

Methven Community Board

AGENDA

Notice of Meeting:

The Inaugural meeting of the **Methven Community Board** will be held on:

Date: Monday 3 November 2025

Time: 9.00am

Venue: Mt Hutt Memorial Hall Board Room
Main Street
Methven

Membership

- Faye Barrand
- Megan Fitzgerald
- Robin Jenkinson
- Richie Owen
- Simon Wareing
- Cr Deb Gilkison
- Cr Jeanette Maxwell

Methven Community Board

Timetable	
Time	Item
9.00am	Welcome and Introduction (Council Group Manager will chair the meeting until the Board Chairperson has been elected and has made their declaration).

ORDER OF BUSINESS

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30 October 2025

Declaration of Methven Community Board Chairperson

I, _____ 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 Ashburton District, the powers, authorities, and duties vested in or imposed upon me as the Chairperson of the Methven 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 Methven, 3 November 2025

.....

Witnessed by:

Liz McMillan

Mayor

.....

Hamish Riach

Chief Executive

.....

4. *Introduction and explanation of statutory requirements*

Council held its inaugural meeting on 29 October 2025. Along with the Mayor and Councillors, Methven Community Board members Faye Barrand, Megan Fitzgerald, Robin Jenkinson, Richie Owen and Simon Wareing each undertook their public declarations, as required by the Local Government Act 2002, and the Local Government Official Information and Meetings Act 1987.

Council's appointees on the Methven Community Board are Western Ward Councillors Deb Gilkison and Jeanette Maxwell.

The Local Government Act requires the Chief Executive to provide the Council with an overview of key legislation that elected members need to be aware of and have an understanding of in their role. Key aspects of this legislation have been appended for the Board's information. **Appendix 1**

- Local Government Act 2002
- Local Government Official Information and Meetings Act 1987
- Local Authority (Members' Interests) Act 1968
- Crimes Act 1961 – Sections 99, 105 and 105A
- Secret Commissions Act 1910
- Protected Disclosures Act 2000
- Public Records Act 2005
- Financial Markets Conduct Act 2013
- Health & Safety at Work Act 2016

Other information being provided to elected members which covers this material in more depth includes the Standing Orders, Code of Conduct and guidance for members of local authorities about the Local Authorities (Members' Interests) Act 1968.

5. *Election of Chairperson and Board appointments*

5.1 Election of Chairperson

The Chief Executive will call for nominations for the office of Chairperson. When the Chairperson is elected, they are required to make the declaration as Chairperson.

When electing a Chairperson the Board must resolve to use one of the following two voting systems.

System A

The candidate will be elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee who are present and voting. This system has the following characteristics:

- (a) There is a first round of voting for all candidates;
- (b) If no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (c) If no candidate is successful in the second round, there is a third round, and if necessary subsequent rounds, of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.

In any round of voting, if two or more candidates tie for the lowest number of votes, the person to be excluded from the next round is resolved by lot.

System B

The candidate will be elected or appointed if he or she receives more votes than any other candidate. This system has the following characteristics:

- (a) There is only one round of voting; and
- (b) If two or more candidates tie for the most votes, the tie is resolved by lot.

cl. 25 Schedule 7, LGA 2002.

Recommendations

That System B be used to elect the Chair and Deputy Chair of the Methven Community Board.

That _____ be elected as Chair of the Methven Community Board.

5.2 Election of Deputy Chairperson

Recommendation

That _____ be elected as Deputy Chair of the Methven Community Board.

5.3 Board appointments

Mt Hutt Memorial Hall Board

The Mt Hutt Memorial Hall Board's Constitution provides for Council to appoint two elected members to the Hall Board, one being a Western Ward Councillor and the other from the Methven Community Board.

Council invites the Methven Community Board to recommend the appointment of one of its elected members as the second representative.

On 30 June 2025, the Board was advised that the future governance arrangements and strategic direction of the hall are being reviewed. The Board supported this direction.

Recommendation to Council

That _____ be appointed as the Methven Community Board representative on the Mt Hutt Memorial Hall Board Methven.

Recommendation

Methven Reserve Board

Since 2020, a Community Board member has been appointed to represent MCB on the Methven Reserve Board. It is proposed that this continue and an appointment be made for the next term.

That _____ be appointed as Methven Community Board's representative on the Methven Reserve Board.

Recommendation

Methven & Foothills Birdsong Initiative Trust

On 30 June 2025, the Board appointed Richie Owen as its representative on the Methven & Foothills Birdsong Initiative Trust until the end of the triennium.

That _____ be appointed as Methven Community Board's representative on the Methven & Foothills Birdsong Initiative Trust.

HAMISH RIACH
Chief Executive

6. *Methven Community Board Recordings of Meetings*

Activity Manager

Janice McKay, Communications Manager

Executive Team Member

Toni Durham, Group Manager Community and Open Spaces

Summary

- The purpose of the report is to consider options for improving public engagement with Methven Community Board meetings via the provision of digital recordings.
- It's recommended that the Methven Community Board provides audio recordings to be publicly accessible.
- Recordings could be hosted on Council's website and promoted on social media channels.

Recommendation

1. **That** Methven Community Board approves its meetings to be audio recorded and made publicly accessible.

Attachment

Appendix A Desktop review of other Community Board recordings

Background

The current situation

1. Currently the Methven Community Board does not livestream or provide recordings of their meetings for public access (visual or audio).
2. Members of the public can join Methven Community Board meetings in-person, and read agenda and minutes posted to the ashburtondc.govt.nz website.
3. The public may hear about meetings and decisions through board members, media or if a news story is covered by Council staff.
4. The Ombudsman's '[Good practice for meetings and workshops guide](#)' states that, Councils should take all practicable steps to remove barriers to full participation in their processes.
5. The guide says that public meetings and workshops should be made as accessible as possible to the public, both physically and virtually, keeping in mind those people with disabilities as well those with other challenges to attending meetings.
6. This year, the annual [Edelman Trust Barometer](#) showed New Zealanders are feeling overlooked by those in power and disillusioned as a result.
7. Due to this decline in trust, many organisations like councils and community boards are taking extra steps to build and maintain trust through transparency.

Previous Council decisions or direction

8. The recently adopted Methven Community Strategic Plan 2025 sets out Goal Three: Methven is a well informed and participating community.
9. Relevant aspirations from the plan include: Methven Community Board effectively provides local representation, and Methven is a well-informed and welcoming community.

Māori and tangata whenua participation

10. Provision of digital recordings may welcome more engagement and participation from the Māori community on Methven issues.

Interested and affected parties

11. Methven Community Board, Council staff, Methven community, media.

What do others do?

12. It's now becoming common practice for community boards to provide audio or visual recordings of their meetings to the public and media.
13. See Appendix 1 for more information.

Options analysis

Option one – continue to not provide streaming or recordings of Methven Community Board meetings for public access (status quo)

14. This option would mean meetings will continue with the same public access as they do now.

Advantages: No further investment or effort to change required.	Disadvantages: - Relies on MCB members, minutes, agenda, Council communications staff and media to communicate decisions of the board. - When discussion and debate is not accessible, or heard, the public have less context on a decision, and this can lead to misunderstanding and misinformation.
Risks: - The work and decisions Methven Community Board may not be as visible as they could be. - A community perception that the Methven Community Board are not transparent, or effective may emerge, given a growing climate of distrust in New Zealand.	

Option two – provide audio only recordings of Methven Community Board meetings for public access (recommended)

15. This option would provide the opportunity for members of the public and media to hear discussion and debate on issues online via our website and social media channels (probably the Methven Community Board Facebook Page).

