



Waitaki

DISTRICT COUNCIL

TE KAUNIHERA Ā ROHE O WAITAKI

**I hereby give notice that the
Ahuriri Community Board Meeting**

will be held on:

Date: **Monday, 10 November 2025**

Time: **2pm**

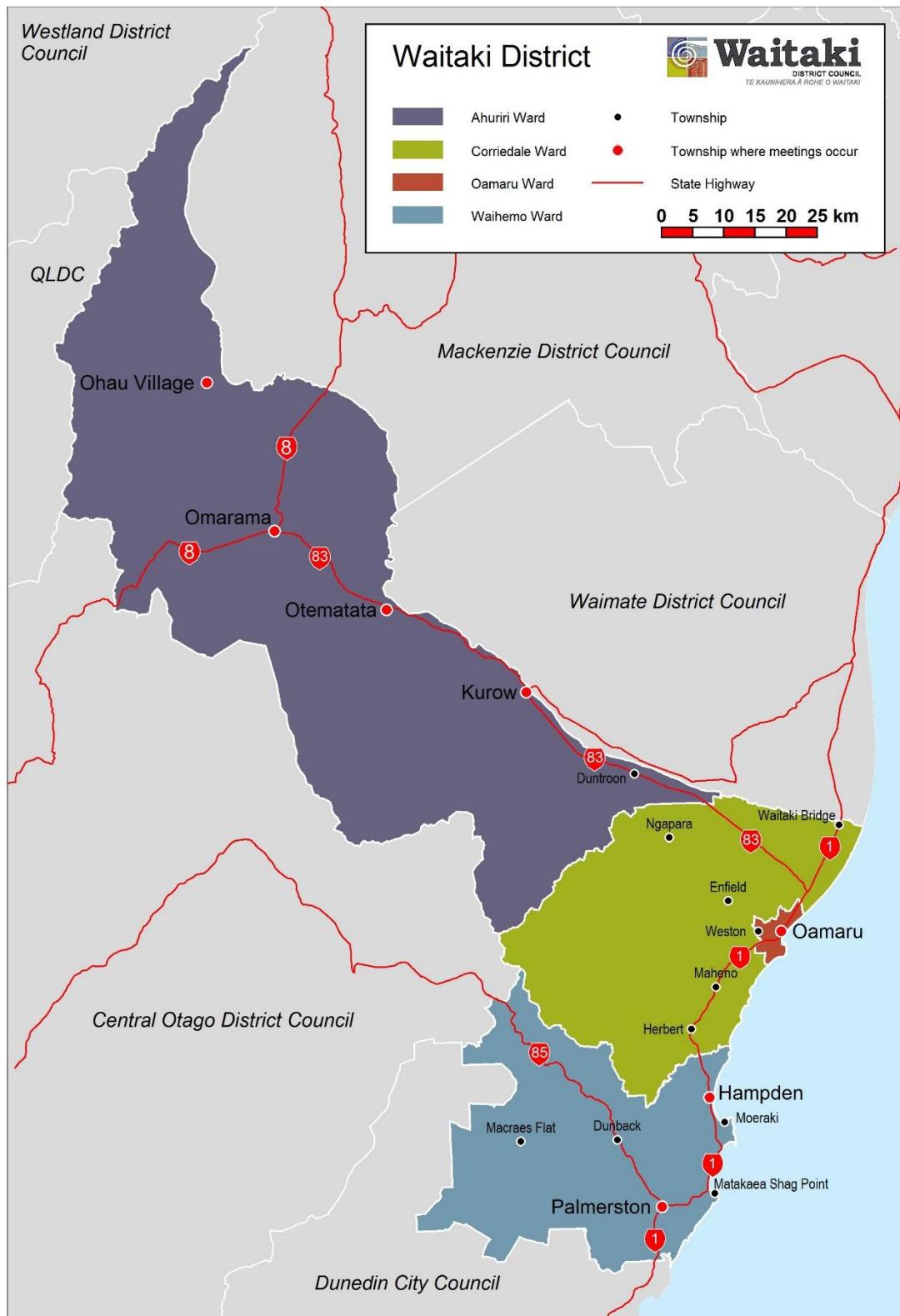
Location: **Otematata Community Centre**

Agenda

Ahuriri Community Board Meeting

10 November 2025

Alex Parmley
Chief Executive





Agenda Items

1	Apologies	5
2	Declarations of Interest	5
3	Public Forum	5
4	Decision Reports	6
4.1	Declarations by Ahuriri Community Board Members 2025-2028 Triennium	6
4.2	Election of Ahuriri Community Board Chairperson 2025-2028 Triennium	9
4.3	Adoption of Code of Conduct	13
4.4	Adoption of Standing Orders	33
4.5	Reserve Classification and Gifting of Kurow School Building (Former)	35
5	Memorandum Reports	71
5.1	Correspondence - Community Board Grant Application from South Star School Charitable Trust	71
5.2	Explanation of Legislation by the Chief Executive	95
5.3	Election Report	105
6	Confirmation of Previous Meeting Minutes	110
6.1	Public minutes of the Ahuriri Community Board Meeting held on 8 September 2025	110
1	Apologies	111
2	Declarations of Interest	111
3	Public Forum	111
7	Meeting Close	117

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
- 3 PUBLIC FORUM**

4 DECISION REPORTS

4.1 DECLARATIONS BY AHURIRI COMMUNITY BOARD MEMBERS 2025-2028 TRIENNIAL

Author: Allyson Wock, Governance Services Officer

Authoriser: Arlene Goss, Governance Lead

Attachments: 1. Declarations 

RECOMMENDATION

That the incoming Ahuriri Community Board member-elect Alan Pont and the Ahuriri Ward Councillor Brent Cowles make their declarations to the Mayor of Waitaki, Melanie Tavendale and are witnessed by the Chief Executive, pursuant to Schedule 7, Part 1, clause 14 of the Local Government Act 2002.

PURPOSE

The purpose of this report is to formally record the declarations sworn by the elected members of the Ahuriri Community Board for the 2025-2028 triennium.

BACKGROUND

On Thursday 16 October 2025, the final result of the 2025 Triennial Elections was declared by the electoral officer. A copy of this is attached to the Election Report in this agenda.

A public inauguration ceremony was held at the Ōamaru Opera House auditorium at 5:30pm on Wednesday 22 October 2025.

Declarations by the following members of the Ahuriri Community Board were taken at the inauguration ceremony:

Steve Dalley

Mike King

Calum Reid

Karen Turner

An apology for the inauguration ceremony was received from Ahuriri Community Board member-elect Alan Pont, who arranged to swear his declaration at the first meeting of the Ahuriri Community Board on Monday 10 November 2025.

Ahuriri Ward Councillor Brent Cowles made his Council declaration at the inauguration ceremony but not his Ahuriri Community Board declaration.

Under the Local Government Act 2002, Councillors appointed to community boards must make the community board declaration as well as their declaration as a councillor.

Ahuriri Community Board member-elect and Ahuriri Ward Councillor Brent Cowles will make and sign their declarations in the first part of this Inaugural Meeting of the Board (copy of declarations attached).

They will read out their declaration to the Mayor of Waitaki Melanie Tavendale, and each declaration will then be signed by the respective member and then by the Chief Executive as witness, pursuant to the Provisions of the Local Government Act 2002, Schedule 7, Part 1, clause 14.



Declaration by Community Board Member

I, Alan Pont, 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 Ahuriri Ward of the Waitaki District, the powers, authorities, and duties vested in, or imposed upon, me as a member of the Ahuriri Community Board by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Dated at Otematata this 10th day of November 2025.

Signed by:

Witnessed by:

.....
Alan Pont

Ahuriri Community Board Member

.....
Alex Parmley

Chief Executive



Declaration by Community Board Member

I, Brent Cowles, 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 Ahuriri Ward of the Waitaki District, the powers, authorities, and duties vested in, or imposed upon, me as a member of the Ahuriri Community Board by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Dated at Otematata this 10th day of November 2025.

Signed by:

Witnessed by:

.....
Councillor Brent Cowles
Ahuriri Community Board Member

.....
Alex Parmley
Chief Executive

4.2 ELECTION OF AHURIRI COMMUNITY BOARD CHAIRPERSON 2025-2028 TRIENNIAL

Author: Allyson Woock, Governance Services Officer

Authoriser: Arlene Goss, Governance Services Lead

RECOMMENDATIONS

That, pursuant to Part 2 of Schedule 7 of the Local Government Act 2002, the Ahuriri Community Board:

1. Firstly, decides to use either election System A or System B as specified in the Act under reference to elect the Chairperson of the Ahuriri Community Board for the 2025 – 2028 triennium and confirms that decision as point 1 in the meeting resolution relating to this agenda item; and
2. Secondly, uses the System adopted in (1) to formally elect the Chairperson of the Ahuriri Community Board for the 2025 – 2028 Triennium and confirms the name of the person elected as Chairperson as point 2 in the meeting resolution relating to this agenda item; and
3. Thirdly, decides whether it wishes to appoint a Deputy Chairperson for the 2025 – 2028 triennium and confirms that decision as point 3 in the meeting resolution relating to this agenda item; and
4. Fourthly, if a decision is taken under (3) to appoint a Deputy Chairperson, then to formally elect the Deputy Chairperson using the agreed election System in (1) above and confirms that decision as point 4 in the meeting resolution for this agenda item, if such an appointment is made.

DECISION OBJECTIVE

The purpose of this report is to provide information on the legislative process to be followed, and to facilitate that process at this inaugural meeting, for the election of the Chairperson of the Ahuriri Community Board for the 2025 – 2028 Triennium in accordance with Part 2 of Schedule 7 of the Local Government Act 2002. It also provides similar information relating to the potential election of a Deputy Chairperson if the Board decides to make such an appointment at this meeting.

SUMMARY

Under Schedule 7 of the Local Government Act 2002 (“the Act”), a Community Board must have a Chairperson. The legislation is very specific in the process of electing a Chairperson and requires the use of either one of two systems set out in the Act. While the legislation requires a Community Board to have a Chairperson, it is silent on whether a Community Board should have a Deputy Chairperson. The decision to elect a Deputy is the choice of the Community Board.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:

To appoint a Chairperson of the Ahuriri Community Board for the 2025 – 2028 triennium, and to decide whether to appoint a Deputy Chairperson or not.

Operational Decision-Making:

To implement the decision of the Ahuriri Community Board in relation to the appointment of Chairperson and Deputy Chairperson (if appropriate) in accordance with statutory requirements.

Communications	Media Releases – contributed to by officers and Elected Members
	Media/public enquiries regarding governance decision-making topics above can be addressed by governance
	Media/public enquiries regarding operational decision-making topics above can be addressed by officers

SUMMARY OF DECISION-MAKING CRITERIA

	No/Moderate/Key		No/Moderate/Key
Policy/Plan	No	Environmental Considerations	No
Legal	Key	Cultural Considerations	No
Significance	No	Social Considerations	No
Financial Criteria	Moderate	Economic Considerations	No
Community Views	No	Community Board Views	Key
Consultation	No	Publicity and Communication	Moderate

The recommendations in this report are within the scope of the purpose and amendments to the Local Government Act 2002 to enable democratic local decision-making and action by, and on behalf of, communities; and 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.

BACKGROUND

Part 2 of Schedule 7 of the Local Government Act states that a Community Board must have a Chairperson and that Clause 25 applies to the election of Chairpersons of Community Boards.

SUMMARY OF OPTIONS CONSIDERED

The appointment of Chairperson by the incoming Ahuriri Community Board is a legislative requirement under the Local Government Act 2002. The only options available to the community board are whether it wishes to use System A or System B in electing a Chairperson/Deputy Chair, and whether it wishes to appoint a Deputy Chair.

LEGAL PROCESS FOR THE ELECTION OF CHAIRPERSONS FOR COMMUNITY BOARDS

Part 2 of Schedule 7 of the Local Government Act states that a Community Board must have a chairperson and that Clause 25 applies to the election of Chairpersons of Community Boards. Clause 25, Schedule 7 of the Local Government Act 2002 outlines the process to be followed:

“...a local authority must determine by resolution that a person be elected by using one of the following systems of voting:

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 two or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.*

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 one round of voting; and*
 - ii. *If two or more candidates tie for the most votes, the tie is resolved by lot.”*

Prior to electing a Chair, the Community Board must resolve which system to use.

Under System A, a majority will always prevail unless the final two candidates receive equal votes.

Under System B, a minority candidate can theoretically be elected.

As the Act calls for an election, there will still be a vote even if only one candidate were to be nominated.

APPOINTMENT OF A DEPUTY CHAIRPERSON

The Ahuriri Community Board can also appoint a Deputy Chairperson at this meeting if it so wishes. The Board may wish to consider the workload of the Chairperson for the next three years in considering whether there is a need for more formal support in the form of having an appointed Deputy Chair to stand in for them at specific times.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Outcomes

We keep our district affordable

We enable opportunities for new and existing business

We provide and enable services and facilities, so people want to stay and move here

We understand the diverse needs of our community

Waitaki's distinctive environment is valued and protected

We maintain the safest community we can

Legal Considerations

Appointment of a Chairperson for a Community Board is a statutory requirement, under Part 2 of Schedule 7 of the Local Government Act 2002. The appointment of a Deputy Chairperson is not statutory, but the Community Board has the option of choosing to appoint one.

4.3 ADOPTION OF CODE OF CONDUCT

Author: Arlene Goss, Governance Services Lead

Authoriser: Paul Hope, Director Support Services

Attachments:

1. Draft Code of Conduct 
2. Draft Policy for Investigating and Ruling on Breaches of the Code of Conduct 

RECOMMENDATIONS

That the Ahuriri Community Board:

1. **Adopts** the Draft Code of Conduct for Elected Members 2025-2028 Triennium as attached, in accordance with Schedule 7 Clause 15 of the Local Government Act 2002, until the government provides a standardised document as a replacement.
2. **Adopts** the Draft Policy for Investigating and Ruling on Alleged Breaches of the Elected Member Code of Conduct 2025-2028 Triennium, as attached, until the government provides a standardised document as a replacement.
3. **Agrees** to continue with the current arrangements of a two-step investigation process, and the investigator's decision being binding, for as long as the code is in place.

Note: The adoption of the Code of Conduct requires a supporting vote of not less than 75% of the members present.

PURPOSE

The purpose of this report is to ensure that the Ahuriri Community Board has a Code of Conduct in place to enhance:

- The effectiveness of the Ahuriri Community Board for the good local governance of the Ahuriri Ward; and
- The credibility and accountability of the Ahuriri Community Board within its community; and
- Mutual trust, respect, and tolerance between the elected members as a group and between the elected members and management.

SUMMARY

The recommendations of this report relate to statutory requirements. Schedule 7 Clause 15(1) of the Local Government Act 2002 states that a local authority must adopt a code of conduct for members of the local authority. Clause 15(4) states that a member of the local authority must comply with the code of conduct of that local authority.

BACKGROUND

All elected members are required to adhere to a Code of Conduct. Once adopted, such a code may only be amended by a 75% or more vote of the Ahuriri Community Board. The code sets out the board's agreed standards of behaviour in the following circumstances:

- relationships with other elected members
- relationships with staff
- relationships with the community

- contact with the media
- confidential information
- conflicts of interest
- standing orders
- ethics
- disqualification of members from office or if an elected member is or has become an undischarged bankrupt

UPCOMING CHANGES TO LEGISLATION

The Local Government (System Improvements) Amendment Bill is currently before the Governance and Administration Select Committee.

As part of a package of local government reform, the Bill will make a range of changes to local governance frameworks including providing standardised Standing Orders and Codes of Conduct for use by all councils.

You can read the Bill online: [Local Government \(System Improvements\) Amendment Bill 180-1 \(2025\), Government Bill – New Zealand Legislation.](#)

This means that if the attached documents are adopted, they will only remain in place until the standardised document is supplied to councils by the government. This is expected to happen in 2026.

OPTIONS

Option 1 – Not adopt a code of conduct.

If the board chooses this option, the existing code of conduct will remain in effect until the government issues a standardised document.

Option 2 – Vote that the matter “lie on the table” and request a workshop to refine the documents. If the board chooses this option a workshop will be arranged and the updated code will come back to a future board meeting with the changes requested at the workshop.

Option 3 – Adopt the code and policy with any changes requested at this meeting. This is the recommended option.

CONCLUSION

It is recommended that the Ahuriri Community Board adopts the attached Code of Conduct and Policy to cover the period between the 2025 election and the issuing of standardised documents by central government.

ADDITIONAL CONSIDERATIONS

Legal Considerations

Appendix 2: Schedule 7, Clause 15 Local Government Act 2002 (LGA02)

The LGA02 requires all local authorities to adopt a Code of Conduct for members as follows:

- (1) A local authority must adopt a code of conduct for members of the local authority as soon as practicable after the commencement of this Act.
- (2) The code of conduct must set out:
 - a. Understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members including:
 - i. Behavior toward one another, staff, and the public; and
 - a. Is received by, or in the possession of, an elected member in his/her capacity as an elected member; and
 - b. Relates to the ability of the local authority to give effect to any provision of this Act; and
 - b. A general explanation of:
 - i. The Local Government Official Information and Meetings Act 1987; and
 - ii. Any other enactment or rule of law applicable to members.
- (3) A local authority may amend or replace its code of conduct, but may not revoke it without replacement.
- (4) A member of a local authority must comply with the code of conduct of that local authority.
- (5) A local authority must, when adopting a code of conduct, consider whether it must require a member or newly elected member to declare whether or not the member or newly elected member is an undischarged bankrupt.
- (6) After the adoption of the code of conduct, an amendment of the code of conduct or the adoption of a new code of conduct requires, in every case, a vote in support of the amendment of not less than 75% of the members present.
- (7) To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act.



Waitaki
District Council
TE KAUNIHERA Ā ROHE O WAITAKI



Draft Code of Conduct for Elected Members

Anga Tikanga Whanonga
2025-2028 Triennium

Introduction Kupu whakataki

Congratulations on being elected as a member of local government. Your community has chosen you to represent them and make decisions on their behalf – decisions that will provide benefit for current and future generations. It's an honour that should not be taken lightly.

The way you conduct yourself while participating as a member of your council should reflect the responsibility you have been given. This requires you to be inclusive of all, respectful, and to uphold the mana of your position.

The Code of Conduct (the Code) is designed to ensure that the governance of the Waitaki District is undertaken with the highest degree of integrity while also providing a safe and rewarding environment in which all elected members can thrive.

It is an important part of building community confidence in our system and processes, and contributes to:

- good governance of the district,
- effective decision-making and community engagement,
- the credibility and accountability of Waitaki District Council to its communities, and
- a culture of mutual trust and respect between members, and with management.

The Code promotes effective working relationships within Council and between Council and the community.

It promotes free and frank debate, which in turn results in good decision-making. It is not a means of preventing members from expressing their personal views, provided they are clearly indicated as personal views. Rather, the Code is designed to promote robust debate and the expression of all views by providing a framework to ensure that debate is conducted in a civil and respectful way.

The Code sets boundaries on standards of behaviour and the *Policy for Investigating and Ruling on Alleged Breaches of the Code of Conduct* provides a means of resolving situations when elected members breach those standards.

Review and amendment

Once adopted, the Code continues in force until amended by the Council. It can be amended at any time but cannot be revoked unless the Council replaces it with another one. Amendments require a resolution supported by 75 per cent of the Council members (present at the Council meeting at which the amendment is considered).

Code of Conduct

Wāhanga Tuatahi: Anga Tikanga Whanonga

Members' commitment Nga herenga a ngā mema

These commitments apply when conducting the business of the local authority as its representative, and communicating with other members, the media, the public, or staff.

By adopting the Code of Conduct members agree that they will:

1. treat all people fairly,
2. treat all other members, staff, and members of the public, with respect,
3. share with the local authority any information received that is pertinent to the ability of the local authority to properly perform its statutory duties,
4. operate in a manner that recognises and respects the significance of the principles of Te Tiriti o Waitangi,
5. make it clear, when speaking publicly, that statements reflect their personal view, unless otherwise authorised to speak on behalf of the local authority,
6. take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of a member,
7. not bully, harass, or discriminate unlawfully against any person,
8. not bring the local authority into disrepute,
9. not use their position to improperly advantage themselves or anyone else or disadvantage another person,
10. not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority,
11. not disclose information acquired, or given, in confidence, which they believe is of a confidential nature.

Please note: a failure to act in accordance with these commitments may result in a complaint being made against you.

The Waitaki District Council Code of Conduct has been drafted in accordance with the requirements of Clause 15 of Schedule 7 of the Local Government Act 2002, which requires every local authority to adopt a code of conduct for members of the local authority. More detail explaining the Code is set out in Appendix 1.

Appendix 1: The Code of Conduct explained He whakamārama mō te Tikanga Whanonga

1.1 Definitions

For the purposes of this Code “member” means an elected or appointed member of:

- the governing body of the local authority,
- any committee, sub-committee, panel or advisory group of the local authority, or
- any community board of the local authority.

Local authority means the Council or community board which has adopted this Code.

1.2 Te Tiriti o Waitangi

The Waitaki District Council commits to operating in a manner that recognises and respects the significance of the principles of Te Tiriti o Waitangi and acknowledges the following principles:

1. **Tino Rangatiratanga:** The principle of self-determination provides for Māori self-determination and mana motuhake. This requires local authorities to be open to working with mana whenua partners in the design and delivery of their work programmes,
2. **Partnership:** The principle of partnership implies that local authorities will seek to establish a strong and enduring relationship with iwi and Māori, within the context of iwi and Māori expectations. The Council should identify opportunities, and develop and maintain ways, for Māori to contribute to Council decisions, and consider ways the Council can help build Māori capacity to contribute to council decision-making,
3. **Equity:** The principle of equity requires local authorities to commit to achieving the equitable delivery of local public services,
4. **Active protection:** The principle of active protection requires local authorities to be well informed on the wellbeing of iwi, hapū and whanau within their respective rohe,
5. **Options:** The principle of options requires local authorities to ensure that their services are provided in a culturally appropriate way that recognises and supports the expression of te ao Māori.

1.3 Principles of good governance

Members recognise the importance of the following principles of good governance:

- **Public interest:** members should act solely in the public interest,
- **Integrity:** members should not act or take decisions to gain financial or other benefits for themselves, their family, or their friends, or place themselves under any obligation to people or organisations that might inappropriately influence them in their work,
- **Tāria te wā and kaitiakitanga / stewardship:** members should use long-term perspective when making decisions. Decisions, which impact on past, current and future generations, also affect collective wellbeing,
- **Objectivity:** members should act and make decisions impartially, fairly, and on merit, using the best evidence and without discrimination or bias,
- **Accountability:** members will be accountable to the public for their decisions and actions and will submit themselves to the scrutiny necessary to ensure this,
- **Openness:** members should act and make decisions in an open and transparent manner and not withhold information from the public unless there are clear and lawful reasons for so doing,
- **Honesty:** members should be truthful and not misleading,
- **Leadership:** members should not only exhibit these principles in their own behaviour but also be willing to challenge poor behaviour in others, wherever it occurs.

