



**I, Kitea Tipuna, Tumu Whakarae Chief Executive, hereby give notice that  
an Ordinary Meeting of Council will be held on:**

**Date:** Tuesday, 17 December 2024  
**Time:** 1:30pm  
**Location:** Council Chamber, Wairoa District Council,  
Coronation Square, Wairoa

# **AGENDA**

## **Ordinary Council Meeting**

**17 December 2024**

**MEMBERSHIP:** His Worship the Mayor Craig Little, Cr Denise Eaglesome-Karekare, Cr Jeremy Harker, Cr Melissa Kaimoana, Cr Chaans Tumataroa-Clarke, Cr Benita Cairns, Cr Roslyn Thomas

The agenda and associated papers are also available on our website: [www.wairoadc.govt.nz](http://www.wairoadc.govt.nz)

For further information please contact us 06 838 7309 or by email [info@wairoadc.govt.nz](mailto:info@wairoadc.govt.nz)



**Order Of Business**

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- 1 KARAKIA**
- 2 APOLOGIES FOR ABSENCE**
- 3 DECLARATIONS OF CONFLICT OF INTEREST**
- 4 CHAIRPERSON'S ANNOUNCEMENTS**
- 5 LATE ITEMS OF URGENT BUSINESS**
- 6 PUBLIC PARTICIPATION**

A maximum of 30 minutes has been set aside for members of the public to speak on any item on the agenda. Up to 5 minutes per person is allowed. As per Standing Order 15.1 requests to speak must be made to the Chief Executive Officer at least one clear day before the meeting; however this requirement may be waived by the Chairperson.

**7 MINUTES OF THE PREVIOUS MEETING**

Ordinary Meeting - 19 November 2024

**MINUTES OF WAIROA DISTRICT COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, WAIROA DISTRICT COUNCIL, CORONATION SQUARE, WAIROA  
ON TUESDAY, 19 NOVEMBER 2024 AT 1:30PM**

**PRESENT:** His Worship the Mayor Craig Little, Cr Denise Eaglesome-Karekare, Cr Jeremy Harker, Cr Melissa Kaimoana, Cr Chaans Tumataroa-Clarke, Cr Benita Cairns, Cr Roslyn Thomas

**IN ATTENDANCE:** **Kitea Tipuna** (Tumu Whakarae | Chief Executive), **Gary Borg** (Pouwhakarae – Pūtea/Tautāwhi Rangapū | Group Manager Finance and Corporate Support) (via zoom), **Michael Hardie** (Pouwhakarae Hua Pūmau | Group Manager Assets & Infrastructure), **Hinetaakoha Viriaere** (Pouwhakarae Whakamahere me te Waeture | Group Manager Planning and Regulatory) (via zoom), **Juanita Savage** (Pouwhakarae Rātonga Hapori me te Whakawhanake Group Manager Community Services and Development), **Te Aroha Cook** (Kaiarataki Whakaoranga I Recovery Manager), **Amanda Reynolds** (Māori Standing Committee Representative), **Frances Manase** (Kaiurungi Mana Ārahi | Governance Officer)

**1 KARAKIA**

The opening karakia was given in the morning at previous workshop by Chief Executive, Kitea Tipuna.

**2 APOLOGIES FOR ABSENCE**

Nil

**3 DECLARATIONS OF CONFLICT OF INTEREST**

To be declared as the agenda progresses.

**4 CHAIRPERSON'S ANNOUNCEMENTS**

Nil

**5 LATE ITEMS OF URGENT BUSINESS**

**LATE ITEMS**

**RESOLUTION 2024/99**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Denise Eaglesome-Karekare

That the reports 8.1 Amendment of MSC Terms of Reference, 8.2 Draft Meeting Schedule 2025 and 10.1 Wairoa Community Centre be received as late items.

**CARRIED**

**6 PUBLIC PARTICIPATION**

[Person] spoke on [TOPIC]

**7 MINUTES OF THE PREVIOUS MEETING****RESOLUTION 2024/100**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Denise Eaglesome-Karekare

That the minutes [and confidential minutes] of the Ordinary Meeting held on 22 October 2024 with amendments, the Extraordinary Meeting held on 31 October 2024 and the Extraordinary Meeting held on 7 November 2024 be confirmed.

**CARRIED**

- Item 8.1 QRS Annual Report Year Ended 30 June 2024 - From December 20<sup>th</sup> to December 7<sup>th</sup>

**8 GENERAL ITEMS****8.1 DANGEROUS, INSANITARY AND AFFECTED BUILDINGS POLICY 2024****RESOLUTION 2024/101**

Moved: Cr Jeremy Harker

Seconded: Cr Chaans Tumataroa-Clarke

The Pouwhakarae - Whakamahere me te Waeture | Group Manager Planning and Regulatory RECOMMENDS that Council adopt the amended Dangerous, Insanitary and Affected Buildings Policy 2024, following its review in 2024.

**CARRIED**

The Group Manager of Planning and Regulatory introduced the report and the below discussions were highlighted:

- The Council emphasised the need for a proactive approach in the policy. It was suggested to include a clear definition of what constitutes a proactive versus passive approach for clarity and implementation.
- The policy wording in the track changes has been aligned with the terminology used in the Long-Term Plan and Annual Plan.
- Complaints are preferred to be submitted in writing rather than word for mouth to ensure needs of the situation is investigated and documented appropriately.

Suggested Amendment to the policy:

- Council staff will act and respond upon becoming aware of dangerous, insanitary, or affected buildings.

## 8.1 AMENDMENT OF MSC TERMS OF REFERENCE

### RESOLUTION 2024/102

Moved: Cr Jeremy Harker

Seconded: Cr Denise Eaglesome-Karekare

The Pouahurea Māori *Māori Relationships Manager* RECOMMENDS that the Council receives the report.

The Pouahurea Māori *Māori Relationships Manager* RECOMMENDS that the Council amends the MSC Terms of Reference to adjust the quorum from 5 takiwā representatives to 50% of current takiwā representation.

**CARRIED**

The Chief Executive introduced the report and the below discussions were highlighted:

- The existing vacancies on the Māori Standing Committee (MSC) are due to specific Takiwā choosing not to participate, impacting the committee's quorum.
- There is currently two vacancies at the Māori Standing Committee: Te Wairoa Matangirau and Waikaremoana.
- Cr Eaglesome-Karekare has requested to have Waihirere changed to Takitimu.
- Cr Tumataroa-Clarke raised concerns in relation to Māori representative engagement in Council kaupapa and would like this to be investigated.

## 8.2 DRAFT MEETING SCHEDULE 2025

### RESOLUTION 2024/103

Moved: Cr Jeremy Harker

Seconded: Cr Roslyn Thomas

The Kaiurungi Mana Ārahi | Governance Officer RECOMMENDS that Council receive the report and adopt the Draft Meeting Schedule for 2025 .

**CARRIED**

The Chief Executive introduced the report, and the Council approved the following meeting schedule:

- Subcommittees will meet six-weekly
- Te Rohe o Te Wairoa Reserves Board Matangirau will meet quarterly,
- and Ordinary Council meetings will remain monthly.

These schedules will be provided to the respective committees.



**9 RECEIPT OF MINUTES FROM COMMITTEES/ACTION SHEETS**

Nil

**10 PUBLIC EXCLUDED ITEMS****RESOLUTION TO EXCLUDE THE PUBLIC****RESOLUTION 2024/104**

Moved: Cr Denise Eaglesome-Karekare

Seconded: Cr Chaans Tumataroa-Clarke

That the public be excluded from the following parts of the proceedings of this meeting at 2:40pm.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>10.1 - Wairoa Wastewater Discharge Consent Implementation</b>	s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.1 - Wairoa Community Centre</b>	s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information  s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**CARRIED**

**RESOLUTION 2024/105**

Moved: His Worship the Mayor Craig Little

Seconded: Cr Denise Eaglesome-Karekare

That Council moves out of Closed Council into Open Council at 3:22pm.