Advantages: • Offers a good starting point with a view to explore other options as time goes on. • Enables improved public access to Methven Community Board meetings. • Could lead to improved transparency, trust and engagement from the Methven community and beyond. • By making meetings more publicly available, boards are held more accountable to the community they serve. • People can refer to recordings for accuracy and at their own convenience. • Audio provision is more affordable than the provision of visual recording/streaming. • Audio files are much smaller than video files and easier to store and share. • Without visual distractions, listeners can focus more on the spoken content. • This can occur with one microphone in the centre of the table which captures real time conversational flow, as opposed to multi-microphone setups. • It's the easiest technology for staff to manage than other options.	Disadvantages: • There is a slight increase in effort and investment required to use this technology. • Without video non-verbal cues like body language and facial expressions are missing, which can assist context understanding. • Audio-only content might be less engaging for some people leading to reduced attention. • Does not provide for those with hearing disabilities. • It can be harder to verify who is speaking without visual confirmation.
Risks: • Some may believe that audio only doesn't go far enough in making information accessible given the technology available.	

Option three – provide audio and visual recordings of Methven Community Board meetings

16. This option would provide the opportunity for members of the public and media to see and hear discussion and debate on issues online.

Advantages: • Video recordings capture both audio and visual information, providing a fuller context of the meeting. • Non-verbal cues such as body language and facial expressions can help with understanding the full picture. • It's easier to verify who is speaking and their reactions.	Disadvantages: • Requires more equipment and technical know-how. • Costs more to visually record than audio capture only. • Video files are larger requiring more storage space and bandwidth. • Visuals can sometimes be a distraction. • Recordings still do not show interactions in real time.
Risks: • Some may believe that recordings don't go far enough in capturing the meeting.	

Option four – provide audio and visual livestreaming of Methven Community Board meetings

17. This option would provide the opportunity for members of the public and media to see and hear discussion and debate on issues online in real time.

Advantages: • Real time viewing is unedited and raw, which can create a more genuine connection with the audience. • Livestreaming provides an immediacy which is useful for urgent or time-sensitive information. • Visual livestreaming on You Tube provides transcription which is more accessible for the hearing impaired.	Disadvantages: • Requires significant additional investment than other options. • Livestreams are susceptible to technical glitches such as connectivity issues, which can disrupt the presentation. • Would require the resource and effort of Communications, Information Services and Governance teams. • There is no current budget or personnel capacity to undertake this. • Livestreams must be scheduled at a specific time which has less flexibility than recording.
Risks: • The increased investment may be seen as a wasteful use of council resources. • May need to consider moving the location of Methven Community Board meetings. • May lead to increased demand for more technical equipment and software such as presentation screens, software, and improved virtual meeting capability.	

Legal/policy implications

Local Government Official Information and Meetings Act 1987¹

18. The Act allows for the public to request access to official information, which can include audio and visual recordings of meetings.
19. Local authorities are required to make their meetings accessible to the public, which can include providing audio or visual recordings.
20. These provisions ensure transparency and public access to local government proceedings.

Ombudsmen Act 1975²

20. The Ombudsman has the authority to investigate complaints about the administrative conduct of local authorities, including community boards.

¹ <https://www.legislation.govt.nz/act/public/1987/0174/latest/DLM122242.html>

² <https://www.legislation.govt.nz/act/public/1975/0009/latest/DLM430984.html>

21. This can include how recordings of meetings are handled, ensuring they comply with legal and procedural standards. These standards include public access, or privacy and confidentiality.
22. Under the Act, the Ombudsmen can request access to information, including audio and visual recordings of meetings, to carry out their investigations.

Climate change

23. This report should have no effect on climate change.

Review of legal / policy implications

Reviewed by In-house Counsel

Tania Paddock; General Counsel

Strategic alignment

24. The recommendation relates to Council's community outcome of 'Residents are well represented, included and have a voice' because recordings may lead to community members being more actively engaged in decision-making processes and feeling heard.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Recordings can reduce the need for physical attendance, saving travel costs and time for both officials and the public.
Environmental	✓	By enabling remote access to meetings, recordings can reduce the need for travel, thereby lowering carbon emissions.
Cultural	✓	Recordings can help preserve cultural discussions and decisions, providing a historical record for future generations. Recordings can increase engagement with local government processes, fostering a sense of community and cultural identity.
Social	✓	Recordings make meetings accessible to a wider audience, including those who cannot attend in person, promoting inclusivity. They enhance transparency by allowing the public to see and hear the discussions and decisions made by their local government.

Financial implications

Requirement	Explanation
What is the cost?	For option 2: Approximately one-off \$1,000 to install a centre table microphone, minimal licensing fees + staff time to implement. For option 3: Approximately one-off \$3,000 to install a centre table microphone, one fixed camera, minimal licensing fees + staff time to implement.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	293 – Communications purchases
Are there any future budget implications?	No, unless the board chooses option 4, which would need further investigation.
Reviewed by Finance	Erin Register; Finance Manager.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	N/A
Level of engagement selected	1. Inform – one way communication
Rationale for selecting level of engagement	No wider engagement is required, as decision is of low significance. The community will be informed of the final decision the Board makes.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager

Appendix A – desktop review of other Community Board recordings

Options

[Audio podcast example](#) (Kaiapoi-Tuahiwi Community Board)

[Visual livestream example](#) (Wānaka-Upper Clutha Community Board)

Community board audio visual options

	Livestream	Podcast	Single - camera	Multi-camera	Single-microphone	Multi-microphone	Presentation ability
Waipapa Papanui-Innes-Central	Y		Y			Y	Y
Malvern	Y		Y			Y	
Kaikohe-Hokianga	Y		Y		Y		
Dannevirke	Y			Y		Y	
Wānaka-Upper Clutha	Y		Y		Y		
Kaiapoi-Tuahiwi (recommended)		Y			Y		

7. Activity Reports

7.1 Legal & Democracy

7.1.1 Meeting dates

Council has adopted a schedule of meetings for the remainder of 2025.

A meeting schedule for 2026 will be prepared for Council to adopt on 5 November. The draft schedule will show Methven Community Board meetings generally continuing on a six weekly cycle with the following dates proposed:

- Monday 26 January
- Monday 9 March
- Monday 20 April
- Monday 25 May
- Monday 6 July
- Monday 17 August
- Monday 28 September
- Monday 9 November

Board members' feedback on the proposal to maintain the status quo for Board meetings is invited before the final calendar is adopted.

A budget workshop with MCB members has been confirmed for 8 December 2025. At the workshop, officers will discuss MCB's draft 2026/27 budget.

7.1.2 Remuneration

The Methven Community Board salaries remain as set from 1 July 2025 until 30 June 2026 (\$6,218 for the Chair and \$3,109 for members).

The Remuneration Authority is the independent body responsible for setting elected members' remuneration. Council's Elected Members' Allowances and Reimbursement Policy aligns with the Remuneration Authority Determination and provides for allowances and reimbursement of costs incurred by elected members while on the job. The policy is due for review and will be considered by Council in November.

7.1.3 Terms of Reference

The Methven Community Board's terms of reference have been updated to reflect the Board's membership and appointments, and may be subject to further review during the term. The terms of reference are appended. **Appendix 2**

7.1.4 Democracy

• 2025 Local Elections

The final declaration of election results was made by the Electoral Officer on Thursday 16 October 2025. As previously reported, the Methven Community Board election was uncontested. The Board welcomes the new Mayor Liz McMillan and the new Western Ward Councillors Deb Gilkison and Jeanette Maxwell.

The full results of the Ashburton District Council Triennial Elections 2025 can be found [here](#).

