

**Waitai**  
**Coastal-Burwood-Linwood Community Board**  
**AGENDA OF INAUGURAL MEETING**

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**Notice of Meeting Te Pānui o te Hui:**

The inaugural meeting of the Waitai Coastal-Burwood-Linwood Community Board will be held on:

**Date:** Monday 10 November 2025  
**Time:** 3.30 pm  
**Venue:** Boardroom, Corner Beresford and Union Streets,  
New Brighton

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**Membership Ngā Mema**

|         |                  |
|---------|------------------|
| Members | Kelly Barber     |
|         | Celeste Donovan  |
|         | Alex Hewison     |
|         | Yani Johanson    |
|         | Paul McMahon     |
|         | Greg Mitchell    |
|         | Kim Money        |
|         | Jackie Simons    |
|         | Mihi-Rose Tipene |

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**30 October 2025**

**Principal Advisor**  
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Manager Community Governance  
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**Note:** The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. If you require further information relating to any reports, please contact the person named on the report.

**To watch the meeting live, or previous meeting recordings, go to:**

<https://www.youtube.com/@waitaicoastal-burwood-linw3626/streams>

**To view copies of Agendas and Minutes, go to:**

<https://www.ccc.govt.nz/the-council/meetings-agendas-and-minutes/>



# What is important to us?

Our Strategic Framework is a big picture view of what the Council is aiming to achieve for our community

## Our focus this Council term 2022–2025

### Strategic Priorities



Be an inclusive and equitable city which puts **people at the centre** of developing our city and district, prioritising wellbeing, accessibility and connection.



**Champion Ōtautahi-Christchurch** and collaborate to build our role as a leading New Zealand city.



**Build trust and confidence** in the Council through meaningful partnerships and communication, listening to and working with residents.

Adopted by the Council on 5 April 2023



**Reduce emissions** as a Council and as a city, and invest in **adaptation and resilience**, leading a city-wide response to climate change while protecting our indigenous biodiversity, water bodies and tree canopy.



**Manage ratepayers' money wisely**, delivering quality core services to the whole community and addressing the issues that are important to our residents.



Actively balance the needs of **today's residents** with the **needs of future generations**, with the aim of leaving no one behind.

## Our goals for this Long Term Plan 2024–2034

### Draft Community Outcomes



#### Collaborative and confident

Our residents have the opportunity to actively participate in community and city life, have a strong sense of belonging and identity, and feel safe.



#### Green and liveable

Our neighbourhoods and communities are accessible and well connected, supporting our goals to reduce emissions, build climate resilience and protect and regenerate the environment, especially our biodiversity, water bodies and tree canopy.

To be adopted by the Council as part of the Long Term Plan 2024–2034



#### A cultural powerhouse

Our diverse communities are supported to understand and protect their heritage, pursue their arts, cultural and sporting interests, and contribute to making our city a creative, cultural and events 'powerhouse'.



#### Thriving and prosperous

Our city is a great place for people, business and investment where we can all grow our potential, where enterprises are innovative and smart, and where together we raise productivity and reduce emissions.

## Our intergenerational vision

A place of opportunity for all.

Open to new ideas, new people,  
new investment and new ways  
of doing things – a place where  
anything is possible.



Ngāi Tahu has rangatiratanga over its takiwā – the Council is committed to partnering with Ngāi Tahu to achieve meaningful outcomes that benefit the whole community

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|        |                                      |
|--------|--------------------------------------|
| Part A | Matters Requiring a Council Decision |
| Part B | Reports for Information              |
| Part C | Decisions Under Delegation           |

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## Karakia Whakakapi

**Karakia Tīmatanga and Welcome**

|                                                                                                                                                                                                |                                                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Whakataka te hau ki te uru,<br>Whakataka te hau ki te tonga.<br>Kia mākinakina ki uta,<br>Kia mātaratara ki tai.<br>E hī ake ana te atākura.<br>He tio, he huka, he hau hū<br>Tihei mauri ora! | <i>Cease the winds from the west<br/>Cease the winds from the south<br/>Let the breeze blow over the land<br/>Let the breeze blow over the ocean<br/>Let the red-tipped dawn come with a sharpened<br/>air.<br/>A touch of frost, a promise of a glorious day.</i> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**1. Apologies Ngā Whakapāha**

Apologies will be recorded at the meeting.

