service Area set out in Schedule 1; and
- (b) Provide a forum for the representatives of the Company's shareholders (**Shareholders**) to meet, discuss and co-ordinate on relevant issues and, through their representatives, exercise their powers in respect of the Company.

##### 2. SHAREHOLDERS COMMITTEE RESPONSIBILITIES

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The Shareholders Committee's responsibilities are:

- (a) Appointing and removing Directors, and determining the term of each Director's appointment;
- (b) Endorsing which Director will be Chair of the Board;
- (c) Adopting and amending the Board Skills Matrix;
- (d) Determining the Company's Board appointment policy;
- (e) Seeking and interviewing candidates for the Company's Board as needed;
- (f) Approving the remuneration of directors of the Company;
- (g) Engaging with the Company, on behalf of the Shareholders, in relation to the Company's preparation and approval of its significance and engagement policy;
- (h) Preparing, considering comments from the Company on, and adopting the Statement of Expectations for the Company;
- (i) Receiving, considering and providing comments and recommendations to the Company on its draft Water Services Strategy, and any amendments to it;
- (j) Receiving and considering draft Transfer Agreements;
- (k) Receiving and considering draft Transitional or Service Level Agreements;
- (l) Receiving and considering the Water Services Half-yearly Report and Water Services Annual Report of the Company;

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Schedule 3: Shareholders Committee Terms of Reference

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- (m) Receiving and considering such other information from the Company as the Shareholders Committee may receive or request on behalf of the Shareholders from time to time;
- (n) Undertaking performance and other monitoring of the Company, and of the Board;
- (o) Considering and providing recommendations to the Shareholders on proposals from the Company;
- (p) Providing co-ordinated feedback, and recommendations as needed, on any matters requested or proposed by the Company or any Shareholder including water services assets and infrastructure and water conservation;
- (q) Developing, as required, a role description for an Independent Chair, and interviewing and appointing an Independent Chair;
- (r) Determining when Shareholder meetings, or resolutions in lieu of Shareholder meetings, are required, without prejudice to Shareholder and Board rights to call meetings under the Company's constitution; and
- (s) Providing recommendations to the Shareholders regarding changes to these terms of reference, the Shareholders' Agreement and the constitution of the Company.

**3. SHAREHOLDERS' RESPONSIBILITIES**

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To the extent that each Shareholder delegates its relevant powers to the Shareholders Committee member it appoints, the Shareholders Committee will provide a forum for the Shareholders to meet and exercise their powers in relation to the Company.

**4. MEMBERSHIP**

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- (a) The membership of the Shareholders Committee will total the number of persons set out in Schedule 1.
- (b) Each Shareholder will appoint three members of the Shareholders Committee, with the initial members being as set out in Schedule 1.
- (c) At least one but no more than two members of the Shareholders Committee appointed by each Shareholder must be elected members of the appointing Shareholder.
- (d) Each Shareholder may appoint one Mana Whenua representative as one of its three members of the Shareholders Committee.

**5. CHAIRPERSON AND DEPUTY CHAIRPERSON**

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- (a) Once all members of the Shareholders Committee have been appointed, they will:
  - (i) appoint an Independent Chairperson, who will have no voting rights; and
  - (ii) appoint a Deputy Chairperson.

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Schedule 3: Shareholders Committee Terms of Reference

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- (b) The Deputy Chairperson:
  - (i) will act as the chair in the absence of the Independent Chairperson appointed pursuant to clause 5(a); and
  - (ii) may be removed and replaced by the members of the Shareholders Committee.

**6. QUORUM**

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- (a) For a meeting of the Shareholders Committee to have a quorum, five members, or their appointed Alternates, must be present, including at least one Shareholders Committee Representative that is an elected member of each appointing Council.
- (b) Where the Shareholders Committee is providing a forum for the Shareholders to meet and exercise their powers in relation to the Company, the requirements of the Company's constitution and shareholders' agreement will prevail over the Terms of Reference.

**7. ALTERNATES**

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- (a) Each Shareholder must appoint two Alternates for the Shareholders Committee Representatives appointed by it, one of whom is to be an Alternate for the appointed representative for mana whenua, in accordance with the Shareholders' Agreement.
- (b) Where any Alternate attends a meeting of the Shareholders Committee, they may vote at meetings, and undertake all actions in relation to the Shareholders Committee (including signing any resolution), as if they were the relevant Shareholders Committee Representative, but only in the event that the Shareholders Committee Representative is unable or unavailable to do so.

**8. DECISION-MAKING**

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- (a) The Shareholders Committee will strive to make all decisions by consensus.
- (b) In the event that a consensus on a particular matter before the Shareholders Committee is not able to be reached, the Shareholders Committee will vote on a resolution in respect of the matter.
- (c) Each member of the Shareholders Committee, except the Independent Chairperson appointed under clause 5(a)(i), will have one vote, and resolution may be passed by a simple majority of votes.
- (d) In the situation where there is an equality of votes cast on a matter, the Independent Chairperson does not have a casting vote.
- (e) Any resolution of the Shareholders Committee may be passed in writing, signed or assented to by or on behalf of Shareholders Committee Representatives holding the requisite majority of votes to pass the resolution, as specified above. Any such

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Schedule 3: Shareholders Committee Terms of Reference

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resolution in writing may consist of one or more documents in similar form (including letters, facsimiles, electronic mail, or other similar means of communication) each signed or assented to by or on behalf of one or more of the Shareholders Committee Representatives. Any Shareholders Committee Representative not signing the resolution must be provided with a copy of the resolution.

- (f) Other than for those matters for which the Shareholders Committee has effective decision-making capacity through these terms of reference, each Shareholder retains its full powers to make its own decisions on matters referred to it by the Shareholders Committee.

#### 9. REMUNERATION

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Each Shareholder will be responsible for remunerating its representatives on the Shareholders Committee for any costs associated with that person's membership of the Shareholders Committee.

#### 10. ADMINISTRATION

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Reports to be considered by the Shareholders Committee may be submitted by any of the Shareholders or the Company.

#### 11. ALTERATION OR REVOCATION

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No alteration or revocation of these Terms of Reference will be of any force or effect unless approved in accordance with Schedule 2 of the Shareholders Agreement.

#### 12. DEFINED TERMS

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**Alternate**, in relation to a Shareholder, means an alternate to that Shareholder's appointed Shareholders Committee Representatives to attend and vote at meetings of the Shareholders Committee but only where the relevant Shareholder's appointed Shareholders Committee Representative is unable or unavailable to do so.

**Board** means the board of Directors of the Company.

**Board Skills Matrix** means a matrix setting out the skills which are required to be represented on the Board, by being held by one or more Directors in office, as adopted and amended by the Shareholders Committee from time to time.

**Company** means Central Districts Water Limited.

**Director** means a director of the Company.

**Service Area** has the meaning given to it in section 4 of the LG(WS) Act and, in relation to the Company, comprises the combination of the areas delineated by geographical boundaries specified in each Transfer Agreement as the area in which the Company will provide water services under that Transfer Agreement, and also includes other areas in which the Company provides water services with the approval of the Shareholders Committee and subject to compliance with any requirements of the LG(WS) Act.

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Schedule 3: Shareholders Committee Terms of Reference

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**Shareholder** means a shareholder in the Company and includes any person who subsequently becomes a shareholder.

**Shareholders' Agreement** means the agreement relating to the Company between the Shareholders and the Company, once incorporated, as amended from time to time.

**Shareholders Committee** means the joint committee formed by the Shareholders in accordance with the Shareholders' Agreement.

**Shareholders Committee Representative** means a member of the Shareholders Committee appointed in accordance with the Shareholders' Agreement.

**Statement of Expectations** has the meaning given to it in section 220 of the LG(WS) Act.

**Transfer Agreement** has the meaning given to it in section 4 of the LG(WS) Act.

**Water Services** has the meaning given to it in section 4 of the LG(WS) Act, which will be the water services transferred to the Company in accordance with the Transfer Agreement between the Company and each Shareholder and otherwise provided by the Company in its Service Area.

**Water Services Annual Budget** has the meaning given to it in section 220 of the LG(WS) Act.

**Water Services Annual Report** has the meaning given to it in section 220 of the LG(WS) Act.

**Water Services Half-yearly Report** means the document referred to in section 248 of the LG(WS) Act.

**Water Services Strategy** has the meaning given to it in section 220 of the LG(WS) Act.



HOROWHENUA DISTRICT COUNCIL, PALMERSTON NORTH CITY COUNCIL, RANGITIKEI DISTRICT COUNCIL  
WATER SERVICES COUNCIL CONTROLLED ORGANISATION PROJECT

KEY DECISIONS FOR FOUNDATION DOCUMENTS

#	TOPIC / QUESTION	DECISION OPTIONS	RECOMMENDATION	CROSS-REF
<b>Constitution</b>				
<b>Foundational information</b>				
1.	<i>Name of Company</i>	[TBC]		
2.	<i>Scope of business</i>	Drinking Water, Wastewater and Stormwater	Will have responsibility for all three waters, to align with earlier Council decision-making and joint WSDP.	
3.	<i>Effective date<sup>1</sup></i>	(a) Day 0; the date the Company is incorporated (b) Day 1; the date that all water services assets, liabilities, rights and responsibilities will transfer to the Company	Day 0: 1 July 2026 (or earlier)  Day 1: 1 July 2027 (to align with WSDP and LTP cycle for shareholder councils)  If the preferred Day 1 was to shift earlier, then work programme would be out of step with LTP adoption, but a workable solution can be developed.	
<b>Ownership and control</b>				
4.	<i>Whether dividends permitted</i>	(a) No dividend permitted (b) Dividend permitted with board approval	We recommend option (c) as it gives the Company some flexibility while ensuring that a decision against reinvesting all surplus funds	Clause 8, Constitution

<sup>1</sup> We have suggested including an effective date (the date on which the provisions of the Constitution will take effect) so that:

- the Company can be incorporated before Day 1;
- the Company will be governed by the Constitution on and from Day 1; and
- the provisions of the Constitution will be applicable to a water services provider (as defined in the LG(WS)A) which the Company will not be until Day 1 (or the date it is transferred responsibility for delivering water services).

#	TOPIC / QUESTION	DECISION OPTIONS	RECOMMENDATION	CROSS-REF
		(c) Dividend permitted with unanimous shareholder approval	into maintaining and improving infrastructure and services cannot be made too easily.  We consider this approach to be consistent with the purpose, objectives and financial principles of the LG(WS)A.	
5.	<i>Frequency of shareholder meetings</i>	(a) Quarterly (b) Bi-annually (c) Annually.	Recommend option (c), or otherwise determined from time to time.	Clause 10.1, Constitution
<b>Directors, governance structure, and Shareholder meetings</b>				
6.	<i>What constitutes a quorum at a shareholders meeting?</i>	(a) >50% (b) 75+% (c) A representative from each shareholder.	Recommend option (c), to ensure that no shareholder is excluded from key decisions.	Clause 4.2, Schedule 1, Constitution
7.	<i>Director appointment</i>	(a) Each shareholder will have a right to appoint a director, with additional directors appointed by agreement (b) Shareholders (directly or via Shareholders Committee) will jointly appoint all directors	Neutral.  Option (a) could be a sensible solution that sees the directors appointed for Day 1, but option (b) is arguably preferable as it signals a joint approach and uniform comfort with the directors being appointed.  Preference would be to delegate to the Shareholders Committee the function of appointing directors, which is in keeping with approach to decision-making.  Ideally, the Constitution would align with each Council's policy relating to the appointment and remuneration of a director, as far as practicable, or a new appointment policy will be prepared and adopted for the Company itself. Shareholding councils will prepare a board skills matrix to satisfy the requirement to have an appropriate mix of skills, knowledge, and experience in relation to providing water services.	Clause 12.3, Constitution, clause 4.1 SHA, and schedule 3, SHA



#	TOPIC / QUESTION	DECISION OPTIONS	RECOMMENDATION	CROSS-REF
8.	<i>Term of director</i>	(a) Specified appointment term (eg 3 years), with a requirement to retire (but option to be re-elected) up to a maximum term (eg 9 years (3 x 3)) (b) Unspecified appointment term, with no requirement to retire unless removed/replaced	Recommend option (a) (noting that initial appointments will need to be staggered to ensure ability to rotate directors); that each director is appointed for a specified term (eg 3 years) and is subject to a maximum tenure period (eg 3 x 3 year terms) unless determined by the shareholders otherwise.	Clause 12.6, Constitution
9.	<i>Should directors have the power to appoint alternate directors?</i>	(a) Yes (b) No	Recommend option (b) given board meetings can be attended virtually unless the shareholders unanimously agree otherwise.	None provided for (ie not permitted)
10.	<i>Director Remuneration</i>	(a) Determined by shareholders by ordinary resolution (ie >50% vote) (b) Determined by shareholders by special resolution (ie 75 <sup>2</sup> +% vote) (c) Determined by the Shareholders Committee.	Recommend option (c), while having regard to each shareholding council's appointment and remuneration policy and independent data (or the Company's policy).	Clause 12.18, Constitution
11.	<i>Should interested directors be allowed to vote?</i>	(a) Yes (b) No	Recommend option (b), except in respect of: 1. any payment or other benefit under s 161 of the Companies Act 1993 2. the entry into an indemnity or insurance arrangement	Clause 13.3, Constitution
12.	<i>What constitutes a quorum at a directors meeting?</i>	(a) >50% (b) 75+% (c) 100%	Recommend option (b).	Clause 4.1(a) of Schedule 2, Constitution
13.	<i>Will the chair of a board have a casting vote?</i>	(a) Yes (b) No	Recommend option (b) to promote collective decision-making and avoid potential bias or tension.	Clause 5.2 of Schedule 2, Constitution

<sup>2</sup> References to 75+% in this documents are intended to signal a "75% or higher" threshold. The specific percentage should be agreed once shareholding structure is known.

#	TOPIC / QUESTION	DECISION OPTIONS	RECOMMENDATION	CROSS-REF
14.	<i>Frequency of board meetings</i>	(a) Monthly (b) No less than 10 times per annum (c) Quarterly	Recommend option (b), at least for the initial period until the Company is established.	Clause 1, Schedule 2, Constitution
<b>Accountability and reporting</b>				
15.	<i>Additional reporting obligations of the Company to each Council</i>	(a) Include additional reporting requirements (b) Rely on s 249 for notice to require additional plans or reports	Recommend option (b) because it gives the parties the flexibility to develop the reporting requirements rather than having to prescribe them from the outset.  Note also that Statement of Expectations will provide further opportunity to prescribe reporting requirements, and frequency of reporting, and will be required to set out requirements for half-yearly report from Company to Shareholders Committee.	Clause 11.1, Constitution
<b>Shareholders' Agreement</b>				
<b>Foundational information</b>				
16.	<i>The number of shares each shareholder will receive</i>	(a) Proportionate to the net assets each shareholding council transfers to the Company (and not subsequently adjusted) (b) Proportionate to the population or number of water connections each shareholding council has at the transfer date (and not subsequently adjusted) (c) Equal shareholding of ~33% each (and not subsequently adjusted) (d) One of the above options, rounded (eg 65/25/10) (and not subsequently adjusted) (e) One of the above options, with a subsequent review and adjustment (eg annually)	Please refer to Morrison Low's paper outlining alignment of options (a) to (d).  We recommend option (d). It supports more efficient decision-making for reserved matters as it would allow two out of three shareholding councils to pass special resolutions (if the threshold of 75% is adopted).	Schedule 1, SHA (currently left blank)
<b>Shareholders Committee – membership</b>				

#	TOPIC / QUESTION	DECISION OPTIONS	RECOMMENDATION	CROSS-REF
17.	<i>Shareholders Committee membership and appointment rights – shareholding councils representatives</i>	(a) [One/two/three] elected member[s] of each shareholding council (b) At least one elected member, and up to [One/two] person[s] appointed by a shareholding council to represent it (which can be an elected member)	Recommend option (b).  Option (b) reflects the legal requirements for a joint committee under the Local Government Act 2002, which must involve a representative of each local authority. An alternative option would be to establish an other type of subordinate decision-making body, which can allow for entirely appointed members, but we anticipate that elected member representation will be preferred.	Clause 4, Schedule 3, SHA
18.	<i>Shareholders Committee membership and appointment rights – Mana Whenua representatives</i>	(a) No Mana Whenua representation (b) Person[s] appointed by Mana Whenua, and confirmed by shareholding councils (c) Person[s] appointed by each shareholding council (d) Person[s] appointed jointly by shareholding councils	Recommend either option (b) with a recommendation from Nga Tapuwae o Hau or (c).  Refer to Morrison Low's paper for outline of advantages and disadvantages of the proposed options.	Clause 4, Schedule 3, SHA (not currently provided for)
19.	<i>Shareholders Committee membership and appointment rights – independent chair</i>	(a) Yes (b) No	Recommend option (a) as it promotes good governance and helps streamline discussions (noting the chair will not have a casting vote).	Clause 5, Schedule 3, SHA
20.	<i>Who will have the right to appoint a shareholder representative to the Shareholders Committee?</i>	(a) Full Council (b) Mayor for each Council	Recommend option (a), and in tandem with the appointment the Full Council will need to approve delegations to the Committee.	Clause 4, Schedule 3, SHA (not currently provided for)
21.	<i>Frequency of Shareholders Committee meetings</i>	(a) Quarterly (b) Bi-annually (c) Annually	Recommend option (a), but with ability for Shareholders Committee to determine otherwise from time to time.	Clause 6.4, SHA

#	TOPIC / QUESTION	DECISION OPTIONS	RECOMMENDATION	CROSS-REF
<b>Shareholders Committee – decision making</b>				
22.	<i>Voting rights of Shareholders Committee members</i>	(a) Equal to the number of shares held by appointing shareholder (b) Each member has equal voting rights.	Option (b) recommended.	Clause 8(c), Schedule 3, SHA
23.	<i>Decision-making</i>	Generally by simple majority	Reflects equal voting rights for representatives on Shareholders Committee.	Clause 8(c), Schedule 3, SHA
24.	<i>Responsibilities of Shareholders Committee</i>	of Suggest includes the following matters: (a) Approval of initial plan and budget (b) Preparation and approval of Statement of Expectations (c) Adoption of or changes to Director Skills Matrix (d) Director appointment policy (e) Comments to Company on draft Water Services Strategy (f) Review of draft Transfer Agreements (but not execution, as that is matter for Councils) (g) Review of draft Transitional or Service Level Agreements (but not execution) (h) Other matters	Recommend inclusion of all matters.  Note Mana Whenua membership on the Shareholders Committee may influence what is included in this scope, or may require adjustments so that certain decisions are only for Shareholders as opposed to non-Shareholder representatives.	Clause 2, Schedule 3, SHA
<b>Reserved Shareholder matters</b>				
25.	<i>Matters requiring unanimous approval of shareholders</i>	Can include the following matters: (a) Addition of new shareholder (b) Addition of new party to the Shareholders Committee (c) Liquidation or winding up of Company (d) Amalgamation	This should be limited to the most critical matters. We recommend (a) to (d).	Schedule 2, SHA



#	TOPIC / QUESTION	DECISION OPTIONS	RECOMMENDATION	CROSS-REF
		(e) Other matters		
26.	<i>Matters requiring 75+% approval of shareholders</i>	(a) Issue (to an existing shareholder) of, or changes to, buy-backs of shares (b) Major transactions (being transactions with a value of 50% or more of the assets of the Company) (c) Changes to constitution (d) Material change to the nature of the Company's business (e) Giving financial assistance for the purposes of purchasing shares (f) Other matters	This list should be limited to matters which require substantial alignment among shareholding councils. We recommend (a) to (e).	Schedule 2, SHA
<b>Other</b>				
27.	<i>Will the shareholding councils be required to make any loans to the Company?</i>	(a) Yes (b) No	Recommend option (b) to encourage financial sustainability.	Clause 7.1, SHA
28.	<i>Extent of shareholding council's guarantee to Company's under LGFA arrangements</i>	(a) Proportionate to shareholding (b) Equal liability	Recommend option (a).	Clause 7.2, SHA
29.	<i>Dispute resolution regime</i>	(a) Negotiation, mediation, arbitration (b) Negotiation, mediation, expert determination (c) Negotiation, expert determination (d) Negotiation, and hybrid of expert determination and arbitration depending on the nature of the dispute	We recommend option (d), subject to determining which matters should be resolved through expert determination.	Clause 13, SHA



File No.: 25/663

## 8.7 Waikawa Beach Vehicle Access

Author(s)	Lacey Winiata <b>Parks &amp; Property Manager   Tumu Rawa, Papa Rēhia</b>
Approved by	Brent Harvey <b>Group Manager - Community Experience &amp; Services   Tumu Rangapū, Wheako Hapori, Ratonga</b>
	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. This report provides Council with options for vehicle access or not at Waikawa Beach for Council to consider. It reflects the complexities of the matter and the evolving positions of key stakeholders, including iwi, other agencies and the community.

**This matter does not relate to a current Council priority.**

### EXECUTIVE SUMMARY | TE WHAKARĀPOPOTOTANGA MATUA

2. Council has worked closely with the Waikawa Beach community, Ngāti Wehi Wehi, Horizons, and the Department of Conservation (DoC) to understand viable options for vehicle access at Manga Pirau Street. Horizons has confirmed that while passive use of the current informal track does not require consent, any maintenance or vegetation clearance would. DoC has indicated in-principle support for an easement over its land, which could provide a lawful mechanism to enable controlled access without requiring active maintenance.
3. Engagement with the Community Group and neighbouring residents shows broad support for a trial period of access, supported by strong education and monitoring. Neighbours have raised concerns around privacy, noise, parking, and the interim nature of the solution, and all groups emphasise the importance of continuing to explore longer-term access options.
4. This report outlines the available options. Council direction is sought on whether to proceed with a trial and whether additional work on long-term alternatives is required. If further investigation is desired, Officers recommend that clear timeframes and boundaries be set to ensure future work remains proportionate and sustainable.

### DELEGATION OR AUTHORITY TO ACT | TE MANA WHAKATAU I NGĀ KAWENGA

5. Council has the authority to make this decision through the Local Government Act.

### SIGNIFICANCE ASSESSMENT | HE AROMATAWAI MATUA

6. This matter is assessed as significant under Council's Significance and Engagement Policy due to the high levels of community interest and the cultural and environmental sensitivities associated with vehicle access to Waikawa Beach. Officers have been continuously working with the community, particularly with community groups who represent different factions across Waikawa Beach, and the neighbours of the area discussed in this report. Their varying views are represented within this report.

## RECOMMENDATION | NGĀ TAUNAKITANGA

- A. That Council provide pedestrian and horse access only to Waikawa Beach, through 47-49 Manga Pirau Street.
- OR
- B. That Council requests Officers seek an easement with DoC and provides vehicle access to the beach across reserve land between 47-49 Manga Pirau Street Waikawa Beach.
- OR
- C. That Council requests Officers to seek easements across both DoC and Council land between 47-49 Manga Pirau Street to allow for vehicle access to Waikawa Beach with the following conditions on the easements:
- Time limit
  - Types of vehicles
- OR
- D. That Council retains the status quo and does not enable vehicle access at this time, with Officers continuing to monitor informal use of the existing track and providing a further update to Council if conditions materially change.
- E. That Council requests Officers to continue exploring alternative long-term access options, including land acquisition or alternative alignments, and that this work be undertaken within a defined timeframe set by Council.

## BACKGROUND | HE KŌRERO TŪĀPAPA

7. As previously presented in Council reports on this kaupapa (topic), in the past, vehicle access to Waikawa Beach has historically been provided by way of a single access point crossing privately owned land from the mouth of the Waikawa River, located at the end of Manga Pirau Street. This access had been graciously provided to the community by the landowner as a gesture of goodwill.
8. Maintaining that vehicle access point was challenging due to bank erosion from the adjacent Waikawa Stream and more frequent weather-related events. As a result, over the years there had been instances where local residents were unable to access the beach with their vehicles. Management of this issue was previously undertaken by Horizons Regional Council, primarily through stream "cuts" to redirect the channel towards the sea. The consent for those remedial actions expired in 2020.
9. In November 2021, a petition with 158 signatures was submitted to Council, urging the establishment of a sustainable vehicle and equestrian access to Waikawa Beach, using Council-owned land at Reay MacKay Drive. The petition was presented to the Council on 1 December 2021.
10. During the 2021-41 Long Term Plan process, Council decided to provide budget for Officers to identify and evaluate potential options for alternative long-term vehicle access (suitable for 4WD vehicles, ATV's and tractors) to Waikawa Beach and undertake a community engagement process to seek feedback on the identified options.
11. Council Officers, in collaboration with external planning and environmental consultants (Boffa Miskell), identified and assessed various options for potential vehicle access to

Waikawa Beach and presented five access options to Council at its meeting on 11 October 2023 (along with an option that would see no further action taken).

12. The 11 October 2023 report received by the Council outlined several complex considerations, including financial, geomorphological, environmental, and consenting challenges, as well as the high levels of community interest in several of the options. At that time, the Council decided that it would consult the community on three options, two of which involved the existing access at Manga Pirau Street (but with different maintenance arrangements), with the third being no vehicle access.
13. A total of 446 submissions were received and reported to the Council at its 20 March 2024 meeting, with approximately 70% of those indicating support for the options that allowed for vehicle access. Many of those submissions raised other options and raised related general concerns with the matter of vehicle access.
14. At the 20 March 2024 meeting, the Council was advised that continuing to use the existing access over private land was no longer available. This led to the Council deciding to leave the matter on the table, with a request made for Officers to continue to explore potential alternative options for vehicle access, alongside the option of providing no vehicle access.
15. Following that meeting, Officers updated submitters and asked those who owned land that could potentially be utilised for access, to get in touch. Officers and community members also spoke with some private landowners who may have been able to provide access options on their land. No potential options were presented to Officers in response.
16. Council Officers also discussed the matter with Horizon's Regional Council consenting team to obtain advice on what a consent process for access to Waikawa Beach may involve, including mitigation options to provide for a vehicle access way on Council-owned land between 47-49 Manga Pirau Street. The response from Horizons Regional Council requested a "technical report" on the option.
17. At the end of 2024, Boffa Miskell developed in draft, a schematic design for each of the three Council-owned land locations above, to understand if and how vehicle access could be practically constructed given the site constraints at each.
18. After updating the Council on progress at a workshop on 11 September 2024, Councillors requested a technical report to clearly outline the options, processes and costs associated. A report was brought back to Council in December 2024 where advice was prepared and framed based on legal counsel. At that meeting Councillors challenged the community to work together to find a solution and restore community harmony.
19. A Community Group was formed with representatives from Walk on Waikawa, Waikawa Beach Rate Payer Association, Waikawa Beach Environment Group and Vehicles on Waikawa Group. More recently Ngāti Wehi Wehi have also joined the group, having previously engaged in the topic separately. This group has been meeting with Officers and Councillor Barker (and Councillor Brannigan in the previous term of Council) to discuss and work toward a way forward. Since the establishment of the community group there has been a reported improvement in interpersonal behaviour.
20. A track was created to the beach on Council and Department of Conservation land, between 47-49 Manga Pirau Street. This was done without consent or permission of Council or DoC. The Community Group alongside Council issued joint communications outlining there is no formal vehicle access to the beach. Signage was also installed.
21. While perspectives remain diverse, the Community Groups focused on collaboration, and all parties made some level of concession and were at a point where they were interested in pursuing a controlled access trial through the Council-owned Manga Pirau Street location.
22. Officers brought back an overview report to the 25 June 2025 Council meeting, where Councillors acknowledged the Community Groups collaborative progress toward a controlled access trial, and directed Officers to continue working with the community and Ngāti Wehi

Wehi to further explore access options, both controlled and no access, and report back on progress.

## DISCUSSION | HE MATAPAKINGA

23. In forming the engagement approach underpinning this report, Officers assessed the adequacy and proportionality of consultation to date.
24. In forming this assessment, Officers have had regard to both Council's Significance and Engagement Policy and legal advice on the suitability of engagement up until this point. Officers note that consultation on this matter has occurred at multiple levels: formal statutory consultation through the Long Term Plan process and the 2023/24 vehicle access options consultation, which resulted in 446 submissions and prompted clear expression of community preferences; followed by sustained targeted engagement with the Waikawa Community Group, Ngāti Wehi Wehi, and affected neighbours. This engagement has included regular hui, co-designed communication with the community, facilitated discussions to support consensus-building, and direct dialogue with adjoining landowners. Based on the legal advice received, officers consider that this layered engagement approach, and the way in which community feedback has materially shaped the options presented in this report, is proportionate to the level of significance and satisfies Council's consultation obligations for the decisions now being sought.
25. Work on the Waikawa Beach vehicle access matter has progressed significantly over the past several months through ongoing engagement with the Waikawa Community Group. This mahi has helped build a shared understanding of the competing values at play – environmental protection, recreation and community use, cultural considerations, public safety, and the need for certainty and cohesion for the local community.
26. Recent developments have clarified both opportunities and constraints. Horizons Regional Council has advised that continued public use of the informal track as it currently exists does not in itself trigger resource consent requirements. Provided no additional vegetation clearance, earthworks, or re-formation of the track occur; the One Plan rules do not require a consent for people using the existing formed surface. This provides clarity that the current level of use can continue in the interim without breaching regional planning provisions.
27. However, Horizons has also confirmed that any further vegetation clearance, sand disturbance, widening, reshaping, or maintenance works within the foredune area would require resource consent. This is because the foredune and its associated dune vegetation are classified as "rare, threatened, or at-risk habitat" under Schedule 6 of the One Plan. As a result, even routine maintenance, such as smoothing ruts, removing sand that has drifted onto the track, or trimming vegetation, could trigger consent requirements. This has important implications for the long-term sustainability of any vehicle access arrangement.
28. Alongside this, Officers have engaged with the Department of Conservation (DoC) given that the lower portion of the informal track currently traverses DoC-administered land. DoC has signalled an openness to considering an easement that would allow managed public vehicle access across their land, subject to the standard Conservation Act concession process. This presents a potential pathway to formalising access in a controlled and lawful manner.

## Working with the Community

29. Feedback from the Community Group has evolved as these constraints and opportunities have become clearer. At the most recent hui (November 2025), the Group expressed a strong preference that any potential vehicle access be implemented initially as a *trial*, supported by a jointly developed community-led education campaign, environmental monitoring, and behaviour expectations. The Group emphasised the importance of communication that reflects the values of the Waikawa community, Ngāti Wehi Wehi, and local environmental advocates.

30. There remains, however, diversity of opinion among the group and wider stakeholders about whether any vehicle access should be provided, and what conditions should apply. Officers consider that the trial concept, paired with education, agreed behaviour protocols, and environmental monitoring, could provide valuable information to inform a future beach bylaw or Coastal Reserves Management Plan. At the same time, Council must consider its statutory obligations, environmental responsibilities, available enforcement tools, and the risk of unintended precedent-setting.

### Options | Ngā Kōwhiringa

31. Officers have therefore developed a set of options for Council consideration. These options reflect:
- the current regulatory framework (One Plan, Reserves Act, Public Places Bylaw),
  - the recently signalled willingness from DoC to consider an easement,
  - the community's desire for clarity and cohesion,
  - ongoing use of the informal track despite existing "no vehicle" signage,
  - and the need for Council to make a clear, durable, and defensible decision.
  - Each option has different implications for environmental protection, community expectations, cost, risk, and Council process requirements. These are set out in the following section.

Options   Ngā Kōwhiringa	Benefits   Ngā Whiwhinga	Risks   Ngā Mōrearea
<p><b>Option 1:</b> No vehicle access at Waikawa Beach with 47-49 being Pedestrian/Horse Access Only.</p> <p><b>Recommendation A</b></p> <ul style="list-style-type: none"> <li>• This option would restore the reserve to pedestrian and horse-only access, prevent vehicles from entering the foredune and beach area at Manga Pirau Street.</li> </ul>	<ul style="list-style-type: none"> <li>• Avoid the need for approvals or consents.</li> <li>• This option aligns most strongly with environmental protection values.</li> <li>• It is easy to implement and has limited to no cost associated.</li> </ul>	<ul style="list-style-type: none"> <li>• Likely to be strong opposition and could be seen as a step back from recent collaborative progress.</li> <li>• Many in the community may look for ways elsewhere, by creating other tracks, to enter the beach and therefore damaging the dunes.</li> </ul>
<p><b>Option 2:</b> Seek DoC Easement; Council Manages Access Across Its Land</p> <p><b>Recommendation B</b></p> <ul style="list-style-type: none"> <li>• This option involves seeking an easement/concession from DoC for the portion of track on their land, while Council manages access on its own reserve land without granting an easement</li> </ul>	<ul style="list-style-type: none"> <li>• Avoids the need for public notification under the Reserves Act (as no easement is required on Council land)</li> <li>• Provides a clear regulatory pathway, and allows a managed <i>trial</i> if Council chooses.</li> </ul>	<ul style="list-style-type: none"> <li>• Environmental impacts would require careful mitigation, and education and monitoring would be essential.</li> <li>• There are some in the community who will feel this is a step away from the permitted access conversations held previously.</li> </ul>



over HDC land.		
<b>Option 3: Seek Easements Across Both DoC and HDC Land</b>  <b>Recommendation C</b> <ul style="list-style-type: none"> <li>This option would fully formalise the accessway through easements on both land parcels.</li> </ul>	<ul style="list-style-type: none"> <li>Creates the strongest and most explicit legal authorisation pathway for vehicle access, reducing ambiguity around the status of the track, responsibilities for management, and the scope of permitted activities.</li> <li>This option allows for Council to define conditions of use (e.g. hours of use, types of vehicles, safety requirements etc.)</li> </ul>	<ul style="list-style-type: none"> <li>It would likely require public notification under section 48 of the Reserves Act and may face opposition.</li> <li>This could potentially be a longer process.</li> </ul>
<b>Option 4: Status Quo</b> <ul style="list-style-type: none"> <li>This option retains the current informal situation.</li> </ul>	<ul style="list-style-type: none"> <li>Lowest immediate cost option.</li> </ul>	<ul style="list-style-type: none"> <li>Unmanaged vehicle use, with the risk of Council being issued a notice to fix.</li> <li>Potential for ongoing environmental impacts.</li> <li>Confusion for the public with no certainty.</li> </ul>

32. It should be noted that many in the community believe this is an interim solution and expect Council to continue looking at other avenues. This is due to a number of reasons, namely:
- Boats unable to utilise the track
  - The neighbours not wanting this accessway to be permanent
33. Officers have also explored the following reasonably practicable options, which have been ruled out at this stage due to being unable to eventuate:
- Over private land
  - Over Council land via the two current pedestrian walkways on Strathnaver Crescent.
34. A licence to occupy was discussed in this process; however, it has been indicated that vehicle access of this type is more appropriately authorised through an easement/concession arrangement rather than a licence. A licence is generally suited to exclusive or low-impact activities, whereas an easement provides clearer and more certain public access rights. For this reason, a licence to occupy is not recommended.