1.4 Behaviours

To promote good governance and build trust between the local authority, its members, and citizens, members agree to the following standards of conduct when they are:

- conducting the business of the local authority,
- acting as a representative of the local authority,
- acting as a representative of their electorate,
- communicating with other members, the media, the public and staff, and

- using social media and other communication channels.¹

Where a member's conduct falls short of these standards, members accept that they may be subject to a complaint made under the *Waitaki District Council Policy for Investigating and Ruling on Alleged Breaches of the Code of Conduct*.

1.4.1 Respect

Members will treat all other members, staff, and members of the public with respect.

Respect means politeness and courtesy in behaviour, speech, and writing. Debate and differences are all part of a healthy democracy. As a member of a local authority, you can challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You must not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Offensive behaviour lowers the public's expectations of, and confidence in, your local authority. In return, you have a right to expect respectful behaviour from the public. If members of the public are abusive, intimidatory or threatening, you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider, or the police.

1.4.2 Bullying, harassment, and discrimination

Members will treat all people fairly and will not:

- bully any person,
- harass any person, or
- discriminate unlawfully against any person.

For the Code of Conduct, bullying is offensive, intimidating, malicious, or insulting behaviour. It represents an abuse of power through means that undermine, humiliate, denigrate, or injure another person. It may be:

- a regular pattern of behaviour, or a one-off incident,
- occur face-to-face, on social media, in emails or phone calls, happen in the workplace, or at work social events, and
- may not always be obvious or noticed by others.

Harassment means conduct that causes alarm or distress, or puts people in fear of violence, and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination occurs when a person is treated unfairly, or less favourably, than another person because of any of the following²:

- Age
- Disability
- Ethnic or national origin
- Political opinion
- Sex
- Skin, hair, or eye colour
- Employment status
- Family status
- Religious belief
- Sexual orientation
- Race
- Ethical belief
- Marital status
- Gender identity

1.4.3 Sharing information

Members will share with the local authority any information received that is pertinent to the ability of the local authority to properly perform its statutory duties.

Occasionally members will receive information in their capacity as members of the governing body, which is pertinent to the ability of their Council to properly perform its statutory duties. Where this occurs, members will disclose any such information to other members and, where appropriate, the chief executive. Members who are offered information on the condition that it remains confidential will inform the person making the offer that they are under a duty to disclose such information, for example, to a governing body meeting in public exclusion.

1.4.4 Expressing personal views publicly

Members, except when authorised to speak on behalf of the local authority, will make it clear, when speaking to the media, on social media, or in hui and presentations, that statements reflect their personal view.

¹ Please refer to the Guidelines for the responsible use of social media in the LGNZ *Good Governance Guide* (2022).

² See Human Rights Commission <https://www.govt.nz/browse/law-crime-and-justice/human-rights-in-nz/human-rights-and-freedoms/>.

The media play an important role in the operation and efficacy of our local democracy and need accurate and timely information about the affairs of the local authority to fulfil that role. Members are free to express a personal view to the media and in other public channels at any time, provided the following rules are observed:

- they do not purport to talk on behalf of the local authority, if permission to speak on behalf of the authority has not been given to them,
- their comments must not be inconsistent with the Code, for example, they should not disclose confidential information or criticise individual members of staff, and
- their comments must not purposefully misrepresent the views of the local authority or other members.

Members will abide by the social media protocols described in Attachment A of LGNZ's *Good Governance Guide* (2022), available at <https://d1pepq1a2249p5.cloudfront.net/media/documents/The-Good-Governance-Guide.pdf>.

1.4.5 Provide equitable contribution

Members will take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of them.

Being a member is a position of considerable trust given to you by your community to act on their behalf. To fulfil the expectations of your constituents and contribute to the good governance of your area it is important that you make all reasonable efforts to attend meetings and workshops, prepare for meetings, attend civic events, and participate in relevant training seminars.

The local government workload can be substantial, and it is important that every member contributes appropriately. This requires members to often work as a team and avoid situations where the majority of the work falls on the shoulders of a small number of members.

1.4.6 Disrepute

Members will not bring the local authority into disrepute.

Members are trusted to make decisions on behalf of their communities and as such their actions and behaviours are subject to greater scrutiny than other citizens. Members' actions also reflect on the local authority as well as themselves and can serve to either boost or erode public confidence in both.

Behaviours that might bring a local authority into disrepute, and diminish its ability to fulfil its statutory role, include behaviours that are dishonest and/or deceitful. Adhering to this Code does not in any way limit a member's ability to hold the local authority and fellow members to account or constructively challenge and express concerns about decisions and processes undertaken by their local authority.

1.4.7 Use of position for personal advantage

Members will not use, or attempt to use, their position to improperly advantage themselves or anyone else, or disadvantage another person.

Being a member of a local authority comes with certain opportunities and privileges, including the power to make choices that can impact on others. Members must not take advantage of such opportunities to further their own or others' private interests or to disadvantage anyone unfairly. A member found to have personally benefited from information gained as an elected member may be subject to the provisions of the Secret Commissions Act 2010.

1.4.8 Impartiality

Members will not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They must not be coerced or persuaded to act in a way that would undermine their neutrality. Members can question officers to gain understanding of their thinking and decision-making, however, they must not seek to influence officials to change their advice or alter the content of a report, other than in a meeting or workshop, if doing so would prejudice their professional integrity. Members should:

- make themselves aware of the obligations that the local authority and chief executive have as employers and always observe these requirements, such as the obligation to be a good employer, and
- observe any protocols put in place by the chief executive concerning contact between members and employees, and not publicly criticise individual staff.

If you have concerns about the behaviour of an official, whether permanent or contracted, you should raise your concerns with the local authority's chief executive, or, if the concerns are to do with the chief executive, raise them with the mayor, the council chairperson, or chief executive performance committee.

1.4.9 Maintaining confidentiality

Members will not disclose information acquired, or given, in confidence, which they believe is of a confidential nature, unless:

1. they have the consent of a person authorised to give it,
2. they are required by law to do so,
3. the disclosure is to a third party to obtain professional legal advice, and that the third party agrees not to disclose the information to any other person, or
4. the disclosure is reasonable and in the public interest, is made in good faith, and in compliance with the reasonable requirements of the local authority.

Draft Policy for Investigating and Ruling on Alleged Breaches of the Elected Member Code of Conduct

2025-2028 Triennium



Principles

The following principles will guide the investigation and assessment of complaints made against a member for breaching the Code of Conduct:

- The complaints process will be independent, impartial, and respectful of members' privacy.
- Members will be given due notice that an investigation is underway and will be provided with an opportunity to be heard.
- Members will have a right to seek independent advice, be represented, and, if they choose, be accompanied by a support person throughout the process.
- Complaints will be resolved at the lowest level of resolution possible, with priority given to finding a mediated settlement.
- Complainants, and members subject to a complaint, will have access to advice and support for the time it takes to find a resolution¹.

Who can make a complaint?

The Code of Conduct is designed to be a self-regulatory instrument, and complaints regarding a breach of the Code can only be made by members themselves, or the chief executive, who can make a complaint on behalf of their staff. Complaints cannot be made by members of the public using this process. On receipt of a complaint, the chief executive must forward the complaint to an independent person, either an independent investigator or an initial assessor, for an assessment.

Role of the initial assessor²

On receipt of a complaint, the chief executive will ask an initial assessor to undertake an assessment to determine the relative merit and seriousness of the complaint, and the nature of the subsequent process that will be followed. The complaint may be dismissed if the initial assessor finds it to be trivial, vexatious, frivolous, or politically motivated.

If a complaint is not dismissed, the initial assessor may initiate one of the following:

1. Refer to Mayor

In the case of a breach that is not serious or amenable to mediation, the initial assessor may refer the person responsible for the alleged breach to the Mayor for their advice and guidance. These will not be reported to the full council. A meeting or meetings with the Mayor will be regarded as sufficient to resolve the complaint. Where a member is referred to the Mayor, the initial assessor may also recommend, for the Mayor's consideration:

- that the member attends a relevant training course,
- that the member works with a mentor for a period, or
- that the member tenders an apology.

2. Mediation

If the complaint concerns a dispute between two members, or between a member and another party, the initial assessor may recommend mediation. If mediation is agreed by both parties, then its completion will represent the end of the complaints process. The outcomes of any mediation will be confidential and, other than reporting that a complaint has been resolved through mediation, there will be no additional report to the council unless the complaint is referred to an independent investigator, usually due to a failure of the mediation.

Complaints that are dismissed, referred to the Mayor, or resolved by mediation will not be reported to the full council.

3. Refer to an independent investigator

Where the initial assessor finds that the complaint is serious or no resolution can be reached and/or mediation is refused, the initial assessor will refer the complaint to an independent investigator. The independent investigator will be selected by the chief executive. Complaints that involve the Mayor, the chair of a committee, sub-committee, or community board, or the chief executive will be referred directly to the independent investigator.

¹ For example, by enabling both parties to access a council's Employee Assistance Programme (EAP) or elected members' equivalent.

² See Appendix 1 §1.2 for advice on the appointment of an Initial Assessor.

Role of the independent investigator³

The independent investigator will:

- determine whether a breach has occurred,
- if so, determine the seriousness of the breach, and
- determine actions that a local authority should take in response to the breach.

Any recommended actions from the independent investigator, made in response to a complaint that has been upheld, are binding on the council. This is to ensure the process for investigation is free of any suggestion of bias and reduces the cost of the complaints process, by reducing the time spent on it, by members and officials.

Determining the significance of an alleged breach

The independent investigator may take whatever actions they need to determine the significance of a complaint, within the budgetary constraints set by the chief executive, including reassessing the complaint.

The independent investigator will undertake an investigation appropriate to the scale of the breach, which may include interviews with other affected parties, and prepare a report for the chief executive which will set out the rationale for their findings and may include recommendations for resolving the breach and appropriate penalties.

When considering the issue of significance, the independent investigator will need to consider a range of factors before deciding, such as:

- Was the breach intentional or unintentional?
- Did it occur once or is there a pattern of recurring behaviour?
- Does the breach have legal or financial ramifications for the council?
- What is the impact of the breach on other elected members, on officials, and on the community in general?

Independent investigator can make a binding rule

On completing their investigation, an independent investigator may dismiss a complaint or make a binding ruling which the governing body will implement.

The independent investigator's ruling will be contained in a report to the council's chief executive which will form the basis of a consequent report to the governing body to inform them of the decision and the actions that they may be required to take.

Please note: All actions taken in the implementation of a policy must be consistent with the Bill of Rights Act 1990. No right to appeal is included in the Code of Conduct. Members who are unhappy with an independent investigator's decision have access to judicial review and/or the Ombudsman's Office.

Costs and support

The council must ensure that members who make a complaint are not left to meet any costs created by doing so. Members, those who make complaints, and those who are subject to a complaint, should be given appropriate and reasonable support. Such support will be determined by the chief executive. The council will not meet the legal costs of a complainant or respondent unless such costs have been agreed to as being appropriate and reasonable support by the chief executive at the point the complaint is referred to an investigator.

The costs of assessment and investigatory services will be met by the council.

³ See Appendix 1 §1.2 for advice on the appointment of an Independent Investigator.

Appendix 1: Guidelines

1.1 Process for determining and investigating complaints

Step 1: Chief executive receives complaint

All complaints made under the Code of Conduct must be made in writing and forwarded to the chief executive who will then refer the complaint to the initial assessor. The chief executive will also:

- inform the complainant that the complaint has been referred to the independent person (named) and refer them to the process for dealing with complaints as set out in the Code of Conduct and this policy; and
- inform the respondent that a complaint has been made against them and the name of the independent investigator overseeing the process and refer them to this policy.

Step 2: Initial assessor makes an assessment and arranges mediation

1. The initial assessor will undertake an assessment of the merits of the complaint. If they consider it to be not valid, the complaint will be dismissed. The complainant will have no recourse or appeal. Grounds for concluding that a complaint has no merit include that it is trivial, vexatious, frivolous, or politically motivated.
2. If deemed to have merit, the initial assessor will contact the parties to seek their agreement to independently facilitated mediation. If the parties agree and the issue is resolved by mediation, the matter will be closed, and no further action is required.
3. If the parties do not agree to mediation, or mediation is unsuccessful in resolving the matter, the initial assessor will refer the complaint to an independent investigator selected by the chief executive. The initial assessor will also inform the complainant and the respondent that the complaint has been referred to the independent investigator and the name of the independent investigator.

Step 3: Independent investigator to inquire and conclude on the matter

If the complaint is found to be a breach of the Code of Conduct, the independent investigator will inform the initial assessor and the chief executive. The initial assessor will inform the complainant and respondent.

The independent investigator will then assess the nature and effect of the breach and prepare a report for the council on the seriousness of the breach and recommend actions commensurate with that breach. In preparing that report the independent investigator may:

- consult with the complainant, respondent, and any affected parties,
- undertake a hearing with relevant parties, and/or
- refer to any relevant documents or information.

At any stage in their inquiry, the independent investigator may find that a breach has not occurred, or the matter should be referred to a relevant agency. If this is the case, the independent investigator will inform the initial assessor who will inform the complainant and respondent that the complaint is dismissed or has been referred to a relevant named agency.

On receipt of the independent investigator's report, the chief executive, or initial assessor, will prepare a report for the council, which will meet to consider the findings and implement any recommended actions. The report will include the full report prepared by the investigator.

Step 4: Process for considering the investigator's report

The Waitaki District Council's policy for investigating and ruling on complaints provides for an independent investigator's recommendations to be binding on the local authority, therefore:

- The chief executive's report, containing the independent investigator's recommendations and their full report, will be presented to a meeting of the full council for information only.
- The report will be received in a public meeting unless grounds, such as s 48 LGOIMA, exist for the exclusion of the public.
- If the report is not received in a public meeting, the chief executive's report may also outline the plan for the report's public release, for the governing body's information and comments.

1.2 Selecting the initial assessor and independent investigator

Selecting an initial assessor

The chief executive is responsible for this.

The initial assessor should be a person, or a position, that is independent of a local authority's political governance, while also being easily accessible, as their role is crucial if complaints are to be expedited quickly and without controversy.

For example:

- the external appointee on council's Performance, Audit and Risk Committee,
- a member of staff, such as an internal ombudsman or ethics adviser, as long as they have operational independence from the chief executive (similar to the independence afforded an Electoral Officer),
- a retired local authority chief executive,
- a retired local authority politician, or
- a member of the public with relevant experience and competency.

Selecting an independent investigator

The chief executive is responsible for this.

At the beginning of each triennium the chief executive, will compile a list of independent investigators. The chief executive will notify the Council of the list of independent investigators. In selecting them, a chief executive may consider:

- the council's legal advisers,
- a national service specialising in public sector integrity,
- a national service providing assessment and investigation services, or
- an individual with relevant skills and competencies.

The chief executive will select an investigator from the list to undertake a specific investigation based on a range of factors of their determining, including, but not limited to, suitability of skills, availability of the investigators, the size and nature of the complaint, cost and such other factors that may be deemed relevant at the time or to the nature of the complaint.

Please note: Given the litigious nature of some Code of Conduct disputes independent investigators should have relevant liability insurance, provided on their own behalf or by the local authority. The chief executive also needs to ensure that investigations are undertaken within budgetary limits negotiated in advance.

1.3 Actions that may be applied when a breach has been confirmed

Where a complaint that the Code of Conduct was breached has been upheld, any action taken against the member found to be in breach should be consistent with the following principles:

- actions should be commensurate with the seriousness of the breach,
- actions should be applied in a manner that is culturally appropriate and safe for the members involved,
- actions should, to the practical degree, contribute to an inclusive culture in the local authority by focusing on constructive mediation, learning, and member improvement.

In determining a response to a breach of the Code of Conduct, one or more of the following could be selected:

1. That no action is required.
2. That the member meets with the Mayor for advice.
3. That the member attends a relevant training course.
4. That the member agrees to cease the behaviour.
5. That the member work with a mentor for a period.
6. That the member tenders an apology.
7. That the member participates in voluntary mediation (if the complaint involves a conflict between two members).
8. That the local authority sends a letter of censure to the member.
9. That the local authority passes a vote of no confidence in the member.
10. That the member loses certain Council-funded privileges (such as attendance at conferences).
11. That the member loses specific responsibilities, such as committee chair, deputy committee chair or portfolio holder (and the remuneration that comes with these responsibilities).
12. That the member be subject to restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed).
13. That the member be subject to limitations on their dealings with Council staff, other than the chief executive or an identified senior manager.
14. That the member be suspended from committees or other bodies to which the member has been appointed.
15. That the member be invited to consider resigning from the council.

Please note: Actions 1-6 will typically not be reported to the local authority. Actions 7-15, which have a high degree of public interest, namely democratic representation, should be considered in an open meeting, unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987, for not doing so.

Responses to statutory breaches

In cases where a breach of the Code of Conduct is found to involve regulatory or legislative requirements, the chief executive will refer the complaint to the relevant agency. For example:

- Breaches relating to members' interests (where members may be liable for prosecution by the Auditor-General under the Local Authorities (Members' Interests) Act 1968).
- Breaches which result in the Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under section 44 of the Local Government Act 2002 which may result in the member having to make good the loss or damage).
- Breaches relating to the commission of a criminal offence will be referred to the Police (which may leave the elected member liable for criminal prosecution).

1.4 Legislation which sets standards for ethical behaviour

Clause 15 of Schedule 7 of the Local Government Act 2002 (LGA 2002) requires that the Code of Conduct provides members with a general explanation of the Local Government Official Information and Meetings Act 1987 (LGOIMA 1987), and any other enactment or rule of law that affects members.

The key statutes that promote ethical behaviour are listed below.

Local Government Act 2002 (LGA 2002)

The LGA 2002 is local government's empowering statute. It establishes our system of local government and sets out the rules by which it operates. Those rules include the principles underpinning council decision-making, governance principles, Te Tiriti obligations as set by the Crown, and the role of the chief executive which is:

- implementing the decisions of the local authority,
- providing advice to members of the local authority and to its community boards, if any, and

- ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an act, regulation, or bylaw, are properly performed, or exercised,
- ensuring the effective and efficient management of the activities of the local authority,
- facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001,
- 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, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy), and
- negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).

Local Government Official Information and Meetings Act 1987 (LGOIMA 1987)

The LGOIMA 1987 sets rules for ensuring the public can access official information unless there is a valid reason for withholding it. All information should be considered public and released accordingly unless there is a compelling case for confidentiality. Even where information has been classified as confidential, the best practice is for it to be proactively released as soon as the grounds for confidentiality have passed.

There are both conclusive and other reasons for withholding information set out in sections 6 and 7 of LGOIMA 1987, which include:

Conclusive reasons for withholding – if making the information available would likely:

- prejudice the maintenance of the law, including the prevention, investigation and detection of offences, and the right to a fair trial, or
- endanger the safety of any person.

Other reasons for withholding – withholding the information is necessary to:

- protect the privacy of natural persons, including that of deceased natural persons,

- protect information where it would disclose a trade secret or would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information,
- in the case of an application for resource consents or certain orders under the Resource Management Act 1991, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu,
- protect information the subject of an obligation of confidence, where making that information available would prejudice the supply of similar information (and it is in the public interest for this to continue), or would be likely otherwise to damage the public interest,
- avoid prejudice to measures protecting the health or safety of members of the public,
- avoid prejudice to measures that prevent or mitigate material loss to members of the public,
- maintain the effective conduct of public affairs through free and frank expression of opinions between or to members and local authority employees in the course of their duty or the protection of such people from improper pressure or harassment,
- maintain legal professional privilege,
- enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations), or
- prevent the disclosure or use of official information for improper gain or improper advantage.

Regarding these 'other' reasons, a public interest balancing test applies. In these cases, the Council must consider whether the withholding of that information is outweighed by other considerations that render it desirable, in the public interest, to make that information available. Decisions about the release of information under the LGOIMA 1987 need to be made by the appropriately authorised people within the council, and elected members must work within the rules adopted by the council.

The LGOIMA 1987 also sets out the rules that govern public access to meetings and the grounds on which that access can be restricted, which occurs when meetings consider matters that are confidential.

The role of the Ombudsman

An Ombudsman is an Officer of Parliament appointed by the Governor-General on the recommendation of Parliament.

An Ombudsman's primary role under the Ombudsman Act 1975 is to independently investigate administrative acts and decisions of central and local government departments and organisations that affect someone in a personal capacity. Ombudsmen investigate complaints made under the LGOIMA 1987.

Anyone who has a complaint of that nature about a local authority may ask an Ombudsman to investigate that complaint. Investigations are conducted in private. The Ombudsman may obtain whatever information is considered necessary, whether from the complainant, the chief executive of the local body involved, or any other party. The Ombudsman's decision is provided in writing to both parties.

If a complaint is sustained, the Ombudsman may recommend the local authority take whatever action the Ombudsman considers would be an appropriate remedy. Any such recommendation is, however, not binding. Recommendations made to the local authority under this Act will, in general, become binding unless the local authority resolves otherwise. However, any such resolution must be recorded in writing and be made within 20 working days of the date of the recommendation.

Local Authorities (Members' Interests) Act 1968 (LAMIA 1968)

Pecuniary interests

The LAMIA 1968 provides rules about members discussing or voting on matters in which they have a pecuniary interest and about contracts between members and the council. LAMIA 1968 has two main rules, referred to here as the contracting rule (in section 3 of the LAMIA 1968) and the participation rule (in section 6 of the LAMIA 1968).

- The **contracting rule** prevents a member from having interests in contracts with the local authority that are worth more than \$25,000 in any financial year, unless the Auditor-General approves the contracts. Breach of the rule results in automatic disqualification from office.
- The **participation rule** prevents a member from voting or taking part in the discussion of any matter in which they have a financial interest, other than an interest in common with the public. The Auditor-General can approve participation in limited circumstances. Breach of the rule is a criminal offence, and conviction results in automatic disqualification from office.

Both rules have a complex series of subsidiary rules about their scope and exceptions.

The LAMIA 1968 does not define when a person is “concerned or interested” in a contract (for the purposes of section 3) or when they are interested “directly or indirectly” in a decision (for the purposes of section 6). However, it does set out two situations where this occurs. These are broadly where:

- a person’s spouse or partner is “concerned or interested” in the contract or where they have a pecuniary interest in the decision, or
- a person or their spouse or partner is involved in a company that is “concerned or interested” in the contract or where the company has a pecuniary interest in the decision.

However, in some situations outside the two listed in the Act a person can be “concerned or interested” in a contract or have a pecuniary interest in a decision, for example, where a contract is between the members family trust and the council.

