

Notice is hereby given that the Triennial meeting of the Te Kauwhata Community Committee, will be held in the St John Hall, 4 Baird Avenue, Te Kauwhata on **WEDNESDAY 2 NOVEMBER 2016** commencing at **7.00pm**.

Information and recommendations are included in the reports to assist the Board in the decision making process and may not constitute Council's decision or policy until considered by the Board.

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GJ Ion
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Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	20 October 2016
Chief Executive Approved	Y
Reference/Doc Set #	1625985
Report Title	Statutory Requirements

1. EXECUTIVE SUMMARY

It is my statutory responsibility under the Local Government Act 2002 to explain some of the laws affecting Elected Members. This report summarises this legislation, which is explained in greater detail in the Elected Members Survival Kit, a copy of which will be provided to each Councillor.

2. RECOMMENDATION

THAT the report from the Chief Executive be received;

AND THAT Council acknowledge the report as a general explanation of the statutory requirements under schedule 7 clause 21 of the Local Government Act 2002.

3. BACKGROUND

The Chief Executive is required to discuss various statutory matters at the first Council meeting of the term.

4. DISCUSSION

4.1 DISCUSSION

The following matters are drawn to the attention of Elected Members in accordance with the Local Government Act 2002 Schedule 7 Clause 21(5)(c).

Local Government Official Information and Meetings Act 1987

Access to Local Authority Information

All information held by local authorities must be made available to the public unless there is a good reason for withholding it. If a decision-maker is in two minds, then he or she should come down on the side of making the information available. Reasons for withholding information are stated in the above Act. The main reasons are the protection of privacy or interests of other parties, or where information should remain confidential to protect commercial interests.

Council has a duty to provide reasonable assistance to the requester but may charge for the information supplied. All responses by Council are reviewable by the Office of the Ombudsmen.

Personal information requests are dealt with under the Privacy Act 1993. Information about corporations and groups are still covered by the Local Government Official Information and Meetings Act 1987.

Under this legislation, any information provided in good faith and in accordance with the Council's duties does not give rise to legal remedies.

Local Authority Meetings

The Council must notify its meetings although failure to comply does not invalidate the meeting. Agendas and associated reports must be available for public inspection free of charge.

The Council may exclude the public from meetings in certain circumstances.

Minutes of the meetings may be inspected and copies requested by the public. The publication of defamatory matter contained in publicly available agendas or minutes is privileged, unless it can be proven that the publisher was predominantly motivated by ill will or took improper advantage of the occasion of publication. However, publication of material from public excluded parts of a meeting is not protected by qualified privileges. The same applies to oral statements.

Confidential information given to Elected Members by Council must remain confidential and must not be disclosed in public.

Local Authorities (Members' Interests) Act 1968

The Act has two main requirements:

Section 3(1) provides that no person may become, or continue as, a member of a local authority if payments made by the local authority for contracts it has made in which that person is concerned or interested, exceeds \$25,000 in any financial year, unless prior approval is obtained from the Auditor General's office, or the exceptions listed below apply.

Exceptions include:

- Any loan raised by Council
- Advertisements in newspapers
- Leases granted by Council
- Compensation under the Public Works Act 1987
- Supply of goods made during a state of civil defence emergency.

The above provisions also apply to:

- A member's spouse
- A company where the member owns 10% of issued capital.
- A company where a member or spouse is a managing director or general manager.

Section 6(1) provides that members must not vote or take part in the discussion of any matter before the local authority in which they have a pecuniary interest (other than one in common with the public) unless any of the exceptions set out in section 6(3) apply. Notably, section 6(3)(f) provides that the Auditor-General may decide, on written application to it, that the pecuniary interest of a member is too remote or insignificant and therefore unlikely to influence that member in voting or taking part in the discussion of the particular matter. Breach of section 6(1) constitutes an offence, and a conviction can result in severe penalties.

Spouse and company interests also apply (see section 3(1)), and members must declare pecuniary interests at meetings. A declaration and abstention from voting are recorded in the minutes.

Crimes Act 1961

It is my duty to bring to your attention sections 99, 105 and 105A of the Crimes Act 1961:

Section 99 – Interpretation. In this part of the Act, unless the context otherwise requires:

“Bribe” means any money, valuable consideration, office, or employment or any benefit, whether direct or indirect.

“Official” means any person in the service of Her Majesty in right of New Zealand (whether that service is honorary or not, and whether it is within or outside New Zealand), or any member or employee of any local authority or public body, or any person employed in the Education service within the meaning of the State Sector Act 1988.”

Section 105 Corruption and bribery of official

- (1) Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, any bribe for himself or any other person in respect of any act done or omitted, or to be done or omitted, by him in his official capacity.

- (2) Every one is liable to imprisonment for a term not exceeding 7 years who corruptly gives or offers or agrees to give any bribe to any person with intent to influence any official in respect of any act or omission by him in his official capacity.

Section 105A. Corrupt use of official information

Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly uses [or discloses] any information, acquired by him in his official capacity, to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or any other person.”

Secret Commissions Act 1910

This legislation brings to members’ attention that it is an offence to give or receive gifts, rewards, or other consideration during the course of conducting the affairs of Council.

“Consideration” as defined in the Act means:

“valuable consideration of any kind; and particularly includes discounts, commissions, rebates, bonuses, deductions, percentages, employment, payment of money (whether by way of loan, gift or otherwise howsoever) and forbearance to demand any money or valuable thing.”

This includes any gift or other consideration given or offered or agreed to be given to any parent, husband, wife, or child or any agent, or to his/her partner, clerk or servant.

Local Government Act 2002

The attention of members is drawn to sections 44, 45, 46 and 47 of the Local Government Act 2002, which relates to financial loss incurred by local authorities, as a result of unlawful expenditure of money, the unlawful sale of an asset, a liability having been unlawfully incurred, or intentional or negligent failure to collect money the local authority is lawfully entitled to receive. If the Auditor-General is satisfied that a loss has been incurred, the loss is recoverable as a debt due to the Crown from each member of the local authority jointly and severally.

Health and Safety in Work Act 2015

The Act came into force on 4 April 2016. It provides a significant change to the previous health and safety legislation and places more onerous obligations on organisations to keep their workers safe.

A key new term introduced by the Act is “PCBU” or “Person conducting a Business or Undertaking”, The PCBU, i.e. the Council, must ensure, so far as reasonably practicable, the health and safety of all workers who work for the PCBU, and must, so far as is reasonably practicable, provide and maintain a work environment that is without risk to health and safety. The duties of a PCBU also include the provision of information, training and supervision necessary to keep all persons safe, and to monitor the health of workers and conditions of the workplace for the purpose of preventing injury and illness.

Another significant change to the previous legislation is the specific duty placed on those holding governance, or senior management. These persons are “Officers” under the Act and are in a position to exercise significant influence in relation to the management of business. For the purposes of the Act, the Mayor, councillors and the Chief Executive are Officers. Officers have to keep up to date with health and safety matters, gain an understanding of the risks and hazards association with Council business, ensure that the PCBU has and uses appropriate resources to eliminate and minimise risks, and ensure that the PCBU has and implements processes for complying with duties under the Act.

Under the Act, employers have to involve employees in the development of health and safety policies and provide a significant voice for employees in health and safety matters. Council has dedicated health and safety representation among staff.

Penalties for failing to comply with the requirements of the Act are considerable and range from high fines to imprisonment.

Financial Markets Conduct Act 2013

This Act governs how financial products are created, promoted and sold, and the ongoing responsibilities of those who offer and trade them. It also regulates the provision of some financial services.

The Act control offers of financial products (debt, equity, managed investments products). and is likely to affect Council should it choose to go direct to the market with an offer of its own debt securities, such as bonds. Furthermore, the Act sets out the disclosure requirements for offers of financial products.

The Act also provides for fair dealing in relation to financial products and prohibits misleading or deceptive conduct and false, misleading or unsubstantiated representations. Elected members are in a similar position as company directors, i.e. they could be personally liable for misleading statements.

Note: The above Act has repealed the Securities Act 1978.

Legal Disputes – Insurance Arrangements

Council is insured for material damage, public and statutory liability and in respect of professional negligence claims. The insurance policy does not cover judicial review proceedings or claims in contract.

If Council has a legal dispute or potential legal dispute with a ratepayer, members must ensure that they do not become involved in the dispute, or act other than in the best interests of Council. Otherwise, Council’s position could be compromised, with the result that insurance cover is not available.

Bylaws

Over the past few years the Council has been working to rationalise the number of bylaws. The list of current bylaws is as follows:

- WDC Speed Limits Bylaw 2011 and Amendments to Schedules
- WDC Livestock Movement Bylaw 2011
- WDC Fires in the Open Air Bylaw 2012
- WDC Water Supply Bylaw 2014
- WDC Dog Control Bylaw 2015
- WDC Keeping of Animals Bylaw 2015
- WDC Cemeteries Bylaw 2016
- WDC Public Places Bylaw 2016
- WDC Reserves and Beaches Bylaw 2016
- WDC Trade Waste and Wastewater Bylaw 2016
- WDC Freedom Camping Bylaw 2016
- WDC Trading in Public Places Bylaw 2008 and FDC Trading in Public Places Bylaw 2008
- WDC Public Places Liquor Control Bylaw 2009 and FDC Liquor Control Bylaw 2008
- FDC Food Hygiene Bylaw 2010
- FDC Brothel Bylaw 2010
- FDC Waste Bylaw 2009.

5. CONSIDERATION

5.1 FINANCIAL

Contract values can be important in this context.

5.2 LEGAL

This report covers key legislation which elected members need to be aware of.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

This matter is not considered significant.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	This report is for information only.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
	✓		Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

Comment: This report is about raising awareness of elected members about legislative requirements.

6. CONCLUSION

There are a number of various legislative matters that Elected Members need to understand and be informed about.

7. ATTACHMENTS

Nil.

Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	20 October 2016
Chief Executive Approved	Y
Reference/Doc Set #	1625989
Report Title	Appointment of Chairperson and Deputy Chairperson

1. EXECUTIVE SUMMARY

At the triennial meeting the Community Committee is required to appoint a Chairperson and a Deputy Chairperson.

2. RECOMMENDATION

THAT the report from the Chief Executive be received;

AND THAT is appointed Chairperson of the Te Kauwhata Community Committee;

AND FURTHER THAT is appointed Deputy Chairperson of the Te Kauwhata Community Committee.

3. BACKGROUND

Schedule 7 of the Local Government Act 2002 identifies the need for the appointment of a Chairperson and Deputy Chairperson for each Community Committee.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

The Local Government Act 2002 requires that a Chairperson and Deputy Chairperson is appointed at the triennial meeting. The members need to decide on nominations for these positions. In the event there is more than one nomination then the Chief Executive will conduct an election by way of show of hands. In the event that the election is tied, the result will be determined by drawing a name out of a hat.

I also wish to point out that all members of the Community Committee are eligible for election as Chairperson and Deputy Chairperson - it does not matter whether the person was elected or appointed by Council.

4.2 OPTIONS

Members must decide on whom to elect to the two positions. This must be conducted by way of election and resolution of the Community Committee.

5. CONSIDERATION

5.1 FINANCIAL

Nil.

5.2 LEGAL

The Local Government Act 2002 requires the Community Committee to appoint a Chairperson and Deputy Chairperson.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

This report is about the appointment of Chair and Deputy Chair which will be determined at the meeting.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	The Community Committee must agree on a Chairperson and Deputy Chairperson at this meeting in order to ensure the appropriate governance structure is in place.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
	✓		Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households

			Business
			Other Please Specify

Comment: This meeting is an opportunity to determine the views of the Committee around the appropriate people to fill the role of Chairperson and Deputy Chairperson.

The matter needs to be determined by resolution of the members. Clearly, all members are affected by this decision.

6. CONCLUSION

This report fills a procedural requirement around the appoint of a Chairperson and Deputy Chairperson to oversee the conduct of meetings.

7. ATTACHMENTS

Nil.

Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	20 October 2016
Chief Executive Approved	Y
Reference/Doc Set #	1625990
Report Title	Appointment of a Secretary

1. EXECUTIVE SUMMARY

The Community Committee must agree on a Secretary at this meeting in order to ensure the appropriate governance structure is in place.

At the triennial meeting the Community Committee is required to appoint a Secretary.

2. RECOMMENDATION

THAT the report from the Chief Executive be received;

AND THAT Is appointed Secretary of the Te Kauwhata Community Committee.

3. BACKGROUND

Schedule 7 of the Local Government Act 2002 identifies the need for the appointment of a Secretary for each Community Committee.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

The Local Government Act 2002 requires that a Secretary is appointed at the triennial meeting. The members need to decide on nominations for this position. In the event there is more than one nomination then the Chief Executive will conduct an election by way of show of hands. In the event that the election is tied, the result will be determined by drawing a name out of a hat.

I also wish to point out that all members of the Community Committee are eligible for election as Secretary - it does not matter whether the person was elected or appointed by Council.

4.2 OPTIONS

Members must decide on whom to elect to the position. This must be conducted by way of election and resolution of the Community Committee.

5. CONSIDERATION

5.1 FINANCIAL

Nil.

5.2 LEGAL

There are no specific requirements.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

The appointment of a Secretary is a key step in facilitating the operation of the Committee.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	The meeting is being asked to make a decision about a Secretary. This is a decision about the appointment of a Secretary. This is a decision which involves the Committee.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
			Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

Comment: The process to appoint a Secretary will be undertaken at the meeting.

6. CONCLUSION

The matter needs to be determined by resolution of the members. Clearly, all members are affected by this decision.

7. ATTACHMENTS

Nil.

Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	20 October 2016
Chief Executive Approved	Y
Reference/Doc Set #	1626108
Report Title	Date and Time of Meetings

1. EXECUTIVE SUMMARY

The Community Committee needs to agree on a schedule of meetings at its inaugural meeting. As there have been no identified problems with the meeting schedule the status quo is being proposed subject to the suggestion that the Community Committee does not meet in January, April, July and October.

2. RECOMMENDATION

THAT the report from the Chief Executive be received;

AND THAT the Te Kauwhata Community Committee holds its meetings on the first Wednesday of each month commencing at 7.30pm;

AND FURTHER THAT it is suggested no meeting is held in the months of January, April, July and October in line with Council practice.

3. BACKGROUND

Schedule 7, clause 21 of the Local Government Act 2002 requires that a schedule of meetings should be adopted at the first meeting after the triennial elections.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

The Council meeting calendar is being drafted at present for adoption on 27 October 2016.