**CARRIED**

**The Meeting closed at 3:23 with the closing karakia given by Chief Executive Kitea Tipuna.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17  
December 2024.**

**Council (Ordinary and Extraordinary) - Actions Sheet**

<b><u>ACTION</u></b>	<b><u>MEETING THE ACTION WAS RAISED IN</u></b>	<b><u>DUE DATE</u></b>	<b><u>OFFICER RESPONSIBLE</u></b>	<b><u>COMMENTS</u></b>	<b><u>STATUS</u></b>	<b><u>PUBLIC EXCLUDED</u></b>
Update on the QRS internship advertising/applications	12/03/2024	22/10/2024	Kitea Tipuna	Job Descriptions have been completed. Currently waiting on advertisement	In progress	No
Mike Hardie to go over Procurement documents in detail with Craig, Kitea, Chris and Chaans (Tender Evaluation Panel)	02/07/2024		Mike Hardie	Workshop scheduled. We have held recent workshops with Te Reinga Bridge that has covered of a direction moving forward. The next steps are looking to put out contracts and get governance approval at the front end, which will guide the weightings for tenders. This will lead towards getting a policy/template finalised which Officers can then implement.	In progress	No
Political lobbying to extend the timeline and repurpose the silt and debris fund	24/09/2024	22/10/2024	Kitea Tipuna and His Worship		Not Started	No
To provide data on: How many dogs go through the WDC Pound are registered in reflection to the number of dogs are registered in Wairoa	24/09/2024	22/10/2024	Hine Viriaere		Not Started	No
Follow up with the response to the Joint Committee in regard to Wairoa's Contribution to Climate Change Joint Committee	24/09/2024	22/10/2024	His Worship the Mayor		Not Started	No

Report back to Council on the Milestones of the Climate Change Joint Committee	24/09/2024	22/10/2024	Cr Ros Thomas		Not Started	No
Māori Standing Committee ToR: Change from Waihirere to Takitimu Marae.	19/11/2024	17/12/2024	Duane		In Progress	No
Adjust meeting draft schedule for 2025.	19/11/2024	17/12/2024	Governance		Completed	No

.....  
**CHAIRPERSON**

## 8 GENERAL ITEMS

### 8.1 DISTRICT LICENSING COMMITTEE - COMMISSIONER APPOINTMENT

**Author:** Kitea Tipuna, Tumu Whakarae Chief Executive

**Authoriser:** Kitea Tipuna, Tumu Whakarae Chief Executive

**Appendices:** 1. **Position Description - District Licensing Committee Commissioner** [↓](#)

#### PURPOSE

- 1.1 On 9 April 2024 Council resolved to re-appoint Mr. David Fellows (Commissioner) and Mr Ross Pinkham (Member) for a fixed period of 1 year, starting 11 December 2023, and advertise for a Commissioner and Members of the District Licencing Committee to be in place by December 2024.
- 1.2 The purpose of this report is to appoint a DLC Commissioner.
- 1.3 The appointment of DLC Members will be bought to Council in a separate report.

#### RECOMMENDATION

The Tumu Whakarae|Chief Executive RECOMMENDS that Council as per section 193 of the Sale and Supply of Alcohol Act 2012, appoint Murray Clearwater as the Commissioner of the Wairoa District Licensing Committee for a term of 5 years commencing 17 December 2024.

#### BACKGROUND

- 1.4 Expressions of interest were sort for a DLC Commissioner, and closed on 14 November at 5:00pm.
- 1.5 The Position Description for the District Licensing Committee Commissioner is attached in appendix 1.
- 1.6 One application was received, from Murray Clearwater.
- 1.7 David Fellows was advised of the advertisement for a DLC Commissioner. He did not submit an application but advised that he is happy to be appointed as a Member of the DLC.

### 2. DISTRICT LICENSING COMMITTEE (DLC)

- 2.1 The Wairoa District Licencing Committee (DLC) was established as required under section 186 of the Sale and Supply of Alcohol Act 2012 (the Act). The purpose of the committee is to consider all applications for liquor licences and other matters relating to the sale and supply of alcohol within the Wairoa District, including conducting licencing hearings, as provided under section 187 of the Act. The Commissioner has all the functions and powers of the chairperson of the District Licencing Committee, as provided under section 193(1) of the Act.
- 2.2 The tenure of Mr. David Fellows (Commissioner) and Mr Ross Pinkham (Member) of the Wairoa District Committee will expire on the 11<sup>th</sup> of December 2024.

- 2.3 The DLC is deemed to be a Commission of Inquiry. It also provides information to the Alcohol Regulatory & Licensing Authority (ARLA). Each territorial authority must appoint one or more DLCs to manage licensing matters within its district.

Functions of the DLC include:

- determining applications for licences, managers' certificates and renewals (s.187(a)(b))
- determining temporary authority applications (on/off-licences)( s.187(c))
- varying, suspending or cancelling special licences (s.187(d))
- referring applications to ARLA (s.187(f))
- conducting inquiries and making reports as required by ARLA (s.187(g))
- other functions conferred on it by any Act. (s.187(h)).

- 2.4 Term of office:

- All Members and the Chair/Commissioner are appointed for a period of up to five years and can be reappointed for one or more further periods of up to five years.
- A DLC member can resign at any time and can be removed for inability to perform functions, neglect, bankruptcy or misconduct.
- An elected member appointed as the Chair of a DLC cannot continue if they cease to be an elected member, unless they have the required competencies and are appointed as a Commissioner.

- 2.5 <https://resources.alcohol.org.nz/alcohol-management-laws/administering-alcohol-law/district-licensing-committees-dlcs>

### 3. MURRAY CLEARWATER – COMMISSIONER EXPERIENCE

- 3.1 Sole Chair/Commissioner for the Taupo District Council Licensing Committee. 2013 to Present
- 3.2 One of four Chair/Commissioners and List Member for the Tauranga District Licensing Committee. 2013 to Present
- 3.3 One of two Chair/Commissioners and List Member for the Thames-Coromandel District Licensing Committee. 2015 to Present
- 3.4 One of three Chair/Commissioners and List Member for the Western Bay of Plenty District Licensing Committee 2016 to Present
- 3.5 Sole Chair/Commissioner and List Member for the South Waikato District Licensing Committee 2019 to Present
- 3.6 Sole Commissioner for the Whangarei District Licensing Committee. 2020 to Present
- 3.7 One of two Chair/Commissioners for the Far North District Licensing Committee 2023 to Present
- 3.8 Commissioner for Westland DLC 2023 to Present
- 3.9 Member for the Kaipara, Far North, and Whanganui District Licensing Committees
- 3.10 Has written over 25,000 decisions in these roles and has chaired numerous contested hearings.

**4. OPTIONS**

- 4.1 The options identified are:
- a. Council as per section 193 of the Sale and Supply of Alcohol Act 2012, appoint Murray Clearwater as the Commissioner of the Wairoa District Licensing Committee for a term of 5 years commencing 17 December 2024.
  - b. Do nothing
- 4.2 (a) – Appointing Murray Clearwater as the Commissioner of the Wairoa District Licensing Committee, will provide our DLC with a highly experienced Commissioner.
- 4.3 (b) - The non-appointment of the Wairoa District Licencing Commissioner will result in the District Council being unable to process Alcohol licencing applications or deal with other matters relating to alcohol licencing, as provided under the Act, until a District Licencing Committee is re-established.
- 4.4 The preferred option is (a), Council as per section 193 of the Sale and Supply of Alcohol Act 2012, appoint Murray Clearwater as the Commissioner of the Wairoa District Licensing Committee. This contributes to the following community outcomes

Cultural wellbeing	Economic wellbeing	Social Wellbeing	Environmental Wellbeing
Valued and cherished community.	Strong and prosperous economy.	Safe, supported and well-led community.	Protected and healthy environment

**5. CORPORATE CONSIDERATIONS****What is the change?**

- 5.1 This decision will appoint a new commissioner to the Wairoa DLC

**Compliance with legislation and Council Policy**

- 5.2 Complies with relevant legislation.
- 5.3 Relevant legislation – Sale and Supply of Alcohol Act 2012

**What are the key benefits?**

- 5.4 To enable the efficient regulation of matters relating to the sale and supply of alcohol to continue.
- 5.5 Appointing a Commissioner, particularly an experienced and out of town Commissioner helps to ensure that there are no conflicts of interest with any decisions issued by the Wairoa DLC.

