

**MINUTES**

**THURSDAY 15 NOVEMBER 2007**

**7.02PM**

**OHARIU VALLEY HALL  
OHARIU VALLEY ROAD  
OHARIU VALLEY**

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**PRESENT:**

Gavin Bruce  
Christine Grace  
John Hume  
Ralph Jorgensen  
Ruth Paul  
Craig Shepherd

**IN ATTENDANCE:**

Councillor Best  
Councillor Foster  
Councillor Pannett  
Councillor Wade-Brown

**APOLOGIES:**

Mayor Prendergast  
Councillor McKinnon  
Robert Tredger (Chair, Tawa Community Board)

130/07MB **WELCOME**  
(1215/12/IM)

**NOTED:**

Garry Poole – Chief Executive welcomed those present to the meeting. He thanked all who had put their names forward to be members of the Board and congratulated the ones who were successful in being elected.

131/07MB **APOLOGIES**  
(1215/12/IM)

**NOTED:**

Garry Poole – Chief Executive Officer conveyed to the Board and apology from Mayor Prendergast and Deputy Mayor, Councillor Ian McKinnon. Both were unable to attend the meeting. An apology from Robert Tredger, Chair of the Tawa Community Board was also conveyed to the meeting.

132/07MB **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 Makara/Ohariu Community Board.

**“I, Gavin Fraser Bruce, Christine Mary Grace, John Alexander Hume, Harlan Ralph Jorgensen, Ruth Natalie Paul and Craig Alan Shepherd,** 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 Makara and Ohariu Communities, the powers, authorities, and duties vested in, or imposed upon, me as a member of the Makara/Ohariu Community Board by virtue of the Local Government Act 2002, the Local Government Official Information & Meetings Act 1987, or any other Act.”

133/07MB **GENERAL EXPLANATION**  
(1215/12/IM)

(ORAL REPORT)

**NOTED:**

Garry Poole - Chief Executive Officer 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.”

**134/07MB ELECTION OF CHAIR AND DEPUTY CHAIR**

Report of Michael Webster – City Secretary.

(1215/13/IM)

(REPORT 1)

**NOTED:**

Garry Poole as Chief Executive Officer introduced the report to the meeting. He called for a mover and seconder for recommendations 1 and 2.

Moved Ralph Jorgensen, seconded John Hume, the substantive motion recommendations 1 and 2.

The substantive motion recommendations 1 and 2 were put and declared CARRIED.

Garry Poole called for nominations for Chair of the Makara/Ohariu Community Board.

John Hume nominated Ruth Paul as Chair. This nomination was seconded Gavin Bruce.

The motion that Ruth Paul be Chair of the Makara/Ohariu Community Board was put and declared CARRIED unanimously.

Garry Poole then called for nominations for Deputy Chair of the Makara/Ohariu Community Board.

John Hume nominated Gavin Bruce as Deputy Chair. This nomination was seconded Ralph Jorgensen.

The motion that Gavin Bruce be Deputy Chair of the Makara/Ohariu Community Board was put and declared carried unanimously.

**RESOLVED:**

*THAT the Makara/Ohariu Community Board:*

1. *Receive the information.*

2. *Ratify the job description for the Chairperson of the Makara/Ohariu Community Board as set out in Appendix 1.*
3. *Elect Ruth Paul to be Chairperson of the Makara/Ohariu Community Board for the 2007/2010 Triennium.*
4. *Elect Gavin Bruce as the Deputy Chairperson of the Makara/Ohariu Community Board for the 2007/2010 Triennium.*

**135/07MB SETTING OF FIRST ORDINARY MEETING**

Report of Fiona Dunlop – Senior Committee Adviser.  
(1215/13/IM)

(REPORT 2)

**RESOLVED:**

*THAT the Makara/Ohariu Community Board:*

1. *Receive the information.*
2. *Set the first Ordinary Meeting of the triennium for 7.00pm on Thursday 20 December 2007 at the Makara Community Hall.*

**NOTED:**

Ruth Paul thanked the Board members for her reappointment as Chair of the Makara/Ohariu Community Board for the 2007/2010 Triennium. She welcomed the new members to the Board. Ms Paul also took the opportunity to thank Ted Smith for his valuable contribution to the Board for the time he served. She advised that Ted had made a significant contribution to many aspects of the Community.

Ted Smith thanked the Board for their kind words and advised that he had enjoyed his time on the Board.