In order to be fair to all parties (public, Council, staff and members of the Committee) it is suggested that the existing practice of meeting on the first Wednesday of the month continues.

During the last term, Council trialled a meeting schedule that incorporates four months in which meetings are not held. This enables staff to make progress on issues raised without having to worry about writing numerous reports.

The system has functioned well under the proviso that meetings can be organised if needed. In the months when meetings are not scheduled, the Community Committee might choose to hold workshops to discuss topics in depth. These are less formal and can be a productive way to assess individual issues.

4.2 OPTIONS

Members should be aware that the Council calendar is very full and it is difficult to suggest constructive alternatives to the status quo. It is also noted that the status quo works well, so there is no real need to change it.

5. CONSIDERATION

5.1 FINANCIAL

Nil.

5.2 LEGAL

The Community Committee is required to adopt a schedule of dates for its ordinary meetings in order to comply with the requirements of schedule 7 clause 21 of the Local Government Act 2002.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

The proposed time and date for the meetings fits in with the rest of the Council calendar.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	The Committee needs to agree a meeting timetable which suits its needs.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
	✓		Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

Comment: The Committee will decide this matter as part of the meeting.

6. CONCLUSION

A meeting schedule for forthcoming meetings is required by the Local Government Act. The status quo of the meeting at 7.30pm on the first Wednesday of the month is suggested.

7. ATTACHMENTS

Nil.

Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	20 October 2016
Chief Executive Approved	Y
Reference/Doc Set #	1626027
Report Title	Community Committee Charter

1. EXECUTIVE SUMMARY

This report draws attention to the Community Committee Charter that was put in place a number of years ago. This is an opportunity for the new Committee to review the Charter.

2. RECOMMENDATION

THAT the report from the Chief Executive be received;

AND THAT the Te Kauwhata Community Committee confirms the Community Committee Charter as attached.

3. BACKGROUND

Council, in conjunction with the various Community Boards/Committees, put in place Charters a number of years ago that effectively provides terms of reference.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

Schedule 7 clause 32 of the Local Government Act 2002 requires Council to reconfirm the delegation to the Community Boards/Committees. This is scheduled to happen on 1 November 2016.

4.2 OPTIONS

This report is for the Committee to confirm a Charter which will be submitted to Council for adoption on 1 November so that the Community Committee have terms of reference.

5. CONSIDERATION

5.1 FINANCIAL

Nil.

5.2 LEGAL

Schedule 7 clause 32 of the Local Government Act 2002 required Council to reconfirm the role of Community Boards/Committees.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

Council has put in place Community Committee Charters, which outline the general rules governing the operation of Community Committees.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	<p>The Chief Executive will discuss this matter at the meeting.</p> <p>The Charter provides clear guidance on how the Community Boards/Committees will operate and what their responsibilities will be. The Charter should assist with progress in relation to Community Outcomes.</p> <p>The link to the four well-beings is indirect. It is related to creating an environment in which the four well-beings can be considered.</p> <p>The Charter does not specifically single out any particular group or nationality.</p>				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
			Internal
✓			Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

Comment: This matter will be discussed at the first meeting of each Community Board and the four identified Community Committees.

6. CONCLUSION

The terms of reference (by way of a charter) need to be determined by Council in terms of delegations to each Community Board and applicable Community Committees.

7. ATTACHMENTS

Community Committee Charter –Te Kauwhata

TE KAUWHATA COMMUNITY COMMITTEE CHARTER

The Waikato District Council has adopted the Te Kauwhata Community Committee Charter as shown below:

1 Purpose

The Te Kauwhata Community Committee is set up by the Waikato District Council to deal with local issues on behalf of the Council in the township of Te Kauwhata and surrounding rural area.

2 Roles and Delegations

The role of the Te Kauwhata Community Committee shall be as follows:

- (a) To consider and report on all matters referred to it by the Waikato District Council or any matter of interest or concern to the Te Kauwhata Community Committee.
- (b) The overview of road works, water supply, sewerage, stormwater, parks, recreational facilities, community activities and traffic management within the township of Te Kauwhata.
- (c) To prepare an annual submission to the budgetary process of the Waikato District Council for expenditure within the township.
- (d) To communicate with community organisations and special interest groups within the township.
- (e) To oversee and provide governance support to projects as agreed with Council.
- (f) To ensure appropriate health and safety systems are in place and operating for any works undertaken at the direction of the Community Committee.
- (g) Promote and encourage placemaking activities that reflect pride in our community.
- (h) Any other function and duties as may be delegated from time to time to the Te Kauwhata Community Committee by Council.
- (i) Any delegation of authority given to the Te Kauwhata Community Committee can be withdrawn by resolution of the Council at any time, without reference to the Community Committee.
- (j) Any sub-delegation of these responsibilities, duties and powers by Community Committees is hereby expressly prohibited pursuant to Clause 32(3) of Schedule 7 of the Local Government Act 2002.

3 Membership

- (a) The Te Kauwhata Community Committee shall consist of not fewer than three elected members nor more than twelve elected members plus an appointed member from the Waikato District Council.
- (b) The appointed member should be, in the first instance, the Councillor elected to the Whangamarino Ward or such other person that the Council may from time to time appoint.
- (c) Where applicable, the role of the appointed Youth Action Group Representative/s shall be the liaison link between the Youth Action Group and the Community Board. This is with respect to the Youth issues within the board's jurisdiction.

(Current appointment: Pursuant to Clause 31 of Schedule 7 of the Local Government Act 2002; the Waikato District Council appoints the Whangamarino Ward Councillor to the Te Kauwhata Community Committee.)

4 Elections

- (a) The members shall be elected on a three-yearly cycle. The elections shall be held by public meeting conducted by the Chief Executive of the Waikato District Council or his/her nominee. The three-yearly election meeting shall be conducted in a manner deemed appropriate by the Chief Executive.
- (b) The Community Committee may co-opt members to assist the Committee as required as long as the number of members does not exceed the maximum specified in paragraph 3(a).
- (c) The Council may assist in filling vacancies as appropriate.

5 Chairperson

- (a) The Te Kauwhata Community Committee shall appoint a Chairperson from within its membership. The Chairperson may be an elected Committee member or the member appointed by Council.
- (b) The Te Kauwhata Community Committee shall appoint a Deputy Chairperson from within its membership. The Deputy Chairperson may be an elected Committee member or the member appointed by Council.

6 Remuneration

- (a) Remuneration to individual members shall be allocated at the discretion of the Te Kauwhata Community Committee, within the amount provided on an annual basis by the Waikato District Council.
- (b) Any remuneration provision provided by the Waikato District Council but not allocated may be used for other projects within the Te Kauwhata community at the discretion of the Te Kauwhata Community Committee.

7 Meeting Procedures

- (a) The Te Kauwhata Community Committee shall follow the general principles of the Standing Orders for Community Board meetings. Any variance to the Standing Orders can be decided by simple majority vote of those present at a meeting.
- (b) A quorum of members of the Community Committee shall consist of no fewer than three members.

8 Abolition of Community Committee

The Te Kauwhata Community Committee may be abolished by resolution of the Waikato District Council after consultation with or at the request of the Te Kauwhata Community Committee.

Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	18 October 2016
Chief Executive Approved	Y
Reference/Doc Set #	1625978
Report Title	Code of Conduct

1. EXECUTIVE SUMMARY

To draw to the attention of elected members the existence of the Code of Conduct and to have a discussion about how it operates.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. BACKGROUND

The Local Government Act 2002 (Schedule 7 clause 15) requires all Councils to put a Code of Conduct in place. This Council duly did so in 2002. A copy of the Code of Conduct is attached.

Some minor amendments are required to reflect legislative changes and these are shown through tracked changes.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

The Code of Conduct sets out what is expected of elected members and how they should behave in Council situations. There is an expectation that elected members will behave with dignity and respect towards staff, the public, other elected members and other interested parties.

The Code of Conduct was put in place by a previous Council but is binding on the new Council and its successors. In general terms, the Code of Conduct was based on a standard developed by Local Government New Zealand, and is largely common sense.

A review of the Code of Conduct is not required at this time as it was reviewed earlier this year. However, it would be useful for elected members to identify any suggested changes at this time. In practice, the Code of Conduct may only be amended if there is a 75% majority of Council supporting the changes.

4.2 OPTIONS

Elected members need to be aware of the Code of Conduct. In practice it has been invoked infrequently because the conduct of members has been consistent with the intent of the policy.

5. CONSIDERATION

5.1 FINANCIAL

Nil.

5.2 LEGAL

Council is required to have a Code of Conduct in place as a requirement of the Local Government Act.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

The Code of Conduct deals with how elected members behave and affect others. The Code provides a series of guidelines and procedures to protect affected parties.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	<p>The Code of Conduct was originally prepared after consultation with Council and after consideration of best practice.</p> <p>The Code of Conduct governs the behaviour of elected members and the discussion they have on all matters. There is no direct link to any individual community outcome.</p> <p>There is no direct link to one or more of the well-beings.</p> <p>There are no specific Tangata Whenua issues associated with the establishment of a code of conduct.</p>				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
	✓		Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

6. CONCLUSION

The Code of Conduct is a robust document that has operated in a manner generally consistent with the behaviour of elected members.

The Code of Conduct can only be changed by a vote of more than 75% of the members present. The Council will review the Code at the Council meeting on 1 November 2016

The Code of Conduct can only be amended or replaced. There must always be a Code of Conduct in place.

7. ATTACHMENTS

Code of Conduct

Code of Conduct – Council and Community Committees

Policy Owner	Chief Executive
Approved By:	Waikato District Council
Resolution Number	WDC1310/25
Effective Date	April 2016
Next Review Date:	April 2019

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PART ONE: INTRODUCTION

Schedule 7 of the Local Government Act 2002 (the Act) requires Council to adopt a code of conduct. Once adopted, all elected members are required to comply with the code.

In the context of this report, the term “elected members” refers to Councillors and Community Committee representatives.

This code of conduct provides guidance on the standards of behaviour that are expected from all the elected members of the Waikato District Council. The code applies to elected members in their dealings with:

- each other
- the Chief Executive
- all staff employed by the Chief Executive on behalf of the Council
- the media
- the general public.

This code also applies to all Council committees, sub-committees and Community Committees.

In accordance with section 54 (2) of the Local Government Act 2002, the Code of Conduct does not apply to Community Boards. Community Boards are, however, not excluded from adopting their own Code of Conduct.

The objective of the code is to enhance:

- the effectiveness of the Council as the autonomous local authority with statutory responsibilities for the good local government of the Waikato District
- the credibility and accountability of the Council within its community
- mutual trust, respect and tolerance between the elected members as a group and between the elected members and management.

This code of conduct seeks to achieve its objectives by recording:

- an agreed statement of roles and responsibilities (recorded in Part Two of this Code)
- agreed general principles of conduct (recorded in Part Three of this Code)
- specific codes of conduct applying to particular circumstances or matters (also recorded in Part Three of this Code).

Elected members are primarily accountable to the electors of the district through the democratic process. However elected members must note that the Auditor-General may hold them to account for unlawful actions or expenditure or for breaches of the Local Authorities (Members’ Interests) Act 1968.

The code of conduct that follows is based on the following general principles of good governance:

- **Public interest.** Elected members should serve only the interests of the district as a whole and should never improperly confer an advantage or disadvantage on any one person.
- **Honesty and integrity.** Elected members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.
- **Objectivity.** Elected members should make decisions on merit including making appointments, awarding contracts, or recommending individuals for rewards or benefits. Elected members should also note that, once elected, their primary duty is to the interests of the entire district, not the ward that elected them.
- **Accountability.** Elected members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should cooperate fully and honestly with the scrutiny appropriate to their particular office.
- **Openness.** Elected members should be as open as possible about their actions and those of the Council, and should be prepared to justify their actions.
- **Personal judgment.** Elected members can and will take account of the views of others, but should reach their own conclusions on the issues before them, and act in accordance with those conclusions.
- **Respect for others.** Elected members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation, or disability. They should respect the impartiality and integrity of the Council staff.
- **Duty to uphold the law.** Elected members should uphold the law, and on all occasions, act in accordance with the trust the public places in them.
- **Stewardship.** Elected members must ensure that the Council uses resources prudently and for lawful purposes, and that the Council maintains sufficient resources to meet its statutory obligations.
- **Leadership.** Elected members should promote and support these proposals by example, and should always endeavour to act in the best interests of the community.

PART TWO: ROLES AND RESPONSIBILITIES

This part of the code describes the roles and responsibilities of elected members, the additional roles of the Mayor and Deputy Mayor, and the role of the Chief Executive.

Mayor

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of Council. The Mayor also has the following roles as a:

- presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in standing orders);
- advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council;
- ceremonial head of Council;

- providing leadership and feedback to other elected members on teamwork and Chairmanship of committees; and
- Justice of the Peace (while the Mayor holds office).

The Mayor must follow the same rules as other elected members about making public statements and committing the Council to a particular course of action, unless acting in accordance with the rules for media contact on behalf of the Council under a delegation of authority from the Council.

Recent changes to the Local Government Act have provided additional powers to the Mayor. These powers relate to:

- The appointment of the Deputy Mayor and Committee Chairpersons
- The determination of the Committee structure
- Leadership of budget, plans and key policy discussions.

Deputy Mayor

The Deputy Mayor may be appointed by the Mayor. If the Mayor declines to do this, then the Deputy Mayor must be elected by the members of Council, at the first meeting of the Council. The Deputy Mayor exercises the same roles as other elected members, and if the Mayor is absent or incapacitated, the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers, of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of Council.

Committee Chairpersons

As noted above, the Mayor has the power to appoint Chairpersons and to form Committees. If the Mayor declines to do this then the Council may create one or more committees of Council. A committee Chairperson presides over all meetings of the committee, ensuring that the committee acts within the powers delegated by Council, and as set out in the Council's Delegations Manual. Committee Chairpersons may be called on to act as an official spokesperson on a particular issue. They may be removed from office by resolution of Council.

Councillors

Councillors acting as the Council are responsible for:

- the development and adoption of Council policy
- monitoring the performance of the Council against its stated objectives and policies
- prudent stewardship of Council resources
- employment of the Chief Executive
- representing the interests of the residents and ratepayers of the Waikato District Council. (On election, the members' first responsibility is to the district as a whole.)

Unless otherwise provided in the Local Government Act 2002 or in standing orders, the Council can only act by majority decisions at meetings. Each elected member has one vote. Any individual elected member (including the Mayor) has no authority to act on behalf of the Council unless the Council has expressly delegated such authority.

