
MINUTES

THURSDAY 8 NOVEMBER 2007

7.00PM

**THE BOARDROOM
TAWA COMMUNITY CENTRE
5 CAMBRIDGE STREET
TAWA**

PRESENT:

Mayor Prendergast
Robert Tredger (Chair)
David Darroch
Graeme Hansen
Chris Reading
Dennis Sharman
Graeme Sutton

IN ATTENDANCE:

Councillor Best
Councillor McKinnon
Councillor Pannett
Councillor Wain

APOLOGIES:

Councillor Ritchie

143/07TB **MAYOR'S WELCOME**
(1215/12/IM)

(ORAL REPORT)

NOTED:

Mayor Prendergast welcomed those present to the meeting. She thanked all who had put their names forward to be members of the Board and congratulated the ones who were successful in being elected.

144/07TB **APOLOGIES**
(1215/12/IM)

NOTED:

Mayor Prendergast conveyed to the Board and apology from Councillor Helene Ritchie and an apology from Garry Poole – Chief Executive Officer. Both were unable to attend the meeting.

145/07TB **DECLARATIONS**
(1215/12/IM)

NOTED:

Mayor Prendergast called each Board member forward. They made their declaration of intent to serve as a member of the Tawa Community Board.

“I, David Alan Darroch, Graeme Mark Hansen, Christopher Kemp Reading, Dennis Ross Sharman, Graeme Bruce Gulliver Sutton and Robert Stephen Tredger, declare that I will faithfully and impartially, and according to the best of my skill and judgement, execute and perform, in the best interests of the Tawa Community, the powers, authorities, and duties vested in, or imposed upon, me as a member of the Tawa Community Board by virtue of the Local Government Act 2002, the Local Government Official Information & Meetings Act 1987, or any other Act.”

146/07TB **GENERAL EXPLANATION**
(1215/12/IM)

NOTED:

Michael Webster – City Secretary, representing Chief Executive Officer Garry Poole read the general explanation to the Board on the Local Government Official Information And Meetings Act 1987 and other laws affecting the members including the appropriate provisions of the Local Authorities (Member’s Interests) Act 1968; Sections 99, 105 And 105a of the Crimes Act 1961; the Secret Commissions Act 1910; and the Securities Act 1978:

“As Chief Executive, and thus Principal Administrative Officer, of the Local Authority, I am required to give a general explanation to elected members of certain legislation which controls the way in which the Council’s business may be conducted and the law affecting elected members. This explanation does not attempt to cover all the detailed points of the legislation, but brings to the attention of elected members the key and more important issues affecting them.

The Local Government Official Information and Meetings Act 1987 -

This Act governs the availability of information and is based on the principle that information should be made publicly available, unless one or more specific withholding grounds apply. Matters relating to requests and release of information are administered by officers of the Council.

This Act also sets meeting procedures and requirements. These include:

- A requirement to give public notice of meetings
- Public availability of the agenda and supporting papers
- The circumstances when Council may resolve to exclude the public from meetings, and the procedure that must be followed
- Giving the chair the responsibility to maintain order at meetings.

Law affecting elected members - There are certain provisions which Councillors must be aware of.

The first is the **Local Authorities (Members' Interests) Act 1968** which has two main aspects:

- First, this Act prohibits certain contracts between the Council and its members, or persons associated with the member. A breach results in loss of office.
- Second, this Act prohibits an elected member from discussing or voting on an issue in which the member, directly or indirectly, has a pecuniary interest. Any member found to have contravened this part of the Act could be prosecuted, and if convicted, would lose office.

Under the **Crimes Act 1968** a member of a local authority who obtains or accepts or offers to accept any bribe to do or not do something, or who corruptly uses information obtained in an official capacity to get a direct or indirect pecuniary advantage, is liable to a term of imprisonment of up to 7 years.

Under the **Secret Commissions Act 1910** an elected member who accepts a gift or obtains any advantage from any other party as a reward for doing any act in relation to Council business commits an offence under this Act. It is also an offence not to disclose a pecuniary interest in any contract, and also to aid or abet or be involved in any way in an offence under this Act. Conviction can lead to imprisonment for up to 2 years and a fine up to \$1,000.

Under the **Securities Act 1978** elected members are in the same position as company directors if the Council were to offer stock to the public, such as to issue stock under its borrowing powers. Elected members therefore have the same responsibilities as directors and 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.

If a member is convicted of an offence that carries a term of 2 or more years of imprisonment under any of the provisions referred to, or any under other Act, the member will lose office.”

147/07TB **ELECTION OF CHAIR AND DEPUTY CHAIR**

Report of Michael Webster – City Secretary.

(1215/12/IM)

(REPORT 1)

NOTED:

Mayor Prendergast called for nominations for Chair of the Tawa Community Board.

Graeme Sutton nominated Robert Tredger as Chair. This nomination was seconded Chris Reading.

The motion that Robert Tredger be Chair of the Tawa Community Board was put and declared Carried unanimously.

Mayor Prendergast called for nominations for Deputy Chair of the Tawa Community Board.

Robert Tredger nominated Graeme Hansen as Deputy Chair. This nomination was seconded Chris Reading.

The motion that Graeme Hansen be Deputy Chair of the Tawa Community Board was put and declared carried unanimously.

