
MINUTES

THURSDAY 18 NOVEMBER 2010

7.00 PM – 7.40PM

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

PRESENT:

Gavin Bruce (7.00pm – 7.40pm)
Christine Grace (7.00pm – 7.40pm)
Judy Liddell (7.00pm – 7.40pm)
Wayne Rudd (7.00pm – 7.40pm)
Margie Scotts (7.00pm – 7.40pm)
Hamish Todd (7.00pm – 7.40pm)

IN ATTENDANCE:

Neville Brown, Director – City Services
Lauren Kemple, Community Board Coordinator

93/10TB **APOLOGIES**
(1215/13/IM)

Neville Brown, Director – City Services, conveyed to the Board apologies from Garry Poole, Chief Executive Officer, Greg Orchard, Director – Property, Housing and Licensing and Svea Cunliffe-Steel, City Secretary. Mayor Wade-Brown conveyed to the Board apologies from Councillor Best.

94/10TB **MAYOR'S WELCOME**
(1215/13/IM)

NOTED:

Mayor Wade-Brown welcomed those present to the meeting, including Councillors Lester, Pannett and Ritchie. The Mayor went on to pay tribute to the Board's previous Chair, Ruth Paul, who was also present.

95/10TB **DECLARATIONS**
(1215/13/IM)

NOTED:

Mayor Wade-Brown 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, Judy Elizabeth Liddell, Wayne David Rudd, Margaret Eleanor Scotts, Hamish Clark Todd, 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 Makara/Ohariu Community, 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 and Meetings Act 1987, or any other act.”

96/10TB **GENERAL EXPLANATION**
(1215/13/IM)

NOTED:

Neville Brown, Director – City Services, representing the 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 the representative of the Chief Executive of Wellington City Council, I am required to give a general explanation to elected members of certain legislation which controls the way in which the Community Board’s business may be conducted and the laws affecting elected members. This explanation does not attempt to cover all the detailed points of the legislation, but brings to your attention the key issues affecting your role and functions as Makara/Ohariu Community Board members.

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 of the 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:

- the requirement to give public notice of meetings;
- the public availability of the agenda and supporting papers for the meetings of the Council and its committees, subcommittees and community boards;

- the circumstances when the Council may resolve to exclude the public from meetings, and the procedure that must be followed in such circumstances; and
- the responsibility of the Chair to maintain order at meetings.

There are certain other legislative provisions which elected members must be aware of.

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

- The Act prohibits certain contracts between the Council and its members, or with persons associated with its members. A breach could result in loss of office.
- The Act also 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 1961 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 seven 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. 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 two years and a fine of 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.

In addition to these key statutory provisions, if an elected member is convicted of an offence that carries a term of two or more years of imprisonment under any Act I have specified, or under any other Act, that member will lose office.”

97/10TB **ELECTION OF CHAIR AND DEPUTY CHAIR**
 Report of Svea Cunliffe-Steel, City Secretary, Democratic Services
 (1215/13/IM) (REPORT 1)

NOTED:

Moved Gavin Bruce, seconded Judy Liddell

THAT the Makara/Ohariu Community Board:

1. *Receive the information.*
2. *Note the job description for the Chairperson of the Community Board as approved by Council and set out in Appendix One.*
3. *Agree to elect a member as Chairperson of the Makara/Ohariu Community Board for the 2010/2013 triennium.*
4. *Agree to appoint a member as Deputy Chairperson of the Makara/Ohariu Community Board for the 2010/2013 triennium.*
5. *Agree that the elected Chair will undergo Chair training facilitated by Democratic Services within six months of their appointment.*

The motion was put and declared CARRIED.

NOTED:

Mayor Wade-Brown called for nominations for the Chair of the Makara/Ohariu Community Board.

Gavin Bruce nominated Christine Grace as Chair. This nomination was seconded by Wayne Rudd.

Christine Grace was unanimously voted in as Chair.

Mayor Wade-Brown declared that Christine was elected Chair of the Makara/Ohariu Community Board for the 2010-2013 triennium.

Christine Grace took the Chair and called for nominations for Deputy Chair of the Makara/Ohariu Community Board.

Hamish Todd nominated Gavin Bruce as Deputy Chair. This nomination was seconded by Judy Liddell.

Gavin Bruce was unanimously voted in as Deputy Chair.

Christine Grace declared that Gavin Bruce was elected Deputy Chair of the Makara/Ohariu Community Board for the 2010-2013 triennium.

98/10TB **DECEMBER 2010 TO DECEMBER 2011 SCHEDULE OF ORDINARY MEETINGS FOR MAKARA/OHARIU COMMUNITY BOARD**
Report of Svea Cunliffe-Steel, City Secretary, Democratic Services
(1215/13/IM) (REPORT 2)

NOTED:

Moved Christine Grace, seconded Gavin Bruce

THAT the Makara/Ohariu Community Board:

1. *Receive the information.*
2. *Agree to hold Makara/Ohariu Community Board meetings on:*

Thursday 16 December 2010

Thursday 17 February 2011

Thursday 17 March 2011

*Wednesday 20 April 2011**

Thursday 19 May 2011

Thursday 16 June 2011

Thursday 18 August 2011

Thursday 15 September 2011

Thursday 20 October 2011

Thursday 17 November 2011

Thursday 15 December 2011

** Note that this is a Wednesday as the Thursday is on the Easter Weekend*

3. *Agree to meet at 7.30pm in either the Makara Hall or the Ohariu Valley Hall.*

Moved Margie Scotts, seconded Wayne Rudd, the following amendment to recommendation 3:-

3. Agree to meet at 7.30pm in either the Makara Hall or the Ohariu Valley Hall.

The amendment was put and declared CARRIED.

The amended substantive was put and declared CARRIED.

RESOLVED:

THAT the Makara/Ohariu Community Board:

- 1. Receive the information.*
- 2. Agree to hold Makara/Ohariu Community Board meetings on:*

Thursday 16 December 2010

Thursday 17 February 2011

Thursday 17 March 2011

*Wednesday 20 April 2011**

Thursday 19 May 2011

Thursday 16 June 2011

Thursday 18 August 2011

Thursday 15 September 2011

Thursday 20 October 2011

Thursday 17 November 2011

Thursday 15 December 2011

** Note that this is a Wednesday as the Thursday is on the Easter Weekend*

- 3. Agree to meet at ~~7.00pm~~ **7.30pm** in either the Makara Hall or the Ohariu Valley Hall.*

NOTED:

The resolution differs from the recommendations in the officer's report with the Board adding the words in **bold**.

99/10TB **APPOINTMENT OF COUNCILLORS TO THE MAKARA/OHARIU COMMUNITY BOARD**
(1215/13/IM)

RESOLVED:

Moved Christine Grace, seconded Margie Scotts

THAT the Makara/Ohariu Community Board:-

- 1. Receive the information*

The motion was put and declared CARRIED.

100/10TB **ELECTIONS OF THE NEW ZEALAND COMMUNITY BOARDS’
EXECUTIVE COMMITTEE**
(1215/13/IM)

RESOLVED:

Moved Christine Grace, seconded Hamish Todd

THAT the Makara/Ohariu Community Board:-

1. Receive the information

The motion was put and declared CARRIED.

The meeting concluded at 7.40pm.

Confirmed: _____
Chair
/ /