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, which are addressed through the LAMIA 1968, there are also legal rules about conflicts of interest more generally. These are rules that apply to non-pecuniary conflicts of interest and include the common law rule about bias. To determine if bias exists, consider this question: Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?

The question is not limited to actual bias but relates to the appearance or possibility of bias. This is in line with the principle that justice should not only be done but should be seen to be done. Whether or not you believe that you are not biased is irrelevant. The focus should be on the nature of any conflicting interest or relationship, and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- statements or conduct indicate that a member has predetermined the decision before hearing all relevant information (that is, they have a “closed mind”), or
- a member has close relationship or involvement with an individual or organisation affected by the decision.

Seeking exemption from the Auditor-General

Members who have a financial conflict of interest that is covered by section 6 of the LAMIA 1968, may apply to the Auditor-General for approval to participate. The Auditor-General can approve participation in two ways.

1. Section 6(3)(f) allows the Auditor-General to grant an exemption if, in their opinion, a member’s interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the councillor when voting or taking part in the discussion.
2. Section 6(4) allows the Auditor-General to grant a declaration enabling a member to participate if they are satisfied that:
 - a. the application of the rule would impede the transaction of business by the council; or
 - b. it would be in the interests of the electors or residents of the district/region that the rule should not apply.

More information on non-pecuniary conflicts of interest and how to manage them can be found in the Auditor-General’s Guidance for members of local authorities about the law on conflicts of interest.

Protected Disclosures (Protection of Whistleblowers) Act 2022 (PDA 2022)

The PDA 2022 is designed to facilitate the disclosure and investigation of serious wrongdoing in the workplace, and to provide protection for employees and other workers who report concerns. A protected disclosure occurs when the discloser believes, on reasonable grounds, that there is, or has been, serious wrongdoing in or by their organisation, they disclose in accordance with the Act, and they do not disclose in bad faith.

A discloser is a person who has an employment type relationship with the organisation they are disclosing about and includes current and former employees, homeworkers, secondees, contractors, volunteers, and board members. Serious wrongdoings include:

- an offence,
- a serious risk to public health, or public safety, or the health or safety of any individual, or to the environment,
- a serious risk to the maintenance of the law including the prevention, investigation and detection of offences or the right to a fair trial,
- an unlawful, corrupt, or irregular use of public funds or public resources,

- oppressive, unlawfully discriminatory, or grossly negligent, or gross mismanagement by a public sector employee or a person performing a function or duty or exercising power on behalf of a public sector organisation or the Government.

The council needs to have appropriate internal procedures that identify who in the organisation a protected disclosure may be made to, describe the protections available under the Act, and explain how the organisation will provide practical assistance and advice to disclosers. A discloser does not have to go through their organisation first. An appropriate authority can include the head of any public sector organisation and any officer of Parliament, such as the Ombudsman and Controller and Auditor-General. Ombudsmen are also an “appropriate authority” under the Act.

Serious Fraud Office Act 1990 (SFOA 1990)

The Serious Fraud Office (SFO) is the lead law enforcement agency for investigating and prosecuting serious financial crimes, including bribery and corruption. The SFO has an increasing focus on prevention by building awareness and understanding of the risks of corruption – noting that the extent of corruption is influenced by organisational frameworks and support given to staff. The SFO encourages organisations to adopt appropriate checks and balances and build a culture based on ethics and integrity.

The four basic elements of best practice organisational control promoted by the SFO involve:

1. Operations people with the right skills and experience in the relevant areas, with clear accountability lines.
2. Risk mitigation to manage risks that can't be eliminated through segregation, discretion reduction, delegations, management oversight, and audit.
3. Basic standards of behaviour moderated by a Code of Conduct, ongoing interests and gift processes (not simply an annual declaration), plenty of opportunities and ways to speak up, disciplinary options, training and support.
4. Design and oversight based on a clear understanding of operational realities (design, governance, management, audit, investigation, business improvement, and legal).

Local Government (Pecuniary Interests Register) Act 2022 (LGPIRA 2022)

Following passage of the Local Government (Pecuniary Interests Register) Amendment Bill in 2022, a local authority must now keep a register of the pecuniary interests of their members, including community board members. The purpose of the register is to record members' interests to ensure transparency and strengthen public trust and confidence in local government processes and decision-making. Registers must comprise the following:

- the name of each company of which the member is a director or holds or controls more than 10% of the voting rights and a description of the 30 main business activities of each of those companies,
- the name of every other company or business entity in which the member has a pecuniary interest, other than as an investor in a managed investment scheme, and a description of the main business activities of each of those companies or business entities,
- if the member is employed, the name of each employer of their employer and a description of the main business activities of those employers,
- the name of each trust in which the member has a beneficial interest,
- the name of any organisation or trust and a description of the main activities of that organisation or trust if the member is a member of the organisation, a member of the governing body of the organisation, or a trustee of the trust, and the organisation or trust receives funding from the local authority or community board to which the member has been elected,
- the title and description of any organisation in which the member holds an appointment by virtue of being an elected member,
- the location of real property in which the member has a legal interest, other than an interest as a trustee, and a description of the nature of the real property,
- the location of real property, and a description of the nature of the real property, held by a trust if the member is a beneficiary of the trust and it is not a unit trust (disclosed under subclause 20) or a retirement scheme whose membership is open to the public.

The Council must make a summary of the information contained in the register publicly available, ensure that information contained in the register is only used or disclosed in accordance with the purpose of the register, and is retained for seven years.

Health and Safety at Work Act 2015 (HSWA 2015)

The HSWA 2015 aims to create a new culture towards health and safety in workplaces. A council is termed a Person Conducting a Business or Undertaking (PCBU) - all involved in work, including elected members, are required to have a duty of care. Elected members are “officers” under the HSWA 2015 and officers are required to exercise due diligence to ensure that the PCBU complies with its duties. However, certain officers, such as elected members, cannot be prosecuted if they fail in their due diligence duty. Despite this, as officers, the key matters to be mindful of are:

- stepping up and being accountable,
- identifying and managing your risks,
- making health and safety part of your organisation’s culture, and
- getting your workers involved.

Councils have wide discretion about how these matters might be applied, for example:

- adopting a charter setting out the elected members’ role in leading health and safety – with your chief executive,
- publishing a safety vision and beliefs statement,
- establishing health and safety targets for the organisation with your chief executive,
- ensuring there is an effective linkage between health and safety goals and the actions and priorities of your chief executive and their senior management, or
- having effective implementation of a fit-for-purpose health and safety management system.

Elected members, through their chief executive, need to ensure their organisations have sufficient personnel with the right skill mix and support, to meet the health and safety requirements. This includes making sure that funding is sufficient to effectively implement and maintain the system and its improvement programmes.

Harmful Digital Communications Act 2015 (HDCA 2015)

The HDCA 2015 was passed to help people deal with serious or repeated harmful digital communications.

It covers any harmful digital communications (like text, emails, or social media content) which can include racist, sexist and religiously intolerant comments – plus those about disabilities or sexual orientation and sets out 10 communication principles for guiding communication online. Under the HDCA 2015 a digital communication should not:

- disclose sensitive personal facts about an individual,
- be threatening, intimidating, or menacing,
- be grossly offensive to a reasonable person in the position of the affected individual,
- be indecent or obscene,
- be used to harass an individual,
- make a false allegation,
- contain a matter that is published in breach of confidence,
- incite or encourage anyone to send a message to an individual for the purpose of causing harm to the individual,
- incite or encourage an individual to commit suicide,
- denigrate an individual by reason of colour, race, ethnic or national origins, religion, gender, sexual orientation or disability.

More information about the HDCA 2015 can be found at [Netsafe](#).

1.5 Appendix 1 as guidelines only

Appendix 1 of this policy is to be interpreted as guidelines, not as part of the Waitaki District Council Code of Conduct or the Waitaki District Council Policy for Investigating and Ruling on Alleged Breaches of the Code, except where it is referenced explicitly. The guidelines in Appendix 1 have been prepared to assist members and officials with implementing the Code of Conduct and Policy for Investigating Alleged Breaches of the Code.

4.4 ADOPTION OF STANDING ORDERS

Author: Arlene Goss, Governance Services Lead

Authoriser: Paul Hope, Director Support Services

Attachments: 1. Draft Waitaki District Council Standing Orders 2025 (under separate cover) 

RECOMMENDATIONS

That the Ahuriri Community Board:

1. **Adopts** the Standing Orders for Council and Community Boards, as attached, until the government provides a standardised document to all councils.
2. **Agrees** to provide a casting vote to the community board chairperson in the event of equal votes (see item 19.3 in the attachment).
3. **Agrees** to continue with Option C as the default option for speaking to and moving motions (see item 22.2 in the attachment).
4. **Notes** that the Local Government Act 2002 (Clause 16 of Schedule 7) requires members to comply with the Standing Orders.

Note: The adoption of Standing Orders requires a supporting vote of not less than 75% of the members present.

PURPOSE

The purpose of this report is to ensure that the Ahuriri Community Board has appropriate and relevant guidance and rules for the conduct of meetings. This supports good governance practice and meets the requirements of Schedule 7 27(1) Local Government Act 2002.

SUMMARY

The recommendations in this report relate to statutory requirements. Schedule 7 27(1) of the Local Government Act 2002 states that a local authority must adopt a set of Standing Orders for the conduct of its meetings and those of its committees. Once adopted, Standing Orders may be amended at any time, but only with a 75% voting majority. Legislation requires all elected members to follow the Standing Orders.

UPCOMING CHANGES TO LEGISLATION

The Local Government (System Improvements) Amendment Bill is currently before the Governance and Administration Select Committee.

As part of a package of local government reform, the Bill will make a range of changes to local governance frameworks including providing standardised Standing Orders and Codes of Conduct for use by all councils.

You can read the Bill online: [Local Government \(System Improvements\) Amendment Bill 180-1 \(2025\), Government Bill – New Zealand Legislation](#).

This means that if the attached Standing Orders are adopted, they will only remain in place until the standardised document is supplied by the government. This is expected to happen in 2026.

OPTIONS

Option 1 – Not adopt the Standing Orders.

If the board chooses this option, the existing standing orders will remain in effect until the government issues a standardised document.

Option 2 – Vote that the matter “lie on the table” and request a workshop to refine the documents. If the board chooses this option a workshop will be arranged and the updated code will come back to a future board meeting with the changes requested at the workshop.

Option 3 – Adopt the Standing Orders with any changes requested at this meeting. This is the recommended option.

CONCLUSION

It is recommended that the Ahuriri Community Board adopts the attached Standing Orders to cover the period between the 2025 election and the issuing of standardised documents by central government.

4.5 RESERVE CLASSIFICATION AND GIFTING OF KUROW SCHOOL BUILDING (FORMER)

Author: Suzanne Clark, Property Officer

Authoriser: Joanne O'Neill, Director Strategy, Performance, and Design

Attachments:

1. Kurow School (Former): Heritage NZ Category 2 Listing (register no. 4891) [!\[\]\(89b88375a21fd57206ff9ec1ea24d933_img.jpg\)](#)
2. Reserve Classification Assessment [!\[\]\(4bb32205ef454d1eb2c4d4bf81e97732_img.jpg\)](#)
3. Kurow School (Former) Conservation Plan [!\[\]\(01684669469f54d51abc207184269a82_img.jpg\)](#)
4. Charity Register - South Star School Charitable Trust [!\[\]\(2ea49087810107da1073f336bf769d75_img.jpg\)](#)

RECOMMENDATION

That the Ahuriri Community Board recommends:

That Council:

1. Resolves, pursuant to Section 24(1)(b) of the Reserves Act 1977, to reclassify Part Lot 2 Deposited Plan 7534 and Lot 1 Deposited Plan 8706 from 'Recreation Reserve' to 'Historic Reserve' subject to the completion of all statutory processes.
2. Authorises officers to publicly notify the reclassification in accordance with statutory requirements.
3. Resolves to transfer ownership of the former Kurow School building and storage shed to the South Star School Trust by way of gift and grant a peppercorn ground lease subject to public notification in accordance with statutory requirements.

That the Ahuriri Community Board:

1. Resolves to fund all required statutory notification and gazettal, estimated to cost up to \$800 plus GST.

DECISION OBJECTIVE

To seek a recommendation to Council to publicly notify the proposed reclassification of Part Lot 2 DP 7534 and Lot 1 DP 8706, located at 10 Ranfurly Street, Kurow, to an historic reserve under the Reserves Act 1977, to gift the Kurow School Building (former) to the South Star School Trust, and to notify the intention to grant a lease on the Reserve.

SUMMARY

A proposal from a community member was received to establish a Trust to oversee the restoration of the former Kurow School building at 10 Ranfurly Street, Kurow. The vision is to locate Waitaki Art School within part of the building as well as make space available for community use.

At the Community Board of the 8 September 2025 an information report was presented outlining the options for consideration.

RESOLVED ACB 2025/026

Moved: Mr Steve Dalley
Seconded: Mr Alan Pont

That the Ahuriri Community Board:

1. Supports the proposal to restore the former Kurow School building with the aim of establishing an art school within part of the building;
2. Requests a report to come back to the board on reclassifying the reserve as historic and gifting the building to a Trust with a building footprint 33-year ground lease at agreed rent with all outgoings payable granted subject to community approval and Council consents; and
3. Prefers a peppercorn rent.

CARRIED

The school building holds significant heritage value. It is located on the original Education Department site, is listed as a Category B heritage item in the Waitaki District Plan and is registered as a Category 2 historic place by Heritage New Zealand (Register No. 4891), refer Attachment 1.

The land is currently classified as a Recreation Reserve and vested in Waitaki District Council under the Act. Commercial activity is listed as a discretionary activity in the Reserves Management Plan. Although a charitable Trust will oversee the operation and management of the building, officers have assessed that the activity is commercial as income for individuals will be generated. Under Section 54(1)(d) of the Reserves Act 1977 (the Act), commercial activity may be permitted on a recreation reserve only where it is necessary to enable public benefit and enjoyment of the reserve, or for the convenience of users.

The proposed activity is ancillary to but not complementary with the primary recreational purpose of the reserve. This has prompted a review of whether the current reserve classification is appropriate and aligns with the direction given by the Community Board and recorded in resolution ACB2025/026 “to come back to the board on reclassifying the reserve as historic and gifting the building to a Trust with a building footprint 33-year ground lease at agreed rent with all outgoings payable granted subject to community approval and Council consents”.

The Act provides for various classifications based on the primary purpose of the land, including Recreation, Historic, Scenic, Nature, Scientific, Local Purpose, and Government Purpose.

This report recommends reclassifying the land to a Historic Reserve to better reflect its heritage significance and support the proposed future use.

Council approval is also sought to transfer ownership of the school building and outside shed to the South Star School Trust and to publicly notify the intention to grant a ground lease to the Trust.

DECISION-MAKING EXPECTATIONS

Governance Decision-Making:

Approve proposal to reclassify Kurow Recreation Reserve to Historic Reserve and to transfer by way of gift to South Star School Trust, the Kurow School Building (former) located at 10 Ranfurly Street, Kurow.

Operational Decision-Making:

Delegate the Chief Executive to implement Council's resolution including completion of all statutory processes under the Reserves Act and the transfer of the building to the Trust.

A ground lease will be negotiated with the Trust.

Communications	Media Releases – contributed to by officers and Elected Members.
	Media/public enquiries regarding governance decision-making topics above can be addressed by governance.
	Media/public enquiries regarding operational decision-making topics above can be addressed by officers.

SUMMARY OF DECISION-MAKING CRITERIA

No/Moderate/Key		No/Moderate/Key	
Policy/Plan	Moderate	Environmental Considerations	No
Legal	Moderate	Cultural Considerations	Moderate
Significance	No	Social Considerations	No
Financial Criteria	No	Economic Considerations	No
Community Views	Key	Community Board Views	Key
Consultation	No	Publicity and Communication	Moderate

BACKGROUND

Land and building status

The land located at 10 Ranfurly Street, Kurow is currently classified as Recreation Reserve under the Act and is managed by Waitaki District Council as a neighbourhood reserve, in accordance with the adopted Reserves Management Plan (see Image A).

The reserve is undeveloped with no built recreation infrastructure and consists of wide-open mowed grass areas with several specimen trees. The Kurow Bowling Club owns the neighbouring parcel of land. Nearby Kurow Railway Reserve has been developed to provide the community with recreation opportunities e.g. playground, bike tracks, basketball hoop, skateboard ramps, and a large continuous walking area. The community also has access to many other recreational opportunities within the local area.

Image A



SUMMARY OF OPTIONS CONSIDERED

The site contains the former Kurow School building which is not listed on Council's asset register. However, advice from the Department of Conservation indicates that ownership likely transferred to the former Waitaki County Council when the land was vested in 1984.

Historically, the former Kurow School building has been used by the Kurow Scouts, and it is currently utilised by the Kurow Museum for storage. There is no active lease in place.

The building and the land both hold heritage value. The building and Part Lot 2 DP 7534 is registered as a Category 2 historic place by Heritage NZ (register no. 4891) and the building has a Category B listing in the Waitaki District Plan.

Opened in 1882, the school was the first in Upper Waitaki. Its design reflects 19th-century school architecture and is a rare surviving example of a wooden school building from that era. The original site spanned 4 acres, allowing students to graze their horses during the school day. The building's exterior remains largely unchanged, though both the interior and exterior require extensive restoration.

The shed is not original and doesn't form part of the Heritage NZ listing.

Reclassification - Reserves Act Process

Under Section 24 of the Reserves Act 1977, Council may, by resolution and following public notification, reclassify reserve land to better reflect its current and intended use. The Act and the Department of Conservation's (DOC) Guide for Reserve Administering Bodies outline the statutory process for this. Recreation Aotearoa's Parks Category Framework was also used to assist with the assessment.

The reserve's present and future values have been assessed as primarily cultural and heritage (see Attachment 2).

It is recommended that the reserve be reclassified as a Historic Reserve to acknowledge the site's educational and cultural heritage.

The reserve parcel described below is proposed to be reclassified Historic Reserve

Reserve Location	10 Ranfurly Street, Kurow
Legal Description	Part Lot 2 DP 7534, Lot 1 DP 8706
Area	.7059 ha
Current Classification	Recreation Reserve

Reason for reclassification: The land's primary purpose is to preserve the historic Kurow School building, located on its original Education Department site. Reclassifying it as a Historic Reserve better reflects its heritage value and supports the future intended use.

The Reserves Management Plan will be updated during the review scheduled to start in 2026.

Proposed future use of land and buildings

The South Star School Trust has signalled their interest in restoring the former school building. Once restored, the building would serve as a gallery showcasing local artists and a school offering classes in visual arts, dance, music, drama, and crafts. The Waitaki Art School, which currently operates across multiple locations in Kurow, would be consolidated into this historic site, supporting its operation and enhancing its role within the community.

The South Star School Trust has prepared a Conservation Plan to restore the building (refer Attachment 3). The restoration is estimated to cost approximately \$450,000, with funding expected to come from a combination of community grants, donations, and contributions from local artists. Volunteer tradespeople and labour will also support the restoration effort.

This proposed use of the building aligns well with the *Historic Reserve* classification and the underlying Heritage NZ and Waitaki District Plan heritage listings.

Under this scenario, the land will still be available to the community to use for passive recreation or community events. It is anticipated that Council would continue to maintain the grassed area at the same level of service as currently provided.

Gifting of building and transferring of Council ownership

Under Section 12 of the Local Government Act 2002 (LGA02), Council is authorised to dispose of the building, provided it complies with the requirements of Section 14 of the LGA02.

An option for council is to gift the buildings to the Trust in their current condition, with the Trust assuming full responsibility for restoration, maintenance, and ongoing operational costs. The storage shed could be demolished for materials if there was no use for it. A lease would be granted, and officers recommend that rent be set at a nominal rate, with provisions for future rent reviews.

A transfer of ownership to the Trust would significantly improve its ability to secure external funding; refer to Attachment 4 for the Trust's charities registration.

Appointment of a board or voluntary organisation to control and manage the reserve

The Ahuriri Community Board requested information on the process for appointing a non-Council organisation to control and manage a reserve.

Under Section 30 of the Act, Council may relinquish its vesting in a reserve, returning the ownership to the Crown and allowing the Department of Conservation to appoint a board to manage the land. Before agreeing to such an arrangement, the Department of Conservation typically expects a clear rationale for the change, evidence of community and iwi support, proposed board membership details, a commitment to prepare a management plan, an understanding of legal obligations, agreement to audit requirements, and clarity around the board's term, structure, and chairperson appointment.

Alternatively, under Section 29 of the Act, Council may formally appoint a voluntary organisation to control and manage a reserve. This process requires a formal gazettal and compliance by the voluntary organisation with statutory obligations, including financial reporting and management planning.

In practice, it is more common for voluntary or not for profit organisations to manage reserves through a Memorandum of Understanding (MOU) with the local council rather than through formal appointment under the Act. MOUs are non-legally binding agreements that outline roles, responsibilities, and shared goals. They offer flexibility, are easier to establish, and can be tailored to suit local needs.

An example of an MOU approach is the Puketapu Community Trust, which has an MOU with Council for the maintenance of the Puketapu Recreation Reserve. The Trust is responsible for maintenance activities and works in alignment with an agreed vision for the reserve's restoration.

SUMMARY OF OPTIONS CONSIDERED

Option 1 (preferred option):

1. Reclassify Part Lot 2 Deposited Plan 7534 and Lot 1 Deposited Plan 8706 from 'Recreation Reserve' to 'Historic Reserve' under the Reserves Act 1977 subject to completion of all statutory processes; and
2. Transfer ownership of the former Kurow School building and storage shed to the South Star School Trust by way of gift and grant a peppercorn ground lease subject to public notification in accordance with statutory requirements.

This option recognises the historical significance of both the building and the land and will ensure preservation of both the building and the site. Transferring ownership of the historic, but currently rundown building, to the South Star School Trust—alongside a peppercorn ground lease—would enable the Trust to undertake restoration and utilise the space.

Advantages	Disadvantages	Risks
<ul style="list-style-type: none"> Provides formal recognition of the site's heritage value under the Reserves Act. Enables the Trust to pursue external funding opportunities, as ownership strengthens eligibility for grants. Transfers financial responsibility for restoration and ongoing maintenance away from Council. Supported by the South Star School Trust and aligns with community desires. Enhances local arts and culture, will attracting visitors and support economic development. Recognition of a heritage building and land under the Act as well as provides a good legal fit for the future art school. Ground lease conditions can include clauses for improvements to revert to Council if the Trust is dissolved. A building in use is the best form of protection against vandalism/arson and loss of heritage value. 	<ul style="list-style-type: none"> Reclassification from Historic Reserve to another purpose is difficult to reverse and will limit future alternative uses of the land. Should the Trust dissolve, Council will be expected to fund the operation of a community facility. 	<ul style="list-style-type: none"> The Trust may be unable to raise sufficient capital for restoration or ongoing operations, leading to project failure. Lack of long-term viability or governance capacity within the Trust could result in underuse or deterioration of the building.