**136/07MB APPOINTMENT OF COUNCILLORS TO THE MAKARA/OHARIU COMMUNITY BOARD**

Report of Michael Webster – City Secretary.  
(1215/13/IM)

(REPORT 3)

**RESOLVED:**

*THAT the Makara/Ohariu Community Board:*

1. *Receive the information.*

2. ***Decline** the appointment of two Councillors from the Onslow/Western and/or Northern Wards to the Makara/Ohariu Community Board for the 2007/2010 Triennium.*

**NOTED:**

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

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

137/07MB **DISTRICT PLAN CHANGE 33 MEDIATION**

(1215/13/IM)

(ORAL REPORT)

**NOTED:**

The Chair updated the Board that mediation had commenced and advised that it is likely to be an ongoing process.

138/07MB **GOAT CONTROL**

(1215/13/IM)

(ORAL REPORT)

**NOTED:**

The Chair advised that she had been to a meeting with officers from Parks and Gardens and the owner of Kinnoull Station. The large landowners are still discussing the pros and cons of a voluntary scheme to eradicate goats from the area. The Board noted that in the meantime it is the landowners responsibility to either control feral goats on their property or otherwise fence them in so they do not spread on to other properties.

139/07MB **PROJECT WESTWIND COMMUNITY LIAISON GROUP –  
RECONFIRMATION OF MAKARA/OHARIU COMMUNITY  
BOARD REPRESENTATIVE**

Report prepared by Democratic Services.

(1215/13/IM)

(REPORT 6)

**RESOLVED:**

*THAT the Makara/Ohariu Community Board:*

1. *Receive the information.*
2. *Agree to reappoint Ruth Paul to be the Makara/Ohariu Board's representative on the Project West Wind Community Liaison group.*

140/07MB **PROJECT WESTWIND COMMUNITY LIAISON GROUP**  
(1215/13/IM) (ORAL REPORT)

**NOTED:**

Ruth Paul updated the Board on a meeting of the Community Liaison Group that she had attended recently.

141/07MB **ROADING REPORT**  
(1215/13/IM) (ORAL REPORT)

**NOTED:**

Concerns had been raised with the Wellington City Council and the Chair of the Board over numerous large trucks which had been driving on South Makara Road. Council officers advised that the trucks were from Kiwi Point Quarry and were part of a road maintenance programme being carried out on South Makara Road by Wellington City Council.

142/07MB **REVIEW OF FOOD PREMISES AND THE PUBLIC POOLS BYLAWS IN THE WELLINGTON CONSOLIDATED BYLAW**  
(1215/13/IM) (ORAL REPORT)

**NOTED:**

The Board discussed briefly the Review of Food Premises and the Public Pools Bylaws in the Wellington Consolidated Bylaw and would ratify a submission at the December 2007 meeting if one was compiled.

The meeting concluded at 7.48pm.

Confirmed: \_\_\_\_\_

Chair

/ /

## COMMUNITY BOARD CHAIRPERSON Role Description

### **Role Title:**

Chairperson of the Makara/Ohariu Community Board

### **Role of the Community Board Chairperson:**

For the Board to successfully discharge its responsibilities in support of its purpose, a Community Board Chairperson is required to discharge the following responsibilities:

#### *Conduct of Meetings:*

Conducts Board meetings in accordance with the provisions of the Local Government Act 2002, Local Government Official Information and Meetings Act 1987, Standing Orders and any other statute that may apply from time to time.

#### *Community Board Leadership:*

Provides guidance to the Board as it seeks to: establish a clear strategic direction through its decision making; make effective recommendations or decisions if appropriate authority has been delegated by Council; and exercise good financial stewardship.

#### *Advocacy and Representation:*

Acts as the Board's principal spokesperson in communicating to Council and its committees, the media and the public.

#### *Council Staff Liaison:*

Acts as the Board's principal contact point with council officers to facilitate the free exchange of advice and information.

#### *Meeting Preparation:*

Attends agenda meetings to ensure the key issues are clearly communicated, media issues have been addressed, satisfactory presentations are under preparation and meeting management issues are identified.

Promotes informed debate at meetings by:

- managing the time to enable considered yet efficient decision making
- allowing members to have a say
- setting parameters for the discussion
- providing impartial control of the meeting
- summarising the debate, focussing and providing direction

Ensures that decisions are made on the basis of:

- informed debate
- sufficient time to debate the issues
- necessary delegated power.



# APPENDIX 1

To ensure that decisions are communicated by:

- signing off minutes
- liaising with committee and subcommittee Chairpersons
- liaising with the media
- representing the views of the Board at public meetings, to community groups, other statutory bodies and any other organisations.