## 2. Declarations by Members Te Kī Taurangi a te Mema Poari

Reference Te Tohutoro: 25/2229578

Accountable ELT

Member Pouwhakarae:

Mary Richardson, Chief Executive

Sample declaration in accordance with Clause 14(3), Schedule 7 of the Local Government Act 2002.

I, **[enter name]**, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of the Coastal-Burwood-Linwood Community, the powers, authorities, and duties vested in or imposed upon me as a member of the Waitai Coastal-Burwood-Linwood Community Board by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Ko au, a **[enter name]**, me taku kupu tēnei. Ka tutuki i ahau, ki tāku e pono nei, ngā kawenga katoa, hei painga mō te hāpori o Waitai, i runga i te mana kua riro mai i ahau, hei mema o Te Poari Hāpori o Waitai, arā, o te Waitai Coastal-Burwood-Linwood Community Board, nā te whakaritenga o te Ture Kāwanatanga ā-Rohe, rua mano mā rua, te Ture Pārongo me ngā Hui ā-Kāwanatanga ā-Rohe 1987, me ētahi atu ture rānei.



### 3. Election of a Chairperson

Reference Te Tohutoro: 25/2012317

Responsible Officer(s) Te Pou Matua: Ron Lemm - Manager Legal Service Delivery

Accountable ELT Member Pouwhakarae: Mary Richardson, Chief Executive

#### 1. Purpose and Origin of the Report Te Pūtake Pūrongo

- 1.1 The Local Government Act 2002 prescribes the processes by which Community Boards must elect their chairpersons and deputy chairpersons. This report describes the alternative processes available, one of which must be adopted.

#### 2. Officer Recommendations Ngā Tūtohu

That the Waitai Coastal-Burwood-Linwood Community Board:

1. Receives the information in the Election of a Chairperson Report.
2. Adopts, by resolution, whether it will use System A or System B to elect a Chairperson and Deputy Chairperson.
3. Proceeds to elect a Chairperson and Deputy Chairperson

#### 3. Legal Considerations

##### Introduction

- 3.1 The provisions of Schedule 7 of the Local Government Act 2002 apply to Community Boards (with a small number of exclusions), with necessary modifications as if the boards were local authorities. Clause 21 of Schedule 7 requires that each Community Board, at its first meeting, must elect one of its members to be its Chairperson and another to be Deputy Chairperson.
- 3.2 The manner in which a Community Board is to elect these positions is prescribed in Clause 25 of Schedule 7. It provides that the Community Board must determine by resolution that the Chairperson and Deputy Chairperson be elected or appointed by using one of the following systems of voting:

##### System A

- 3.3 Requires that a person be elected or appointed if he or she receives the votes of a majority of the members of the Community Board present and voting; and
- 3.4 Has the following characteristics:
  - 3.4.1 There is a first round of voting for all candidates, and
  - 3.4.2 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
  - 3.4.3 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

- 3.4.4 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 determined by lot.

### System B

- 3.5 Requires that a person is elected or appointed if he or she receives more votes than any other candidate; and
- 3.6 Has the following characteristics:
- 3.6.1 There is only one round of voting, and
- 3.6.2 If two or more candidates tie for the most votes, the tie is resolved by lot.

### Practical application of clause 25

- 3.7 Each Community Board must first determine, by resolution, which system of voting it will use, that is, System A or System B.
- 3.8 Nominations for the position of Chairperson and Deputy Chairperson are called for.
- 3.9 If there is only one candidate, then the Community Board may resolve that person be elected.
- 3.10 If there is more than one candidate, the Community Board must then put the matter to a vote according to the system it has adopted. The Community Board members are then asked to vote on each candidate.
- 3.11 The following examples may be useful to illustrate two of the systems:

| Voting System   | Examples                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>System A</b> | <p><b>Example 1</b></p> <p>Three nominations are received, and upon the votes being counted, the result is: A (5) B (2) C (1). In this case, A is elected to the relevant position.</p> <p><b>Example 2</b></p> <p>Three nominations are received, and upon the votes being counted, the result is: A (3) B (3) C (2). In this case, no candidate is successful, so a second round of voting is held for candidates A and B. The lowest polling candidate, C, is excluded.</p> |
| <b>System B</b> | <p><b>Example 1</b></p> <p>Three nominations are received, and upon the votes being counted, the result is: A (5) B (2) C (1). In this case, A is elected to the relevant position.</p> <p><b>Example 2</b></p> <p>Three nominations are received, and upon the votes being counted, the result is: A (4) B (4) C (0). In this case, a lot is held to determine who between A and B will be elected to the relevant position</p>                                               |

Attachments Ngā Tāpirihanga

There are no attachments for this report.

