

Council Meeting

Hui ā Kaunihera

PUBLIC BUSINESS AGENDA

Kaupapa pakihi Tūmatanui

9:30 AM

Wednesday, 29 October 2025

Papa o Te Aroha Marae,
Mossop Road, 3491
Tokoroa

Attendees / Te hunga kua tae mai: S Law (Chairperson), G Petley (Mayor), Z Latinovic, T Lee, A Lipscombe, K Purdy, D Shaw, M Te Kanawa, J Teokotai, M Thomas, E Van Der Leden, S Wallace.

OUR VISION / TŌ MĀTOU WHAKAKITENGA

“A thriving community and robust economy that outpaces the rest of NZ.”

Order of Business / Rārangi take

1. Attendees / Te hunga kua tae mai

2. Welcome / Karakia

The meeting will open with a Karakia.

3. Apologies / Leave of Absences / Ngā whakapāha

Members are requested to provide their apology or leave of absence to the Chair prior to the meeting.

4. Reports / Ngā pūrongo

4.1 Elected Member Declarations

4.2 Deputy Mayor and Committee Structure Appointments (2025-2028 Triennium)

4.3 CE Legislation briefing/Confirmation of next Council Meeting

5. Meeting Closed / Kua kati te hui

The meeting will close with a Karakia.

RECOMMENDATIONS contained in reports are NOT to be construed as COUNCIL DECISIONS. Refer to Council minutes for RESOLUTIONS.

4.1 Elected Member Declarations

Report To:	Council
Meeting Date:	Wednesday, 29 October 2025
Author:	Susan Law
Author Title:	Chief Executive
Authorised by:	Chief Executive

Purpose

To confirm the Elected Member declarations for the new Council in accordance with the Local Government Act 2002.

Recommendation

That the Council:

- a. Receives the following Elected Member Declarations for the 2025-2028 triennium (Resolve#2025-380).

Executive Summary

Attachments

1. Mayor Declaration (english)
2. Mayor Declaration (reo maori)
3. Elected Member Declaration (english)
4. Elected Member Declaration (reo maori)
5. Tirau Community Board Member Declaration (english)

SOUTH WAIKATO DISTRICT COUNCIL DECLARATION BY MAYOR

ENTER FULL NAME

"I, Enter Full Name, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of the South Waikato District, the powers, authorities, and duties vested in, or imposed upon, me as

Mayor of the South Waikato District Council

by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act."

Dated at Tokoroa this 29th day of October 2025.

Signed:

In the presence of:

Mayor

South Waikato District Council

S Law

Chief Executive

SOUTH WAIKATO DISTRICT COUNCIL

DECLARATION BY MAYOR

ENTER FULL NAME

“Ko ahau, ko **Enter Full Name** e oati ana ka whai ahau i te pono me te tōkeke, i runga hoki i te mutunga kē mai nei o āku pūkenga, o āku whakatau hoki kia whakatutuki, kia mahi anō hoki i te mana whakahaere, te mana whakatau me ngā momo mahi kua uhia ki runga i a au kia whiwhi painga mō te takiwā

o Waikato ki te Tonga hei kaikaunihera o te Kaunihera-a-rohe o Waikato ki te Tonga,

E ai hoki ki te Ture Kāwanatanga-ā-Taiao 2002, ki te Ture Kāwanatanga-ā-Taiao Whakapae me te Hui 1987, me ētahi Ture anō rānei.

He mea whakaū tēnei i Tokoroa i tēnei rā rua tekau mā iwa o Whiringa-ā-nuku i te tau rua mano rua tekau mā rima.”

Waitohu:

Waitohu mai ki mua i a:

Mea

**kaikaunihera o te Kaunihera-a-rohe
o Waikato ki te Tonga**

Susan Law

**Kaiwhakahaere o te Kaunihera-a-
rohe o Waikato ki te Tonga**

SOUTH WAIKATO DISTRICT COUNCIL DECLARATION BY ELECTED MEMBER

ENTER FULL NAME

“I, Enter Full Name, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of the South Waikato District, the powers, authorities, and duties vested in, or imposed upon, me as a

Member of the South Waikato District Council

by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.”