### Options Commentary | He Tāpiringa Kōrero Mō ngā Kōwhiringa

35. Both Option 2 (DoC easement only; HDC-managed access across Council land) and Option 3 (easements across both DoC and HDC land) create a lawful framework that could be implemented in several different ways depending on Council's appetite for intervention, environmental effects, cost, and community expectations.



36. “Leave as is” / No Maintenance Approach

- Under either Option 2 or 3, Council could elect to allow access while *not* undertaking any physical works to form, shape, or upgrade the track.
- This approach avoids triggering regional resource consent requirements, as Horizons has confirmed that continued use of the track in its current condition does not require consent.
- Access would be “at the user’s own risk”, and Council could communicate this clearly through signage and public information.
- While this reduces cost and regulatory burden, it also limits Council’s ability to address safety concerns or deterioration of the track surface.
- This pathway is the lowest-intervention approach available under Options 2 and 3, but may present challenges if track conditions decline or if community expectations for safety or usability change over time.

37. Managed Access with Monitoring (but No Physical Works)

- Council could enable vehicle access under an easement but focus its role on monitoring use, education, signage, and behaviour expectations – particularly important if access is trialled.
- This approach aligns with the community group’s strong emphasis on education, behaviour guidelines, and joint monitoring.
- It avoids triggering resource consent requirements unless environmental protection or safety necessitates physical changes.
- This pathway offers a middle ground: access is enabled, but Council does not undertake works that trigger consent obligations.

38. Consent-Backed Maintenance or Safety Improvements

- If Council wishes to ensure the track is safely passable or mitigate erosion or dune damage, any physical work to reshape, widen, or clear vegetation would require a resource consent under the One Plan.
- This applies under both Option 2 and Option 3.
- Examples of works that would require consent include:
  - smoothing or re-levelling the track surface
  - removing sand drift
  - repairing dune slumping
  - trimming vegetation
  - widening the formation
- Choosing this pathway provides greater certainty and improved safety but introduces consent costs and potential conditions from Horizons.
- It may also raise community expectations about the level of service Council intends to provide.

39. Ability to Escalate or De-escalate Over Time

- One advantage of both Option 2 and Option 3 is that Council is not locked into a single mode of implementation.

- Council may begin with a “leave as is” or trial-based approach. Monitoring during a trial could inform whether consented maintenance is required to protect environmental values or public safety.
- Conversely, if environmental monitoring indicates unacceptable adverse effects, Council could scale access back without having invested in significant physical works.

### Neighbours Feedback on Options

40. Engagement with residents living at or near 47-49 Manga Pirau Street highlighted a number of strong concerns about the impact of the current informal accessway on their day-to-day living environment. Neighbours described a “significant change” in their experience of the beach frontage since the accessway began being used by vehicles, noting a high and constant flow of 4WDs, particularly utes and jeeps, with bright headlights shining directly into properties during evenings and early mornings. This change has affected their sense of privacy and amenity, with several residents expressing that the current level of use feels intrusive and unsustainable.
41. As previously mentioned, residents consistently commented that this is not viewed as a viable long-term solution and should only be considered as an interim approach while a more appropriate and permanent access option is explored. Many reiterated their support for Council continuing to investigate the purchase of private land as a preferred longer-term option. There was also concern that, without controls, the accessway may be “used as a highway,” significantly changing the character of the area.
42. Neighbours also noted that the current informal track is not suitable for launching or retrieving boats and presents accessibility challenges for those who are not physically able or who do not have access to quad bikes or side-by-sides. They emphasised that this reinforces the temporary nature of this option, and expressed a strong desire for Council to continue investigating long-term solutions that provide equitable access to the beach.
43. Neighbours expressed a strong interest in privacy and safety-related mitigations should a trial proceed. Suggestions included higher fencing, planting or shrub belts to buffer noise and reduce headlight glare, and additional planting to discourage parking within the reserve and close to homes.
44. Several residents expressed a preference for limiting access to lighter recreational vehicles (side-by-side vehicles and quad bikes), rather than full-sized 4WDs. One suggestion was to only have access big enough for quads or side-by-sides to go through, or a gate or one-arm barrier, with a configuration that still allows quad bike passage but restricts larger vehicles. Time-of-day restrictions were also considered important, with a preference for these being managed locally through the Ratepayers Association rather than by Council.

### Community Group Feedback on Options

45. Engagement with the Waikawa Beach Community Group showed a high level of consensus that, if Council proceeds with an accessway, it should initially be implemented as a trial. All groups expressed support for a structured trial period, provided it includes clear evaluation criteria, environmental and behavioural monitoring, and regular reporting back to the community and Council. There was strong collective emphasis on education as a foundation for any trial, particularly education grounded in local values, tikanga, environmental protection, and expectations for responsible behaviour on the beach.
46. Within this overall alignment, the groups hold differing views on the preferred form of access.
  - Walk on Waikawa maintain that a *permitted access system* (such as a permit with a gate, and those with a permit get a key) is the most effective way to limit environmental degradation and improve driver behaviour.

- The Ratepayers Association strongly opposes a permit system, expressing concern that it could undermine community harmony and create division; they favour an education-led approach supported by visible local messaging.
  - Ngāti Wehi Wehi sit between these positions, reiterating that both access and kaitiakitanga are important, and that whichever model Council chooses, community harmony and strong education must be at the centre.
  - Waikawa Beach Environment Group express strong opposition to motorbikes (two-wheels) being permitted on the beach, noting that they do not align with the safety and environmental objectives of the trial and are not considered necessary for beach access.
47. Overall, the group expressed willingness to work collaboratively with Council on a trial design that reflects shared values while accommodating these differing perspectives.

### Trial Monitoring

48. As mentioned, a trial is strongly supported. Monitoring could include:
- Bi-monthly photos of fixed points along the track and foredune to monitor movement.
  - Partnering with Horizons or DoC for quarterly checks on vegetation.
  - Creation of CRM category to capture complaints.
49. A report with these updates could be shared with the Community Group bi-monthly for oversight, as well as an update in Council's OPR.

### Beach Bylaw

50. Throughout engagement on the Waikawa Beach access issue, there has been a consistently strong desire from community groups and residents for Council to progress work on a Beach Bylaw. While this report focuses specifically on options for vehicle access at Waikawa Beach, the feedback received highlights that the community's concerns extend far beyond vehicles alone.
51. Matters such as environmental protection, safe and respectful behaviour by all beach users, protection of wildlife and dune systems, shared use between walkers, swimmers, dog owners and vehicles, and the overall character of the beach environment feature prominently in discussions. These are broader issues that cannot be fully resolved through an accessway decision alone.
52. A Beach Bylaw would provide a more comprehensive regulatory framework to manage behaviour, protect sensitive dune and coastal ecosystems, support mana whenua values, and give the community clarity about expectations for how the beach should be enjoyed and cared for. The trial period, if Council chooses to proceed with one, would generate valuable data to inform such a bylaw, including insights into environmental impacts, user behaviour, and community sentiment. Based on the strength and consistency of community feedback, officers consider that the development of a Beach Bylaw could be identified as a next step in the wider work programme, following the resolution of the immediate accessway decision.

### Other accessways in the district

53. Across the district, Council formally manages five established vehicle beach access points, each of which are identified in Schedule 3 of the Public Places Bylaw 2024. These are:
- **Foxton Beach** – Pinewood Road
  - **Foxton Beach** – Surf Club Carpark
  - **Waitārere Beach** – Waitārere Beach Road

- **Waitārere Beach** – Windsor Street
  - **Hokio Beach** – Muaūpoko Street
  - **Hokio Beach** – Tawhiti Street
54. At each of these locations, the purpose of the accessway is clearly defined, and Council applies consistent management practices under the Public Places Bylaw 2024. These include ensuring vehicles access the beach only through the designated point, managing signage, ensuring safe movement between the road reserve and the beach environment, and, where required, closing or restricting access under clause 14.6 to protect public safety or prevent environmental damage.
55. All designated accessways have historically developed from long-standing community use patterns and have formed part of local beach settlement layouts for many decades. They are typically supported by established public road endings, car parking areas, and reserve land configured to support beach access.

### ENGAGING WITH MĀORI | TE MAHI TAHI KI TE MĀORI

56. Council has engaged with Ngāti Wehi Wehi throughout this process, recognising their mana whenua status and ongoing cultural relationship with the Waikawa coastal environment. Representatives have participated as full members of the Waikawa Community Group, contributing to discussions on the values of the area, the importance of protecting the dune and coastal ecosystems, and the need to maintain community cohesion as decisions are made. Their involvement has supported a more holistic understanding of the cultural, environmental, and recreational significance of the site.
57. As mentioned earlier in this report, Ngāti Wehi Wehi have expressed support for enabling access to the beach – whether controlled or unrestricted, while emphasising education, environmental protection, and community harmony as key foundations of any future arrangement. They have signalled a willingness to partner with Council and the community to help shape messaging, support kaitiakitanga-focused education, and contribute to monitoring and evaluation should a trial proceed.
58. Ongoing engagement will continue as part of this project and any potential subsequent development of a district-wide Beach Bylaw or Coastal Reserves Management Plan.

### CLIMATE CHANGE | NGĀ ĀHUARANGI HURIHURI

59. The Waikawa coastline is subject to the effects of climate change, including coastal erosion, dune migration, increased storm frequency, and sea-level rise. These pressures are already influencing the formation and stability of the dune systems adjacent to the Manga Pirau Street access point. The sensitivity of these dune areas underpins Horizons' identification of the foredune as a "rare/threatened" habitat and informs the need for cautious and environmentally responsible decision-making.
60. Any decisions relating to vehicle access must be understood within this dynamic context. Climate impacts may affect the durability and safety of access routes over time, and any approved accessway will need to be monitored for erosion, vegetation loss, or track instability.
61. Future coastal management planning, including the forthcoming Coastal Reserves Management Plan, will provide a broader framework for considering adaptation over the longer term. It should be noted that the Waikawa Beach community are used to operating in this environment with the previous vehicle accessway often being washed out by the moving river. This is something they are comfortable with working with.

## FINANCIAL AND RESOURCING | TE TAHUA PŪTEA ME NGĀ RAUEMI

62. To date, Council has invested \$235,771.17 in work related to the Waikawa Beach access kaupapa. This includes costs for community consultation, engineering assessments, signage, and surveys, and reflects only the officer time associated with the public consultation undertaken over summer 2023/24 (with wider staff time not included in this figure).
63. In the Long Term Plan Council assigned \$1.238m for Waikawa Beach Accessway this financial year. However, Council has already approved replacement of the bridge from the same budget. This is estimated to cost \$500-\$550k. The bridge has not progressed at this stage as the private landowners on the other side of the bridge are awaiting the decision of this report.
64. As mentioned earlier in this report there is potential for ongoing maintenance costs, which will vary depending on which option Council decides to pursue. There is currently no operational budget available for this.

## LEGAL AND RISK | TE TURE ME NGĀ MŌREAREATANGA

65. Legal risks arise from the current unauthorised use of the informal track, the ecological sensitivity of the dune system, and Council's obligations under the Reserves Act, Resource Management Act, and Public Places Bylaw. Legal advice has confirmed that any physical maintenance or modification of the informal track would likely trigger resource consent due to Schedule 6 habitat rules. In addition, granting an easement over Council reserve land would normally require public notification unless specific statutory exceptions apply. An easement over DoC land would be managed through the Conservation Act concession process.
66. Key risks include potential environmental effects, public safety issues, community conflict, and clarity of enforcement. A managed trial, if approved, provides an opportunity to test these risks in a structured way with appropriate monitoring and the ability to restrict or close access under clause 14.6 of the Public Places Bylaw if required. Retaining the status quo carries its own risks, including ongoing unauthorised use, track degradation, and inconsistent public understanding of expectations.
67. Under the Health and Safety at Work Act 2015 (HSWA), Council's duty as a Person Conducting a Business or Undertaking (PCBU) is to take reasonably practicable steps to manage risks arising from the work Council does. HSWA does not make Council responsible for all risks that exist in natural environments or for the actions of members of the public who choose to use tracks, beaches or open spaces. Where Council is not carrying out work on a track, and no undertaking is being provided, Council is not responsible for managing every hazard or preventing all accidents.

## POLICY IMPACT | NGĀ PĀTANGA I NGĀ KAUPAPA HERE

68. This matter has implications across several existing Council policies, including the Significance and Engagement Policy, the Open Space Strategy, and the Climate Action Plan, and must be considered in the context of these wider frameworks.
69. Future policy tools, such as a Beach Bylaw and the forthcoming Coastal Reserves Management Plan will also need to align with, and respond to, any decisions made through this process to ensure a coherent and consistent approach to coastal access and management.

## COMMUNICATIONS AND ENGAGEMENT | TE WHAKAWHITI PĀRONGO ME TE MAHI

70. This kaupapa requires a carefully phased communication and engagement approach to ensure the community is well-informed, supported, and able to participate meaningfully in the next steps. There are two distinct communications streams associated with this matter.

### Communicating with our Community | Te Whakawhiti Pārongo ki te Hapori

71. The first relates to communicating Council's decision and clearly outlining what it means in practice. This will include explaining the option selected, expected timeframes, any interim arrangements, and how the community can stay involved as implementation progresses. The focus will be on providing accurate, accessible information and ensuring transparency around the process.
72. The second component is the education and behaviour messaging that the community group strongly emphasised throughout this process. Regardless of which option Council ultimately chooses, there remains a clear desire across all groups for a shared understanding of expected behaviour on the accessway and on the beach and the environmental and cultural sensitivities of the area. This educational component will be essential to support safety, environmental protection, and respectful use of the coastline.
73. Initial work on this education stream has already begun, and Officers will continue to collaborate directly with the Community Group to ensure the messaging reflects their collective voice. This includes working together to determine the content, format, and tone of any materials, and ensuring that information reflects local knowledge, cultural perspectives, and the values of the wider Waikawa community.
74. Both communication streams will be supported by a tailored engagement plan and coordinated with Council's Communications Team to ensure clarity, consistency, and alignment with Council's wider coastal work programme.

### NEXT STEPS | HEI MAHI

75. Communicating the decision to the community with expected timeframes and how they can stay involved in the process.
76. Applying for any easements, consenting or other applications that may be relevant to the decision of Council.
77. Councillors have previously indicated that this matter is not one of Council's top organisational priorities; however, it is recognised as a significant and emotionally charged issue for the Waikawa Beach community. Council has already invested substantial time and resources into this kaupapa, and if further exploration of alternative long-term access options is desired, officers recommend setting clear boundaries and timeframes to ensure any additional work remains proportionate, targeted, and sustainable.

#### **Confirmation of statutory compliance**

In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

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

### ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO

There are no appendices for this report



File No.: 25/688

## 8.8 Council Direction Setting

Author(s)	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>
Approved by	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. The purpose of this report is for Council to endorse the priorities and direction of Horowhenua District Council for the 2025-2028 triennium.

### EXECUTIVE SUMMARY | TE WHAKARĀPOPOTOTANGA MATUA

- 1.1 Following the 2025 triennial election, Council took the time to discuss key issues and opportunities facing Horowhenua District Council, and then took the opportunity to set its direction, with emphasis on those areas of focus which will define the term.
- 1.2 The context of growth, reform and change has contributed to Council's thinking, as has the significant success and progress of many of the former trienniums priorities.

### DELEGATION OR AUTHORITY TO ACT | TE MANA WHAKATAU I NGĀ KAWENGA

2. Council has delegation to endorse the direction setting document.

### SIGNIFICANCE ASSESSMENT | HE AROMATAWAI MATUA

3. That this matter or decision be recognised as not significant in terms of s76 of the Local Government Act 2002.

### RECOMMENDATION | NGĀ TAUNAKITANGA

- A. That Council endorse the Council Direction Setting document for 2025-2028 triennium.

### DISCUSSION | HE MATAPAKINGA

4. Council recognises the importance of giving clarity to the community and organisation on those areas of priorities that require energy and focus, noting that Community Outcomes and the existing Long-Term Plan and related strategies, and policies guide business as usual.
5. This paper seeks Council's formal endorsement of priorities which will be guided by the five community outcomes Council seeks to achieve:
  - Partnership with Tangata Whenua
  - Outstanding Environment
  - Fit for Purpose Infrastructure
  - Vibrant Economy
  - Strong Communities.

6. Delivered through a deliberate focus on the following top 3 priorities:

**Leading to get the best outcomes for Horowhenua shaped by community voices and partnerships**

**Priority 1: Going for Growth**

**What this means:**

We have a hunger for growth and want to seize the opportunity to ensure a return on investment that contributes to Horowhenua's liveability and prosperity.

**What good looks like:**

- Integrated growth planning informs infrastructure investment and key moves
- Levin Town Centre transformation acts as a catalyst, making the district a place to be and invest in
- Ōtaki to North Levin Expressway anchors our leadership and advocacy as we secure a fair revocation deal
- Growth delivers essential services communities can rely on and afford

**Priority 2: Future Fit HDC**

**What this means:**

We will foster an agile, high-performing Council ready to meet future challenges of government reform while delivering fit-for-purpose services to our community.

**What good looks like:**

- Adapt to legislative and structural changes that redefine Council's role, scope, and size across reforms (Local Water, Resource Management, Simpler Local Government, Rates Capping, System Improvement)
- Position HDC as a leader in reform opportunities for funding and collaboration
- Ensure governance and decision-making frameworks remain robust and future-proof to support community voice

**Priority 3: Financial Discipline**

**What this means:**

We will manage resources wisely to keep services affordable and investments sustainable.

**What good looks like:**

- Strict budget monitoring and compliance with financial strategy, and balanced budget goals
- Review funding policies and settings to consider if rates and user fees and charges could be shared differently
- Advocacy for fair funding models and external investment opportunities

7. The Council Plan on a Page also seeks to align the Organisation Vision – Enabling What Matters, Organisation Values – Mahi Tahi, #arohatōmahi, Manaakitanga and Tiakitanga. This demonstrates the commitment to be working together and being aligned – governance and operations in the way we work together, and the mission we are working towards.



8. The document **attached** is provided as a final draft and may be subject to change between the issue of the agenda and the meeting.

#### NEXT STEPS | HEI MAHI

9. It is intended that following the endorsement of the direction setting document, Council will set Key Performance Indicators for the Chief Executive which will focus the organisation on delivery and achievement.

#### **Confirmation of statutory compliance**

In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

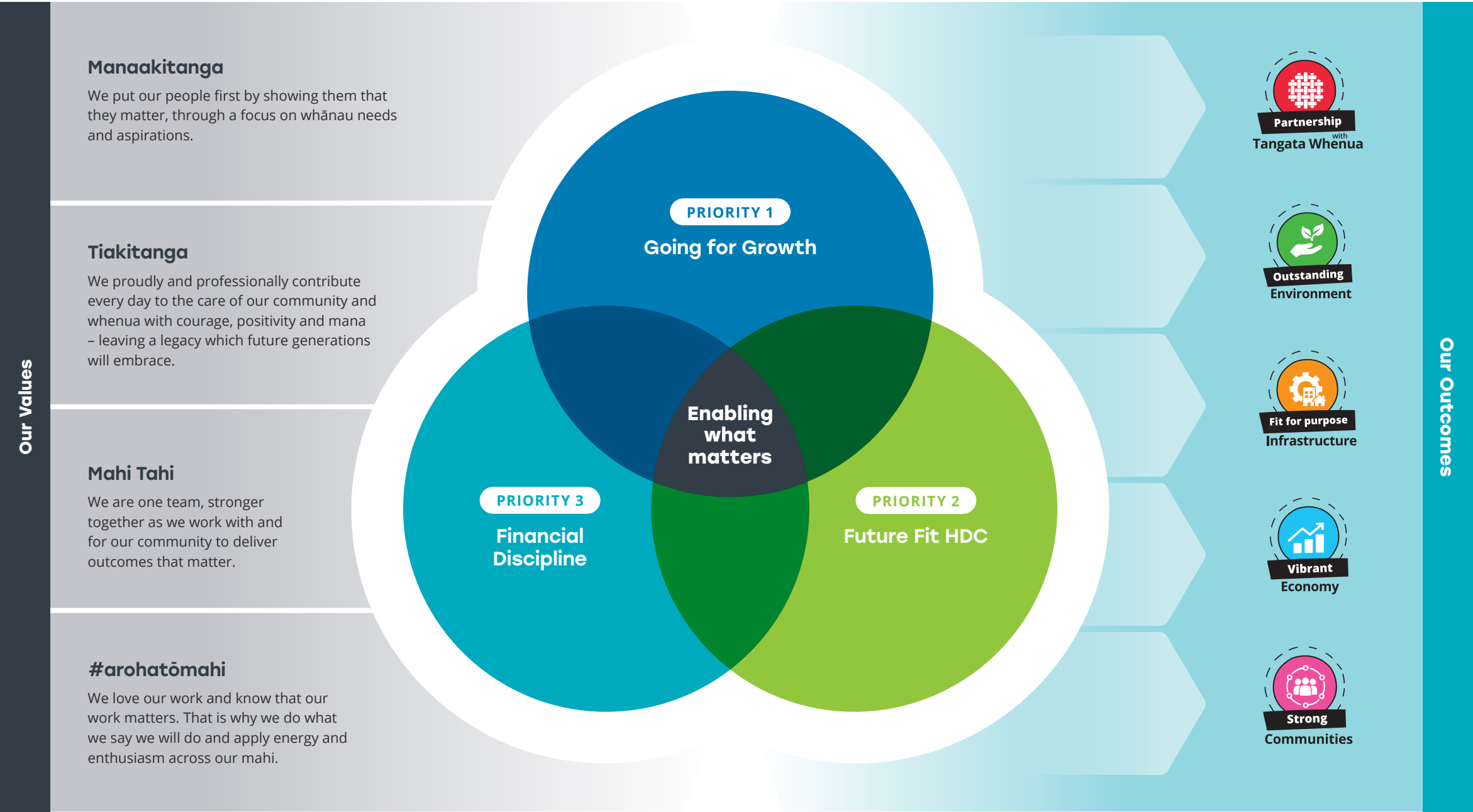
- a. containing sufficient information about the options and their advantages and disadvantages, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind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

#### ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO

No.	Title	Page
<a href="#">A</a>	Plan on a Page 2025	272

# Council Priorities

Leading to get the best outcomes for Horowhenua shaped by community voices and partnerships








# Council Priorities

Leading to get the best outcomes for Horowhenua shaped by community voices and partnerships



## Enabling what matters

Our Values	Our Priorities	Our Outcomes
<div>#arohatōmahi</div> <div>We love our work and know that our work matters. That is why we do what we say we will do and apply energy and enthusiasm across our mahi.</div>	<div>Going for Growth</div> <div>PRIORITY 1</div> <div>What this means:</div> <div>We see the opportunities that come with growth and want to ensure a return on investment that contributes to Horowhenua's liveability and prosperity.</div> <div>What good looks like:</div> <div><ul style="list-style-type: none"><li>Integrated growth planning informs infrastructure investment and key moves</li><li>Levin Town Centre transformation acts as a catalyst</li><li>Using Growth to position the District as a place to be and invest in</li><li>Ōtaki to North Levin Expressway anchors our leadership and advocacy as we secure a fair revocation deal</li><li>Growth delivers essential services communities can rely on and afford</li></ul></div>	<div>Partnership Tangata Whenua</div> <div>We will uphold Te Tiriti o Waitangi/The Treaty of Waitangi and its principles and recognise the role of Mana Whenua as kaitiaki of their rohe. We support them to maintain and enhance tikanga with their ancestral lands and waterways, wāhi tapu and other taonga, and build mutually respectful partnerships with tangata whenua, supporting whānau, marae, hapū and iwi in achieving their aspirations.</div>
<div>Mahi Tahi</div> <div>We are one team, stronger together as we work with and for our community to deliver outcomes that matter.</div>	<div>Future Fit HDC</div> <div>PRIORITY 2</div> <div>What this means:</div> <div>We will foster an agile, high-performing Council ready to meet future challenges of government reform while delivering fit-for-purpose services to our community.</div> <div>What good looks like:</div> <div><ul style="list-style-type: none"><li>Adapt to legislative and structural changes that redefine Council's role, scope, and size across reforms (Local Water, Resource Management, Simpler Local Government, Rates Capping, System Improvement)</li><li>Position HDC as a leader in reform opportunities for funding and collaboration</li><li>Ensure governance and decision-making frameworks remain robust and future-proof to support community voice</li></ul></div>	<div>Outstanding Environment</div> <div>We contribute to improving our natural environment for current and future generations to enjoy, and protect the important natural features in our district. We ensure our built environment supports the wellbeing of our people and manage competing pressures on resources sustainably.</div>
<div>Tiakitanga</div> <div>We proudly and professionally contribute every day to the care of our community and whenua with courage, positivity and mana – leaving a legacy which future generations will embrace.</div>		<div>Fit for purpose Infrastructure</div> <div>We provide efficient, reliable and affordable infrastructure, developing and maintaining facilities and infrastructure to meet the needs of current and future generations. Our community facilities and infrastructure are resilient, helping us to respond to climate change and natural hazards, working with partners to develop infrastructure that enables growth.</div>
<div>Manaakitanga</div> <div>We put our people first by showing them that they matter, through a focus on whānau needs and aspirations.</div>	<div>Financial Discipline</div> <div>PRIORITY 3</div> <div>What this means:</div> <div>We will manage rates and funding wisely to keep services affordable and investments sustainable.</div> <div>What good looks like:</div> <div><ul style="list-style-type: none"><li>Strict budget monitoring and compliance with financial strategy, and balanced budget goals</li><li>Review funding policies and settings to consider if rates and user fees and charges could be shared differently</li><li>Advocacy for fair funding models and external investment opportunities</li><li>Chase external funding opportunities</li></ul></div>	<div>Vibrant Economy</div> <div>We are business friendly, supporting diversity and resilience in our local economy and work with others to make our economy grow. We aspire for economic security for all of our people and seize growth opportunities for our district.</div>
		<div>Strong Communities</div> <div>We value the diversity of our people, and how our district's heritage shapes our community's sense of identity and pride.</div> <div>We provide infrastructure, services, facilities and places to build resilient and connected communities where people of all ages and backgrounds feel included and safe. We are building collaborative relationships with service providers to enable all people to live positive, connected and healthy lifestyles, encouraging our people to participate in local decision making.</div>



File No.: 25/670

## 9.1 Organisation Performance Report - December 2025

Author(s)	Sue Fifita-Tovo <b>Executive Officer   Āpiha Mātāmua</b>
Approved by	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. This report presents the full Organisation Performance Report for December 2025.

**This matter relates to Pursuing Organisation Excellence**

Continuing the journey of organisational transformation by enabling a culture of service, excellence and continuous improvement.

### RECOMMENDATION NGĀ | TAUNAKITANGA

- A. That Council receive and note Report Organisation Performance Report - December 2025.

### BACKGROUND | HE KŌRERO TŪĀPAPA

2. The full Organisation Performance Report is prepared for every second full Council meeting and aims to provide a comprehensive overview of the activities of each of the six groups within Council, a financial overview to 31 October 2025 and reporting on the Statement of Service Performance (SSPs) and Organisation Performance Measures (OPMs).
3. The report aligns with the Council 2024/25 Plan on a Page which was adopted in July 2024 and remains active until 31 December 2025, and reports on the status of each of the top priorities identified by Council.

### DISCUSSION | HE MATAPAKINGA

4. The intent of the report is to prompt open, transparent and constructive discussion both around the Council table and within the community. It is a record of work undertaken by the organisational arm of Council and outlines progress against actions which align with the Council's vision and the community's expectations.

#### **Confirmation of statutory compliance**

In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

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

### ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO

No.	Title	Page
A	Organisation Performance Report - 10 December 2025	276



# **Horowhenua District Council**

## **Organisation Performance Report**

10 December 2025

## Nā te Kaiwhakahaere Matua Chief Executive Introduction and Executive Summary



### About This Report

This full Organisation Performance Report is prepared for every second full Council meeting and provides a comprehensive overview of the activities of each of the six groups within Council, a financial summary report and reporting against each of the Statement of Service Provisions (SSPs) and Organisation Performance Measures (OPMs).

The report aligns with the Council's 2024/25 Plan on a Page and reports on the status of each Priority area identified by Council.

The reporting period for Health and Safety, Group Updates and Top Priorities is 1 October – 24 November 2025.

The financial reporting, SSPs and OPMs is for the 2025/26 financial year to 31 October 2025.

### Executive Summary

In October, local elections were held, confirming the elected members for Council and the Te Awahou Foxton Community Board for the 2025–28 term. We warmly congratulate all those who were elected and sincerely thank everyone who stood for Council and the Community Board, and those who voted in the election, helping shape the future of our district for years to come.

Shortly after the elections, the induction process for new elected members began with a pōwhiri. This special ceremony, led by Muaūpoko and Ngāti Raukawa ki te Tonga, welcomed elected members into their new roles, along with their whanau. The pōwhiri reflected the strong partnership between Council and local iwi, while celebrating the sense of connection and community that underpins local government.





The induction process continued with the inaugural meeting of Council and Te Awahou Foxton Community Board. Mayor Bernie, Councillors and Community Board members were officially sworn in, supported by whanau and friends in attendance. Chambers was filled with a warm sense of excitement and optimism, as our elected members took their oath of office.

Together, these events set a positive and welcoming tone for the term. As we move forward, we look forward to the new Council and Community Board bringing their vision and energy to serving our community.







### Progress on Three Waters Reform – Central Districts Water

The partnership between Horowhenua District Council, Palmerston North City Council, and Rangitikei District Council to establish a new organisation for delivering three waters services has reached two key milestones.



The Government has approved the partnership's joint Water Services Delivery Plan, and the new entity has officially been named Central Districts Water. The plan outlines how drinking water, wastewater and stormwater services will be delivered in the future and provides the framework for establishing a jointly owned Water Services Council Controlled Organisation, in alignment with the Government's Local Water Done Well policy.

The Department of Internal Affairs, which oversees the water reform process, approved the plan with only minor clarifications, reflecting the thorough preparation and planning undertaken by the three councils. The next steps involve working closely across all three councils to implement the plan and establish the new organisation.

The creation of Central Districts Water ensures that water assets remain locally owned, supports compliance with evolving government regulations, and enables the delivery of resilient and sustainable water services while maintaining affordability for communities.

The new brand and organisational identity have been developed to reflect the natural features and communities of the partner councils. Ongoing work will focus on strengthening the organisation's identity in collaboration with iwi partners, local communities and the people it serves, with a focus on long-term sustainability and care for water resources.

### Summary of Group Activities

During this reporting period, the Community Development Team has progressed initiatives aligned with the Community Wellbeing Strategy, fostering collaboration, community-led projects, and a sense of belonging. Key achievements include the launch of the Horowhenua Mana Kai Network, which has improved access to healthy food, including the planting of fruit trees at Hinemoa House. Refugee participation in local elections

empowered over 60 new voters through ambassador-led outreach, and the Mayor's Taskforce for Jobs Job Café continues to support rangatahi with employment skills and social connections. The Age on the Go Expo attracted a record 70 stallholders, promoting wellbeing and inclusion for older residents, while \$112,000 in grants were allocated across community initiatives, including climate action projects.

Libraries, youth spaces, and community hubs have remained vital in fostering connection, learning, and creativity. Highlights include Poetry and Pizza events, school holiday programmes led by local tamariki, and the expansion of youth Chill Zone sessions to Foxton. Digital inclusion efforts progressed through the Digi-Coaches programme, offering one-on-one support and career-focused virtual reality sessions. Council also hosted international visitors for the 25th anniversary of KohaCon, showcasing Horowhenua's global contribution to library systems. The Strategic Recreation Investment Framework advanced, helping sporting clubs align planning with community priorities.

Regulatory Services staff managed a range of compliance matters, working closely with Police, Public Health, Horizons Regional Council, and legal advisors. Key activities included implementing the Dog Control Policy and Responsible Dog Owner Approval, issuing abatement notices, and processing event and amusement device licences. Improvements to customer pathways and CRM systems strengthened service consistency and responsiveness.

In Community Infrastructure, the Land Transport team has progressed road rehabilitation projects including Whirokino Road, CD Farm Road and Bruce Road, with the latter contingent on NZTA funding. The resurfacing programme is on track, footpath renewals are being accelerated, and a district-wide signage audit successfully corrected non-compliance issues.

In Solid Waste, a three-year Waste Services Agreement was signed, with the food scraps trial demonstrating 30% resident participation within the trial area. Planning for a Levin Resource Recovery Centre and remediation of the Levin Old Landfill is ongoing, and the bylaw review is expected to reach draft completion by February 2026.