**What is the cost?**

- 5.6 Costs covered by Alcohol Application Fees

**Māori Standing Committee**

- 5.7 This matter has not been referred to the Māori Standing Committee

**6. SIGNIFICANCE**

6.1 N/A

**7. RISK MANAGEMENT**

7.1 In accordance with the Council’s Risk Management Policy the inherent risks associated with this matter are: Medium.

Human	Financial	Regulatory
Low	Medium	Medium
Operations	Employees	Image & Reputation
Medium	Low	Medium

**Who has been consulted?**

Consultation is not required.

**References (to or from other Committees)**

CO20240409\_1902\_2532\_2 – Council Meeting – 9 April 2024 (District Licensing Committee Appointments

**Confirmation of statutory compliance**

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.





# WAIROA DISTRICT COUNCIL

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## Position Description

### Position:

District Licensing Committee Commissioner

### Reports to:

Wairoa District Council

## Purpose

The purpose of this position is to chair the Wairoa District Council District Licensing Committee (DLC) that will consider and determine applications made under the Sale and Supply of Alcohol Act 2012.

More particularly, the functions of the DLC are to:

- consider and determine licence applications, renewals, variations, suspensions and cancellations
- consider and determine new applications for and renewals of manager's certificates
- conduct inquiries and make reports to the Alcohol Regulatory and Licensing Authority (ARLA)

The Wairoa District Council has an appointed Commissioner to chair the DLC. The Council will maintain a list of DLC members from which members will be appointed to sit in accordance with terms of reference agreed by the Council.

The quorum necessary at a DLC meeting is three members, except for unopposed applications (for temporary authority, licences, managers' certificates, or renewals of these), where one member, who must be the commissioner, is required for quorum. When the commissioner considers the unopposed applications (on the papers) on his/her own, this is a meeting of the DLC.

The commissioner will be responsible for issuing written decisions for any matters heard by the DLC.

In its decision making, the DLC will have regard and, where applicable, give effect to the Wairoa District Council Local Alcohol Policy.

## Workload

The workload of the DLC will depend on the number of applications received and the number of these applications that are objected to by members of the public or where reporting agencies are in opposition.

The table below outlines the types and numbers of applications that have historically been lodged at Wairoa District Council:

Application	Considered by	No. apps received year 2023/2024
Manager's certificates - unopposed	Commissioner	37
- opposed (Hearing)	Full DLC	0
Licences - unopposed	Commissioner	7
- opposed (Hearing)	Full DLC	0
Special licences - unopposed	Commissioner	16
- opposed (Hearing)	Full DLC	0
Temporary Authorities - unopposed	Commissioner	0
- opposed (Hearing)	Full DLC	0

### Remuneration

As determined by the Minister of Justice in accordance with the Cabinet fees framework, the DLC Commissioner will receive remuneration at a rate of \$624.00 per day or \$78.00 per hour for part days. The DLC Commissioner will also be reimbursed for reasonable expenses incurred in the discharge of duties associated with the position in accordance with Council policy.

### Duration of appointment

The appointment will be from 11 December 2024 until 11 December 2029. The appointee may be reappointed for one or more further terms. A Commissioner may resign from office at any time by written notice to the relevant territorial authority. The territorial authority may at any time remove the Commissioner appointed to a DLC for inability to perform the functions of office, bankruptcy, neglect of duty, or misconduct, proved to the territorial authority's satisfaction.

### Person specification

A person can only be appointed as a Commissioner if that person is of good standing in the community and has the necessary knowledge, skills and experience relating to matters that are likely to come before the DLC.

Additionally, a person must not be a Commissioner if:

- a. the territorial authority believes that person has, directly or by virtue of his or her relationship with another person, such an involvement or appearance of involvement with the alcohol industry that he or she could not perform his or her duties without actual bias or the appearance of bias; or
- b. the person is a constable, a Medical Officer of Health, an inspector (Alcohol Licensing), or an employee of the territorial authority.

### Important functional relationships

#### *Internal*

Council staff  
DLC Secretary  
Other DLC members

#### *External*

Police  
Medical Officers of Health representatives  
Licensing inspector(s)  
Fire and Emergency NZ  
Alcohol Regulatory Licensing Authority representatives

### Competencies

<p><b>1: Experience relevant to alcohol licensing matters</b> Demonstrates knowledge of the Act, alcohol licensing matters and demonstrates active interest and ability to build new knowledge in this area. Demonstrates experience in the legal and regulatory alcohol environment</p>
<p><b>2: Understanding of alcohol related harm</b> Demonstrates knowledge of the Act and alcohol related harm and its impact on communities</p>
<p><b>3: Community knowledge</b> Demonstrates knowledge of the community and its expectations around licensing for which the DLC operates in. Has awareness and an understanding of the local alcohol policy</p>
<p><b>4: Quality decision-making</b> Draws on analysis, wisdom, and experience to make pragmatic unbiased decisions. Ability to solve difficult problems with effective solutions. Probes beyond stated situation to identify underlying issues while sorting fact from fiction. Has Commissioner experience and balanced assertiveness</p>
<p><b>5: Hearing experience</b> Demonstrates knowledge of the hearings process and demonstrates knowledge of the legislation and the application of it. Understands written decisions and can interpret case law.</p>
<p><b>6. Strong communication</b> Demonstrates effective written and oral communication skills and exercises confidentiality where necessary. Skills in questioning to confidently drill down to the issue. Facilitates good working relationships with other DLC members and offers constructive input. Writes clear and well thought out decisions.</p>
<p><b>7. Professional integrity</b> Always upholds professional integrity and applies rules and regulations in a consistent, non-biased manner. Demonstrates behaviours that are consistent with standards for professional and ethical conduct.</p>

**8.2 DRAFT MEETING SCHEDULE 2025**

**Author:** Frances Manase, Kaiurungi Mana Ārahi | Governance Officer

**Authoriser:** Juanita Savage, Pouwhakarae - Rātonga Hapori me te Whakawhanake |  
Group Manager Community Services & Development

**Appendices:** 1. DRAFT MEETING SCHEDULE 2025 [↓](#)

**PURPOSE**

1.1 This report seeks Council's approval for the Draft Schedule of Meetings for 2025.

**RECOMMENDATION**

The Kaiurungi Mana Ārahi | Governance Officer RECOMMENDS that Council receive the report and adopt the Draft Meeting Schedule for 2025 .

**BACKGROUND**

- 2.1 At the Ordinary Council meeting held 19 November 2025 a report was tabled in regard to the meeting schedule for the year 2025 for all Council and Council committees.
- 2.2 Council requested for Ordinary Council Meetings to remain at every four (4) weeks, Council Committee's will meet every six (6) weeks, and with a request that Te Rohe o Te Wairoa Reserves Board Matangirau meet quarterly.