Dated at Tokoroa this 29th day of October 2025.

Signed:

In the presence of:

Councillor

Mayor

South Waikato District Council

SOUTH WAIKATO DISTRICT COUNCIL

DECLARATION BY MEMBER

ENTER FULL NAME

“Ko ahau, ko **Enter Full Name**, e oati ana ka whai ahau i te pono me te tōkeke, i runga hoki i te mutunga kē mai nei o āku pūkenga, o āku whakatau hoki kia whakatutuki, kia mahi anō hoki i te mana whakahaere, te mana whakatau me ngā momo mahi kua uhia ki runga i a au kia whiwhi painga mō te takiwā

o Waikato kit e Tonga hei kaikaunihera o te Kaunihera-a-rohe o Waikato kit e Tonga,

E ai hoki ki te Ture Kāwanatanga-ā-Taiao 2002, ki te Ture Kāwanatanga-ā-Taiao Whakapae me te Hui 1987, me ētahi Ture anō rānei.

He mea whakaū tēnei i Tokoroa i tēnei rā rua tekau mā iwa o Whiringa-ā-nuku i te tau rua mano rua tekau mā rima.”

Waitohu:

Waitohu mai ki mua i a:

Kaikaunihera

Mea
kaikaunihera o te Kaunihera-a-rohe o
Waikato kit e Tonga

TIRAU COMMUNITY BOARD DECLARATION BY BOARD MEMBER

ENTER FULL NAME

“I, Enter Full Name, 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 Tirau Ward of the South Waikato District, the powers, authorities, and duties vested in or imposed upon, me as a

Tirau Community Board Member of the South Waikato District Council

by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.”

Dated at Tokoroa this 29th day of October 2025.

Signed:

In the presence of:

Board Member

Mayor

South Waikato District Council

4.2 Deputy Mayor and Committee Structure Appointments (2025-2028 Triennium)

Report To:	Council
Meeting Date:	Wednesday, 29 October 2025
Author:	Susan Law
Author Title:	Chief Executive
Authorised by:	Chief Executive

Purpose

To inform Council of the Local Government Act 2002 requirements for the appointment of the Deputy Mayor and to propose the committee structure for the 2025-2028 triennium.

Recommendation

That the Council:

- a. Receives and notes the legislative requirements outlined within this report.
- b. Receives and acknowledges the Mayoral appointment of Deputy Mayor as Cr Maria Te Kanawa.
- c. Receives and acknowledges the Council Committee Structure for the 2025-2028 triennium as attached.

Executive Summary

The options for appointment of a Deputy Mayor are –

Option One

In accordance with Section 17 of Schedule 7 of the LGA, Council elect one of its members to be its Deputy Mayor.

Option Two

The Mayor exercises the powers of Section 41A(3)(a) and appoints a Deputy Mayor. If the Council supports the Mayor's appointment, Council acknowledge the appointment.

Note: If the Mayor declines to exercise the powers of Section 41A(3)(a), or should the Council disagree with any appointment made by the Mayor and choose to remove that appointee in accordance with Section 41A(4)(a), then Option One becomes the default appointment method.

Council governance staff propose the attached committee structure for the 2025-2028 triennium period.

Context

1. The Deputy Mayor must perform all the responsibilities and duties, and may exercise all the powers of the Mayor in accordance with Section 17(3) of Schedule 7 of the LGA, which reads as follows:

17 Election of deputy mayor or deputy chairperson

- (1) *A territorial authority must elect 1 of its members to be its deputy mayor in accordance with clause 25.*
- (2) *A regional council must elect 1 of its members to be its deputy chairperson in accordance with clause 25.*
- (3) *The deputy mayor or deputy chairperson must perform all the responsibilities and duties, and may exercise all the powers, of the mayor or chairperson,—*
 - (a) *with the consent of the mayor or chairperson, at any time during the temporary absence of the mayor or chairperson:*
 - (b) *without that consent, at any time while the mayor or chairperson is prevented by illness or other cause from performing the responsibilities and duties, or exercising the powers, of his or her office:*
 - (c) *while there is a vacancy in the office of the mayor or chairperson.*
- (4) *In the absence of proof to the contrary, a deputy mayor or deputy chairperson acting as mayor or chairperson is presumed to have the authority to do so.*
- (5) *A deputy mayor or deputy chairperson continues to hold his or her office as deputy mayor or deputy chairperson, so long as he or she continues to be a member of the territorial authority or regional council, until the election of his or her successor.*

Note: Clause 17(1) does not apply unless the Mayor declines to exercise the power in subsection 41A (3)(a).

2. Section 41A(3)(a) of the Local Government Act 2002 (LGA) provides the Mayor the power to appoint the Deputy Mayor.
3. However, if the Council does not support the Mayor's appointment, the Council has the power, under Section 41A(4)(a), to remove a Deputy Mayor appointed by the Mayor.
4. Section 41A of the LGA reads as follows:

41A Role and powers of mayors

- (1) *The role of a mayor is to provide leadership to—*
 - (a) *the other members of the territorial authority; and*
 - (b) *the people in the district of the territorial authority.*
- (2) *Without limiting subsection (1), it is the role of a mayor to lead the Development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.*
- (3) *For the purposes of subsections (1) and (2), a 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—*

- (i) *may make the appointment before the other members of the committee are determined; and*
 - (ii) *may appoint himself or herself.*
 - (4) *However, nothing in subsection (3) limits or prevents a territorial authority from—*
 - (a) *removing, in accordance with clause 18 of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or*
 - (b) *discharging or reconstituting, in accordance with clause 30 of Schedule 7, a committee established by the mayor under subsection (3)(b); or*
 - (c) *appointing, in accordance with clause 30 of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or*
 - (d) *discharging, in accordance with clause 31 of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).*
 - (5) *A mayor is a member of each committee of a territorial authority.*
 - (6) *To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).*
 - (7) *To avoid doubt,—*
 - (a) *clause 17(1) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a):*
 - (b) *clauses 25 and 26(3) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee.*
5. Should the Mayor decline to exercise the power in subsection 41A (3)(a), then the Council must “elect” one of its members to be its deputy mayor in accordance with Clause 25 of Schedule 7 which states as follows:

25 Voting systems for certain appointments

- (1) *This clause applies to—*
 - (a) *the election or appointment of the chairperson and deputy chairperson of a regional council; and*
 - (b) *the election or appointment of the deputy mayor; and*
 - (c) *the election or appointment of the chairperson and deputy chairperson of a committee; and*
 - (d) *the election or appointment of a representative of a local authority.*
- (2) *If this clause applies, 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:*
 - (a) *the voting system in subclause (3) (**system A**):*
 - (b) *the voting system in subclause (4) (**system B**).*

(3) System A—

- (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; and*
- (b) *has the following characteristics:*
 - (i) *there is a first round of voting for all candidates; and*
 - (ii) *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*
 - (iii) *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; and*
 - (iv) *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.*

(4) System B—

- (a) *requires that a person is elected or appointed if he or she receives more votes than any other candidate; and*
- (b) *has the following characteristics:*
 - (i) *there is only 1 round of voting; and*
 - (ii) *if 2 or more candidates tie for the most votes, the tie is resolved by lot.*

GOVERNANCE MANUAL

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Introduction

Purpose and Role of Local Government

The Local Government Act 2002 (LGA) provides for democratic and effective Local Government that recognizes the diversity of New Zealand communities and identifies that general framework and powers under which local authorities operate.

The purpose of Local Government is:

- To enable democratic local decision-making and action by, and on behalf of, communities; and
- To promote the social, economic, environmental, and cultural well-being of communities in the present and future.

The role of a local authority is to:

- Give effect, in relation to its district or region, to the purpose of Local Government stated above; and
- Perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.

For further details on Local Government visit the <http://www.localcouncils.govt.nz> website.