In addition to the attached documents, the following background information is available:

| Document Name – Location / File Link |
|--------------------------------------|
| Not applicable                       |

Signatories Ngā Kaiwaitohu

|             |                                           |
|-------------|-------------------------------------------|
| Author      | Ron Lemm - Manager Legal Service Delivery |
| Approved By | Mary Richardson - Chief Executive         |



## 4. Declaration by Chairperson Te Kī Taurangi a te Tiamana o te Poari Hāpori

Reference Te Tohutoro: 25/2229614

Accountable ELT

Member Pouwhakarae: Mary Richardson, Chief Executive

Sample declaration in accordance with Clause 14(3), Schedule 7 of the Local Government Act 2002.

I, **[enter name]**, declare that I will faithfully and impartially, and according to the best of my skill and judgment, execute and perform, in the best interests of the Coastal-Burwood-Linwood community, the powers, authorities, and duties vested in or imposed upon me as chairperson of the Waitai Coastal-Burwood-Linwood Community Board by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act.

Ko au, a **[enter name]**, me taku kupu tēnei. Ka tutuki i ahau, ki tāku e pono nei, ngā kawenga katoa, hei painga mō te hāpori o Waitai i runga i te mana kua riro mai i ahau, hei kaihautū o Te Poari ā Hāpori o Waitai arā, o Coastal-Burwood-Linwood Community Board nā te ngākaupai o te Ture Kāwanatanga ā-Rohe, rua mano mā rua, te Ture Pārongo, Huinga Ōkawa Kāwanatanga ā-Rohe, kotahi mano, iwa rau, waru tekau mā whitu, me ētahi atu ture rānei



## 5. Election of Deputy Chairperson

Reference Te Tohutoro: 25/2229542

The Community Board under Schedule 7, clause 21(5)(e) of the Local Government Act 2002, will elect a Community Board member as Deputy Chairperson of the Waitai Coastal-Burwood-Linwood Community Board for the 2025-2028 triennium.

The role of the deputy chairperson is to stand in for the chairperson when required and to support the chairperson in their role.



## 6. Explanation of Statutory Requirements

Reference Te Tohutoro: 25/2089741

Responsible Officer(s) Te Pou Matua: Ron Lemm, Manager, Legal & Democratic Services

Accountable ELT Member Pouwhakarae: Mary Richardson, Chief Executive

### 1. Purpose and Origin of the Report Te Pūtake Pūrongo

- 1.1 This report contains a general explanation of the Local Government Official Information and Meetings Act 1987 and other statutes. It has been prepared by the Council's Legal & Democratic Services.
- 1.2 The Local Government Act 2002 requires this to be provided to the first meeting of the Council following a triennial general election of members.

### 2. Officer Recommendations Ngā Tūtohu

That the Waitai Coastal-Burwood-Linwood Community Board:

1. Receives the information in the Explanation of Statutory Requirements report.

### 3. Background/Context Te Horopaki

#### Introduction

- 3.1 Clause 21, Schedule 7 of the Local Government Act 2002 requires the Council to include in the business to be conducted at the first meeting of the Council, a general explanation of the Local Government Official Information Act 1987 and other statutes affecting members.
- 3.2 These are:
  - 3.2.1 The appropriate provisions of the Local Authorities (Members' Interests) Act 1968;
  - 3.2.2 Sections 99, 105, and 105A of the Crimes Act 1961;
  - 3.2.3 The Secret Commissions Act 1910; and
  - 3.2.4 The Financial Markets Conduct Act 2013.