<b>Ordinary Council and Council Forum Schedule 2025</b>	
<b>Council Forum: 10am – 12pm</b>	<b>Ordinary Council: 1:30pm – 3:30pm</b>
<b>Meeting Date</b>	<b>Reports Due</b>
February 4 <sup>th</sup> 2025	January 28 <sup>th</sup> 2025
March 4 <sup>th</sup> 2025	February 25 <sup>th</sup> 2025
April 1 <sup>st</sup> 2025	March 25 <sup>th</sup> 2025
April 29 <sup>th</sup> 2025	April 22 <sup>nd</sup> 2025
May 27 <sup>th</sup> 2025	May 20 <sup>th</sup> 2025
June 24 <sup>th</sup> 2025	June 17 <sup>th</sup> 2025
July 22 <sup>nd</sup> 2025	July 15 <sup>th</sup> 2025
August 19 <sup>th</sup> 2025	August 12 <sup>th</sup> 2025
September 16 <sup>th</sup> 2025	September 9 <sup>th</sup> 2025
October 14 <sup>th</sup> 2025	October 7 <sup>th</sup> 2025
November 11 <sup>th</sup> 2025	November 4 <sup>th</sup> 2025
December 9 <sup>th</sup> 2025	December 2 <sup>nd</sup> 2025

<b>Finance, Assurance, and Risk Committee Schedule 2025</b>	
<b>1:30pm – 3:30pm</b>	
<b>Meeting Date</b>	<b>Reports Due</b>
February 11 <sup>th</sup> 2025	February 4 <sup>th</sup> 2025
March 25 <sup>th</sup> 2025	March 18 <sup>th</sup> 2025
May 6 <sup>th</sup> 2025	April 29 <sup>th</sup> 2025
June 17 <sup>th</sup> 2025	June 10 <sup>th</sup> 2025
July 29 <sup>th</sup> 2025	July 22 <sup>nd</sup> 2025
August 26 <sup>th</sup> 2025	August 19 <sup>th</sup> 2025
October 21 <sup>st</sup> 2025	October 14 <sup>th</sup> 2025
December 2 <sup>nd</sup> 2025	November 25 <sup>th</sup> 2025

<b>Te Rohe o Te Wairoa Reserves Board Matangirau Schedule 2025</b>	
<b>1pm – 2pm</b>	
<b>Meeting Date</b>	<b>Reports Due</b>
February 18 <sup>th</sup> 2025	February 11 <sup>th</sup> 2025
May 20 <sup>th</sup> 2025	May 13 <sup>th</sup> 2025
August 19 <sup>th</sup> 2025	August 12 <sup>th</sup> 2025
November 18 <sup>th</sup> 2025	November 11 <sup>th</sup> 2025

<b>Strategy, Wellbeing, and Economic Development Schedule 2025</b>	
<b>10am-12pm</b>	
<b>Meeting Date</b>	<b>Reports Due</b>
February 18 <sup>th</sup> 2025	February 11 <sup>th</sup> 2025
April 1 <sup>st</sup> 2025	March 25 <sup>th</sup> 2025
May 13 <sup>th</sup> 2025	May 6 <sup>th</sup> 2025
June 24 <sup>th</sup> 2025	June 17 <sup>th</sup> 2025
August 5 <sup>th</sup> 2025	July 29 <sup>th</sup> 2025
September 16 <sup>th</sup> 2025	September 9 <sup>th</sup> 2025
October 28 <sup>th</sup> 2025	October 21 <sup>st</sup> 2025

December 9 <sup>th</sup> 2025	December 2 <sup>nd</sup> 2025
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<b>Infrastructure and Regulatory Committee Schedule 2025</b> 10am-12pm	
<b>Meeting Date</b>	<b>Reports Due</b>
February 25 <sup>th</sup> 2025	February 18 <sup>th</sup> 2025
April 8 <sup>th</sup> 2025	April 1 <sup>st</sup> 2025
May 20 <sup>th</sup> 2025	May 13 <sup>th</sup> 2025
July 1 <sup>st</sup> 2025	June 24 <sup>th</sup> 2025
August 12 <sup>th</sup> 2025	August 5 <sup>th</sup> 2025
September 23 <sup>rd</sup> 2025	September 16 <sup>th</sup> 2025
November 4 <sup>th</sup> 2025	October 28 <sup>th</sup> 2025
December 16 <sup>th</sup> 2025	December 9 <sup>th</sup> 2025

<b>Māori Standing Committee Schedule 2025</b> 10am-12pm	
<b>Meeting Date</b>	<b>Reports Due</b>
March 4 <sup>th</sup> 2025	February 25 <sup>th</sup> 2025
April 15 <sup>th</sup> 2025	April 8 <sup>th</sup> 2025
May 27 <sup>th</sup> 2025	May 20 <sup>th</sup> 2025
July 8 <sup>th</sup> 2025	July 1 <sup>st</sup> 2025
August 19 <sup>th</sup> 2025	August 12 <sup>th</sup> 2025
September 30 <sup>th</sup> 2025	September 23 <sup>rd</sup> 2025
November 11 <sup>th</sup> 2025	November 4 <sup>th</sup> 2025

<b>Youth Council Schedule 2025</b> 3:30pm-5:30pm	
<b>Meeting Date</b>	<b>Reports Due</b>
March 11 <sup>th</sup> 2025	February 4 <sup>th</sup> 2025
April 22 <sup>nd</sup> 2025	April 15 <sup>th</sup> 2025
June 3 <sup>rd</sup> 2025	May 27 <sup>th</sup> 2025
July 15 <sup>th</sup> 2025	July 8 <sup>th</sup> 2025
August 26 <sup>th</sup> 2025	August 19 <sup>th</sup> 2025
October 7 <sup>th</sup> 2025	September 30 <sup>th</sup> 2025
November 18 <sup>th</sup> 2025	November 11 <sup>th</sup> 2025

**8.3 INSURANCE RENEWALS FOR THE YEAR ENDING 31 OCTOBER 2025**

**Author:** Gary Borg, Pouwhakarae – Pūtea / Tautāwhi Rangapū Group Manager  
Finance and Corporate Support

**Authoriser:** Kitea Tipuna, Tumu Whakarae Chief Executive

**Appendices:** Nil

**1. PURPOSE**

- 1.1 The purpose of this report is to seek Council's approval to purchase material damage insurance for the year ending 31 October 2025.

**RECOMMENDATION**

The Group Manager Finance and Corporate Support RECOMMENDS that Council approves expenditure of up to \$575,070.61 for material damage insurance premiums for the year ending 31 October 2025.

**EXECUTIVE SUMMARY****2. BACKGROUND**

- 2.1 This matter is referred to Council because the financial commitment proposed exceeds officer delegation.
- 2.2 Council participates in insurance renewal negotiations with the Hawke's Bay 5 Councils Shared Services Group via collective tender with MWLASS and BOPLASS.
- 2.3 Council is currently a member of the Local Authority Protection Programme (LAPP), which covers seismic risk to underground infrastructure. Membership was renewed in November 2024, with \$100 million of network assets covered with a contribution of \$138,196. This was approved by Council at its meeting on 24 September 2024.
- 2.4 The following policies and services covered by this matter were close to budget and have been committed. Due to the nature of the risks these cover, there is limited scope to cancel or resize.

Item	Premium \$	
	2023	2024
Travel	93	289
Motor Vehicle	12,130	10,232
Crime	12,250	12,693
Employers	1,534	1,554
Personal Accident	953	2,845
Statutory Liability	9,165	10,095
Hall Hirers	808	Not renewed
Airport Operator	1,575	1,920
Environmental Liability	1,503	1,503

Item	Premium \$	
	2023	2024
Public Liability / Professional Indemnity	59,009	64,230
<b>TOTAL</b>	<b>101,043</b>	<b>103,858</b>

2.5 At the time of writing renewal terms have secured for the material damage & business interruption policy. This is quoted at \$575,071, which is a 9% increase on the \$529,621 last year. This indicates a flattening out of the market after several years of increases of around 25%.