7.2 Infrastructure

7.2.1 Roading

Routine work continuing including weed spraying.

Staff have investigated the possible layout of a loading zone, pedestrian crossing point, and parking spaces on Methven Chertsey Road outside Methven Central. Options will be presented to the Board that may include the option of a loading zone on Kilworth St to retain parking on Methven Chertsey Road.

Fulton Hogan staff (in advance of starting the road maintenance contract from 1 December) have inspected and identified repairs to pavers (missing, broken, deformed by tree roots, etc). The cost of the repairs and the extent to how much of the tree roots can be removed is being discussed.

CRM Request	Received	Summary details	Status
CRM0500100/25	02/10/2025	JACKSON STREET – pothole	Completed
CRM0500104/25	13/10/2025	THE MALL – spraying	Programmed
CRM1601310/25	14/10/2025	FOREST DRIVE – flooding	Completed

7.2.3 Three Waters

CRM Request	Received	Summary details	Status
CRM100972/25	06/09/2025	Low Water Pressure	Past
CRM100973/25	06/09/2025	Major flooding on road, and whole road is soft.	Past
CRM100974/25	07/09/2025	Small mains water leak	Past
CRM100980/25	09/09/2025	A man hole sealed over and in need of opening up	Past
CRM100997/25	15/09/2025	a leak in the road	Past
CRM101040/25	27/09/2025	leak in the grass verge	Past
CRM101048/25	29/09/2025	A water leak	Past
CRM101109/25	18/10/2025	Water leak	Current
CRM101111/25	20/10/2025	Water leaking on the berm	Current
CRM101116/25	21/10/2025	Final reading of water meter	Current
CRM200120/25	15/10/2025	blocked septic sewer	Past

7.2.4 Solid Waste Management and Collection

CRM Request	Received	Summary Details	Status
CRM3400114/25	17/09/2025	Large amounts and large pieces floor insulation polystyrene blown to property	Past
CRM3901914/25	02/09/2025	Requesting new bins please.	Past
CRM3901931/25	02/09/2025	Yellow Bin - Gross Contamination	Current
CRM3901935/25	02/09/2025	Request for additional 80 litre Red Bin.	Past
CRM3901945/25	03/09/2025	Bin Damage - Red Bin	Past
CRM3901963/25	04/09/2025	Kerbside Collection–Missing/Replacement Bin Yellow	Past
CRM3901978/25	08/09/2025	Gross Contamination	Current
CRM3901979/25	08/09/2025	Gross Contamination	Current
CRM3901980/25	08/09/2025	Gross Contamination	Current
CRM3901981/25	08/09/2025	Gross Contamination	Current
CRM3901982/25	08/09/2025	Gross Contamination	Current
CRM3901983/25	08/09/2025	Gross Contamination	Past
CRM3901984/25	08/09/2025	Gross Contamination	Current
CRM3901985/25	08/09/2025	Gross Contamination	Current
CRM3901987/25	08/09/2025	Non-compliant Presentation - Bin Overfull - Tagged -Not collected	Past
CRM3901988/25	08/09/2025	Gross Contamination	Current
CRM3901989/25	08/09/2025	Gross Contamination	Current
CRM3901992/25	08/09/2025	Yellow Bin - TAKEN - Gross Contamination	Current
CRM3901995/25	08/09/2025	Request new Bin - All - NEW BUILD	Past
CRM3902000/25	09/09/2025	Missed Collection - Both - red and yellow bin	Past
CRM3902003/25	09/09/2025	Request new Bin - RED YELLOW and GREEN bins	Past
CRM3902011/25	10/09/2025	Bin Damage - Yellow Bin	Past
CRM3902037/25	15/09/2025	Missed Collection - Red Bin	Past
CRM3902056/25	17/09/2025	Bin Damage - Red Bin	Past
CRM3902083/25	19/09/2025	Yellow Bin - Gross Contamination	Current
CRM3902087/25	22/09/2025	Gross Contamination	Current
CRM3902088/25	22/09/2025	Gross Contamination	Current
CRM3902089/25	22/09/2025	Gross Contamination	Current
CRM3902092/25	22/09/2025	Non-compliant Presentation - Bin overweight - tagged not collected	Past
CRM3902095/25	22/09/2025	2 red bins have not been collected	Past

CRM3902106/25	23/09/2025	Additional Bins - 240L Red Rubbish Bin	Past
CRM3902122/25	24/09/2025	Missed Collection - Both Red and Yellow Bins not collected	Past
CRM3902147/25	29/09/2025	Return of bins as requested by ADC due to Non Payment	Past
CRM3902149/25	29/09/2025	Bin Damage - Red Bin	Past
CRM3902169/25	01/10/2025	NEW BUILD Request new Bin - All - RED YELLOW AND GREEN	Past
CRM3902191/25	03/10/2025	Return of bins: 1 80lt RED BIN and 240 lt YELLOW BIN.	Past
CRM3902192/25	03/10/2025	Return of bins: RED 80 lt and YELLOW 240lt	Past
CRM3902202/25	06/10/2025	Gross Contamination	Current
CRM3902204/25	06/10/2025	Gross Contamination	Current
CRM3902217/25	07/10/2025	Missed Collection- YELLOW bin	Past
CRM3902220/25	07/10/2025	Request new bin stickers for both her RED and YELLOW bins.	Past
CRM3902251/25	09/10/2025	Request new Bin - All 3 bins	Past
CRM3902253/25	09/10/2025	Yellow Bin - Gross Contamination	Current
CRM3902254/25	09/10/2025	Yellow Bin - Gross Contamination	Current
CRM3902288/25	13/10/2025	Additional Bins 80L Red	Past
CRM3902290/25	13/10/2025	Return of the additional bin	Past
CRM3902312/25	14/10/2025	Bin Damage - Red 240L lid has gone missing	Past
CRM3902353/25	16/10/2025	Yellow Bin - TAKEN - Gross Contamination	Current
CRM3902354/25	16/10/2025	Request for additional Bins - 240L RED	Past
CRM3902373/25	20/10/2025	Gross Contamination	Current
CRM3902375/25	20/10/2025	Gross Contamination	Current
CRM3902380/25	20/10/2025	Gross Contamination	Current
CRM3902381/25	20/10/2025	Gross Contamination	Current
CRM3902382/25	20/10/2025	Yellow Bin - TAKEN - Gross Contamination	Current
CRM3902389/25	21/10/2025	Yellow Bin - Gross Contamination	Current
CRM3902390/25	21/10/2025	Yellow Bin - TAKEN - Gross Contamination	Current
CRM3902426/25	22/10/2025	Bin Damage - Yellow Bin	Current
CRM3902448/25	24/10/2025	Request new Bin for the new build	Current

7.3 Community & Open Spaces

7.3.1 Strategy & Policy updates

- **Annual Report 2024/25**

Work continues on finalising the Annual Report 2024/25 with the audit continuing.

- **Annual Plan 2026/27**

Work has commenced on preparing the Annual Plan 2026/27, with business cases and budget preparation underway.

- **Policy and Strategy Reviews/Development**

Consultation on the [Gambling Venue Policy and Dangerous and Insanitary Buildings Policy](#) closed on 27 October, with 26 submissions received. Hearings and deliberations are planned for 25-26 November, as required.

Work continues on other policy reviews, including the Sports fields and Domain Use Policy, Elected Members Allowances and Reimbursement Policy and the work programme to review the Development Contributions policy. A draft Bill outlining and implementing the new development levies system is expected in towards the end of this year. Work will progress in stages through to the final adoption of a new policy in 2027, incorporating the new legislative changes.