The governance structure through which Council carries out its governance functions and formally delegates its powers and responsibilities in accordance with the provisions and requirements of the Local Government Act, is outlined in this document.

Delegation to Council Committees

To ensure efficient and effective decision-making, Council makes use of committees and subcommittees. These committees and subcommittees have specific delegated authorities, duties, and powers and these are clearly stated in each of the Terms of Reference. Each committee has authority under the Local Government Act 2002 to establish/disestablish subcommittees as the need arises.

Each is empowered to make the decisions within its role identified in its Terms of Reference without needing to go back to Council. Where a matter is beyond the Terms of Reference, committees and subcommittees make recommendations to their parent bodies.

The Mayor is a member of every committee of the South Waikato District Council (SWDC) (including standing, special, joint and subcommittees, excluding co-governance entities) pursuant to Section 41A(5) of the Local Government Act. As such the Mayor has the rights and responsibilities of every other member and may count towards to quorum.

A Council committee, subcommittee or other subordinate decision-making body is, unless Council resolves or it is slated in the Terms of Reference otherwise, deemed to be discharged on the coming into office of the elected members of the Council following the next triennial general election (in accordance with Clause 30(7) of Schedule 7 of the Local Government Act.

COUNCIL

Council Membership

Chairperson	Mayor Petley
Deputy Chairperson	Deputy Mayor Te Kanawa
Members	x8 Elected Members
Quorum	Half the number of Full Council plus one
Meeting frequency	Monthly or as required for Annual Plan, Long Term Plan, and other relevant legislative requirements.

Purpose

Enable democratic local decision-making and action by, and on behalf of, South Waikato Communities.

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.

Set the overarching strategic direction for South Waikato District Council as an organization.

Role

- Hold ultimate responsibility for allocating financial resources across the Council.
- Address Local Government Act, Local Electoral Act and Local Government Rating Act matters.
- Oversee all matters relating to identifying and contributing to community outcomes.
- Consider and agree on matters relating to significant new activities or areas of involvement such as infrastructure which are not the responsibility of a specific committee.
- Provide district leadership on key issues that require a collaborative approach between a number of parties.
- Review and decide the Councils electoral and representation arrangements.
- Consider issues of district significance which are not the responsibility of any specific standing committee or that are of such district significance/high public interest that the full Council needs to decide on them.
- Adopts Councils Significance and Engagement Policy.
- Develop, adopt, and implement the Code of Conduct and Standing Orders.
- Consider and agree on matters relating to elected members' remuneration.
- Appoint the Chief Executive, and review their contract, performance, and remuneration at least annually.
- Approve all delegations to the Chief Executive, including the authority for further delegation to staff.
- Oversee the work of all Committees and subcommittees.
- Receive and consider recommendations and matters referred to by its communities, joint committees, subcommittees and working parties.
- Approve membership to external bodies and organisations, including Council controlled organisations.
- Develop, adopt, and review policies for, and monitor the performance of, Council controlled organisations.
- Monitor and review the achievement of outcomes for the South Waikato community.
- Review and approve strategic matters relating to the sale, acquisition and or development of property for the purposes of meeting Council's organisational requirements and implement District Council policy.
- Address strategic corporate matters including property and accommodation.
- Adopt the Long Term Plan, Annual Plan and budget variations, and Annual Report.
- Adopt Council policies as required by statute to be decided by Council or outside of committee delegations (for example the infrastructure policy).

- Develop, review and approve Council's Financial Strategy and funding and financial policies and frameworks.

Delegations from Council to Committees

- Council has a role to monitor the functioning of all committees.
- Council will consider matters not within the delegation of any one Council committee.
- Council may at any time, revoke or modify a delegation to a Council committee, either permanently, for a specified time or to address a specific matter if it considers there is good reason to do so.
- The delegations provided to committees may be further delegated to subcommittees unless the power of further delegation is restricted by Council or by statute.