RESOLVED:

THAT the Tawa Community Board:

1. *Receive the information.*
2. *Ratify the job description for the Chairperson of the Tawa Community Board as set out in Appendix 1 of the officer's report.*
3. *Elect Robert Tredger as Tawa Community Board Chairperson for the 2007/2010 Triennium.*
4. *Elect Graeme Hansen Tawa Community Board Deputy Chairperson for the 2007/2010 Triennium.*

148/07TB **SETTING OF FIRST ORDINARY MEETING**

Report of Michael Webster – City Secretary.

(1215/12/IM)

(REPORT 2)

RESOLVED:

THAT the Tawa Community Board:

1. *Receive the information.*
2. *Set the first Ordinary Meeting of the triennium for 7.00pm on Thursday 13 December 2007.*

149/07TB **COUNCILLOR APPOINTMENT TO THE TAWA COMMUNITY BOARD**

Report of Michael Webster – City Secretary.

(1215/12/IM)

(REPORT 3)

RESOLVED AND RECOMMENDED TO COUNCIL:

THAT the Tawa Community Board:

1. *Receive the information.*
2. *Note that under the 2007 Local Government Commission determination, the membership of the Tawa Community Board shall include two Councillors from the Northern Ward, appointed by the Council.*
3. *Recommend to Council the appointment of **Councillors Best and Wain** to the Tawa Community Board for the 2007/2010 Triennium.*

NOTED:

The resolution differs from the recommendations in the officer's report as follows:

1. The Board added the words in **bold**.
2. The Boards nomination for Councillors to be appointed will be incorporated into a report to be considered by Council at a meeting on Wednesday 21 November 2007.

150/07TB **ESTABLISHMENT OF THE TAWA COMMUNITY BOARD
GRANTS SUBCOMMITTEE**

Report of Michael Webster – City Secretary.
(1215/12/IM)

(REPORT 4)

RESOLVED:

THAT the Tawa Community Board:

1. *Receive the information.*
2. *Agree to establish the Tawa Community Board Grants Subcommittee with the associated terms of reference and delegations attached as appendix 1.*
3. *Agree to appoint **Graeme Sutton** of the Tawa Community Board as Chairperson of the Tawa Community Board Grants Subcommittee.*
4. *Agree to appoint **Chris Reading and Dennis Sharman** as Tawa Community Board members to the Tawa Community Board Grants Subcommittee.*

NOTED:

1. The resolutions differ from the recommendations in the officer's report as follows:

The Community Board added the words in **bold**.

151/07TB **TAWA BOROUGH SCHOLARSHIP TRUST**

Report of Michael Webster, City Secretary.
(1215/12/IM)

(REPORT 5)

RESOLVED:

THAT the Tawa Community Board:

1. *Receive the information.*
2. *Note that the Chair of the Tawa Community Board is an automatic member of the Tawa Borough Scholarship Trust.*
3. *Agree to appoint **David Darroch and Dennis Sharman** to the Tawa Borough Scholarship Trust.*

4. *Agree that the term of the appointment to the Tawa Borough Scholarship Trust will commence on 1 January 2008 and expire on 31 December 2010.*

NOTED:

1. The resolutions differ from the recommendations in the officer's report as follows:

The Community Board added the words in **bold**.

152/07TB **ADJOURNMENT OF MEETING**

(1215/12/IM)

(ORAL REPORT)

RESOLVED:

THAT the Tawa Community Board:

1. *Adjourn to reconvene at 5.30pm on Wednesday 14 November 2007.*

The meeting adjourned at 7.31pm on Thursday 8 November 2007.

The meeting reconvened at 5.35pm on Wednesday 14 November 2007.

PRESENT:

Robert Tredger (Chair)
David Darroch
Graeme Hansen
Chris Reading
Dennis Sharman
Graeme Sutton

IN ATTENDANCE:

Councillor Best
Councillor Wain

153/07TB **RESOURCE CONSENT MATTERS**

(1215/12/IM)

(ORAL REPORT)

NOTED:

Dougal List – Manager, Development Guidance was in attendance for this item. He outlined the processes for Resource Consents. An assurance was given to the Board that there would be a quarterly reporting update on Resource Consent issues for the Tawa area.

154/07TB **REVIEW OF FOOD PREMISES AND PUBLIC POOLS BYLAWS IN
THE WELLINGTON CONSOLIDATED BYLAW 1991**
(1215/12/IM) (ORAL REPORT)

NOTED:

John McGrath – Policy Manager briefed the Board on the Review of Food Premises and Public Pools Bylaws in the Wellington Consolidated Bylaw 1991. Following the briefing from Mr McGrath the Board agreed not to submit on this Bylaw review.

The meeting concluded at 6.37pm on Wednesday 14 November 2007.

Confirmed: _____
Chair
/ /

Tawa Community Board Grants Subcommittee

Voting Membership:

The Subcommittee has three members (including the Chairperson).

Quorum:

The quorum shall be not less than two members.

Chair:

The Chairperson will be elected by the Tawa Community Board.

Frequency of Meetings:

The Subcommittee will meet as required.

Sunset Clause:

The Subcommittee will discontinue at the conclusion of the 2007/2010 Triennium.

General Purpose:

The Tawa Grants Subcommittee considers applications received for the Tawa Community Grants Fund, and has delegated authority to decide on the distribution of such funds.

Terms of Reference:***Objective:***

To adjudicate on the applications for the Tawa Community Grants Fund during the 2007/2010 triennium.

Outcome:

To achieve an equitable distribution of grants funding in line with the criteria and the characteristics and merits inherent in individual grant applications.

Responsibilities:

To ensure that decisions reached regarding grants funding are in line with the criteria, and to adjudicate on the individual grant applications in a fair and equitable manner.