**3. OPTIONS**

- 3.1 Accept renewal terms as quoted.
- 3.2 Reduce asset coverage such that insurance expense reduces.
- 3.3 Do not reinsure.
- 3.4 Under option 3.1, existing coverage would continue for all identified assets.
- 3.5 To invoke option 3.2 Council may wish to the assets schedule and conduct further investigation into their strategic significance and risk profiles. Arguably this would be more aligned to an update of the corresponding activity management plans, otherwise the cost of a review might outweigh the benefit.
- 3.6 Council has a total value of \$161 million of assets insured under its MDBI policy. This is significantly in excess of Council’s borrowing capacity should the maximum loss be suffered.
- 3.7 The preferred option is 3.1 3.1 *Accept renewal terms as quoted*, this contributes to the following community outcomes:

Cultural wellbeing	Economic wellbeing	Social Wellbeing	Environmental Wellbeing
Valued and cherished community.	Strong and prosperous economy.	Safe, supported and well-led community.	Protected and healthy environment

**4. CORPORATE CONSIDERATIONS**

**What is the change?**

- 4.1 This is a business-as-usual decision.

**Compliance with legislation and Council Policy**

- 4.2 The proposed expenditure is within budget.
- 4.3 Placing insurance is consistent with Council’s Risk Management Policy

**What are the key benefits?**

4.4 The policies provide Council with financial protection against unforeseen adverse events

**What is the cost?**

4.5 The total cost for all insurances coverage for the year is \$782,576, plus an amount of \$55,959 relating to the following year. The total budget for the year ending 30 June 2025 is \$783,810.

**What is the saving?**

4.6 The prepayment for an extended period noted in 4.5 has contributed to the more modest price increase.

**Service delivery review**

4.7 Not applicable

**Māori Standing Committee**

4.8 This kaupapa has no particular cultural implications

**5. SIGNIFICANCE**

5.1 As part of normal operations this matter is assessed as being of low significance.

**6. RISK MANAGEMENT**

6.1 In accordance with the Council’s Risk Management Policy the inherent risks associated with this matter are:

Human	Financial	Regulatory
Low	High	Considerable
Operations	Employees	Image & Reputation
Low	Low	Considerable

**Who has been consulted?**

As an operational matter no consultation is necessary.

**References (to or from other Committees)**

This matter is generally considered at least annually by Council.

**Confirmation of statutory compliance**

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,



- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

## 8.4 BYLAW REVIEW UPDATE

**Author:** Michael West, Business Analyst

**Authoriser:** Gary Borg, Pouwhakarae - Putea Tautawhi Rangapu | Group Manager Finance and Corporate Support

**Appendices:** Nil

### 1. PURPOSE

- 1.1 This report provides an update for Council on the ongoing review of Wairoa District Council Bylaws. No decisions are required by Council at this stage.

### RECOMMENDATION

The Kaitātari Pakihi, Business Analyst RECOMMENDS that Council receive the report.

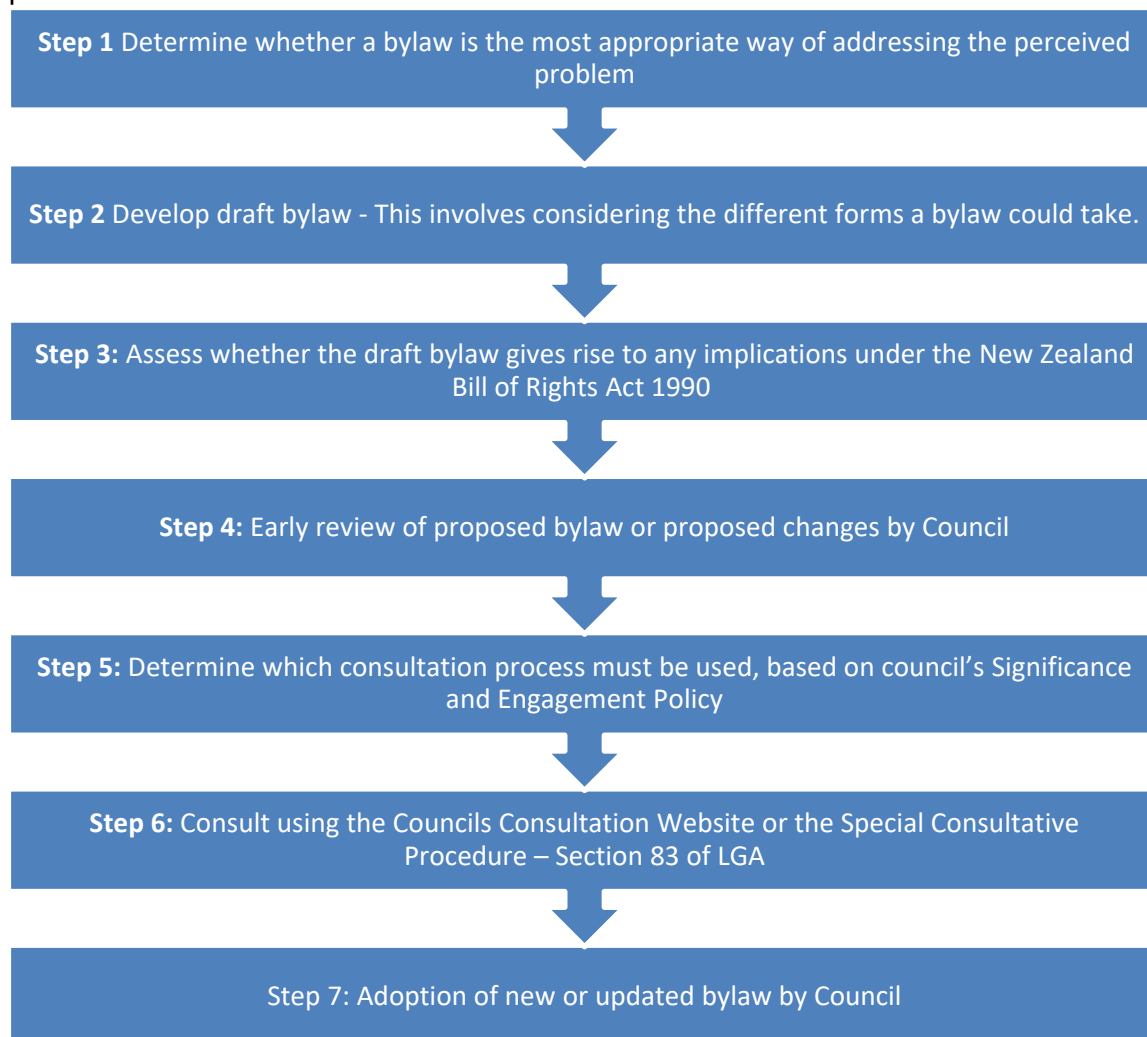
### 2. BACKGROUND

- 2.1 Several Council Bylaws have not been reviewed for some time. A bylaw review programme is underway. This paper provides an update on the status of that programme.
- 2.2 Bylaws currently under review are the Water Supply Bylaw, Dog Control Bylaw, and the Public Safety Bylaw. Each are discussed below.
- 2.3 2025 will see several bylaws going through the public consultation process as is required by the Local Government Act 2022. The council consultation website <https://consultations.wairoadc.govt.nz> will be used to collect public feedback on proposed changes.
- 2.4 Revised bylaws and collated feedback will come to council for final review and approval following each consultation.

### 3. BYLAW REVIEW PROCESS

- 3.1 The process map below shows the bylaw review process used for the 3 bylaws noted in this paper. As can be seen below the review process will follow a number of steps and ensure elected members are provided with drafts of changes to bylaws throughout the

process.



#### 4. DOG CONTROL BYLAW

- 4.1 The Dog Control Bylaw is currently being reviewed to ensure it matches the updated Dog Control policy as well as the Dog Pound Compliance Upgrade Project as set out in the Long-Term Plan.
- 4.2 The Dog Control Policy and associated Bylaw have been reviewed by Council Staff and are currently under review by Management. It is expected the draft bylaw will come to Council for review in early 2025.
- 4.3 Following review by Council a public consultation process will occur as is required by the Local Government Act 2022, this will occur in early 2025.