Option 2: Transfer ownership of the former Kurow School building and storage shed to the South Star School Trust by way of gift, subject to the building's removal from the reserve site.

This option seeks to reduce Council's long-term financial responsibility by removing the building from the land, while still enabling its preservation by the Trust. The reserve land would be retained for recreational purposes, and the building could be relocated to a more prominent location within the community.

Advantages	Disadvantages	Risks
<ul style="list-style-type: none"> Permanently removes the building from Council's responsibility, reducing future financial obligations for ratepayers. No formal statutory process is required for land reclassification, allowing the transfer to proceed once the Trust is formed. Frees up reserve land for recreational use, consistent with its current classification. Relocation to a main street or high-visibility location could see the restored building well frequented by visitors. 	<ul style="list-style-type: none"> Not supported by the Trust, which prefers to retain the building on its original site. A suitable relocation site would need to be identified and secured. The Trust would incur additional costs and face regulatory requirements related to relocation, consenting and securing suitable land. 	<ul style="list-style-type: none"> The Trust may not be willing or able to proceed with relocation and restoration, as this option does not align with its vision. Additional regulatory oversight and costs could delay or jeopardize the project. If relocation proves unfeasible, the building may remain unused or deteriorate further, undermining heritage preservation goals.

Option 3: Status Quo

Under this option, no action is taken. The reserve remains classified as a *Recreation Reserve*, and the former Kurow School building remains in Council ownership on site, with no formal restoration or transfer arrangements in place.

Advantages	Disadvantages	Risks
<ul style="list-style-type: none">• No immediate administrative or legal processes are required.	<ul style="list-style-type: none">• The heritage building continues to deteriorate due to lack of restoration or active use.• Increased risk of vandalism and associated cleanup costs.• Opportunity to support a community-led initiative and preserve a significant heritage asset is lost.	<ul style="list-style-type: none">• Reputational risk to Council for not supporting a heritage and community project.• Potential future costs to ratepayers if Council is later required to restore or demolish the building due to deterioration.• Missed opportunity to activate the site for cultural and educational use.

ASSESSMENT OF PREFERRED OPTION

Option 1 is the preferred option. This involves reclassifying the reserve as a *Historic Reserve* and transferring ownership of the former Kurow School building and storage shed to the South Star School Trust by way of gift and grant a peppercorn ground lease subject to public notification in accordance with statutory requirements.

This approach is considered the most effective as it delivers positive outcomes for the Trust, Council, and the wider community. It supports heritage preservation, encourages creative and educational activity, and reduces long-term financial responsibility for Council.

CONCLUSION

Council officers recommend proceeding with reclassifying Part Lot 2 DP 7534 and Lot 1 DP 8706 from Recreation Reserve to Historic Reserve, and to transfer ownership of the former Kurow School building and storage shed at 10 Ranfurly Street, Kurow to the South Star School Trust.

This approach appropriately recognises the site's significant heritage value as the location of Upper Waitaki's first school, enables the Trust to secure external funding for the restoration project, and supports the development of a consolidated Waitaki Art School that will enhance cultural and educational opportunities in Kurow. By transferring the buildings to community ownership while retaining the land in Council's control through a peppercorn ground lease, this option balances heritage preservation with fiscal responsibility, ensures the building's activation rather than continued deterioration, and aligns with both community aspirations and the statutory framework of the Reserves Act 1977.

The proposal represents a prudent investment in Kurow's cultural infrastructure that will benefit current and future generations while relieving ratepayers of ongoing maintenance obligations.

Council approval is sought to proceed with the reclassification, and transfer of the building to the South Star School Trust and public notification of the proposed ground lease.

ADDITIONAL DECISION-MAKING CONSIDERATIONS

Waitaki District Council Strategic Framework

Outcomes

Community Outcomes

Prosperous District

- Attractive to new opportunities
- Supporting local businesses
- Fostering a diverse and resilient economy

Strong Communities

- Enabling safe, healthy communities
- Connected, inclusive communities
- Promoting a greater voice for Waitaki
- Celebrating our community identity

Quality Services

- Robust core infrastructure and services
- Community facilities and services we are proud of

Valued Environment

- Protecting our diverse landscapes and water bodies
- Meeting environmental and climate change challenges

Policy and Plan Considerations

The preferred option aligns with the objectives of Council's *Culture and Heritage Strategy*, which supports the preservation, restoration, and activation of heritage assets for community benefit.

Community Views

Written support for the building restoration and establishment of the Waitaki Art School has been received from Heritage New Zealand and the Waitaki Valley Community Society.

Two submissions were received through the Long-Term Plan 2025–2034 process relating to the reserve:

- Submission #322 (Waitaki Valley Community Society Inc) requested that Council undertake maintenance on the former school building. The Society are in full support of the Trust's proposal.
- Submission #325 proposed that the reserve be developed into an off-leash dog area. Council officers responded that the Kurow Rail Reserve has already been designated for this purpose.

An article published in the *Otago Daily Times* on 16 October 2025 suggests there is strong community support for the proposal.

In accordance with the Act, a one-month public notification period is required for both the proposed reclassification and the intention to grant a lease.

Any objections received during this period will be considered by Council or a Council Hearings Committee.

Financial Considerations

There has been no recent Council expenditure on the building. As the building is not listed on Council's asset register, its disposal will not result in an accounting loss or have any direct cash impact on Council's financial position.

Costs will be incurred to complete the reclassification and gifting process, specifically the public notifications and gazettals. There is currently no Council budget allocated for this purpose. The estimated cost is \$500–\$800, which would cover advertisements in the *Kurow Bugle*, Council's *Waitaki Weekly* page, and the final Gazette notice. A recommendation has been made for the Community Board to cover this cost.

Legal Considerations

The preferred option complies with the Reserves Act 1977 in relation to both reserve reclassification and lease arrangements. It also satisfies Council's legal obligations for asset disposal under Sections 12 and 14 of the Local Government Act 2002.

Once the reserve is reclassified as 'historic', section 24(5) of the Reserves Act requires that a report from Heritage New Zealand be prepared before any future reclassification can occur. A historic classification will be difficult to reverse, and future development of the land will be limited to activities that support and align with its historic status.



New Zealand Historic Places Trust Pouhere Taonga
Kurow School (Former), Kurow

Register No. 4891

File: 12015-167



Jon Brocas, Kurow School (Former)

Address	59 Gordon Street, KUROW, Otago
Legal Description	Pt Lot 2 DP 7534 (Recreation Reserve NZ Gazette, 1996, p.3212.), Otago Land District
Extent	The extent includes the land described as Pt Lot 2 DP 7534 (Recreation Reserve NZ Gazette 1996 p.3212.), Otago Land District, and the building known as Kurow School (Former), thereon.
Constructed by:	John Somerville (Otago Education Board architect): Scottish born Somerville arrived in Dunedin in 1858, and began business as a carpenter and joiner, doing his own design work. He was appointed architect to the Otago Education Board by the Provincial Council, a position he held for until around 1900. Somerville designed and supervised the construction of most of the school buildings.
Owners	Crown Land – Waitaki District Council administered

Summary:

Kurow School opened in 1882, providing two classrooms for the children of this small North Otago town. The school's design is representative of nineteenth century school architecture and as well as educating several generations of children, provided a social centre for the community.

The Education Act 1877 provided free, secular, and compulsory education for all children aged between seven and thirteen, managed locally. The Otago Education Board's architect designed the buildings based on standard designs adapted to local circumstances, while local school committees managed the schools.¹ The Kurow School District was declared in December 1880, and the school site gazetted in 1881.² The Otago Education Board approved the construction of the Kurow school building and teacher's residence in October 1881, and in November 1881,

¹ *Otago Witness*, 3 May 1879, p. 6.; <http://www.teara.govt.nz/en/1966/education-evolution-of-present-system/2> accessed 17 Aug 2010.

² *Otago Witness*, 18 Dec 1880, p. 5.; *NZ Gazette*, 1881, p. 960.

tenders were advertised for both buildings, designed by the Education Board's architect, John Somerville (1834-1905).³

Kurow School opened on 17 February 1882. The school stood on four acres bounded by Bridge and Robinson Streets (later renamed Ranfurly and Gordon Streets). The school provided accommodation for 100 pupils.⁴ According to records at the Hocken Collections in Dunedin, the school operated half time between 1882 and 1884, and full time between 1885 and 1931.⁵ Such schools were also the 'social centre' for the district, substituting for halls and other community facilities.⁶

The exterior of the school remains largely original although flues have replaced the chimneys. The school had two classrooms (one for 'infants' up to standard two, the other for those for children up to standard 6). In the infant room, half of the floor was raised for each row of desks and forms, while the other half was flat. In the senior room or 'Big Room' the floor was raised a little for each row.⁷

The Waitaki Hydro scheme of the early 1930s caused problems for the school. As workers moved to the area to build the dams so the population grew – the roll jumping from 63 to 339 from 1927 to 1932.⁸ Every hall in town overflowed with pupils. To meet the demand, a new school was built on the current site, completed by May 1931. The old school stood unused. In 1939, fire gutted the new school and the old building was reopened, with other buildings in town providing extra space. In 1940 a new school, this time built in brick opened and the old building once again abandoned.⁹ The site was vested in the Department of Conservation and administered by the Waitaki District Council. Since that time the building has been used by community purposes, including the Kurow scout and guide movement until 2003.¹⁰ In 2014, the former school is used for community purposes.

Bibliography

Jon Brocas, 'Still Here – Kurow's First School', copy held NZHPT file 12015-167.

'Cyclopedia of New Zealand', Volume 4, Otago and Southland. URL: <http://nzetc.victoria.ac.nz/tm/scholarly/tei-Cyc04Cycl-t1-body1-d5-d13.html> accessed 26 Jun 2013.

Kurow School Entry in Hakena, Hocken Collections, University of Otago. URL: <http://hakena.otago.ac.nz/nreq/Welcome.html> .

NZ Gazette, 1881, p. 960.

NZHPT Registration Report, St Bathans School Ruins, Register No. 3208.

Arnold Nordmeyer, *The Waitaki: The river and its lakes. The land and its people*, Waitaki Lakes Committee, np, 1981.

³ *Otago Daily Times*, 21 Oct 1881, p. 3.; *Otago Daily Times*, 5 Nov 1881, p. 3.; Registration Report, St Bathans School Ruins, Register No. 3208.

⁴ 'Cyclopedia of New Zealand', Volume 4, Otago and Southland, <http://nzetc.victoria.ac.nz/tm/scholarly/tei-Cyc04Cycl-t1-body1-d5-d13.html> accessed 26 Jun 2013.

⁵ Kurow School Entry in Hakena, Hocken Collections, University of Otago.

⁶ Arnold Nordmeyer, *The Waitaki: The river and its lakes. The land and its people*, Waitaki Lakes Committee, np, 1981, p. 68.

⁷ Jon Brocas, 'Still Here – Kurow's First School', copy held NZHPT file 12015-167.

⁸ Jon Brocas, 'Still Here – Kurow's First School', copy held NZHPT file 12015-167.

⁹ Jon Brocas, 'Still Here – Kurow's First School', copy held NZHPT file 12015-167. Kurow School Entry in Hakena, Hocken Collections, University of Otago; *Otago Daily Times*, 21 Apr 1885, p. 3. The Kurow School worked half time with Whare Kuri school; Arnold Nordmeyer, *The Waitaki: The river and its lakes. The land and its people*, Waitaki Lakes Committee, np, 1981, pp. 69-70.

¹⁰ Jon Brocas, 'Still Here – Kurow's First School', copy held NZHPT file 12015-167.

Otago Daily Times, 21 Oct 1881, p. 3.; 5 Nov 1881, p. 3.; 21 Apr 1885, p. 3.

Otago Witness, 3 May 1879, p. 6.; 18 Dec 1880, p. 5.

Te Ara, URL:

<http://www.teara.govt.nz/en/1966/education-evolution-of-present-system/2> accessed 17 Aug 2010.

Other Names	
Key Physical Dates	1881: Original Construction 1882: 17 February, Kurow School opens 1940: School closed
Former Uses	Civic Facilities and Recreation – Hall (Scouts/Guides) Education - School
Current Uses	Misc - vacant
Associated Registrations	None
Protection Measures	Waitaki District Plan Partially Operative 12 July 2004. No. 77 in Appendix B- Heritage Items.
Recommendation	Board Minute: HP 215/1986 Former School, Kurow Technical Change <i>Change Name, Change Address, Change Legal Description, Add extent.</i>

Attachments

Images



North Otago Museum, P0025.409, 1930s. Image taken by David Erskine Neave.



North Otago Museum, P0025.410, 1930s. Image taken by David Erskine Neave.

Technical Change Request

 **Register Record**

Register Number: 4891
Site Reference: P4945

Name:	School (Former)		
Other Names:	Name	Year From	Year To
Location:	10-12 Gordon Street, KUROW		
Registered Legal Description:	Gaz 58-1466, 57-1565 1716 All DP8708 & Pt Lot 2 DP7534 Bk V Kurow Town		
Local Authority:	Waitaki District		
Summary:			
Registration Status:	Registered		
Registration Type:	Historic Place Category 2		
Register Number:	4891		
Date Registered:	25 September 1986		
Extent of Registration:			
Chattels			
District Plan Listing:	District Plan	Waitaki District Plan Partially Operative 12 July 2004. No. 77 in Appendix B- Heritage Items.	
Maori Interest:	Unknown		
NZHPT Office:	Otago/Southland Office		
Other Information:			
General Nature of Wahi Tapu:			
Section 23 Assessment:	Section 23(1)	Registered under previous legislation (HPA 1980)	
	Section 23(2)	Registered under previous legislation (HPA 1980).	
Section 23(2) Detail:			
Statement of Wahi Tapu:			

Report Execution Time: 08/07/2013 14:58:11

Page 1 of 1

 **Register Record**

Register Number: 4891
Site Reference: P4945

Name:	School (Former)		
Other Names:	Name	Year From	Year To
Location:	10-12 Gordon Street, KUROW		
Registered Legal Description:	Gaz 58-1468, 57-1685 1716 All DP8708 & Pt Lot 2 DP7534 Blk V Kurow Town		
Local Authority:	Waikato District		
Summary:			
Registration Status	Registered		
Registration Type:	Historic Place Category 2		
Register Number:	4891		
Date Registered:	25 September 1986		
Extent of Registration:			
Chattels			
District Plan Listing:	District Plan	Waikato District Plan Partially Operative 12 July 2004, No. 77 in Appendix B- Heritage Items.	
Maori Interest:	Unknown		
NZHPT Office:	Otago/Southland Office		
Other Information:			
General Nature of Wahi Tapu:			
Section 23 Assessment:	Section 23(1)	Registered under previous legislation (HPA 1980)	
	Section 23(2)	Registered under previous legislation (HPA 1980).	
Section 23(2) Detail:			
Statement of Wahi Tapu:			

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Page 1 of 1

Current Identifier: *New Zealand Gazette*, 1996, p.3212.
(<http://www.gazette.govt.nz/notice/id/1996-hn6189>)

Land Notices

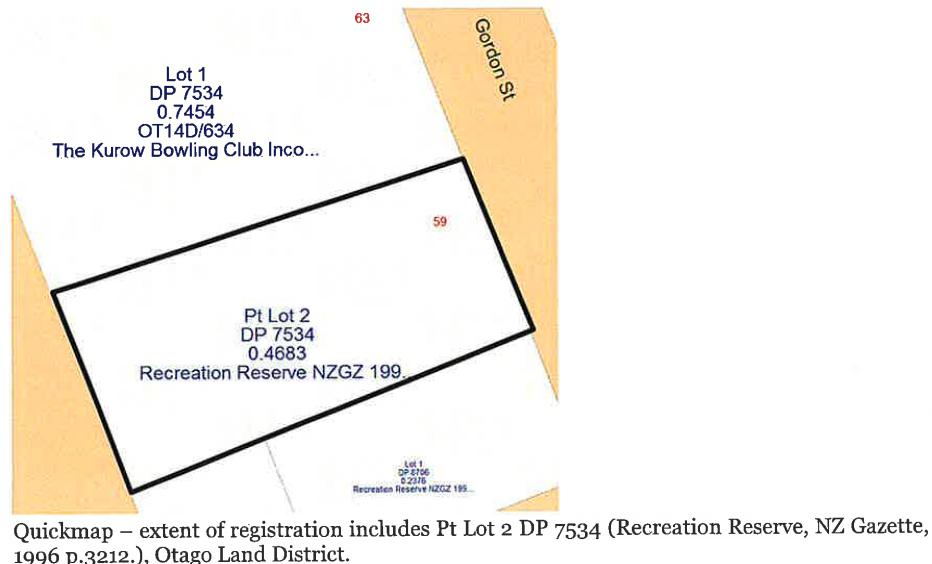
26
SEP
1996

Tags
Reserves Act
Reserves Districts

Notice Number
1996-hn6189

Page Number
3212

Classification of a Reserve Pursuant to the Reserves Act 1977, and to a delegation from the Minister of Conservation, the Regional Conservator, Canterbury, hereby classifies the land, described in the Schedule hereto, as recreation reserve, subject to the provisions of the said Act. Schedule Otago Land District Waitaki District 1189 square metres, being Section 20, Block V, Town of Kurow. All New Zealand Gazette, 1969, page 1375 (344749) and New Zealand Gazette, 1984, page 3970. S.O. Plan 16777, 2376 square metres, being Lot 1, D.P. 8703. All New Zealand Gazette, 1956, page 1456 (7082) and New Zealand Gazette, 1984, page 3970, 4683 square metres, being part Lot 2, D.P. 7534. All New Zealand Gazette, 1957, page 1716 (7259) and New Zealand Gazette, 1984, page 3970. Dated at Christchurch this 16th day of September 1996. R. M. SUGGATE, Acting Regional Conservator for M. J. CUDDIHY, Regional Conservator, Canterbury. (DOC D.O. RSR 0192)





Google Earth view showing the extent and the location of the former school.

ATTACHMENT 2

RESERVE CLASSIFICATION ASSESSMENT

Assessment of Part Lot 2 Deposited Plan 7534 and Lot 1 Deposited Plan 8706 located at 10 Ranfurly Street, Kurow utilising the Act, the DOC Guide for Reserve Administering Bodies, and Recreation Aotearoa 'Park Categories Framework' has been undertaken. The assessment considers the current status and use, heritage significance, and intended future use of the site. The correct classification under the Act for this land is Historic.

NZRA Cultural Heritage framework mapped to 10 Ranfurly Street, Kurow					
Primary Purpose	Kurow	Alternate Names	Kurow	Typical Characteristics	Kurow
Protection of built cultural environment to provide for heritage conservation, education, commemoration, mourning and remembrance	✓	<ul style="list-style-type: none"> Cemeteries Cultural Heritage Historic 	✗ ✓ ✓ ✓	<ul style="list-style-type: none"> Cultural heritage features Historic sites, buildings or structures Memorial sites Cemeteries 	✓ ✓ ✗ ✗
Description					
<p>The primary purpose of the designation is to protect and experience the district's heritage, that being a historic education building and site dating from 1882.</p> <p>Restoration and enhancement work is to be undertaken to recreate lost values and features with the goal of transforming the building into an arts education centre. Opportunities exist for interpretative signage and development of the site in keeping with its original intended use will enhance the visitor experience.</p> <p>The site exhibits the following values and attributes:</p> <ul style="list-style-type: none"> Historic site Historic building 					
 <p>Image taken by Jon Brocas</p>			 <p>North Otago Museum, Pooz5.4og, 1930s. Image taken by David Erskine Neave.</p>		

CONSERVATION PLAN - 2025

KUROW SCHOOL, FORMER

NICOLE SCHOFIELD, KUROW



INTRODUCTION

CURRENT SITUATION

The building known as the Former Kurow School, built in 1881, is located on Reserve land in the residential area of the town of Kurow, Waitaki Valley, North Otago. It is on land vested to the Waitaki District Council from the Crown (1st April 1984 / Gazette Notice 7259). It has been vacant from 2004 to the present. It has not benefitted from maintenance in over 20 years. Weatherboards are rotting, many panes of glass shattered and pigeons are a growing concern. Whilst the interior is mainly intact and in relatively good condition, much remedial maintenance is required in order to present the building to the community as safe and enjoyable.

REASONS FOR THIS PLAN

At this time, the community wishes to see the degrading building restored and utilized as an asset to the community. This plan is to make clear the intentions of the restoration project in context to the building and the property's history.

THE SITE

The legal description of the site is Lot 2, 4683, DP 7534 (NZ Gazette 1996, p. 3212), Otago Land District. LINZ parcel ID: 3113801.

It is zoned as a Recreation Reserve under section 17 of the Reserves Act of 1977.

WDC recognizes this plot as 10 Ranfurly Street, Kurow in the current District Plan. The listing of 10 Ranfurly Street has a crossover to include the adjacent Lot 1. Additionally this plot has been clerically referred to / listed as 59 Gordon Street, 10-12 Ranfurly Street, and 10-12 Gordon Street.

EXISTING HERITAGE LISTINGS

In 1986, the Former Kurow School was registered as a Category 2 building, Register No. 4891 with Heritage New Zealand. The extent of the heritage listing includes the land described as Pt Lot 2 DP 7534 (NZ Gazette 1996, p.3212), Otago Land District and the building known as Kurow School (Former) thereon.

It is also recognized by the Waitaki District Council in the District Plan 2015 as a HH Category B listing, ref 77. At the time of writing it is listed in the 2025 Proposed District Plan as HH 120.

HISTORICAL ACCOUNT



Kurow School opened in 1882, providing two classrooms for the children of this small North Otago town.

The Education Act 1877 established a system of free, secular, and compulsory education for all New Zealand children aged between seven and thirteen. The Otago Education Board architect adapted standard school designs to local circumstances and a local committee managed each school. The Kurow School District was declared in December 1880, and the school site gazetted in 1881. The Education Board approved the construction of the Kurow School building and teacher's residence in October 1881, and in November, tenders were advertised for both the buildings designed by the Education Board's architect, John Somerville (1834-1905).

At its opening on 17 February 1882, the Kurow School stood on four acres bounded by Bridge and Robinson Streets (later renamed Ranfurly and Gordon Streets). The school could accommodate 100 pupils. According to records at the Hocken Collections in Dunedin, the school operated half-time between 1882 and 1884, and full-time between 1885 and 1931. Such schools were also the 'social centre' for the district, standing in for halls and other community facilities.

The school had two classrooms (one for 'infants' up to standard two, the other for children up to standard 6). In the infant room, half of the floor was stepped for each row of desks and forms, while the other half was flat. In the senior room or 'Big Room' the floor was raised a little for each row.