#### Local Government Official Information and Meetings Act 1987 (the Act)

- 3.3 The stated purposes of this Act are to:
  - 3.3.1 Increase progressively the availability to the public of official information held by local authorities, and to promote the open and public transaction of business at meetings of local authorities, in order to:
    - Enable more effective participation by the public in the actions and decisions of local authorities; and
    - To promote the accountability of local authority members and officials.
  - 3.3.2 Provide for the proper access by each person to official information relating to that person;

- 3.3.3 Protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.<sup>1</sup>
- 3.4 'Official information' is any information held by a local authority (the Council). This can include hard copies of documents, electronic/digital data and audio and audio-visual recordings.<sup>2</sup>
- 3.5 'Local authority' includes any committee or subcommittee or standing committee or special committee or joint standing committee or joint special committee which the local authority is empowered to appoint under its standing orders or rules of procedure or under any enactment or Order in Council constituting the local authority or regulating its proceedings; and a committee of the whole local authority.<sup>3</sup>
- 3.6 The fundamental principle of the Act is that information must be made available unless there is good reason under the Act to withhold it and, where good reason exists, the withholding of the information is not outweighed by the public interest in making it available.<sup>4</sup>
- 3.7 Reasons for refusing a request are set out in section 7 of the Act. These include it being necessary to withhold information in order to:
- 3.7.1 Protect an individual's privacy;
  - 3.7.2 Prevent unreasonable prejudice to the commercial position of a person;
  - 3.7.3 Protect information which is subject to an obligation of confidence;
  - 3.7.4 Maintain the effective conduct of public affairs through the free and frank expression of opinions between elected members and between elected members and staff;
  - 3.7.5 Maintain legal professional privilege;
  - 3.7.6 Enable the Council to carry out commercial activities or conduct negotiations without prejudice or disadvantage.
- 3.8 The Council may also refuse a request on several administrative grounds, including that the information requested cannot be made available without substantial collation or research, or it will soon be publicly available.<sup>5</sup>
- 3.9 Anyone may make a request for information.<sup>6</sup> Where the information is held by the Council, a decision on the request must be made within 20 working days of it being received.<sup>7</sup> If the Council doesn't hold the information, but believes it knows who does, it has 10 working days in which to transfer the request to another organisation.<sup>8</sup>
- 3.10 The Ombudsman may be asked to investigate and review a decision to refuse a request.<sup>9</sup> The outcome of the investigation may be a recommendation that the Council releases the information requested<sup>10</sup> in which case if the Council refuses, the recommendation will be published in the Gazette along with the Council's reasons for its decision.<sup>11</sup>

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<sup>1</sup> Section 4 of the Act

<sup>2</sup> Section 2 of the Act

<sup>3</sup> Section 2 of the Act

<sup>4</sup> Section 5 of the Act

<sup>5</sup> Section 17 of the Act

<sup>6</sup> Section 10 of the Act

<sup>7</sup> Section 13 of the Act

<sup>8</sup> Section 12 of the Act

<sup>9</sup> Section 27 of the Act

<sup>10</sup> Section 30 of the Act

<sup>11</sup> Section 33 of the Act

- 3.11 The Act requires meetings of the Council, its committees, subcommittees and community boards, to be publicly notified<sup>12</sup> and for agendas and reports to be available to the public at least two clear working days before every meeting.<sup>13</sup> Anyone may attend meetings, but the Council has the right to exclude the public for the whole or any part of the proceedings. The reasons for doing so are set out in the Act and are similar to the reasons for withholding information.<sup>14</sup>
- 3.12 Matters not on the agenda may be dealt with as supplementary items if the meeting resolves to do so, and the chairperson explains why the matter was not on the agenda and why it cannot be left for another meeting.<sup>15</sup>
- 3.13 The Act also contains provisions that apply when a meeting is open to the public, including the maintenance of order. If the behaviour of any member of the public is likely to prejudice the orderly conduct of the meeting, the chairperson has the right to require that person to leave.<sup>16</sup>
- 3.14 Finally, the Act provides that written statements contained in agenda items, or made orally at meetings, are protected by privilege unless the statements are proven to be motivated by ill will. This is known as qualified privilege and applies in situations where a person acting in good faith and without any improper motive makes a statement that is defamatory.<sup>17</sup>
- 3.15 The rationale for this is that people who represent local government electors should be able to speak freely on any matter they believe affects the interests of their constituents. However, for privilege to apply there must be a positive belief in the truth of what is said or written and no suggestion of personal spite or ill-will.