The Local Waters team has delivered strong outcomes in water and wastewater services, with nearly all domestic water meters installed in Levin, upgrades completed at Foxton Beach Water Treatment Plant, and wastewater treatment improvements at Levin WWTP and Mangaore Village progressing on schedule. Stormwater consent and intervention projects are underway, with ongoing engagement with iwi and community stakeholders to ensure environmental compliance and water quality improvements.

The Community Vision and Delivery Group achieved several strategic milestones, including the adoption of the Annual Report 2024/25 with a clean audit, and preparation is well underway for the Annual Plan 2026/27. Communications campaigns successfully engaged communities on elections, events, water conservation and major infrastructure projects. The Horowhenua Destination Management Plan was endorsed, with a summer marketing

campaign launched and new district visitor maps being finalised. Economic development work continues through the implementation of the Economic Development Strategy 2025–2035, with the Levin Retail Transformation Strategy progressing as part of the broader Levin Town Centre Transformation. Integrated Growth and Planning projects include Plan Change 6A, the Tararua Road Master Plan and the Levin Development Framework, alongside preparation for upcoming resource management reform. Key strategic projects such as the Levin Town Centre Transformation, Ō2NL Expressway and revocation, and Foxton/Shannon community plans continue to advance.

In Housing and Business Development, building consent volumes remain strong, with 97% processed within statutory timeframes and with changes to how we deliver our service, an improving customer experience has been evident. Resource consenting is being streamlined, with aged consents being closed and monitoring processes refined.

The Finance team continues to monitor and track budgets and has seen a positive forecast variance to budget of approximately \$400k, with potential to reach \$500k. Officers continue to look at processes and efficiencies that can be made to improve the customer experience such as promoting e-invoicing which will in turn reduce postage costs. The three yearly draft property revaluations for 2025 have been finalised by QV, with public notification and objection periods scheduled in line with statutory requirements.

The Business Performance team successfully completed the 2025 local elections, initial onboarding of elected members and is now focused on delivering an extensive induction programme. The induction programme contains a mix of in-house and external trainings, and workshops presented by the Chief Executive and officers.

Finally, the Capability and Transformation team has been focused on enhancing the customer and community experience, process improvements and reporting capabilities. Initiatives included reviewing customer email pathways, mapping repeat interactions and streamlining reporting through Power BI. The deployment of Windows 11 devices was largely completed, with the project now moving into its second phase.

Overall, the Council's collective efforts demonstrate strong performance, progress on strategic priorities and a continued commitment to enhancing services, infrastructure and community wellbeing across the Horowhenua District.

Finally, on behalf of the team, I wish everyone a safe and happy festive season.

***Monique Davidson***

***Chief Executive***

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# **Pūrongo mō te Hauora me te Haumaru**

## **Health and Safety Report**



## Pūrongo mō te Hauora me te Haumarū Health and Safety Report

### Leadership

#### Mental Health Awareness Week

This quarter, kaimahi across the organisation demonstrated strong leadership by planning and delivering a range of activities for Mental Health Awareness Week in October. Kaimahi took the lead in designing and facilitating events including quizzes, puppy therapy visits, podcasts and audiobook recommendations, and team-led discussions, highlighting the importance of mental health and wellbeing.

A key feature of the week was the empowerment of kaimahi to turn their ideas into meaningful initiatives. Leadership was visible across all facilities, each delivering their own programme of activities with a safety-focused approach.

### Risk Management

#### Health and Safety Worksite Inductions

In preparation for the work to be undertaken at the Levin Wastewater Treatment Plant on the project for the inlet pipe and bulk mains wastewater upgrade and renewals, a health and safety induction was conducted by HDC staff with the contractors at the worksite.

The induction is designed to identify and communicate hazards specific to the site and ensure safety procedures, emergency processes and reporting requirements are communicated and understood.



LWWTP – contractor setting up safety fencing before work commences.

Council ensure that work site induction documents are available at all the buildings, facilities and plants where staff and contractors complete work tasks. A thorough induction helps reduce the risk of injury, ensures safety communication for those on the work site, and promotes a safe and inclusive working environment. It also sets the tone for a proactive safety culture where everyone understands their role.

A work site induction is an essential onboarding process that ensures anyone entering a worksite, such as employees, contractors, visitors or volunteers, understands the health, safety, and operational requirements of that environment before they begin work.

### Worker Engagement

#### Komiti Oranga Roadmap

Komiti Oranga (Health and Safety Committee) has developed a roadmap to strengthen the organisational focus on Health, Safety and Wellbeing, while supporting continuous improvement at all levels. Over the next 12–18 months, our key priorities include:

- **Embedding a proactive culture** through increased visibility, meaningful engagement, and expanded leadership opportunities.
- **Building health and safety capability** by providing education, resources and guidance that empower the Health and Safety Representatives (HSRs) to champion health, safety and wellbeing alongside our Kaimahi.
- **Fostering active engagement** across all levels of the organisation to achieve shared outcomes that we will collectively deliver.

This roadmap sits alongside the Komiti Oranga Working Agreement and HSR Handbook as part of the guiding documentation. It provides clear direction and a future-focused outlook, reflecting the ongoing commitment to ensuring Kaimahi feel supported by both HSRs and Komiti Oranga. Ultimately, it reinforces our shared goal of embedding health, safety and wellbeing at the heart of everything we do.



# He Kōrero Hou I ngā Rōpu Group Updates





## Group Updates Introduction

There are six groups within the Council:

- Community Experience and Services
- Community Infrastructure
- Community Vision and Delivery
- Housing and Business Development
- Organisation Performance
- Capability & Transformation.

Each group has provided a general update in this report and in addition, relevant activity updates for the reporting period 16 August – 24 November 2025.

## Ngā Taiwhanga ā-Rēhia me ngā Ratonga Community Experience and Services

### Te Tautāwhi I te Hapori Community Support Activity

#### General Update

Council's Community Development Team has experienced a few changes recently, but the heart of the mahi remains strong. Despite the movements within the team, they continue to deliver impactful work that directly supports the Community Wellbeing Strategy and its action plan. Our community networks remain the pou that ground and guide this mahi, providing the relationships and insight that make genuine community outcomes possible.

In December, we are looking forward to bringing all our community wellbeing network groups together for an end-of-year celebration. A chance to acknowledge the partnerships, collaboration, and shared effort that sit behind our progress.

As we approach the end of the year, there is much to reflect on and celebrate. The Community Wellbeing Committee and the wider strategy framework have continued to strengthen, embedding themselves more deeply across Council's work. We are incredibly proud of the way our team grows community voice, enables community-led development, and fosters a sense of place and belonging for people across our district.

## What we are delivering

### Launch of the Horowhenua Mana Kai Network

In September, in conjunction with the Electra Business After 5 function, the Horowhenua Mana Kai Network was officially launched by Di Rump, CEO of Muaūpoko Tribal Authority who are a member of the Network. This kaupapa was initially facilitated by Council to explore practical options for improving access to healthy kai across our community, a core action within the Community Wellbeing Strategy. The next phase of the Network is to become more independent leaning into community-led principles and ownership. Council continues to play a support role.

As part of the launch, attendees were treated to a compelling address from Deborah Manning ONZM, founder of KiwiHarvest and the New Zealand Food Network, and recent recipient of the New Zealand Sustainability Leader of the Year Award at Kiwibank's New Zealander of the Year Awards.

Deborah captivated the room, speaking with passion about the urgency of addressing kai insecurity. She highlighted Horowhenua's unique strengths, from having the shortest distance from mountain to sea, to being one of New Zealand's leading vegetable-growing regions, positioning our district to drive meaningful change in food resilience and equitable access.

The Network is grateful to the Department of Internal Affairs and the Eastern and Central Community Trust for their support, providing \$98,000 in funding for the first-year pilot programme of the Horowhenua Mana Kai Network.

Early activity is already underway. With the help of volunteers, the Network has planted 20 fruit trees at Hinemoa House, an encouraging first step toward building a stronger, community-led kai system.



Deborah Manning, ONZM

### Meaningful Refugee Participation in Local Body Election

During August to October, two members of our former refugee community members took the opportunity to become Local Election Ambassadors. Coming from countries where voting was not always safe or fair, the pair understood the deep-rooted hesitation and mistrust around the election process. Their mission was clear: build trust, share knowledge, and empower.

They held multiple information sessions, made home visits to those unable to attend and helped to register over 60 former refugees to vote in New Zealand for the very first time. Their work was supported by a small but meaningful stipend from the Meaningful Refugee Participation Fund, which enabled them to carry out this all important mahi.



### Mayor's Taskforce for Jobs – Job Café

In October, the Mayor's Taskforce for Jobs team launched a new initiative designed to better support young jobseekers in our district. The Mayor's Taskforce for Jobs Café is a weekly drop-in session where rangatahi can relax, connect and access practical support as they search for employment.

Young people can check the job noticeboard, receive help with CVs and cover letters, sign up for upcoming courses, or simply come in for a chat.



It has been encouraging to see that the Job Café is supporting young people not only with job-seeking skills, but also with building social connections. Many participants stay on after the sessions to spend time together, strengthening friendships and supporting one another as they navigate their employment journeys.

### **Age on the Go**

10 October marked an important day for the older persons community with the annual Age on the Go Expo. This event brought together a wide range of services, organisations and activities available across Horowhenua to support older residents and enhance their wellbeing. This year's expo saw record participation, with 70 stallholders in attendance — the highest number yet.

The expo attracted the attention of the Hon. Casey Costello, Minister for Seniors, who expressed her admiration for Council's commitment to hosting Age on the Go each year. She noted that initiatives like this help make Horowhenua a place that values its older people and enables everyone to participate fully in community life.

### **Grants and Funding**

In September, Council's Funding and Recognition Committee met to consider the first-round funding allocations for the year. A total of \$112,000 was distributed across five funding categories, including allocations from the Climate Action Fund for the first time.

These grants play an important role in supporting the wide range of events, programmes, service providers and community organisations that contribute to the wellbeing and vibrancy of the Horowhenua community.

### **Civic and Youth Excellence Awards 2025**

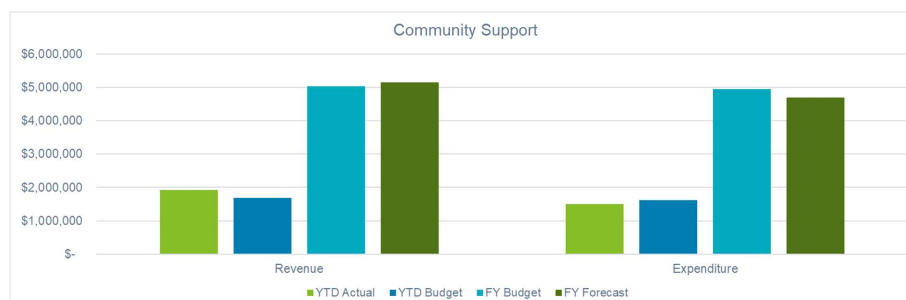
The Civic and Youth Excellence Awards were held at Te Takeretanga o Kura-hau-pō last month, celebrating individuals who have made outstanding contributions to the Horowhenua community.

The event, hosted by Mayor Bernie Wanden, recognised three Civic Honour recipients, four Certificates of Recognition recipients, and fifteen young people through the Youth Excellence Scholarships. The evening acknowledged service, dedication and achievement across the community, highlighting those who strengthen Horowhenua through their generosity and commitment.

Youth Excellence Scholarships were presented in arts and culture, sport, community service and academia, recognising the effort and leadership of local rangatahi. Performances by arts and culture recipients showcased the creativity and talent within the district.

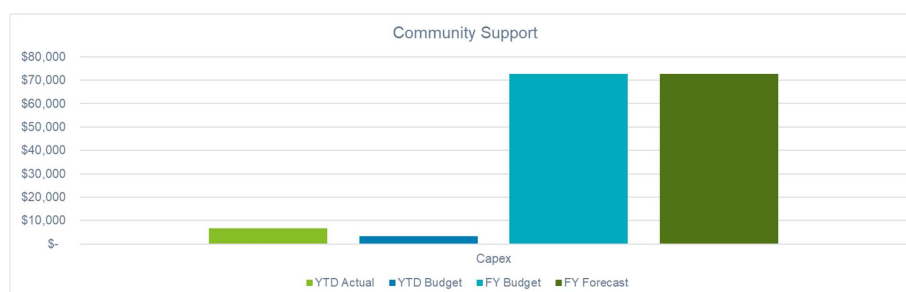
The Awards continue to be a highlight of the year, celebrating the spirit of community and the many ways residents contribute to the strength and wellbeing of Horowhenua.

## Financial



Unbudgeted funding was received from Eastern & Central Community Trust (ECCT) and Department of Internal Affairs (DIA) to support Mana Kai initiative.

Lower expenditure expected from operational savings identified within the activity.



## General Update

This reporting period has been characterised by sustained progress across coastal management, parks operations, strategic planning and community partnerships. Officers have supported multiple governance groups, advanced key projects and responded to seasonal pressure across community spaces, while continuing to strengthen compliance and asset management processes.

Projects such as Waikawa Beach vehicle access, Green Flag assessments, lease renewals, coastal resilience initiatives and the Strategic Recreation Investment Framework have all advanced significantly. Officers have also been coordinating responses to vandalism, increasing summer-season demands, and ongoing environmental and regulatory requirements.

Officers have also continued to support major capital projects such as the Donnelly Park toilet renewal programme, ensuring technical assessments, risk considerations and procurement documentation are robust and transparent.

The period also included substantial engagement with external partners, including iwi, community boards, Horizons Regional Council, private landowners, sports clubs, and

contractors; ensuring alignment, clarity and shared expectations across several complex and high-profile matters.

## **What we are delivering**

### **Coastal & Environmental Management**

Exploration into Waikawa Beach vehicle access continued, with further work undertaken on consenting considerations, educational messaging and community input.

Officers met with private landowners over the Waikawa Bridge to discuss potential land leasing to Council. This was a constructive and positive discussion, with the landowners now considering the proposal and seeking whānau input before providing a response.

A community planting day was held at Waikawa Beach after several weather-related delays. This forms part of the wider coastal resilience programme designed to stabilise foredunes and expand habitat for native birdlife.

Officers continue to lead dune management, signage discussions and coastal risk management planning at Waitārerere and Foxton Beach.

### **Parks Operations & Recreation**

Preparations were completed for Green Flag judging at Driscoll Reserve, Foxton Riverloop Reserve, Thompson House gardens, Jubilee Park, Te Maire Park and Holben Reserve. Although the initial assessment scheduled for 6 October was postponed due to flight disruption, judging occurred on 15 October with extremely positive feedback from Recreation Aotearoa. On 21 November it was announced that Council was again successful in retaining all six awards.

The transition from winter to summer codes has placed additional pressure on the team, with early cricket season fixtures occurring simultaneously with late-season winter sports, requiring flexible and complex ground allocations.

Officers presented the Strategic Recreation Investment Framework to more than 18 stakeholders across several sessions, generating strong interest in future collaboration under the new model.

A planting, grounds and compliance support programme continues across key parks ahead of high-use summer periods.

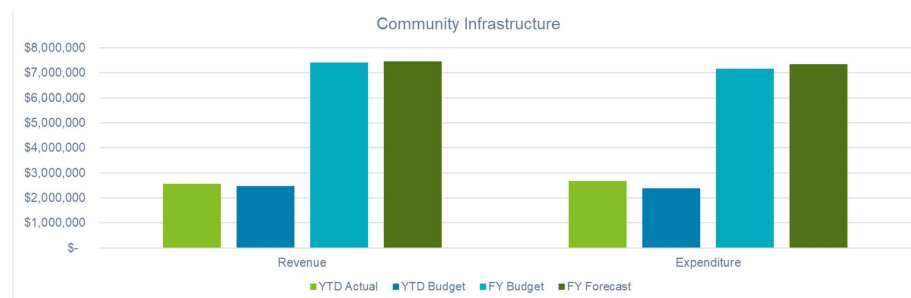
### **Partnerships, Community Groups & Governance Support**

Officers met with an investigator from the Office of the Ombudsman regarding the Target Reserve equestrian complaint that was received in September. The meeting provided an opportunity to outline changes made since the decision to allow access for the

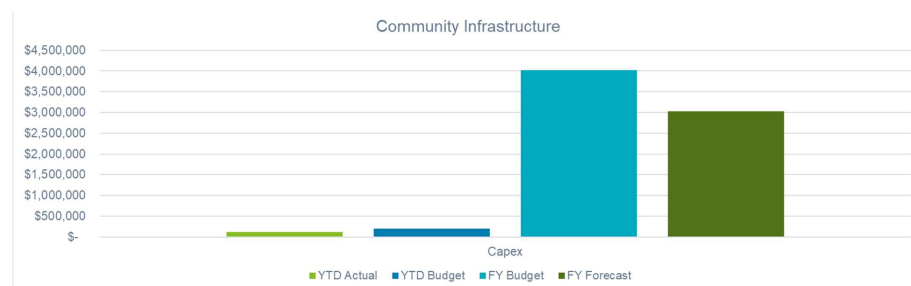
development of a Mountain Bike Park and highlighted strengthened relationships with local equestrian groups. Outcome from the Office of the Ombudsman is pending.

Continued support has been provided to Lake Domain Board, iwi partners and community groups around coastal plantings, re-opening of reserves, and planning for summer activities.

## Financial



Higher expenditure year-to-date October due to unplanned garden/grounds maintenance, and reactive facility maintenance.



Not expected to spend on project - Tara-Ika - Local Purpose Reserves

## Ngā Rawa Property Activity

### General Update

The Parks and Property team has continued to progress core renewal, leasing and compliance functions while responding to increasing operational pressures across Council's facilities. The focus has been on strengthening asset management practices, ensuring fit-for-purpose procurement planning, and improving internal systems to support more efficient service delivery.

A considerable amount of work has centred on lease renewals and property transactions, many of which are linked to Council's broader strategic priorities such as the Levin Town Centre Transformation. Officers have worked closely with legal advisors, tenants and community groups to ensure agreements reflect both operational requirements and long-term direction.

Compliance and due diligence work has also remained a priority. Building warrant of fitness improvements continued across the portfolio, with positive progress at sites such as the Waitārere Beach Surf Club.

Operationally, officers have navigated a busy period with multiple handovers, facility transitions and increased community use. The Foxton War Memorial Hall transfer to the Foxton War Memorial Hall society was completed, and officers continue to support the group as they finalise their booking processes.

Overall, the period has demonstrated a strong emphasis on collaboration, proactive planning and clear communication, all of which continue to strengthen the Property portfolio's resilience and readiness to support Council's wider strategic direction.

### What we are delivering

Lease renewals progressed for several sites, with Officers negotiating updates to leases to reflect the growth and strategic direction of the district. Officers are working with The Property Group to optimise the lease portfolio and identify key moves.

Parks and Property Officers worked with the Finance team to ensure coordination during the freehold sale of 30 Shortt Street, Foxton Beach in October. This was an endowment property.

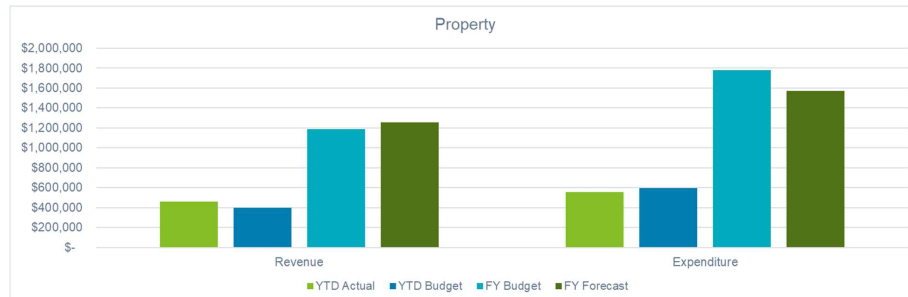
The Foxton Beach Motor Camp lease area expansion has been agreed, aligning with their existing term and supporting long-term viability.

Building warrant of fitness improvements continued, including confirmation that Waitārere Beach Surf Club is on track to receive its BWOFF this month.

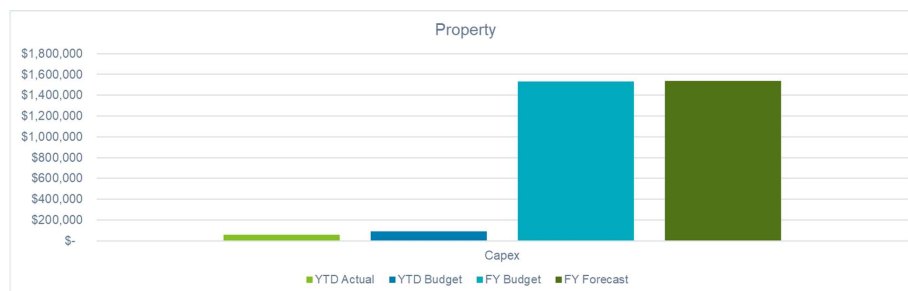


Council's Energy Advisors Smart Power has engaged with providers and the All of Government (AoG) panel regarding gas procurement options. Smart Power is investigating all possible options to ensure the best results for Council, and it's thought AoG will likely become more competitive in 2-3 years as decarbonisation in the public sector accelerates.

## Financial



Savings identified in professional services costs for Property Disposal Programme.



## Ngā Taiwhanga ā-Rēiha Community Facilities Activity

### General Update

Across this reporting period, and consistently throughout the year — Council's community facilities have played a vital role in strengthening wellbeing, belonging and connection across the district. Our libraries, youth spaces and community hubs have remained trusted environments where people of all ages can learn, participate and feel part of their community. The mahi delivered over the past twelve months has focused on outcomes that matter: reducing social isolation, building confidence and capability in our people, enhancing digital inclusion, supporting community-led development and ensuring planning is guided by local needs and voices. These spaces have also continued to celebrate our district's identity and creativity, empowering tamariki, rangatahi and community groups to shape programmes and contribute to shared experiences. Together, this work reflects a sustained year of meaningful engagement, grounded in the belief that strong community facilities help create a more connected, resilient and vibrant Horowhenua.

### What we are delivering



The Poetry and Pizza event drew a strong crowd, with a lineup of performers who kept the room entertained. The atmosphere was relaxing and welcoming, and plenty of people were keen enough to stay on for a second round of reading. Everything wrapped up smoothly with attendees and poets providing positive acknowledgements. The venue host was genuinely excited to be part of the wider Book Crawl event series and mentioned that some people had come specifically for the poetry. The event was made possible with support from the Friends of the Libraries who funded the event.

Wednesday Night Youth Programme activities in the Youth Space at Te Takeretanga o Kura-hau-pō kicked back into gear, with the Chill Zone sessions drawing young people keen for a relaxed mid-week hangout. The focus was on board games and gaming, giving rangatahi a chance to unwind, connect with friends, and try out a mix of classics and new favourites. To ensure Foxton youth are part of the action, these Chill Zone sessions will now pop up at Te Awahou Nieuwe Stroom every fourth Wednesday. The goal is to create a regular, welcoming space for rangatahi to come together, have fun and build confidence through low-pressure, social activities.

The Strategic Recreation Investment Framework reached a major milestone, with a final briefing to Council outlining the needs analysis and the 'key moves' recommended for the district. The next phase was about socializing the framework with the community. Council Officers have been sharing the findings with local sporting clubs and codes, supported by a series of drop-in sessions designed to help groups understand the framework and start applying it to their own planning and development. This step will be turning the framework into action on the ground.

A member of our team delivered a session as part of the Digi-Coaches training programme and regional hui, providing participants with a clear understanding of day-to-day work in a library environment. The Digi-Coaches programme, supported through external funding, is designed to build digital confidence in the community by offering one-on-one support, guidance, and basic digital skills training for people who need help navigating technology. The session also provided an opportunity to meet the two new digi-coaches who have joined the team. In addition to general digital support, the digi-coaches are delivering career-focused virtual reality sessions that allow participants to explore job pathways and build confidence using emerging technology. Their early momentum is a positive indicator of the programme's growing impact on the community.

We were approached with a request to host a group of international visitors who were in Aotearoa for KohaCon in November. This year marked a significant milestone, the 25th anniversary of Koha, the homegrown and internationally recognised library management system that originated in our district. Several conference attendees, through the hosts Catalyst, had expressed interest in visiting the birthplace of Koha. The group was hosted across both Te Takeretanga o Kura-hau-pō and Te Awahou Nieuwe Stroom, providing an opportunity to showcase our libraries, our community connection, and the key role Horowhenua played in the development of a system now used by libraries around the world.

 <p>GET HELP FROM A DIGI-COACH!</p> <p>Te Takeretanga o Kura-hau-pō Levin Community Centre Monday-Friday 10am-2pm</p> <p>One-on-one support</p> <ul style="list-style-type: none"> <li>• Smartphone Basics</li> <li>• Using Apps</li> <li>• Online Safety</li> <li>• Using Email</li> <li>• Skinny Jump Internet</li> <li>• Any digital queries!</li> </ul> <p>Friendly, local trainers</p> <p>IT'S FREE!</p> <p>For more info call 06 908 1855</p>	
Digi-Coach Promotional Material	Nunu the Moa during the Better Together Holiday Programme

The Children's Library Team delivered another outstanding school holiday programme, complete with characters like Nunu the Moa and performers from String Bean Puppets, but this time the magic came straight from the voices of local tamariki. After a month of voting for their favourite theme, children experienced firsthand how their ideas, combined with others, can shape what happens in their community. Their chosen theme, "Better Together," celebrated teamwork, inclusivity and belonging. Over the past two weeks, the

library has been buzzing with collaborative activities: parachute games, friendship bracelet making, group challenges, and even blanket forts built by teams of enthusiastic young creators. It's been a joyful reminder of what happens when children are empowered to lead the way, and a celebration of creativity and connection that comes from doing things together.

Issues and Risks

Play Sand - Recent national media coverage has highlighted concerns about potential asbestos contamination in coloured play sand which has been supplied to community facilities across the country through Kmart. As part of the nationwide response, WorkSafe has been engaging with councils to confirm whether any of the affected product has been used locally.

For us, here in Horowhenua, precautionary steps were taken early. All coloured sand previously held within libraries and community spaces had already been removed and safely disposed of by Council staff as soon as the national issue was identified. A WorkSafe Inspector visited Te Takeretanga o Kura-hau-pō earlier this week to verify that no coloured sand remained on site. This visit confirmed our precautionary actions, and no further requirements were issued.

Currently, there is no risk to staff or the community. Council will continue to follow national updates closely and respond to any further guidance if required.

Financial



## Ngā Ratonga Whakariterite ā-Ture Regulatory Services Activity

The Regulatory Services activity sits across two Groups. You can find activity updates for the Regulatory Services activity in the Community Experience and Services Group and the Housing and Business Development Group updates.

### General Update

During this period, staff progressed several regulatory matters requiring coordination with Police, Public Health, Horizons Regional Council and legal advisors, across a range of Council responsibilities.

Work also continued to support recent central government announced legislative reviews and policy changes, including the implementation of the Resource Management (Consenting and Other System Changes) Amendment Act, changes in rules relating to home-based bakeries, and the announcement about impending changes to the Earthquake-prone buildings regime.

In local policy matters, the Dog Control Policy, Bylaw and the new Responsible Dog Owner Approval process took effect during this period; and alongside this, Council advanced its work to embed a consistent customer-first culture, strengthening systems, processes and expectations that guide how we communicate and respond to the community.

### Customer & Compliance

#### What we are delivering

Compliance and Licensing teams advanced a number of investigations and regulatory processes during this period, including issuing abatement notices, supporting home-based bakeries through changes in MPI requirements, and preparing matters for an upcoming District Licensing Committee hearing. Monitoring continued at several rural and residential sites to ensure activities remain consistent with District Plan rules and to maintain public confidence in Council's compliance approach. Seasonal licensing work kicked-off in September with event and amusement device applications processed for Foxton's annual Spring Fling event. With the increase in daylight hours and warmer weather approaching, the number of public events is expected to increase to take advantage of our Horowhenua summers.

The Customer Experience team continued their mahi towards improving the way enquiries are handled, ensuring inboxes and social media messages are responded to each day, by introducing automatic acknowledgements, and working on clearer pathways for enquiries to enter our CRM system.

Financial

The Regulatory Services activity sits across the Community Experience and Services group and the Housing and Business Development Group, the financial information provided here is for the entire Regulatory Services activity.



Capital projects for this activity relate to parking meters and dog pound.

Tūāhanga Hapori  
Community Infrastructure

Land Transport

General update

All Land Transport programmes of work have been tracking well during this reporting period. Minor, but frequent contractor quality issues and delays are presenting a low risk to the overall delivery of several renewal and maintenance programmes, however the Land Transport Team are proactively working with the contractor to address these issues.

Internal staff resourcing has been stretched to balance achieving deadlines with reviewing Ō2NL designs, working on the State Highway revocation process, and the day-to-day management of the local road network.

## **What we are delivering**

### **Capital Projects and Renewals**

#### **Whirokino Road Rehabilitation Stage 1**

Approximately 3km of Whirokino Road required rehabilitation. The treatment will likely be an unbound granular pavement overlay. The 3km section is too long to undertake in a single financial year, due to affordability, so the project will be broken into three stages, completing 1km per year. The first stage will start early in the new year.

#### **CD Farm Road Rehabilitation**

A 500m section of CD Farm Road requires rehabilitation, along with associated drainage improvements. This project is programmed to be completed early in the new year.

#### **Bruce Road Rehabilitation and Widening**

The full length of Bruce Road requires rehabilitation and widening, the road has deteriorated quickly over the last two years, largely in part to being used as a state highway bypass when crashes have closed State Highway 1. The Land Transport Team are seeking additional funding support from NZTA, which the project is contingent on.

#### **Resurfacing Programme**

Delivery of the resurfacing programme is underway and on track for completion prior to Christmas. There have been several delays with per-reseal maintenance which has required several sites to be rescheduled, but overall delivery is on track.

#### **Resilience Improvements**

Officers are currently developing a programme of works to improve resilience of Council's road bridges, many of which have been identified as requiring improved scour protection, during our 6 yearly network-wide principal bridge inspection run, which was completed early this year.

#### **Footpath Renewals**

The footpath renewal programme is currently behind schedule, however additional contractor resources are being redirected to ensure the full programme is completed.

### **Maintenance and Operational Activities**

#### **Signage Audit**

A district-wide audit identified widespread non-compliance with signage standards. In response, a corrective work programme was developed and implemented. A contractor has now successfully completed all required remedial works, bringing signage across the district back into compliance.

#### **Wanganui District Council Technical Audit**

Council's Land Transport Manager was invited by NZTA to participate in the technical audit of Whanganui District Council's local road network technical audit as a peer auditor. This was a valuable opportunity, which has brought a number of learnings that will be utilised on our network.

Issues and Risks

NZTA Funding Reductions

A \$1.65M cut in the 2024/25 year and a \$6.27M reduction across the 2024–2027 LTP period has severely impacted the capital improvements programme and some maintenance activities.

Key risks include the potential decline in footpath condition and failure to meet service level targets set in the Statements of Service Provision.

Capital Programme Delays

The need to identify and design new, lower-cost projects has compromised the timeline for planning and delivery. While the revised programme remains on track, any further delays or disruptions could result in partial under-delivery

Financial





## **Solid Waste**

### **General update**

The 2025 Waste Services Agreement (Kerbside bags and Transfer Stations) was signed on 31 October 2025. The contract is initially for 3 years with renewals of a further 3-plus 3-year period.

The food scraps and composting trial has ended. The results and summary have been tabled with Council via a memo in early October. A pleasing 30% of residents in the trial area participated. Extrapolating this to a full urban service would see some 400 tonnes of food scraps diverted per annum from Levin urban area. Future decisions on service options sit with Council.

The Closed Landfill Management Plan (CLMP) was endorsed in principle by Council in September. The document is a 'live' document meaning that as changes come to be, updates will be made to the document.

Planning is in progress to investigate the feasibility of a purpose-built Resource Recovery Centre for Levin. The Council owned Depot located on Hōkio Beach Road is being scoped for infrastructure requirements to provide the appropriate service level. The main waste stream being considered is construction and demolition waste. Potential C&D diversion tonnages per annum would be close to 12,000 tonnes. Depending on community support and appropriate pricing, we can initially expect to process 1,200 tonnes per annum and build from there. Consideration is also being given to locating at the front of the property an area for general domestic recycling. E.g. paper and cardboard, glass bottles, plastics 1,2,5, tins and cans. Future decisions on this site with Council and will likely form part of wider service delivery conversations.

The Levin Landfill discharge consents are under review. A draft revision has been prepared. This draft review version along with an accompanying memo will be presented to the community and iwi groups for discussion. The schedule to engage with community groups will be determined shortly after the Levin Landfill remediation report from Tonkin and Taylor has been received by Council on 10 December.

### **What we are delivering**

#### **Bylaw review**

The review has been broken into the relevant clauses and so far, five clauses have been reviewed;

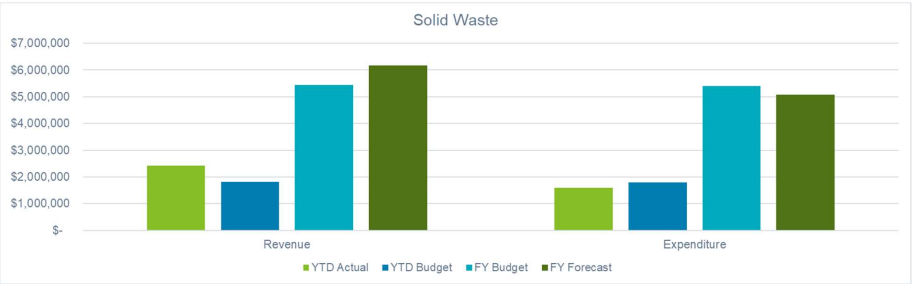
- Clause 13- Waste management for special events.
- Clause 9- Depositing waste, trolleys and receptacles in a public space.
- Clause 10-Removal of trolleys and receptacles found on public land.
- Clause 11- Public litter bins and public recycling waste collection bins.
- Clause 12 Private collection bins in public places.