It is accepted in making these delegations that:

- The committees, in performing their delegated functions, powers or duties, may, without confirmation by the Council, perform them in a like manner as the Council itself could have performed them.
- The delegated powers given shall always be subject to their current policies and principles or directions, as given by the Council from time to time.
- The chairperson of each committee shall have the authority to exercise their discretion as to whether the delegated authority of the committee be used where, in the opinion of the chairperson, circumstances warrant it.

Powers that Cannot be Delegated

Under Clause 32 Schedule 7 of the Local Government Act, Council must make the following decisions:

- Make a rate.
- Make a bylaw.
- Borrow money, purchase, or dispose of assets, other than in accordance with the Long Term Plan.
- Adopt the Long Term Plan, Annual Plan, or Annual Report.
- Appoint a Chief Executive.
- Adopt policies required to be adopted and consulted on under the Local Government Act in association with the Long Term Plan or developed for the purpose of the Local Government Statement.
- Adopt a remuneration and employment policy (if required).

STANDING COMMITTEES

Local Services Committee

Membership

Chairperson	Cr Lee
Members	x5 members Mayor Petley (ex officio)
Quorum	Half the number of the Committee plus one
Meeting frequency	Quarterly

Purpose

The purpose of the Local Service Committee is to:

- Inform the strategic direction for the Council in relation to locally delivered services and monitor implementation through approved planning and policy frameworks and reporting mechanisms.
- Identify local service issues resulting from emerging trends and reported data and provide input on developing a strategic response.

Role

- Inform Council's strategic direction, including prioritisation and policy responses as it relates to locally delivered services.
- Enhance awareness and understanding of emerging issues and trends relating to meeting Council's strategic direction of local delivered services.
- To consider the impacts of the Council's network of infrastructure and assets on the environment.
- Review and monitor Council Bylaws Framework as it relates to services used by the local community.
- Oversee and monitor:
 - The preparation and implementation of Councils asset management plans.
 - The operation of Council's local roads, parks and reserves, solid waste, facilities and events.
 - The management of Council's property.
 - Provide advice to the Council on priorities for Councils capital expenditure on infrastructure.
 - Liaise with the Growth and Infrastructure Committee to make recommendations to Council on strategic infrastructure investments.

Power to Act

The Committee has no power to act on behalf of the Council.

The Committee may be a conduit for hearing of public submissions.

The Committee may also appoint sub-committees to enquire into specific matters.

Power to Recommend

The Local Services Committee is authorised to:

- Review, develop and recommend policy and strategy to Council.
- Recommend to Council submissions on legislation, policy, regulations, standards, plans and other instruments prepared by Central Government, Local Government and other organisations.
- Identify, monitor, and evaluate necessary actions by the organisation and other relevant organisations under co-governance arrangements as they relate to local services.

The Local Services Committee reports directly to full Council.

Review

The committee's operation, terms of reference and membership will be reviewed after 12 months.

Growth and Infrastructure Committee

Membership

Chairperson	Cr Wallace
Members	x4 elected members x1 Independent member Mayor Petley (ex officio)
Quorum	Half the number of the Committee plus one
Meeting frequency	Quarterly

Purpose

The purpose of the Growth and Infrastructure Committee is to assist the Council and business community to develop and grow the South Waikato District.

Role

- To provide direction on strategic priorities for core infrastructure aligned to the district's development, and oversight of strategic projects.
- Review and recommend to Council positions on regional economic development.
- Consider any issues delegated by Council that have a regional, environmental, social, or economic focus.
 - Provide advice to the Council on priorities for the Council's land and social infrastructure expenditure.
 - Liaise with the Local Services Committee to make recommendations to Council on strategic infrastructure investments.
- Recommend to Council submissions on legislation, policy, regulations, standards, plans, and other instruments prepared by Central Government, Local Government and other organisations around growth and infrastructure.
- Identify, monitor, and evaluate necessary actions by the organisation and other relevant organisations under co-governance arrangements as they relate to local services.
- Monitor and review regional spatial and land use strategies.
- Monitor key performance measures relating to district and regional growth.

Power to Act

The Committee has no power to act on behalf of the Council.