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

- 3.16 The purpose of the Act is to ensure elected members are not affected by personal motives when they participate in Council decisions, and to prevent members with an interest in any contract with the Council from using their position to obtain preferential treatment.
- 3.17 There are two specific rules - members may not enter into contracts with the Council worth more than \$25,000 (GST inclusive) in a financial year (the limit is based on the value of all payments made under all contracts in which the member has an interest during the financial year)<sup>18</sup>, or participate in matters before the Council in which they have a pecuniary interest, other than an interest in common with the public.<sup>19</sup> A member is required to declare any pecuniary interest at relevant meetings and for the minutes to record that declaration of interest.<sup>20</sup>
- 3.18 The Act does not define the term 'pecuniary interest'. The courts have considered its meaning from time to time. The test used is ... whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or a loss of money for the member concerned.
- 3.19 The Act also refers to indirect pecuniary interests which means that if a member's spouse or partner has a pecuniary interest in a matter before the Council, then the member is deemed to have the same interest. This applies if:

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<sup>12</sup> Section 46 of the Act

<sup>13</sup> Section 46A of the Act

<sup>14</sup> Section 48 of the Act

<sup>15</sup> Section 46A(7) of the Act

<sup>16</sup> Section 50 of the Act

<sup>17</sup> Section 52 of the Act

<sup>18</sup> Section 3(1) of the LAMIA

<sup>19</sup> Section 6(1) of the LAMIA

<sup>20</sup> Section 6(5) of the LAMIA

- the pecuniary interest is through a company in which the member, and/or his or her spouse or partner owns 10% or more of the shares, or is general manager or managing director;
  - the member, and/or his or her spouse or partner is a member of a company controlling the company having a pecuniary interest, or is general manager or managing director of the company having a pecuniary interest.<sup>21</sup>
- 3.20 The disqualification does not apply if the member's interest arises as an administrator or trustee of an estate or trust (as long as the member is not a beneficiary), and a manager appointed under the Protection of Personal and Property Rights Act 1988.<sup>22</sup>
- 3.21 It is important for members to recognise that when a matter reaches the stage where it can reasonably be expected to affect the member's interests, he or she should no longer take part in the decision-making process.<sup>23</sup> Failure to do is an offence and the member is liable on conviction to a fine not exceeding \$100.<sup>24</sup>
- 3.22 An exemption to this requirement may be granted, on application in writing, if, in the opinion of the Auditor-General, application of the rule would impede the transaction of business by the Council, or it would be in the interests of electors for the rule not to apply.<sup>25</sup>
- 3.23 No person can become, or continue to be, an elected member if he or she is "concerned or interested" in contracts with the Council and the total payments made, or to be made, by the Council exceed the financial limit imposed by the Act. As previously noted, the limit relates to the value of payments made for all contracts, it does not apply separately to each contract.<sup>26</sup>
- 3.24 Even if the contract is between the Council and another person, an elected member will still have an interest in it if he or she has a personal connection with that person or could benefit from the contract (an indirect pecuniary interest as referred to earlier).<sup>27</sup>
- 3.25 The Auditor-General may grant an exemption to the Act's requirements and approve contracts that would otherwise exceed the \$25,000 limit. Criteria to be considered will include whether the reasons for the Council awarding the contract are justifiable and the process followed is fair and transparent.<sup>28</sup>
- 3.26 The Auditor-General's role also includes providing guidance for elected members and Council staff to assist with any compliance issues in particular situations and investigating and prosecuting alleged offences against the Act.<sup>29</sup>
- 3.27 It should be noted that the Local Government (Pecuniary Interests Register) Amendment Act 2022 requires elected members to make an annual declarations (with the prescribed content) of their pecuniary interests within 120 days after the elected member comes into office, being

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<sup>21</sup> Section 3(2) of the LAMIA

<sup>22</sup> Section 3(3)(h) of the LAMIA

<sup>23</sup> Section 6(5) of the LAMIA

<sup>24</sup> Section 7(1) of the LAMIA

<sup>25</sup> Section 6(4) of the LAMIA

<sup>26</sup> Section 3(1) of the LAMIA

<sup>27</sup> Clause 2.16-2.18 of the Auditor-Generals' A guide for members of local authorities managing financial conflicts of interest - <https://oag.parliament.nz/2020/lamia/docs/lamia.pdf>