The full review is expected to be in draft form ready for Council review in February 2026 with adoption expected to take place in June 2026.

**The Levin Old Landfill Remediation Project**

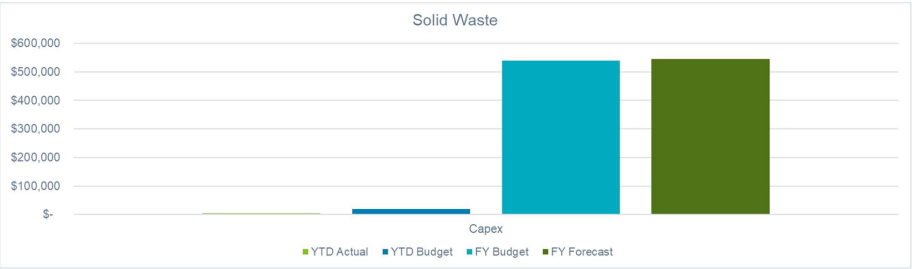
A peer review of the previous work undertaken by Earthtech on the extent and urgency of the contaminated groundwater is being undertaken by Tonkin and Taylor (T&T). This review is critical to Council officers' understanding of what if any further remediation actions may be required. Horizons Regional Council will, along with community working groups, be notified of the recommendations and conclusions from the T&T report.

**Financial**



Revenue is ahead of budget due to Solid Waste Recycling rebates being higher than budgeted which includes \$453k that was carried forward from the 2024/25 year.

Minor savings in Expenditure with legacy Alliance contract budget (\$135.7k).



## Local Waters Service Delivery

### General update

The Local Waters Service Delivery model and team turned one on 1 November, and the last 12 months have been hugely successful, as the council's managed service continues to evolve. The main benefit is that the Locals Waters Team is now in touch with the key risks associated with our assets and are responsive to critical issues, through improved visibility over performance and process gaps. The Assets team has recently initiated and rolled out a number of premaintenance schedules with the Reticulation and Treatment operators that are notably improving the performance of critical assets i.e. pumps, valves and pressure systems. Equally important is the team is now strategically positioned to support and respond to the demands associated with the Local Waters Delivery Well transition.

As the newly formed Compliance and Regulation team continues to review and work through the Consenting noncompliance gaps, we have completed a new Resource Consenting Conditions Register and action list that provides visibility to overdue conditions. This has allowed the team to prioritise work associated with each condition and focus on significant and moderate non-compliance first. A summary report of high-risk noncompliance will be presented to the Risk and Audit Committee in 2026.

## Water Treatment and Supply

### What we are delivering

#### Water Meters

The installation of domestic water meters in Levin is nearing completion with an estimated 97% of the total 13,265 completed. Of the last meters to be installed, manifold maintenance is required to enable this. Once the domestic water meters are complete, the project will look to install commercial meters. These meters often need to be bespoke dependent on the business activity that is being undertaken on the premise.

#### Levin Water Treatment Plant - Filter Refurbishments

We are investing in upgrades to make sure Levin continues to have safe, reliable drinking water now and into the future. These upgrades support long-term resilience and prepare us for growth, emergencies and changing water standards.

The Levin Water Treatment Plant (WTP) contains six concrete-floor pressure filters and four steel-floor pressure filters. These filters play a critical role in removing fine particles from the water supply. Many of the filters have been in service for several decades and now require scheduled refurbishment to maintain optimal performance.

As part of our ongoing renewals programme, Council plans to refurbish three filters during this financial year. Planning and procurement activities are currently underway, with physical work scheduled to begin in early 2026.

### **Ōhau River Intake Gallery Investigation**

This year has seen an increase in the frequency of scarification, where a digger is put in the Ōhau river to clear the intake of sediment. This is a consented activity. The consent only allows for this to be undertaken a limited number of times each year. Based on this increase, a project to investigate the intake gallery (several connected perforated pipes under the riverbed, condition). Depending on the results of this investigation, a capex project may need to be initiated.

### **Levin Water Supply/Poads Road Reservoir Consent**

Council lodged its consent application and Notice of Requirement for Designation at the end of 2024. A pre-hearing was held in August 2025 to address submitters concerns. We are progressing engagement with submitters and iwi partners on conditions, if the consent proceeds to a hearing this is likely to be February/March 2026.

### **Foxton Beach Water Treatment Plant Green Sand Filter**

To meet the increasing demand on the Water Treatment Plant at Foxton Beach, Filtec were engaged to install a third green sand filter integrating it into the existing treatment network of the plant, as well as the removal of old media, and supply and install of new media in existing sand Filters 1 & 2. Commissioning of the new filter and media change for filters 1 & 2 is now complete.



### **Foxton Water Treatment Plant**

#### **Installation of UV and Commissioning of new reservoir**

The installation of UV and commissioning of the new reservoir at Foxton Water Treatment Plant has been completed, with a few minor operational items to work through. The UV unit will help the plant meet the required protozoa safety standards and improve overall water quality. In addition, the reservoir installed several years ago has now been brought

into service. Before commissioning, the reservoir underwent disinfection, new piping installation, and automation upgrades to ensure it integrates smoothly with the existing treatment process. These improvements strengthen the resilience of Foxton's water supply and support ongoing compliance with drinking water standards.

#### Foxton Water Treatment Plant - Lady's Mile Bore Redevelopment

As the yield from the bore at Lady's Mile has reduced, a project was initiated to look for a location for a new bore. This will enable us to continue to provide safe and healthy water to the communities of Foxton and Foxton Beach.

#### Financial



## Wastewater Treatment and Supply

### What we are delivering

#### Levin Wastewater Treatment Plant Upgrades

##### Inlet Pipe and Sewer Bulkmain

The Inlet pipe and sewer bulk main renewal project is the first project in the programme of works to upgrade the Levin Wastewater treatment plant.

Council is progressing well with the National Infrastructure Finance and Funding (NIFF)-funded upgrades to Levin's wastewater network, including improvements to the bulk main and inlet pipe. These works are essential for strengthening the network and supporting future growth.

Stage 1 of the project commenced mid-August, with the installation of inlet pipe and sewer bulkmain, there has been a crew of 20+ staff on site since August. All pipes are now in the ground, ahead of schedule with completion in November 2025. Green By Nature has been engaged to undertake the reinstatement works of the turf at Donnelly Park.



Stage 2 of the bulk main upgrades have commenced with expected completion June 2026. Engagement with residents, schools and businesses will be ongoing throughout this period to keep them informed of road or lane closures.

The overall project forecast is now around \$6m, which remains within the approved NIFF budget of \$6.19m. Some cost increases reflect design improvements needed to ensure long-term performance, including stronger pipe bedding and more robust installation standards. A smaller final stage (SP3) will follow once the new headworks are completed in late 2026 or early 2027.

#### **Headworks**

Horowhenua District Council has been working with Lutra to develop the Masterplan for the Levin WWTP since 2022. As part of this programme, the first major stage to be delivered alongside the renewal of the plant's inlet pipe is the upgrade of the headworks, which forms the essential preliminary treatment process.

This upgrade is required because the existing infrastructure is ageing and no longer performing reliably. Replacing it will improve the resilience and efficiency of the plant, support future growth in Levin, and strengthen the system's ability to manage extreme weather events. These improvements are important for ensuring long-term environmental sustainability and climate readiness.

The 2025/26 Annual Plan has an allocated budget of \$13m for this project. During the first quarter of this year, Council has been working with Lutra to finalise the design and build contract, with a Request for Tender (RFT) released to the market in November, with submissions closing 28 February 2026.

#### **Levin Wastewater Treatment - POT – Irrigation Expansion**

As Levin grows and its water and wastewater treatment plants are upgraded, Council is planning to ensure the town's treated wastewater continues to be managed safely.

In 2000, Council recognised the requirement for future irrigation expansion and purchased five private land parcels totaling 109.23 ha, located approximately 7km west of Levin township, toward the coast. This landholding, referred to as the Tucker Block, has since been identified as a key site for future irrigation expansion linked to the POT.

Early assessments show that parts of the block around 55 ha of dune areas and 21 ha of interdune areas may be suitable for irrigation.

We are now analysing how much land will be needed to meet expected wastewater flows and environmental requirements through to 2045. The next steps include reviewing past technical studies, working alongside iwi partners to shape future plans, and beginning preliminary design and consenting for any proposed irrigation scheme.





**Shannon Mangaore Wastewater renewal**

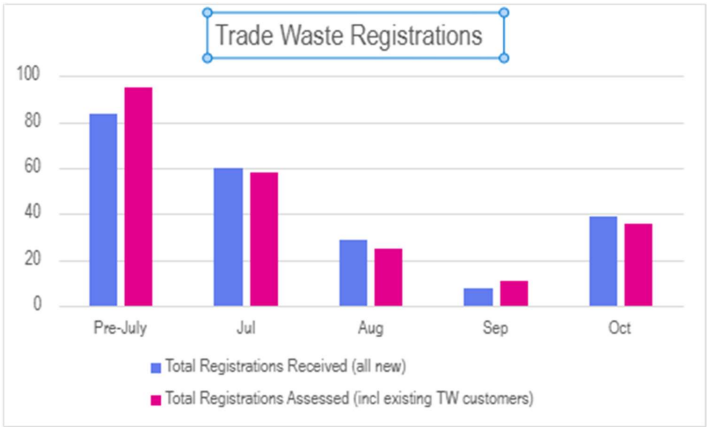
We are planning to upgrade the ageing wastewater mains in Mangaore Village, which have reached the end of their useful life and are allowing significant stormwater to infiltrate the wastewater system. Investigations carried out in March 2025, including CCTV inspections, confirmed that the excessive infiltration is caused by broken wastewater pipes within the village.

During heavy rain, this infiltration overwhelms the wastewater wet well at the water treatment plant, causing treated water production to temporarily shut down.

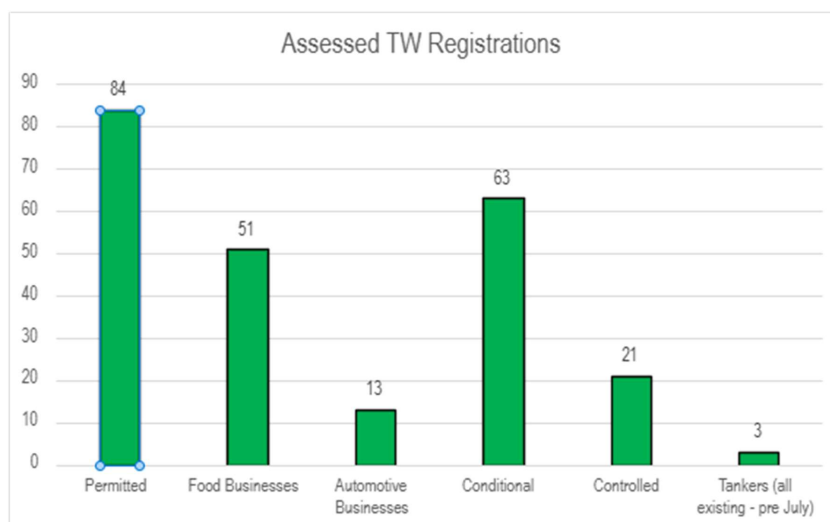
Council is now progressing with procurement for the renewal of works. The project will be funded through the Districtwide Network Renewals budget.

**Trade Waste**

Business registration progress that was gradually reducing, picked up again in October. Two pop up help desk sessions were set up in the Levin and the Foxton library on two consecutive Fridays as well as the constant face-to-face site visits which have helped bring numbers up again. There is currently a total of 235 businesses and organisations registered with council for trade waste.







### Issues and Risks

Critical pieces of equipment where the duty/standby arrangement does not apply have been surfacing in recent months. Windy weather over the spring period and private activities brought new issues and risks not previously considered. Major risks being considered currently are listed below;

- The maintenance of the sludge press at Levin Wastewater Plant. The plant has two press units with one operational and the other has been offline for some time. The offline press is being arranged for assessment to determine the degree of maintenance required and necessary parts to get it operational again. Having both press units maintained and with critical spares available will reduce the risk of the dewatering system not operating. A hire unit is being arranged for \$1,600 a week while both rotary press units are being serviced.
- Pine trees behind the fence at the Foxton Beach wastewater treatment plant site are being harvested to minimise the risk of damage to infrastructure and site security. Since the harvesting of trees in the adjacent property, trees on our site have been exposed to strong winds and without the support of the previous forest, they fall over and usually towards our fence. Work is planned to be completed by the 19<sup>th</sup> of December. The returns from the tree harvesting were calculated to be about \$47,000. Actual returns may be lower or higher depending on actual costs incurred during tree felling and transport and market price fluctuations.



Financial



Delay in Levin Wastewater Treatment Plant – Headworks project \$6.5m

## Stormwater

### What we are delivering

#### FIF Queen Street Stormwater Intervention Device

Council is planning the installation of a stormwater intervention device at the Queen Street Drain to address longstanding problems with untreated stormwater discharge. Procurement is progressing. The upgrade is part of the wider stormwater quality improvement action plan for the Levin catchment.

Stormwater intervention devices (downstream defenders) have been installed on Hokio Beach Road and in the Mako Mako catchment.

Council's current Levin Stormwater Discharge consent is on hold with Horizons Regional Council. To progress, Council must demonstrate how stormwater quality will be improved through this and other initiatives.

#### Foxton Beach Stormwater Consent

Officers are working with Good Earth Matters to prepare a catchment wide stormwater consent application. A draft Stormwater Improvement Plan has been developed, outlining a whole-of-system approach and setting clear objectives to guide how stormwater will be managed into the future. Council will continue to work closely with iwi partners, as the consent application progresses, we are awaiting their formal feedback.

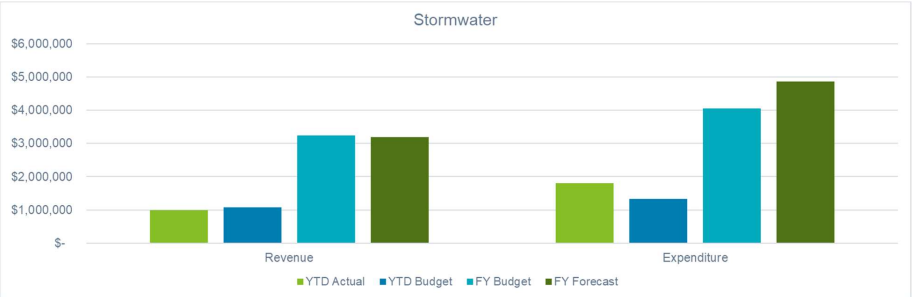
#### Levin Stormwater Consent

We are progressing work to secure a long-term consent for Levin's stormwater discharge, a key step in protecting the health of local waterways and Lake Horowhenua.

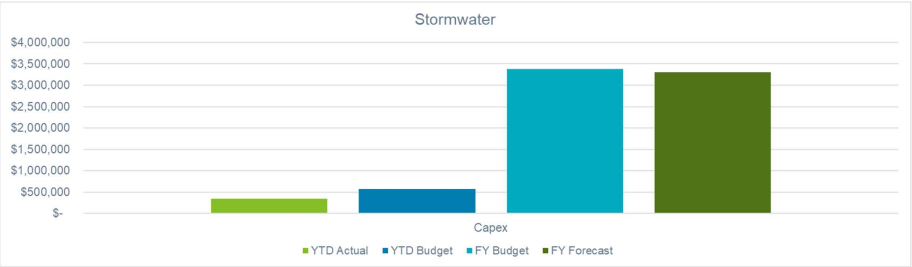
Council is preparing a full consent application, addressing Horizons Regional Council's compliance requirements and providing the requested supporting information. This includes a detailed assessment of stormwater effects on water quality, monitoring results, and a proposed long-term monitoring plan.

Engagement with iwi and hapū is ongoing, initially coordinated through the Lake Horowhenua Trust as Mana Whenua. A hui was held on 9 October, at this meeting, HDC and the Lake Trust agreed to develop a plan for ongoing engagement and resourcing to support water quality improvements in Lake Horowhenua and Hokio Stream.

Financial



Higher spending in Maintenance and long-term conditions consenting costs.



Community Vision and Delivery

Group Update

This period contained several highlights for the Community Vision and Delivery Group as the financial year ended and the new one started. Officers have continued to advance many of the Council's top priorities such as the Levin Town Centre Transformation, Ō2NL expressway and revocation, the integrated growth workstream and progress on both the Foxton and Foxton Beach Community Plan and the Shannon/Otāuru Community Plan. The details of the progress on these priorities are captured under the Top Priorities section of this report.

Strategic Planning

The key milestone reached during this reporting period was the adoption of the Annual Report 2024/25 on 8 October. Council received a 'clean' Audit report and the report itself reflected the focus Council has kept on delivering for the Horowhenua community. Copies of the Annual Report are available on Council's website and in hard copy at the district's three libraries and main Council offices.

Preparations for Annual Plan 2026/27 began with officers reviewing forecasts for 2026/27, analysis of progress against the 2025/26 budgets and delivery and assessment of known implications of central government reforms.

## **Communications & Engagement**

We've maintained a sustained and visible focus on strengthening how we inform and engage our communities across multiple channels and topics. We've delivered end-to-end communications for the local elections and inaugural Council meeting, supported a suite of community-facing campaigns (water conservation, Remembrance Day, Diwali, Christmas Parade and Carnival, Council Expo, Tertiary Scholarships), and kept residents updated on complex issues such as Levin Landfill, Local Water Done Well / Central Districts Water, and major infrastructure projects. Community Connection has continued as a key vehicle for reaching households, alongside consistent use of web, social, radio, billboards, print and Antenno to ensure clear, timely information on events, services, changes and opportunities to get involved.

At the same time, we've been strengthening the systems, tools and relationships that sit behind effective engagement. We've trialled and reviewed a new weekly media stand-up process to help our local newspapers have direct access to the Council information they need to write their stories. In and amongst this work the team have responded to a high volume of media and LGOIMA enquiries, advanced online payment work to make it easier for our customers, improved bylaw and landfill information online and begun a staff storytelling series to humanise Council and build trust.

The start of October saw the Strategic Communications team begin their time in Te Mauri Hiko (our internal continuous improvement lab) and have identified a range of opportunities to improve the service this team provides to support the business and how it connects with the community.

## **Destination Management**

Council endorsed the Horowhenua Destination Management Plan and its accompanying Implementation Plan in September. This marks a significant milestone, providing a clear roadmap for sustainably growing the visitor economy, strengthening sector capability, and positioning Horowhenua as a vibrant destination of choice.

To support operator and stakeholder communications, a quarterly Destination Horowhenua newsletter was distributed in September, providing updates on current activity, upcoming opportunities, and progress across key workstreams.

A focus over this period has been the development and rollout of the summer marketing campaign. In partnership with SeeMe Media, the first phase launched in November with billboard advertising at Sky Stadium in Wellington. This will extend in December to include cinema advertising. The current work on the new district visitor map will see that out in the community before Christmas.

Design work was completed on a new suite of street flags, celebrating the district's diverse communities with greetings in English, Te Reo Māori, Mandarin, Hindi, Dutch and Samoan. These will be installed from December and used across future seasonal campaigns and major events.

Following a competitive procurement process, a new website agency was confirmed to lead the transfer of the HorowhenuaNZ website. With our former provider no longer able to offer the level of maintenance and support required, this transition ensures the platform will be regularly updated, improved over time, and better aligned with the Destination Management Plan outcomes.

## Economic Development

Council officers and staff from The Horowhenua Company Limited (THCL) have been reviewing the data and reporting requirements for this function and also exploring potential overlaps with other functions such as Destination Management and Housing and Business Development. The aim being to achieve any efficiencies but also ensure that the data reported is timely and informative.

Together with Council staff, THCL are delivering on the Economic Development Strategy 2025-2035. A current key deliverable that work has commenced on is the Levin Retail Transformation Strategy. This piece of work is part of the broader Levin Town Centre Transformation Programme and will be completed in 2026.

The work is intended to design and deliver a practical, evidence-based Retail Transformation Strategy and Implementation Plan that:

- Positions Levin Town Centre as a regional retail and cultural destination.
- Ensures existing retailers adapt and thrive before and after the Ōtaki to North Levin (Ō2NL) Expressway bypass.
- Attracts new retail investment that supports vibrancy, footfall and long-term economic sustainability.
- Provides a clear, costed and accountable roadmap for HDC, THCL, iwi partners, retailers, property owners and investors.
- Identifies short-term "quick wins" that build momentum and confidence in advance of major infrastructure changes.

Council will receive a briefing on the Economic Development activity from THCL and Council staff on 17 December 2025.

## Integrated Growth and Planning

The Integrated Growth and Planning team are advancing work on a range of fronts, with some projects having been reallocated within the team. Growth responses continue to be a key focus, as is starting to think about resource management reform – both engaging in process as opportunities arise, but also preparing for what work will need to be done following announcements, as we transition to the new resource management system. As a

reminder, Central Government are expected to make announcements about this before Christmas. In the meantime, focus has been on what we do know and what this means.

This includes:

- Long term spatial planning will be a requirement – we are working with the other Councils in the region to determine what information we already have and what information we need to support this work.
- Regional collaboration and decision making are expected.
- Enabling growth (housing and business) will be a key priority.
- The process is likely to be contracted, meaning we will need to respond quickly – this may also reduce opportunity for community input.

In the project space, work is continuing on Plan Change 6A. As referenced in the last update, the 'plan stop' announcement from government in July has impacted this work – requiring us to apply to the Minister for an exemption to carry out. We submitted a draft application to Ministry for the Environment last month and received positive feedback. We are finalising the application with the intent to lodge before the end of the year. We understand that exemption application for live plan changes (those that have already been notified, which PC6A has), over draft plan changes (those not yet notified).

The team has launched the internal 'Integrated Growth Portal' which is a key part of the Integrated Growth workstream for both 'Aligning Action and Making Connections' and 'Showcasing Opportunity'. At this stage, this is an internal portal showcasing work in the early stages so there is awareness across the business. We look forward to launching an external version in the new year, which will focus on providing key updates and information.

The team is also advancing the 'Tararua Road Master Plan' and the 'Levin Development Framework'. The former is focused on unlocking land to enable industrial and business growth, and the Levin Development Framework is focused on bringing together all the various and significant upcoming plans and changes for Levin and the way they will influence land use, including Ō2NL, Tararua Road Master Plan, increased rail services and more. We look forward to sharing more about this work shortly.

## Strategic Projects

The team has continued to be kept busy during this period with the Levin Town Centre transformation, the Ō2NL project and revocation. The detail of these key strategic projects is covered in more detail in the Plan on a Page section of this report. These three projects see the team working closely with key stakeholders on each of these projects championing for great outcomes for the community. Key achievements for the team during this period included going unconditional with the sale of the Levin War Memorial Hall and Village

Green, sale of the Levin Warehouse carpark, and closing the Expression of Interest period for the Bath Street/Salisbury Street carpark.

Te Whakakanohi me to Hautū I te Hapori

Representation and Community Leadership Activity

The Representation and Community Leadership activity sits across two Groups. You can find activity updates for the Representation and Community leadership activity in the Community Vision and Delivery Group and the Organisation Performance Group updates.

What we are delivering

The Annual Plan for 2026/27 is the current focus, with early briefings to Council held in November and will continue through to Christmas so Council can provide direction on the level of change and rates for the new financial year.

Early signals have been provided that Councillors can expect there to be an overlap in processes between the Long Term Plan 2027 commencing before the Annual Plan 2026/27 has been finalised.

Financial

The Representation and Community Leadership activity sits across the Community Vision and Delivery group and the Organisation Performance Group, the financial information provided here is for the entire Representation and Community Leadership activity.



Capital projects for this activity relate to Levin Town Centre strategy activation projects.



## Housing and Business Development

### General Update

#### Housing Market Overview

Market confidence and positivity appear to be on the way up. Sales have increased nationwide, showing growing levels of positivity and activity across the country. National sales were up 6.4% year-on-year to 7,505 sales, and New Zealand, month-on-month data show a slight increase in activity at both the national and regional levels, most regions appear to be exhibiting a positive shift.

Median sales prices across the country have stayed steady in recent months, with a median price of \$786,000. New listings continue to rise around the country, up 5.5% year-on-year to 12,209. New Zealand, excluding Auckland, also recorded an increase, up 4.2% year-on-year to 7,783. Inventory levels have returned to over 33,000, up 3.9% nationally year-on-year to 33,588.

First home buyers continue to be a dominant group across the country, taking advantage of lower interest rates and a stabilised market in terms of price, lower interest rates, and easing lending criteria have brought more people back into the market and boosted activity in many regions.

As outlined below there is also a discernible upswing in consenting activity in recent months, mirroring a change to more favourable changes to general economic conditions.



*Building Consents by Month* Statistics New Zealand

#### Growth Summary

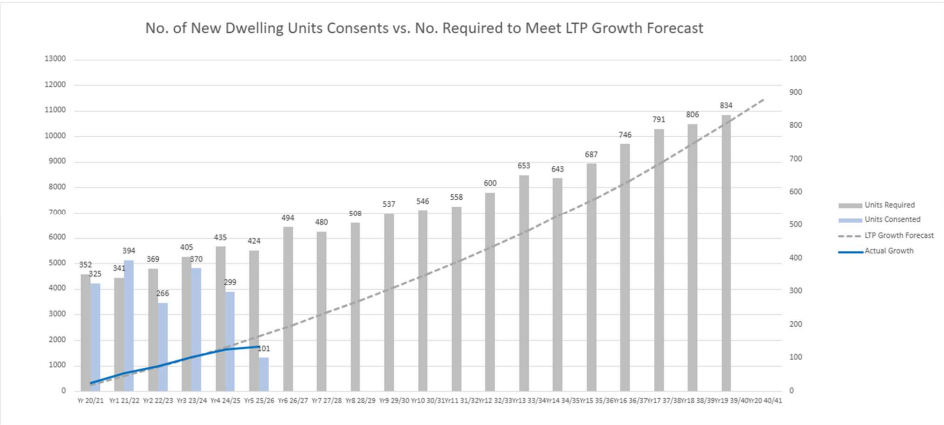
With headline consenting volumes remaining flat across the country, this translates into lower growth numbers of consented dwellings, although we are starting to see some green shoots of a return to volume.

Now a third of the way through the year although the growth numbers look like they will run around 25% below that forecast on the growth curve, there are positive signs that in

extrapolating this number out to the end of this year, we are on track to improve on the 2024/2025 year.

With growth in demand on the horizon, the projected position to year end could land around 350 dwelling units. Although some variation in growth has been included in the growth numbers, we do know the building sector goes through distinct demand cycles, which may not be accurately reflected on this forecast graph.

At this point the forward outlook looks positive.



*Building Consents Issued for New Dwelling Units vs. LTP (Long Term Plan) Growth Forecast  
YTD to 31 October 2025.*

**Future Forecast for New Zealand**

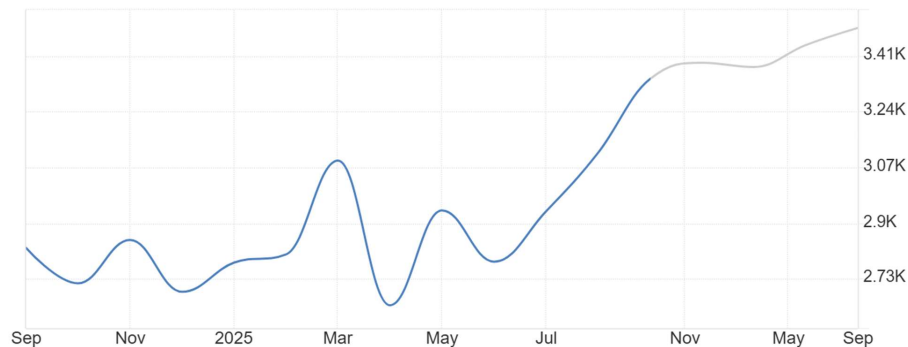
The number of building consents issued for new dwellings in New Zealand increased in the quarter to 3,339 units from the prior period of 3,114, a 7.2% improvement month on month. This represents the third month of positive gain across the country, as stated previously the Horowhenua District has been running ahead of the national trend in recent times also, albeit off a low base.

In the year to September 2025, 34,882 new homes were consented, representing a 3.6 percent increase compared to the year to September 2024. In Q3 2025, there were 10,079 new homes consented, up 9.8% compared with Q2 2024. The annual value of non-residential building work consented was \$9.0 billion, down 1.9 percent from the year ended September 2024.

The annual value of non-residential building work consented stood at \$9.0 billion, the number of new dwellings consented per 1,000 residents was 6.6, up slightly from 6.4 in the previous year. According to econometric models, month on month growth has not changed for 2026 and is forecast at 1.9%, declining to -0.8% in 2027.

Growth prospects for the district remain strong having come through a period of low

demand with solid consenting volume, the recent start on the Ō2NL corridor will only strengthen this position and as the market frees up across the country, we can reasonably expect to benefit from this upswing generally with a 'road of national significance' growth cherry on top.



*Forecasted trend for Building Consents by month.* Statistics New Zealand

### Consenting Summary Overview

Consenting numbers locally remain solid with a slight increase in volume coming in the door yet to be processed.

Forecasts are now highlighting a positive projection forward signalling near 2.0% growth by comparison to this year. This is positive given forecasts to date have been flat. With projected growth to 3,561 units in 2026, it is expected 2027 will run to a similar level, maybe tapering off a little. Delivery performance timing in the delivery of building consents continues to remain solid and ahead of statutory requirements.

The local market continues to buck the national trend and remains above the average run rate for build activity, resulting from developments such as the Ō2NL roading project which is now underway.

Coming off a quiet period where demand felt flat and growth sentiment was low, there does seem to be a clear shift in the market where the latest OCR adjustment appears to have lifted the lid on some of the parked projects and the market is again showing positive signs of improvement.

As illustrated below the volume of consents coming in the door has improved YTD when compared to 2024 although the lagging measures of inspections completed would indicate that we are on the way back up the demand/growth curve. As demand builds our ability to resource this demand will again come into question, in an environment currently facing a number of central government changes which will start to come into effect in 2026, including targeted inspection times, self-certifying plumbing work, granny flats not requiring consents and changes to liability settings for council to name a few.

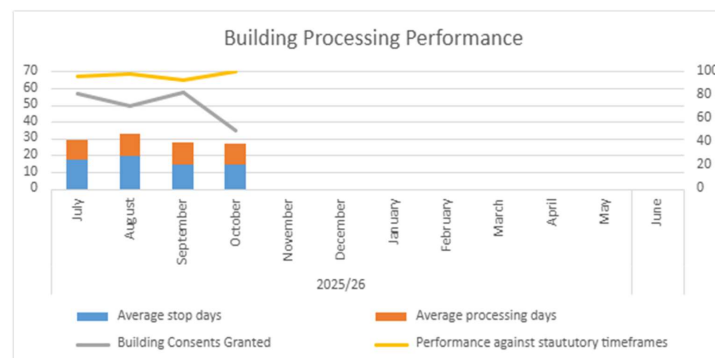
## What we are delivering

Building consent trends based on data for the period for 2024/25 financial year and from 1 July 2025 to 31 October 2025 are as follows:

	YTD to 31 October 2025	YTD to 31 October 2024	Trend
Number of building consents lodged	203	182	↑12%
Number of building consents issued	201	196	↑3%
Number of new dwelling consents issued	48	51	↓6%
Number of new dwelling units consented	77	108	↓29%
Value of building consents issued	\$50,726,100	\$63,992,995	↓21%
Number of inspections completed	2638	2923	↓10%
Number of CCCs issued	168	220	↓24%
Number of enquiries about building control functions	424	543	↓22%

The number of consents issued for new dwellings is similar to the same period in 2024/25, however there were fewer dwelling units consented. Demand continues to fluctuate month to month, and October 2025 shows most metrics trending downwards apart from building consents lodged and issued. The Horowhenua has remained solid relative to the generalised trend across the country.

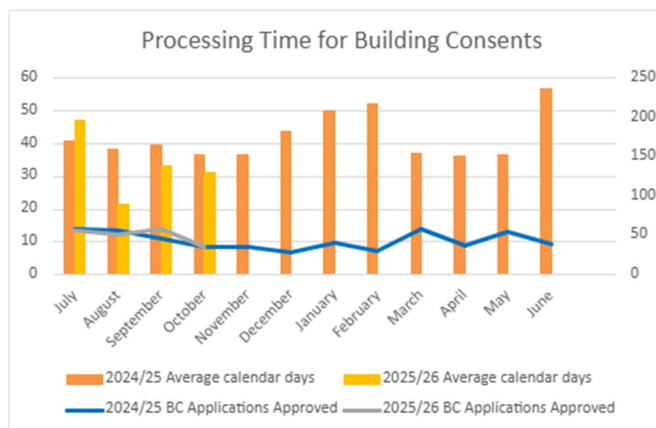
Monthly compliance with statutory processing times in 2024/25 fluctuated between 93-100% throughout the year so far with an average of 97%, as below:



Performance has remained steady this year and overall, the goal to process at least 95% of consents within statutory timeframes, has been met. Work in progress is being closely monitored to ensure consents are progressing through the process as intended.

Ensuring costs and timeframes are kept in balance is an ongoing challenge as we continue to search for technically qualified resources to employ inhouse. Volume and availability of skilled resources remain a key challenge and focus.