The Committee may be a conduit for hearing of public submissions.

The Committee may also appoint sub-committees to enquire into specific matters.

Power to Recommend

The Growth and Infrastructure Committee is authorised to:

- Review and develop strategic policy and strategy.
- Recommend to Council submissions on legislation, policy, regulations, standards, plans, and other instruments prepared by Central Government, Local Government, and other organisations.
- Identify, monitor, and evaluate necessary actions by the organisation and other relevant organisations under co-governance arrangements as they relate to growth and infrastructure.

The Growth and Infrastructure Committee reports directly to full Council.

Review

The Committee's operation, terms of reference and membership will be reviewed after 12 months

Audit, Risk and Improvement Committee

Membership

Chairperson	Rachael Dean (Independent Chair)
Members	4 elected members Anthony Byett (Independent member) Mayor Petley (ex officio)
Quorum	Half the number of the Committee, one of whom must be the Chair or Deputy Chair
Meeting frequency	Quarterly

Purpose

The purpose of the Audit, Risk and Improvement Committee is to assist and advise the governing body in discharging its responsibility and ownership of governance, risk management and internal control. The Committee will:

- Monitor the effectiveness of Council's performance management and performance information.
- Obtain assurance from management that all financial and non-financial control and risk management functions are operating effectively and reliably.
- Provide oversight of the implementation of accepted audit recommendations.
- Ensure Council effectively monitors compliance with legislative and regulatory requirements and promotes a culture committed to lawful and ethical behaviour.
- Provide oversight of preparation of the Long Term Plan, Annual Report and other external financial reports required by statute.

Role

Internal Audit

- Evaluate the quality of the internal audit function, particularly in the areas of planning, monitoring, and reporting.
- Review, approve and monitor the implementation of the internal audit plan.
- Review the reports of the audit function dealing with findings, conclusions, and recommendations.
- Review and monitor managements responsiveness to the findings and recommendations, enquiring into the reasons that any recommendation is not acted upon.

Risk Management

- Evaluate whether processes are in place to address key roles and responsibilities in relation to risk management.
- Review, endorse and monitor the implementation of financial policies, framework, and strategy.
- Review the effectiveness of risk management and internal control systems including all material financial, operational, compliance and other material controls. This includes legislative compliance (including Health and Safety), significant projects and programmes of work and significant procurement.
- Review risk management reports identifying new and/or emerging risks.

Power to Act

The Committee:

- Has no decision-making powers other than those in these terms of reference.
- May request expert advice through the Chief Executive where necessary.
- May make recommendations to the Council and/or the Chief Executive.

Power to Recommend

The Audit, Risk and Improvement Committee recommend to Council and/or any standing committee as it deems appropriate.

The Audit, Risk and Improvement Committee has no delegated authority to:

- Develop strategic policy and strategy.
- Develop Council's Financial Strategy, funding and financial policies and non-financial operational policies and plans.

The Audit, Risk and Improvement Committee reports directly to full Council.

Review

The committee's operation, terms of reference and membership will be reviewed after 12 months.

Community Engagement and Investment Committee

Membership

Chairperson	Cr Teokotai
Members	x4 elected members Mayor Petley (ex officio)
Quorum	Half the number of the Committee plus one
Meeting frequency	Quarterly

Purpose

The purpose of the Community Engagement and Investment Committee is to assist the Council to develop and grow the South Waikato District by effective investment into community groups, not-for-profits, charities, social enterprises and voluntary organisations, (the 'Community Sector')

Role

- To provide direction on strategic priorities related to our support of the Community Sector.
- Enhance awareness and understanding of emerging issues and trends relating to meeting Council's strategic goals that impact on the wellbeing, growth and empowerment of the local community.
- Review and monitor Council operations as it relates to services used by the local community and how they are impacting on them.
- Oversee and monitor:
 - The Council's Community Development Investment Scheme.
 - Provide advice to the Council on priorities for Councils investment into Community Development.

Power to Act

The Committee has the power to act on behalf of the Council.

The Committee may be a conduit for hearing public submissions.