<sup>28</sup> Clause 2.42 of the Auditor-Generals' A guide for members of local authorities managing financial conflicts of interest - <https://oag.parliament.nz/2020/lamia/docs/lamia.pdf>

<sup>29</sup> Auditor-Generals' A guide for members of local authorities managing financial conflicts of interest - <https://oag.parliament.nz/2020/lamia/docs/lamia.pdf>

the day after the day on which the official result of the election is declared by public notice; and the last day of February in each subsequent year.<sup>30</sup>

- 3.28 The member must ensure that the information contained in the return is accurate.<sup>31</sup>
- 3.29 If the member becomes aware of an error or omission in any return they must advise the Registrar.<sup>32</sup>
- 3.30 Every pecuniary interest return must contain the prescribed information.<sup>33</sup>

### **Sections 99, 105, and 105A Crimes Act 1961**

- 3.31 Part 6 of the Act refers to crimes affecting the administration of law and justice, specifically bribery and corruption. For the purposes of this Part the definition of “official” in s.99 includes any member or employee of a local authority.
- 3.32 Section 105(1) provides that every official who corruptly accepts, obtains, agrees, or offers to accept, or attempts to obtain any bribe for himself or herself or any other person in respect of any act done or omitted, or to be done or omitted, in his or her official capacity is liable to imprisonment for a term not exceeding 7 years.
- 3.33 Section 105(2) provides that everyone who corruptly gives or offers or agrees to give any bribe to any person with intent to influence any official in respect of any act or omission by that official in his or her official capacity is also liable to imprisonment for a term not exceeding 7 years.
- 3.34 Section 105A provides that every official who corruptly uses or discloses any information, acquired by that official in his or her official capacity, to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or herself or any other person is liable to a term of imprisonment not exceeding 7 years.

### **Secret Commissions Act 1910 (SCA)**

- 3.35 As the name suggests, this Act prohibits secret commissions and is based on the principle that a person in a position of trust should not profit from that office. Every Council officer or member is deemed to be an agent of the Council for the purposes of the Act, which provides that:
  - 3.35.1 An agent who corruptly accepts or obtains or agrees or offers to accept or attempts to obtain or solicits any gift or other consideration as an inducement or reward for doing, or not doing, something or showing favour or disfavour to any person in relation to the Council’s affairs or business, is guilty of an offence.<sup>34</sup>
  - 3.35.2 An agent is guilty of an offence if he or she enters into a contract on behalf of the Council and fails to disclose the existence of any pecuniary interest the agent has in the contract.<sup>35</sup>
  - 3.35.3 An offence is committed if an agent provides the Council with a receipt, invoice, or account (or similar document) in relation to the business or affairs of the Council which the agent knows to be materially false or defective, or likely to mislead the

<sup>30</sup> Section 54C of the Local Government (Pecuniary Interests Register) Amendment Act 2022

<sup>31</sup> Section 54D(1) of the Local Government (Pecuniary Interests Register) Amendment Act 2022

<sup>32</sup> Section 54D(2) of the Local Government (Pecuniary Interests Register) Amendment Act 2022

<sup>33</sup> Section 54E of the Local Government (Pecuniary Interests Register) Amendment Act 2022

<sup>34</sup> Section 3(1) of the SCA

<sup>35</sup> Section 5(1) of the SCA

Council, and which omits to state the fact of any commission, or other consideration having been received by or promised to the agent.<sup>36</sup>

3.35.4 “Consideration” means valuable consideration of any kind, and particularly includes discounts, commissions, rebates, bonuses, deductions, percentages, employment, payment of money (whether by way of loan, gift, or otherwise), and forbearance to demand any money or valuable thing.<sup>37</sup>

3.36 Any person who commits an offence against the Act is liable to imprisonment for a term not exceeding 7 years.<sup>38</sup>

### Financial Markets Conduct Act 2013 (FMCA)

3.37 The purpose of the Act is to promote:

- the development of fair, efficient, and transparent financial markets in New Zealand; and
- the confident and informed participation of businesses, investors, and consumers in those markets.<sup>39</sup>

3.38 Financial markets include markets for the provision of financial services, and capital markets.<sup>40</sup>

3.39 If the Council at some point should wish to raise capital through the issue of debt or equity securities the Act imposes obligations on elected members in matters such as the proposed governance arrangements for any securities issued and the information to be disclosed to prospective investors.<sup>41</sup> In this regard, elected members will be treated the same as company directors being persons occupying a position that is comparable with that of a director in a company.<sup>42</sup>

3.40 In those instances where the Council would look to raise capital through the issue of debt or equity securities professional advice, both internally and externally, would be sourced and provided before the Council considers and makes any decisions. However, elected members should be aware that a breach of the Act can give rise to civil and criminal liability.