#### 5. WATER SUPPLY BYLAW

- 5.1 The Water Supply Bylaw is currently under review by Council staff driven in part by the need to strengthen the ability for council officers to implement Water Restrictions across the district when required.
- 5.2 Changes to the Water Supply Bylaw are currently being drafted, it is expected Council will receive this bylaw for review after the Dog Control Bylaw. See the table of bylaws for review in section 7 of this paper.

**6. PUBLIC SAFETY BYLAW**

- 6.1 The Public Safety Bylaw has also undergone a review due to updates to the Dog Control bylaw and ensuring the legislative platform is in place to carry out the refresh of the Wairoa Central Business District as proposed in the Long-Term Plan 2024-27.
- 6.2 It is proposed to split the current Public Safety Bylaw into three separate bylaws – Alcohol Control, Public Safety and Animal Control.
- 6.3 Splitting this bylaw into three parts will allow for better enforcement of areas of the bylaw and provide an easier understanding of aspects of the bylaw.

**7. BYLAW REVIEW LIST**

7.1 The table below shows the list of current bylaws and where they currently are in the review cycle. It is expected that all bylaws will be reviewed in 2025 to determine what changes if any are required.

7.2 If bylaw changes are required, then the process set out in section 3 will be followed.

<b>Bylaw Name</b>	<b>Current Review Status</b>	<b>When Council can expect Changes to review</b>
Dog Control Bylaw	Draft being reviewed by Management	February 2025
Water Supply Bylaw	Currently being Drafted	March 2025
Public Safety Bylaw	Draft being reviewed by Management	March 2025
Land Transport Bylaw	Not started	May 2025
Trade Waste Bylaw	Not started	May 2025
Cemeteries Bylaw	Not started	August 2025
Urban Fire Prevention Bylaw	Not started	August 2025
Freedom Camping Bylaw	Not started	November 2025
Stormwater Bylaw	Not started	November 2025
Wastewater Bylaw	Not started	December 2025
Introductory Bylaw	Not started	December 2025

**8.5 CONTRACTS AWARDED VIA TENDER EVALUATION PANEL**

**Author:** Mike Hardie, Pouwhakarae - Hua Pumau | Group Manager Assets & Infrastructure

**Authoriser:** Kitea Tipuna, Tumu Whakarae Chief Executive

**Appendices:** Nil

**1. PURPOSE**

- 1.1 This report provides information for Council on contracts that have been awarded via the Tender Evaluation Panel, as per Delegations Manual and agreed processes. No decisions are required by Council at this stage.

**RECOMMENDATION**

The Pouwhakarae - Hua Pumau | Group Manager Assets & Infrastructure RECOMMENDS that Council receive the report.

**2. BACKGROUND**

- 2.1 As per the Delegations Manual and agreed processes outlined in an approved paper to Council (see references below), there is a requirement that all contracts awarded via the Tender Evaluation Panel be tabled at council to be received as part of public record.
- 2.2 The Tender Evaluation Panel is made up of
- 2.2.1. His Worship the Mayor
  - 2.2.2. Chief Executive
  - 2.2.3. Chair of Infrastructure & Regulatory Committee
  - 2.2.4. Independent member of the Infrastructure Committee

**3. CONTRACTS AWARDED VIA TENDER EVALUATION PANEL**

- 3.1 The following are contracts that have been awarded via the Tender Evaluation Panel process, up to December 2024:

Contract #	Contract Name	Successful Tenderer	Contract Amount
21/06	Flood Damage Repairs Waikaremoana Ruakituri Package 3	QRS	\$1,007,264.72
21/07	Cleaning of Rural Public Toilets	Morere Cleaning Services	\$271,980.03
21/10	Structural Bridge Repairs 2021	Downer NZ Ltd	\$172,776.13
22/04	Structural Bridge Repairs 2022/2023	QRS	\$907,462.13

23/07	Mahia Playground Upgrade	Playground People	\$224,710.00
23/08	Standring Park Netball Court Resurfacing Work	Kiwi Courts	\$140,000.00
23/10	Structural Bridge Repairs	Ritchies Civil	\$488,580.63
23/11	Blacks Beach Revetment	Prydes Contracting	\$1,201,042.50
23/12	Bridge Improvements	Ritchies Civil	\$506,668.27
24/07	Wairoa River Reserve Restoration	QRS	\$1,050,115.05
TIF – Oraka Toilets	Oraka Toilets Upgrade	QRS/Permaloo	\$313,063
Winters Building	Construction	Steads	\$2,050,541.74
Winters Building	Demolition	Demolition One	\$205,000

### Further Information

Delegations Manual

### References (to or from other Committees)

For context:

Council, 19 October 2021, Tender Evaluation Procedure – Implementation of Tender Review Panel

**QRS DIRECTORS FEES REVIEW 2024-25**

**Author:** Gary Borg, Pouwhakarae - Putea / Tautawhi Rangapu Group Manager  
Finance and Corporate Support

**Authoriser:** Kitea Tipuna, Tumu Whakarae Chief Executive Fergus Power, Chief Executive Officer

**Appendices:** 1. [Appointment and Remuneration of Directors Policy](#) [↓](#)  
2. [Directors' fee Review Report](#) [↓](#)

**1. PURPOSE**

1.1 The purpose of this report is to address a proposed increase in QRS Directors' Fees.

**RECOMMENDATION**

The Group Manager: Finance and Corporate Support RECOMMENDS that Council approves a total pool for QRS Directors' Fees of \$170,214 per annum for the year ending 30 June 2025, with the distribution of the pool to be agreed by the board.

**2. BACKGROUND**

- 2.1 This report is part of the annual process of planning and review between Council and its CCTO, conducted in accordance with Council's Appointment and Remuneration Policy for Directors, attached as **Appendix 1**.
- 2.2 The directors have undertaken a review of Board remuneration across relevant sectors, and presented a report that contemplates three options. This report is attached as **Appendix 2**.
- 2.3 The report recommends a CPI based increase, at a similar rate to the increase for elected members as recently advised by the Remuneration Authority.

**3. OPTIONS**

- 3.1 The options identified are:
- Approve the recommended increase in Directors' Fees
  - Approve a different amount for Directors' Fees.
  - Do nothing
- 3.2 Under option c *Do nothing*, the existing fee structure would remain. This may be detrimental to the inter-entity relationship considering the performance of the company in recent years. It would avoid a minor increase in the operating costs of Council's CCO.
- 3.3 Under option b, Council may wish to consider whether all the drivers relating to elected members' remuneration apply in the same way to Directors' Fees.
- 3.4 The preferred option is a) *Approve the recommended increase in Directors' Fees*, this contributes to the following community outcomes:

<b>Economic wellbeing</b>	<b>Social and Cultural Wellbeing</b>	<b>Environmental Wellbeing</b>
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<p>1. A strong, prosperous and thriving economy.</p> <p>2. A safe and integrated infrastructure.</p>	<p>6. Strong district leadership and a sense of belonging</p>	
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**4. CORPORATE CONSIDERATIONS**

**What is the change?**

4.1 There will be no process or policy changes in Council from this decision.

**Compliance with legislation and Council Policy**

4.2 The matter has been presented in a manner consistent with Council’s policy on Appointment And Remuneration Policy For Directors Of Council Controlled Organisations

**What are the key benefits?**

4.3 Supporting effective governance of a strategic investment for Council.

**What is the cost?**

4.4 There is no cost implication for Council budget. Directors’ fees are paid as an operating expense of the company. Council may be interested to understand the trade-offs involved.

**What is the saving?**

4.5 Not applicable.

**Who has been consulted?**

4.6 No consultation is required on this matter.

**Service delivery review**

4.7 This does not directly impact on Council Service Delivery.

**Māori Standing Committee**

4.8 This has not been submitted to the MSC as there are no particular cultural implications.

**5. SIGNIFICANCE**

5.1 This decision does not trigger any of the significance and engagement key areas.

**6. RISK MANAGEMENT**

6.1 In accordance with the Council’s Risk Management Policy the inherent risks associated with this matter are:

Human	Financial	Regulatory
Low	Low	Low
Operations	Employees	Image & Reputation

Low	Low	Considerable
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6.2 The main risk associated with this decision is the potential for disruption to the currently healthy relationship between governance entities.