Work continues on the elderly housing and forestry reviews, with workshops planned for November 2025.

- **Arts, Heritage and Culture Strategy**

A stakeholder workshop is planned for November 6 at Rokowhiria – the Ashburton Art Gallery and Museum.

- **Open Spaces Strategy**

Work continues on the review of this strategy. Following information gathering, research and some stakeholder engagement, a draft strategy will be prepared and workshopped with Council.

- **Bylaw Reviews**

A bylaw review programme has been established with the Dog Control, Water Supply, Open Spaces, Keeping of Animals, Bees and Poultry, and Brothel Location all due by the end of October 2026. An initial workshop is planned with Council in December.

- **Local Water Done Well**

Council received formal acceptance of the Water Services Delivery Plan (WSDP) from the Department of Internal Affairs on 20 October. Work now commences on implementation.

- **ADC Submissions**

Submissions have been made since the last meeting on:

Organisation	Submission Summary	Type	Due Date	Status
Local Government Commission	Standardised Code of Conduct	Council	26 September	Lodged

7.3.2 Open Spaces

- **Reserves**

Staff are into Spring maintenance mode now. Spring growth on turf areas District wide. Chemical vegetation control is underway on all fence lines and edges. Garden areas are also seeing rampant growth of weeds.

The CBD annual beds have been looking good with plenty of colour on display. Tulips provided a third dimension of colour and height to the visual display. The annual bedding changeover is scheduled to occur in late October.

Playground inspections and maintenance continue on a weekly cycle throughout the District. Staff report that all playgrounds are working as designed with all apparatus fully functioning. The Skate Park donated ski-lift chair has been installed and is now in use.

The Methven CBD lighting project is ongoing. Staff are awaiting contractors to settle on a course of action to correct the quality and brightness issues in the installation of five inground lights under three trees outside the I-Hub.

Local builders have completed replacing the wooden seat slats in the CBD street seating furniture. New will be the replacement of comparable wooded slats in the litter bins. This work will progress, as budget allows, until complete.

Garden of Harmony – funds from ADC and RDR that were earmarked for improving pedestrian access to the RDR concrete pipe shed prior to the Garden of Harmony project have now been made available to the Birdsong Trust to put towards construction of pedestrian paths around the site as per the approved landscape concept plan.

Broadleaf spraying of CBD, Cemetery and Parks is scheduled to occur from mid-October, as weather and wind allow.

- **Methven Cemetery**

General maintenance continues at the cemetery and mowing has commenced with spring growth evident in all turf areas. The bud has been finished and replanted and mulched.

- **Public toilets**

These are functioning well with no recent issues compromising service delivery.

CRM Request	Received	Summary details	Status
CRM1200107/25	29/09/2025	Leaking drinking fountain at skate park	6/10 - Fountain turned off and plumber contacted.
CRM3100037/25	29/09/2025	Blocked toilets at the Main Street toilets at the Methven Playground	29/09 - Staff called to rectify.

7.4 Compliance & Development

7.4.1 Building Services

The table shows 57 consents have been issued, 25 of which have been new housing (last year 37 of the consents were for houses). Methven numbers represent 15% of the new housing consents in the district. No CRMs were received in this reporting period for the building team.

2024 Consents	Issued	Issued YTD	Value of Work	Value of Work YTD
January	3 (5)	3 (5)	\$1,571,500 (\$1,640,000)	\$1,571,500 (\$1,640,000)
February	3 (4)	6 (9)	\$1,950,000 (\$844,150)	\$3,521,500 (\$2,484,150)
March	4 (6)	10 (15)	\$1,246,000 (\$3,434,700)	\$4,767,500 (\$5,918,850)
April	8 (5)	18 (20)	\$1,932,750 (\$811,982)	\$6,700,250 (\$6,730,832)
May	5 (11)	23 (31)	\$1,911,445 (\$1,655,062)	\$8,611,695 (\$8,385,894)
June	3 (7)	26 (38)	\$111,500 (\$1,780,092)	\$8,723,195 (\$10,165,986)
July	4 (10)	30 (48)	\$895,000 (\$2,332,200)	\$9,618,195 (\$12,498,186)
August	11 (1)	41 (49)	\$7,961,000 (\$1,500,000)	\$17,579,195 (\$13,998,186)
September	7 (6)	48 (55)	\$2,392,000 (\$983,106)	\$19,971,195 (\$14,981,292)
October	2 (2)	50 (57)	\$943,000 (\$1,295,760)	\$20,914,195 (\$16,277,052)
November	9 (3)	59 (60)	\$3,252,000 (\$1,721,884)	\$24,166,195 (\$17,998,936)
December	3 (6)	62 (66)	\$2,550,000 (\$1,438,721)	\$26,716,195 (\$19,437,657)

2025 Consents	Issued	Issued YTD	Value of Work	Value of Work YTD
January	10 (3)	10 (8)	\$3,341,750 (\$1,571,500)	\$3,341,750 (\$1,571,500)
February	3 (3)	13 (6)	\$515,000 (\$1,950,000)	\$3,856,750 (\$3,521,500)
March	6 (4)	19 (10)	\$1,619,000 (\$1,246,000)	\$5,475,750 (\$4,767,500)
April	5 (8)	24 (18)	\$811,000 (\$1,932,000)	\$6,286,750 (\$6,700,250)
May	8 (5)	32 (23)	\$2,144,000 (\$1,911,445)	\$8,430,750 (\$8,611,695)
June	6 (3)	38 (26)	\$1,177,896 (\$111,500)	\$9,901,091 (\$8,723,195)
July	8 (4)	46 (30)	\$2,998,000 (\$895,000)	\$12,899,091 (\$9,618,195)
August	6 (11)	52 (41)	\$1,686,500 (\$7,961,000)	\$14,585,591 (\$17,579,195)
September	5 (7)	57 (48)	\$2,086,000 (\$2,392,000)	\$16,671,591 (\$19,971,195)
October	(2)	(50)	(\$943,000)	(\$20,914,195)
November	(9)	(59)	(\$3,252,000)	(\$24,166,195)
December	(3)	(62)	(\$2,550,000)	(\$26,716,195)

Note: figures in brackets are for the corresponding month, the previous year.

7.4.2 Environmental monitoring

CRM Request	Received	Summary details	Status
CRM0100640/25	7/9/25	Found dog	Contractor attended
CRM0100641/25	8/9/25	Barking dog	Contractor attended
CRM0100647/25	10/9/25	Barking dog	Contractor attended
CRM1000218/25	2/9/25	Excessive Noise	Contractor attended
CRM1000221/25	10/9/25	Excessive Noise	Contractor attended
CRM1000222/25	11/9/25	Excessive Noise	Contractor attended
CRM3300069/25	3/9/25	Bylaw Complaint	Staff attended

7.5 Business Support

7.5.1 Finance Report

Income and expenditure report for the month ended 30 September 2025.

Appendix 3

7.6 Birdsong Trust report – Garden of Harmony project

This report outlines recent activities, achievements and intentions since report #1 in August 2025

- 1) John Corbett is leading a small team of volunteers with expertise and equipment to ensure site clearance. Many hours of personal work and working bees have been held. He works closely with the Birdsong Board who are involved in major decision making .