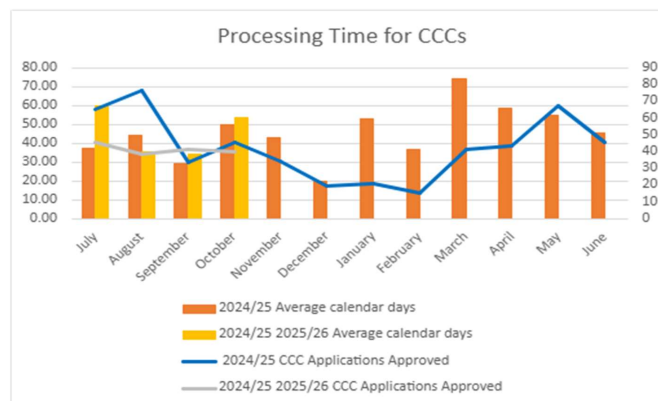
#### Building Consent Processing Time - Benchmarks



The volume of building consents in progress fluctuated between 41 and 74 in 2024/25, a similar range has been observed YTD with 42 to 72 building consents in progress at any one time. The last few years have seen a consistent positive trend of building consents being processed in fewer calendar days than in the same months in the 2023/24 year.

In real terms this is the true customer experience measure, timing from submission to granting has decreased from an average of 60 calendar days in 2022/23, 47 calendar days in 2023/24, and 41 days in 2024/25 to 34 days YTD to the end of October 2025.

This measure shows not only improvement in performance in council process but also improvement in performance of our partners in the community. Although we are bound by the statutory timeframes, the elapsed time from dropping the application in to council and picking up the granted consent is a self-imposed benchmark that we will aim to continue to improve upon.



The average processing time for Code Compliance Certificates (CCCs) in 2022/23 was 36 calendar days, in 2023/24 it was 40 calendar days, and 54 calendar days 2024/25 and is 46 days YTD to the end of October 2025.

Approximately 92% of CCCs issued YTD to the end of October 2025 have been processed within statutory timeframes, this is a slight improvement on 90% in the 2024/25 and 2023/24 years.

Resourcing levels in the commercial space continue to impact statutory timeframes for CCCs and calendar days taken. Following our IANZ accreditation re-assessment we engaged a contractor to issue compliance schedules for CCC applications where the building contains specified systems (fire alarms, automatic doors etc.).

#### BCA Accreditation Re-assessment

Our biennial accreditation re-assessment from International Accreditation New Zealand (IANZ) audit was completed in April, the result was very positive, and the initial finding was that Council was deemed to be a low risk from a compliance perspective. The result was that nine items (eight general non-compliance + one serious non-compliance) were tasked for improvement.

All non-compliances were resolved, and conditional clearance was given at the beginning of September 2025, requiring that the BCA provided 3 further examples of compliance schedules by 25 November 2025, to provide assurance that the issues raised have been satisfactorily addressed.

Once the conditional clearance requirements have been resolved, IANZ will re-confirm Council's accreditation, risk level and audit frequency, which currently sits at 'Low'.

#### Resource Consenting

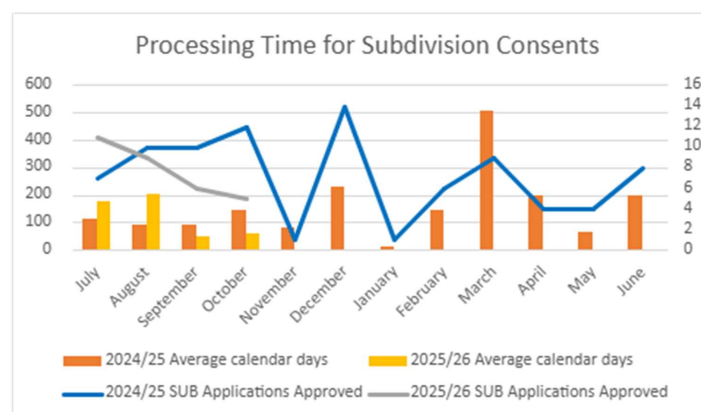
Resource consent trends based on data for the period for 2024/25 financial year and from 1 July 2025 to 31 October 2025 are as follows:

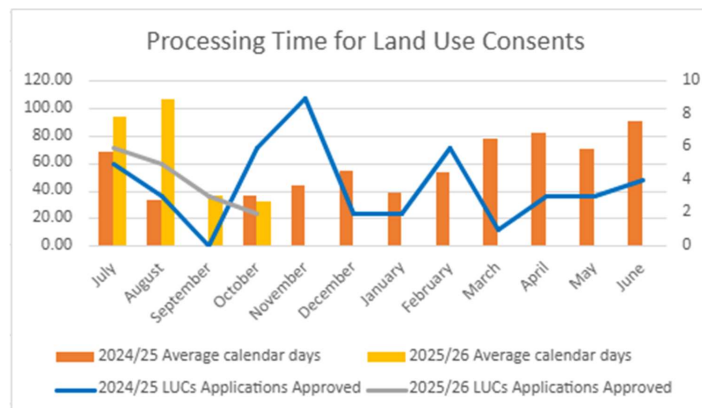
	YTD to 31 October 2025	YTD to 31 October 2024	Trend
Number of resource consent applications lodged	76	83	↓8%
Number of subdivisions consents approved	31	39	↓21%
Number of land use consents approved	16	24	↓33%
Number of new allotments created at 223 stage	26	88	↓70%
Number of new allotments created at 224 stage	93	66	↑41%
Number of enquiries about resource consenting activity	411	389	↑6%

Approximately 71% of resource consents processed YTD to the end of October 2025 were issued within statutory timeframes. It is noted that the level of compliance with statutory timeframes has gradually increased YTD due to the additional measures that have been put in place to ensure top monitor and manage workflows.

No Streamlined Housing pre-application meetings have been held YTD, and no Streamlined Housing consents have been lodged or approved YTD.

#### Resource Consent processing time benchmarks



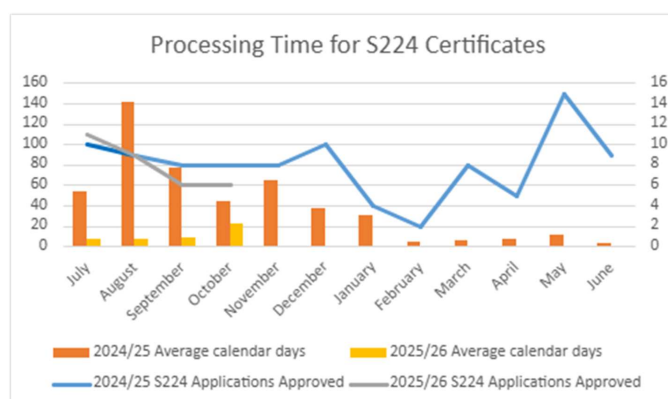


The Resource Consenting space remains a key area of focus, and work is progressing on closing out aged consents with an ongoing, agile review of consenting processes in progress.

The calendar days taken to process Land Use (LUC) have increased to 79 days YTD to the end of October 2025 compared with 57 days in 2024/25 and 99 days in 2023/24. Similarly, the average number of calendar days to process Subdivision (SUB) consents was 141 days YTD to the end of October 2025, compared with 177 calendar days in 2024/25 and 123 calendar days in 2023/24.

These peaks are largely due to the granting of old subdivision consents that have been in the system for some time. The RMA has historically allowed consents to remain in progress indefinitely, even if they were inactive for large periods of time.

Recent changes in the Resource Management (Consenting and Other System Changes) Amendment Act have been enacted, meaning that we will be able to implement a process to return abandoned applications in the future. This should result in a reduction in the overall number of calendar days to process consents.





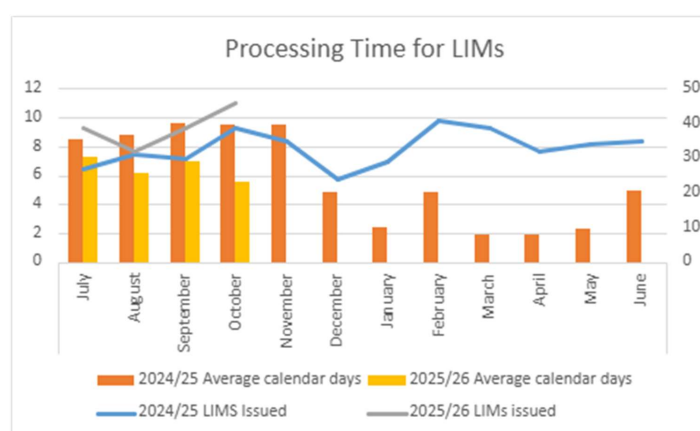
The average processing time for s224 certification (to enable new titles to be issued) YTD to the end of October 2025 was 10 days, this is a slight decrease from 11 calendar days in 2024/25.

#### Land Information Memoranda

The average calendar days for processing LIM requests was 6.5 days YTD to the end of October 2025, which is a slight increase for 5.5 days in 2024/25.

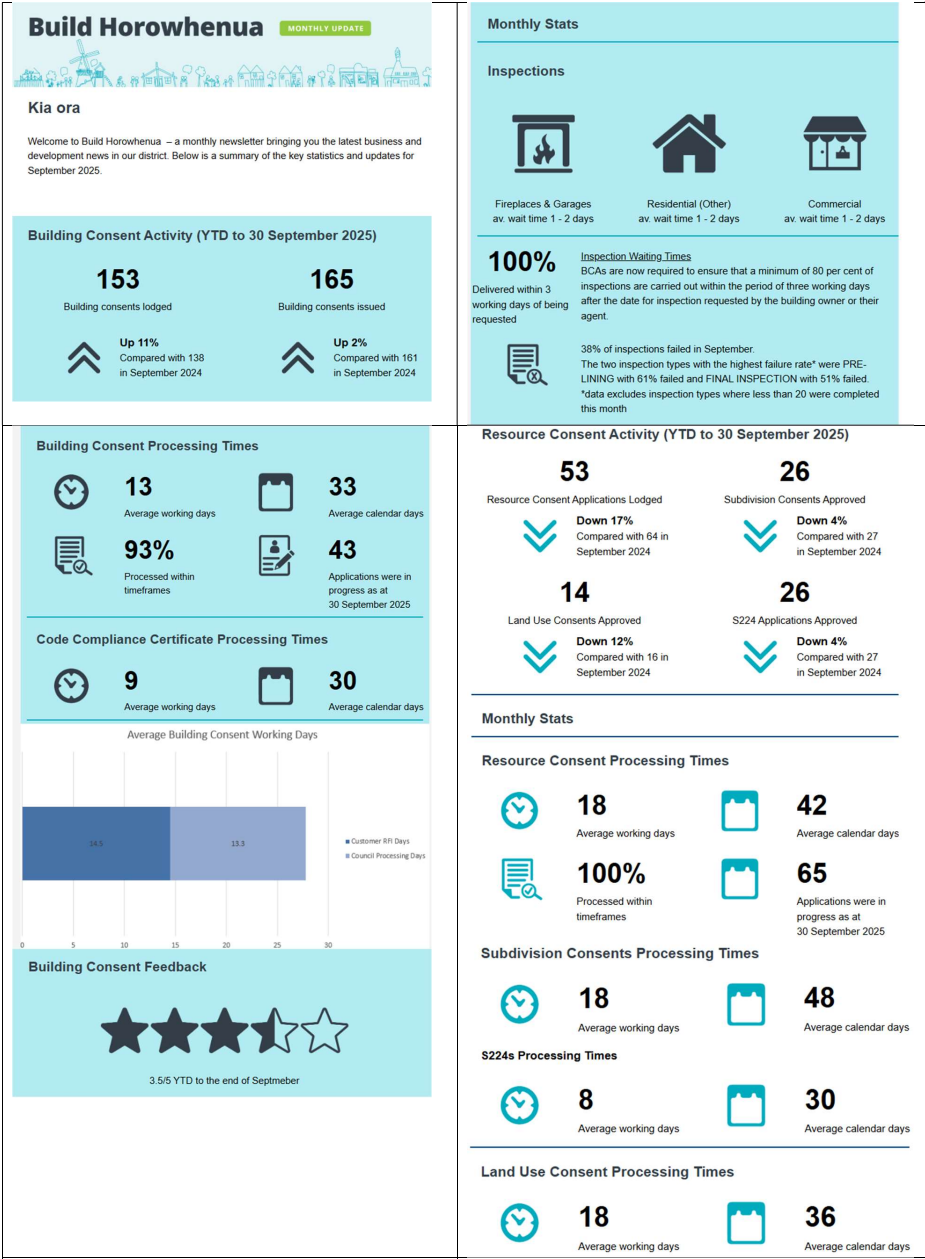
Out of the 155 LIM requests processed YTD to the end of October 2025, over 76% were processed within 5 working days and all were processed within the 10-working day statutory timeframe.

Several changes have been made to the natural hazard information provided in LIMs, because of legislative changes. These changes are ongoing as we continue to receive information from Horizons Regional Council.



#### Performance Reporting to the Market

An update of consenting performance has been proactively posted to the 'build' market monthly. The intent was to be open and honest around consenting timeframes and performance with that view that through working with our development community that we can lift performance of the building system across the district. A copy of last months' mail out can be seen below.





## Revenue & Expenditure

Revenue and expenditure performance/forecast to year end remains positive. The year to the end of June 2025 was the first positive outcome from a revenue and performance perspective in the past three years.

## Organisation Performance

Overall, we are forecasting a positive variance to budget of close to \$400k (saving) net of core operating revenue and expenditure. We will continue to scrutinise all revenue and expenditure and work towards increasing this forecasted positive variance to \$500k. Additionally we are forecasting \$700k saving to budget from net interest.

### Group Update and Work Plan Delivery

The Business Performance team has completed the 2025 election and onboarding process and are now focused on delivering the induction programme to Council and Te Awahou Foxton Community Board members.

The Finance team is focused on ways to improve the experience for our customers. They have been successful in reducing the waiting time for rates queries and increased the number of customers who will receive their invoices by e-mail. This will dramatically reduce our postage cost.

We are progressing well on key improvements to our systems and processes, and we are tracking well on implementing two new systems - Done safe (Health, Safety & Wellbeing) management tool and Comply With (Legislative Compliance Tool and Loco Delegations).

We have also recently completed a review and update of the Council's Risk Policy and Risk Management Framework and these will be presented to Council in 2026.

Within the Finance team a key focus has also been supporting the organisation in the preparation of the draft Annual Plan Budget for consideration by Council in December. We are focused on delivering options to reduce the level of rates increase expected.

## Horowhenua District Revaluations 2025

This three-yearly revaluation, undertaken by Quotable Value (QV) on behalf of Horowhenua District Council, is currently being finalised.

A presentation was provided to Council on 3 December, outlining the draft valuation results and process. A detailed communication plan is being prepared to support the public release of the new valuations.

A press release will accompany the public notification on the 10 December and QV will issue updated valuation notices to all properties across the district on 17 December 2025.

QV will manage the formal objection period from January to February 2026, in accordance with the statutory requirements set out by the Office of the Valuer-General (OVG).

## Capability and Transformation

### General Update

Our focus this reporting period has been on our updated Organisation Roadmap areas; Customer and Community First, Change, Culture and Continuous Improvement.

We undertook a public email inbox review and carried out a customer request mapping exercise to understand the different “email doors” that customers come through when engaging with our organisation. Our immediate focus from this work is to make incremental changes to enhance the customers' initial contact experience with Council.

We've completed some work to identify valuable trend data on customers who have contacted Council more than once within a month to resolve the same issue. This insight allows us to trace each customer journey from the initial interaction through to resolution. By reviewing these cases, we have been able to uncover opportunities to improve our processes and deliver a smoother, more efficient experience next time (internally and externally).

In this reporting period we completed phase one and commenced phase 2 of our reporting conversion project. Of the 463 reports which are stored in Council's historic reporting services tool, we have reviewed and archived 167 reports (56%) and converted 36 (12%) to Power BI reports. Power BI is used for business intelligence (BI) to connect to various data sources, transform and model the data, and create interactive visual reports and dashboards. The sprints we have created in this project enable us to review and understand the business requirements of the historic reports used within Council and understand future business requirements for those to be converted to Power BI.

Phase one of our Windows 11 project came to a close this reporting period with successful deployment of 215 Windows 11 devices of the expected 217. We are now moving to phase two of the project.



## Ngā Whāinga Matua

### Council Plan on a Page Top Priorities



## Ngā Whaingā Matua Council Plan on a Page - Top Priorities

### Pursing Organisation Excellence



**Continuing the journey of organisational transformation by enabling a culture of service, excellence and continuous improvement.**

#### ***Review the Organisation Roadmap and implement identified action.***

Our enhanced Roadmap focuses on continuous improvement which has seen officers:

- Carry out a review of all public email inboxes which included assessment of automated responses, ownership/management and cross checking against our public facing website content to ensure accuracy of contact points. With this completed our focus moves to how we can further support use of inboxes for management of Council services to support the customer-first experience.
- Pilot a think tank approach to map out the ideal internal and external customer paths with the first focus area being Land Transport. This cross functional team brainstormed how we can ensure early intervention on complex/challenging enquiries and ensure resolution to prevent escalation.
- Engaged in Te Mauri Hiko where six days of capability building was delivered with a third of the organisation attending one or more sessions. 64 people earned their Learner License, having completed all three innovation foundation sessions – that's almost a quarter of the business. Our focus now moves to building further momentum with offering 'Innovation in Action' sessions for our Learner License holders. These will be hands on opportunities to bring a challenge/problem faced into Te Mauri Hiko to explore innovative solutions.
- Roll out the kaimahi development framework which provides learning modules on appropriate use of AI in the Public Sector, Coaching Fundamentals to further strengthen leadership and Planning & Time Management to help kaimahi focus and manage priorities effectively. Over the reporting period a total of 230 modules have been completed.

#### ***Further progress on getting the basics right and enhancing the customer experience through implementation of the Customer and Digital Action Plans.***

In this reporting period Officers have:

- Continued to advance the GIS upgrade project, with a strong focus on integration and data alignment with core systems i.e. Asset Management. Good progress has been made on the data migration and configuration which involves the project team the team investigating, building, transferring and moving base map layers in our production environment.

- Progressed with integrating Antenno into our core operating system Authority with the project remaining on track for go live 1 December 2025. This integration will enable customer requests reported through the Antenno app to integrate directly into Authority replacing the manual process which occurs currently, making things smarter, faster, simpler and easier.
- Customer Service training modules are being drafted in RedSeed (Councils staff training system) with the aim to have these rolled out to the business in December.

***Preparation for the 2025 elections and potential referendum.***

The recent local elections saw 18 seats up for election, with 42 nominations received, reflecting strong community interest in participation and representation. This level of engagement highlights a healthy democratic process and the community's commitment to shaping local decision making.

Between August and October, two community members took on the role of Local Election Ambassadors for the former refugee community. Through multiple information sessions, home visits, and direct support, they successfully helped over 60 former refugees register to vote in New Zealand for the very first time. This work was supported by the Meaningful Refugee Participation Fund, enabling them to carry out this important mahi. Their efforts contributed meaningfully to a more inclusive and representative electoral process.

To make voting accessible across the district, 10 ballot bins were placed at key locations in Levin, Shannon, Foxton, and Manakau. These bins collected 6,872 votes, showing that the community actively utilised these convenient voting options. Additionally, special voting sessions were held throughout Foxton, Shannon, and Levin to ensure that all residents could exercise their vote.

Overall voter engagement was positive, with a turnout of 47%, equating to 12,214 votes, an increase of 1.93% compared to the previous election.



**Supporting Lake Punahau / Horowhenua Aspirations**

**Giving focus to advancing actions that speak to community and owners of Lake Punahau / Horowhenua aspirations specific to the role of Horowhenua District Council.**

***Strengthen relationships with the Lake Trust to consider enabling community aspirations.***

The Chief Executive is actively engaging with Trustees to establish a collaborative approach and to define potential resourcing arrangements that will best support their aspirations. A hui took place in October and a follow-up hui late November.

***Complete the Lake Domain development plan using 'Better off Funding'.***

The Lake Domain Board adopted the Domain Development Plan at their meeting on 30 October. Officers will explore best mechanism to include aspirations within Council's Long Term Plan. All work in relation to the Better Off funding has been completed and as per the Lake Domain Boards endorsement.

***Support reactivation of the Lake Domain Board.***

Completed with ongoing support provided.

***Develop Best Practicable Options for Stormwater management in collaboration with the Lake Trust (as representative of the owners) and other key stakeholders and partners.***

Further progress on enabling works for the Queen St water quality intervention device with archaeological investigations completed ahead of work to be tendered late November 2025. There is mounting pressure from Horizons to lodge the now overdue application for Stormwater discharge. All technical work, including an Assessment of Environmental Effects have been completed and shared with the Lake Trust. Cultural input will be required and further Iwi engagement.

***Continue to be an active partner with the Arawhata Wetland Project led by Horizons.***

We continue to support this Horizons led project which is moving towards procurement and construction in the summer of 2025/26.

***Support community led planting and clean up initiatives.***

Officers will keep a watching brief on the opening of the Lake Domain before planning community led planting and clean up initiatives.



**Enhancing Māori Relationships**

**Ensuring a concerted focus on developing a partnership framework, to advance our relationships and set up both Council and our partners for shared success through well-defined partnership arrangements and clear engagement expectations.**

***Progress development of Māori relationships and the Engagement Framework.***

Work is being undertaken to investigate options for transitioning our existing partnership agreements to a more aligned and unified partnership and resourcing model, consistent with the intent of Tiraki – the Iwi/Hapū Relationships Framework. This work supports the operationalisation of Tiraki by moving from high-level principles to clear, practical and equitable partnership arrangements.

These options will be developed alongside iwi / hapū and will be presented to Council for consideration and adoption.

**Enabling balanced growth with fit for purpose infrastructure**



**Continuing with our integrated growth planning and strategic delivery approach to enable smart and sustainable development that delivers balanced growth and fit for purpose infrastructure.**

***Progress an initial omnibus District Plan change to effect quick wins and address immediate issues.***

No update as this work has been halted as a result of the Government directive to stop District Plan Change work.

***Continue integrated growth planning to inform future capital investments.***



This work is underway and of high priority. There are three key projects actively progressing under this workstream (in addition to BAU focus on improving integration across the business in relation to growth matters). These projects are:

- PC6A (application to get an exemption from the Minister to progress this plan change)
- Tararua Road Master Plan
- Levin Development Framework (including focus on aligning the various Levin transformation related projects which are currently underway).

In relation to BAU-type initiatives, the Integrated Growth portal is live and will be regularly updated and enhanced.

***Retaining focus and energy on bringing to life the outstanding environment and thriving economy community outcomes through fit for purpose infrastructure.***

This is delivered through the capital programme.

***Development of Vested Assets Policy.***

The intent of the Vested Assets Policy development was to seek to address the financial burden on ratepayers arising from long-term maintenance of infrastructure assets vested through new developments.

The policy position proposed that third parties provide financial contributions (commuted sums) to offset future maintenance costs (consequential opex) for assets vested to Council but not necessarily required by it. A draft concept was introduced to Council for initial feedback, receiving positive support to proceed with further refinement and to carefully assess potential implications.

Current Status – Ongoing:

Collaboration across the council was aimed at developing clear guidelines and parameters for delivery. External expertise has been engaged in helping with the development of this view.

Update November 2026

On the 26<sup>th</sup> of November central government released a consultation document called 'Going for Housing Growth; Supporting Growth Through a Development Levies System'. This consultation proposes to replace the current development contributions under the Local Government Act 2002.

The Government's overarching approach is that 'growth pays for growth'. This means that the growth-related costs of infrastructure that enables new development should be paid for by new development. The proposed development levies system is designed so councils can forecast the growth-related infrastructure costs for a community, deliver infrastructure, and set appropriate levies to effectively recover costs from development.

As the detail surrounding the policy direction is yet to be refined it may be that the consequential opex of development could be included in new policy established by council or that the frame of the policy still omits this aspect of development cost.

In light of these central government changes the key focus is now on rightsizing this work and determining if it can be included for consideration under the new policy direction. Although the proposal does not clearly talk to consequential apex it does refer to renewal considerations and makes some provision for applying infrastructure costs early in the development.

A wider frame of reference has been sought through an external party to test and frame up the legislative ability of council to attain the targeted outcomes as this may impact wider council financing policy considerations. The proposed changes to levy's will provide for an alternate approach and some of this design will likely sit with councils to determine within the proposed development levy frame.

This work has several hold points so that any future policy position can be adapted to, and consider, the proposed changes to legislation around the new 'development levies' system.

***Deliver the Capital Programme.***

Delivery of the capital works programme is ongoing with a detailed update in the Group update.

***Conduct appropriate investigations in key strategic focus areas—including aquatics, parks, property, and sports—preparing for informed decision making ahead of the next Long Term Plan.***

The Strategic Recreation Investment Framework was adopted by Council in June 2025. Officers have been meeting with sporting and recreation groups across the district to work through the Framework and highlight how it may work for them.

**Local Water Services Done Well**



**Navigating change towards inhouse provision of reliable three water services while strategically positioning ourselves to embrace and benefit from sector change.**

***Navigate in housing of three water services.***

Transition has been completed. The Local Waters Team now focuses on improving asset maintenance schedules and bringing visibility to our consenting and regulation compliance. There are several historical monitoring and reporting gaps in consenting conditions. The recent recruitment of an Environmental Planning and RMA role will assist in closing of consent applications and meeting consent reporting conditions.

***Position Council for future changes to Local Waters Done Well waters arrangements.***

With the formation of the new Central Districts Water Services Organisation (WSO), PNCC, Rangitikei and HDC have stood up a Transition Project and Governance Model. A key focus of the team is standing up process to recruit a WSO Board and Chief Executive by March-June 2026. Equally important is the development of key decision-making documents which

were presented to all three councils elected members in early November, by Simpson & Grierson and Morrison Lowe.

Lead roles have been appointed with HDC represented through Jacinta Straker who has been appointed to the Lead Finance Role.

#### **Strategically Positioning Horowhenua**



**Ensuring targeted advocacy and proactive pursuit of third-party funding opportunities and strengthening of national and regional connections, to ensure our community's needs are clearly understood and prioritised, keeping us relevant and well-positioned to pursue or react to opportunities.**

***Pursue new look funding arrangements with (NIFF) (formally CIP) or others to advance growth infrastructure.***

No current active engagement.

***Pursue funding opportunities to speed up plans or advance unfunded or under resourced priorities.***

Officers continue to look for external funding opportunities with an example being one which helped fund the recent Diwali Festival. An application was made to the Ministry for Ethnic Communities' - Ethnic Communities Development Fund for costs associated with delivering the Diwali Festival with an amount of \$9,500 granted.

***Respond to regional deal opportunities.***

Feedback was received from DIA on the South Manawātū city and regional deal (involving Horowhenua District Council, Palmerston North City Council, Tararua District Council, Manawātū District Council and Horizons Regional Council) that had been submitted in February. The outcome of the feedback was that the deal had not been successful to progress further in Phase 1. The assessment and feedback provided highlighted the areas which would require additional work and updating for any potential second phase. No further action is currently underway. We await confirmation that there will be further opportunities.

#### **Ensuring Financial Discipline and Management**



**Ensuring targeted advocacy and proactive pursuit of third-party funding opportunities and strengthening of national and regional connections, to ensure our community's needs are clearly understood and prioritised, keeping us relevant and well-positioned to pursue or react to opportunities.**

***Ensure financial discipline and compliance with our financial strategy and benchmarks.***

For the 2025/26 financial year, a savings target of \$1m was initiated as officers continue to maintain fiscal discipline, and delivery on the operating efficiency target. Work is well underway to identify where these savings will be found and a first draft of the results is reflected in this report.

For the reporting period, net debt remains within the financial strategy limit of <250% of operating income, currently tracking at 202%. Refinancing risks remain low with the majority of loan maturities within this financial year pre-funded. Council continues to meet liquidity and funding covenants as required under Local Government Funding Agency (LGFA) agreements.

Project managers are regularly providing reforecasts of capital delivery, improving accuracy and reducing risks. Equally, budget managers are regularly monitoring operating expenditure control measures, and revenue performance.

Insurance renewals are being finalised at the time of preparing this report, we expect this to track within budget while maintaining adequate coverage for key assets.

***Implement organisation-wide stringent budget monitoring to ensure all departments adhere to allocated budgets, promoting a culture of financial accountability and transparency across all levels.***

Following on from the work in September focusing on identifying any emerging budget pressures or risks not yet captured, uncovering potential savings, and assessing the financial impacts of central government reforms and legislative changes, internal workshops took place in October where the Senior Leadership Cohort tested each other's budgets and explored savings opportunities to ensure the overall savings target can be achieved.

***Procure wisely and strategically, to prioritise spending on essential services and projects that deliver the highest value to the community.***

Over this period, we have facilitated one Procurement Review Group Meeting and have continued to support the wider organisation in procurement processes.

A significant success in this period was the achievement of \$400k in savings through the renewal of the Kerbside Bag Collection Agreement and increasing Council's revenue share by \$275k in the Foxton/Shannon Transfer Station Agreement.

***Monitor Treasury opportunities to take advantage of favourable interest rates, reduce debt servicing costs, and maintain the Council's credit rating.***

During the reporting period, additional borrowings have not been required. Spending expectations are being carefully managed and we are being more efficient at planning for spend. Officers worked with Council's treasury advisor on a revised interest forecast and projection for the next financial year as part of preparing the 2026/27 Annual Plan.

Two interest rate swaps totalling \$20m (at 3.24% and 3.49%) were entered into in September to manage interest rate risk in line with Council's Treasury Management Policy.

\$14m short-term borrowing from Local Government Funding Agency (LGFA) matured in August and was refinanced until November 2025.

***Provide transparent financial reporting and regular updates to the community on the Council's financial performance and initiatives.***

Following the adoption of 2024/25 Annual Report in October, the report was made publicly available within the statutory timeframe. The Debenture Trust Deed audit is being finalised by Audit NZ.

Officers received the 2024/25 audit management report from Audit NZ in November. Audit NZ commented that there has been quite an improvement from prior years as many recommendations were implemented and closed in the 2025 audit.

There is now a total of 8 open recommendations with 5 new ones raised in 2025 and 3 old ones from prior years. There was a total of 18 open recommendations from the Audit Management letter for the year ended 30 June 2024. These are planned to be resolved during 2025/26 and will be reported to the Risk and Assurance Committee.



### **Enriching Our Environment**

**Focusing on targeted initiatives to enrich, preserve and enhance Horowhenua's natural environment through promoting sustainability, waste management practices and resilience to climate change for the benefit of current and future generations.**

#### ***Establish the emission monitoring portal.***

No new updates. This action has been completed with the emission monitoring portal established and operating.

#### ***Implement the Climate Action Plan within budget allocations.***

Key actions have been implemented for the 2025/26 financial year. This includes the establishment of the emission monitoring portal mentioned above and the use of the climate action fund, including the community grant element, to fund grassroots community projects include kai security (diversion of food waste) via the Horowhenua Mana Kai Network Mara Kai.

#### ***Continue workstreams to enable decision making on Council's role and focus on waste management and minimisation, including potential future uses of the Levin Landfill site.***

Two new Waste Agreements has been finalised for both the Waste Transfer Stations and the kerbside rubbish bag collection. An increase share in transfer station gate revenue and tolls on commercial waste coupled with savings in the bag collection service are a result of new individual fit for purpose agreements.

A focus on waste minimisation and diversion initiatives has officers working through 'discovery' investigations into Construction and Demolition (C&D) reuse opportunities. Other waste related community recycling options that would complement the C&D opportunity are being scoped and costed. A suitable site has been selected that already has sufficient dry space and room for C&D waste. Ministry for Environment funding opportunities will be looked at for the site development.

Three waste minimisation grants have been approved totalling \$7,680.00.

The Shannon Mobile Recycling Station has received a purpose-built bin to receive glass bottles, and another purpose built 20-foot container to receive comingled recyclables (paper & card, plastics, tins and cans) The new more user-friendly arrangement reduces the number of annual servicing requirements.

***Support the protection and restoration of natural habitats, including wetlands, forests, and coastal areas.***

Officers have continued to support the protection and restoration of natural habitats across the district, including foredune planting and coastal resilience work at Waikawa Beach and Foxton Beach, wetland and riparian enhancements at Hokio, and pest-plant management in rural areas in partnership with Horizons Regional Council.

***Continue partnerships with schools, local organisations, and community groups to promote environmental stewardship.***

A high-profile video archive to promote positive behaviour change is being developed to be used as a resource for not only the promotion of waste minimisation, but also other Council administered activities such as reduction in illegal dumping and protocols to prevent sewer blockages. Three videos are soon to be released that directly support the Council funded EnviroSchools program. The videos soon to be released are titled: Simple Swaps, Dumped and Lunchbox Lowdown.

Waste levy funded grants have been approved for two waste minimisation projects.



**Community Preparedness**

**Focusing on strengthened Council and community preparedness and resilience to enable our ability to plan for, respond to, adapt and recover from emergencies and district changes.**

***Emergency management planning and preparation.***

In this reporting period Officers have:

- Delivered targeted training and facilitation activities to uplift organisational readiness and strengthen core emergency management capability.
- Provided a Sitrep training session for the Intelligence Function team (13 attendees), focusing on situational awareness, development of a common operating picture, and improved sitrep quality.
- Facilitated a Public Information Management (PIM) tornado scenario exercise, enabling the team to practice early establishment of strategic communications and clear role delineation.
- Supported further EOC 365 system development with a functional admin session (19 attendees), allowing staff to trial system enhancements ahead of the November regional exercise.
- Co-facilitated the National ShakeOut – Get Ready drill across all Council facilities alongside H&S and Communications.