### Background Papers

The Council's policy is at: <https://www.wairoadc.govt.nz/assets/Document-Library/Policies/Directors-Policy-2019-Final-for-web.pdf>.

### References (to or from other Committees)

This matter is routinely reviewed by Council.

### Confirmation of statutory compliance

In accordance with section 76 of the Local Government Act 2002, this report is approved as:

- a. containing sufficient information about the options and their benefits and costs, bearing in mind the significance of the decisions; and,
- b. is based on adequate knowledge about, and adequate consideration of, the views and preferences of affected and interested parties bearing in mind the significance of the decision.

# TE KAUPAPA HERE MŌ TE KŌWHIRINGA ME TE UTUNGA KI NGĀ KAIWHAKAHAERE O NGĀ WHAKAHAERE-Ā-KAUNIHERA APPOINTMENT AND REMUNERATION POLICY FOR DIRECTORS OF COUNCIL CONTROLLED ORGANISATIONS

<b>CATEGORY:</b>	Office of the Chief Executive	<b>STATUS:</b>	Final
<b>DATE POLICY ADOPTED:</b>	11 February 2020	<b>APPROVAL BY:</b>	Council
<b>REVIEW PERIOD:</b>	5 years	<b>NEXT REVIEW DUE BY:</b>	2025
<b>DATE PREVIOUSLY ADOPTED:</b>	19 March 2019	<b>REVISION NUMBER:</b>	4

## PURPOSE

In accordance with section 57(1) of the Local Government Act 2002, the purpose of this policy is to set out the process for the appointment/reappointment of directors to Wairoa District's Council Controlled Organisations (CCOs). This policy also defines the skills required of directors and their remuneration.

## BACKGROUND

*Section 57 of the Local Government Act 2002:*

*“(1) A local authority must adopt a policy that sets out an objective and transparent process for—*

*(a) the identification and consideration of the skills, knowledge, and experience required of directors of a council organisation; and*

*(b) the appointment of directors to a council organisation; and*

*(c) the remuneration of directors of a council organisation.*

*(2) A local authority may appoint a person to be a director of a council organisation only if the person has, in the opinion of the local authority, the skills, knowledge, or experience to—*

- (a) guide the organisation, given the nature and scope of its activities; and*
- (b) contribute to the achievement of the objectives of the organisation.”*

*(3) When identifying the skills, knowledge, and experience required of directors of a council-controlled organisation, the local authority must consider whether knowledge of tikanga Māori may be relevant to the governance of that council-controlled organisation.*

This policy is subject to review every 5 years and in addition it may be reviewed by the Finance, Audit & Risk Committee, Council, or relevant committee at any time.

## **SKILLS, KNOWLEDGE, AND EXPERIENCE REQUIRED OF DIRECTORS**

All directors are expected to meet a number of core competencies as well as relevant industry or other technical/specialist skills required for that board.

When identifying the skills, knowledge, and experience required of directors of a CCO, Council will consider whether knowledge of tikanga Māori may be relevant to the governance of that CCO.

## **CORE COMPETENCIES**

The core competencies expected of all directors are:

- The ability to think strategically
- Public service ethos and awareness of a public media profile
- An understanding and commitment to Council’s obligation to Te Tiriti o Waitangi and the working together principles outlined in Council’s Maori Policy
- Clear communication and an ability to debate in a reasoned manner
- An understanding of the wider interests of the publicly accountable shareholder
- Commercial acumen
- Sound judgement and decision-making
- A high standard of personal integrity
- Commitment to the principles of good corporate citizenship
- Risk assessment and contingency management
- Effective teamwork and collaboration.

## **ELIGIBILITY FOR APPOINTMENT COUNCIL OFFICERS**

Under this policy, council officers are ineligible to serve as a director on CCOs.

Any director applying for employment with the council should resign from the board immediately following an offer of appointment.

### **CCO STAFF**

Board members should be independent from management and should not hold executive positions in the CCO.

In the event that a board decides that one of its members should fill a vacancy in the executive team, the board member must first resign from their position on the board.

### **CONFLICTS OF INTEREST OF CANDIDATES**

Prior to being interviewed for a position on a board, an applicant will be required to declare formally any potential conflicts of interest. In making appointments to boards, Council will take into consideration an applicant's existing directorships, and any other sources of potential conflicts of interest.

Further guidance for directors as it relates to conflicts of interests can be found in the relevant CCOs constitution and sections 139 to 149 of the Companies Act 1993.

### **APPOINTMENT OF DIRECTORS**

The Council is responsible for the appointment of board members to CCOs. The Finance, Audit and Risk Committee are responsible for monitoring the financial and non-financial performance and governance of CCOs.

### **TERMS OF APPOINTMENT**

Directors are to serve a maximum of two terms, with the option of further reappointment possible where appropriate. To reflect current national and international best practice, Wairoa District Council's policy regarding board tenure is as follows:

- Tenure of three years – directors shall hold office for a term of up to 3 years from the date of his/her appointment. This may be varied at Council's discretion in order to reflect a board's succession plan.
- Expiry of tenure – upon expiry of their first term, the directors retire from the board and, subject to the directors' performance and skills continuing to be relevant to the board, may be eligible for reappointment
- Reappointment – a director who is retiring from their first term, deemed eligible for reappointment and who wishes to stand, may, at the sole discretion of the council (by ordinary resolution), be reappointed for a second term of up to three years.
- Tenure exceeding two consecutive terms – for circumstances where there are good reason/s for extension, a director retiring from a second term may be reappointed for a further term. Each case will be considered on its own merits and is at the sole discretion of the council.

Types of circumstances include (but are not limited to):

- The board member has a particular skill that would be hard to replace

- The board has undergone substantial change and stability is needed
- The director has institutional knowledge not held by other directors
- A director is a likely successor as chair

Where possible, terms will commence in June, and appointments are staggered so that one board member is rotated each year. Staggering appointments to the boards ensures there is an appropriate level of institutional knowledge retained on each board, which in turn provides for continuity in the management of CCOs.

## **APPOINTMENT PROCESS**

### **REAPPOINTMENTS**

Where a director's term of appointment has expired and he/she would like to be considered for reappointment, the Council may offer a further term following consideration of the performance of the director and the needs of the board as a whole. Factors to be considered include:

- The views of the board Chair
- Whether the current board skill composition is appropriate (including whether knowledge of tikanga Māori may be relevant to the governance of the CCO)
- Whether any aspects of board performance need to be addressed
- Whether the process offers an opportunity for increasing board diversity
- Whether the retiring director is a potential candidate for future Chair, or alternatively whether there is a need to recruit a director as a future successor to the Chair
- Alignment of the CCO board with the Council's strategic goals, plans and strategies

Directors should not be given any expectation that they will be offered a subsequent term of office.

After Council approval, the successful applicant/s will then be offered a letter of appointment.

Public announcement of the appointment will be made as soon as practicable after the Council has made its decision and the letter of appointment signed by the applicant.

### **NEW APPOINTMENTS**

Once a vacancy has been established, the interview panel will identify the skills, knowledge and experience required for the position (including whether knowledge of tikanga Māori may be relevant to the governance of the CCO), in conjunction with the CCO chair. This may involve discussions with the Chair and consideration of the results of board performance reviews and composition on the board.

The position will be advertised and a complete list of applicants will be compiled. This list will then be screened by the Mayor and Council's CEO or their agent to ensure that the applicants have the required core competencies. The interview panel or their agent, in conjunction with relevant staff, will prepare a recommended short list of applicants for consideration by Council.

Council will then select applicants to interview; these interviews will be undertaken by an interview panel comprised of:

- CEO of Wairoa District Council (or representative)
- His/Her Worship the Mayor of Wairoa District Council
- Chair of the relevant CCO board
- Chair of the Infrastructure Committee (or representative)

The interview panel will assess candidates against the required skills, knowledge and experience. They will then recommend their preferred candidates to the Council for approval.