This initial work has included:

- Removal of many exotic trees and other unwanted plants (note more to come out soon)
- Removal of assorted rubbishconcrete, plastic wood from all over and under the site (still more to be removed)
- Removal of old fences
- Spraying out of stage 1 area (Wareing contribution)
- Initial laying out of future pathways for stage 1
- establishing a grass area for recreational use around the pipe shed
- Ongoing communication with neighbours

- 2) Strong Arowhenua relations have been established by Mac

The Māori name they have gifted (Ka koroti a te manu..... ‘the chattering of the birds’) has been formerly adopted and publicly announced. The Arowhenua nursery is likely to be a major source of plants and a good deal is likely to be achieved Sir Graeme Harrison has also offered to provide plants as and when needed.

- 3) The ADC has been involved in working with the historical society in ensuring the surrounds of the Pipe shed and future turbine, and access tracks to it are safeguarded. This has allowed for them to advance some money (\$16K) set aside for track work to be made available to us, and tagged for that purpose.
- 4) Publicity and community engagement has been ongoing
 - Two community 'open days' have been held, and well attended, resulting in our current 'members' data base now totalling 80 volunteer community people.
 - Regular communications through 'member' emails, SnowFed, Methven noticeboard, and Birdsong facebook page,
- 5) Fundraising - the Board has set a target of around \$30k to deliver stage 1. Our current bank account has a balance of around \$17K with some \$12.5k of that tagged for planting

Recent fundraising activity has included the creation of a 'Give a little page' which has already generated some initial donations. The community has been given a range of ways they can financially contribute . Philip Wareing has been formally recognised as a foundation sponsor.
- 6) Education - ongoing discussions are being held with both the two primary schools and MHC They are well aware of our intentions and are keen to be involved. Discussions are being held to see if the new Opuke Hub nursery being developed on site could be used by Birdsong rather than creating one on our site.
- 7) Existing GOH The ADC open spaces group has indicated they will continue to provide minimal maintenance work on that site. We are currently identifying some local expertise to advise on what needs to be done to rejuvenate the site while ensuring it remains true to the original Tanaka vision. The Tanaka family has been engaged, have provided a new on-site plaque, and have indicated full support for the Birdsong vision going forward.
- 8) Intention - To ensure that **Stage one is ready for planting by April 11-12 2026** This will include site preparation, removal of more exotic trees, slash chipped and mulched, additional spraying, seeking plant sources , understanding preschool land extension and working with them to ensure access, plants acquired and stored appropriately, mulch spread, tracks completed, turbine moved onto site, irrigation system in place, temporary signage up, volunteer planters signed up, ensuring necessary funding is achieved, ensuring Dr Colin Meurk is available on site with a finalised planting plan to action under his guidance.

Barry Maister, for Birdsong Trust Board

Appendix 1 Key legislation for elected members

Local Government Act 2002

Overview

Local Government's empowering statute is the Local Government Act 2002 (LGA).

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

The LGA is based on the principle of general competency, which enables a council to choose the activities it undertakes and how it should undertake them. It states the role and purpose of local government.

"The purpose of local government is:

- (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 well-being of communities in the present and for the future.*

(S.10 LGA 2002)

This recognises local government's democratic role and highlights the ability of councils to make decisions and take action on behalf of their citizens. It also recognises both the representative and participative roles of local government. The purpose further recognises that local government ultimately exists to improve community well-being.

In performing its role the Council must act in accordance with a number of principles. These include:

- Conducting its business in an open, transparent, and democratically accountable manner.
- Giving effect to its identified priorities and desired outcomes in an efficient and effective manner.
- It must make itself aware of, and should have regard to, the views of all its communities; and when making a decision, the Council should take account of –
 - (i) the diversity of the community, and the community's interests, within its district; and
 - (ii) the interests of future as well as current communities; and
 - (iii) the likely impact of any decision on the interests referred to in sub-paragraphs (i) and (ii);
- The Council should provide opportunities for Māori to contribute to its decision-making processes.
- The Council 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
- The Council should undertake any commercial transactions in accordance with sound business practices; and periodically –
 - (i) assess the expected returns to it 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

- The Council should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district, including by planning effectively for the future management of its assets; and
- In taking a sustainable development approach, the Council should take into account –
 - (i) the social, economic, and cultural interests 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.
- If any of these principles conflict in any particular case, the Council should resolve the conflict in accordance with the principle of openness, transparency and democratic accountability.

As elected Council representatives you are responsible for making policy decisions that guide our activities and provide the direction for our District's future.

The Ashburton District Council carries out a number of functions, responsibilities and activities which include:

- Constructing, managing and maintaining local infrastructure on behalf of the community. This infrastructure includes: roads, water supply, sewage disposal, refuse collection and disposal, and stormwater drainage
- Providing and maintaining community facilities and assets which include: parks and gardens, a library, community halls, a museum, an art gallery, cemeteries, swimming pools and public conveniences
- Planning for the future needs of the district
- Managing the environment for present and future residents
- Undertaking a regulatory role to ensure that residents have a safe, desirable and healthy environment in which to live
- Advocacy on behalf of the local community with central government, other local authorities and other agencies
- Promoting and facilitating development of the district that will benefit residents, and providing a comprehensive information service.

The Methven Community Board functions include to:

- represent, and act as an advocate for, the interest of its community
- consider and report on all matters referred to it by the territorial authority on any matter of interest or concern to the community board
- maintain an overview of services provided by the territorial authority within the community
- prepare an annual submission to the territorial authority for expenditure within the community
- communicate with community organisations and special interest groups within the community
- undertake any other responsibilities that are delegated to it by the territorial authority.

Pecuniary Interest Register

The Local Government (Pecuniary Interests Register) Amendment Act 2022 will come into force on 20 November 2022. It inserts a new set of requirements and obligations into the Local Government Act 2002 relating to elected members' pecuniary interests.

Council must keep a register of its members' pecuniary interests and make a summary of this register publicly available. Council has appointed the Governance Team Leader as the Registrar who maintains the register and provides advice and guidance to elected members.

The key obligations of elected members (including members of the Methven Community Board) are to:

- make annual returns that contain information on certain pecuniary interests to the Registrar, within the statutory timeframe;
- ensure that the information contained in their returns is accurate; and
- in the event of becoming aware of an error or omission in their returns, advise the Registrar of that as soon as practicable.

The elected members' first return will be due on 13 February 2023, being 120 days after the date on which the elected members come into office under section 115 of the Local Electoral Act 2001. For the subsequent two years of this triennium, the due date is the last day of February.

The return must cover the 12 month period that ends on the day that is one calendar month before the return due date. The first return will therefore relate to the period from 14 January 2022 to 13 January 2023.

A pecuniary interest is defined as a matter or activity of financial benefit to the elected member. The matters and activities that must be disclosed in the member's return are set out in sections 54E and 54F of the Act.

If an elected member fails to comply with its obligations, this amounts to an offence which is punishable by a fine of up to \$5,000.

Local Government Official Information and Meetings Act 1987 (LGOIMA)

[LGOIMA](#) provides for all local government activities to take place in an open and transparent environment. It also specifies that, generally, all information held by a local authority in any form should be available to the public. The purpose of LGOIMA is 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 with a view to enhancing respect for the law and promote good local government in New Zealand.

There are two aspects to this Act:

- Access to Local Authority Information; and
- Local Authority meetings

A brief overview of these provisions is provided in the following paragraphs.

Access to Local Authority Information

Generally, all information held by a local authority in any form should be available to the public. However, LGOIMA does provide that certain material does not constitute "information" for the purposes of the Act. This includes library or museum material, information acquired solely for reference or exhibition purposes, information held by the Council as agent for the purpose of safe custody and correspondence with the Ombudsman relating to a matter under investigation by that office.

It also sets out certain reasons that a Council can rely on to withhold particular information, such as the protection of privacy, commercial advantage, protection of negotiations, and the like (these are set out in the Council's Standing Orders).