- Maintained a strong level of situational awareness and operational readiness, including monitoring severe weather (23–28 October), attending Group Controller briefings, reviewing MetService updates, and ensuring timely dissemination of information to the Local Controller, IMT, Emergency Management Committee and partner agencies. The EOC remained at Level 1 (Monitoring).
- Strengthened partnerships and sector collaboration, including participating as a panel member in NEMA's Emergency Management Officers Induction Forum with the National Controller and WREMO representatives.
- Advanced community resilience initiatives, through engagement with EECA on funding aligned with the Whakamana Marae project. Funding support of up to 75% (up to \$66k per facility) will enable solar and battery installations across selected facilities to ensure continuity during emergency events.
- Built community capability by delivering VHF radio training with the Shannon Community Civil Defence Response Group, supporting local response readiness through practical communication exercises between Shannon School and the EOC.
- Maintained ongoing inter-agency coordination, hosting two Emergency Management Committee meetings (9 October and 13 November) with full partner agency participation and active information sharing.

***Progress priority business continuity and resilience initiatives.***

The Business Continuity Plan (BCP) has been completed and adopted. The current focus has moved to the improvement report which will outline where investment may be required, or small improvements can be made.

***Continue tackling stormwater hotspots across our district.***

The focus is on Levin and Foxton Beach Stormwater consent and water quality improvement intervention planning. The catchment management plans are under review with minor improvements in 2025/26 and a work programme is to be adopted by July 2026.

**Community Connections and Better Wellbeing**



**Focusing on priority wellbeing initiatives driven by the Horowhenua Blueprint, Wellbeing framework and the Housing Action Plan while strengthening place-based community relationships and engagement to foster authentic relationships and enhanced community connections.**

***Continue progressive implementation of Blueprint priorities.***

A range of initiatives from the Blueprint continue to be advanced. Several of these are covered in detail elsewhere in this Report, such as District Plan changes (see Priority 4), Planning and Design work for Ō2NL (see Priority 12), Implementing the Levin Town Centre Strategy (see Priority 11), Implementing Destination Management Strategy (see Community Vision & Delivery Group update – Destination Management).

***Implement the Housing Action Plan priorities.***

Overview: The Housing Action Plan has been refocussed on pivoting away from reliance on state-led development, turning toward Community Housing Providers (CHPs) and other alternative channels for affordable and emergency housing delivery. This change results in both a longer and slower road to travel as we work to develop relationships with existing and emerging CHPs.

The targeted resource to focus on the ongoing development of this programme exited in November and given the change in central government policy direction in relation to the revised role of Kainga Ora, it is unlikely this resource will be replaced at this time. Key points to note from the current programme of work;

- Data is showing that housing affordability has improved in the Horowhenua in recent times. In June 2025, the median house cost 5.0x the median household income, down from 6.5x income at the 2022 market peak. Some of this will be driven by macro monetary policy positions.
- Notably the district has seen 25% growth in public housing stock over the past 3 years, much of this growth has been driven through collaboration between HDC and the wider development/housing community.
- The housing register administered by MSD encouragingly shows 156 families on the register for public housing, down from the five year high of 237 recorded in June 2022.

Much of the ongoing programme is now a function of work already underway in line with the revised Housing Action Plan Framework, this coupled with the Central Government changes highlighted, provides the opportunity for this work to continue off a strong base with a lighter touch.

***Activate the key priorities within the Community Wellbeing Strategy.***

The Community Wellbeing Committee has not met since August and despite the pause in formal committee meetings, Council Officers have continued to actively monitor, review and implement actions within the Community Wellbeing Action Plan.

We received funding from the Ethnic Communities Development Fund to support the delivery of the Diwali Festival. This funding enables the continuation of culturally significant celebrations that promote diversity and community cohesion.

Another successful Haunted Library event was delivered, attracting and engaging community members of all ages. The event continues to be a popular annual activity contributing to local arts, culture and family-friendly entertainment.

The Mayor's Task Force for Jobs Programme launched a Youth Job Café, providing a welcoming space for young people to:

- Search for employment opportunities
- Receive support with writing CVs cover letters and job applications
- Connect with other youth job seekers.



The café has proven successful in fostering a sense of belonging and peer support among young people seeking employment.

The first round of Climate Action Funding was allocated to the Horowhenua Mana Kai Network for a Mara Kai Specialist role. This role focuses on establishing or strengthening three mara kai sites across the district.

Early progress includes:

- Support delivered to Hinemoa House
- Planting of 20 fruit trees and 5 native plants.

This initiative enhances local food resilience, sustainability and community wellbeing.

The annual Age on the Go Expo was successfully delivered in October. The event showcased a wide range of services, organisations and activities available to the district's older residents, supporting social connection, wellbeing and awareness of available support.

In partnership with Muaūpoko Tribal Authority, the first Taitoko Hauora Expo took place in November. This event encompassed both clinical and non-clinical health and wellbeing services, improving access to health and wellbeing information for the community.

***Maintain a sustained focus on improving our communication and engagement across communities.***

There has continued to be a sustained and visible focus on strengthening how we inform and engage our communities across multiple channels and topics. We delivered end-to-end communications for the local elections and inaugural Council meeting. In addition, we supported a range of community campaigns and kept residents informed about complex issues including the Levin Landfill, Local Water Done Well / Central Districts Water, and major infrastructure projects. Community Connection has continued as a key vehicle for reaching households, alongside consistent use of web, social, radio, billboards, print and Antenno to ensure clear, timely information on events, services, changes and opportunities to get involved.

At the same time, we've been strengthening the systems, tools and relationships that sit behind effective engagement. The team has completed ALGIM's website survey, advanced OpenForms and online payments work, improved bylaw and landfill information online, supported Te Mauri Hiko, and commenced a staff storytelling series to humanise Council and build trust. We also trialled and reviewed a new media stand-up process with the local newspapers.

***Initiate community plans in Foxton and Shannon and continue with place-based relationships.***

Foxton and Foxton Beach Community Plan:

The Foxton Futures Group has been focusing on the prioritisation of tasks to be identified in the Foxton and Foxton Beach Community Plan. All theme groups (Community,

Commercial and Tourism, Culture and Heritage, Infrastructure and Transport, Nature and Environment and Recreation) have been meeting individually to enable the appointed theme lead to attend the Foxton Futures Group meetings on their behalf.

Shannon/Otāuru Community Plan:

The Community Plan Working Group have met several times since the start of October. Priority Area co-ordinators have been agreed, and the first meeting of the Priority Area Groups took place on 30 October. Several organisations and interested community members attended, discussing projects of interest and next steps.

The Working Group continues in its governance and co-ordination role, discussing opportunities to connect with and include other active groups in Shannon, seeking community input to develop a Shannon brand, and material that would be useful for the Group to continue to expand their skills to enhance this community-led work.

#### **Activating the Levin Town Centre**



**Activating key strategic initiatives to act as a catalyst for change, stimulating collaborative and transformational revitalisation of Levin's hub.**

***Implement agreed Strategy initiatives.***

Progress continues to deliver on the Levin Town Centre Strategy with Council having an unconditional contract in place to sell the Levin War Memorial Hall and Village Green to The Wellington Company Ltd for redevelopment. Following confirmation of the commercial negotiations, an Expressions of Interest (EOI) was released to market to redevelop the Levin Bath Street/Salisbury Street Carpark. All EOIs were reviewed, and the short-listed respondents will be presented to Council at December's Council meeting, to seek approval to progress to the next stage of the process, being to participate in a Request for Proposal (RFP).

An executive summary and draft Levin Town Centre Access and Parking Strategy has been provided to Council ahead of seeking feedback from the community via Let's Kōrero, Council's media channel. This will be open until 16 January 2026.

A report is being prepared to outline the future approach to bring the six Council-owned properties located in Oxford Street to market.

The Town Centre team have been working with Arterra Interactive to finalise the video capturing the aspirations for the Levin Town Centre transformation.

Officers will be providing Council with a briefing on the Levin Town Centre transformation programme on 17 December 2025.

***Pursue connections and relationships to build momentum outside of Council led initiatives.***

An introductory meeting between Council's key contacts and The Wellington Company was held to establish a positive and collaborative relationship as we work together to redevelop the Levin War Memorial Hall and Village Green.

The team met with the Community Steering Group to share the draft Access and Parking Strategy and the proposed enhancements to the former Women's Bowling Green area and adjacent carpark. The proposed ideas were also shared and discussed with stakeholders of the former Women's Bowling Green, i.e. RSA, Thompson House, Art Society and Pottery Club.

The Levin Uniting Church invited the team to learn about the proposed Levin Uniting Building Project and how this work aligns and could link into the Levin Town Centre Transformation.



### **Ōtaki to North Levin Readiness**

**Leveraging the Ōtaki to North of Levin Expressway Project to seize opportunities and ensure alignment with strategic council priorities for long-term community benefit**

#### ***Continued advocacy on Ō2NL revocation.***

Officers have been actively advocating for greater clarity on the Ō2NL revocation process. Officers have worked with NZTA to establish guiding principles for joint working arrangements following a series of meetings and a dedicated workshop. Officers have participated in a function definition workshop, commencing the process of determining the intended function of the existing state highway at handover, and are now confirming these functions to inform future network planning and operational considerations.

Officers have been engaged across key project governance, design and communications forums, including the Internal Alignment Team, Ō2NL Owner Team Leadership meetings, design management workshops, and the communications cohort, to ensure Council priorities are reflected in project planning. Officers have provided input into project design and planning to support seamless integration with Council infrastructure and maintain alignment with long-term community outcomes.

#### ***Championing legacy outcomes.***

Council officers are actively contributing to the legacy outcome workstream, ensuring long-term social, economic, cultural, and environmental benefits are embedded within the project. They've participated in design reviews to protect Council infrastructure, support local road connectivity, and address safety and resilience considerations.

Work is also underway with both the North and South Alliances on specific design items — including stormwater management and local road geometrics — to ensure practical integration and alignment with Council standards.

Positive progress is being seen in legacy outcomes such as local employment and contracting opportunities. Officers continue to collaborate across project teams to keep legacy objectives central to procurement decisions, design development, and operational planning, while helping embed legacy principles throughout utilities design, road geometrics, and construction planning.

***Exploring opportunities and planning for consequential Ō2NL impacts with a specific focus on revocation.***

Council officers continue to maintain strong internal alignment to manage the wider impacts of the Ō2NL project. Engagement is ongoing with NZTA, project alliances, and various technical and governance forums — including the Owner Interface Manager group, Systems and Design group, Project Steering Group, and communications cohort — to ensure consistent input into design, delivery, and communication strategies.

Reviews of utilities, flood modelling, safety audits, and road geometry designs are helping to address potential risks and optimise long-term network performance. Particular attention is being given to revocation considerations such as future operational function, tolling implications, and integration with local transport networks. Coordination also continues with the North and South Alliances on technical matters, including stormwater and local road geometrics, to ensure outcomes align with Council priorities.

Limited notification has been confirmed for the East West Arterial consent. Officers are supporting compliance and monitoring activities, reviewing consent requirements, and preparing for upcoming phases of documentation and assessment — including building consent exemptions and utilities reviews. Work with technical specialists is ongoing to ensure thorough evaluation of project impacts and well-informed recommendations for governance consideration.



## Ngā Uara Organisation Values



## Our Values – What We Stand For

**#arohatōmahi** - We love our work and know that our work matters. That is why we do what we say we will do and apply energy and enthusiasm across our mahi.

**Mahi Tahi** - We are one team, stronger together as we work with and for our community to deliver outcomes that matter.

**Tiakitanga** - We proudly and professionally contribute every day to the care of our community and whenua with courage, positivity and mana – leaving a legacy which will protect a future that matters.

In November, these values were on full display at our inaugural Council Expo at Te Takeretanga o Kura-hau-pō. The Expo provided a unique opportunity to showcase the breadth of council mahi to Council and the wider community, offering a clear and accessible look at the essential services that keep Horowhenua running.



Across the event, the enthusiasm, collaboration and professionalism of teams reflected arohatōmahi and mahi tahi in action. Creative displays, practical demonstrations, and the conversations between kaimahi and visitors highlighted the dedication behind our everyday work—whether in roads, water and wastewater, parks, libraries, customer services, environmental care, or emergency management.

For Councillors, the Expo formed an important step in their induction journey, helping build a deeper understanding of how our teams work together and how each role

contributes to tiakitanga across the district. Community attendees also gained insight into the coordination and commitment required to deliver the services they rely on.







# Pūrongo Ahumoni Whakarāpopoto

## Financial Summary Report





## Statement of Comprehensive Revenue and Expense to 31 October 2025

	Actual	Budget	Variance	Forecast	Budget	Variance	
	Full year to 31 October 2025 \$'000	Full year to 31 October 2025 \$'000	Full year to 31 October 2025 \$'000	Full Year 2025/26 \$'000	Full Year 2025/26 \$'000	Full Year 2025/26 \$'000	Notes
<b>Revenue</b>							
Rates Revenue	22,658	22,898	(240)	69,106	68,694	413	
Operational Grants & Subsidies	1,585	1,115	470	3,389	3,344	45	
Fees & Charges	2,311	1,738	573	6,020	5,213	807	1
Other Revenue	2,153	2,032	121	4,845	4,937	(92)	
<b>Total Revenue</b>	<b>28,706</b>	<b>27,782</b>	<b>924</b>	<b>83,360</b>	<b>82,188</b>	<b>1,172</b>	
<b>Expenditure</b>							
Employee Benefit Expenses	8,521	7,785	(735)	25,220	24,689	(531)	2
Other Expenses	11,020	11,472	452	32,680	34,947	2,266	3
<b>Total Expenses</b>	<b>19,541</b>	<b>19,258</b>	<b>(283)</b>	<b>57,901</b>	<b>59,636</b>	<b>1,735</b>	
Finance Income	602	-	602	1,232	-	1,232	
Finance Costs	2,924	3,284	361	10,377	9,852	(525)	
<b>Net Interest</b>	<b>2,321</b>	<b>3,284</b>	<b>963</b>	<b>9,146</b>	<b>9,852</b>	<b>707</b>	4
<b>Operating surplus/(deficit) before capital revenue and taxation</b>	<b>6,844</b>	<b>5,241</b>	<b>1,603</b>	<b>16,314</b>	<b>12,699</b>	<b>3,614</b>	
<b>Capital Items</b>							
<b>Revenue</b>							
Capital Grants and Subsidies	2,176	1,855	320	4,758	5,566	(808)	5
Development Contributions	330	722	(392)	1,774	2,166	(392)	
Vested Assets	-	-	-	-	-	-	
Gain/(loss) on revaluation of financial liabil	-	-	-	-	-	-	
Investment (Gains)/Losses	-	-	-	-	-	-	
Other gains	-	-	-	-	-	-	
<b>Total Capital related Revenue</b>	<b>2,506</b>	<b>2,577</b>	<b>(71)</b>	<b>6,532</b>	<b>7,731</b>	<b>(1,199)</b>	
<b>Expenditure</b>							
(Gain)/Loss on sale of assets	-	-	-	-	-	-	
Depreciation and Amortisation	7,811	7,795	(15)	23,400	23,386	(15)	
Loss on Derivatives	2,480	-	(2,480)	2,480	-	(2,480)	6
<b>Total Capital related Expenditure</b>	<b>10,290</b>	<b>7,795</b>	<b>(2,495)</b>	<b>25,880</b>	<b>23,386</b>	<b>(2,494)</b>	
<b>Total Surplus/(deficit)</b>	<b>(941)</b>	<b>22</b>	<b>(963)</b>	<b>(3,035)</b>	<b>(2,955)</b>	<b>(80)</b>	

### Explanations of significant variances

Overall, we are forecasting a positive variance to budget of close to \$400k (saving) net of core operating revenue and expenditure. We will continue to scrutinise all revenue and expenditure and work towards increasing these underlying savings of \$500k. Additionally we are forecasting \$700k savings to budget from net interest savings as a result of reducing interest rates.

Note 1 Fees and Charges favourable - mainly due to Solid Waste Recycling rebates being higher than budgeted which includes \$453k that was carried forward from the 2024/25 year.

Note 2 Employee Benefit Expenses unfavourable – mainly due to vacancy savings not as much as budgeted during the first four months of the financial year. There has also been more annual leave liability being recorded. This happens when the organisation takes on new staff, holds vacancies, or when staff are taking less leave than they earn. As balances increase, so does the future cost we must recognise.

Note 3 Other Expenses favourable – further detail in the table below.

Other Expenses	Actual 31 October 2025 \$000	Budget 31 October 2025 \$000	Variance 31 October 2025 \$000	Forecast 2025/26 \$000	Budget 2025/26 \$000	Variance 2025/26 \$000	Notes
Professional Services	2,197	2,327	130	7,156	7,055	(102)	
Materials	314	226	(88)	690	677	(13)	
Maintenance	5,010	4,930	(80)	14,505	14,790	285	
Bank Fees	52	24	(28)	132	72	(60)	
Insurance Brokerage	-	8	8	-	25	25	
Grants Paid	297	219	(78)	607	657	50	
Utilities	720	623	(97)	2,014	1,869	(146)	
Communications	66	66	(0)	215	198	(17)	
Vehicle Expenses	207	223	16	681	681	0	
Other Treasury Expenses	27	47	20	160	141	(19)	
Labour Recoveries for Capex projects	(954)	(1,221)	(267)	(3,520)	(3,662)	(141)	A
Other Expenses	3,085	4,000	915	10,042	12,445	2,403	B
<b>Total Other Expenses</b>	<b>11,020</b>	<b>11,472</b>	<b>452</b>	<b>32,680</b>	<b>34,947</b>	<b>2,266</b>	

Note 4 Net Interest favourable - we are monitoring market interest rates closely and utilising the use of hedging strategies.

Note 5 Capital Grants and Subsidies unfavourable – largely due to reduced funding from NZTA Waka Kotahi.

Note 6 Loss on Derivatives unfavourable - due to loss on interest rate swaps with interest rates movement. Swaps are derivative contracts with gains or losses on the swap contract matching gains or losses on the balance sheet. They are non-cash items.

## Statement of Financial Position as at 31 October 2025

	Actual Full year to 31 October 2025 \$000	Budget Full Year 2025/26 \$000	Council Actual Full Year 2024/25 \$000
<b>Assets</b>			
Cash and cash equivalents	9,292	4,419	15,192
Debtors and other receivables	21,099	5,265	14,208
Inventories	133	-	133
Derivative financial instruments	79	-	302
Other financial assets	50,813	8,467	50,812
Non-current assets held for sale	1,942	-	1,942
Property, Plant and Equipment	991,756	1,054,603	991,197
Intangible assets	1,387	1,358	1,387
Forestry assets	1,446	1,439	1,446
Commercial property	3,015	2,927	3,015
<b>Total Assets</b>	<b>1,080,962</b>	<b>1,078,478</b>	<b>1,079,634</b>
<b>Liabilities</b>			
Creditors & Other Payables	17,327	15,659	19,023
Provisions	14,705	9,469	14,811
Employee benefit liabilities	2,680	2,390	2,566
Derivative financial instruments	3,730	-	1,473
Borrowings and other financial liabilities	242,539	217,477	240,000
<b>Total Liabilities</b>	<b>280,981</b>	<b>244,995</b>	<b>277,873</b>
<b>Net Assets</b>	<b>799,981</b>	<b>833,483</b>	<b>801,761</b>
<b>Equity</b>			
Retained earnings	234,340	250,497	236,757
Revaluation reserves	555,638	573,043	555,005
Other reserves	10,003	9,943	9,999
<b>Total Equity</b>	<b>799,981</b>	<b>833,483</b>	<b>801,761</b>

### Explanations of significant variances

Debtors and other receivables – This variance is in line with the same period last year and the difference is largely due to timing.

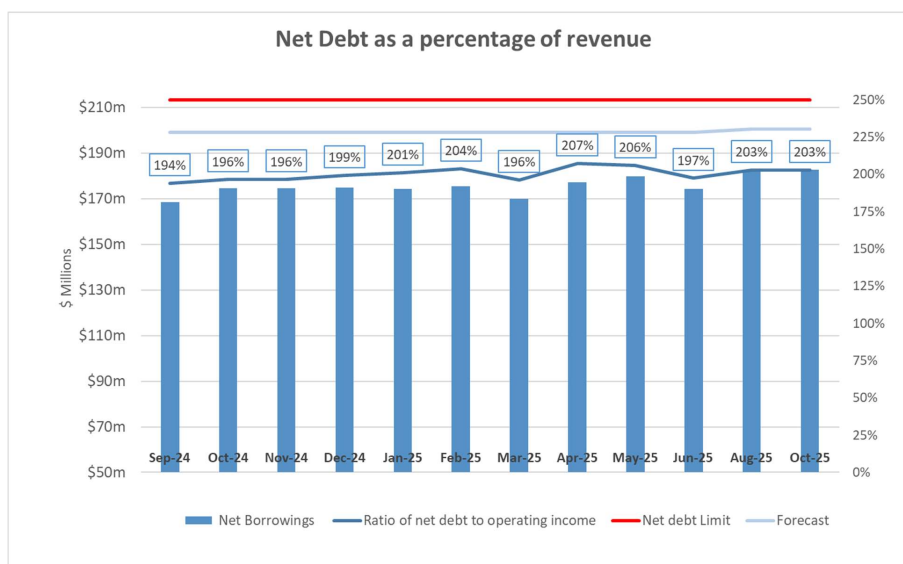
Other financial assets – Term deposits totalling \$43m with maturity in 2026 were held for prefunding purposes. Prefunding allows the council to have funds available to repay current loans as they fall due.

## Treasury Update to 31 October 2025

As at 31 October 2025, Council had \$242.5m of current external debt, up slightly from \$240m at the end of June 2025. This is due to the Council receiving \$2.5m interest free loan from National Infrastructure Funding and Financing (NIFF) previously Crown Infrastructure Partners (CIP), for the Tara-Ika infrastructure project.

Council also holds \$43.35m on Term Deposit of which \$43m is pre-funding to repay debt the majority of which is due this financial year. In addition, Council has a \$7m BNZ facility, and a \$20m facility with the LGFA.

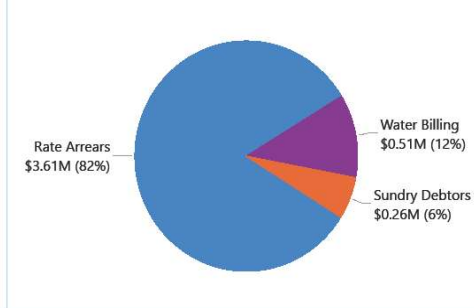
Our net debt (total borrowings less term deposits, borrower notes and cash) at 31 October 2025 was \$182.5m, equating to 203% of operating income - below the limit of 250% set out in the 2024-44 Long Term Plan for 2025/26. Our full year forecast position is currently expected to be 230% in line with the 2026/27 Annual Plan.



Dashboard Data as at 31 October 2025 (Preliminary and unaudited)

## DEBTORS REPORT

Total Debt ( Over 90 Days )



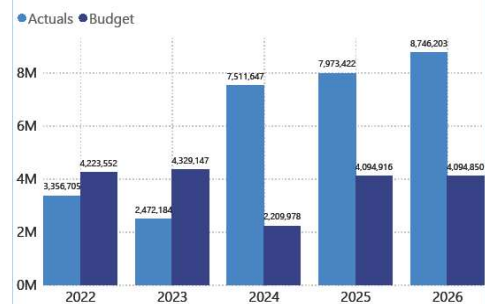
Property Rates Arrears



Arrears By Rate Zone

Rate Zone	Total Arrears	Properties
Foxton	\$413,781	140
Foxton Beach	\$236,197	113
Hokio Beach	\$150,237	25
Levin	\$1,275,385	565
Manakau	\$1,956	2
Non Rateable	\$7,218	6
Ohau	\$17,897	7
Rural Farming	\$403,774	157
Rural Other	\$547,498	214
Shannon	\$408,194	78
Tokomaru	\$41,022	17
Utilities	\$1,272	1
Waikawa Beach	\$12,962	8
Waitarere Beach	\$92,604	45
<b>Total</b>	<b>\$3,609,996</b>	<b>1378</b>

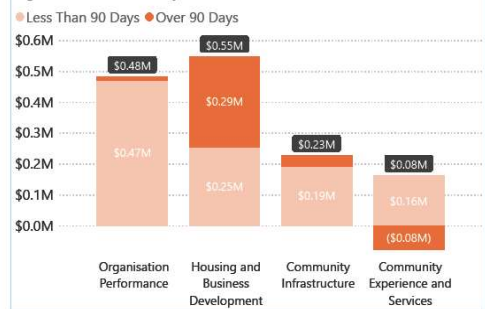
Rates Remission



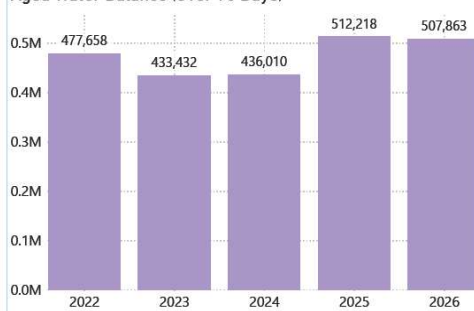
Top 10 Debtors Over 90 Days

Debtor Number	Business Group	Category	Balance
215665	Housing and Business Development	Building Consents	40,373.00
214862	Housing and Business Development	Resource Consent Fees	28,156.27
206865	Housing and Business Development	Resource Consent Fees	17,116.38
207798	Community Infrastructure	Rubbish Bags	12,641.74
215059	Housing and Business Development	Building Consents	12,467.00
100295	Community Infrastructure	Rubbish Bags	11,600.00
214181	Community Experience and Services	Rental Income Monthly	10,920.23
216026	Housing and Business Development	Resource Consent Fees	9,828.00
215376	Housing and Business Development	Resource Consent Fees	8,397.19
213944	Housing and Business Development	Resource Consent Fees	8,262.77

Aged Debtors Sundry



Aged Water Balance (Over 90 Days)



Debt Collection Overview ( Amount and Items )



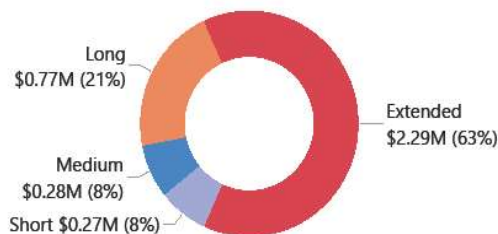
## Rates Debt Management Overview

31 October 2025

Latest Arrears Quarter



Short Medium Long Extended



### Short Term Arrears

with 1-2 consecutive Arrears behind from latest Quarter

### Medium Term Arrears

with 3-4 consecutive Arrears behind from latest Quarter

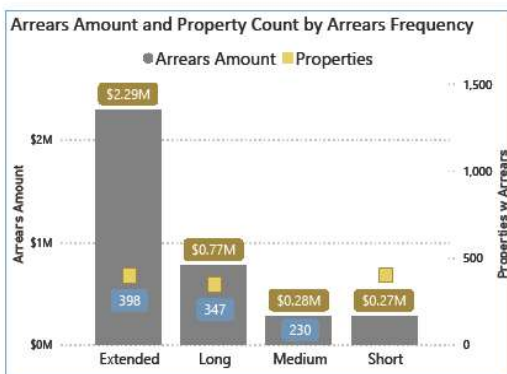
### Long Term Arrears

with 5-8 consecutive Arrears behind from latest Quarter

### Extended Term Arrears

with 9 or more consecutive Arrears behind from latest Quarter

\*Arrears Over \$99



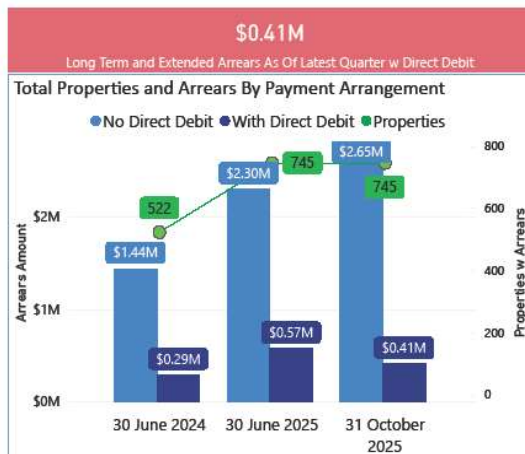
### Total Arrears and Properties By Zone

Quarter Rate Zone	30 June 2024 Arrears	30 June 2024 Properties	30 June 2025 Arrears	30 June 2025 Properties	31 October 2025 Arrears	31 October 2025 Properties
Foxton	\$311,891	156	\$439,514	184	\$413,781	140
Foxton Beach	\$180,317	130	\$280,394	147	\$236,197	113
Hokio Beach	\$112,363	21	\$146,924	29	\$150,237	25
Levin	\$1,124,022	689	\$1,402,999	828	\$1,275,385	565
Manakau	\$4,432	4	\$2,665	3	\$1,956	2
Non Rateable	\$12,712	8	\$4,979	5	\$7,218	6
Ohau	\$21,369	17	\$19,286	13	\$17,897	7
Rural Farming	\$344,614	163	\$389,713	164	\$403,774	157
Rural Other	\$439,929	282	\$605,640	310	\$547,498	214
Shannon	\$325,383	99	\$417,099	101	\$408,194	78
Tokomaru	\$26,365	21	\$32,592	20	\$41,022	17
Utilities	\$581	1	\$1,266	1	\$1,272	1
Waikawa Beach	\$21,056	21	\$17,991	19	\$12,962	8
Waitare Beach	\$95,436	78	\$108,059	74	\$92,604	45
<b>Total</b>	<b>\$3,020,472</b>	<b>1690</b>	<b>\$3,869,121</b>	<b>1898</b>	<b>\$3,609,996</b>	<b>1378</b>

### 5+ Consecutive Arrears Quarter Period (Long Term and Extended Term Arrears Frequency)

**\$3.06M**  
Overall Long Term and Extended Arrears As Of Latest Quarter

Arrangement Status Rate Zone	No Direct Debit Arrears	No Direct Debit Properties	With Direct Debit Arrears	With Direct Debit Properties	Total Arrears	Total Properties
Levin	\$815,491	191	\$195,270	95	\$1,010,762	286
Rural Other	\$418,456	105	\$63,032	27	\$481,488	132
Shannon	\$360,561	45	\$29,722	7	\$390,283	52
Foxton	\$299,158	69	\$68,001	16	\$367,159	85
Rural Farming	\$330,982	75	\$3,593	5	\$334,576	80
Foxton Beach	\$181,389	41	\$8,751	6	\$190,140	47
Hokio Beach	\$143,434	17	\$3,283	2	\$146,717	19
Waitare Beach	\$51,661	13	\$25,659	10	\$77,320	23
Tokomaru	\$20,214	6	\$7,547	2	\$27,761	8
Ohau	\$14,844	5	\$2,233	1	\$17,077	6
Waikawa Beach	\$10,101	4			\$10,101	4
Non Rateable	\$3,815	2			\$3,815	2
Manakau	\$1,823	1			\$1,823	1
<b>Total</b>	<b>\$2,651,930</b>	<b>574</b>	<b>\$407,092</b>	<b>171</b>	<b>\$3,059,022</b>	<b>745</b>












## Performance Measures



## 2025/26 Statement of Service Performance (SSPs)

### Summary

#### Status

On track	29	
Not on track	9	
Unable to report	7	
Not applicable	2	
<b>Total</b>	<b>47</b>	

### Water Supply

#### Safe Water Supply measures

The Department of Internal Affairs updated the mandatory 'Safe Water Supply' measure in its Non-Financial Performance Rules 2024 after the council had published its Long-term Plan 2024-2044, which sets our statement of service. The updated measure came into effect on 21 August 2024 and still covers the bacterial (SSP-WS1) and protozoal (SSP – WS2) compliance of water supplies but compliance is now directly referenced to the relevant rules in the Drinking Water Quality Assurance Rules 2022. Our reporting is, therefore, against those rules. In addition to reporting to Bacterial and Protozoal compliance, Council must also report on (j) D3.29 Microbiological Monitoring, which is reported within Bacterial compliance measure (SSP-WS1).

#### Monitoring Compliance

Council monitors compliance through sampling and analysers. The data of which is stored on the historian server. These are reported weekly and monthly to Local Waters Managers. Additionally specified infrastructure data is provided to Taumata Arowai routinely.

In addition to Council monitoring compliance, results for audit are peer reviewed internally and WaiComply reviews our DWQAR compliance quarterly – creating independent reports to the compliance team. This allows more comprehensive compliance reporting and can outline if any risks have been missed.

#### Horizons Regional Council's (HRC) One Plan

HRC's One Plan, which is based on the Resource Management Act 1991, require us to report on all aspects of active consents annually. Annual site inspections by HRC and review of our annual monitoring reports allow HRC to review consent condition compliance to create independent annual monitoring reports. From this they are able to create a compliance matrix and assess risks. There is regular communication to the consents monitoring team as needed, allowing for timely remedial action as issues present.



Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable				
SSP-WS1 Safe water supply*.	Council's drinking water supply complies with the following parts of the drinking water quality assurance rules <sup>1</sup> (h) T3 Bacterial Rules; and (j) D3.29 Microbiological Monitoring Rule <sup>2</sup> in  Levin Shannon Foxton Foxton Beach Tokomaru	All met All met All met All met All met	On track				
			As of 31 October 2025				
			Scheme & Service population	Compliance Rules	Sept 2025	Oct 2025	YTD
			*Serviced population is estimated as per 2023 census (Total: 30,175)				
			Levin *20,849	T3 Bacterial rules	All met	All met	All met
				D3.29 Microbiological frequency Monitoring Rule	All met	All met	All met
			Shannon *1,819	T3 Bacterial rules	All met	All met <sup>1</sup>	All met <sup>1</sup>
				D3.29 Microbiological frequency Monitoring Rule	All met	All met	All met
			Foxton *3,234	T3 Bacterial rules	All met	All met	All met
				D3.29 Microbiological Monitoring Rule	All met	All met	All met
			Foxton Beach *3,775	T3 Bacterial rules	All met	All met	All met
				D3.29 Microbiological Monitoring Rule	All met	All met	All met
			Tokomaru *497	T3 Bacterial rules	All met <sup>2</sup>	All met <sup>2</sup>	All met <sup>2</sup>
				D3.29 Microbiological Monitoring Rule	All met	All met	All met

<sup>1</sup> Shannon:

- On 3/10/25 there was a WTP FACe bellow 0.2mg/L for a period of 13 minutes. This is non-compliance according to T3.3 in the DWQAR rules. There was an equipment failure at the WTP which was quickly remedied.