The Committee may also appoint sub-committees to enquire into specific matters.

Power to Recommend

The Community Investment Committee is authorised to:

- Review, develop and recommend policy and strategy related to Council.
- Recommend to Council submissions on legislation, policy, regulations, standards, plans and other instruments prepared by Central Government, Local Government and other organisations.
- Identify, monitor and evaluate necessary actions by the organisation and other relevant organisations under co-governance arrangements as they relate to Community Development.

The Audit, Risk and Improvement Committee reports directly to full Council.

Review

The committee's operation, terms of reference and membership will be reviewed after 12 months.

TIRAU COMMUNITY BOARD

Membership

Chairperson	TBC
Deputy Chairperson	TBC
Members	Chris Hunt Fiona Van Lent Mandeep Singh Graham Singers Mayor Petley (ex officio)
Quorum	Half the number of members (physical presence)
Meeting frequency	Six weekly

Purpose

To represent, and act as an advocate for, the interests of its community (Tirau ward).

Role

- Consider and report on all matters referred to it by the South Waikato District Council, or any matter of interest or concern to the community board.
- Maintain an overview of services provided by the South Waikato District Council within the community.
- Prepare an annual submission to the South 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 territorial authority.
- Monitor the agreed activities of the South Waikato District Council's Annual Plan and Budget.
- Provide updates to the community on the above.
- Provide submissions to South Waikato District Council on the annual, spatial, resource and long term planning processes that relate to Tirau.

Power to Act

Such matters as may from time to time be delegated by Council.

Review

The boards operation, terms of reference and membership will be reviewed every triennium.

Document Details

Record number	605994
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Next review date	As required when there are changes to Council/Committee memberships
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Review frequency	As required when there are changes to Council/Committee memberships
Approval authority	Council
Consultation required	No
Review changes	February 2024 – updated Governance Structure, Standing Committee memberships, formatting. October 2025 – New Triennium updates

4.3 CE Legislation briefing/Confirmation of next Council Meeting

Report To:	Council
Meeting Date:	Wednesday, 29 October 2025
Author:	Susan Law
Author Title:	Chief Executive
Authorised by:	Chief Executive

Purpose

To give a general explanation of the Local Government Official Information and Meetings Act 1987 and other laws affecting Elected Members and to confirm the next Council Meeting date and time.

Recommendation

That the Council:

- a. Receives and notes the CE briefing on legislation affecting Elected Members.
- b. Confirms the next Council Meeting date and time of Thursday 27 November 2025 from 9.30 am.

Executive Summary

The Chief Executive is required under Schedule 7, Part 1, Clause 21(5)(c) of the Local Government Act 2002 to give a general explanation of the Local Government Official Information and Meetings Act 1987 and other laws affecting Elected Members. This includes:

- the appropriate provisions of the Local Authorities (Members' Interests) Act 1968;
- sections 99, 105, and 105A of the Crimes Act 1961;
- the Secret Commissions Act 1910; and
- the Financial Markets Conduct Act 2013.

Council is required under Clause 21(5)(d) to fix a date and time of the next Council Meeting OR adopt a schedule of meetings. After discussion with the Mayor-Elect, it is proposed that the next Council meeting take place on Thursday 27 November 2025 from 9.30 am, and a schedule of meetings for the new calendar year will be proposed in the next Council Meeting.

Discussion

Brief on Legislation

Local Government Official Information and Meetings Act 1987 (LGOIMA)

The LGOIMA applies to every Local Authority in New Zealand and its requirements can be broken down in two main components. The first is "official information" and the second is "meetings".

Official Information

The LGOIMA outlines requirements for the disclosure of information held by a Local Authority to the public. The underlying principle of this Act is that information will be made available upon request unless there is a good reason to withhold it.