Community Boards

Within the Waikato District there are five community boards:

- Huntly Community Board
- Ngaruawahia Community Board

- Onewhero-Tuakau Community Board
- Raglan Community Board
- Taupiri Community Board

The community board elected members, acting as the community board, have the role to:

- represent, and act as an advocate for, the interests of its community
- consider and report on all matters referred to it by the Waikato District Council, or any matter of interest or concern to the community board
- maintain an overview of services provided by the Waikato District Council within the community
- prepare an annual submission to the Waikato District Council for expenditure within the community
- communicate with community organisations and special interest groups within the community
- undertake any other responsibilities that are delegated to it by the Waikato District Council.

Chief Executive

The Chief Executive is appointed by the Council in accordance with section 42 of the Local Government Act 2002. The Chief Executive is responsible for implementing and managing the Council's policies and objectives within the budgetary constraints established by the Council. In terms of section 42 of the Act, the responsibilities of the Chief Executive are:

- implementing the decisions of the Council
- providing advice to the Council and community boards
- ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised
- managing the activities of the local authority effectively and efficiently
- 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 local authority
- employing staff on behalf of the local authority (including negotiation of the terms of employment for the staff of the local authority).

The Chief Executive is accountable to Council directly and not to Community Boards or Community Committees.

Under section 42 of the Local Government Act 2002 the Chief Executive employs all other staff on behalf of the local authority.

Meeting Attendance

Elected members are expected to attend and participate in all Council meetings, Standing Committee meetings and sub-committee meetings to which they have been appointed, unless they have submitted an apology or obtained a leave of absence in advance for non-attendance.

Councillors are expected to attend all workshops and those hearings that are held as part of the consultation process on Council documents, such as the Annual Plan and Long Term Plan.

From time to time, working parties will be established by the Council or a Standing Committee to achieve specific outcomes. Elected members are expected to make themselves available to be appointed to an equitable share of these working parties, and to attend all meetings of those to which they are appointed.

Appointments to Other Bodies

At the first meeting following the triennial elections and on other occasions (as appropriate) Council will appoint elected members to a variety of other bodies.

These appointments will be made on the basis of the best person for the specific role bearing in mind the skills required, the views of the Council and location of the elected member.

PART THREE: RELATIONSHIPS AND BEHAVIOURS

This part of the code sets out the agreed standards of behaviour. Some of the matters described in this part of the code reflect other legislation such as the Local Authorities (Members' Interests) Act 1968. The majority of the code is material that the Council has decided to include of its own initiative.

Relationships with Other Elected Members

Successful teamwork is a critical element in the success of any democratically elected organisation. No team will be effective unless mutual respect exists between members. With this in mind elected members will conduct their dealings with each other in ways that:

- maintain public confidence in the office to which they have been elected
- are open and honest
- focus on issues rather than personalities
- avoid aggressive, offensive or abusive conduct
- treat people with courtesy and respect
- remain attentive and engaged in meetings.

Elected members shall maintain the respect and dignity of their office in their dealings with each other, Council officers and the public.

Elected members should also note that discussions are not subject to privilege.

Elected members will act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Council and the community.

Elected members should remember that they have no personal power to commit the Council to any particular policy, course of action or expenditure and must not represent they have such authority if that is not the case.

Elected members will not make comments regarding other elected members or Council officers which are improper or derogatory.

In the performance of their official duties, elected members should refrain from any form of conduct which may cause any reasonable person unwarranted offence or embarrassment.

Elected members should dress in business attire for the meeting, function or gathering, they are attending on behalf of Council.

Relationships with Staff

The effective performance of Council also requires a high level of cooperation and mutual respect between elected members and staff. To ensure that level of cooperation and trust is maintained, elected members will:

- recognise that the Chief Executive is the employer (on behalf of Council) of all Council employees, and as such only the Chief Executive may hire, dismiss, instructor censure an employee
- make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe those requirements at all times
- treat all employees with courtesy and respect (including the avoidance of aggressive, offensive or abusive conduct towards employees)
- observe any guidelines that the Chief Executive puts in place regarding contact with employees
- not do anything which compromises, or could be seen as compromising, the impartiality of an employee
- avoid publicly criticising any employee in any way, but especially in ways that reflect on the competence and integrity of the employee
- raise concerns about employees only with the Chief Executive, and concerns about the Chief Executive only with the Mayor or the Chief Executive's Performance Review Sub-Committee.

Elected members should be aware that failure to observe this portion of the code of conduct may compromise the Council's obligations to act as a good employer and may expose the Council to civil litigation and audit sanctions.

Elected members should raise operational issues with the Chief Executive in the first instance. If it is a routine matter such as repairing a pothole, cutting of vegetation or footpath repairs, the issue should be logged with Customer Delivery who will enter the issue into our service request system. This enables progress on these issues to be monitored.

Relationships with the Community

Effective Council decision-making depends on productive relationships between elected members and the community at large.

Members should ensure that individual citizens are accorded respect in their dealings with the Council, have their concerns listened to, and deliberated on in accordance with the requirements of the Act.

Members should act in a manner that encourages and values community involvement in local democracy.

Contact with the Media

The media plays an important part in local democracy. In order to fulfil this role the media needs access to accurate, timely information about the affairs of Council. Media spans the full range of traditional, current and emerging social mediums including, but not limited to printed material, verbal discussions and all forms of electronic and digital material.

From time to time, individual elected members will be approached to comment on a particular issue either on behalf of Council, or as an elected member in their own

right. This part of the code deals with the rights and duties of elected members when speaking to the media on behalf of Council, or in their own right.

The following rules apply for media contact on behalf of Council:

- the Mayor is the first point of contact for the official view on any issue. Where the Mayor is absent, any matters will be referred to the Deputy Mayor or relevant committee Chairperson
- the Mayor may refer any matter to the relevant committee Chairperson or to the Chief Executive for their comment
- no other elected member may comment on behalf of Council without having first obtained the approval of the Mayor. The only exception is providing information on Council activities through columns in community newspapers or newsletters or websites.

Elected members are free to express a personal view in the media, at any time, provided the following rules are observed:

- media comments must not state or imply that they represent the views of Council
- where an elected member is making a statement that is contrary to a Council decision or Council policy, the member must not state or imply that his or her statements represent a majority view
- media comments must observe the other requirements of the code of conduct, e.g. not disclose confidential information, or compromise the impartiality or integrity of staff.
- the elected member should ensure that any comments made do not compromise Council's statutory responsibilities. For example, it would not be appropriate to comment on matters subject to legal proceedings or consent hearings before the Policy & Regulatory Sub-Committee.

Meeting Decisions

Every elected member who has the right to speak can lawfully express his or her opinion at any Council or Committee meeting within the limits imposed by Standing Orders. These meetings are open to the media and their comments may be reported.

Once a matter has been determined at a Council meeting, it becomes the Council's position until it is lawfully changed by a subsequent Council decision. All elected members and staff will respect this position.

The Mayor can make statements that accurately report Council decisions.

Committee Chairs can make statements that accurately report their Committee's decisions, or factual statements about Council or Committee decisions.

Elected members have the right to voice their own opinion to the news media, on Council/committee decisions, but they must state clearly when they are expressing a majority, collective Council view and when they are expressing a personal, minority opinion.

Confidential Information

In the course of their duties elected members will occasionally receive information that may need to be treated as confidential. This will generally be information that

is either commercially sensitive or is personal to a particular individual or organisation.

Elected members must not use, circulate or disclose (verbal or written) confidential information for any purpose other than the purpose for which the information was supplied to the elected member.

Elected members should be aware that failure to observe these provisions will impede the performance of Council by inhibiting information flows and undermining public confidence in the Council. Failure to observe these provisions may also expose Council to prosecution under the Privacy Act 1993 and/or civil litigation.

Information Received in Capacity as an Elected Member

Any information received by an elected member in his/her capacity as an elected member that relates to the ability of Council to give effect to any provision of the Local Government Act 2002 or any other statute under which Council has responsibilities shall be disclosed by that elected member to the Mayor, all other applicable elected members and, if appropriate, the Chief Executive.

This duty of disclosure will require elected members to whom information may be offered on the basis that confidence be preserved to inform the intended provider of the information of the duty of disclosure and to decline to receive the information if that duty is likely to be compromised.

Responding to Queries Involving Liability Issues

Elected members need to ensure they respond to queries in an appropriate manner and with due regard to the legal position of Council. At times, elected members are asked to become involved in legal disputes or insurance claims. Such matters should be referred to the Chief Executive. It is important that Council act in an appropriate manner with regard to legal and insurance issues. Often our insurance cover depends on the way we address or manage an issue.

Training, Conferences and Induction

Following the triennial election, the Chief Executive will organise induction training for all elected members who require it. This will address the role of elected members and provide valuable information about what an elected member needs to know.

Council has a budget for training and development of elected members. From time to time consideration will be given to attendance at the Local Government Conference, Zone meetings and Planning Conference. Other conferences or meetings may also be considered.

If an elected member wishes to attend a conference or meeting, then he or she should discuss this with the Mayor.

Decisions on training, attendance at meetings, and attendance at conferences will be made by Council.

In the case of a Community Board or Community Committee elected member, an approach should be made to the Chairperson.

Conflicts of Interest

Elected members must be careful that they maintain a clear separation between their personal interests and their duties as an elected member. This is to ensure that people who fill positions of authority carry on their duties free from bias (whether real or perceived). Elected members therefore need to familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 which concerns financial interests, and with other legal requirements concerning non-financial conflicts of interest.

The Act provides that an elected member is disqualified from office, or from election to office, if that member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed \$25,000 in any financial year.

Additionally, elected members are prohibited from participating 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. The same rules also apply where the elected member's immediate family or business interests contract with the authority or have a pecuniary interest. Elected members must declare their interests at Council meetings where matters in which they have a pecuniary interest arise.

Elected members shall annually make a general declaration of interest as soon as practicable after becoming aware of any such interests. These declarations are recorded in a register of interests maintained by Council. The declaration must notify the Council of the nature and extent of any interest, including:

- any employment, trade or profession carried on by the elected member or the elected member's immediate family for profit or gain
- any company, trust, partnership etc for which the elected member or their immediate family is a director, partner, trustee or beneficiary
- the address of any land in which the elected member has a beneficial interest and which is in the Waikato District Council
- the address of any land where the landlord is the Waikato District Council and:
 - the elected member or their immediate family is a tenant, or
 - the land is tenanted by a firm in which the elected member or immediate family is a partner, or a company of which the elected member or immediate family is a director, or a trust of which the elected member or immediate family is a trustee or beneficiary
- any other matters which the public might reasonably regard as likely to influence the elected member's actions during the course of their duties as an elected member.

If the elected 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 elected member should seek guidance from the Chief Executive immediately.

Elected members should be guided by best practice, transparency and prudence in assessing interest situations. Bearing these principles in mind, elected members must disclose the interest so it can be considered.

Elected members may also contact the Office of the Auditor General for guidance as to whether that member has a pecuniary interest. If there is a pecuniary interest, the elected member may seek an exemption to allow that elected 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. The Chief Executive must also seek approval from the Office of the Auditor General for contractual payments to elected members, their spouses or their companies that exceed the \$25,000 annual limit.

Failure to observe the requirements of the Local Authorities (Members' Interests) Act 1968 could potentially invalidate the particular decision made, or the action taken, by Council. Failure to observe these requirements could also leave the elected member open to prosecution under the Local Authorities (Members' Interests) Act 1968. In the event of a conviction elected members can be ousted from office.

Standing Orders

Elected members must adhere to any standing orders adopted by Council under the Local Government Act 2002. These standing orders are subject to the same legal requirements as a code of conduct with regard to their adoption and amendment.

Ethics

Waikato District Council seeks to promote the highest standards of ethical conduct amongst its elected members. Accordingly, elected members will:

- claim only for legitimate expenses as laid down by any determination of the Remuneration Authority then in force, and any lawful policy of Council developed in accordance with that determination
- not influence, or attempt to influence, any Council employee to take actions that may benefit the elected member, or the elected member's family or business interests
- Only use Council resources (including facilities, staff, equipment and supplies) effectively and economically in the course of their duties, and within other guidelines, and not in connection with any election campaign or other personal business.
- not solicit, demand, or request any gift, reward or benefit by virtue of their position
- where a gift or hosted event in excess of \$100 excluding GST or more in value is offered to an elected member, this must be declared on Council's interest register.

Acceptance of substantial gifts, favours or hospitality may be construed as a bribe or perceived as undue influence. Working meals and social occasions should be undertaken in an appropriate manner.

Disqualification of Members from Office

Elected members are automatically disqualified from office if they are convicted of a criminal offence punishable by two or more years' imprisonment, or if they cease to be or lose their status as an elector or are convicted of certain breaches of the Local Authorities (Members' Interests) Act 1968.

Under the Local Government Act 2002, local authorities, when adopting a code of conduct, must consider whether or not they will require elected members to declare whether they are an undischarged bankrupt. This Council believes that bankruptcy does raise questions about the soundness of a person's financial management skills and their judgment in general. The Council therefore requires

elected members who are declared bankrupt to notify the Chief Executive as soon as practicable after being declared bankrupt.

PART FOUR: COMPLIANCE AND REVIEW

This part deals with ensuring that elected members adhere to the code of conduct and mechanisms for the review of the code of conduct.

Compliance

Elected members must note that they are bound to comply with the provisions of this code of conduct (Local Government Act 2002, Schedule 7, section 15(4)).

Elected members are also bound by the Local Government Act 2002, the Local Authorities (Members' Interests) Act 1968, the Local Government Official Information and Meetings Act 1987, the Secret Commissions Act 1910, the Crimes Act 1961 and the Securities Act 1978. The Chief Executive will ensure that an explanation of these Acts is made at the first meeting after each triennial election and that copies of these Acts are freely available to elected members.

Short explanations of the obligations that each of these has with respect to conduct of elected members is attached in the Appendix to this code.

Dealing with Complaints

There are two stages to a complaint:

- (a) Receiving and/or informally mediating the complaint.
- (b) Formalisation and investigation of the complaint, should it remain unresolved.

- (a) Receiving and/or informally mediating the complaint

When an issue arises the complainant should attempt to resolve the issue themselves with the party or elected member involved.

Should this be unsuccessful, the complainant should approach the Mayor (or Deputy Mayor in the absence of the Mayor) for an informal mediation between the parties.

If the informal mediation is unsuccessful, the complaint should be submitted in writing to the Mayor, (or Deputy Mayor in the absence of the Mayor). The complaint is confidential and will be acted on immediately.