As workers moved to the area to build the Waitaki hydro scheme in the 1930s, so the school roll jumped - from 63 to 339 from 1927 to 1932. Every hall in town overflowed with pupils. To meet the demand, a new school was built on the current site. It was completed by May 1931. The old school stood unused. In 1939, fire gutted the new school and the old building was reopened, with

other buildings in town providing extra space. In 1940, another new school opened, this time built in brick, and the old building was once again abandoned.

In the 1950s it was used as a technical adjunct school to the new Kurow school, with the west wing used as a woodworking classroom and the East as a cooking school.

CULTURAL HERITAGE SIGNIFICANCE

The Former Kurow School will be the only historic Otago school designed by John Sommerville, now functioning and open to the public. The remainder of original buildings intact are privately owned and repurposed for living, otherwise they have been left to deteriorate, or are non-existent on the original site. In some minor cases where the building has been dragged through the annals of time and been amalgamated into new developments within an existing school building, the historic quality, architecture and original materials have long since been replaced. Kurow stands alone as a preserved school on its original footprint without considerable alterations disguising its historic mantle.

The architectural changes of the school tell the recent history of the area. After its instatement, it was necessary to add additional space within five years to cater to the population growth including young couples and new families settling in the area. In 1902, the school made national headlines with a consumptive outbreak due to overcrowding and poor ventilation. With such publicity, the government was quick to respond, funding the double extension of the building as well as a double ventilation system in each wing.

CONSTRUCTION

HISTORY

The building was designed as a modular unit by John Sommerville of Peebles for the Otago Education board.

The footing piles are constructed of concrete river gravel of the locale. The piles are formed using wood.

Original flooring, walls, ceiling have been preserved in their original state as have the windows and architraves.

DEVELOPMENTS

The original 1882 fireplaces have been covered over. Flues were installed. Ventilation was installed in both rooms following a tuberculosis outbreak, allegedly spreading from the overcrowding and stuffy conditions of the school in 1902. At this time each wing was cut open and another few metres were added behind the facade.

Two exterior doors were added after 1904.

At unknown dates a toilet block was installed with septic tank, fireplaces have been boarded / concreted up, and replacement wood/coal/kerosene fire boxes have been removed.

In 1993 the toilets were connected to the sewer mains.

In 1995 a kitchen and mezzanine were installed for the Scouts' use during their tenancy. Chipboard was glued and nailed down to the timber floors throughout the two wings and the hall.

RESTORATION PLAN

INTENTIONS FOR BEST PRACTICE

As the school building was built in 1881 and operated until 1940, this is the key timeframe for referencing appropriate replacements or additions in order to maintain its heritage feel while upgrading the building for community and public use (safety, security, lighting, accessibility, energy use, etc.) with minimal impact visually with respect to its heritage. The project will utilize natural materials when possible (e.g. for insulation). It will replace like with like and where possible exchange and repair with age-appropriate and identical materials whilst keeping the maximum amount of original material.

RESTORATION EXTERIOR

- Detach weatherboards, rewire and apply insulation. Replace rotten weatherboards. Repaint in Heritage NZ suggested colours (cream with red or blue accent, as directed by historic photos).
- Replace broken entry way shelter. Install a more sympathetic design that is congruent to the architecture of the time as per similar existing period school examples.

- Re-erect bell cover and source a school bell (if possible).
- Replace broken spires with original design from photographs of other schools by same architect.
- Replace broken window glass in the east wing and construct clip on units to provide seasonal double glazing. The west wing will be retrofitted with double glazing, keeping original frames.
- Exterior doors in both wings to be replaced as in poor condition (ill-fitting and not weatherproof) and made lockable (installation of doors was post 1904).

RESTORATION INTERIOR

- Pull up chipboard, replace any boards with recycled timber of the same or similar origin species. Finish floors throughout.
- Uncover fireplaces. Restore to a degree for display purposes where and when possible.
- Install lighting sensitive to the age of the buildings. (Requirements are to be bright enough for community gatherings and executing classwork.)
- Pack out existing ventilation drums to conserve heat in the rooms.
- Restore windows to functioning in order to open. Install locking mechanisms sensitive to the age of the building.
- Move existing partition wall north to align with chimney. Remove mezzanine.
- Replace existing kitchen facilities (califont, fridge, stove, oven, sink, pantry). Add counter on north wall of kitchen. Add extra sink for art activities.

PROPOSED ALTERATIONS REQUIRING CONSENT

Alteration of toilet block

In order to provide use of the space for everyone in the community, wheelchair-accessible toilets will be installed. The current block has two steps down to the ground level and is inappropriate for modern public usage. This block is not original to the building. The proposed replacement toilet

block will be in rear (south) of building so as not to interrupt the street / predominant views of the school.

-Replace toilet block in rear of building. Add additional room for storage.

-Eliminate toilet entry doors from east wing and replace with tongue-and-groove (T&G) as per existing.

-Install single door to lead to new toilet/storage block, in hallway entryway, end of corridor. (The south wall is currently covered with MDF; we are unsure of the internal wall's existence/status. If necessary, clad in T&G congruent with hallway walls.) Door acquired to be period in appearance.

-Toilet block to consist of 1 accessible toilet, 1 additional toilet, 2 rooms for storage. Windows installed will be double-glazed, with frames of the era. Floors to be wood T&G to continue the historic feel.

-An additional door leading outside (safety). Again, door to be of sensitive period style.

-The toilet block building will be seamlessly clad to tie into existing cladding, roofed in aged tin, with windows and doors to match the school.

-In addition, the block will also have a storage room for chairs, tables and art program supplies. This will allow the historic room to remain clear of clutter and be available for a wide range of activities.

Heating

- Two heat pumps installed, one in each room. Exterior units to be in rear (south) of building so as not to interrupt the street / predominant views of the school.

Services

- Power and water to be reconnected.

LANDSCAPING

A gravel parking lot is suggested and a pathway up to the school is recommended. The parking lot would be on the edge of the property so as not to encroach boldly on the reserve land or the view of the school.

The community has expressed interest in planting a food forest using historic pioneer varieties of fruit trees grafted by a North Otago local. This will be beneficial to the community and will aid classes on preserving, fermenting, and cooking, as well as pruning and care of trees. This will be located to the south of the building on the hillock to mitigate frosts. This is with the consent of Awakino Station whose land lies bordering Lot 2 north of the cycle trail and is, at this time, unkept land. A path will be instated from the A2O trail in the rear to allow recreational access to the gardens, school and reserve. Remainder of unkept land will be planted with natives of the Waitaki Valley. This section of the proposed project will be ongoing.

Originally Block V, of which the school is a part, was fenced for the children's horses to graze as they attended school. The intention is to keep it open and accessible as a reserve. The community has expressed a wish to level out both the School (Lot 2), as well as the adjacent Lot 1 (DP 8706 2376, 10 Ranfurly St.) for the purposes of recreation. As it stands now, the open space between the School and Gordon Street is undulating and thus prohibitive to sport and festivities. With the very successful annual Kurow Market Day on the 1st of January needing to be rehomed once again when the Medical Centre is erected, this is a development with respect to a Recreation Reserve. Open space in Kurow is growing rare and presents itself at a premium. In accordance with Section 17 of the Reserves Act of 1977, recommendations are as follows:

1. The Best Practice for the Recreation Reserve is for continued non-development. With population growth, reserves will indeed need to be preserved for the long haul. The best practice and intention of the Kurow School Restoration and subsequent Art School will be to ensure accessibility to open public 'green' or 'brown' space as it is more appropriate.
2. Soil from 500 meters away at the site of the planned Medical Centre, could and should be used to fill the culverts and dips on both Lot 1 and Lot 2 in order to create a surface that will maximize community usage throughout the year.

ONGOING PLAN

An Art School will be run from the Former Kurow School to provide a creative and social outlet to our rural community. Whilst Kurow has a mere 450 residents, the rural catchment area the school will service is much wider: 23,500 people live in the Waitaki district.

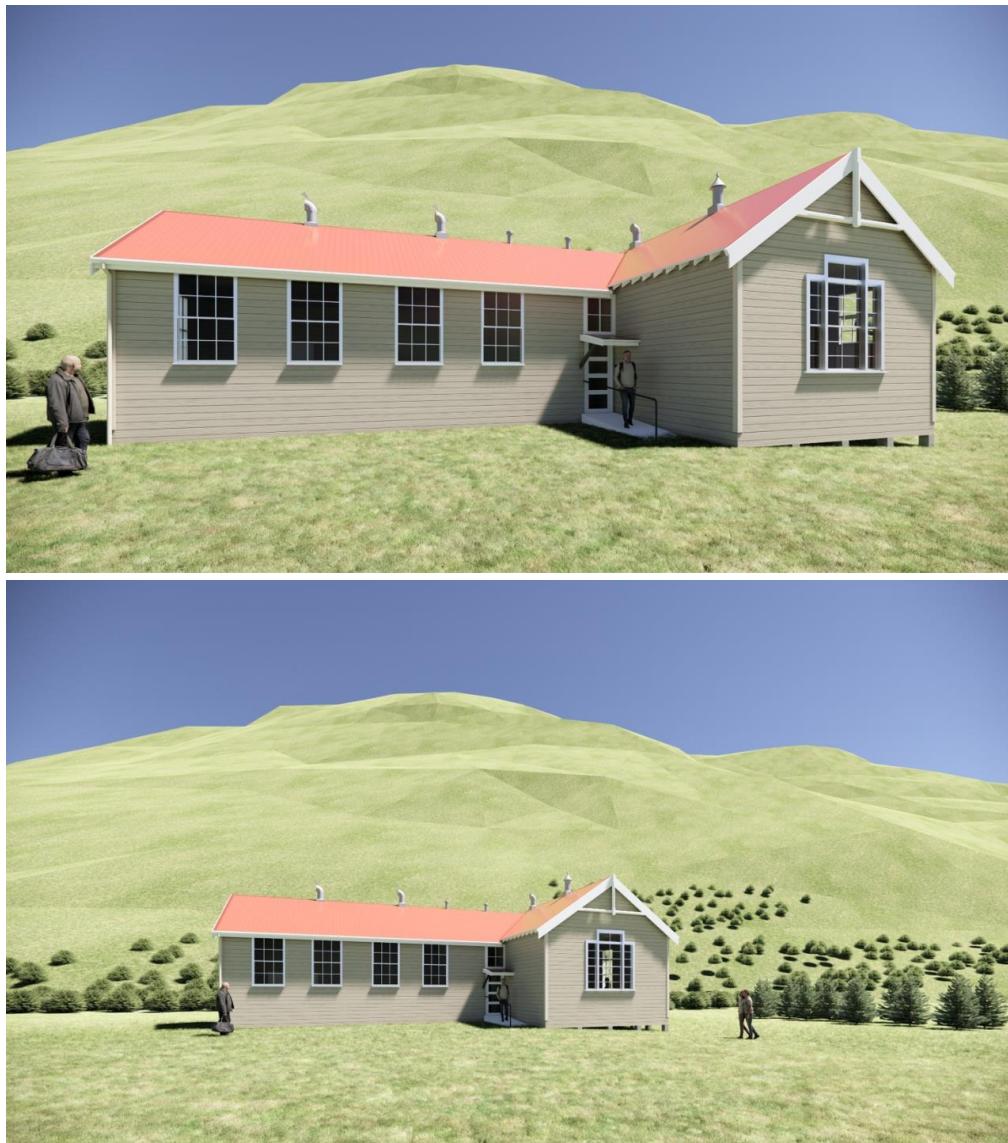
The school will offer affordable classes in the Arts year round. It will cater to fine arts, music, dance, drama, and movement. Teachers will be both locals as well as national instructors and will follow in the footsteps of the popular Waitaki Art School and 'Summer in the Sun' of years past. Unlike the previous art schools, this one will have a permanent home in the Former Kurow School.

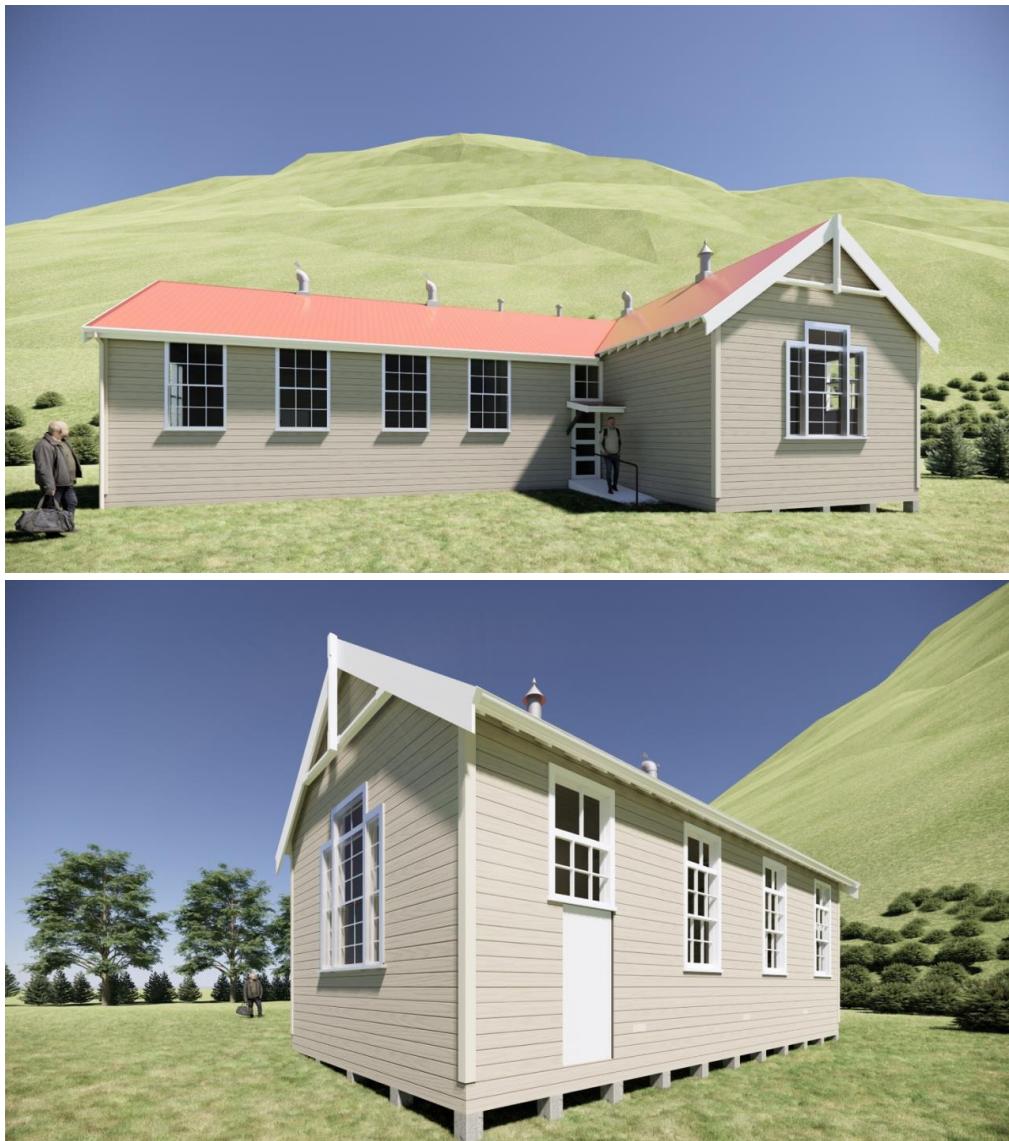
It preserves the original use of the building in running a school. It will allow the town to have a dedicated space for exhibitions and sales of art work and cater to performances of all types.

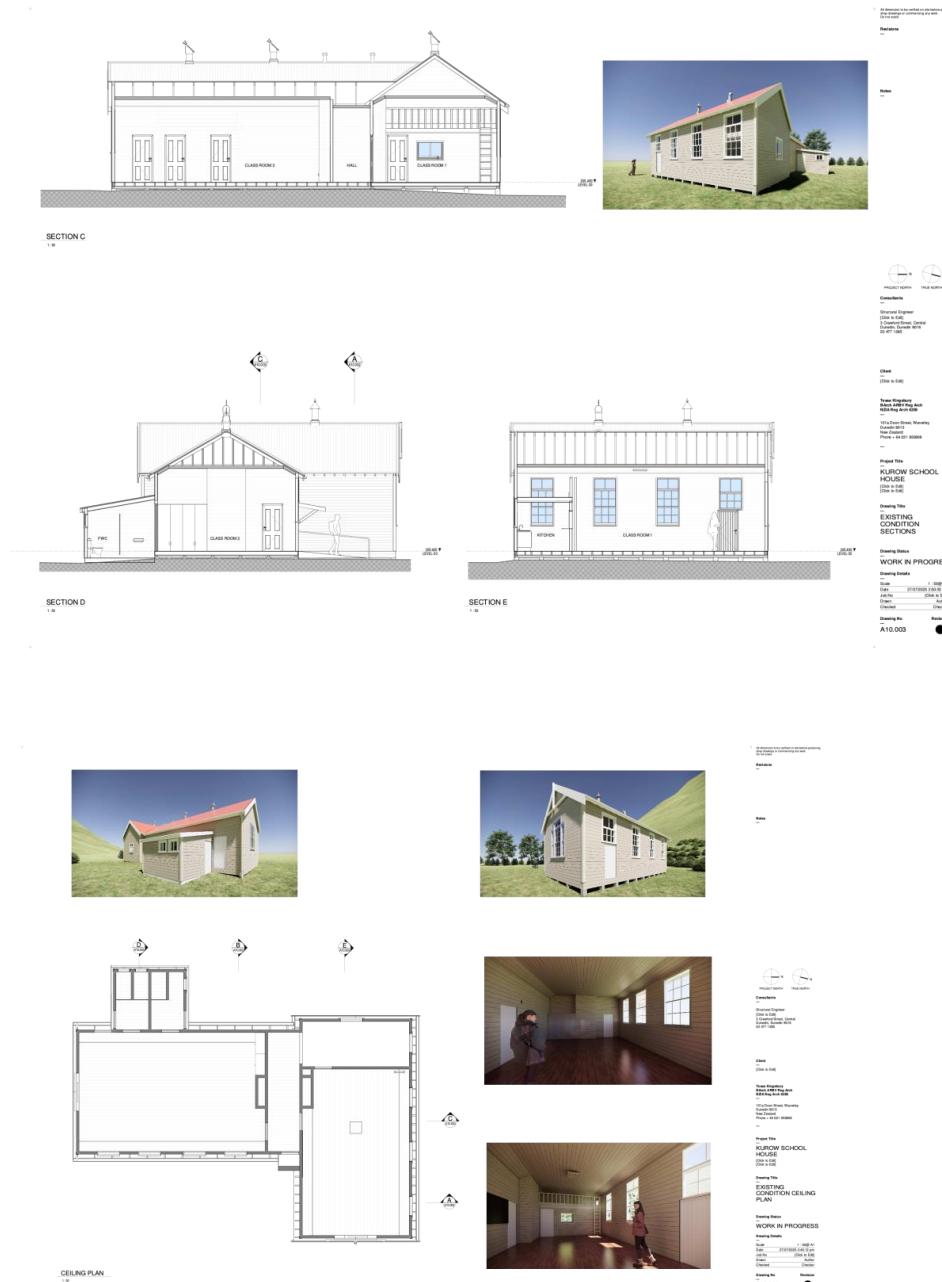
CURRENT LAYOUT

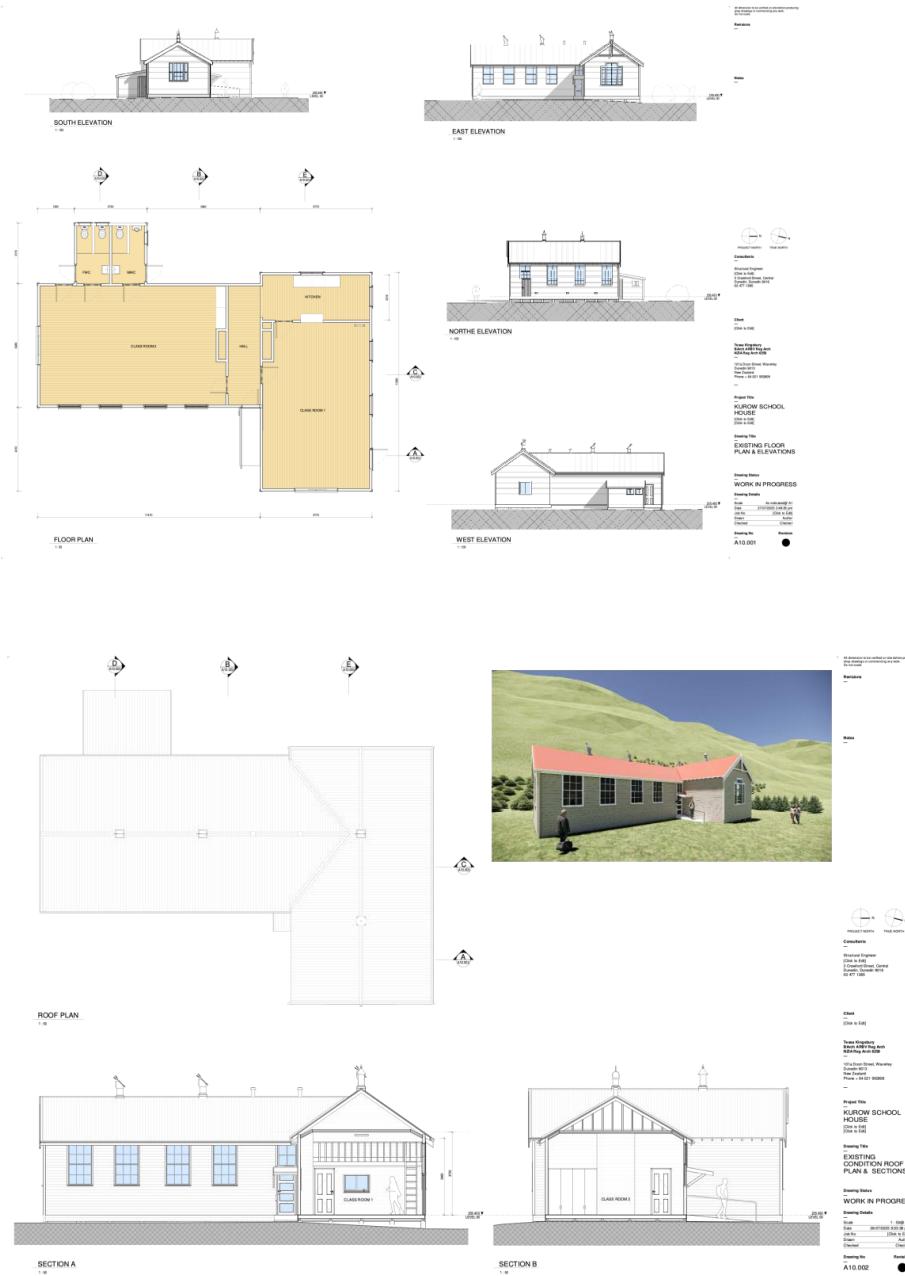












CHARITIES SERVICES

Ngā Ratonga Kaupapa Atawhai



Charity Summary

Registration Number:	CC63856
Registration Date:	07/09/2025
Charity Name:	South Star School Charitable Trust

Charity Details

Trading Name N/A

Registration Details

Registration Status: Registered
Balance Date: June 30
IRD Number:
NZBN Number: N/A

Address for Service:

Charity's Postal Address:
[REDACTED]
[REDACTED]

Charity's Street Address:
[REDACTED]
[REDACTED]

Charity's other details

Phone: [REDACTED]
Fax: [REDACTED]
Email: [REDACTED]
Website:
Facebook:
Twitter:
Social Network Name:

Charity Identity

South Star School Charitable Trust identifies as an organisation with a focus on the following communities:

N/A

Areas of Operation

New Zealand: Otago

Percentage spent overseas

Purpose & Structure

Purpose

To provide Kurow and its rural communities with enriching aesthetic and cultural opportunities by offering a centre dedicated to education in the arts and personal development. To ensure preservation a valuable heritage asset by maintaining the historic Kurow School building for the enjoyment of the public.