LGOIMA provides for anyone to have the right to request information held by the Council and that if any such request is refused the applicant has the right of appeal to the Ombudsman. The Ombudsman will then consider the request; the nature and content of the information concerned and the grounds relied on for refusing to provide it. If the Ombudsman believes that some or all of the information should be released, they will recommend a course of action to the Council. It is then up to the Council to decide what to do. The Council's decision is reviewable by the High Court.

Another requirement of the Act is that Council publish a document outlining its functions and giving a general description of the information held by it. This material is published through the Local Governance Statement which is required to be updated within six months following each election. The Local Governance Statement is publicly available on the Council's website, however it will need to be updated following the Council's decision on its governance structure for 2022-25.

LGOIMA specifically provides that there will be no liability on Councillors for any information released in good faith under the legislation. It should be noted however that the Privacy Act places strict limitations on Council in respect of the release of information relating to private individuals and this must be seen as curtailing the general rule.

Under LGOIMA the authority to make decisions regarding whether information should be released is delegated to the Chief Executive.

As a general rule, any information contained in the open section of any agenda (e.g. the pages that are not headed "public excluded") is already in the public domain. Any information marked "public excluded" or "confidential" should not be released or discussed outside the meeting concerned. If, as an elected member, you are asked to provide any such information to a third party you should refer the request to either myself or to the Manager responsible for the report. Should an elected member release confidential information and should the Council suffer any loss as a result, the member may become personally liable for the Council's loss if it can be shown that the member was not acting in good faith.

Local Authority Meetings

LGOIMA provides that all meetings of Council, which includes meetings of its committees and the Community Board, shall be open to the public unless certain specified reasons can be satisfied for excluding them.

These reasons are basically the same as for withholding information and are set out within Section 48 of the Act. It is necessary for the meeting to be satisfied that any one or more of these reasons exist before the public is excluded. Council officers will provide guidance and suggestions where it may be considered to be appropriate for the Council or for its committees or Community Board to meet with the public excluded.

LGOIMA also enables the Mayor (or Chairperson in the case of committees and the Community Board) to introduce an item that is not on the agenda as long as there is a clear reason why the item is not on the agenda and why it cannot wait until the next meeting. A formal resolution, including reasons must then be passed to receive and consider the item. This relates to major and urgent matters only.

The Council is still subject to the requirements of the decision making processes as set out in the Local Government Act 2002. LGOIMA states that in terms of minor matters, no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting of the local authority for further discussion. This requirement is not intended to make the decision making process any more difficult or protracted than necessary but to ensure transparency.

Agendas for Council and Committee meetings have to be made available to the public two clear working days before the day of the meeting. The agendas are published on the Council website ashburtondc.govt.nz.

Other provisions of the LGOIMA require meetings to be publicly notified and provide that any matter including defamatory matter published in any agenda, or oral statements made at any meeting are privileged unless proven to have been made with malice.

Local Authorities (Members Interests) Act 1968

The [Local Authorities \(Members' Interests\) Act 1968](#) helps to protect the integrity of local authority decision-making by ensuring that Councillors are not affected by personal motives when they participate in Council decision-making and cannot use their position to obtain preferential access to contracts.

This Act deals with two forms of “interest”, pecuniary interest and non-pecuniary interest.

The obligations under this Act are in addition to the obligations of elected members to provide pecuniary interests returns under the Local Government Act 2002, as discussed in section 6.1.2 above.

Pecuniary interest

The two specific rules in the Act are that members cannot:

1. Enter into contracts with their local authority worth more than \$25,000 (including GST) in a financial year unless the Auditor-General approves the contracts (referred to as the contracting rule). Breach of this rule results in automatic disqualification from office; and
2. Participate in matters before the Council / Community Board in which they have a pecuniary interest, other than an interest in common with the public (referred to as the participation rule). Breach of this rule is a criminal offence and conviction results in automatic disqualification from office.

A pecuniary interest is one that involves money. This could be direct or indirect. It is sometimes difficult to decide whether an interest in a particular matter is pecuniary or some other kind. It is always the responsibility of elected members to make this decision, to declare any interest when appropriate and to ensure that as an elected member you comply with the Act's requirements at all times.

The Act generally provides that no person shall be capable of being a member of Council / Community Board if that person is concerned or interested in any contracts with the Council / Community Board where the total payments made by the Council in respect of such contracts exceeds \$25,000 in any one financial year. The Act also provides that an “interest” exists where a member's spouse is involved and/or where a member or their spouse is a major shareholder or have control or management of a company which contracts with Council or where the company has a pecuniary interest in the decision. It may also apply where your family trust has a contract with the Council.

The Act does provide that on application to it the Office of the Auditor General may give specific approval to a member being concerned or interested in a particular contract, in which case the provisions of the Act will not disqualify the Councillor from remaining in office. The approval needs to be gained before the contract concerned is entered into.

The Act also requires that a member shall not vote or take part in the discussion of any matter in which he/she has any pecuniary interest, other than an interest in common with the public. Though not an absolute requirement of the Act, the Council's Standing Orders require that, where a member declares an interest in the issue being debated, the member must withdraw from the Council Chambers. This interest is required to be declared by the member and is noted in the minutes.

The Office of the Auditor General is the agency which oversees this legislation and it also has the responsibility and power to institute proceedings against any member. The Act does not define pecuniary interest, however the Office of the Auditor-General uses the following test:

“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 loss of money for the member concerned.”

In deciding whether you have a pecuniary interest you should consider the following factors:

- What is the nature of the decision being made?
- Do I have a financial interest in that decision – do I have a reasonable expectation of gain or loss of money as a result of making that decision?

- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the Act apply to me?
- Could I apply to the Auditor-General for approval to participate?

It is important that you pay particular attention to the contents of this Act as this is one of the few areas of the Council's business where staff do not set out to provide pro-active advice and members are personally liable for compliance with the provisions of this Act.

Non-pecuniary interest

Non-pecuniary interest is any interest the member may have in an issue that does not involve money. A common term for this is "bias".

Rules about bias operate not only to ensure that there is no actual bias, but also so there is no appearance or possibility of bias. The principle is that justice should not only be done, but it should be seen to be done. Bias may be exhibited where:-

- By their statements or conduct a member may indicate that they have predetermined the matter before hearing or considering all of the relevant information on it (including the Council's debate); or
- The member has a close relationship with an individual or organisation affected by the matter.

Non-pecuniary interest is a difficult issue as it often involves matters of perception and degree. The question you need to consider, drawn from case law, is:

"Is there, to a reasonable, fair-minded and informed observer, a real indication of bias on the part of a member of the decision making body, in the sense that they might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?"

If there is, the member should declare their interest and withdraw from the debate. The law about bias does not put you at risk of personal liability. Instead, the validity of the Council's decision could be at risk. The need for public confidence in the decision-making process is paramount and perception can be an important factor.

Again the information provided by Office of the Auditor General provides some excellent advice and information on this issue. Practically I would suggest that if you feel that you may have an "interest" in any matter before the Council or a Committee of which you are a member then you should discuss the issue with your lawyer (at no cost to the Council), the Mayor, the Committee Chair or me before the meeting. While this will not relieve you of your obligations under the Act it will provide you with some independent guidance.

Crimes Act 1961 : Sections 99, 105 & 105A

Under the Crimes Act 1961 it is unlawful for an elected member (or officer) to:

- Accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of the Council
- Use information gained in the course of their duties for their, or another person's monetary gain or advantage.

Section 99 of the Crimes Act 1961 defines a member or employee of a local authority as an official.