Any allegation of a breach of a code of conduct must make a specific allegation of a breach of the code of conduct, and provide corroborating evidence.

- (b) Formalisation and Investigation of the Complaint

The Mayor (or Deputy Mayor in the absence of the Mayor) or nominee will convene an internal investigative group of four persons comprising a representative of both parties and two independent internal parties, (determined by the convener). Please note that a person can be either a witness or a representative (on the internal investigative group) but not both.

In extenuating circumstances, external parties may become involved as determined by the convener.

The internal investigative group will be chaired by the convener and will investigate, determine and make a decision on the breach and related consequences. The internal investigative group will provide a confidential report to Council.

The report once considered by Council will remain confidential.

Responses to Breaches of the Code

The exact nature of the action the internal investigative group may take depends on the nature of the breach and whether there are statutory provisions dealing with the breach.

Where there are statutory provisions:

- breaches relating to members' interests render elected members liable for prosecution by the Auditor-General under the Local Authority (Member's Interests) Act 1968
- breaches which result in the Council suffering financial loss or damage may be reported on by the Auditor-General under the Local Government Act 2002, which may result in the elected member having to make good the loss or damage
- breaches relating to the commission of a criminal offence may leave the elected member liable for criminal prosecution.

In these cases the internal investigative group (via Council) may refer an issue to the relevant body, any member of the public may make a complaint, or the body itself may take action of its own initiative.

Where there are no statutory provisions, the internal investigative group may decide on any of the following actions:

- censure
- removal of the elected member from Council committees and/or other representative type bodies
- dismissal of the elected member from a position as Deputy Mayor or Chair of a committee.

The internal investigative group will work with Council to implement its decision.

Review

Once adopted, a code of conduct 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. Once adopted, amendments to the code of conduct require a resolution supported by 75 per cent or more of the elected members of the Council present.

Council will formally review the code as soon as practicable after the beginning of each triennium. The results of that review will be presented to Council for their consideration and vote.

APPENDIX TO THE CODE OF CONDUCT

Legislation Bearing on the Role and Conduct of Elected Members

This is a summary of the legislation requirements that has some bearing on the duties and conduct of elected members. Copies of these statutes can be found in the Council library or in the office of the Chief Executive.

Local Authority (Members' Interests) Act 1968

This Act regulates situations where an elected member's personal interests impinge, or could be seen as impinging on their duties as an elected member.

The Act provides that an elected member is disqualified from office if that elected member is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed \$25,000 in any financial year.

Additionally, elected members are prohibited from participating in any Council discussion or voting on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where the elected member's spouse or partner contracts with the authority or has a pecuniary interest.

Members may also contact the Office of the Auditor General for guidance as to whether that elected member has a pecuniary interest, and if so, may seek an exemption to allow that elected member to participate or vote on a particularly issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote. The Chief Executive must also seek approval from the Office of the Auditor General for contractual payments to elected members, their spouses or their companies that exceed the \$25,000 annual limit.

Failure to observe these requirements could also leave the elected member open to prosecution under the Local Authority (Members' Interests) Act 1968. In the event of a conviction elected members can be ousted from office.

Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 sets out a list of meeting procedures and requirements. Of particular importance for the roles and conduct of elected members is the fact that the Chair 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 elected member is speaking
- be disrespectful when they refer to each other or other people
- use offensive language about the Council, other elected members, any employee of the Council or any member of the public.

The Local Government Official Information and Meetings Act 1987, sets out the rules around provision of information. These are summarised as follows:

Official Information

The term "Official Information" refers to all information (with a few exceptions) held by a local authority. The Local Government Official Information and Meetings Act 1987 requires all official information to be available to the public unless there are good reasons for withholding it.

Requesting Information

In brief, the Act states:

- requests should be made with “due particularity” (rather than asking for all files about a general topic, which creates a large amount of work) (section 10)
- it is the duty of Council to assist people making requests (section 11)
- the Council must convey its decision on whether to grant the request within 20 working days and must also indicate any charges (section 13)
- information in documents may be made available by providing an opportunity for reading it or by providing a copy of it or by providing a summary or excerpt; however, it should be made available in the way preferred by the requestor unless there are reasons for not doing so (section 15).

Refusing Requests for Information

A request may be refused (section 17) if:

- there is good reason to withhold it under section 6 or 7 of the Act
- the information will soon be publicly available
- the local authority does not actually hold the information
- the information cannot be made available without substantial collation or research
- the request is frivolous or vexatious.

Where a request is refused the Council must give its reasons and advise the requestor that there is a right to have the decision review by the Ombudsmen.

Sections 6 and 7 give the following reasons for withholding information:

- making it available would be likely to prejudice the maintenance of the law, or endanger safety
- withholding the information is necessary to:
 - protect privacy
 - protect information where its release would disclose a trade secret or would prejudice the commercial position of the person who supplied, or who is the subject of the information
 - avoid offence to tikanga Maori or avoid disclosure of wahi tapu locations
 - protect any obligations of confidentiality where making it available would affect the future supply of information or would otherwise damage the public interest
 - maintain free and frank discussion or protect officers and elected members from harassment
 - maintain legal professional privilege
 - enable the Council to carry out without prejudice or disadvantage commercial activities or negotiations
 - prevent the use of information for improper gain.

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

- use information gained in the course of their duties for their, or another person's, monetary gain or advantage.

These offences are punishable by a term of imprisonment of seven years or more. Elected members convicted of these offences will also be automatically ousted from office.

Securities Act 1978

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.

Please note that Council is not required to produce a prospectus following the enactment of the Securities (Local Authority Exemption) Amendment Act 2008. In its place a shorter investment statement is required.

Local Government Acts 1974 and 2002

The various provisions of the Local Government Act 1974 and 2002 form the basis of local government. Local government is a creature created by statute and in place to meet the requirements of the Local Government Act.

Elected members should be aware of the purpose of local government (section 10 Local Government Act 2002)

1. The purpose of local government is:
 - (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
 - (b) to meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.
2. In this Act, good quality, in relation to local infrastructure, local public services and performance of regulatory functions, means infrastructure, services and performance that are:
 - (a) efficient; and
 - (b) effective; and
 - (c) appropriate to present and anticipated future circumstances.

In performing its role a local authority must have particular regard to the contribution that the following core services make to its communities

- (a) network infrastructure;
- (b) public transport services;
- (c) solid waste collection and disposal;
- (d) the avoidance or mitigation of natural hazards;
- (e) libraries, museums, reserves, recreational facilities and other community infrastructure

“(1) In performing its role, as outlined in section 14 of the Local Government Act 2002, a local authority must act in accordance with the following principles:

- (a) a local authority should -

- (i) conduct its business in an open, transparent and democratically accountable manner; and
- (ii) give effect to its identified priorities and desired outcomes in an efficient and effective manner.
- (b) a local authority should make itself aware of, and should have regard to, the views of all of its communities; and
- (c) when making a decision, a local authority should take account of:
 - (i) the diversity of the community, and the community's interests, within its district or region; and
 - (ii) the interests of future as well as current communities; and
 - (iii) the likely impact of any decision on the interests referred to in subparagraphs (i) and (ii)
- (d) a local authority should provide opportunities for Maaori to contribute to its decision-making processes:
- (e) a local authority should collaborate and co-operate with other local authorities and bodies as it considers appropriate to promote or achieve its priorities and desired outcomes, and make efficient use of resources; and
- (f) a local authority should undertake any commercial transactions in accordance with sound business practices; and
- (fa) a local authority should periodically -
 - (i) assess the expected returns to the authority from investing in, or undertaking a commercial activity; and
 - (ii) satisfy itself that the expected returns are likely to outweigh the risks inherent in the investment or activity; and
- (g) a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region; and
- (h) in taking a sustainable development approach, a local authority should take into account:
 - (i) the social, economic, and cultural interests of people and communities; and
 - (ii) the need to maintain and enhance the quality of the environment; and
 - (iii) the reasonably foreseeable needs of future generations.”

Sections 44-46 of the Local Government Act 2002 outline action that can be taken by the Auditor General to recover a loss incurred by a local authority:

- “(1) For the purposes of this section and sections 45 and 46, a local authority is to be regarded as having incurred a loss to the extent that any of the following actions and omissions has occurred and the local authority has not been fully compensated for the action or omission concerned:
- (a) money belonging to, or administrable 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.”

The Auditor General has the right to recover any such loss from each member of the local authority jointly and severally.

The Local Government Act deals with issues of governance, structure of local government, planning, decision-making and accountability, regulatory and enforcement, offences, penalties and other proceedings.

Resource Management Act 1991

This Act governs how Council should deal with land use and other planning processes. The Resource Management Act sets out to provide a range of rules that support a sustainable environment but also permits local autonomy based around the development of a District Plan that applies to each individual local authority.

Privacy Act 1993

The Privacy Act 1993 explains how Council should manage issues to do with information it holds to conduct its business. This could involve individual records relating to ratepayers or staff records for employees of Council.

Council must comply with the requirements of this Act and as part of this process a staff member has been appointed as the designated Privacy Officer. Any queries in relation to the Privacy Act should be directed to the Chief Executive in the first instance.

Public Audit Act 2001

Council is publicly accountable under the provisions of the Public Audit Act 2001. As a result of this, an annual audit is undertaken under the direction of the Auditor General. This audit reviews the financial and non-financial performance of Council through the development and reporting of the Annual Report.

[WDC0710/24, WDC1011/25/1/3 refer]

Health and Safety at Work Act 2015 (replaces the Health & Safety in Employment Act 1992)

The Health & Safety at Work Act took effect on 4 April 2016. Elected members are deemed officers under the legislation. Whilst elected members can't be prosecuted under this legislation, they are not exempt from prosecution under other legislation. As officers, elected members are required to take a responsible attitude to health and safety and undertake due diligence to ensure compliance with the legislation.

Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	21 October 2016
Chief Executive Approved	Y
Reference/Doc Set #	1627017
Report Title	Remuneration of Members

1. EXECUTIVE SUMMARY

The elected members of the Community Committee will need to decide how the sum allocated by Council for remuneration should be used.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

AND THAT the Te Kauwhata Community Committee resolves not to accept the salary budget but to transfer this to the Discretionary fund for the benefit of the community.

3. BACKGROUND

A sum of \$6,941 is available to the Community Committee. Historically, the Community Committee members have foregone remuneration in favour of a discretionary fund to promote events and activities in the local community.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

This report is to generate some discussion and for the Community Committee to consider whether it wishes to continue to direct the allowance for salaries into the discretionary fund.

4.2 OPTIONS

The Community Committee could receive the funds in remuneration, as a discretionary fund, or a combination of the two.

5. CONSIDERATION

5.1 FINANCIAL

In line with the guidelines around the establishment of the Community Committee the previous allocation for remuneration was made available for remuneration for the Community Committee or as a discretionary fund. Historically, the Community Committee has chosen to forego remuneration in lieu of using the money as a discretionary fund.

5.2 LEGAL

Nil.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

Historically, the Community Committee has resolved to forego remuneration in lieu of using the funds as a discretionary fund.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	The Community Committee are the only party that can make this decision.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
	✓		Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

Comment: This is a decision for the Community Committee to make. There is a historical precedent but the Committee itself can decide to follow this or not.

6. CONCLUSION

The members of the Community Committee will need to decide how the funds available will best benefit the community.

7. ATTACHMENTS

Nil.

Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	21 October 2016
Chief Executive Approved	Y
Reference/Doc Set #	1626866
Report Title	Standing Orders for Meetings of Local Authorities and Community Committees

I. EXECUTIVE SUMMARY

Council has been operating under the Model Standing Orders for Meetings of Local Authorities and Community Boards (NZS 9202:2003) including Amendment No. 1.

Last year, Local Government New Zealand, together with a representative group of officials and elected members commenced work on reviewing the existing Standing Orders with a view to replacing them with updated Standing Orders. A draft was sent to all local authorities, with a request to provide comments. The new Standing Orders have now become available and councillors have been provided with a copy. It is important that councillors familiarise themselves with the rules.

It is recommended that Council adopt and operate under the new "Waikato District Council Standing Orders". As a sub-committee of Council, the Community Committee should operate under the same Standing Orders.

2. RECOMMENDATION

THAT the report from the Chief Executive be received;

AND FURTHER THAT Te Kauwhata Community Committee conduct its meetings using these Standing Orders.

3. BACKGROUND

Council must adopt standing orders at its inaugural meeting as a requirement of the Local Government Act 2002 ("LGA"). Standing orders apply to full Council meetings and committee meetings, and to community board meetings. They provide the basis for the orderly conduct of meetings and contain rules defining the rights of chairs and members to address meetings. Council may amend or suspend any part of its standing orders if 75% of the members present vote in support.

Council has been operating under Model Standing Orders Version 2003, incorporating Amendment No. 1. A project team led by Local Government New Zealand has reviewed

those standing orders and produced an up to date version, incorporating feedback received from local authorities.

4. DISCUSSION AND ANALYSIS OF OPTIONS

The new Standing Orders are easier to read and are organised in a more logical manner than the Model Standing Orders. They contain enhanced powers of a chairperson and there are three options for motions and amendments.

4.1 Discussion

4.1.1 *The key points regarding Standing Orders are as follows:*

- The Chairperson or Mayor has a casting vote. Convention suggests that the Chairperson should vote for the status quo but this is not mandatory.
- For key positions, Council has a process of one round of voting with the matter being resolved by lot if two or more candidates are tied at the end of the voting round.
- Wherever possible meetings should be open and transparent.
- A quorum is defined as:
 - (a) Council meetings – half of the elected representatives, where the number of members is even, and a majority of the members present, where the number of members is odd.
 - (b) Committee meetings – not fewer than two members.
- Notification of Meetings - Standing Orders specify that appropriate notice should be given of meetings to be held. Generally this would be 14 days unless a schedule of meetings has been agreed.
- Minutes are to be kept of official meetings.
- Council may delegate all functions to a Committee or Sub-committee 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.
 - d) The power to adopt an LTP, Annual Plan or Annual Report.
 - e) The power to appoint a Chief Executive.
 - f) The power to adopt policies required by the LTP or developed for the purpose of the local governance statement.
 - g) *repealed*
 - h) The power to adopt a remuneration and employment policy.

4.1.2 *Role of Mayor - Standing Orders 5.1 and 5.3: Appointments and Establishment of committees (see also section 41A of the LGA).*

The Mayor has the following powers:

- (a) to appoint the deputy mayor
- (b) to establish committees of the territorial authority:

- (c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor may -
 - (i) make the appointment before the other members of the committee are determined, and
 - (ii) appoint himself or herself.