## Attachments Ngā Tāpirihanga

There are no attachments for this report.

In addition to the attached documents, the following background information is available:

| Document Name – Location / File Link |
|--------------------------------------|
| Not applicable                       |

<sup>36</sup> Section 6 of the SCA

<sup>37</sup> Section 2 of the SCA

<sup>38</sup> Section 13 of the SCA

<sup>39</sup> Section 3 of the FMCA

<sup>40</sup> Section 6 of the FMCA

<sup>41</sup> Section 42 of the FMCA

<sup>42</sup> Paragraph (d) of the definition of “director” in section 6 of the FMCA

Signatories Ngā Kaiwaitohu

|             |                                                                                                              |
|-------------|--------------------------------------------------------------------------------------------------------------|
| Author      | Ron Lemm - Manager Legal Service Delivery                                                                    |
| Approved By | Helen White - General Counsel / Director of Legal & Democratic Services<br>Mary Richardson - Chief Executive |

## 7. Date of First Ordinary Meeting

Reference Te Tohutoro: 25/2004163

Responsible Officer(s) Cindy Shepherd, Community Board Advisor

Te Pou Matua:

Accountable ELT Andrew Rutledge, General Manager Citizens and Community  
Member Pouwhakarae:

### 1. Purpose and Origin of the Report Te Pūtake Pūrongo

- 1.1 The Local Government Act 2002, Schedule 7, clause 21(5)(d) requires that at the first meeting of a Community Board following a triennial general election, the Board must fix the date and time of its first meeting or adopt a schedule of meetings.
- 1.2 A report recommending the adoption of a schedule of ordinary meetings of the Waitai Coastal-Burwood-Linwood Community Board for the 2025-2028 term, will be submitted for adoption at the next Board meeting.

### 2. Officer Recommendations Ngā Tūtohu

That the Waitai Coastal-Burwood-Linwood Community Board:

1. Receives the information in the Date of First Ordinary Meeting Report.
2. Notes that the decision in this report is assessed as low significance based on the Christchurch City Council's Significance and Engagement Policy.
3. Pursuant to Schedule 7, clause 21(5)(d) of the Local Government Act 2002, resolves that the first ordinary meeting of the Waitai Coastal-Burwood-Linwood Community Board be held on Monday 8 December 2025 at 4.30pm in the Boardroom, Corner Beresford and Union Streets, New Brighton, Christchurch.

### 3. Background/Context Te Horopaki

- 3.1 The staff recommendation in this report is for the Board to continue to meet on a day and time for its first ordinary meeting of this term that reflects and extends its schedule from last term, which fits in with the Council's meeting cycle and enables the Board to present there.

### Attachments Ngā Tāpirihanga

There are no attachments for this report.

In addition to the attached documents, the following background information is available:

| Document Name – Location / File Link |
|--------------------------------------|
| Not applicable                       |

## Signatories Ngā Kaiwaitohu

|                    |                                                                                    |
|--------------------|------------------------------------------------------------------------------------|
| <b>Author</b>      | Cindy Sheppard - Community Board Advisor                                           |
| <b>Approved By</b> | Christopher Turner-Bullock - Manager Community Governance, Coastal-Burwood-Linwood |

Item 7

## Karakia Whakakapi

|                                                                                                                                                                                                      |                                                                                                                                                                                                                                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Unuhia, unuhia,<br>Unuhia ki te uru tapu nui<br>Kia wātea, kia māmā,<br>te ngākau, Te tinana te wairua i te ara takatā<br>Koia rā e Ronga, whakairia ake ki runga<br>Kia tina! TINA! Hui e! TĀIKI E! | <i>Release, release the sacred knowledge<br/>To clear, to relieve the heart, the spirit, the body<br/>upon the prepared path.<br/>Tis Rongo that suspends it up above<br/>To be cleared of obstructions,<br/>Yes. Tis cleared.</i> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|