In general, the grounds for withholding information under sections 6 and 7 of the LGOIMA are:

- i. making it available would be likely to prejudice the maintenance of the law, or endanger safety
- ii. withholding the information is necessary to:
 - a. protect the privacy of natural persons
 - b. 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
 - c. in certain cases, avoid serious offence to tikanga Maori or avoid disclosure of wahi tapu locations
 - d. protect an obligation of confidentiality where making it available would affect the future supply of information or would otherwise damage the public interest
 - e. avoid undermining systems that are in place to protect the health and safety of members of the public
 - f. avoid undermining systems that help prevent or mitigate material loss to members of the public
 - g. maintain free and frank discussion or protect staff and Elected Members from harassment
 - h. protect legitimate commercial activities and negotiations
 - i. prevent the use of information for improper gain.

Meetings

The LGOIMA outlines the procedural requirements for Local Authority meetings, including public notification of meetings, the publishing of agendas and public access to agendas and meeting minutes.

Public excluded Local Authority meetings have similar grounds to the withholding of official information under the Act. These relate to protection of personal privacy, professional privilege and commercially sensitive information, and the maintenance of public health, safety and order.

The Local Authorities (Members' Interests) Act 1968

Two key parts of this Act relate to Contracting and Pecuniary Interests, with consideration for Conflicts of Interest. Provisions under this Act also apply to an Elected Member's spouse or partner.

Contracting

Section 3 of this Act outlines that an Elected Member is disqualified from office, or from election to office, if that Elected Member is concerned or interested in any contracts or subcontracts exceeding \$25,000 (including GST) paid by a Local Authority in any financial year. The exception to this is if prior approval is given by the Auditor General.

Pecuniary Interests (Voting and Discussion in meetings & Conflicts of Interests)

Elected Members cannot participate in Council discussion or voting where they have a pecuniary interest, other than an interest in common with the general public.

Elected Members must declare interests as soon as practicable after becoming aware of such interests. These declarations are recorded in a Pecuniary Interests Register maintained by Council as required under the Local Government Act 2002. Elected Members may also contact the Office of the Auditor General for guidance on whether they have a pecuniary interest. If there is one, Council may seek an exemption to allow that Elected Member to participate or vote on a particular issue where they may have a pecuniary interest.

Non-pecuniary conflicts of interest

Cases may arise where an Elected Member has a non-pecuniary interest in matters before Council. Common examples of this include the Elected Member having a personal relationship to, or a role in another organisation. Elected Members who have a non-pecuniary interest must declare so when the matter is raised in a Council meeting, ensure their declaration is recorded, and refrain from discussing or voting on the matter.

Crimes Act 1961

It is unlawful for an Elected Member to accept or solicit for themselves (or anyone else) any bribe (meaning money, valuable consideration, office, or employment, or any benefit, whether direct or indirect) for acting or not acting in relation to Council business. It is also unlawful for an Elected Member to use or disclose information gained in the course of their duties for their, or another person's, financial gain or advantage. These offences are punishable by a term of imprisonment not exceeding 7 years. Elected Members convicted of these offences will also be disqualified from office.

Secret Commissions Act 1910 Act

Under this Act, every officer or Elected Member of a Local Authority shall be deemed to be an agent of that Local Authority.

It is an offence for any agent to accept or attempt to obtain for personal or other gain any gift or reward for doing or not doing any act in relation to Council business. Examples include an Elected Member having a pecuniary interest in a contract made on behalf of Council, or presenting false receipts to Council, or advising any person to enter into a contract with a third party and receiving a gift without the person advised knowing.

Financial Markets Conduct Act 2013

Under this Act, Elected Members are essentially in the same position as company directors whenever Council offers financial products (such as an issue of debt or equity securities). Elected Members may be personally liable if documents that are registered under this Act, such as a product disclosure statement, contain false or misleading statements. Elected Members may also be liable if the requirements of this Act are not met in relation to offers of financial products.

It should be emphasized that this report is a brief on required legislation. Further to this report, there will be an internal workshop on legislative requirements for Elected Members in November.

Next Council Meeting

1. It is proposed that the next Council Meeting take place on Thursday 27 November 2025 from 9.30 am. A series of planned inductions, including external inductions and internal workshops will occur in the lead up to the next Council Meeting.