<sup>1</sup> 2025-2044 Long Term Plan wording 'Council's drinking water supply complies with: (a) part 4 of the Drinking Water Standards (bacteria compliance criteria)' updated to reflect requirements as per the Drinking Water Quality Assurance Rules 2022 and the wording in the DIA Non-Financial Performance measures 2025.

<sup>2</sup> (j) monitors end point sampling frequency for Coliform and E. coli.

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
			<p>The SCADA device, Value Online FAcE, and online treated FAC are usually identical. There were some alarms noted on SCADA. However, the SCADA device data the other two sections draw data from, shows no issue. A technical issue is more likely than a compliance breach.</p> <p><sup>2</sup> Tokomaru:</p> <ul style="list-style-type: none"><li>On 22/9/25 there was a SCADA calibration for a period of 7 minutes which, according to the online FAcE, caused the plant FAC dropped below 0.2mg/L (0.08mg/L). This was non-compliant with T3.29. However, the SCADA online treated FAC was 5.4mg/L for that period. There was no drop in the endpoint FAC that week.</li><li>On 24/9/25 flow meter maintenance was undertaken lasting for a period of 2 hours and 23 minutes. Manual readings were taken every 30 minutes. All these manual readings were over 0.2mg/L.</li><li>On 29/10/25 there was a plant shutdown at 3:15pm which caused a missing minutes event. The transgression was logged, and compliance was maintained for the period.</li></ul>

Bacterial Notifications to Taumata Arowai (unsafe supply of water)		Total number of E-coli and coliform samples taken that did not meet drinking water standards and the response thereto.
Area	No. of Notifications	E. coli and Coliform Samples not meeting standards
Levin	0	0
Shannon & Mangaore	0	0
Foxton	0	0
Foxton Beach	0	0
Tokomaru	0	0
TOTAL	0	0

Notes

- Bacterial Notifications: 0

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable																																																											
			<ul style="list-style-type: none"><li>Response E. coli and coliform samples: 0</li></ul>																																																											
<b>SSP-WS2</b> Safe water supply*.	Council's drinking water supply complies with the following parts of the drinking water quality assurance rules <sup>3</sup> (i) T3 Protozoal Rules. in  Levin Shannon Foxton Foxton Beach Tokomaru	All met All met All met All met All met	<b>On track</b>  As of 31 October 2025 <table><tr><th>Scheme &amp; Service population</th><th>Compliance Rules</th><th>Sept 2025</th><th>Oct 2025</th><th>YTD</th></tr><tr><td colspan="5">*Serviced population is estimated as per 2023 census (Total: 30,175)</td></tr><tr><td>Levin *20,849</td><td>T3 Protozoal Rules</td><td>All met</td><td>All met</td><td>All met</td></tr><tr><td>Shannon *1,819</td><td>T3 Protozoal Rules</td><td>All met</td><td>All met</td><td>All met</td></tr><tr><td>Foxton *3,234</td><td>T3 Protozoal Rules</td><td>All met</td><td>All met</td><td>All met</td></tr><tr><td>Foxton Beach *3,775</td><td>T3 Protozoal Rules</td><td>All met</td><td>All met</td><td>All met</td></tr><tr><td>Tokomaru *497</td><td>T3 Protozoal Rules</td><td>All met</td><td>All met</td><td>All met</td></tr></table> All towns have 100% compliance for the period.  <table><tr><th colspan="3">Protozoal Notifications to Taumata Arowai (unsafe supply of water)</th></tr><tr><th>Area</th><th>Notifications</th><th>Comments</th></tr><tr><td>Levin</td><td>0</td><td>0</td></tr><tr><td>Shannon &amp; Mangaore</td><td>0</td><td>0</td></tr><tr><td>Foxton</td><td>0</td><td>0</td></tr><tr><td>Foxton Beach</td><td>0</td><td>0</td></tr><tr><td>Tokomaru</td><td>0</td><td>0</td></tr><tr><td><b>TOTAL</b></td><td><b>0</b></td><td><b>0</b></td></tr></table>	Scheme & Service population	Compliance Rules	Sept 2025	Oct 2025	YTD	*Serviced population is estimated as per 2023 census (Total: 30,175)					Levin *20,849	T3 Protozoal Rules	All met	All met	All met	Shannon *1,819	T3 Protozoal Rules	All met	All met	All met	Foxton *3,234	T3 Protozoal Rules	All met	All met	All met	Foxton Beach *3,775	T3 Protozoal Rules	All met	All met	All met	Tokomaru *497	T3 Protozoal Rules	All met	All met	All met	Protozoal Notifications to Taumata Arowai (unsafe supply of water)			Area	Notifications	Comments	Levin	0	0	Shannon & Mangaore	0	0	Foxton	0	0	Foxton Beach	0	0	Tokomaru	0	0	<b>TOTAL</b>	<b>0</b>	<b>0</b>
Scheme & Service population	Compliance Rules	Sept 2025	Oct 2025	YTD																																																										
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Levin *20,849	T3 Protozoal Rules	All met	All met	All met																																																										
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Tokomaru	0	0																																																												
<b>TOTAL</b>	<b>0</b>	<b>0</b>																																																												

<sup>3</sup> 2024-2044 Long Term Plan wording 'Council's drinking water supply complies with: (b) part 4 of the Drinking Water Standards (protozoa compliance criteria)' updated to reflect requirements as per the Drinking Water Quality Assurance Rules 2022 and the wording in the DIA Non-Financial Performance measures 2025.

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable																																
			Notes <ul style="list-style-type: none"><li>Protozoal Notifications: 0</li></ul>																																
<b>SSP-WS3</b>	The total number of complaints received about any of the following (expressed per 1,000 connections):		<b>Not on track</b>																																
Drinking water that tastes and looks satisfactory*.	Drinking water clarity;	1	As of 31 October 2025 <table><tr><th>Description</th><th>Result per 1,000 connections</th><th>No. of complaints</th><th>Comment</th></tr><tr><td>Clarity</td><td>0.71</td><td>10</td><td>On track</td></tr><tr><td>Taste</td><td>0.14</td><td>2</td><td>On track</td></tr><tr><td>Odour</td><td>0.14</td><td>2</td><td>On track</td></tr><tr><td>Pressure of flow</td><td>0.85</td><td>12</td><td>On track</td></tr><tr><td>Continuity of supply</td><td>2.12</td><td>30</td><td>Not on track</td></tr><tr><td>Council's response</td><td>0</td><td>0</td><td>On track</td></tr><tr><td><b>Total</b></td><td><b>3.96</b></td><td><b>56</b></td><td>On track</td></tr></table>	Description	Result per 1,000 connections	No. of complaints	Comment	Clarity	0.71	10	On track	Taste	0.14	2	On track	Odour	0.14	2	On track	Pressure of flow	0.85	12	On track	Continuity of supply	2.12	30	Not on track	Council's response	0	0	On track	<b>Total</b>	<b>3.96</b>	<b>56</b>	On track
Description	Result per 1,000 connections	No. of complaints		Comment																															
Clarity	0.71	10		On track																															
Taste	0.14	2		On track																															
Odour	0.14	2		On track																															
Pressure of flow	0.85	12		On track																															
Continuity of supply	2.12	30		Not on track																															
Council's response	0	0	On track																																
<b>Total</b>	<b>3.96</b>	<b>56</b>	On track																																
	Drinking water taste;	1																																	
	Drinking water odour;	1																																	
	Drinking water pressure or flow;	1																																	
	Continuity of supply; and Council's response to any of these issues.	1																																	
	Total:	≤ 6																																	
			Note: A water shut down on 12 October 2025 triggered a total 30 customer service request queries. The queries raised were captured on our system as follows: <table><tr><th>Description</th><th>No. of complaints</th></tr><tr><td>Clarity</td><td>10</td></tr><tr><td>Pressure of flow</td><td>4</td></tr><tr><td>Continuity of supply</td><td>12</td></tr><tr><td>*Water Leak (Non-Toby)</td><td>4</td></tr></table>	Description	No. of complaints	Clarity	10	Pressure of flow	4	Continuity of supply	12	*Water Leak (Non-Toby)	4																						
Description	No. of complaints																																		
Clarity	10																																		
Pressure of flow	4																																		
Continuity of supply	12																																		
*Water Leak (Non-Toby)	4																																		
			*Reporting on this category does not form part of this SSP – it is included for completeness. <table><tr><th>Description</th><th>No. of connections</th></tr><tr><td>Number of residential connections in the drinking water network as at 1 July 2025</td><td>13,172</td></tr><tr><td>Number of non-residential connections in the drinking water network as at 1 July 2025</td><td>972</td></tr></table>	Description	No. of connections	Number of residential connections in the drinking water network as at 1 July 2025	13,172	Number of non-residential connections in the drinking water network as at 1 July 2025	972																										
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Number of residential connections in the drinking water network as at 1 July 2025	13,172																																		
Number of non-residential connections in the drinking water network as at 1 July 2025	972																																		

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable	
			Total number of connections as at 1 July 2025	14,144
<b>SSP-WS4</b> Response to faults*.	The median time from the time that Council received notification, to the time that service personnel:		<b>On track</b>	
			As of 31 October 2025	
			Description	Median target
	Reach the site for urgent <sup>4</sup> call-outs;	< 1 hour	Reach the site for urgent call-outs	< 1 hour
	Confirm resolution of the fault or interruption of urgent call-outs;	< 8 hours	Resolution of the fault or interruption of urgent call-outs	< 8 hours
	Reach the site for non-urgent call-outs; and	< 3 days (72hrs)	Reach the site for non-urgent call-outs	< 3 days
	Confirm resolution of the fault or interruption of non-urgent call-outs.	< 3 days (72hrs)	Resolution of the fault or interruption of non-urgent call-outs	< 3 days
			Median result	Comment
			22 minutes	On track
			54 minutes	On track
			18 hours 56 minutes	On track
			21 hours 17 minutes	On track
<b>SSP-WS5</b> Water supply is sustainable*.	Average consumption of drinking water per person per day (lpcd) within the water supply areas (target based on Horizons One Plan - Section 5.4.3.1). lpcd – litres per capita per day.	≤ 300 lpcd	<b>Not on track</b>	
			As of 31 October 2025	
			Quarter 1 result 1 July – 30 Sept	YTD result 1 July – 30 Sept
			349L/person/day	349L/person/day
			Note: This result is calculated on a quarterly basis as it is based on water meter readings which is done quarterly.	
			The below information is provided in line with DIA guidance. Note this is additional information and not a correlation with the information above.	
			Water supplied to the drinking water network (m <sup>3</sup> /year to date)	1,017,763m <sup>3</sup>
			Non-residential (business) water use (m <sup>3</sup> /year to date)	28,460m <sup>3</sup>

<sup>4</sup> Urgent call-out is defined as a complete loss of service to the water supply.

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable		
			Total population served by the drinking water network	Estimated 30,694 people (calculated at 2.2 x connections)	
SSP-WS6	Real water loss performance of the network as measured by the standard World Bank Institute Band for Leakage.	Band “B”	On track		
Minimal water losses*.			As of 31 October 2025		
			Supply	Snapshot – Infrastructure Leakage Index	Outcome
			Levin	B (3.6)	Compliant
			Shannon & Mangaore	A (1.2) B (3.9)	Compliant Compliant
			Foxtan	B (2.1)	Compliant
			Foxtan Beach	A (0.4)	Compliant
			Tokomaru	A (0.7)	Compliant
			Notes:		
			<ul style="list-style-type: none"><li>Council reached our target if the Band for a plant falls on either band A or B.</li><li>For Horizons consent compliance for Levin, ILI needs to be less than 3.31 for less than 284L water loss per connection per day.</li></ul>		
			Band ‘B’ – the Infrastructure Leakage Index (ILI) is a performance indicator of real (physical) water loss from the supply network of the water distribution systems. The ILI was developed by the International Water Association (IWA) Water Loss Task Force (WLTF) and first published in 1999.		
SSP-WS7	The number of:		On track		
Sustainable water supply management.	Abatement Notices;	0	As of 31 October 2025		
	Infringement Notices;	0		YTD	
	Enforcement Orders; and Convictions	0	Abatement Notices	0	
		0	Infringement Notices	0	
	received by Council in relation to Horizons Regional Council resource consents* for discharge from its water supply system.		Enforcement Orders	0	
			Convictions	0	

\*These performance measurements are provided by the Department of Internal Affairs, and they are mandatory.

## Wastewater Treatment

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable			
SSP-WW1 Reliable wastewater collection and disposal*.	The number of dry weather wastewater overflows from the wastewater system per 1,000 connections.	≤ 2	On track			
			As of 31 October 2025			
				Target per 1,000 connections	Result per 1,000 connections	No. of overflows
			Number of overflows	≤ 2	0.46	6
			Number of connections as at 1 July 2025: 12,985.			
SSP-WW2 Council provides a good response to wastewater system faults reported*.	The median time (hrs) from the time that Council receives a notification, to the time that services personnel reach the site in responding to an overflow resulting from a wastewater blockage or other fault*.	< 1 hour	On track			
			As of 31 October 2025			
			Target Response Time		Result Response Time	
			< 1 hour		38 minutes	
			Target Resolution Time		Result Resolution Time	
	< 12 hours		2 hours 5 minutes			
	The median time (hrs) from the time that Council receives a notification, to the time that services personnel confirm a resolution of a blockage or other fault within the wastewater system causing the overflow*.	< 12 hours				

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
SSP-WW3 The service is satisfactory*.	The total number of complaints received (expressed per 1,000 connections to the wastewater system) regarding:		On track
	Wastewater odour;		As of 31 October 2025
	Wastewater systems faults;	< 4	
	Wastewater system blockages;	< 6	
	and Council's response to issues with its wastewater system.	< 8 < 4	
	Total number of complaints received about any of the above.	< 22	Number of connections as at 1 July 2025: 12,985.
SSP-WW4 Safe disposal of wastewater*.	The number of:	•	Not on track
	Abatement Notices;	•	As of 31 October 2025
	Infringement Notices;	• 0	
	Enforcement Orders; and	• 0	
	Convictions	• 0	
	received by Council in relation to Horizons Regional Council resource consents* for discharge from its wastewater system.		Note: We received an abatement notice from the Horizons Regional Council at the end of September 2025 for the Levin Wastewater Treatment Plant ('the Pot'). This was in regard to failure to deliver the Annual Plan from the start of the consent ~2020. In addition, an Emerging Contaminants Strategy (PFAS) was never completed or created from the same outset time. Both are due annually and a schedule of delivery has been crafted to complete tasks within 6 months from the notice.

\*These performance measurements are provided by the Department of Internal Affairs, and they are mandatory.



## Stormwater

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable								
<b>SSP-SW1</b> An adequate stormwater system*.	Number of flooding events that occur in the district.	< 5 per year	<b>On track</b>  As of 31 October 2025 There were no flooding events that occurred in the district.								
<b>SSP-SW2</b> An adequate stormwater system*.	For each flooding event the number of habitable floors affected per 1,000 connections to Council's stormwater networks.	2 or less	<b>On track</b>  As of 31 October 2025 <table border="1"><thead><tr><th>Target</th><th>Result</th><th>Per 1,000 connections</th><th>Habitable floors affected</th></tr></thead><tbody><tr><td>2 or less</td><td>0</td><td>0</td><td>There were no flooding events.</td></tr></tbody></table> Number of connections as at 1 July 2025: 13,793.	Target	Result	Per 1,000 connections	Habitable floors affected	2 or less	0	0	There were no flooding events.
Target	Result	Per 1,000 connections	Habitable floors affected								
2 or less	0	0	There were no flooding events.								
<b>SSP-SW3</b> Response to faults*.	The median response time to attend a flooding event, measured from the time that Council receives notification to the time that service personnel reach the site.	< 1 hour	<b>On track</b>  As of 31 October 2025 <table border="1"><thead><tr><th>Target</th><th>Result</th><th>Comment</th></tr></thead><tbody><tr><td>&lt; 1 hour</td><td>0.00</td><td>There were no events recorded</td></tr></tbody></table>	Target	Result	Comment	< 1 hour	0.00	There were no events recorded		
Target	Result	Comment									
< 1 hour	0.00	There were no events recorded									
<b>SSP-SW4</b> Customer satisfaction*.	The number of complaints received by Council about the performance of its stormwater system expressed per 1,000 properties connected to the system.	< 10 per year	<b>On track</b>  As of 31 October 2025 <table border="1"><thead><tr><th>Target per 1,000 connections</th><th>Per 1,000 connections</th><th>No. of complaints</th></tr></thead><tbody><tr><td>&lt; 10 per year</td><td>0.80</td><td>11</td></tr></tbody></table> Number of connections as at 1 July 2025: 13,793.	Target per 1,000 connections	Per 1,000 connections	No. of complaints	< 10 per year	0.80	11		
Target per 1,000 connections	Per 1,000 connections	No. of complaints									
< 10 per year	0.80	11									
<b>SSP-SW5</b>	The number of:	•	<b>On track</b>								

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable										
A sustainable stormwater service*.	Abatement Notices; Infringement Notices; Enforcement Orders; and Convictions	<ul style="list-style-type: none"><li>• 0</li><li>• 0</li><li>• 0</li><li>• 0</li></ul>	As of 31 October 2025 <table><tr><th></th><th>YTD</th></tr><tr><td>Abatement Notices</td><td>0</td></tr><tr><td>Infringement Notices</td><td>0</td></tr><tr><td>Enforcement Orders</td><td>0</td></tr><tr><td>Convictions</td><td>0</td></tr></table>		YTD	Abatement Notices	0	Infringement Notices	0	Enforcement Orders	0	Convictions	0
	YTD												
Abatement Notices	0												
Infringement Notices	0												
Enforcement Orders	0												
Convictions	0												
	received by Council in relation to Horizons Regional Council resource consents* for discharge from its stormwater system**.												

\*These performance measurements are provided by the Department of Internal Affairs, and they are mandatory.

- Council does not report on DIA Performance Measure 1 – Sub-part 4: Flood Protection and Control Works as this is applicable to Regional Council activities, not our district council. Council manages our district's urban stormwater networks (pipes, open drains, and pump stations). Outside urban areas, the roading team generally maintains roadside drains where they are not covered by Horizons Regional Council's drainage schemes. All stopbanks, floodgates, and major river or regional flood protection schemes are managed by Horizons Regional Council.

\*\*Currently there is no discharge consent for Levin's stormwater.

## Land Transport

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
<b>SSP-LT1</b> A safe road network*.	The change from the previous financial year in the number of fatalities and serious injury crashes on the local road network.	No (or zero) change or a reduction from previous year.	<b>Unable to report</b>  To be reported at financial year end.
<b>SSP-LT2</b> Roads in good condition*.	The average quality of ride on a sealed local road network measured by smooth travel exposure.	Minimum 85%.	<b>Unable to report</b>  Inspection is done once a year. To be reported at financial year end.
<b>SSP-LT3</b> Roads that are maintained well*.	The percentage of the sealed local road network that is resurfaced annually.	Minimum of 3.5% of total area.	<b>Unable to report</b>  To be reported at financial year end after reseals are completed.

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
<b>SSP-LT4</b> Footpaths are in an acceptable condition*.	Target footpath condition rating (% compliant with Council's standards found in the Land Transport Activity Plan).	97% of footpaths in average to excellent condition.	<b>On track</b>  As of 31 October 2025 96.87% of footpaths were in excellent to average condition and 3.13 in a poor or very poor condition.
<b>SSP-LT5</b> Good response to service requests*.	The percentage of customer service requests relating to roads and footpaths to which Council responds within 15 working days.	> 95%	<b>On track</b>  As of 31 October 2025 95.5% (492/515) requests relating to roads and footpaths were responded to within 15 working days.
<b>SSP-LT6</b> Provision of safe and effective walking and cycling infrastructure.	Percentage of the transport network which includes safe and effective walking and cycling infrastructure.	2025/26: Increase from previous year.  2024/25 Determine the baseline.	<b>Not on track</b>  We were unable to determine a baseline during this financial year. NZTA Waka Kotahi reduced funding for this work, and no work was done in this space.  Note: As we have limited or no funding for cycling investment, it is unlikely that we will achieve either the 'determine baseline' or the 'increase from previous year' for remainder of the LTP term.

\*These performance measurements are provided by the Department of Internal Affairs, and they are mandatory.

## Solid Waste

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
<b>SSP-SD1</b> Ensuring the health, safety and wellbeing of our	Number of legitimate complaints <sup>5</sup> Recycling bins Kerbside collection.	Recycling: 5 legitimate complaints per	<b>On track</b>  As of 31 October 2025

<sup>5</sup> Legitimate complaints do not include when bin was put out on the wrong week; bin was not out at time of collection, and the bin was not collected due to contamination.

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable		
community by collecting refuse and recycling in a timely and sanitary manner.		1,000 bins issued annually	Target permitted	No. of legitimate complaints	No. of complaints per 1,000 bins
		Kerbside collection: 1 legitimate complaint per 800 bags sold annually.	<b>Recycling</b>		
			*80 permitted p/a	20	1.3
			Number of bins:15,964 *Target calculation: (15,964/1,000) x 5 =79.8 Result: (20/15,964) x 1,000 = 1.3		
			Target permitted	No. of legitimate complaints	No. of complaints per 800 bags
			<b>Kerbside collection</b>		
			*21 permitted for YTD	18	0.86
			Number of bags sold as of 01 July 2025: 16,800 *Target permitted calculation: (16,800/800) x 1 = 21 Result: (18/16,800) x 800 = 0.86		
<b>SSP-SD2</b> Embedding circular thinking into our waste management systems.	Meet the targets set in the Waste Management Minimisation Plan (WMMP <sup>6</sup> ).	100% of targets.	<b>Not on track</b>  As of 31 October 2025 80% (8/10) targets due this financial year are on track as set in the Waste Management Minimisation Plan (WMMP).  Of these: <ul style="list-style-type: none"> <li>The target related to flytipping cannot be measured. Flytipping is collected by our contractor Green by Nature with other waste from litter bins and parks and property shrubbery (greenwaste). This is an economical means to manage Council's Day to day costs.</li> </ul>		

<sup>6</sup> The WMMP is available on our website: <https://www.horowhenua.govt.nz/files/assets/public/v/2/council-documents/plans/horowhenua-waste-management-and-minimisation-plan-2024-august-2024.pdf>

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
			<ul style="list-style-type: none"> <li>The waste diversion target (30% by 2026) has not been measured as we do not yet have the necessary commercially sensitive waste tonnage data. This data accessibility may improve when the solid waste bylaw is approved. Note: This target is not a mandatory MfE requirement anymore.</li> </ul> <p>Note: The WMMP has a total of 13 targets over a 6-year period. Of these, 3 are scheduled for 2027 and beyond. There is a risk that if a resource recovery centre and or kerbside organics collection of some form is not introduced the WMMP diversion targets (30%-2026, 40%-2028 and 50% by 2030) will not be reached.</p>

## Community Facilities

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable												
<b>SSP-CF1</b> Our aquatic centres support and enhance community well-being and safety.	Number of opportunities <sup>7</sup> provided for the community and by the community <sup>8</sup> that enhances well-being and safety in or through the use of our aquatic facilities.	500 opportunities per calendar month.	<b>On track</b>  As of 31 October 2025 <table><tr><th>Month</th><th>No. of opportunities</th></tr><tr><td>July 2025</td><td>893</td></tr><tr><td>Aug 2025</td><td>888</td></tr><tr><td>Sept 2025</td><td>1,054</td></tr><tr><td>Oct 2025</td><td>1,059</td></tr><tr><td><b>YTD</b></td><td><b>3,894</b></td></tr></table>	Month	No. of opportunities	July 2025	893	Aug 2025	888	Sept 2025	1,054	Oct 2025	1,059	<b>YTD</b>	<b>3,894</b>
Month	No. of opportunities														
July 2025	893														
Aug 2025	888														
Sept 2025	1,054														
Oct 2025	1,059														
<b>YTD</b>	<b>3,894</b>														

<sup>7</sup> Such as swimming lessons, training, competitions, events and fitness classes.

<sup>8</sup> Swim schools, clubs, organisations

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
<b>SSP-CF2</b> Community has access to a range of current information that inspires, entices and informs in both print and digital format.	Contribute to community literacy by providing curated collections of physical and digital resources.	≥3 resources per capita.	<b>On track</b>  As of 31 October 2025 The community had access to a minimum of 3.4 resources per capita: <ul style="list-style-type: none"> <li>76,507 physical resources</li> <li>55,709 digital resources (owned)</li> </ul> Measured by 38,100 capita.
<b>SSP-CF3</b> Libraries and community facilities meet the community's needs.	Percent of residents and non-residents satisfied with library and community services based on the Annual Customer Satisfaction Survey.	≥ 92%	<b>Unable to Report</b>  The next Annual Customer Satisfaction Survey results will be available in June 2026.

## Community Infrastructure

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
<b>SSP-CI1</b> A range of parks and reserves that are affordable, well maintained, safe and provide for the recreational (play and sport), cultural and environmental wellbeing of the community.	Playground facilities receive a monthly inspection by a suitably qualified person to ensure they comply with relevant National Playground standards and findings of inspection are actioned (or plan put in place) before the next inspection.	≥ 90% of playgrounds resources per capita.	<b>On track</b>  As of 31 October 2025 95.6% (22/23) playgrounds were inspected by a suitably qualified person. Muaūpoko Park closed and not inspected.  No failures identified during previous inspections requiring action before the next inspection.  No failures were identified during the latest inspection.
<b>SSP-CI2</b> A range of parks and reserves that are affordable, well	Parks and reserves maintenance contracts are administered and	Achieve	<b>On track</b>  As of 31 October 2025

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable	
maintained, safe and provide for the recreational (play and sport), cultural and environmental wellbeing of the community.	monitored on a regular basis, as per contract specifications.		95.6% (target of 95% as per the contract) of parks and reserves maintenance contracts were administered and monitored as per contract specifications.	
<b>SSP-CI3</b> A range of parks and reserves that are affordable, well maintained, safe and provide for the recreational (play and sport), cultural and environmental wellbeing of the community.	Sports grounds are made available for use with appropriate ground condition.	0 complaints made about sports grounds availability and conditions.	<b>On track</b>  As of 31 October 2025 No complaints were made about sports ground availability, and no complaints were made about sport ground conditions.	
<b>SSP-CI4</b> Clean and safe public toilets.	Public toilet maintenance contracts are administered and monitored on a regular basis, as per contract specifications.	Achieve	<b>On track</b>  As of 31 October 2025 99% (target is 85% as per contract) of public toilet maintenance contracts were administered and monitored as per contract specifications.	
<b>SSP-CI5</b> Cemeteries are fit for purpose and meet the changing needs of our community now and into the future.	Across the district's cemeteries, there is a continuous availability of 10% of developed burial plots (of any type) at any given time.	Achieve	<b>Not on track</b>  As of 31 October 2025 There was a continuous availability of 8.6% (2,040) of developed plots (of any type) across the district's cemeteries at any given time.  Note: Cemeteries continue under a programme of development with additional plots to be created during 2025/26.	

## Property

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
There are no Level of Service performance measures for this activity.			

## Representation and Community Leadership

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
<b>SSP-RCL1</b> Council supports residents and ratepayers to have their views heard and considered in Council decision-making.	Regular opportunities <sup>9</sup> are provided for the community to influence decision-making.	100 opportunities per year.	<b>On track</b>  As of 31 October 2025 38 opportunities were provided for the community to influence decision-making.
<b>SSP-RCL2</b> Council is transparent and accountable to the community.	Council agendas are available on the website 2 working days prior to the relevant meeting.  Council meeting minutes are available on the website 2 working days after the relevant meeting <sup>10</sup> .	≥ 95% of agenda and minutes.	<b>On track</b>  As of 31 October 2025 <ul style="list-style-type: none"> <li>100% of Council agendas were available on the website two working days prior to the relevant meeting</li> <li>100% of Council meeting minutes were available on the website two working days after the relevant meeting.</li> </ul>
<b>SSP-RCL3</b> Develop and deliver strategic projects, plans and corporate documents that achieve or contribute to our Community Outcomes.	Community Outcomes are achieved or contributed to by milestones of strategic projects, plans and corporate documents being met.	100% of milestones.	<b>On track</b>  As of 31 October 2025 100% of strategic projects, plans and corporate documents developed and delivered contributed to our Community Outcomes.  <b>Annual Report 2024/25</b> <ul style="list-style-type: none"> <li>Annual Report adopted within statutory timeframe – 8 October 2025.</li> </ul>

<sup>9</sup> Such as live streaming, public forums, open meetings, workshops etc, cuppa with a councillor.

<sup>10</sup> Council meetings, committee meetings, and Board Meetings.



Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
			<ul style="list-style-type: none"> <li>Annual Report clean Audit Report received – 8 October 2025.</li> </ul> <p><b>Climate Action Plan</b></p> <ul style="list-style-type: none"> <li>On track for 2026/27 - Moata Carbon Portal implemented and community funding allocated via grants process.</li> </ul> <p><b>District Plan Changes</b></p> <ul style="list-style-type: none"> <li>On track – application for exemption to ‘plan stop’ (government announcement) underway for PC6a.</li> </ul> <p><b>Levin Town Centre projects</b></p> <ul style="list-style-type: none"> <li>Unconditional contract with The Wellington Company Ltd to purchase and redevelop the Levin War Memorial Hall and Village Green.</li> <li>Development of draft Access and Parking Strategy and seeking community feedback via Let’s Kōrero campaign from 18 November 2025 to 9 January 2026.</li> <li>Arterra Interactive finalising 3D digital visualisation of the Levin Town Centre.</li> <li>THCL developing a Retail Transformation Strategy and project plan.</li> <li>Proposed enhancements to former Women’s Bowling Green and adjacent carpark, and Levin Domain.</li> <li>Business case for future approach to take the Oxford Street properties to market.</li> </ul> <p><b>Foxton and Foxton Beach Community Plan</b></p> <ul style="list-style-type: none"> <li>Revised Foxton Futures Group aligning with community theme leads and broader community to bring the Foxton and Foxton Beach Plan to life.</li> </ul> <p><b>Shannon/Otāuru Community Plan</b></p> <ul style="list-style-type: none"> <li>Community Plan Working Group continuing to work with wider community and other groups to develop action plan.</li> </ul>

## Community Support

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable															
<b>SSP-CS1</b> The community is supported to be prepared for an emergency.	Staff are trained and ready to respond and support the community in an emergency.	80% of full-time staff completed Integrated Training Framework Foundation within 6 months of commencing.  50% of full-time staff completed Integrated Training Framework Intermediate within 1 year of commencing.	<b>Unable to report</b>  As of 31 October 2025 65 new Full Time (FT) staff joined the organisation during the 2024/25 financial year. As a six month and one year period has not passed since financial year end, the full final data is not available.  To enable staff to report on the progress made, we are working to create a system/process: <ul style="list-style-type: none"><li>• that identifies full time staff commencing work within a specific financial year,</li><li>• that track the type of, and dates of training sessions attended, and</li><li>• that determines whether training for the foundation and intermediate frameworks for new staff occurred within the respective timeframes of the SSP and what the percentages are.</li></ul> Staff will be able to report on progress once the new system/process is completed. This is expected to be completed by the next OPR due date.  Below are the number of overall staff that attended training sessions during the 2024/25 financial year and the 2025/26 financial year up to date of reporting: <table><tr><th>Session</th><th>2024/25 FY</th><th>2025/26 FY</th></tr><tr><td></td><td colspan="2">No. of staff attended</td></tr><tr><td>CDEM Induction</td><td>59</td><td>8</td></tr><tr><td>Foundation course</td><td>45</td><td>11</td></tr><tr><td>Intermediate course</td><td>23</td><td>0</td></tr></table>	Session	2024/25 FY	2025/26 FY		No. of staff attended		CDEM Induction	59	8	Foundation course	45	11	Intermediate course	23	0
Session	2024/25 FY	2025/26 FY																
	No. of staff attended																	
CDEM Induction	59	8																
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Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable		
			Function courses	47	8
<b>SSP-CS2</b> We are able to continue to operate during high impact emergency events.	Complete a comprehensive Emergency Operations Centre (EOC) capability audit every two years to ensure compliance with the Civil Defence Emergency Management (CDEM) Act 2002.  The audit must be conducted by an independent suitably qualified person.	An audit is conducted every two years.	<b>Not applicable</b>  As of 31 October 2025 An EOC capability audit was carried out during the 2024/25 financial year.  The next audit will be carried out in the last quarter of the 2026/27 financial year.		
<b>SSP-CS3</b> Community organisations to ensure transparency regarding the allocation of Council-provided financial support.	Community organisations receiving funds for essential services to fulfil monitoring and reporting obligations.	100%	<b>Not on track</b>  As of 31 October 2025 87.5% (7/ 8) of the community organisations receiving funds for essential services during the 2024/25 financial year fulfilled monitoring and reporting obligations for reports (due 31 July 2025).  Monitoring and Reporting for the 2025/26 financial year is due on 30 June 2026.		
<b>SSP-CS4</b> Collaboration with and advocacy (including business development and new business investment in the Horowhenua District) for	Percent of District's Businesses that are satisfied or more than satisfied with Council's support to local businesses and overall performance in the Economic Development activity.	≥ 75%	<b>Unable to Report</b>  The next Annual Customer Satisfaction Survey results will be available in June 2026.		