The Mayor may decline to appoint a deputy Mayor or to establish committees or appoint chairpersons to committees under section 41A of the LGA. In that case the process to make appointments or establish committees set out in the Standing Orders must be followed.

4.1.3 Removal of deputy mayor, discharging or reconstituting a committee, appointing additional committees or discharging a committee chairperson by the territorial authority

A territorial authority may—

- (a) Remove, in accordance with clause 18 of Schedule 7 of the LGA, a deputy mayor or committee chairperson, whether appointed by the Mayor or elected by the Council, or a deputy chairperson. The process for removal is set out in Appendix 8 of the Standing Orders.
- (b) Discharge or reconstitute, in accordance with clause 30 of Schedule 7 of the LGA, a committee established by the mayor.
- (c) Appoint, in accordance with clause 30 of Schedule 7 of the LGA, one or more committees in addition to any established by the mayor under standing order 5.3.
- (d) Appoint or discharge, in accordance with clause 31 of Schedule 7 of the LGA, any member of a committee or subcommittee.

4.1.4 Voting System for certain appointments – standing order 5.6

Where the mayor declines to appoint a deputy mayor or committee chairs, or where the territorial authority exercises the powers under standing order 5.5 to remove the deputy mayor or a committee chairperson, a local authority or a committee (if the local authority has so directed) must determine by resolution that a person be elected or appointed by using one of the following systems of voting:

- Voting system A or
- Voting system B

System A requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee 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 that 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, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.

- (d) In any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

System B requires that a person is elected or appointed if he or she receives more votes than any other candidate. This system has the following characteristics:

- (a) There is only 1 round of voting; and
 (b) If 2 or more candidates tie for the most votes, the tie is resolved by lot.

[cl.25, Schedule 7, LGA]

4.1.5 Committees and subordinate decision-making bodies subject to direction of local authority – Clauses 30(3) and (6) Schedule 7 of the LGA

A committee 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 in relation to the committee or other body or the affairs of the committee or other body. A subcommittee is subject in all things to the control of the committee that appointed it, and must carry out all general and special directions of the committee given in relation to the subcommittee or its affairs.

Nothing in this clause entitles a local authority or committee to rescind or amend a decision made under a delegation authorising the making of a decision by a committee, subcommittee, or another subordinate decision-making body.

4.1.6 Options for speaking and moving - standing order 21.1

This provision provides three options (A to C) for speaking and moving motions and amendments at a meeting of a local authority, its committees and subcommittees, and any community board. Options A to C are described in standing orders 21.2 to 21.4

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 Option B or Option C for the meeting generally, or for any specified items on the agenda.

4.2 Options

Council is required to conduct its meetings in accordance with the Standing Orders that it has adopted.

It is appropriate that Council operates under the most up-to-date Standing Orders and adopts the new Standing Orders which have been prepared by officials and members of local authorities, under the umbrella of Local Government New Zealand.

5. CONSIDERATION

5.1 FINANCIAL

Nil.

5.2 LEGAL

The Local Government Act 2002 requires Council to adopt a set of Standing Orders (schedule 7, clause 27).

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

The Standing Orders should reflect the intent of Council. It should provide the appropriate level of formality and facilitate good decision making.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

The above policy has no bearing on Standing Orders.

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
	✓		Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

Comment: Council operates under a set of Standing Orders. If there is good alignment, the Standing Orders will facilitate a positive meeting environment.

6. CONCLUSION

Council is required to use Standing Orders to conduct its meetings. This report is for Council to confirm that the new Waikato District Council Standing Orders apply to the conduct of all meetings of Council.

Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	21 October 2016
Chief Executive Approved	Y
Reference/Doc Set #	1626993
Report Title	Use of Community Board and Community Committee Discretionary Funds

1. EXECUTIVE SUMMARY

To remind Community Boards and Community Committees about the Use of Discretionary Funds policy that was put in place originally in 2006 and has since been reviewed.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. BACKGROUND

Council established discretionary funds a number of years ago in order to provide some local autonomy and decision making for Community Boards and Community Committees. Council saw the funds as a mechanism to advance projects and support local initiatives.

On the whole, the discretionary funds have been well used and have enabled a number of community initiatives to proceed.

There are four grant funding rounds per annum held in March, May, July and October.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

This report relates to the Community Board and Community Committee Discretionary Funds, as a set of criteria already exists regarding the use of the Rural Ward Discretionary Fund and Events Fund.

The main use of the discretionary funds is to assist with community projects. During 2006 a policy on how the funds could be used was set in place to eliminate some anomalies and to ensure consistency. The policy has since been updated.

The fund may be used to fund personal development for members of Community Boards and Community Committee members.

A copy of the policy approved by Council is attached for the information of members.

The intent of the policy is to rationalise the use of the discretionary funds and it also seeks to reinforce that Council approves these funds and Council wishes to ensure that they are used wisely.

4.2 OPTIONS

The policy is in place. This report is simply for the information of members. It is to explain how Discretionary Funds can be used in practice.

In the meantime, it is important that a policy is being used, should the Committee wish to approve funding from the Discretionary Fund.

5. CONSIDERATION

5.1 FINANCIAL

There are no direct financial implications of this proposal. The proposal is about how a set budget should be utilised.

5.2 LEGAL

Council allocates the funds for the use of Community Boards, Community Committees and the Rural Ward Discretionary Fund. Council is able to restrict how the funds can be utilised.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

The discretionary funds were created as a method of providing some local autonomy and to improve our community. In this matter they could contribute to any of the nine community outcomes.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	This report is for information only. We are operating under an existing policy which is not scheduled for review at present.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
	✓		Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

The Community Board and Community Committees are being asked to familiarise themselves with the requirements of the policy.

6. CONCLUSION

This report is to confirm with members that a policy is in effect in relation to how discretionary funds can be utilised by Community Boards and Community Committees.

7. ATTACHMENTS

Nil.



Use of Community Board and Community Committee Discretionary Funds

Purpose:

This policy is being put in place to provide clear guidance as to what discretionary funds are to be used for.

Background:

Council provides funds to enable Community Boards and Community Committees to advance projects within their local areas. They are in effect a substitute for Council providing direct funding. Council may, however, still elect to provide direct Council funding to projects at its discretion.

How the Funds are to be Used:

The following is the criteria to be used for the distribution of funds from the Community Board and Community Committee Discretionary Funds.

- (a) Funds are allocated on an annual basis through the budgeting process (Annual Plan or LTP whichever is appropriate).
- (b) Council has the overall right to withdraw by resolution of Council the right to spend discretionary funds at any time following consultation with the appropriate Community Board(s) or Community Committee(s).
- (c) Funds allocated from discretionary funds must be for lawful purposes and must be in accordance with Council policy.
- (d) The primary use of funds shall be for community projects that involve public attendance or usage.
- (e) Consideration should be given to the local need for such a development or project.
- (f) Funds are not available to oppose consent decisions or to fight legal battles.

- (g) Funds may be utilised to assist with research into the history, culture or environmental aspects of the local area.
- (h) With the exception of paragraph (g), funds are not to be spent on funding consultants or obtaining specialist professional advice without prior consultation with the Strategy & Finance Committee.
- (i) Funds may be utilised to promote the personal development of the Community Board or Community Committee members such as by attending relevant conferences. Any member who attends a conference or meeting on behalf of the Community Board or Community Committee must report back on how this has assisted in their personal or professional development.
- (j) The Community Board or Community Committee may utilise funds to a limited extent for social functions such as Christmas parties. No more than \$300 of the Discretionary Fund may be spent on social functions for the Community Board or Community Committee in any financial year.
- (k) Funds may be allocated to supplement or advance Council programmes such as roading, graffiti or amenity maintenance.
- (l) Funds may be used to supplement Township Development Funds but not to undertake work that does not meet the guidelines for township development. For example, funds could not be utilised to undertake structural work on private property.
- (m) Any dispute over the use of funds should be referred to the Strategy & Finance Committee for consideration.

Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	20 October 2016
Chief Executive Approved	Y
Reference/Doc Set #	Report - Service Requests - October 2016
Report Title	Service Requests

1. EXECUTIVE SUMMARY

To provide Committee members with an overview of the Service Request system. This system is almost always the most efficient way to resolve minor or routine maintenance issues in line with the attached schedule.

2. RECOMMENDATION

THAT the report from the Chief Executive be received.

3. BACKGROUND

The Service Request system is Council's system which logs and monitors requests for service. It provides a paper trail and enables the progress of complaints to be monitored.

The system has been in place for the last few years with the results showing steady improvement over the past few years. In 2016, over 89% of Service Requests have been completed on time.

4. DISCUSSION AND ANALYSIS OF OPTIONS

4.1 DISCUSSION

This report is aiming to provide a more effective response system to customer requests for service. As a consequence it is in the best interests of ratepayers at large.

4.2 OPTIONS

This report is for information. At times elected members seem frustrated at the lack of progress on items. The use of the Service Request system is the most effective way for

these issues to be dealt with and to ensure that meetings do not get bogged down on minor matters.

It provides an audit trail and a basis for senior management to follow up on progress. The Service Request system and responsiveness is now incorporated into individual performance agreements for all staff.

5. CONSIDERATION

5.1 FINANCIAL

There is a significant staff and elected member cost when items are raised and managed outside the Service Request system. Matters are generally delayed and responded to much later by informal methods. There are often no records or ability to follow up on informal arrangements.

5.2 LEGAL

Nil.

5.3 STRATEGY, PLANS, POLICY AND PARTNERSHIP ALIGNMENT

The Service Request system is designed to improve the relationship between customers and Council.

The Service Request system contributes to all of the Community Outcomes. Which individual Community Outcome applies is dependent on the nature of the enquiry.

There is an indirect link to all of the four well-beings. The Service Request system has been established to improve customer relationships and to assist in achieving the four well-beings.

5.4 ASSESSMENT OF SIGNIFICANCE AND ENGAGEMENT POLICY AND OF EXTERNAL STAKEHOLDERS

(Ascertain if the Significance & Engagement Policy is triggered or not and specify the level/s of engagement that will be required as per the table below (refer to the Policy for more detail and an explanation of each level of engagement):

Highest levels of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Tick the appropriate box/boxes and specify what it involves by providing a brief explanation of the tools which will be used to engage (refer to the project engagement plan if applicable).</i>	This report provides an overview of the Service Request system and suggests the value of the system in terms of addressing routine maintenance issues.				

State below which external stakeholders have been or will be engaged with:

Planned	In Progress	Complete	
			Internal
	✓		Community Boards/Community Committees
			Waikato-Tainui/Local iwi
			Households
			Business
			Other Please Specify

Comment: This report identifies the best provided process to ensure an effective and timely response to maintenance issues.

6. CONCLUSION

The Service Request system offers the quickest and most effective method of resolving minor maintenance issues around the District. Staff believe that the Councillors and other elected members, together with the communities they represent, will benefit from using this method.

7. ATTACHMENTS

N/A

Open Meeting

To	Te Kauwhata Community Committee
From	Gavin Ion Chief Executive
Date	19 October 2016
Prepared by	Wanda Wright Committee Secretary
Chief Executive Approved	Y
Reference #	GOV0502
Report Title	Receipt of Minutes

1. EXECUTIVE SUMMARY

To receive the minutes of the Te Kauwhata Community Committee meeting held on Wednesday 5 October 2016.

2. RECOMMENDATION

THAT the minutes of the meeting of the Te Kauwhata Community Committee held on **Wednesday 5 October 2016** be received.

3. ATTACHMENTS

TKCC Minutes

MINUTES of a meeting of the Te Kauwhata Community Committee held at the St John Ambulance Rooms, 4 Baird Avenue, Te Kauwhata on **WEDNESDAY 5 OCTOBER 2016** commencing at **7.00pm**.

Present:

Ms T Grace (Chairperson)
Cr JD Sedgwick
Mr D Boyde
Mrs J Clegg
Mr J Cunningham
Mr K Dawson
Mr D Hardwick
Mr B Weaver
Mrs H Dillon (Secretary)

Attending:

Mr A Khan, Project Manager, NZTA
Mr I Fletcher, Project Manager, Downer
Constable Gareth Barnes

APOLOGIES AND LEAVE OF ABSENCE

Resolved: (Mr Hardwick / Mr Dawson)

THAT an apology be received from and leave of absence granted to Mr T Harty and Mr L Wilson.

CARRIED on the voices

TKCCI605/01

CONFIRMATION OF STATUS OF AGENDA ITEMS

Resolved: (Cr Sedgwick / Mr Hardwick)

THAT the agenda for a meeting of the Te Kauwhata Community Committee held on **Wednesday 10 October 2016** be confirmed and all items therein be considered in open meeting;

AND THAT the following items be discussed at an appropriate time during the course of the meeting;

- **Waikato Expressway Update**
- **Update on Police issues in district**

AND FURTHER THAT the Committee resolves that the following items be withdrawn from the agenda:

- Item No. 7.3 Jamieson Memorial Seat, and
- Item No. 7.4 Security Cameras.

CARRIED on the voices

TKCCI605/02

DISCLOSURES OF INTEREST

Mr K Dawson declared a disclosure of interest in regards to the Whangamarino Walkway.

CONFIRMATION OF MINUTES

Resolved: (Mr Weaver / Mr Cunningham)

THAT the minutes of a meeting of Te Kauwhata Community Committee held on **Wednesday 7 September 2016** be confirmed as a true and correct record of that meeting.

CARRIED on the voices

TKCCI605/03

MATTERS ARISING FROM THE MINUTES

There were no matters arising from the minutes.

REPORTS

Te Kauwhata Issues and Works Report – September 2016
Agenda Item 6.1

Resolved: (Mr Hardwick / Mr Cunningham)

THAT the report from the **General Manager Service Delivery** be received.

CARRIED on the voices

TKCCI610/04/1

Waikato Expressway Update
Add Item

Mr Adrian Khan, NZTA, and Mr Iain Fletcher, Downer, gave a verbal update on plans for the Longswamp and Whangamarino sections of the expressway.