Legal Structure

Charitable Trusts incorporated under the Charitable Trusts Act

Activities

Main Activity: Provides services (e.g. care / counselling)

Activities: Provides services

Sectors

Main Sector: Education / training / research

Sectors: Education / training / research

Beneficiaries

Main Beneficiary: General public

Beneficiaries: Children / young people, General public

Annual Returns

Date Submitted	For Year Ended	Total Income	Total Expenditure	Reference
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Officer Details

Current Officers

Name	Officer Type	Position	Position Appointment Date
Nicole Schofield	Individual	Trustee	10/09/2025
Edith Pont	Individual	Trustee	07/09/2025
Fenella Barry	Individual	Trustee	03/09/2025
Isobel Niles	Individual	Treasurer	03/09/2025
Roxane Claassens	Individual	Secretary	03/09/2025

5 MEMORANDUM REPORTS

5.1 CORRESPONDENCE - COMMUNITY BOARD GRANT APPLICATION FROM SOUTH STAR SCHOOL CHARITABLE TRUST

Author: Allyson Woock, Governance Services Officer

Attachments:

1. Community Board Grant Application Form - South Star School Charitable Trust [!\[\]\(37b2c7ec2f09a55aa858f150c3106fb7_img.jpg\)](#)
2. Grant Application Attachment - Former Kurow School Restoration Budget [!\[\]\(24055aa8586f3ee1ed1d657526f53b7f_img.jpg\)](#)
3. Grant Application Attachment - Aim of Project [!\[\]\(4758e81b989ca218451cedc4459881f5_img.jpg\)](#)
4. Grant Application Attachment - Waitaki Valley Community Society Incorporated Financial Statements (for the year ended 31 March 2024) [!\[\]\(e81004d0f451401eaa471053aa29e1d0_img.jpg\)](#)

RECOMMENDATION

That the Ahuriri Community Board formally receives the attached items of correspondence and considers any actions in response.

PURPOSE

The purpose of this report is to present correspondence surrounding a community board grant application from South Star School Charitable Trust in relation to the former Kurow School project.



Community Board Grant Application

Each Community Board area has a discretionary fund to encourage and support not-for-profit organisations that have a positive impact on the community. The grants help local organisations pay for specific projects, events, or the maintenance of facilities that benefit the community.

It is preferable that the organisations applying for these grants are incorporated societies or trusts, but informal organisations and individuals may also apply.

What types of things are funded?

- Not-for-profit events and projects.
- Projects that benefit the wider community or a section of the community served by the community board.
- Projects that respond to a current or future community need.

What types of things are not funded?

- Projects or events that have already happened.
- Projects with the main purpose of promoting commercial, political or religious activity.
- Projects that are the core business of central government or another service provider.
- Debt servicing, gambling or prize money, travel costs, conference fees, or costs related to fines or disputes.
- Applications that are not complete, or do not specify an amount.

Application Deadlines

Grant applications need to be lodged at least one week before a community board meeting to make it onto the agenda for that meeting. This is because council works within legislation that requires agendas to be published early and approved by the chief executive. Applications received after this deadline will be referred to the next available community board meeting.

Details

Name of organisation (Required)	South Star School Charitable Trust
Contact person (Required)	Nicole Schofield
Postal address (Required)	[REDACTED]
Email address (Required)	[REDACTED]
Phone (Required)	[REDACTED]

Which Community Board are you applying to? Ahuriri Community Board

Organisation Details

How many people belong to your organisation? 5 Trust Members plus volunteers/supporters

What is the legal status of your organisation? Registered Charitable Trust

(

How long has your organisation existed? 2 months

Is your organisation responsible to, or controlled by, any other organisation or authority?

- At this point, working with the WVCS to receive funds as they are currently acting as our umbrella organisation, otherwise No.

•

Grant application details

How much money are you applying for? \$ 12,000

What is this money going to be used for?

(Briefly explain)

This money will be used for start up and early stage administrative costs: Trust verification Lawyer fee, Restoration and Renovation Council ready building plans, Registered Architect to lodge consent, discounted accounting and web hosting.

What are the costs of the project and where is the funding coming from?

(Required)

Cost breakdown:

Community board (this application)

- Other funders \$400,000
- Your contribution 50,000

Total Costs \$ \$ 448,369.25

When will this project happen?

Restoration Projection to start: June 2026

Have you applied for other sources of funding?

- Yes

If yes, briefly explain other sources of funding. Waitaki Heritage Grant (successful \$15,450 +gst), Stout Trust/ Perpetual Guardian (pending, \$75,000, and successful though exact figure unknown), Meridian, and other funding opportunities as they open. Otago Community Trust & Lotteries (Have been contacted and are available to apply on the successful raising of 1/3 of restoration budget). Also, other self fundraising events and avenues currently in the works.

Are you registered for GST?

- No

If yes, please provide a GST Number

Supporting documents

Attach a balance sheet or financial statement, and any other supporting documents.

Declaration

- I hereby declare that the information supplied above on behalf of my organisation is correct.
- I consent to the Waitaki District Council collecting the personal contact details and information provided in this application for the purpose of considering a grant. I also consent to this completed application form being published on the public agenda of the next community board meeting. This consent is given in accordance with the Privacy Act 1993.

Name or Signature

(Required)

Position in Organisation / Title

Leader of the Party

Date

29/10/2025

Checklist

Checklist

- I have attached a balance sheet or financial statement from my organisation. If no, explain why.
- I have attached any other relevant documents that would assist the community board in deciding.
- I understand that if my application is approved, I will be asked to supply an invoice for the amount granted and proof of my bank account number.
- I understand that if my application is approved, I will be asked to complete a project completion form that accounts for how the money is spent.

Additional information

Email this completed form or any questions to governanceservices@waitaki.govt.nz at least one week prior to the community board meeting you wish to attend.

Former Kurow
School
Restoration

BUDGET

Detail

EXPENSE	AMOUNT incl gst	NOTES
Electrical	\$38,874.77	New wiring and lighting. Install heat pump. Reconnect power. Fire report.
Plumbing	\$26,997.63	Replace and upgrade plumbing, drains. Gasfitting. Outfit 2 new toilet cubicles. 1x accessibility.
Building EST	\$219,000.00	Remove cladding, replace where needed. Insulation, wrap, new facings, replace soffit, fascia boards. reframe add support where needed, scaffolding, remove mezzanine.
Windows & Doors EST	\$32,036.85	Double glaze west wing with retrofit double glaze. repairs to glass and frames, make windows open. Replace south windows. Door replacements and repairs. Hardware. Resource consent. Glass \$8597.23
Kitchen EST	\$28,000.00	Joinery. appliances: stove, exhaust fan, sink, refrigerator, misc
Toilet / storage block	\$78,800.00	Replace existing toilet block with accessible structure. Extend to allow for storage.
Painting EST	\$15,000.00	Interior & Exterior, Paint and materials \$ 3626.41
Flooring	\$9,660.00	Sand 120sqm rimu flooring. Apply high traffic protective coating, matte
Total	\$448,369.25	

Aim of the Project
South Star School, Center for Creativity

The aim of this project is two fold.

Firstly, it is to restore the heritage school according to its adopted Conservation Plan and ensure it is upgraded to meet required specifications for public usage.

By utilising grant money and funds realised through donations and fundraisers, the first step will be taken towards restoration. The tradespeople engaged in the project tout experience with the restoration of heritage buildings. A team of volunteers will be in putting hours to assist in jobs to support the restoration work to offset costs. In the building stage, Waitaki Valley Community Society will serve as the umbrella in which to support the project.

Secondly, is to install a center for creativity.

The operation of a nonprofit community focussed school for arts is a means to provide for the ongoing maintenance and preservation of the building. With a dedicated space and concentrated efforts, the school will be able to provide quality programming on a wide variety of topics. Through these means, it will have the ability to keep school fees low for the community and free where possible as well as to provide equitable access for economically challenged members of the community. The school will operate under a Charitable Trust created for the express purpose of heritage building upkeep through successful running of the art school.

The innovation is not running the historic school as a contemporary school but in its ability to solve a number of problems on the table: addressing underserved rural communities, the degradation of a historic building, lack of accessibility to quality arts and culture programming, and the challenge for artists and creatives who are underemployed and underutilised. Its innovation will be bringing the wholistic health approach to the arts through neuroaesthetics particularly in order to support and improve mental health.

This project proposes an answer to knit together deficits and provide a unique, inclusive and vibrant artistic solution.



Financial Statements

Waitaki Valley Community Society Incorporated
For the year ended 31 March 2024

Prepared by Adair Craik Chartered Accountants Ltd



Contents

- 3 Entity Information
- 5 Approval of Financial Report
- 6 Statement of Service Performance
- 8 Statement of Financial Performance
- 9 Statement of Financial Position
- 10 Statement of Cash Flows
- 11 Statement of Accounting Policies
- 13 Notes to the Performance Report
- 18 Independent Auditor's Report



Entity Information

Waitaki Valley Community Society Incorporated For the year ended 31 March 2024

Legal Name of Entity

Waitaki Valley Community Society Incorporated

Entity Type and Legal Basis

Incorporated Society and Charity

Registration Number

Societies Incorporation Number: 654988
Charities Commission Number: CC38381

Entity's Purpose or Mission

The Waitaki Valley Community Society encompassing the Waitaki Valley is an Incorporated Society to grow, support and build a stronger community through policy development that creates greater awareness of the benefits, facilities, sporting, business and recreational opportunities in the area.

Entity Structure

An Incorporated Society with an Executive Committee who provide governance, overseen by a Chairperson. The current committee members are: John Sturgeon - Chairperson, Edie Pont, Callum Reid, Karen Turner, Karen Hofman and Kaye Jenkins. Jayne Ashby was also an Executive Committee member for part of the year.

Waitaki Valley Community Society has the following divisions:

- Kurow Trails
- Kurow Information Centre
- Kurow Museum
- Town Enhancement Group
- Richie McCaw Statue

Main Sources of Entity's Cash and Resources

- Interest from Investments
- Grants

Main Methods Used by Entity to Raise Funds

As needed local fundraising activities are managed by the Society.

Entity's Reliance on Volunteers and Donated Goods or Services

The entity relies on gifts of volunteer time and expertise within the divisions under its umbrella and all members of its Executive Committee.

Additional Information

The entity employs a co-ordinator to achieve its objectives. It aims to support and assist residents, organisation and groups within our large rural community and provide an effective and supportive hub for the community while exploring ways to enhance, grow and further develop the area.

Entity Information



Physical Address

57 Bledisloe Street
Kurow 9435

Postal Address

PO Box 56
Kurow 9446

Accountant

Adair Craik Chartered Accountants Limited
78 Reservoir Road
Oamaru 9400

Independent Auditor

Audit Professionals Limited
PO Box 620
Dunedin 9054



Approval of Financial Report

Waitaki Valley Community Society Incorporated
For the year ended 31 March 2024

The Executive Committee are pleased to present the approved financial report including the historical financial statements of Waitaki Valley Community Society Incorporated for year ended 31 March 2024.

APPROVED

John Sturgeon
Chairperson

Date 15/11/2024.

Sarah Green
Treasurer

Date 15/11/2024

Anna Glier
Secretary

Date 15/11/24



Statement of Service Performance

Waitaki Valley Community Society Incorporated For the year ended 31 March 2024

Description of Entity's Outcomes

During the 2023-24 year the Waitaki Valley Community Society has continued to nurture groups under its umbrella, providing financial and administrative support. We have also had two new groups join under our umbrella – Kurow Island Disc Golf & Dunkirk Memorial at Lake Waitaki.

We work diligently to secure funding to enable the continuing operation, for the benefit of the residents of the Waitaki Valley, of the Kurow Information Centre and Waitaki Valley Community Society. In this financial year this was via funding applications to COGS, Lotteries, Lion Foundation, Mercury Energy, Meridian & the Waitaki District Council / Ahuriri Board.

We continue to provide a hub for the community offering support and information for any one requiring assistance seeing an increase in demand with the current cost of living crisis.

The Information Centre provides support, information, and assistance via face to face, telephone, or email. If we are not able to provide what is required, we will endeavour to find an answer to the question asked.

We manage & provide a free self-contained meeting room, for other local not for profit wellbeing groups and charities to utilise.

We provide a link to ensure that those in the community in need receive assistance e.g., mental health support, food bank, rates relief, Work & Income assistance, JP Services, photocopying and secretarial services.

We work with our local Ahuriri Board Members and Waitaki District Councillors in the Waitaki Valley to help with local projects.

Numbers using the Information Centre/Museum increased to 9530 and we continue to provide the service base for the community for the Waitaki Valley Vehicle Trust.

	2024	2023
Description and Quantification of the Entity's Outputs		
Photocopying Services were Available in Kurow	\$8,267	\$7,696
Kurow Island Project	\$5,722	\$13,420
Project Costs	\$27,225	\$15,431
Kurow Information Centre (KIC) Visitor Numbers	6,462	5,334
Kurow Museum Visitor Numbers	3,058	3,407

Additional Information

Projects Managed in 2023:

- Maintenance of the Kurow Island
- Running of the Kurow Information Centre, including the employment of 2 part time staff
- Running and development of the Kurow Museum
- The redevelopment of the Kurow Boat Ramp
- Continued fundraising for the Richie McCaw statue
- Development and maintenance of the Kurow Hill Walk and Wetlands Walk

Projects Managed in 2022:

- Maintenance of the Kurow Island
- Running of the Kurow Information Centre, including the employment of 2 part time staff
- Running and development of the Kurow Museum
- The development of a new playground including bike park and basketball court
- Continued fundraising for the Richie McCaw statue

Statement of Service Performance



- The continued running of the Waitaki Valley Community Society as an umbrella group to assist with secretarial, accounting, governance and liability insurance for smaller community groups, including employing 2 part time staff – Secretary and Treasurer.



P021 417 3031 • M021 309 439 • E: adair@adairca.co.nz

Statement of Financial Performance

Waitaki Valley Community Society Incorporated
For the year ended 31 March 2024

	NOTES	2024	2023
Revenue		\$	\$
Donations, fundraising and other similar revenue	1	104,703	125,588
Revenue from providing goods or services	1	40,178	35,844
Interest, dividends and other investment revenue	1	4,942	2,161
Other revenue	1	600	-
Total Revenue		150,423	163,593
Expenses			
Volunteer and employee related costs	2	55,753	51,182
Costs related to providing goods or services	2	45,972	44,892
Project Costs	2	27,224	15,431
Other expenses	2	18,538	14,691
Total Expenses		147,487	126,196
Surplus for the Year		2,936	37,397

Statement of Financial Position

Waitaki Valley Community Society Incorporated
As at 31 March 2024

	NOTES	31 MAR 2024	31 MAR 2023
		\$	\$
Assets			
Current Assets			
Bank accounts and cash	3	196,475	189,199
Debtors and prepayments	3	3,215	44,533
GST Receivable	3	2,508	-
Stock on Hand	3	5,469	4,500
Total Current Assets		207,667	238,232
Non-Current Assets			
Property, Plant and Equipment	6	142,655	84,875
Total Non-Current Assets		142,655	84,875
Total Assets		350,322	323,107
Liabilities			
Current Liabilities			
Creditors and accrued expenses	4	5,074	5,114
Employee costs payable	4	10,825	7,508
GST Payable	4	-	802
Unspent Grants	5	75,726	53,922
Total Current Liabilities		91,625	67,346
Total Liabilities		91,625	67,346
Total Assets less Total Liabilities (Net Assets)		258,697	255,761
Accumulated Funds			
Accumulated surpluses or (deficits)	7	258,697	255,761
Total Accumulated Funds		258,697	255,761



Statement of Cash Flows

Waitaki Valley Community Society Incorporated
For the year ended 31 March 2024

	2024	2023
	\$	\$
Cash flows from Operating Activities		
Donations, fundraising and other similar receipts	171,109	93,167
Receipts from providing goods or services	37,009	34,341
Interest, dividends and other investment receipts	4,942	2,161
Cash receipts from other operating activities	-	846
Payments to suppliers and employees	(132,870)	(120,085)
Net GST movement	(2,709)	12
Total Cash Flows from Operating Activities	77,481	10,443
Cash flows from Investing and Financing Activities		
Payments to acquire property, plant and equipment	(70,205)	(15,308)
Cash flows from other investing and financing activities	-	8
Total Cash Flows from Investing and Financing Activities	(70,205)	(15,301)
Net Increase/(Decrease) in Cash	7,276	(4,858)
Bank Accounts and Cash		
Opening cash	(189,199)	(194,056)
Closing cash	(196,475)	(189,199)
Net change in cash for period	(7,276)	4,858

Statement of Accounting Policies

Waitaki Valley Community Society Incorporated For the year ended 31 March 2024

Basis of Preparation

The Society has elected to apply PBE SFR-A (NFP) Public Benefit Entity Simple Format Reporting - Accrual (Not-For-Profit) on the basis that it does not have public accountability and has total annual expenses equal to or less than \$2,000,000. All transactions in the Performance Report are reported using the accrual basis of accounting. The Performance Report is prepared under the assumption that the Society will continue to operate in the foreseeable future.

Goods and Services Tax (GST)

The Society is registered for GST. All amounts are stated exclusive of goods and services tax (GST) except for accounts payable and accounts receivable which are stated inclusive of GST.

Income Tax

Waitaki Valley Community Society Incorporated is wholly exempt from New Zealand income tax having fully complied with all statutory conditions for these exemptions.

Bank Accounts and Cash

Bank accounts and cash in the Statement of Cash Flows comprise cash balances and bank balances (including short term deposits) with original maturities of 90 days or less.

Fundraising and Grants

Fundraising and Grant income is accounted for depending on whether or not it has a "use or return" condition attached. Where no use or return conditions are attached the revenue is recorded as income when the cash is received. Where income includes a use or return condition, it is initially recorded as a liability on receipt. The income is then subsequently recognised within the Statement of Financial Performance as the performance conditions are met.

Donations

Donations are accounted for depending on whether they have been provided with a "use or return" condition attached or not. Where no use or return conditions are attached to the donation, revenue is recorded as income when the cash is received. Where donations include a use or return condition, the donation is initially recorded as a liability on receipt. The donation is subsequently recognised within the Statement of Financial Performance as the performance conditions are met.

Donated goods and services (other than donated assets) are not recognised.

Interest and Dividend Income

Interest income is recognised on an accrual basis.

Dividend income is recognised when the dividend is declared.

Other Income

All other income is accounted for on an accrual basis and accounted for in accordance with the substance of the transaction.

Changes in Accounting Policies

There have been no other changes in accounting policies. Policies have been applied on a consistent basis with those of the previous reporting period.

Debtors

Debtors are carried as estimated realisable value after providing against debts where collection is doubtful.

Inventory

Inventories are recorded at the lower of cost and net realisable value.

Depreciation

Depreciation is provided on a straight-line basis on all property, plant and equipment, at rates that will write off the cost of the assets to their estimated residual values over their useful lives. The depreciation rates and useful lives associated with major classes of assets have been estimated as follows:

- Buildings - Diminishing Value 13% - 24%
- Pioneer Museum & Art Gallery - Diminishing Value 7% - 50%
- Pioneer Museum & Art Gallery - Straight Line 2.5% - 3%
- Plant & Equipment - Diminishing Value 10% - 60%

Notes to the Performance Report

Waitaki Valley Community Society Incorporated For the year ended 31 March 2024

	2024	2023
1. Analysis of Revenue	\$	\$
Donations, fundraising and other similar revenue		
Donation Income - Kurow Island	500	-
Grants Received - Kurow Museum (Environment Canterbury and National Services Te Paerangi)	4,908	9,488
Grants Received - Kurow Information Centre (Ahuriri Board, Waimate District Council and Waitaki District Council)	22,533	6,810
Grants Received - Kurow Information Centre (New Zealand Lotteries Board)	9,666	23,025
Grants Received - Town Enhancement (Waitaki District Council and Meridian Energy Community Fund)	5,737	13,517
Grants Received - Trails (Environment Canterbury, Waitaki District Council and Meridian Energy Community Fund)	26,021	15,200
Grants Received - Waimate District Council	-	12,800
Grants Received - Boat Ramp and Other Purposes (Meridian Energy Community Fund)	3,494	40,000
Grants Received - Boat Ramp and Other Purposes (Waitaki District Council)	7,800	-
Grants Received - Boat Ramp and Other Purposes (Aotearoa Gaming Trust)	1,608	-
Grants Received - Boat Ramp and Other Purposes (Lions Foundation)	4,901	-
Grants Received - Boat Ramp and Other Purposes (Waitaki District Council Heritage Trust)	7,287	-
Grants Received - Boat Ramp and Other Purposes (Community Organisation Grants Scheme)	4,057	-
Grants Received - Boat Ramp and Other Purposes (Mercury NZ Limited)	414	-
Other Donations, Fundraising and Grants	5,777	4,748
Total Donations, fundraising and other similar revenue	104,703	125,588

The Committee wishes to thank the above entities for their generous financial support of the Society.