For the avoidance of doubt and for the purposes of this Act this means that each elected member of the Council is considered to be an official of the Council. Section 99 also defines a "bribe" as being "any money, valuable consideration, office, or employment, or any benefit, whether direct or indirect". The words "or indirect" open this definition considerably, e.g. an offer of employment to a son or a daughter could be construed as amounting to being a bribe so members need to be aware of their exposure under this Act through other family members.

Section 105 and 105A provide:

105. Corruption and bribery of official—

- (1) Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or 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, by him or her in his or her official capacity.*
- (2) Everyone is liable to imprisonment for a term not exceeding 7 years 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 him or her in his or her official capacity.*

105A. Corrupt use of official information—

Every official is liable to imprisonment for a term not exceeding 7 years who, whether within New Zealand or elsewhere, corruptly uses or discloses any information, acquired by him or her 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.

As elected members are deemed to be “officials” for the purposes of this Act and you are therefore subject to these penalties if you are found to be in breach of them. Such a conviction would also have the consequences of loss of office in terms of Clause 1 of Schedule 7 of the Local Government Act 2002 (which disqualifies a member who is convicted of an offence punishable by a term of imprisonment of two years or more).

Secret Commissions Act 1910

This Act basically establishes offences relating to the giving, receiving or soliciting of gifts or other consideration as an inducement or reward for doing or forbearing to do something in relation to the affairs of the Council, or showing or having shown favour or disfavour to any person in relation to the Council’s affairs or business (section 4(1)). It applies to elected members and covers any such gifts given, received or solicited by “*any parent, husband, wife, or child of any agent, or to his partner, clerk, or servant, or (at the agent's request or suggestion) to any other person*”.

The Act makes it an offence for any agent (for the purposes of the Act an elected member is deemed to be an “Agent” of the Council) (section 16(1)(b)) to accept gifts without the consent of the principal (the Council), not to disclose a pecuniary interest in any contract which the agent makes on behalf of the principal, or who knowingly delivers to their principal a false receipt, invoice, account or other document in relation to the principal's business.

It is an offence to divert, obstruct, or interfere with the proper course of the affairs or business of the Council, or to fail to use due diligence in the prosecution of its affairs or business, with intent to obtain any gift or other consideration from any person interested in the affairs or business of the Council (section 4(2)).

It also provides that it is an offence for any person to advise a party to enter into a contract with a third party and to receive gifts or consideration from that third party as reward for procuring the contract, unless that person is known by the party to be the agent of that third party. It further provides that the act of aiding or abetting or in any way facilitating an offence against the Act is itself an offence.

Prosecutions made for offences under this Act require the approval of the Attorney-General who has the power to decide whether to prosecute. Any person who commits an offence against this Act is liable to imprisonment for a term not exceeding 7 years.

Such a conviction would also have the consequences of loss of office in terms of Clause 1 of Schedule 7 of the Local Government Act 2002.

Securities Act 1978 and Securities Markets Act 1988

This legislation governs the raising of money by the offer to the public of opportunity to invest through shares in an enterprise or to lend money to an organisation. Its application to Council would arise if the Council wished to borrow money by public stock issues. The Securities Act imposes strict conditions as to process when offering securities to the public. If doing so, an up to date audited compliant set of financials and an investment statement signed by two Councillors is required and a trustee must be appointed. Councillors are deemed to be “directors” of the Council for the purposes of this Act and the Securities Regulations. This means that Councillors are potentially personally liable to investors if the investment statement or an advertisement contains an untrue statement. Considerable care must be taken over legal process and form when the Council is borrowing from the public in this way and not from its customary bankers. While the provisions of this Act are somewhat onerous they are rarely called into effect as the issue costs of a direct offer to the public are prohibitive unless the offer is of reasonable size. The Ashburton District Council currently borrows from trading banks, the Local Government Funding Agency (LGFA) and through bond issues, and has all the statutory and legal requirements in place for it to do so. Council does not, however, undertake public issues.

The Securities Markets Act 1988 includes prohibitions against trading securities of a public issuer, disclosing inside information and advising or encouraging trading (tipping). The Council will be a “public issuer” if any of its debt securities are listed on a registered stock exchange. If Councillors pass on non-public, price sensitive information to any person (tip) or use it themselves (by trading) then they may be liable under this Act for civil penalties.

Protected Disclosures (Protection of Whistleblowers) Act 2022

The Protected Disclosures (Protection of Whistleblowers) Act 2022 came into force on 1 July 2022 to provide protection to elected members. Under the Act the definition of a discloser includes a person on the governing board of a public sector organisation (PSO), which includes elected members of a local authority.

Under the Act a discloser who discloses information about a serious wrongdoing by the PSO is protected from civil or criminal liability that might arise from such a disclosure and from retaliatory action against the employee.

Serious wrongdoing under the Act includes unlawful or irregular use of funds or resources, conduct that risks individual or public health and safety; conduct that risks the maintenance of law; conduct that constitutes an offence; and oppressive, unlawfully discriminatory conduct, gross negligence or gross mismanagement by a public official.

Protection under the Act applies where the discloser has information about a serious wrongdoing in or by the discloser’s organisation; a reasonable belief that the information is true or likely to be true; the employee wishes to have the matter investigated; and desires protection under the Act.

The Act requires disclosure to follow the internal procedures of the Public Sector Organisation. The Council is required to establish internal procedures to address the receipt of and dealing with information about serious wrongdoing in or by the Council.

The Council’s Protected Disclosures Policy is available on the Council’s website www.ashburtondc.govt.nz.

Public Records Act 2005

The Public Records Act 2005 (the Act) establishes a regulatory framework for information and records management across the public sector, including local authorities. Local authorities include all regional councils and territorial authorities, council-controlled organisations, and local government organisations.

The Act requires that full and accurate records of the affairs of local authorities are created, maintained and accessible, and provides for the preservation of, and public access to, records of long-term value. This enables government accountability and enhances public confidence in the integrity of public and local authority records.

Information created or received in the conduct of the Council, regardless of format, are local authority records. In their official role elected members may receive information directly, and are responsible for ensuring local authority records are captured and managed in accordance with statutory requirements and internal Council policies.

Financial Markets Conduct Act 2013

The main purposes of the Financial Markets Conduct Act is to promote the development of fair, efficient, and transparent financial markets in New Zealand, and the confident and informed participation in them of businesses, investors, and consumers. Financial markets include markets for the provision of financial services, and capital markets.

To the extent the Council may wish at some point to raise capital through the issue of debt or equity securities, compliance with the Act will be relevant to elected members. There will be obligations imposed on them in respect of matters such as the proposed governance arrangements for any securities issued and the information to be disclosed to prospective investors. In this regard, elected members will be treated the same as company directors.

Professional advice, both internally and externally, would be provided before the Council considers and makes any decisions. However, elected members should be aware they may be personally liable if documents that are registered under the Act, such as a product disclosure statement, contain false or misleading statements. Elected members may also be liable if the requirements of the Act are not met in relation to offers of financial products.

Health & Safety at Work Act 2015

The Health and Safety at Work Act 2015 (HSWA) came into force on 4 April 2016.

The Council is treated as a single 'Person Conducting a Business Undertaking' (PCBU) under the Act. It has a duty to ensure as far as reasonably practical the health and safety of workers. There is a duty to manage risks.

Elected members are defined as "Officers under the Act; somebody who exercises significant influence over management of the PCBU. They must exercise "due diligence" to ensure the PCBU complies with its duties.

Due diligence obligations include:

- Keeping up to date with health and safety matters;
- Understanding the nature of Council's business and its hazards and risks;
- Ensuring the PCBU has appropriate resources and processes to eliminate or minimise risks to health and safety;
- Ensuring there are appropriate reporting and investigation processes in place;
- Monitoring those processes; and
- Verifying all the above is happening.