Councillor's Report
Agenda Item 6.2

Cr Sedgwick gave a verbal report and answered questions of the Committee on the following issues:

- Low voter turn-out.
- Provision of infrastructure with growth of district.
- Trucks parking close to pedestrian crossing.
- Disabled parking spaces near Pharmacy.
- Liquor ban sign at Domain.
- Primary School request for community garden near Garage in Mahi Road.
- Suggestion of road name off Vineyard Rd – Old Vintners Lane.
- Report from WDC on the Rangiriri cycleway.
- Response to TK Facebook site.
- Paintings on fence of dog park.
- Feedback on Easter retail hours. Committee in favour of Sunday trading being allowed in TK. Submission to be done by 31 October.
- Names on Lions' memorial.
- Site for clock tower.
- Maintenance of grass verges.
- Involvement of TKCC at 'Meet and Greet' at St Andrews.
- Planting of roses at Boldero's fenceline.
- Carparks behind shops. Letter to be written to retailers suggesting they park in Mahi Road.

Discretionary Fund Report to 28 September 2016
Agenda Item 6.3

Resolved: (Mr Cunningham / Mr Dawson)

THAT the report from the General Manager Strategy & Support be received;

AND THAT the Discretionary Fund reimburse the Te Kauwhata Community Committee's secretary for the purchase of a 'Z' Gift Card for \$100 for Gilbert Powley.

CARRIED on the voices

TKCCI610/04/2

Police Update
Add Item

Constable Gareth Barnes gave an update on Police issues in the district and advised there has been a marked increase in the reporting of crime since he came to Te Kauwhata 18 months ago.

Open Meeting

To	Te Kauwhata Community Committee
From	Tony Whittaker General Manager Strategy & Support
Date	21 October 2016
Prepared by	Julienne Calambuhay Management Accountant
Chief Executive Approved	Y
Reference/Doc Set #	GOV0509
Report Title	Discretionary Fund Report to 21 October 2016

1. EXECUTIVE SUMMARY

To update the Committee on the Discretionary Fund Report to 21 October 2016.

2. RECOMMENDATION

THAT the report from the **General Manager Strategy & Support** be received.

3. ATTACHMENTS

Discretionary Fund Report to 21 October 2016

TE KAUWHATA COMMUNITY COMMITTEE DISCRETIONARY FUND 2016/2017

GL 1.207.1704

Commitments from Committee Meeting Minutes & Other Information

2016/17 Annual Plan

11,139.00

Carry forward from 2015/16

64,087.00

Total Funding

75,226.00

Expenditure

28-Apr-16	Earthcare Systems - supply and install Rose Arbour		3,800.00
28-Apr-16	Earthcare Systems - labour - tree trimming		50.00
30-Jun-16	Rush Security - installation of security cameras		2,310.00
06-Apr-16	TK Community Events Inc. - for expenses towards catering for the ANZAC Parade		750.00

Total Expenditure

6,910.00

Income

Total Income

-

Net Expenditure

6,910.00

Net Funding Remaining (excluding commitments)

68,316.00

Commitments

06-May-09	Further development of playground		5,000.00
07-Oct-15	Commitment for security cameras	9,436.00	
	Less: Expenses	<u>2,310.00</u>	7,126.00
03-Sep-14	Commitment for Walkways		25,000.00
07-Mar-12	Railway Cottage Community Park		10,000.00
03-Sep-14	Ken Knobbs memorial garden	5,000.00	
	Less: Expenses	<u>3,800.00</u>	1,200.00
07-Oct-15	TK Youth Action Group - basketball area project at Village Green		7,500.00
05-Oct-16	Gilbert Powley - Z gift card		100.00

Total Commitments

55,926.00

Net Funding Remaining (Including commitments) as of 21 October 2016

12,390.00

Open Meeting

To	Te Kauwhata Community Committee
From	Tony Whittaker General Manager Strategy & Support
Date	21 October 2016
Prepared by	Shannon Kelly Youth Engagement Advisor
Chief Executive Approved	Y
Reference/Doc Set #	GOV0509
Report Title	Youth Engagement Update

1. EXECUTIVE SUMMARY

The purpose of this report is to provide the Te Kauwhata Community Committee with:

1. An overview of Council's Youth Engagement Plan
2. An update from Council's Youth Engagement Advisor, Shannon Kelly
3. The Youth Action Group's Quarterly Report (prepared by Shannon Kelly).

2. RECOMMENDATION

THAT the report from the **General Manager Strategy & Support** be received.

AND THAT Community Committee noted that it will be requested to consider appointing two youth representatives to the committee in early 2017.

AND FURTHER THAT the Community Committee agrees for John Cunningham to continue his role as a youth mentor to the two youth representatives on the Committee or whether it would like to identify a new youth mentor should Mr Cunningham want to pass on this responsibility to someone else.

AND FURTHER THAT any new issues identified in the Youth Action Group's Quarterly Report that the Committee agrees on, be added to the Committee's Works and Issues report so that progress on implementation can be monitored.

3. BACKGROUND

Council's Youth Engagement Plan

Council adopted the Youth Engagement Plan ("YEP") in August 2015 after engaging with the Huntly and Ngaruawahia Community Boards and the Te Kauwhata Community Committee. These communities were chosen as they were part of a Social Sector Trials pilot programme aimed at facilitating youth involvement in local decision making structures such as Community Boards and Community Committees for which Waikato District Council received funding from the Ministry of Social Development.

The YEP aligns with the Council's 2020 challenge, which is to have the most engaged community in New Zealand. It focuses on how Council and its communities can better engage with young people in our communities by providing them a platform to engage in a range of initiatives.

The key objectives of the YEP are as follows:

- Giving young people a voice in local decision-making.
- Building the confidence of young people to engage in local government matters.
- Helping to ensure that the views of youth are considered in community planning matters.
- Helping to create a cadre of future leaders.

The key recommendation in the Youth Engagement Plan was that Community Boards and Community Committees have youth representation. Youth Action groups were initially set up in Huntly, Ngaruawahia and Te Kauwhata as pilot programmes.

4. DISCUSSION

4.1 DISCUSSION

Council's Youth Engagement Advisor would like the Te Kauwhata Community Committee to consider appointing two youth representatives to the committee in March or April 2017.

Due to the closure of school for senior secondary students in November 2016 and the subsequent start of the school term in February 2017, there is not enough time to appoint some youth representatives for the Te Kauwhata Youth Action Group. Appointing youth representatives next year would allow for the Youth Engagement Advisor to meet with the group and facilitate a youth representative appointment process.

The Huntly, Ngaruawahia and Onewhero-Tuakau community boards and the Te Kauwhata Community Committee have all committed to have youth mentors from the elected Community Board/Community Committee representatives. These mentor roles will support the youth representatives on the Community Board/Community Committee.

Effective youth mentors will:

- Be the first point of contact and support for youth representatives on the Community Committee.
- Support and mentor the youth representatives on the Committee.

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- If needed, provide assistance to the youth representatives when writing tri monthly reports to the Committee.
- Be available to find answers to questions the youth representatives may have relating to Council and/ or the Committee.
- Be police vetted to ensure safety and align with best practice in youth development and engagement.

Youth mentors are volunteer positions and a particular type of skill set is required to be a youth mentor:

- Engage meaningfully with the youth action groups.
- Respect the young person's viewpoint and values.
- Be consistent, dependable, and always be on time for scheduled meetings with the young person.
- Actively listen to everything the young person shares.
- Keep their word.
- Especially in the early days meet in public, ensuring that the young person feels safe and secure at all times.
- Keep the relationship alive - persevere at the beginning of the relationship
- Empathise.

The current youth mentor for the Te Kauwhata Community Committee is John Cunningham. Council's Youth Engagement Advisor would like the Te Kauwhata Community Committee to discuss whether Mr Cunningham would like to continue with his mentoring role or support the appointment of another mentor.

5. TE KAUWHATA YOUTH ACTION GROUP UPDATE

The Youth Engagement Advisor met with students at Te Kauwhata College on 18 October 2016 to facilitate the appointment of youth representatives for the Community Committee. Only one member of the former group attended.

Nine new students attended the meeting and compiled a report, with new projects that they would like to work on. Four of these members were interested in attending the Community Committee to present the report. They intend to get a greater understanding of how the Community Committee operates before putting themselves forward as a possible youth representatives on the Committee.

Due to the end of year time constraints and senior exams approaching the next youth action group meeting will not be until February 2016.

6. ATTACHMENTS

Te Kauwhata Youth Action Group report
Waikato District Council Youth Engagement Plan

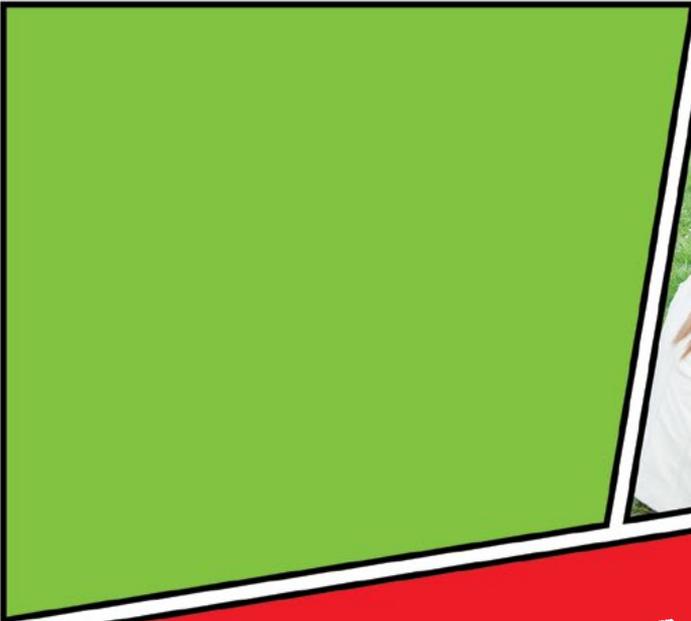
Te Kauwhata Youth Action Group Quarterly Report

	Identified Issue	Projects we should do	Background into Why	Progress/Outcome/Thoughts
1	Flickering lights at train tracks	n/a	n/a	Please fix this – add to Works and Issues report
2	We are bored and feel like we have nothing to do	Paintball park project Reopen the Hub	Idea discussed during Youth Action Group meeting on 18/10/2016 at Te Kauwhata College	Paintball: Jacob Dunn, Dylan and co. to check out paintball venue options in TK and meet back with group. Jacob Dunn to add the new group members to the Facebook page Reopen the Hub: Have someone from the community – someone who is not too old and understands us. We need a chill spot in TK. Having a Hub will give us something to do and a chill spot. We all used the Hub.
3	School: Rubbish, teachers, disrespect, having nothing to do			Still to talk about

Youth report feed into by: Jacob Dunn, Dylan, Regan Gardiner, Hamish Girvan, Quinten, Rex Karaka, Francisco Formas

At Te Kauwhata Youth Action Group meeting – 18th October 2016 @ Te Kauwhata College

Shannon Kelly
Youth Engagement Advisor



YOUTH ENGAGEMENT PLAN



The story so far...

our Youth Engagement Plan

The Background

Early in 2013 the Ministries of Social Development, Justice, Education and Health, and the New Zealand Police launched the Waikato Social Sector Trial (WSST) in our district. The Social Sector Trial is motivated to improve outcomes for youth aged 12–18 years in Huntly, Ngaruawahia, Raglan, Te Kauwhata and Tuakau.

A key outcome was for Waikato District Council to better engage with youth. To achieve this, we welcomed Youth Engagement Advisor, Sam Dockary to our team for three months. Sam has been tasked with developing a youth engagement plan to encourage youth in Huntly, Ngaruawahia and Te Kauwhata to participate in local decision-making and community activities. Sam's role was made possible with funding from the Ministry for Social Development.

Our 2020 challenge is to have the most engaged community in New Zealand. The Youth Engagement Plan shows how we can achieve this by better integrating young people into our communities and giving them a platform to air their views. Youth are a key group in our communities who need to be engaged. If we do not actively engage with the 13,000 youth within our district we are missing the mark on a sixth of the total population of our district. Even though youth may be too young to pay rates and are not legally entitled to vote, they still have insights into issues which are relevant to them and they are the future of our communities. Council is keenly aware of this and by working together with our community boards and community committees we are hoping to make a difference.

Currently there is some great work happening with young people in our district. There are well-established youth action groups in Huntly and Te

Kauwhata. These groups meet regularly and help make decisions from a youth perspective. But they have very little input into local level governance processes either through their own community board or community committee.

By listening to youth opinion on issues, getting them involved in community development and engaging with them, Council's 2020 challenge of being the most engaged community in New Zealand will be much easier to achieve. Engaging with youth will also greatly support Council's Community Engagement Strategy.

Engaging youth today will hopefully help build a group of future leaders and residents that are engaged with local government.

Māori make up 24% of the total population in our district and 31% are youth aged between 10 and 24. This makes Māori youth a key group that Council wants to make a positive impact on.

Creating a district where youth feel valued and engaged in local government matters will encourage youth to stay, potentially retaining social capital. This means that new skills acquired by youth through learning and training would be retained in our district and more people would be proud to continue living in the Waikato district.

The purpose of the plan

This Youth Engagement Plan focuses on how Council and its community boards and community committees can give youth a voice in local decision-making structures. The assumption is that young people will start taking more of an interest in local government matters if they feel that their opinions on relevant issues matter. The youth of today are the leaders of tomorrow. They are an important interest group in our community and it is important that they feel that they are heard as well as listened to. They are often the eyes and ears of our community and have a lot to contribute to its development.

This plan contains:

- ***The story behind the plan.***
- ***How it has been developed.***
- ***The key findings from the consultation process.***
- ***What can be done to address the issues raised.***

The key points to this plan:

- ***Giving young people a voice in local decision-making.***
- ***Create confidence in young people to be able to have a voice.***
- ***To help shape our community's to be more youth-focused.***
- ***To create a specific group of future leaders.***

This plan is the foundation document, alongside which other plans could be developed and possibly lead a number of future developments, including potentially permanent youth representation on community boards, establishment of youth councils, national youth conferences and online youth collective forums.

Developing the plan

Development of the Youth Engagement Plan has been led by Council's Youth Engagement Advisor, Sam Dockary. Sam has been supervised by Council's Planning & Strategy Manager, Vishal Ramduny, and Ministry of Social Development's Waikato Social Sector Trial Manager, Kodi Hapi. Council's Community Development Co-ordinator, Lianne van den Bemd, has also worked closely with Sam on this project and has accompanied Sam to many internal and external meetings. Additional support has been provided by Council's Corporate Planner, Maria Edgar.

This plan has been developed based on consultation with Community Boards and Committees, Councillors, Waikato District Council staff, other Councils, Government agencies, high schools, youth providers and youth action groups in Huntly, Ngaruawahia and Te Kauwhata. These discussions have shaped the plan to what it is.