After Council approval, the successful applicant/s will then be offered a letter of appointment.

Public announcement of the appointment will be made as soon as practicable after the Council has made its decision and the letter of appointment signed by the applicant.

## **REMOVAL OF DIRECTORS**

The office of a director is vacated through retirement, resignation, disqualification<sup>1</sup>, or removal, and is required by Council resolution.

Without limiting the right of the Council, the following are likely reasons for Council to remove a director, where that director:

- Is regularly absent from board meetings without good justification
- No longer has the confidence of the board or the Council
- Has breached ethical standards and this reflects badly on the board and/or Council
- Does not act in the best interests of the organisation
- Breaches the confidence of the board in any way, including speaking publicly on board issues without the authority of the board, or
- Does not act in accordance with the principles of collective responsibility.

Where the board has concerns regarding the behaviour of one of its members it should be considered by the board in the first instance and, where necessary, the board may recommend the removal of the director to the Council.

<sup>1</sup> The Companies Act provides a list of those persons who are disqualified from being appointed or holding office as a director of a company (e.g. a person who is an undischarged bankrupt). See section 151(2) for further information

Directors who stand as a candidate in a local body or general election should advise the Chair of their board immediately. The Chair then need to advise the Council's Chief Executive Officer as soon as any directors of their board stand for political office.

Any director standing for political office must stand down from their position from nomination day until the election results are notified. This measure aims to ensure that governance of the CCO is not distracted by the director's election activity, and to prevent the possibility of any conflicts of interest – real or perceived.

## **REMUNERATION**

Directors' fees will compensate directors fully for their normal contribution to the board, including attending board and Council/Committee meetings, meeting preparation, stakeholder management, and any other agreed tasks. These fees will reflect the element of public service in serving on the board of a CCO and will accordingly be set at or below the average for comparable private sector entities.

Annually, prior to the CCO's Annual General Meeting, the Council will approve a pool to be distributed by the board. Fees are to be met from the CCO's own resources.

The directors' remuneration pool will be reviewed by the Finance Audit & Risk Committee once per triennium following council elections. A full review will be conducted and will include benchmarking against comparative entities. The review will consider market movement and any recommendations resulting from this review will be taken to Council.





Quality Roding & Services (Wairoa) Ltd  
 Kaimoana Road, Wairoa 4108  
 PO Box 83 Wairoa 4160  
 Phone: 06 838 9030  
 www.qrs.co.nz

13 November 2024

Wairoa District Council PO  
 Box 54  
 Wairoa

Attention: Craig Little  
 CC: Philip Jones

Dear Craig

The QRS board have recently independently reviewed the directors' fees paid to board members of QRS. We have performed this review using the Institute of Directors 2024-25 Fees Snapshot report

The current remuneration pool for QRS directors is \$162,884. The pool allocation is determined by the directors as per WDC policy.

The board has reviewed three options during this process:

1. A cost-of-living increase of 4.5%
2. An increase that aligns the pool with the median quartile of comparable entities
3. A pro-rata pool aligning with Councillor remuneration as discussed at the QRS AGM in October 2024.

**Industry comparison**

The Wairoa District Council Appointment and Remuneration Policy for Directors CCO states that the directors fee pool will be set at or below the average for comparable private sector entities. The IoD report shows the averages of the lower, median and upper quartiles of comparable entities below.

*Director's remuneration*

	New Zealand Owned	Council controlled organisation	Unlisted (private) company	Construction	Revenue 47m (20.1 - 50m)	Assets 22.2m (20.1 - 50m)	Shareholders funds 11.8m (10.1 - 20m)	Headcount 127 (100 - 199)	Average of quartiles	Quality Roding and Services
Lower quartile	\$30,000	\$27,937	\$35,000	\$36,750	\$30,000	\$26,250	\$24,000	\$38,000	\$30,992	\$30,430
Median quartile	\$46,000	\$40,850	\$48,000	\$49,000	\$36,000	\$38,000	\$37,163	\$45,765	\$42,597	
Upper quartile	\$73,812	\$54,000	\$64,000	\$60,000	\$46,250	\$50,000	\$48,400	\$57,899	\$56,795	

*Chair remuneration*

	New Zealand Owned	Council controlled organisation	Unlisted (private) company	Construction	Revenue 47m (20.1 - 50m)	Assets 22.2m (20.1 - 50m)	Shareholders funds 11.8m (10.1 - 20m)	Headcount 127 (100 - 199)	Average of quartiles	Quality Roding and Services
Lower quartile	\$41,540	\$41,540	\$46,500	\$48,657	\$45,000	\$42,900	\$43,200	\$70,000	\$47,417	\$50,515
Median quartile	\$60,000	\$70,000	\$66,000	\$70,000	\$67,300	\$70,000	\$60,000	\$82,500	\$68,225	
Upper quartile	\$80,000	\$98,000	\$86,818	\$89,000	\$75,000	\$77,625	\$75,000	\$102,650	\$85,513	

The report also highlighted the movements in directors' remuneration over the last twelve months by various categories relevant to QRS:-

#### Other relevant fee movement data

OUR FEE DATA USES THE ANZSIC (AUSTRALIAN AND NEW ZEALAND STANDARD INDUSTRIAL CLASSIFICATION) GROUPS

FEE CATEGORY	12 MONTH FEE MOVEMENT
Council controlled organisation	+ 7.1%
Unlisted(private) company	+ 9.0%
Construction	+ 12.8%
Revenue 47m (20.1 – 50m)	+ 5.7%

#### Remuneration increase options

##### Option One: Cost of living increase

This option applies a standard 4.5% increase to the director's remuneration pool (in line with QRS staff). The total increase in cost is \$7,330. This proposed increase is lower than the average fees movement outlined above.

	Current allocation	Proposed	Increase to pool
Director's pool	162,884	170,214	7,330

##### Option Two: Remuneration is set at the median average for comparable private sector entities

As per policy, this option looks to align director remuneration with the average director fee for comparable private sectors. The median quartile fee has been used to calculate this increase.

This increase amounts to an increase of 20% to the remuneration pool.

	Current allocation	Proposed	Increase to pool
Director's pool	162,884	196,016	33,132

##### Option Three: Pro-rata pool determined by Councilor's remuneration

Conversations at the recent AGM spoke to a pro-rata pool determined by Councilor remuneration. According to the *Local Government Members (2024/25) Determination 2024*, the applicable remuneration pool would be **\$230,584** (based on Wairoa's total remuneration pool applying from 1 July 2024. Per the determination, this pool excludes the Mayor).

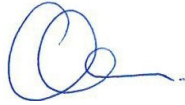
This proposes an increase to the remuneration pool of 41.5%.

	Current allocation	Proposed	Increase to pool
Director's pool	162,884	230,584	67,700

**Policy**

We note that the WDC policy states that a remuneration pool will be approved by the Council annually prior to the QRS annual general meeting and reviewed by the WDC FARC triennially. We request that this process is implemented moving forward.

***The QRS board of directors recommend that Council adopt option one and formally approve a directors remuneration pool of \$170,214 for the period 1 July 2024 – 30 June 2025 to be allocated by QRS directors as they see fit.***



Guy Gaddum  
Chairman



## 9 PUBLIC EXCLUDED ITEMS

## RESOLUTION TO EXCLUDE THE PUBLIC

**RECOMMENDATION**

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>10.1 - DESIGN APPROVAL - WAIROA ISITE COURTYARD</b>	s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities  s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.2 - Confirmation of external funding</b>	s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest  s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>10.3 - Solid waste programme - confirmation of external funding</b>	s7(2)(c)(ii) - the withholding of the information is necessary to protect information which is subject to an obligation of	s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the

	<p>confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest</p> <p>s7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</p>	<p>disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>
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