	2024	2023
Revenue from providing goods or services		
Sales	10,773	10,509
Bugle Advertising	23,534	20,007
NZTA Commission	2,930	3,356
Tourism Waitaki	-	60
Other	2,941	1,913
Total Revenue from providing goods or services	40,178	35,844
Interest, dividends and other investment revenue		
Interest Received	4,942	2,161
Total Interest, dividends and other investment revenue	4,942	2,161
Other revenue		
Covid 19 Wage Subsidy	600	-
Total Other revenue	600	-

	2024	2023
2. Analysis of Expenses	\$	\$
Volunteer and employee related costs		
ACC Payments	778	92
Kiwisaver Employer Contributions	1,575	1,476

Notes to the Performance Report



	2024	2023
	\$	\$
Wages	53,400	49,615
Total Volunteer and employee related costs	55,753	51,182
Costs related to providing goods or services		
Opening Stock	4,500	-
Administration Expenses	1,424	1,393
Bugle Delivery	1,400	1,574
Bugle Photocopy Paper	1,961	1,852
Computer Items	1,966	1,932
Donations Paid	443	100
Eftpos Expenses	777	769
Freight & Courier	5	83
Fundraising Expenses	1,514	1,379
General Expenses	1,525	1,104
Insurance	4,498	4,388
Kurow Island Project	5,722	13,420
Lease Payments - Photocopier	6,980	6,535
Light, Heat and Power	4,806	3,591
Photocopier	1,287	1,161
Postage	141	197
Purchases - Souvenirs etc KIC	5,007	4,016
Rates	2,081	2,093
Rations	193	222
Repairs and Maintenance	1,738	779
Stationery, Printing	574	389
Subscriptions	913	443
Telephone, Tolls and Internet	1,498	1,443
Website	488	530
Closing Stock	(5,469)	(4,500)
Total Costs related to providing goods or services	45,972	44,892
Project Costs		
Project Costs K Muse	953	4,078
Project Costs KIC	71	-
Project Costs Trails	18,139	11,353
Project Cost - Wetlands	8,061	-
Total Project Costs	27,224	15,431
Other expenses		
Accounting Fees	4,837	3,259
Audit Fees	-	2,000
Bad Debts	1,037	548
Bank Charges	240	202
Depreciation	10,509	8,682
Loss on Disposal of Fixed Assets	1,915	-
Total Other expenses	18,538	14,691

Notes to the Performance Report



P.O. Box 417, 2031 - Mb: 021 309 439 - E: adair@adairca.co.nz

	2024	2023
	\$	\$
3. Analysis of Assets		
Bank accounts and cash		
ANZ Call Account	43,432	42,288
ANZ Current Account	152,893	146,761
Petty Cash	150	150
Total Bank accounts and cash	196,475	189,199
Debtors and prepayments		
Accounts Receivable	2,509	43,941
Prepayments	706	592
Total Debtors and prepayments	3,215	44,533
GST		
GST Receivable	2,508	-
Total GST	2,508	-
Stock on Hand		
Stocks held at Information Centre	5,469	4,500
Total Stock on Hand	5,469	4,500
	2024	2023
4. Analysis of Liabilities		
Creditors and accrued expenses		
Accounts Payable	5,074	5,114
Total Creditors and accrued expenses	5,074	5,114
GST		
GST Owing	-	802
Total GST	-	802
Employee Costs Payable		
Holiday Pay Owing	8,965	6,340
PAYE Payable	952	1,168
Wages Payable	908	-
Total Employee Costs Payable	10,825	7,508
	2024	2023
5. Unspent Grants		
Kurow Information Centre Grants	25,001	11,303
Kurow Island Grants	14,694	12,931
Kurow Trails Grants	-	3,691
Museum Grants	3,197	3,197
Richie McCaw Statue Grants	15,000	15,000

Notes to the Performance Report



	2024	2023
	\$	\$
Society Grants	6,964	7,800
Kurow Wetlands Grants	10,870	-
Total Unspent Grants	75,726	53,922

6. Property, Plant and Equipment

2024	Opening Carrying Amount \$	Purchases \$	Disposals \$	Current Year Depreciation and Impairment \$	Closing Carrying Amount \$
Buildings & Improvements	51,883	57,327	(985)	(3,437)	104,788
Furniture & Fittings	15,983	2,953	-	(2,052)	16,884
Plant & Equipment	17,009	9,925	(931)	(5,020)	20,983
Total	84,875	70,205	(1,916)	(10,509)	142,655

2023	Opening Carrying Amount	Purchases	Disposals	Current Year Depreciation and Impairment	Closing Carrying Amount
Buildings & Improvements	54,541	-	-	(2,658)	51,883
Furniture & Fittings	6,445	10,944	-	(1,406)	15,983
Plant & Equipment	17,263	4,364	-	(4,618)	17,009
Total	78,249	15,308	-	(8,682)	84,875

The Society purchased two laptops, a shipping container, boat ramp extension, wall, shelving, security camera system and a lawnmower during the 2024 year.

The Government valuation of the property at 57 Bledisloe Street, Kurow as at September 2023 is \$65,000.

	2024	2023
7. Accumulated Funds		
<u>Accumulated Funds</u>		
Opening Balance	255,761	218,364
Accumulated surpluses or (deficits)	2,936	37,397
Total Accumulated Funds	258,697	255,761

8. Commitments

Commitment	Explanation and Timing	2024	2023
Commitments to lease or rent of assets	The Society has an ongoing lease for the photocopier at \$535 (excl GST) per month	\$6,420	\$6,420

The Society is awaiting an engineers report on the state of the earthquake prone building. The cost at this stage is unknown.

9. Contingent Liabilities and Guarantees

There are no contingent liabilities or guarantees as at 31 March 2024 (Last year - nil).

10. Significant Grants and Donations with Conditions not Recorded as a Liability

There are no significant grants and donations with conditions not recorded as a liability as at 31 March 2024 (Last year - nil).

	2024	2023
11. Related Parties	\$	\$
Payables		
Callum Reid - Chairman - Provides services as Calect Electrical	375	433
John Sturgeon - Committee Member - Provides services as Valley Electrical 1986 Ltd	2,655	219
John Sturgeon & Vicky Munro - Committee Members on the Board of Meridian Power Up Board who the Society received funding from	58,246	53,900
Total Payables	61,276	54,552

Also, Committee Members Karen Turner, Callum Reid and Edie Pont's husband are on the Ahuriri Board that provides grant funding to the Society.

12. Events After the Balance Date

There were no events that have occurred after the balance date that would have a material impact on the Performance Report.



Independent Auditor's Report

to the Executive Committee of Waitaki Valley Community Society Incorporated

Our Qualified Opinion

We have audited the financial statements of Waitaki Valley Community Society Incorporated (the Society) which comprise the statement of financial position as at 31 March 2024 and the statement of financial performance and statement of cash flows for the year then ended, and the statement of accounting policies and other explanatory information.

In our opinion, except for the possible effects of the matter described in the *Basis for Qualified Opinion* section of our report, the financial statements included in the accompanying Performance Report present fairly, in all material respects, the financial position of the Society as at 31 March 2024 and its financial performance and cash flows for the year ended on that date in accordance with the accounting standard, Public Benefit Entity Simple Format Reporting – Accrual (Not-For-Profit) issued by the New Zealand Accounting Standards Board.

Basis for Qualified Opinion

In common with other organisations of a similar nature, control over the revenues from donations, fundraising, sales and similar income prior to being banked is limited. It was not practicable to extend our examination of such income beyond the accounting for amounts received as shown by the accounting records of the Society or to determine the effect of the limited control.

We conducted our audit of the financial statements in accordance with International Standards on Auditing (New Zealand) (ISAs (NZ)) and the audit of the service performance information in accordance with the ISAs and New Zealand Auditing Standard (NZ AS) 1 *The Audit of Service Performance Information* (NZ). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Performance Report* section of our report. We are independent of the Society in accordance with Professional and Ethical Standard 1 *International Code of Ethics for Assurance Practitioners (including International Independence Standards)* (New Zealand) issued by the New Zealand Auditing and Assurance Standards Board and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified opinion.

Other than in our capacity as auditors we have no relationship with, or interests in, the Society.

Information Other than the Financial Statements and Auditor's Report

Other information included in the Performance Report with the financial statements comprises the entity information and the statement of service performance. The Executive Committee members are responsible for this other information. Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. We are required to report any misstatement of other information. We have nothing to report in this regard.

Executive Committee's Responsibilities for the Financial Statements

The Executive Committee is responsible, on behalf of the Society, for the preparation and fair presentation of the financial statements in accordance with Public Benefit Entity Simple Format Reporting – Accrual (Not-For-Profit) issued by the New Zealand Accounting Standards Board and for such internal control as the Executive Committee members determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements the Executive Committee is responsible for assessing the Society's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless the Executive Committee either intends to liquidate the Society or to cease operations, or have no realistic alternative but to do so.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs (NZ) and NZAS 1 will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material, if individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this performance report.

A further description of our responsibilities for the audit of the financial statements is located on the External Reporting Board website: <https://www.xrb.govt.nz/standards-for-assurance-practitioners/auditors-responsibilities/>.

This report is made solely to the Executive Committee as a body. Our audit work has been undertaken so that we might state to the Executive Committee those matters which we are required to state in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the Society and the Executive Committee, as a body, for our audit work, for this report or for the opinions we have formed.

Audit Professionals Limited

Chartered Accountants
18 November 2024

Dunedin

Page 18 of 18

5.2 EXPLANATION OF LEGISLATION BY THE CHIEF EXECUTIVE

Author: Arlene Goss, Governance Services Lead

RECOMMENDATION

That the Ahuriri Community Board receives and notes the information.

PURPOSE

The purpose of this report is to provide a summary of the key legislation that is of importance to elected members, as required under the Local Government Act 2002.

SUMMARY

To report on legislation as set out in Section 48 and Clause 21(5)(c) of Schedule 7 of the Local Government Act 2002.

BACKGROUND

The Local Government Act 2002 ("the Act") requires that, at the first meeting of the Ahuriri Community Board following the triennial general election, a general explanation must be given of the Local Government Official Information and Meetings Act 1987 (LGOIMA 1987) and appropriate provisions of:

- (a) The Local Authorities (Members' Interests) Act 1968;
- (b) Sections 99, 105 and 105A of the Crimes Act 1961;
- (c) The Secret Commissions Act 1910; and
- (d) The Financial Markets Conduct Act 2013.

An explanation of the Health and Safety at Work Act 2015 and the Public Records Act 2005 as it applies to Council and elected members has also been provided.

LOCAL GOVERNMENT ACT 2002 (LGA)

The LGA spells out local government's purpose, its general powers, specific bylaw making powers and the principles and processes that councils must abide by when making decisions.

The purpose of local government is defined in section 10 of the LGA as:

- a. to enable democratic local decision-making and action by, and on behalf of, communities; and
- b. to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future.¹

The role of a local authority is to:

- a. give effect, in relation to its district or region, to the purpose of local government; and

¹ The Local Government (System Improvements) Amendment Bill is expected to be passed by the end of this year. It changes the purpose of Local Government to:

(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; and

(c) to support local economic growth and development by fulfilling the purpose set out in paragraph (b).

- b. perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.

The LGA is based on the principle of general competence that enables a local authority to do whatever is necessary to fulfil its role and achieve its purpose. Within this framework, there is a considerable degree of flexibility in deciding what activities are undertaken and how they are carried out.

As elected members, you are responsible for making key policy decisions that guide the community board's activities and provide the direction for the district's future.

In performing its role, a community board must act in accordance with the key principles set out in Section 14 of the LGA (refer Appendix 1).

If any of these principles, or any aspects of wellbeing referred to in section 10 are in conflict in any particular case, then the community board should resolve the conflict in accordance with the first key principle – by conducting its business in an open, transparent, and democratically accountable manner.

Personal Liability of Elected Members

Section 43 of the LGA provides an indemnity (by the Council) for elected members in relation to:

- a. civil liability (both for costs and damages) if the member is acting in good faith and in pursuance of the responsibilities or powers of the community board;
- b. costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as an elected member.

The LGA provides for a theoretical personal exposure for elected members in certain circumstances. The loss must arise out of one of the following situations:

- a. the Council unlawfully spends money;
- b. the Council unlawfully sells or disposes of an asset;
- c. the Council unlawfully incurs a liability; or
- d. the Council intentionally or negligently fails to enforce the collection of money it is lawfully entitled to receive.

The loss is recoverable as a debt due to the Crown and must be paid back to the Council from each elected member jointly and severally.

However, as a member of the Council, you have a defence if you can prove that the act or failure which led to the loss occurred:

- a. without your knowledge; or
- b. with your knowledge but against your protest made at or before the time when the loss occurred; or
- c. contrary to the manner in which you voted on the issue at a meeting of the Council; or
- d. in circumstances where you acted in good faith and relied on information, or professional or expert advice given by a Council officer or professional advisor on matters which you reasonably believed were within that person's competency.

LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987 (LGOIMA)

(a) General Principle

The stated purpose of this Act is to make official information held by local authorities more freely available, to provide for access to that information, to provide for admission to meetings of local authorities and to protect official information held by local authorities consistent with the public interest and preservation of personal privacy.

The Act is very broad. It does not define the word "information". It sees official information as any item of information held by a local authority. So official information is not limited to documents like letters, reports, memoranda, or files, but includes also sound tapes, video tapes, computer tapes and discs, maps, films, photographs and plans.

The heart of the Act is contained in the "principle of availability" set out in Section 5 of the Act:

"The question whether any official information is to be made available, where that question arises under this Act, shall be determined, except where this Act otherwise expressly requires, in accordance with the purposes of this Act and the principle that the information shall be made available unless there is good reason for withholding it."

Therefore, the fundamental principle of the Act is that information must be made available unless there is "good reason" under the Act to withhold it.

(b) Requests

Anyone can make a request for official information.

If the information sought is not held by the Council, or a Council officer believes the request to be more closely connected with another organisation, then the officer must, within 10 working days transfer the request.

Where the Council holds the information, a decision on whether to release the information must be made within 20 working days of receipt of a request. Charges may be made for supplying information.

Where the information sought is large or consultations are necessary for a proper response, then the Chief Executive or an authorised officer may extend the time limit for a "reasonable period". The requester must be told of the period of extension, the reasons for the extension, and the fact that the extension can be referred to the Ombudsman.

Every request must be dealt with on its merits and a decision whether to refuse or not is made on the circumstances of each case.

Generally, where the information is released, then it must be released in the manner requested.

(c) Refusals

In considering a refusal of a request for official information, the Act fixes the responsibility on the Chief Executive, or an officer authorised by him/her. While the statutory responsibility is placed on the Chief Executive, that officer is not prevented from consulting the Council or any other person in relation to a decision to refuse.

The Act sets out approximately 25 'good reasons' why official information can be refused. If the grounds for refusal do not fall within one of these "good reasons", the information **must** be released.

'Good reasons' include:

- (i) Protecting the privacy of natural persons;

- (ii) Maintaining the effective conduct of public affairs through free and frank expressions of opinions by or between elected members and officers;
- (iii) Enabling a local authority to carry out, without prejudice or disadvantage, commercial activities;
- (iv) Enabling a local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); and
- (v) To maintain legal professional privilege.

All of the reasons outlined above are subject to a “public interest” test; that is, even if the information sought falls within one of the refusal categories, it must be released where the withholding of the information is outweighed by other considerations rendering it desirable in the public interest that the information be released.

The Act also contains a number of administrative grounds as to why a request can be refused. These include the fact that:

- (i) The information is or will soon be publicly available;
- (ii) The information requested cannot be made available without substantial collation and research.

If a request is refused, the Council must give the requester:

- (i) The reason for its refusal;
- (ii) The grounds in support of that refusal; and
- 1. (iii) Advice as to the right to apply to the Ombudsman to seek a review of the refusal.

(d) Ombudsman’s Investigation

Under the Act, the Ombudsman can investigate any refusal by the Council to provide information and can investigate the charges made by the Council.

If the matter cannot be resolved during the investigation, the Ombudsman may make a recommendation to the Council. The Council is under a public duty to observe that recommendation unless, within 21 working days of receiving the recommendation, it resolves not to accept it.

A decision not to accept an Ombudsman’s recommendation must be notified to the applicant and the Ombudsman and published in the New Zealand Gazette together with the Council’s reasons for its decision. The applicant may apply to the High Court for a review of the Council’s decision. Whatever the result of the High Court hearing, the applicant’s legal costs must be paid by the Council unless the Court is satisfied the application was not reasonably or properly brought.

(e) Other Rights of Access

The Act also gives every person a right of access to any document, including manuals which the Council holds containing policies, rules, or guidelines by which decisions or recommendations are made. There are limited rights of refusal available to the Council.

Section 22 of the Act provides that where the Council makes a decision or recommendation in respect of any person in that person’s personal capacity, that person has the right on request to have, within a reasonable time, a written statement from the Council of:

- (i) The findings on material issues of fact;
- (ii) A reference to the information on which the findings were based; and
- (iii) The reasons for the decision or recommendation.

(f) Access to Meetings

The Act provides that the public and media have a right of access to all meetings of the Council, committees, sub-committees (with power to act) and Community Boards unless the

meeting resolves to exclude the public. Copies of meeting agendas must be available for the public and the media.

The grounds for excluding the public and the media from a meeting can only be those provided in the Act and essentially are the same grounds as for withholding official information. A motion to exclude must state the subject matter of the 'non-public' matter and the specific reason provided in the Act.

Even where a meeting has resolved to exclude the public, a person can request a copy of the minutes of the meeting and that request must be treated in the same way as a request for official information and is subject to review by an Ombudsman.

(g) Order Papers (also known as Agenda Papers)

Order Papers for meetings must be publicly available at least two working days before the meeting. Generally, supplementary reports cannot be dealt with unless agreed to by the meeting and unless the Chairperson explains why the report was not in the Order Paper and why the subject cannot wait until the next meeting.

(h) Order at Meetings

Section 50 of the Act provides that the chairperson of a meeting may require a member of the public to leave the meeting if the Chairperson believes on reasonable grounds that person's behaviour is "likely to prejudice or continue to prejudice" the orderly conduct of the meeting.

The Chairperson may call on a Police Constable or Council officer to remove a person from the meeting.

(i) Qualified Privilege

Sections 52 and 53 of the Act provide that **written or oral** statements on any matter before a meeting of the Council, Committee or Community Board is privileged unless the statement is proved to be motivated by ill-will. This type of privilege is known as qualified privilege.

Qualified privilege is a protection afforded by the law on certain occasions to a person acting in good faith and without any improper motive who makes a defamatory statement about another person.

It is established law that meetings of local authorities are privileged occasions. This would now include Community Boards. The reason given by the Courts is that those who represent local government electors should be able to speak freely on any matter they believe affects the interests of their residents.

The situation regarding statements made outside a formal meeting is not so clear. Certainly, the statutory protection of sections 52 and 53 would not necessarily extend outside a meeting.

What is required for qualified privilege to apply is a positive belief in the truth of what is said, and that there is no suggestion of personal spite or ill-will by the maker.

LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968 (LAMIA)

This Act contains provisions relating to contracts between elected members and the Council and provisions relating to elected members voting on matters where they have a pecuniary interest.

(a) Contracts

The Act provides that no person can be an elected member if the total of all contract payments made or to be made by the Council in which that person is ‘concerned or interested’ exceeds \$25,000 in any financial year². Contracts include sub-contracts.

There are provisions regarding contracts between the Council and a company in which an elected member or spouse has an interest. Generally, a person will be concerned or interested in a contract where that person or spouse holds 10% or more of the issued capital of the company or a controlling company, or the member or spouse is a shareholder and is either a managing director or general manager.

Certain exclusions are provided for, such as where the member and spouse are living apart, or the member did not know and had no reasonable opportunity of knowing the spouse was a shareholder and managing director or general manager.

The limit of \$25,000 may be extended by the Office of the Auditor General in special cases. Such approval can be given retrospectively.

Provision is made for contracts entered into by the Council before an election and for continuing contracts.

If a person breaches the \$25,000 limit, that person is disqualified from holding office and an extraordinary vacancy arises. The disqualification remains until the next triennial election. Where a disqualified person acts as a member, an offence is committed with a maximum fine of \$200.

(b) Pecuniary Interest

The Act provides that no elected member shall vote on or take part in the discussion of any matter in which that person has, directly or indirectly, any “pecuniary interest” other than an interest in common with the public.

The prohibition applies where the member’s spouse has a pecuniary interest and where the member or spouse holds 10% or more of the shares in a company or a controlling company which has a pecuniary interest, or either person is a shareholder and is managing director or general manager of the company.

Members who are prohibited under the Act from voting on or discussing a matter are under a duty to declare to the meeting their pecuniary interest and their abstention from discussion or voting must be recorded in the minutes.

The prohibition against discussing or voting on a matter does not apply in certain situations, such as:

- (i) Members’ remuneration where the maximum rate has already been fixed;
- (ii) Election or appointment of any member to a Council, or community board, office notwithstanding that remuneration is payable; and
- (iii) The preparation, approval, or review of a district scheme or district plan, unless the matter relates to any variation or change or departure from a district scheme or district plan or to the conditional use of land.

The Audit Office has the power to declare that the prohibition shall not apply in respect of any particular matter if the Office is satisfied the prohibition would impede the business of the Council or that it is in the interest of the electors that the prohibition not apply.

Any member who contravenes the prohibition commits an offence liable to a fine of \$100. Upon conviction, the member vacates office, and an extraordinary vacancy is created.

² A bill suggesting that this limit be raised to \$100,000 is currently before a select committee.

CRIMES ACT 1961: SECTIONS 99, 105 AND 105A

(a) Section 99

Section 99 defines, for the purposes of the Crimes Act 1961, an “official” as any member or employee of any local authority. Member here would include a Community Board member.

(b) Section 105

Section 105 provides that it is an offence punishable by seven years imprisonment for an “official” to corruptly accept or obtain, or to attempt to obtain, any bribe in respect of anything done or omitted to be done by the official in an official capacity.

A person making or attempting to make the bribe is liable to three years’ imprisonment.

(c) Section 105A

Section 105A provides that every official is liable to seven years imprisonment who corruptly uses any information acquired in an official capacity, to obtain, directly or indirectly, an advantage or a pecuniary gain for the official or any other person.

SECRET COMMISSIONS ACT 1910

This Act puts in legislation the principle that a person holding a position of trust, such as elected members, should not make a profit through their office.

The Act provides that elected members and officers are ‘agents’ of the Council and that every agent commits an offence who corruptly accepts or obtains or solicits, for themselves or any other person, any gift or other consideration as an inducement or reward for doing or not doing any act in relation to the Council’s affairs, or for having shown favour or disfavour to any person in relation to the Council’s affairs.

Any agent who diverts, obstructs, or interferes with the proper course of the Council’s business, or fails to use due diligence in the prosecution of such business with intent to obtain for themselves or any other person any gift or other consideration shall be deemed to have corruptly solicited a consideration.

While ‘gift’ is not defined, ‘consideration’ is. It includes discounts, commissions, rebates, bonuses, deductions, percentages, employment, and money (including loans).

Generally, trade practices or customary gifts do not constitute a defence to a charge under the Act.

Section 5 of the Act provides that the agent, who makes a contract on behalf of Council, must disclose to the Council any pecuniary interest in the contract. This provision is similar to that contained in the Local Authorities (Members’ Interests) Act 1968.