Issues/problems

The plan has set out to address the following:

- ***Limited engagement by youth in the district with community groups and Council-run community boards and committees. As a consequence of this youth are not having a say in decisions that affect them.***
- ***A sense of disengagement of youth from the wider community.***

Plan Objectives

The key objectives of the Plan are:

- *To provide youth in Huntly, Ngaruawahia and Te Kauwhata a voice in local (community board and community committee) decision-making.*
- *To help youth understand they have an important role to play in shaping their communities.*
- *To help build a group of future leaders.*

Benefits of the Plan

The key benefits of the Plan are:

- *Give youth the opportunity to have a say in matters that affect them now and in the future.*
- *Boost morale and pride amongst youth knowing that they have had the opportunity to provide input into decision-making.*
- *Help create a generation of future leaders who understand the role of Council and how they can contribute.*
- *Youth benefit by gaining skills, knowledge and self-esteem.*
- *Foster a sense of connectedness amongst youth.*
- *Adults benefit by enhancing their own competencies, learning to better understand and value youth, and increasing their commitment and energy to their organisations.*
- *Organisations benefit by improving their programmes, gaining community recognition, and attracting funders.*
- *Communities benefit by improving quality of life, coordinating youth services and authentically embracing diversity by representing young people.*

Stakeholder & roleplayer engagement

The plan was developed in consultation with youth service providers and key members of the community. Regional, district and local stakeholders were engaged and asked to provide feedback on the aims and objectives of the engagement.

Community consultation meetings were held during May and June 2015 in Huntly, Ngaruawahia and Te Kauwhata. Almost 50 community members participated in the meetings where the concept of a youth engagement plan was discussed.

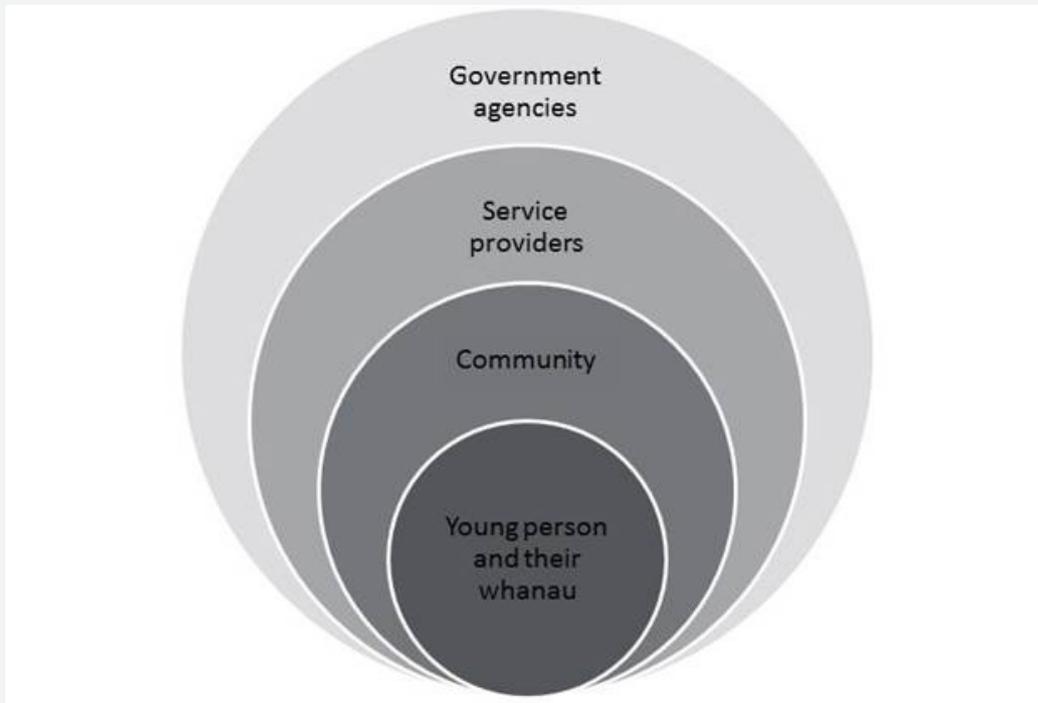
An online youth survey was undertaken, providing valuable information from young people in regards to their understanding of the work Council does, their community and their needs.

The complete group of stakeholders and roleplayers engaged can be broken up to:

- **Councillor**
- **Council staff**
- **External stakeholders:**
 - Huntly Community Boards
 - Ngaruawahia Community Board
 - Te Kauwhata Community Committee
 - Local iwi
 - Community groups
 - Local high schools
 - Youth action groups
 - Youth service providers within the district
 - Individuals with an interest in youth matters from within the community
 - Ministry for Social Development
 - Ministry for Youth Development
 - Other councils and government agencies

Key stakeholder groups

The graphic below demonstrates that if all stakeholders and roleplayers work well together it will maximise benefits for youth and foster unity within households and the community.



Source: MSD, Social sector trial graph, 2013.

Key findings

Consultation with the Huntly and Ngaruawahia Community Boards, the Te Kauwhata Community Committee, youth action groups and other members of the community helped us identify key issues.

Meetings with agencies and community groups who are involved directly with youth in the three communities also helped shape the plan.

The findings of this engagement have been grouped together into key themes.

Three distinct themes have emerged.

Disconnected

- Many young people do not know what council does.
- Facebook can be a key communication tool between Council and youth. Youth aren't aware that they can use Facebook to communicate with Council.
- Mentoring and support is required to keep youth on track and motivated.

- Youth feel there is no support to help them get involved in local decision-making bodies.
- Youth don't know how Council meetings work or how to make submissions on important Council planning documents such as the Long Term Plan.

Inactive

- There is currently no youth representation on the Huntly Community Board and the Te Kauwhata Community Committee.
- There is currently no youth action group in Ngaruawahia.
- Training is needed to upskill youth in personal and professional development.
- Lessons are not shared by youth across community boards/committees due to a lack of youth representation.
- Youth feel there is no support to help them get involved in local decision-making bodies.

Unsustained

- The sustainability of youth engagement initiatives is a concern. The lack of funding often means ideas are not implemented.
- Many youth organisations are not aware that they can access funding from the community board, community committee or from Council discretionary funds.
- Lack of continuity in youth leadership – no rewards for their time and effort.
- The current Youth Engagement Advisor role is a good initiative by Council and the Ministry for Social Development. How can this be sustained and the good ideas that have emerged implemented?

Key findings

Disconnected to connected

Intervention One:

Youth representation on the Te Kauwhata Community Committee, Huntly Community Board and Ngaruawahia Community Board.

It's clear that youth want to be involved in community matters but feel powerless because they're seen as either too young or not interested.

One of the key recommendations is for the Huntly Community Board, Ngaruawahia Community Board and Te Kauwhata Community Committee, to appoint a youth representative from the local youth action group, to air views from a youth perspective.

Intervention Two:

Youth representation is made up of a local Youth Action Group Co-ordinator and a Youth Action Group Representative (two youth members on the community board or community committee).

Youth aged between 16-24, who live in the community, have the opportunity to join their local youth action group. They will identify issues and share ideas with the community board/committee and advocate on those issues. The youth action groups will speak on behalf of all youth within the

community and will be the voice of your people on the community board or committee.

The youth action groups will discuss relevant issues from the monthly board/committee agenda prior to their meetings at least four times a year. The youth representatives will present the issues on a quarterly basis in the form of a report to the board/committee.

Youth will not have any voting rights on the boards but they will have the opportunity to have a voice. A quarterly report will be provided to the respective community board or committee on the issues found in the agendas and anything else the action group wish to put forward. The Youth Action Group Co-ordinator will also write a report to Council (the Strategy & Finance Committee) regarding the progress of the action group and how they feel being on the community board/committee is working. Along with a yearly survey to the community boards/committee and the youth action groups, this will help with monitoring project outcomes.

Intervention Three:

A mentor is identified from within the Te Kauwhata Community Committee, Huntly Community Board and Ngaruawahia Community Board to support and guide the youth representatives at meetings and be a general point of contact.

The mentor needs to be an elected member of the community board/committee. The mentor will be responsible for ensuring that the youth representative is well supported through the meeting and that they have the opportunity to share their ideas. The mentor will be a "go to" person for any issues or questions that the youth action group representatives may have. Once the board/committee adopts this engagement plan, a mentor should be identified by the time of its next meeting.

Intervention Four:

Taking Council to the youth.

- Open days at Waikato District Council for youth to gain an understanding of what council does.

- An annual session at each of the high schools in the district which the local ward councillor can host and share their experiences of being a councillor.
- Run workshops for the youth action group members in each town to build the relationship between community boards and committees, council staff and youth. These meetings will enable young people to ask questions about issues relevant to their community. Council staff can also provide an overview on how submissions to Council can be made.
- Bring awareness to youth around the importance of having a voice for and giving a vote for the candidate that has their best interests in mind.
- Generate awareness around the importance of voting in local and national elections and the impact it has on our lives.

Inactive to active

Intervention Five:

A youth action group be established in Ngaruawahia.

- Linking the youth of Ngaruawahia, and encouraging participation in the setup of a Ngaruawahia Youth Action Group.
- Making sure the youth action group is representative of youth belonging to different organisations and groups, even to those that do not attend school in Ngaruawahia. We propose that this youth action group is modelled on the Huntly and Te Kauwhata groups.
- While the Ngaruawahia Youth Action Group is being established, the current youth representative on the Ngaruawahia Community Board, Salem Waters, will continue to be supported and strengthened.

Intervention Six:

Establish a Ngaruawahia service providers networking group, to discuss relevant youth issues within the sector and to support the youth action group.

- This group should consist of anyone who is interested in working with or helping

young people. These organisations should have a youth focus e.g. services providers, parents, youth workers, high schools, Council, government agencies etc.

- The group meets regularly to discuss relevant issues involving youth and their community. This group is required to work together for the benefit of youth in the community.
- This group will support the running of the youth action group and provide assistance where needed.
- This group should follow the current model of the Raahui Pokeka Rangatahi networking group which meets once a month in Huntly.

Intervention Seven:

A dedicated budget for advancing youth engagement.

This budget is for the costs associated with the youth action group representatives and also the youth action groups in each community.

Community boards and committees members are paid for their service. What they do with their funds is up to them, some put them back into the board's/committee's discretionary fund.

If we want young people to share their opinions and be the voice of youth then we need to acknowledge the time and effort they will be putting in. Young people's needs and comprehension of community service and volunteering can be difficult to work with, so by asking a young person to give up time without reward may not work. This fund would help the youth action groups to function well and would encourage young people to attend such meetings.

Rewarding the efforts of the youth action group representatives

It is proposed that a payment in the form of a \$20 gift voucher be given to each of the two youth action group representatives (the Youth Action Group Co-ordinator and Youth Action Group Representative) for each community board/committee meeting they attend. This is not an incentive to serve the community, but rather a reward for the time and effort put into the community.

It is proposed that the funds be provided from a new budget which will sit under the Strategy and Support Group General Manager. \$400 per year for each community board/committee will be required (\$20 per person per meeting (10 meetings altogether) for the two youth action group representatives). This will equate to \$2800 across the seven community boards/committees per annum.

Youth action group meeting costs

The youth action group will be meeting quarterly. Any expenses the group may need to be met e.g. meeting room hire, costs of food for the meetings, resources etc. These costs will be approximately \$1800 per year. This will cover all five community boards and two formally recognised community committees.

A permanent Youth Engagement Advisor position within Council

The arrangement that Council had with the Ministry for Social Development with regards to employing a Youth Engagement Advisor ended on 30 June 2015. It is important the momentum that has been generated by the work done so far continues through the implementation of the Youth Engagement Plan. Council should consider sourcing additional funding so the Youth Engagement Advisor position can be continued until the end of the 2015/16 financial year. If this role proves successful and the desired outcomes of the plan realised, it is proposed that this position be made permanent.

Measuring success

How will we know if this plan is successful?

- By gauging the meeting frequency of the youth action groups.
- By gauging the interest shown by youth in the action groups and in the topics and issues discussed with the community board/committee.

- Attendance by youth action group co-ordinators and youth action group representatives of the Huntly and Ngaruawahia community boards and the Te Kauwhata committee meetings and their contribution to the discussions.
- Quarterly reports provided to each of the community boards/committees by the youth action group co-ordinators.
- Feedback from the youth action group co-ordinators and youth action group representatives on the mentoring provided by their respective mentors.
- Feedback from each community board/committee about the benefits of youth representation in the development of their community and in their decision-making processes.
- Increased participation from youth in local community events.
- An increase in youth initiatives/projects run by the youth action groups and their community board/committee.
- Annual youth survey.

Conclusion

The Youth Engagement Plan can only achieve its goals if there is commitment from all parties.

This includes Council, each community board or committee, the youth action groups, youth service providers, high schools and community groups.

Using an analogy from the Maaori model for health and well-being - Te Whare Tapa Wha - the symbol of the whareniui illustrates the four dimensions of Maaori well-being (akin to the four walls of a house). Should one of the four dimensions be missing or in some way damaged, a person, or a collective may become 'unbalanced' and subsequently unwell (in other words, the house will collapse).

The projected outcomes sought will not be successfully met if, for instance, a youth action group stops meeting (then there will be no youth voice). In the same way, if funding is stopped youth action groups may not have a venue to meet and the youth representative may not attend community board or community committee meetings as they may feel they are not being valued.

The key to this plan is engagement i.e. how to get youth engaged through giving them a voice in local decision making processes. If this engagement plan succeeds in the pilot communities of Huntly, Ngaruawahia and Te Kauwhata, it will then be rolled out to other community boards and committees in our district.

This Plan will be updated on a regular basis. It forms the foundation document for future youth engagement initiatives.

The future possibilities for youth engagement could be:

- A Youth Forum – youth action groups coming together to discuss youth events in their communities and to network with each other.
- The possible establishment of a Youth Council (if deemed feasible) – responsible for fostering networks and building relationships with decision makers in order to influence change for young people at a local council level.
- Youth conferences - hosting or attending youth conferences, for those that are involved in local, regional and national decision making, for personal and professional development purposes.

These are just some of the possibilities which can be explored through future reviews of the Youth Engagement Plan.

However, first things first. Let's give our youth a voice – then the possibilities will be endless.

Appendices

Appendix One: Person specifications for youth action group members, the youth action group representative and the youth action group co-ordinator

Youth action group members

Youth action group members should be 12 – 24 years of age and from their respective communities.