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
all sectors of local business.			
<b>SSP-CS5</b> Providing opportunities for local businesses and the local community to understand business support and economic development initiatives available.	Number of opportunities <sup>11</sup> provided by Council.	≥ 30	<b>On track</b>  As of 31 October 2025 76 opportunities for local businesses and the local community to understand business support and economic development initiatives available, were provided by Council.  This is made up of 11 events and 65 communication posts (website, news, social media posts, or other).

## Regulatory Services

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
<b>SSP-RS1</b> Processing of applications under the Resource Management Act (RMA) 1991.	Percentage of resource consent applications that are processed within statutory timeframes.	95%	<b>Not on track</b>  As of 31 October 2025 70.6% (48/68) resource consent applications were processed within statutory timeframes.  The level of compliance with statutory timeframes has increased as process bottlenecks are resolved and work continues to ensure better visibility and clarity of the process.
<b>SSP-RS2</b> Carry out Building Consent Authority functions including enforcement of legislation	Percentage of building consent applications that are processed within statutory timeframes.	95%	<b>On track</b>  As of 31 October 2025

<sup>11</sup> Networking events, social media posts, case studies, other comms, other events etc.

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable	
relating to construction of buildings and structures.			96.5% (193/200) building consent applications were processed with in statutory timeframes.	
<b>SSP-RS3</b> Community confidence and wellbeing is ensured in the safety of food and alcohol premises' businesses.	Percentage of existing food businesses that receive a poor verification outcome are revisited within 20 working days.	95%	<b>On track</b>  As of 31 October 2025 No existing food businesses received a poor verification outcome and consequently no food businesses required revisiting within 20 working days.	
<b>SSP-RS4</b> Community confidence and wellbeing is ensured in the safety of food and alcohol premises' businesses.	Percentage of high-risk alcohol premises that are visited at least twice a year.	100%	<b>Not applicable</b>  As of 31 October 2025 There were no high-risk alcohol premises in the district during the reporting period, and therefore no inspections were required.	
<b>SSP-RS5</b> We enhance community wellbeing by responding to public nuisance complaints in a timely manner.	Animal Control staff are rostered and available on a 24 hr. 7 day a week basis.	100%	<b>On track</b>  As of 31 October 2025 100% of the time Animal Control staff were rostered and available on a 24 hr. 7 day a week basis.	
<b>SSP-RS6</b> Community can access Council in a way or by means that most suits them.	Percentage of community members surveyed that are satisfied with the ways they can contact Council.	≥ 80%	<b>Unable to Report</b>  The next Annual Customer Satisfaction Survey results will be available in June 2026.	
<b>SSP-RS7</b> We enhance community wellbeing by responding to public nuisance complaints in a timely manner.	Percentage of noise complaints are responded to within 60 minutes.	100%	<b>Not on track</b>  As of 31 October 2025 97.7% (342/350) of noise complaints were responded to within 60 minutes.	

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report/Not applicable
			Note: While the target is to respond to all complaints within 60 minutes, this is not always possible.





## 2025/26 Organisation Performance Measures (OPMs)

### Introduction

Council did a review of the service performance measures, with input from the auditors, during the 2024-44 Long Term Plan (LTP) process. As a result, there have been some changes to the service performance measures effective from the 2024-25 financial year. Changes include new service performance measures, amendment to some of the existing service performance measures and the creation of organisation performance measures – measures that Council deemed important and wants feedback on but aren't part of the LTP.

### Summary

#### Status

On track	17	
Not on track	5	
Unable to report	3	
<b>Total</b>	<b>25</b>	

### Water Supply

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report																																
<b>OPM-WS1</b> We reduce our impact on the environment.	Reduce energy consumption across the water supply network.	Decrease energy consumption by 3% year on year.	<b>Not on track</b>  As of 31 October 2025 Overall energy consumption was increased by 0.5% YTD across the water supply network. <table border="1"> <thead> <tr> <th></th><th>Sept 2025</th><th>Oct 2025</th><th>YTD</th></tr> </thead> <tbody> <tr> <td>Levin WTP</td><td>+1</td><td>-3.3%</td><td>+4</td></tr> <tr> <td>Foxton WTP</td><td>-0.2</td><td>+26.2</td><td>+8.2</td></tr> <tr> <td>Foxton Beach WTP</td><td>+140</td><td>+79.9</td><td>+81.6</td></tr> <tr> <td>Tokomaru intake pumps</td><td>+20</td><td>-12.6</td><td>-13.4</td></tr> <tr> <td>Levin intake</td><td>+18</td><td>-15.6</td><td>-10.2</td></tr> <tr> <td>Lady's mile Foxton</td><td>+14</td><td>-24.6</td><td>-28</td></tr> <tr> <td>Clyde bore</td><td>-4</td><td>-4.2</td><td>+2</td></tr> </tbody> </table>		Sept 2025	Oct 2025	YTD	Levin WTP	+1	-3.3%	+4	Foxton WTP	-0.2	+26.2	+8.2	Foxton Beach WTP	+140	+79.9	+81.6	Tokomaru intake pumps	+20	-12.6	-13.4	Levin intake	+18	-15.6	-10.2	Lady's mile Foxton	+14	-24.6	-28	Clyde bore	-4	-4.2	+2
	Sept 2025	Oct 2025	YTD																																
Levin WTP	+1	-3.3%	+4																																
Foxton WTP	-0.2	+26.2	+8.2																																
Foxton Beach WTP	+140	+79.9	+81.6																																
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Levin intake	+18	-15.6	-10.2																																
Lady's mile Foxton	+14	-24.6	-28																																
Clyde bore	-4	-4.2	+2																																

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
<b>OPM-WS2</b> Provision of a sustainable and resilient water supply for Levin.	Develop and implement the Levin Water Treatment Plant Master Plan.	Adopt master plan and meet 100% of milestones.	<b>On track</b>  As of 31 October 2025 Work has continued progressing the priority workstreams including the new treated water reservoir options, refurbishment of filters to prolong life, UV additional installation, bypass upgrade, long term conceptual layout works.  An update to master plan is proposed to inform bypass, and UV priority.  Planning assistance has been engaged for new Treated water reservoir.

## Wastewater Treatment

Ref & Service	How performance is measured	Target	On track																																
<b>OPM-WW1</b> We reduce our impact on the environment.	Reduce energy consumption across the wastewater network.	Decrease energy consumption by 3% year on year.	<b>Not on track</b>  As of 31 October 2025 Overall energy consumption was decreased by 3.7% YTD across the wastewater network. <table border="1"> <thead> <tr> <th></th><th>Sept 2025</th><th>Oct 2025</th><th>YTD</th></tr> </thead> <tbody> <tr> <td>Mako road sewage pump</td><td>-33%</td><td>+16%</td><td>+12%</td></tr> <tr> <td>Effluent disposal pump</td><td>-62%</td><td>-34%</td><td>-13%</td></tr> <tr> <td>Hökio Sands</td><td></td><td></td><td></td></tr> <tr> <td>Levin WWTP</td><td>+7%</td><td>+12%</td><td>+9%</td></tr> <tr> <td>Levin WWTP transfer pump</td><td>0%</td><td>-11%</td><td>-2%</td></tr> <tr> <td>Waitārere WWTP</td><td>+26%</td><td>+24%</td><td>+56%</td></tr> <tr> <td>"The Pot" pumping station</td><td>-67%</td><td>+12%</td><td>-20%</td></tr> </tbody> </table>		Sept 2025	Oct 2025	YTD	Mako road sewage pump	-33%	+16%	+12%	Effluent disposal pump	-62%	-34%	-13%	Hökio Sands				Levin WWTP	+7%	+12%	+9%	Levin WWTP transfer pump	0%	-11%	-2%	Waitārere WWTP	+26%	+24%	+56%	"The Pot" pumping station	-67%	+12%	-20%
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Ref & Service	How performance is measured	Target	On track
<b>OPM-WW2</b> We reduce our impact on the environment.	Implement the Levin Wastewater Treatment Plant Master Plan.	100% of masterplan milestones met.	<b>On track</b>  As of 31 October 2025 Implementation of the master plan is underway. The following priority work streams are being progressed. <ul style="list-style-type: none"> <li>• Stage 1 of the Inlet pipe and Bulkmain construction is completed, with Stage 2 now underway.</li> <li>• Preliminary design completed for the Headworks.</li> <li>• Headworks request for tender went out to market in November 2025. Submissions close 31 January 2026.</li> <li>• Digester preliminary design ongoing.</li> </ul>

## Stormwater

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
<b>OPM-SW1</b> We identify priority areas to focus our stormwater investment on such as resilience and freshwater quality.	Develop and implement a Catchment Management Plan Work Plan including milestones.	100% of milestones met.	<b>On track</b>  The Stormwater team has reviewed the recommendations from each Catchment Management Plan and identified some of the priority projects for delivery in the 2025/26 financial year.  The Catchment Management Plan Work Plan is scheduled for adoption by 1 July 2026.

## Land Transport

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
There are no Operational Performance measures for this activity.			

## Solid Waste

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
<b>OPM-SD1</b> Reduce our impact on the environment Promote Waste Minimisation in the community.	Number of opportunities <sup>12</sup> in which the community is educated on waste minimisation practices.	≥ 6	<b>On track</b>  As of 31 October 2025 8 opportunities to educate the community on waste minimisation practices were provided: <ul style="list-style-type: none"> <li>• 3 Waste events</li> <li>• 3 Community Connection posts</li> <li>• 2 Facebook posts</li> <li>• 2 Zero Waste school visits</li> <li>• 16 Enviroschools enrolled district wide</li> </ul>

## Community Facilities and Services

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
<b>OPM-CF1</b> Customers have access to programmes and initiatives that enhance the wellbeing of the district.	Number of participants in programmes delivered from our Community Facilities that provide equitable access to community services.	≥ 30,000	<b>On track</b>  As of 31 October 2025 9,794 participants participated in 437 programmes and initiatives enhancing the wellbeing of the district.
<b>OPM-CF2</b> Providing affordable and accessible community spaces for groups.	Percentage of bookings that paid a community or free rate.	≥ 60%	<b>On track</b>  As of 31 October 2025 88.7% (779/878) of bookings were charged in accordance with a community or free rate.
<b>OPM-CF3</b>	Number of high-risk incidents.	0	<b>On track</b>  As of 31 October 2025

<sup>12</sup> School programmes, communications, events etc.

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
We are prepared and equipped to prevent high risk situations <sup>13</sup> by having an appropriate number of appropriately trained staff and relevant equipment.			There were no high-risk incidents.

## Community Infrastructure

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
<b>OPM-CI1</b> A range of parks and reserves that are affordable, well maintained, safe and provide for the recreational (play and sport), cultural and environmental wellbeing of the community.	Residential dwellings in urban areas are within 400 metres of a local reserve (either Council or privately provided) and within 800 metres of playgrounds or reserves destinations.	≥ 80% of residential dwellings.	<b>On track</b>  As of 31 October 2025 <ul style="list-style-type: none"> <li>81% of residential dwellings in urban areas were within 400 metres of a local reserve (either Council or privately provided) and</li> <li>90% were within 800 metres of playgrounds or reserves destinations.</li> </ul>

## Property

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
<b>OPM-P1</b> We have processes to ensure Council properties are used and maintained appropriately and safely.	Percent of buildings with compliance schedules that will have current building WOF.	100% of buildings.	<b>Not on track</b>  As of 31 October 2025 95% (21/22) of buildings with compliance schedules have a current building WOF.  Note: The outstanding BWOFF as of 31 October 2025 was the Waitārere Surf Lifesaving Club building. The BWOFF has since been received for this building.

<sup>13</sup> Resuscitation required.

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
<b>OPM-P2</b> We have processes to ensure Council properties are used and maintained appropriately and safely.	Planned maintenance of Council owned properties as detailed in the asset register is carried out or appropriately deferred.	Achieve	<b>On track</b>  As of 31 October 2025 18/21 planned maintenance of Council owned properties were carried out or appropriately deferred as detailed in the asset register.

## Representation and Community Leadership

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
<b>OPM-RCL1</b> Māori engagement is improved.	A Māori Engagement Framework is developed, implemented and monitored.	Achieve	<b>On track</b>  As of 31 October 2025 The Iwi/Hapū Relationships Framework was adopted by Council in August 2025.  The new name is <i>Tiraki</i> and it is available on our Council website.  Work is being undertaken to operationalise the framework. Latest progress includes: <ul style="list-style-type: none"><li>Working on a report to council to outline each partnership agreement and provide suggested options for alignment going forward, based on the Tiraki framework.</li></ul>

## Community Support

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report																								
<b>OPM-CS1</b> Māori aspirations are supported.	Number of local programmes, grants and activities that respond to Māori aspirations.	Increase baseline:  Baseline for 2025/26: <ul style="list-style-type: none"><li>• 2 local programmes</li><li>• 25 grants and</li><li>• 10 activities</li></ul>	<b>On track</b>  As of 31 October 2025 No local programmes, 11 grants and 2 activities responded to Māori aspirations: <table><tr><th>Month</th><th>Programmes</th><th>Grants</th><th>Activities</th></tr><tr><td>July 2025</td><td colspan="3">Baseline established</td></tr><tr><td>Aug 2025</td><td>0</td><td>0</td><td>2</td></tr><tr><td>Sept 2025</td><td>0</td><td>0</td><td>0</td></tr><tr><td>Oct 2025</td><td>0</td><td>11</td><td>2</td></tr><tr><td><b>YTD</b></td><td><b>0</b></td><td><b>11</b></td><td><b>4</b></td></tr></table>	Month	Programmes	Grants	Activities	July 2025	Baseline established			Aug 2025	0	0	2	Sept 2025	0	0	0	Oct 2025	0	11	2	<b>YTD</b>	<b>0</b>	<b>11</b>	<b>4</b>
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<b>YTD</b>	<b>0</b>	<b>11</b>	<b>4</b>																								
<b>OPM-CS2</b> The wellbeing of our diversity community is enhanced through opportunities to connect.	Number of opportunities to connect supported by Council.	≥ 30	<b>On track</b>  As of 31 October 2025 22 opportunities to connect were supported by Council: <table><tr><th>Month</th><th>No. of opportunities</th></tr><tr><td>July 2025</td><td>1</td></tr><tr><td>Aug 2025</td><td>13</td></tr><tr><td>Sept 2025</td><td>0</td></tr><tr><td>Oct 2025</td><td>8</td></tr><tr><td><b>YTD</b></td><td><b>22</b></td></tr></table>	Month	No. of opportunities	July 2025	1	Aug 2025	13	Sept 2025	0	Oct 2025	8	<b>YTD</b>	<b>22</b>												
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<b>YTD</b>	<b>22</b>																										
<b>OPM-CS3</b> Provide opportunities for community organisations to train staff in essential skills and increase overall	Number of individuals participating in Capacity and Capability Building Programme workshops or training over the year.	≥ 200	<b>On track</b>  As of 31 October 2025 61 individuals participated in Capacity and Capability Building Programme workshops or training:																								

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report	
capability of our workforce.			Month	No. of opportunities
			July 2025	32
			Aug 2025	12
			Sept 2025	5
			Oct 2025	12
			YTD	61
<b>OPM-CS4</b> Youth who are not in education or work are supported onto a positive pathway to training or employment.	Number of youths supported into employment or training.	≥ 40	<b>Not on track</b>  As of 31 October 2025 No young people were supported into employment or training.  Note: Challenges to meet this OPM is due to challenging contractual requirements alongside the current low job market and the large number of people seeking employment. A dedicated full-time resource is now employed, and we expect to see outcomes being delivered and reported on.	
<b>OPM-CS5</b> Connecting our community and Council through authentic engagement.	Increase our Net Promotor Score <sup>14</sup> .	Increase by 8.0 points year on year.	<b>Unable to Report</b>  The next Annual Customer Satisfaction Survey results will be available in June 2026.	
<b>OPM-CS6</b> Connecting our community and Council through authentic engagement.	Increase brand perception via overall customer satisfaction <sup>15</sup> .	Increase by 6% year on year.	<b>Unable to Report</b>  The next Annual Customer Satisfaction Survey results will be available in June 2026.	

<sup>14</sup> NPS measures the loyalty of customers to a company. NPS scores are measured with a single-question survey and reported with a number from the range -100 to +100, a higher score is desirable.

<sup>15</sup> A Customer Satisfaction score gauges how happy consumers are with a purchase or interaction.

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
<b>OPM-CS7</b> Drive sustainable visitor growth to the district, build local tourism capability and work alongside iwi, business and community to achieve favourable economic, social, environmental and cultural outcomes.	Increase total number of engaged sessions <sup>16</sup> to <a href="https://horowhenuanz.co.nz">https://horowhenuanz.co.nz</a> .	Increase by 10% year on year.	<b>Not on track</b>  As of 31 October 2025 The total number of engaged sessions decreased by 1.3% to 22,035 compared to the previous period.
<b>OPM-CS8</b> Drive sustainable visitor growth to the district, build local tourism capability and work alongside iwi, business and community to achieve favourable economic, social, environmental and cultural outcomes.	Increase total number of website referrals <sup>17</sup> from <a href="https://horowhenuanz.co.nz">https://horowhenuanz.co.nz</a> .	Increase by 10% year on year.	<b>On track</b>  As of 31 October 2025 The total number of website referrals for the year was 7,295 or a 16.3% increase compared to the previous period.
<b>OPM-CS9</b> Using data and insights to drive positive change in the organisation.	Demonstrate use of Voice of Customer insights to improve customer experience and service delivery.	Narrative describing improvements made using voice of the customer data.	<b>On track</b>  As of 31 October 2025 Improvements made using voice of the customer data:  Customer Experience pulse surveys are drafted ready to be sent to users who have lodged a CRM with Council. This is in effort to delve deeper in understanding where the improvement opportunities exist for Council to

<sup>16</sup> Engaged Sessions - how many of our visitors are "engaged" with our website? Google Analytics will count a session as engaged if (1) it lasts longer than 10 seconds, (2) it includes at least one conversion and (3) it includes two or more page views.

<sup>17</sup> Website Referrals means outbound link clicks to local businesses or experiences.

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
			improve the metric 'easy to do business with' can be made.
<b>OPM-CS10</b> Staff have knowledge and understanding to effectively engage with Māori.	A cultural competence framework <sup>18</sup> is developed and milestones are met.	100% of milestones.	<b>Unable to report</b>  As of 31 October 2025 The cultural competence framework is still in development and planned to be completed by February 2026.
<b>OPM-CS11</b> Provide funding for projects and initiatives that build partnerships and are community-led.	Successful grant applications demonstrate benefits that align to Council's outcomes and priorities.	≥ 95%	<b>On track</b>  As of 31 October 2025 100% of successful Round 1 grant applications (closed on 31 August 2025) demonstrated benefits that align to Council's outcomes and priorities.  The accountability reports for the Round 1 grant application accountabilities are due on 31 July 2026.

## Regulatory Services

Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
<b>OPM-RS1</b> Community wellbeing is protected by being kept safe from dogs identified as posing the most risk.	The percentage of cases of non-compliance for dogs that are classified as dangerous or menacing, reach compliance within 3 months.	≥ 95%	<b>On track</b>  As of 31 October 2025 54.5 % (6/11) cases of non-compliance for dogs that are classified as dangerous or menacing, reached compliance within 3 months.

<sup>18</sup> May include core competency areas such as Te Reo Māori, Te Ao Māori, Kawa & Tikanga, Te Tiriti o Waitangi and Engagement with Māori.



Ref & Service	How performance is measured	Target	On track/Not on track/Unable to report
			<p>Some of these dogs were already de-sexed at the time of classification.</p> <p>The remaining 45.5% (5 dogs), are still within the 3-month compliance period and being followed up on by animal control.</p>



File No.: 25/673

## 9.2 Council Resolution and Actions Monitoring Report December 2025

Author(s)	Alice Petersen <b>Support Officer - Democracy   Āpiha Tautoko - Manapori</b>
Approved by	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. The purpose of this report is to present to Council the updated monitoring report covering resolutions and requested actions from previous meetings of Council.

#### **This matter relates to Pursuing Organisation Excellence**

Continuing the journey of organisational transformation by enabling a culture of service, excellence and continuous improvement.

### RECOMMENDATION | NGĀ TAUNAKITANGA

- A. That Council receive and note Report 25/673 Council Resolution and Actions Monitoring Report December 2025.

#### **Confirmation of statutory compliance**

In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

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

### ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO

No.	Title	Page
A <a href="#">↓</a>	December 2025 - Actions Monitoring Report	394

## Council Actions Monitoring Report December 2025

	Completed
	In progress
	Transferred
	Waiting on third party
	Off track

Reference	Resolution/Action	Officer	Due date	Status	Officer Update
CO/2022/168  <i>In reference to the closed Levin Landfill</i>	That Council agrees to: b. Approve a programme of work to firstly assess targeted restoration areas of the Tatana Drain and Hokio Stream by working alongside lwi and willing landowners, develop a restoration programme, secure additional funding and then proceed with appropriate restoration projects. The initial cost of this action is \$300,000.	D Haigh	16/10/2024		This work will be reported to Council under the most recent related resolutions: CO/2025/171, CO/2025/172, CO/2025/173 and CO/2025/174.

CO/2023/146	That Council direct the Chief Executive to meet with executive leaders of Horizons and other parties including the Manawatu Marine Boating Club, Department of Conservation and Iwi/Hapū within the next three months to progress commitment to undertaking a structural assessment of the Foxton Wharf.	B Harvey Sean Hester	21/09/2023		<p>Initial conversation with Department of Conservation has signalled a desire to vest this land to Council. Iwi and hapū have also indicated they have interest in the land. Officers will be bringing a report to Council for consideration in 2026.</p> <p>Initial discussions with the Department of Conservation have indicated an interest in vesting the land to Council. Local iwi and hapū have also expressed interest in the site. Officers will prepare a report for Council consideration in 2026.</p>
CO/2023/251	That the Council review the Road Naming Policy, and in the interim Council delegates to the Chief Executive authority to make all decisions on road naming in accordance with the current policy.	D McCorkindale	30/12/2024		During November officers meet with Muaūpoko Tribal Authority to discuss the use of Maori road names and what an appropriate process could look like for developers to be able to use these for new street/roads. The meeting identified a preference for street names to reflect the whenua rather than be ancestor names. This would require a different approach to the intended bank of names so will require some further work to explore a possible process. Officers are still working to confirm when they can meet with Raukawa to discuss this matter.
20	Council to continue to lobby Central Government in relation to the River Loop as it was not a Council decision initially that gave rise to this issue.	D McCorkindale	On-going		The funding support request for the River Loop project currently sits with Ministers. Council support has been through the support provided by The Horowhenua Company Limited in assisting with liaising with DIA officials and guidance on the funding applications to Government and other external funders.

	<p>THAT the Horowhenua District Council supports officers to discuss with local iwi, a potential Te Reo name for the River Loop Reserve, with a view to undertaking wider consultation with the community concerning the proposed name.</p>	S Hester	Jan 2023		<p>Officers have engaged with iwi representatives, who have developed a shortlist of four potential Te Reo Māori names. Iwi are coordinating a final recommendation meeting. Once a preferred name is confirmed, officers will support a public consultation process in early 2026.</p>
<p><b>Resolution Number</b> <b>CO/2025/103</b></p>	<p>That Council extends the foul ball netting at Western Park with a structurally engineered extension, seeking external funding to pay for this. However, if unable to source external funding by 30 June 2025, will utilise the Sportsground renewal budget.</p>	L Winiata	30/06/2025		<p>Delivery of the foul ball netting has been delayed. Installation is now scheduled and expected to be completed by 3 December 2025. The baseball club was supported to use alternate facilities while waiting for installation</p>
<p><b>Resolution Number</b> <b>CO/2025/115</b></p>	<p>That Council replaces the Waikawa Pedestrian Bridge with a 20 load capacity suspension bridge, following further conversations with the private landowners with a confirmed long term agreement in place.</p>	L Winiata	30/06/2026		<p>Engagement with the private landowner is ongoing and remains positive. The landowner has requested to wait for Council's decision on vehicle access before formalising a long-term agreement. Officers will continue progressing discussions alongside that decision-making process.</p>

<b>Resolution Number CO/2025/117</b>	That Council request officers continue to support and work alongside the community group and Ngāti Wehi Wehi to explore a potential access option, and report back to Council with updates on progress, including any new developments that may influence the feasibility or direction of any future access arrangement. This includes ongoing assessment of the viability of both controlled access and no access options.	B Harvey L Winiata	30/06/2026		Officers continue working alongside the community group and Ngāti Wehi Wehi to explore access options. Options and updates will be presented at the 10 December 2025 Council meeting.
<b>Resolution Number CO/2025/119</b>	That Council liaise with relevant agencies and landowners with the goal of addressing the need for dog control measures in the Manawatū Estuary.	V Miller	30/06/2026		Engagement with landowners and partner agencies is underway, with current efforts focused on education initiatives and improvements to signage. As the estuary land is not Council-owned, officers are assessing potential options to support improved dog control; however, available enforcement and regulatory levers are limited. Officers will continue working collaboratively with stakeholders to identify practical and achievable measures.
<b>Resolution Number CO/2025/171</b>	That Council endorses the Levin Closed Landfill Management Plan (CLMP) [in principle]. The CLMP is an aftercare plan, setting out management, maintenance	D Haigh	30/06/2026		The CLMP has been reviewed by PMG representative, Officers are currently reviewing consenting conditions.  The BPO project section will be updated once the T&T review, update meetings with PMG and NLG are completed and findings and remedial options are presented to Council.

	and operation of the Closed Levin Landfill. This is a living document that includes monitoring and proposed operational requirements for Leachate BPO projects that will continue to be developed alongside Iwi partners, owners, PMG and NLG.				The Closed Levin Landfill Management Plan (CLMP) has been reviewed by the PMG representative. Officers are reviewing consenting conditions and have provided updates to the PMG on 27 November 2025 and the NLG on 1 December 2025.
<b>Resolution Number CO/2025/172</b>	<p>That Council endorses approach to continue enhancing the monitoring framework related to leachate from the old Levin landfill to inform ongoing analysis and decisions on mitigation requirements to maintain compliance with consent conditions, and the Landfill Agreement.</p> <p>That Council notes funding to continue researching and validating alternate opportunities including onsite treatment of leachate, additional capping of the Old Levin Landfill or wetland planting will come from the approved existing Best</p>	D Haigh	30/06/2026		<p>The Closed Landfill Monitoring Framework Group has been established and is meeting every three weeks.</p> <p>Members have completed a site visit to confirm bore locations. Documents have been supplied to Tonkin &amp; Taylor for inclusion in the leachate remediation review.</p> <p>Findings and recommended next steps were presented to Council on 24 November 2025, with updates scheduled for the PMG (27 Nov) and NLG (1 Dec), ahead of final reporting to Council on 17 December 2025.</p>



	Practicable Option (BPO) funding.				
<b>Resolution Number CO/2025/173</b>	That Council notes Officers will be presenting back a report in December 2025, which takes on board expert peer review and iwi and community advice and voice, to set out the detailed delivery of landfill aftercare actions, as provided for in the Landfill Agreement and the Levin Closed Landfill Management Plan. This will provide recommendations to Council specifically on leachate intervention, capping of the old landfill and potential purchase of adjoining land for wetland creation.	D Haigh	31/12/2025		Development of the December 2025 report is on track. Officers will present the findings to elected members during a briefing scheduled for 17 December 2025.
<b>Resolution Number CO/2025/174</b>	That Officers report back the monitoring framework following engagement with PMG and NLG, that provides assurance to Council on the ongoing commitments to testing of the Hokio Stream.	D Haigh	30/06/2025		Engagement meetings with PMG and NLG are scheduled for 24 November 2025 and 1 December 2025. The updated monitoring framework and programme will be reported back to elected members on 17 December 2025

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File No.: 25/675

## 9.3 Long Term Plan 2024-44 Actions Monitoring Report

Author(s)	Alice Petersen <b>Support Officer - Democracy   Āpiha Tautoko - Manapori</b>
Approved by	Monique Davidson <b>Chief Executive Officer   Tumuaki</b>

### PURPOSE | TE PŪTAKE

1. The purpose of this report is to present to Council the ongoing monitoring report, which reflects the progress of those actions and recommendations from the Long Term Plan 2024 - 44.

#### **This matter relates to Delivering the Long-Term Plan 2024-44**

Delivering the Long-Term Plan 2024-44

#### **This matter relates to Pursuing Organisation Excellence**

Continuing the journey of organisational transformation by enabling a culture of service, excellence and continuous improvement.

### RECOMMENDATION | NGĀ TAUNAKITANGA

- A. That Council receive and note Report 25/675 Long Term Plan 2024-44 Actions Monitoring Report.

### BACKGROUND | HE KŌRERO TŪĀPAPA

2. During deliberations for the Long Term Plan 2022-2044, Council gave direction on a number of actions and recommendations, which are recorded in the attached monitoring report.
3. It is intended for this report to be presented to Council on a quarterly basis.

#### **Confirmation of statutory compliance**

In accordance with sections 76 – 79 of the Local Government Act 2002, this report is approved as:

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

### ATTACHMENTS | NGĀ TĀPIRINGA KŌRERO

No.	Title	Page
A <a href="#">↓</a>	December - LTP Actions Monitoring 2024-2044	402

MONITORING REPORT – Long Term Plan 2024/2044 – December 2025					
					Completed
					In Progress
					Halted
					Off Track
Topic/ Reference	Resolved/Actions	Officer	Action by Date	Status	Officer Update
CO/2024/15 0	Conduct a shade audit of parks and playgrounds.	L Winiata	30/06/2025		The shade audit was completed in September 2025. Several reserves and sportsgrounds were identified as requiring additional shade provision. Officers will ensure the findings are incorporated into the next Long Term Plan.
CO/2024/15 1	That Council direct officers to undertake pre-engagement with the community on potential beach management strategies that Council may consider.	B Harvey	30/06/2025		Community engagement is underway, with a current focus on Waikawa and Foxton Beach. Officers are working with Police and other partners to assess local challenges and opportunities. A follow-up workshop with Councillors is planned for early 2026.
CO/2024/15 2	That Council direct officers to update the Horowhenua Road Safety Group's Terms of Reference.	D Haigh	30/06/2025		Officers are preparing an updated draft Terms of Reference for the Horowhenua Road Safety Group.
CO/2024/15 4	d) Officers engage with Council's Iwi/hapū partners and report back to Council by December 2024 on the options for progressing a District Plan Change to protect Wahi Tapu.	L Baddock	31/12/2024		Central Government have directed a stop on Council led plan change work meaning that any work officers were advancing for preparing a plan change for Wahi Tapu sites has stopped. Officers will continue to connect with Iwi/hapū partners to explore what work can be prepared ahead of plan changes commencing again under the new RMA framework.

As at 25 November 2025

MONITORING REPORT – Long Term Plan 2024/2044 – December 2025					
					Completed
					In Progress
					Halted
					Off Track
Topic/ Reference	Resolved/Actions	Officer	Action by Date	Status	Officer Update
	g) Officers progress opportunities to give resolution to the water wheel project in Shannon.	B Harvey	30/06/2025		Officers have compiled a concept design for a town entrance sculpture which incorporates a water wheel image. This will be brought to a Council workshop in the new year, after which officers can seek views from the community should governance agree for this to progress.
	i) Officers capture Fale Pasifika when planning for public infrastructure in the long term.	D McCorkindale D Haigh	30/06/2025		No specific actions have been undertaken. Officers will continue to explore ways of capturing the Fale Pasifika input as part of community engagement when planning for public infrastructure.
	j) Officers undertake a stock take on lease agreements and report back to Council with this information including an assessment on the current leasing policy.	B Harvey	30/06/2025		A stocktake of lease agreements has been completed and shared with Council. A review of the Community Leases Policy and recommendations for portfolio optimisation are scheduled for presentation at a Council workshop in 2026.



## Exclusion of the Public : Local Government Official Information and Meetings Act 1987

The following motion is submitted for consideration:

That the public be excluded from the following part(s) of the proceedings of this meeting.

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

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

### C1 Levin Town Centre Transformation - Expressions of Interest - Redevelopment of the Levin Bath Street/Salisbury Street Carpark

<b>Reason:</b>	The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Interests:</b>	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
<b>Grounds:</b>	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Plain English Reason:</b>	This report contains commercially sensitive information on the proposed redevelopment of the Bath Street and Salisbury Street Carpark Redevelopment.

### C2 Okarito-Magnolia Stormwater Connection - Procurement

<b>Reason:</b>	The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Interests:</b>	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
<b>Grounds:</b>	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Plain English Reason:</b>	This report includes commercially sensitive information in relation to negotiation of a contract..

### C3 Tara-Ika - North South Wastewater Connection - Procurement

<b>Reason:</b>	The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Interests:</b>	s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
<b>Grounds:</b>	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

<b>Plain English Reason:</b>	This report includes commercially sensitive information in relation to negotiation of a contract.
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#### C4 Consideration of Applications to the Horowhenua Major Events Fund

<b>Reason:</b>	The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Interests:</b>	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.  s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
<b>Grounds:</b>	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Plain English Reason:</b>	This report contains personal details of applicants along with commercially sensitive financial information..

#### C5 Youth Empowerment Fund 2025/26 – Round 3

<b>Reason:</b>	The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Interests:</b>	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.
<b>Grounds:</b>	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Plain English Reason:</b>	This report contains applications for funding which include personal details.

#### C6 Council Resolution and Actions Monitoring Report December 2025

<b>Reason:</b>	The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Interests:</b>	s7(2)(c)(ii) - The withholding of the information is necessary to 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 be likely to damage the public interest.  s7(2)(h) - The withholding of the information is necessary to enable the local authority to carry out, without prejudice or disadvantage, commercial activities.
<b>Grounds:</b>	s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
<b>Plain English Reason:</b>	These actions relate to potential or actual sales of property, and contract negotiations. The public release of these actions at this time may affect sales prices or disclose negotiation points.