Also, it is an offence to advise the Council with intent to induce it to enter into a contract with a third person and receive any gift or consideration from the third person, without disclosing to the Council the fact of payment.

Upon conviction for any offence under the Act, an agent is liable to a maximum fine of \$2,000 or two years imprisonment and would vacate their office.

FINANCIAL MARKETS CONDUCT ACT 2013 (FMCA)

Waitaki District Council does not currently offer any financial products to the public. If Council was, in the future, to decide to venture into the area of retail fund-raising, it would have to comply with the requirements of the Financial Markets Conduct Act 2013.

The main purpose of the Financial Markets Conduct Act 2013 is to promote the confident and informed participation of businesses, investors, and consumers in the financial markets; and to promote and facilitate the development of fair, efficient, and transparent financial markets. The Act also provides for timely, accurate, and understandable information to assist in making decisions about financial products and the provision of financial services; and to ensure that appropriate governance and monitoring arrangements apply to financial products and services.

The Act essentially places elected members in the same position as company directors whenever the 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 the Act, such as a product disclosure statement, contain false or misleading statements. Members may also be liable if the requirements of the Act are not met in relation to offers of financial products.

HEALTH AND SAFETY AT WORK ACT 2015 (HSWA)

On 4 April 2016, the Health and Safety at Work Act 2015 (HSWA) came into force. The HSWA provides a significant change to New Zealand's current health and safety legislation and is a response to the scrutiny placed on New Zealand's health and safety practices following the Pike River tragedy.

The Act allocates duties to those people who are in the best position to control risks to health and safety as appropriate to their role in the workplace, and for the person conducting a business or undertaking (PCBU) (i.e. the Council) to ensure, as far as is reasonably practicable, the safety of workers and others who may be impacted by the work the business undertakes.

One of the significant changes is the introduction of "Officers", who is any person occupying a position in relation to the business or undertaking, that allows the person to exercise significant influence over the management of the business or undertaking.

For the purposes of the HSWA, elected Council members (which include the Mayor and Councillors but excludes Community Board members) and the Chief Executive are by default identified as "Officers".

Officers have obligations of due diligence, which are:

- (a) to acquire, and keep up-to-date, knowledge of work health and safety matters; and
- (b) to gain an understanding of the nature of the operations of the business or undertaking of the PCBU, and generally of the hazards and risks associated with those operations; and
- (c) to ensure that the PCBU has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking; and
- (d) to ensure that the PCBU has appropriate processes for receiving and considering information regarding incidents, hazards, and risks and for responding in a timely way to that information; and
- (e) to ensure that the PCBU has, and implements, processes for complying with any duty or obligation of the PCBU under this Act; and
- (f) to verify the provision and use of the resources and processes referred to in paragraphs (c) to (e).

The duties of the Officers and of the PCBU are independent of each other. This means that, if a PCBU has failed to meet its duty but the Officers exercised due diligence, then they may not be personally liable for the health and safety failings.

PUBLIC RECORDS ACT 2005 (PRA)

The Public Records Act's purpose is to provide a framework to keep central and local government organisations accountable by ensuring records are full and accurate, well maintained, and accessible. The Public Records Act 2005 provides for the continuity of the National Archives and the role of the Chief Archivist. The Act enables accountability by ensuring that full and accurate records of the affairs of local government are created and maintained. It also provides a framework within which local authorities create and maintain their records and has a role in enhancing public confidence in the integrity of local authority records.

The definition of a record includes information, whether in its original form or otherwise, and is not limited to just written information. The definition also includes (but is not limited to) a signature, a seal, text, images, sound, speech, or data in any medium and recorded or stored by any electronic device or process.

In the conduct of their affairs, elected members may receive information directly, for example from constituents. Members will need to consider whether that information meets the definition of a local authority record and if so will need to ensure it is included in the Council's records.

Appendix 1: LGA Part 2, section 14: Principles relating to local authorities

(1) In performing its role, 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 each aspect of well-being referred to in section 10:
- (d) a local authority should provide opportunities for Māori to contribute to its decision-making processes;
- (e) a local authority should actively seek to collaborate and co-operate with other local authorities and bodies to improve the effectiveness and efficiency with which it achieves its identified priorities and desired outcomes; 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, including by planning effectively for the future management of its assets; and
- (h) in taking a sustainable development approach, a local authority should take into account—
 - (i) the social, economic, and cultural well-being 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.

(2) If any of these principles, or any aspects of well-being referred to in section 10, are in conflict in any particular case, the local authority should resolve the conflict in accordance with the principle in subsection (1)(a)(i).

5.3 ELECTION REPORT

Author: **Carole Hansen, Deputy Electoral Officer**

Authoriser: **Alex Parmley, Chief Executive**

Attachments: 1. **Public Notice of Final Election Result 2025** 

RECOMMENDATION

That the Ahuriri Community Board receives and notes the information.

PURPOSE

The purpose of the report is to provide Council with the results of the 2025 local authority elections conducted in the Waitaki District.

SUMMARY

This report includes information about voting documents and results of the 2025 triennial elections which were conducted in accordance with the Local Electoral 2001 and associated regulations.

Waitaki District Council

At the close of nominations on 01 August 2025, there were three uncontested issues for the Waitaki District Council being the Ahuriri Ward, Corriedale Ward, and Ahuriri Community Board.

The following people were elected unopposed:

Ahuriri Ward

Brent Cowles

Corriedale Ward

John McCone

Sven Thelning

As the number of nominations received for the Ahuriri Community Board did not exceed the number of vacancies, the following people were elected unopposed:

Ahuriri Community Board

Stephen Dalley

Calum Reid

Mike King

Alan Pont

Karen Turner

FINAL ELECTION RESULTS

The final results of the election were received and published on Council's website on Thursday 16 October 2025. The successful candidates elected are:

Mayor

Melanie Tavendale

Oamaru Ward

Rebecca Ryan
Courtney Linwood
Jeremy Holding
Jim Hopkins
Dan Lewis
Mata'aga Hana Melania Fanene-Taiti

Corriedale Ward

John McCone
Sven Thelning

Waihemo Ward

Frans Schlack

Waihemo Community Board

Tanya Bell
Heather McGregor
Paul Roy
Clifford Day
Kerry Stevens

OAMARU LICENSING TRUST

Council undertook the election on behalf of the Oamaru Licensing Trust. The successful candidates are:

Denise McMillan
Ali Brosnan
Peter Bond
John Bringans
John Clements

VOTING DOCUMENTS

Ordinary Voting Documents

The number of voting papers issued to residential and ratepayer electors and the valid returns for each ward (excluding special votes returned) were as follows:

Issue	Voting Papers Issued	Returns	% Return
Ahuriri	1,231	540	43.87%
Corriedale	3,022	1,612	53.34%
Oamaru	10,320	5,411	52.43%
Waihemo	1,790	882	49.27%
Total	16,363	8,595	52.26%

The percentage of returns in this election was 52.26% compared with 49.29% in 2022.

GENERAL

Election Team

The election team consisted of Electoral Officer Anthony Morton, Electionz.com and Deputy Electoral Officers Carole Hansen and David Blair. A team of Electoral Officials also assisted with special voting leading up to election day and collecting orange voting bins from around the district on election day.

Processing of Voting Documents

All voting documents were processed by Electionz.com in Christchurch.

The orange voting bins that we had situated across the district were emptied every 3 days by couriers and the voting papers then delivered to Electionz.com in Christchurch for counting. Voting papers collected from the orange bins and hand-delivered votes to the Council office on Friday 10 October 2025 were couriered to Electionz.com at 2.00pm that same day. Any remaining voting papers hand-delivered to the Council office up until 12.00pm Saturday 11 October 2025 were couriered to Electionz.com at 1.30pm on 11 October 2025.

Orange Bins

Orange Voting bins were used this election and were situated in nine places around the district for the ease of last-minute voting for the community. These bins were very successful as they were situated in supermarkets, rural towns, library and council headquarters. Also, given the number of votes collected from these bins, this option appears to have had a positive impact on our voting percentage.

The communications activities undertaken during this election were more extensive than we have carried out in previous elections. Communications via social media and the council website kept people engaged and the reminder messaging was consistent. Big shout out to Media and Communications Specialist John Palenthalope, and the wider Strategic Communications and Engagement team for their efforts.

Results

Progress results based on 85% of the voting documents were released on Saturday 11 October 2025.

Preliminary results were received on Sunday 12 October 2025.

The official results were received at 8.51pm on Thursday 16 October 2025 and were publicly advertised via Council's website that evening 16 October 2025.



Waitaki District Council

2025 Triennial Elections

DECLARATION OF RESULT

The final result for the Waitaki District Council elections held on Saturday 11th October is as follows.

Mayor	Votes Received
TAVENDALE, Melanie	3,811
WILSON, David	2,148
PERCIVAL, Guy	1,775
WILLIAMS, Kelli	784
INFORMAL	16
BLANK VOTING PAPERS	59

Melanie TAVENDALE is declared elected.

Ahuriri Ward (1 vacancy)	Votes Received
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As the number of nominations received did not exceed the number of vacancies, Brent COWLES is elected unopposed.

Ōamaru Ward (6 vacancies)	Votes Received
RYAN, Rebecca	2,993
LINWOOD, Courtney	2,934
HOLDING, Jeremy	2,832
HOPKINS, Jim	2,716
LEWIS, Dan	2,503
FANENE-TAITI, Mata'aga Hana Melania	2,284
DE REUS, Peter	2,159
VINBRUX, Richard	1,639
TOWNSEND, Mark	1,606
NEWSON, Sheridan	1,192
BARNES, Nathan	1,063
DE BOER, Andy	1,057
KRUGER, Ferdie	1,001
KIRK, Ramon	520
HARREX, Teenica (Teeni)	513
INFORMAL	11
BLANK VOTING PAPERS	80

Mata'aga Hana Melania FANENE-TAITI, Jeremy HOLDING, Jim HOPKINS, Dan LEWIS, Courtney LINWOOD and Rebecca RYAN are declared elected.

Waihemo Ward (1 vacancy)	Votes Received
SCHLACK, Frans	432
DODD, Garry	256
O'REILLY, Gervais 'G'	153
INFORMAL	2
BLANK VOTING PAPERS	53

Frans SCHLACK is declared elected.

Corriedale Ward (2 vacancies)	Votes Received
As the number of nominations received did not exceed the number of vacancies, John MCCONE and Sven THELNING are elected unopposed.	

Ahuriri Community Board (5 vacancies)	Votes Received
As the number of nominations received did not exceed the number of vacancies, Steve DALLEY, Mike KING, Alan PONT, Calum REID and Karen TURNER are elected unopposed.	

Waihemo Community Board (5 vacancies)	Votes Received
BELL, Tanya	664
MCGREGOR, Heather	633
ROY, Paul	584
DAY, Clifford	476
STEVENS, Kerry	446
CLARE, Andy	429
INFORMAL	1
BLANK VOTING PAPERS	27

Tanya BELL, Clifford DAY, Heather MCGREGOR, Paul ROY and Kerry STEVENS are declared elected.

Ōamaru Licensing Trust (5 vacancies)	Votes Received
MCMILLAN, Denise	5,868
BROSNAN, Ali	5,670
BOND, Peter	5,546
BRINGANS, John	4,790
CLEMENTS, John	3,932
LYELL, Ken	2,846
INFORMAL	29
BLANK VOTING PAPERS	1,658

Peter BOND, John BRINGANS, Ali BROSNAN, John CLEMENTS and Denise MCMILLAN are declared elected.

The voter return was 52.26%, being 8,595 votes, including special votes.

Anthony Morton
Electoral Officer
Waitaki District Council
16 October 2025

6 CONFIRMATION OF PREVIOUS MEETING MINUTES

6.1 PUBLIC MINUTES OF THE AHURIRI COMMUNITY BOARD MEETING HELD ON 8 SEPTEMBER 2025

Author: Allyson Woock, Governance Services Officer

Attachments: 1. Public minutes of the Ahuriri Community Board Meeting held on 8 September 2025

RECOMMENDATION

That the Ahuriri Community Board confirms the Public minutes of the Ahuriri Community Board Meeting held on 8 September 2025, as circulated, as a true and correct record of that meeting.

DRAFT UNCONFIRMED MINUTES

**OF THE AHURIRI COMMUNITY BOARD MEETING
HELD IN THE KUROW COMMUNITY CENTRE, 31 GORDON STREET, KUROW
ON MONDAY, 8 SEPTEMBER 2025 AT 2:00 PM**

PRESENT: Member Calum Reid (Chair), Member Steve Dalley, Member Mike King, Member Alan Pont, Cr Brent Cowles

IN ATTENDANCE: Mayor Gary Kircher
Paul Hope (Support Services Director)
Allyson Wock (Governance Services Officer)

IN ATTENDANCE FOR SPECIFIC AGENDA ITEMS:

Nicole Schofield, Public Forum, Agenda Item 6.1
Claire Foster (Commercial & Property Lead), Agenda Item 6.1
Paul Hayes (Assets Planning Manager), Agenda Item 6.2
Gary Wock (Assets Planning Officer), Agenda Item 6.2

MEETING OPEN

The Chair declared the meeting open at 2:00pm and welcomed everyone present.

1 APOLOGIES

RESOLVED ACB 2025/022

Moved: Mr Mike King
Seconded: Mr Alan Pont

That the apology received from member Karen Turner (for absence) be accepted.

CARRIED

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 PUBLIC FORUM

Speaker Nicole Schofield

Nicole Schofield from the Hakataraamea Valley presented her project to restore the former Kurow School and establish it as a not-for-profit art school.

Ms Schofield tabled a one-page summary outlining the project's progress and support sought from the Ahuriri Community Board. This document is available as an attachment to these minutes upon request.

Ms Schofield advised that a trust was being established to receive the former Kurow School building.

When asked whether the trust would operate independently or under the Waitaki Valley Community Society Incorporated (WVCSI), Ms Schofield explained that during the first year of the project, she would work with WVCSI on a subcommittee for the project. This arrangement would provide support for managing funds under the relevant legislation.

Ms Schofield has been working with Heritage New Zealand and Council's Heritage Advisor to develop a conservation plan. She confirmed there was no intended change in the original use of the building as a school.

4 CONFIRMATION OF PREVIOUS MEETING MINUTES

4.1 PUBLIC MINUTES OF THE AHURIRI COMMUNITY BOARD MEETING HELD ON 1 JULY 2025

RESOLVED ACB 2025/023

Moved: Mr Alan Pont
Seconded: Mr Mike King

That the Ahuriri Community Board confirms the Public minutes of the Ahuriri Community Board Meeting held on 1 July 2025, as circulated, as a true and correct record of that meeting.

CARRIED

5 DECISION REPORTS

5.1 AHURIRI MINOR IMPROVEMENTS BUDGET PRIORITIES

The report sought the board's agreement on priority projects for completion from the 2025/26 minor improvements budget.

Chair Calum Reid updated members on projects currently underway across the ward.

Projects considered for funding from the minor improvements budget included:

- Funding towards Waitaki Valley Community Society Incorporated's project proposal to install a sheltered seating area on the site of the overgrown ex-public toilet area in Kurow.
- A refresh of the Ahuriri Ward township Christmas decorations which had seen wear and tear. However, it was suggested that there might be depreciation funds available for this purpose.

Members agreed to meet within the next fortnight to set priorities and report back to officers.

It was noted that an updated community plan would assist with prioritising expenditure decisions.

RESOLVED ACB 2025/024

Moved: Mr Steve Dalley
Seconded: Mr Alan Pont

That the Ahuriri Community Board:

1. Approves three priority projects to progress from the Ahuriri minor recreation improvement budget.

CARRIED

6 MEMORANDUM REPORTS

6.1 FORMER KUROW SCHOOL BUILDING

The report provided the board with information and options for restoration of the former Kurow School building. Commercial & Property Lead Claire Foster spoke to the report and answered questions asked by members.

It was asked whether classifying the land as a historic reserve would enable a peppercorn lease instead of a commercial lease.

Ms Foster clarified that while it wouldn't be a commercial lease, any commercial activity would need to be acknowledged in the lease terms. She noted various rental arrangements could be considered. Given the substantial funding required for restoration, Council would likely consider a peppercorn rent arrangement with a 33-year lease term to provide the trust with better opportunities to secure funding.

Chair Calum Reid noted that relocating the building could allow the land to be sold to a commercial entity, reducing the burden on ratepayers. Ms Foster advised that the land is included in Council's current strategic land review. Disposal would remove Council's maintenance responsibilities but might not generate substantial revenue.

Ms Schofield asked about the possibility of the land being transferred to the trust in addition to the building. Ms Foster responded that this would require investigation and discussion with the Department of Conservation.

RESOLVED ACB 2025/025

Moved: Mr Mike King

Seconded: Mr Steve Dalley

That the Ahuriri Community Board receives and notes the information.

CARRIED

RESOLVED ACB 2025/026

Moved: Mr Steve Dalley

Seconded: Mr Alan Pont

That the Ahuriri Community Board:

1. Supports the proposal to restore the former Kurow School building with the aim of establishing an art school within part of the building;
2. Requests a report to come back to the board on reclassifying the reserve as historic and gifting the building to a Trust with a building footprint 33-year ground lease at agreed rent with all outgoings payable granted subject to community approval and Council consents; and
3. Prefers a peppercorn rent.

CARRIED

6.2 WAITAKI VALLEY SCHOOL LEVEL CROSSING AND FOOTPATH CONNECTIONS FROM WHALAN LODGE

The report addressed the board's request for information on pedestrian safety improvements around the Waitaki Valley School.

Assets Planning Manager Paul Hayes and Assets Planning Officer Gary Woock spoke to the report and answered questions asked by members.

It was noted that funding for any option chosen would likely need to come from the Kurow amenity rate as no other budget was available.

Chair Calum Reid asked whether using a local contractor could reduce the cost of any minor safety improvements undertaken. It was acknowledged this could lower establishment fees but that Council's procurement process must be followed and improvements must comply with the design plan.

Mr Reid and member Alan Pont identified the priority aspects of the work as being the relocation of the crossing point and extension of the sight rail from Manse Road around the corner to Robinson Street.

The board agreed that there were some minor low-cost improvements that could be made to address these priorities.

RESOLVED ACB 2025/027

Moved: Mr Alan Pont

Seconded: Mr Steve Dalley

1. That the Ahuriri Community Board receives and notes the information.
2. That the Ahuriri Community Board approves \$20k from the Kurow amenity fund for minor safety improvements relating to the road crossings, extended sight rails, and entrance way crossings, with the final approach to be confirmed by an onsite visit between the Kurow-based board members and officers.
3. That a report comes back to the board with costings on the complete footpath project.

CARRIED

6.3 CORRESPONDENCE

The report presented board correspondence on Waitaki District Council's 2025-34 Long Term Plan, the Kurow Island jet boat ramp, the car park resealing at the Omarama Hall, and community board delegations.

Chair Calum Reid advised that the correspondence relating to the Kurow Jet Boat Ramp was in response to issues caused by two new bridges being installed. Mr Reid has been in discussions with Gary Hawkins about the ongoing maintenance of the ramp and how this will be paid for. One of the suggestions is a QR code system which would allow payments to be made to a bank account for the island.

Member Mike King advised that MCM Contracting Ltd would commence work on the Omarama Hall carpark after mid-September. This work will address disability access into the hall.

RESOLVED ACB 2025/028

Moved: Member Mike King

Seconded: Member Alan Pont

That the Ahuriri Community Board formally receives the attached items of correspondence and considers officer comments (where available) and any actions in response.

CARRIED

6.4 COUNCIL INFORMATION REPORT

The report provided links to agenda papers and related attachments from recent Council Meetings and events for the information of Community Board members and their ward communities.

Mayor Kircher advised that Council are expecting a response in late September regarding whether the Department of Internal Affairs has accepted Council's Water Services Delivery Plan.

Chair Calum Reid commended Council's gifting of land to the Waitaki Valley Health Trust.

RESOLVED ACB 2025/029

Moved: Member Alan Pont

Seconded: Member Steve Dalley

That the Ahuriri Community Board receives and notes the information.

CARRIED

6.5 BUILDING CONSENTS ISSUED IN THE AHURIRI WARD DURING JUNE AND JULY 2025

The report provided the Ahuriri Community Board with a list of building consents issued in the Ahuriri Ward during June and July 2025.

RESOLVED ACB 2025/030

Moved: Mr Mike King

Seconded: Mr Alan Pont

That the Ahuriri Community Board receives and notes the information.

CARRIED

FINANCIAL REPORT TO AHURIRI COMMUNITY BOARD (SEPTEMBER 2025)

The report updated the Ahuriri Community Board on financial matters and activities within the Ahuriri ward.

RESOLVED ACB 2025/031

Moved: Mr Steve Dalley

Seconded: Mr Alan Pont

That the Ahuriri Community Board receives and notes the information.

CARRIED

6.7 COMMUNITY BOARD MEMBERS' AND WARD COUNCILLOR'S REPORT

The report shared updates from the Ahuriri Community Board Members and the Ahuriri Ward Councillor for the information of communities in the Ahuriri Ward.

Member Alan Pont reported on the Bright Fern Energy presentation he attended on 30 July 2025, where he asked about community funding opportunities. He suggested that the company could contribute to the community through initiatives such as installing solar panels on local schools and halls. Bright Fern Energy representatives advised that community funding requests would be assessed on a case-by-case basis.

Mr Pont also reported that at the Meridian Energy meeting he attended on 18 August 2025, volunteers poured approximately six metres of concrete at the beginning of the Kurow wetlands track and installed a handrail to make it more accessible.

RESOLVED ACB 2025/032

Moved: Mr Mike King

Seconded: Mr Alan Pont

That the Ahuriri Community Board receives and notes the information.

CARRIED

6.8 ELECTION UPDATE

The report provided an update on pre- and post-election matters.

Chair Calum Reid acknowledged Mayor Kircher's retirement. Mr Reid recalled working alongside Mayor Kircher for approximately nine years while on the Ahuriri Community Board. During this time, Mr Reid has found Mayor Kircher to be very engaging and open to having discussions, and he acknowledged the amount of time and effort that Mayor Kircher has put into the Ahuriri Ward. On behalf of the Ahuriri Community Board, Mr Reid thanked Mayor Kircher and wished him all the best for the future.

Mayor Kircher thanked Mr Reid for his kind words and expressed his appreciation for the working relationships he has had with the current Ahuriri Community Board members. He acknowledged the strength of the current board and commended the members' focus on achieving things for the communities of the Ahuriri Ward. He thanked the members and wished them all the best with their work going forward.

It was noted that member Alan Pont would be unable to make it to the Inauguration Ceremony in Oamaru on the evening of Wednesday 22 October 2025 and would need to be sworn in at the first Ahuriri Community Board Meeting of the 2025-2028 triennium which will be held on Monday 10 November 2025.

7 MEETING CLOSE

The Chair declared the meeting closed at 3:47pm.

7 MEETING CLOSE