Some of the key qualities a youth action group member should possess include:

- Committed to wanting to help give a youth voice.
- Passionate about change.
- Being a team player.
- Approachable and friendly.
- Willing to attend and contribute to youth action group meetings.
- Punctual.

Youth action group representative (on community boards or committees)

Youth action group representatives should ideally be between 16 – 24 years of age. They too should possess the qualities required of the youth action group member plus the following:

- Good people skills.
- Good communications skills.
- Be presentable.
- Able to relate in a professional manner with community boards or community committee members.
- Is respected by his/her peers and willing to represent youth and the issues they have.
- Reliable and proactive.

- Willing to be mentored by the nominated youth mentor on the community board/ committee and by the Youth Action Group Co-ordinator.

Youth co-ordinator

The Youth Action Group Co-ordinator should ideally be 16 years and older. Some of the key qualities that s/he must have include:

- Relatable to young people.
- Good facilitation and communication skills.
- Good organisational skills.
- Good time management.
- Being a role model for the youth.
- Able to bring the different members of the youth action group together for regular meetings.

Appendix Two: Individuals and groups consulted throughout the development of this plan

Community groups/providers

Ngaruawahia

- Ngaruawahia Community Board
- Nga Tu Tangata
- Nga Miro
- Ngaruawahia Community House
- Ngaruawahia High School
- Turangawaewae Marae – Rangatahi Rep
- Community members - David Ivory
- St John's Ambulance Cadet leader

Huntly

- Huntly Community Board
- Waikato District Health Board - Emily Kerr, Lyn King
- Huntly in Action - Lila Tekani
- Inspire Hub Huntly – Amy Henderson
- Huntly Youth Action Group
- Huntly College
- Huntly Library
- Volunteering Waikato - Lorraine Hooper
- Te Ahurei A Rangatahi - Potaea Maipi, Letari Paku

- Kaitumutumu Marae – Rangatahi Rep
- Community members - Kelley Mara, Chick Rameka, Lorna Hambleton, Yve Heanga, Michelle Doak
- Waahi Whanui (invited)
- All Marae (invited) - Te Ohaaki Marae, Waahi Pa, Maurea Marae, Horahora Marae, Kaitumutumu Marae

Te Kauwhata

- Te Kauwhata Community Committee
- DISC – Community House
- Events Committee
- St Andrew’s Church
- St Margaret’s Church
- Te Kauwhata College
- Youth Centre - youth action group
- Community members - Debbie Tonks, Richard Stewart, Ann Cooper
- Waikare Marae (invited)

Waikato District Council Councillors

- Allan Sanson (Mayor)
- Dynes Fulton (Deputy Mayor)
- Clint Baddeley (Raglan Ward Councillor)
- Jacqui Church (Awaroa ki Tuakau Ward Councillor)
- Rosemarie Costar (Onewhero-Te Akau Ward Councillor)
- Janet Gibb (Ngaruawahia Ward Councillor)
- Wally Hayes (Tamahere Ward Councillor)
- Shelley Lynch (Huntly Ward Councillor)
- Rob McGuire (Eureka Ward Councillor)
- Lionel Petersen (Awaroa ki Tuakau Ward Councillor)
- Jan Sedgwick (Whangamarino Ward Councillor)
- Noel Smith (Newcastle Ward Councillor)
- Moera Solomon (Ngaruawahia Ward Councillor)
- Graeme Tait (Huntly Ward Councillor)

Waikato District Council Staff

- Gavin Ion (Chief Executive)
- Tony Whittaker (General Manager Strategy and Support)
- Sue Duignan (General Manager Customer Support)

- Tim Harty (General Manager Service Delivery)
- Vishal Ramduny (Planning and Strategy Manager)
- Lianne Van Den Bemd (Community Development Co-ordinator)
- Kurt Abbot (Organisational Planning & Project Support Team Leader)
- Maria Edgar (Corporate Planner)
- Marae Tukere (Iwi & Community Partnership Manager)
- Jeff Myles (Project Management Advisor)
- Andrew Corkill (Asset Management Team Leader)
- Anne Beex (Communications Manager)
- Erin Rangi-Watt (Senior Communications Advisor)
- Nicole Nooyen (Communications Advisor)
- Nadine Rogers (Communications Assistant)
- Clive Morgan (Economic Development Manager)
- Alison Diaz (Finance Manager)
- Jenni Vernon (Strategic Planning and Resource Management Team Leader)
- Donna Tracey (Strategic Planning Analyst)
- Betty Connolly (Senior Policy Planner)

Ministry for Social Development

- Kodi Hapi (Ngati Haua, Ngati Pukenga - Waikato Social Sector Trial Manager)
- David Ivory (Waikato Social Sector Trial Co-ordinator)

Ministry for Youth Development

- Rob Griffiths (Youth Participation Advisor)

Other Territorial Local Authorities

- Waipa District Council
- Auckland Council

Appendix Three: Specific input derived from each of the pilot communities

Theme: Disconnected

Ngaruawahia

- The youth action group should be informed on how to make a submission to council.
- Facebook should be the key element in communication between Council and young people, a Facebook page will be started by youth co-ordinator and the youth action group to communicate easily to each other and to other young people .
- There are a lot of young people who are community minded and will be willing to join the action group.
- Need to make the roles clear to all parties involved on what they are to do/how it all works, especially the young people, keep it simple.

Huntly

- Keep the meetings short and not complex or they will get bored and not want to attend.
- An awesome opportunity for the community and good for community engagement.
- This will be beneficial in the development of Huntly and its young people.

Te Kauwhata

- A personal approach with youth members is needed to make it relevant and real.
- A diverse range of young people are needed to successfully hear all aspects on a topic or issue.
- Training the young people in professional development and also how the meetings work, what to do, how to make submissions to Council etc.
- Facebook is a key communication tool for young people and can be used to share community events of interest to youth or general community events. Youth can also share events on each other's pages.

- Good for community engagement.
- Open the youth action group up to any young person who is willing to share ideas. Do this during school lunch time to get the biggest audience.
- The group needs strong community and Council support.
- All community groups and members are backing the idea of giving youth a greater voice, as they are key for the future development of this country.
- Great idea of having a youth voice and representatives, but they need mentoring and support to keep on track.

Theme: Inactive

Ngaruawahia

- Currently there is no Youth Action Group for Ngaruawahia and the community would like one started.
- A youth focused, networking group be established for service providers to discuss relevant youth issues and events within their community.
- Love the idea, but want to see it go forward and happen, rather than it being just another good idea from Council.

Huntly

- Have food at meetings and make them different, not just writing ideas down, but explore different options.
- Two youth representatives will be better than one, as they can support each other and bounce ideas etc and they won't feel alone in the room with older members.
- Training is needed to upskill the young people in personal and professional development.

Te Kauwhata

- Have two youth representatives to support each other at the meetings in addition to the Youth Action Group Co-ordinator.

- The representatives should attend each meeting and be involved in meeting procedures.
- The youth representatives and co-ordinator should be able to speak about relevant issues at the start of the meeting and then be able to leave once all relevant topics are discussed.
- The young people need to know that all decisions take time and nothing will be done immediately. They need to be prepared for that.
- That the high schools allow the space and time to hold meetings to support the youth action group to fulfil its responsibilities. Other support could be through speaking to other students about the topics, handing out and receiving surveys, speaking in assemblies etc.
- Approach from a solutions-based plan e.g. graffiti clean-up costs more than graffiti prevention. Having the help at the top of the cliff rather than the ambulance at the bottom.

Theme: Unsustained

Ngaruawahia

- Funding is a concern, who is funding the group and for how long, also what for?

Huntly

- Is it sustainable and will it carry on if there is no youth engagement advisor through Council?
- Is there funding available for the group to access if they want to put on events or a project?

Te Kauwhata

- If the youth representative only stays on for 12 months, it will be difficult to keep the ball rolling, as training of new representative would have to happen each year and will restart the process of the relationship building again – keep youth representatives on for a three year term if they are successful.

- Sustainability? Can this initiative be successful? Are there any funds available for the group for food and for meetings? What about payment for members and representatives, training etc. If there is funding, there needs to be a continuation of this so it doesn't fall over after a short time and hard work isn't ruined. Funding is key to the success of this venture, shifting the focus from clean up, to prevention.
- Continuation of leadership, who is going to carry it on if someone is away or not present in the community anymore.

Appendix Four: Youth Engagement Budget for 2015/16

Council will be seeking further funding for the roll out of the Youth Engagement Plan including the role of the Youth Engagement Advisor in supporting this.

Task: Roll out of the Youth Engagement Plan

Committed (for 2015/16): \$15,000

Source: Ministry of Social Development

Task: Roll out of the Youth Engagement Plan

Committed (for 2015/16): \$20,000

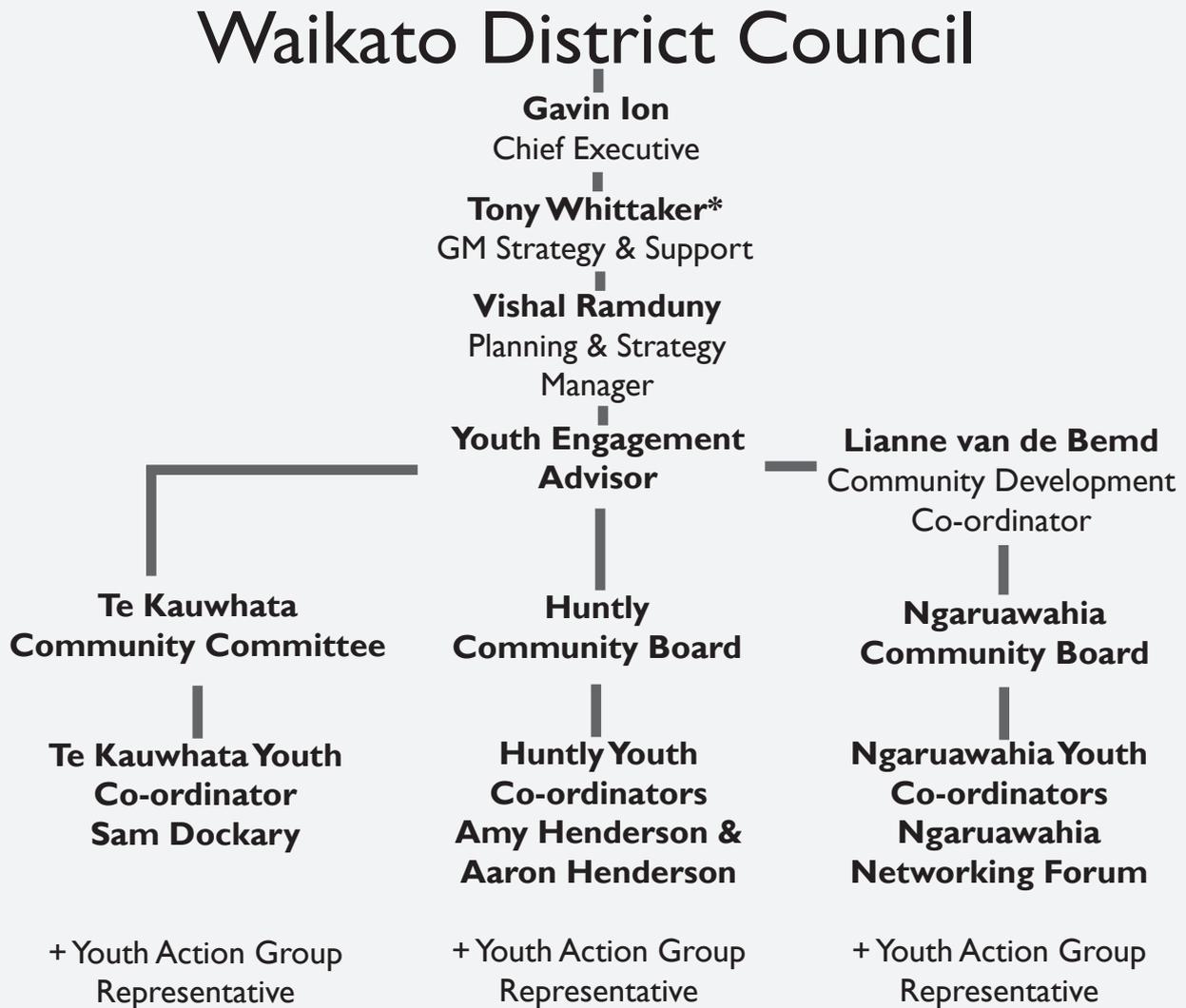
Source: Waikato District Council

Task: Youth awards and support to facilitate youth events in accordance with the Youth Engagement Plan

Committed (for 2015/16): \$15,000

Source: Ministry for Youth Development

Appendix Five: Main accountability oversight for youth engagement between Council and Community Boards and Committees



* Whilst the General Manager for Strategy & Support will have GM oversight for youth development the General Managers for Customer Support (Sue Duignan) and Service Delivery (Tim Harty) will also maintain oversight with regards to the respective community boards/committees they have been assigned to.

Appendix Six: Quotes in support of youth engagement

“Young people live in a community where they are recognised, valued and supported to fulfil their potential and aspirations.” – **Ministry of Social Development, Waikato District Youth Action Plan, Social Sector Trials, 2013.**

“Restless Development reaches out to young people in a unique way; from the youth to the youth, so the messages aren’t lost in a generation gap.” – **Restless Development, Youth Engagement Strategy, 2012 – 2015.**

“Despite their numbers, passion and experience, the voices of young people often go unheard. Young people - both in the global North and South - rarely have the opportunity to inform development policy and practice. Young people have the right to be heard.” - **Restless Development, Youth Engagement Strategy, 2012 – 2015.**

“We recognise that young people have the right to be involved in decisions that affect them and that they are best placed to make informed decisions.” – **Restless Development, Youth Engagement Strategy, 2012 – 2015.**

“Youth formal (positional) and non-formal (non-positional) leaders:

- Help other young people to identify their own needs and those of their communities.
- Advocate for vulnerable and marginalised groups.
- Share information, transfer skills and knowledge to their peers and to adults.
- Encourage other young people to take a leadership role in their communities.
- Act as the link enabling young people to work with others at different levels of the community.”

Restless Development, Youth Engagement Strategy, 2012 – 2015.

“Strong youth for strong national societies and safe and resilient communities. Youth doing more, doing better, and reaching further.”

Red Cross and Red Crescent Society, Youth Engagement Strategy, 2013.

Waikato



DISTRICT COUNCIL
Te Kaunihera aa Takiwaa o Waikato