The Act exempts certain office holders from liability. This includes Councillors who, when acting in that capacity, are exempt from prosecution for failing to fulfil the duty of an Officer. The Act does not exempt the Chief Executive.

Personal Liability of Elected Members

Elected Members are indemnified in respect of their actions as a member of the Council. Section 43 of the Local Government Act 2002 provides for this indemnity (by the Council) 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 Council;
- b) costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as an elected member.

The Local Government Act provides for a theoretical personal exposure on the part of elected members in certain circumstances if the Council has incurred loss due to actions of the Council. The loss must arise out of one of the following situations:

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

If the Auditor-General has reported on a "loss", then that loss is recoverable as a debt due to the Crown. This must be paid back to the Council from each elected member jointly and severally. However, as a Member of the Ashburton District Council, you have a defence if you can prove that the act or failure which led to the loss occurred:

- without your knowledge; or
- with your knowledge but against your protest made at or before the time when the loss occurred; or
- contrary to the manner in which you voted on the issue at a meeting of the Council; or
- 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.

Appendix 2

Methven Community Board

Terms of Reference

Purpose

The purpose of the Methven Community Board is to represent the Methven community's interests in Council decision-making in a manner that promotes the current and future interests of the community. The Board's role is as set out in Section 52 of the Local Government Act 2002, to give effect to the purpose of local government in Section 10 of the Local Government Act 2002.

Membership

Membership of the Committee comprises:

- _____ (Chair)
- _____ (Deputy Chair)
- Faye Barrand
- Megan Fitzgerald
- Robin Jenkinson
- Richie Owen
- Simon Wareing
- Cr Deb Gilkison (Western Ward Councillor)
- Cr Jeanette Maxwell (Western Ward Councillor)

The quorum is four members.

Meeting Frequency

The Methven Community Board will meet on a six (6) weekly cycle, or more frequently on an as-required basis as determined by the Board and Council.

Committee members shall be given not less than 5 working days' notice of meetings.

Meeting and administrative support will be provided by Council's governance and community services staff.

Roles and Function

The Methven Community Board's functions, duties and powers are set by statute as well as delegated by Council. The Board's delegations are as set out in the Local Government Act 2002 (s52) –

- represent, and act as an advocate for, the interests of its community
- consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board
- maintain an overview of services provided by the territorial authority within the community
- prepare an annual submission to the territorial authority for expenditure within the community
- communicate with community organisations and special interest groups within the community
- undertake any other responsibilities that are delegated to it by the territorial authority.

Delegation

1. Council shall consult with the Board on issues that impact on Methven community's area and allow sufficient time for the Board's comments to be considered before a decision is made.
2. Consider matters referred by Council officers, and Council, including reports relating to the provision of Council services within the Methven Community Board area, and make submissions or recommendations in response to those matters as appropriate.
3. Represent the interests of the Methven Community at Council, committee or subcommittee meetings when a motion under debate relates to a matter that the Board considers being of particular interest to Methven residents.
4. Monitor the Board's budget and approve criteria for, and disbursement of, discretionary funding as approved through the LTP or annual plan. (*Discretionary fund expenditure guidelines attached*)
5. Promote and identify opportunities for Methven to support economic growth.
6. Appoint representatives to the Mt Hutt Memorial Hall Board and the Methven Reserve Board.

This will include:

- a) monitoring and keeping Council informed of Methven community aspirations and the level of satisfaction with Council provided services through proactive engagement with residents;
- b) providing input in to Council's Long Term Plan and Annual Plan, giving a local perspective on the levels of service, expenditure, rate impacts and priorities;
- c) providing input into strategies, policies, bylaws and plans that impact on the Board's area;
- d) providing input into proposed District Plan changes.

Communications

- The Methven Community Board Chair will, on behalf of the Board, undertake to meet regularly with the Mayor and/or Council's Chief Executive (or nominated officer) to provide two-way updates on what the Council and the Board have been and propose to be involved in.
- All information released to the media on behalf of the Methven Community Board shall be through the Chair, or his nominee, with assistance from Council's Communications resources.

Reporting

The Methven Community Board will report to Council.

Adopted

29/10/20

Discretionary Fund Expenditure Guidelines

Ashburton District Council provides the Methven Community Board with an annual discretionary fund for the purpose of supporting projects and initiatives that benefit the Methven community and to support the operation of the Methven Community Board and its members. Provision of funds should be in line with Council's Community Grants and Funding Policy.

1. The Board may use this fund at any time during the financial year to:
 - a. Support community projects that directly benefit the Methven community.
 - b. Support projects suggested by community members or Board Members.
 - c. Upskill the Methven Community (e.g. by having community speakers and/or workshops).
2. Discretionary funds cannot be used to:
 - a. Fund a commercial organisation.
 - b. Support a project already receiving a Council grant.
 - c. Fund any capital works or projects.
 - d. Support retrospective requests.
3. Requests for and decisions on funding shall be discussed at each Board meeting and outcomes recorded in Board minutes. Updates (e.g. receipts) are to be provided once the money is spent and recorded in Board minutes.

Appendix 3

Monthly Income and Expenditure Report - 139 - Methven Community Board For the Month Ended 30 September 2025

	Month Actual	Year To Date Actual	Full Year Budget	Remaining Full Year Budget
Income				
Targeted Rates	10,976.97	32,930.90	129,512.04	96,581.14
Total Income	<u>10,976.97</u>	<u>32,930.90</u>	<u>129,512.04</u>	<u>96,581.14</u>
Expenditure				
Salary / Wages	1,431.00	4,993.50	21,048.96	16,055.46
Staff Training	0.00	0.00	5,124.96	5,124.96
Allowances	0.00	0.00	3,587.52	3,587.52
Indemnity Insurance	0.00	1,219.88	6,189.00	4,969.12
Conference Expenses	0.00	0.00	1,025.04	1,025.04
Staff Travel Costs	0.00	0.00	512.52	512.52
Stationery	0.00	43.48	0.00	-43.48
Subscriptions / Periodicals	0.00	0.00	307.50	307.50
Suppers & Receptions	0.00	0.00	615.00	615.00
Grants	0.00	0.00	24,999.75	24,999.75
Donations	0.00	0.00	512.50	512.50
Sundry Expenditure	-3,820.00	1,180.00	30,750.00	29,570.00
Room Hire	78.26	508.26	0.00	-508.26
Executive Team	1,447.64	4,007.47	14,324.04	10,316.57
People and Capability	298.10	969.07	4,304.59	3,335.52
Treasury	106.60	336.67	1,583.99	1,247.32
Rates	-309.66	70.00	1,240.04	1,170.04
Business Support	219.03	440.77	2,112.57	1,671.80
Communication	861.87	2,647.00	11,435.75	8,788.75
Total Expenditure	<u>312.84</u>	<u>16,416.10</u>	<u>129,673.73</u>	<u>113,257.63</u>
Net Surplus/(Deficit)	<u>10,664.13</u>	<u>16,514.80</u>	<u>-161.69</u>	<u>-16,676.49</u>
Capital Expenditure				
	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Net Cash Movement	<u>10,664.13</u>	<u>16,514.80</u>	<u>-161.69</u>	<u>-16,676.49</u>
Cash Reserves				
Separate Reserves	0.00	0.00	-162.00	
Plus Net Surplus/(Deficit)		16,514.80		
Less Capital Expenditure		0.00		
Closing Cash Reserves		<u>16,514.80</u>		