



## Notice of Meeting

A meeting of the Tararua District Council will be held in the Pahiatua Council Chamber, 136 Main Street, Pahiatua on **Wednesday 12 November 2025** commencing at **9:30am**.

Malcolm Alexander  
Chief Executive

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## Agenda

**1. Welcome and Meeting Opening**

**2. Council Prayer**

**3. Declaration by Member**

*"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 Tararua District, the powers, authorities and duties vested in, or imposed upon me as Member of the Tararua District Council by virtue of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, or any other Act."*

**4. Apologies**

**5. Public Forum**

A period of up to 30 minutes shall be set aside for a public forum. Each speaker during the public forum section of a meeting may speak for up to five minutes.

Standing Orders may be suspended on a vote of three-quarters of those present to extend the period of public participation or the period any speaker is allowed to speak.

With the permission of the Chairperson, members may ask questions of speakers during the period reserved for public forum. If permitted by the Chairperson, questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

## **6. Notification of Items Not on the Agenda**

Major items not on the agenda may be dealt with at this meeting if so resolved by the Council and the Chairperson explains at the meeting at a time when it is open to the public the reason why the item was not listed on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting.

Minor matters not on the agenda relating to the general business of the Council may be discussed if the Chairperson explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at that meeting, but no resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting.

## **7. Declarations of Conflicts of Interest in Relation to this Meeting's Items of Business**

## **8. Confirmation of Minutes**

**5**

### ***Recommendation***

*That the minutes of the First Triennial Council meeting held on 30 October 2025 (as circulated) be confirmed as a true and accurate record of the meeting.*

## **9. Reports**

### **9.1 Adoption of Committee Structure and Terms of Reference 2025-28**

**11**

### **9.2 Remuneration of Elected Members 2025-26**

**19**

### **9.3 Elected Members Allowances and Expense Reimbursement Policy 2025-28**

**27**

### **9.4 Adoption of Meeting Schedule**

**43**

### **9.5 Tararua District Council - Code of Conduct for Elected Members**

**47**

## **10. Portfolio Reports**

Councillors assigned the responsibility to undertake the portfolio for a specific activity can report back on any of these matters.

## **11. Mayoral Matters**

## **12. Items not on the Agenda Accepted in Accordance with the Procedure Outlined as per Agenda Item 4**

### 13. Public Excluded Items of Business

#### Recommendation

*That the public be excluded from the following parts of the proceedings of this meeting, namely:*

*Draft power purchase agreement and licence to occupy - Rangitāne o Tamaki nui-a-rua Charitable Trust floating solar array system for Dannevirke wastewater treatment plant*

*Nomination for Civic Honour for Community Service*

*The general subject 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 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution follows.*

<i>General subject matter to be considered</i>	<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under Section 48 (1) for the passing of this resolution</i>
<i>Nomination for Civic Honour for Community Service</i>	<i>To protect the privacy of natural persons</i>	<i>&lt;Section (1)(a)(i)</i>
<i>Draft power purchase agreement and licence to occupy - Rangitāne o Tamaki nui-a-rua Charitable Trust floating solar array system for Dannevirke wastewater treatment plant</i>	<i>To protect commercial and industrial negotiations</i>	<i>&lt;Section (1)(a)(i)</i>

*This resolution is made in reliance on Section 48 (1) (a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:*

- s7(2)(i) The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).*
- s7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.*

## **14. Closure**



Minutes of the First Triennial meeting of the Tararua District Council held in the Dannevirke Town Hall, 156 High Street, Dannevirke on Thursday 30 October 2025 commencing at 7:00pm.

## **1. Present**

Mayor – Mr S M Gilmore, Crs A J Amboy, C L Corlett, P A Johns, E F Kennedy, P M Naylor, K E R Te Waaka, S A Wallace and S M Wards.

### **In Attendance**

Mr M Alexander	- Interim Chief Executive
Mrs K Tani	- Group Manager – Strategy and Information
Ms S Lowe	- Group Manager – People, Capability and Customer Experience
Ms T McDonald	- Chief Financial Officer
Ms J Smith	- General Counsel
Mr K van Der Oord	- Communications Team Manager
Mr P Wimsett	- Chief Advisor
Ms E Roberts	- Revenue Manager
Mrs K Kerr	- Executive Assistant to the Chief Executive
Ms L Cottle	- Executive Assistant to the Mayor
Mrs S Anthony	- Democracy Support Officer
Mrs A Dunn	- Manager – Democracy Services

## **2. Welcome and Meeting Opening**

- 2.1 The Chief Executive presided at the commencement of the meeting and extended a welcome to all those present, and congratulated Council members on their election to office for the new term.

## **3. Karakia**

- 3.1 Councillor Keshaan Te Waaka commenced the meeting with a karakia timatanga (opening prayer).

#### **4. Declarations by Members**

- 4.1 The Chief Executive invited Mayor Scott Gilmore to come forward to make his declaration of office.
- 4.2 The Mayor made and attested his declaration required under Clause 14 of Schedule 7 of the Local Government Act 2002. The Chief Executive witnessed the making and attesting of the Mayor's declaration.
- 4.3 The Mayor assumed the chairing of the meeting, acknowledging the presence of Council's partners Rangitāne o Tamaki nui-ā-Rua and Ngāti Kahungunu ki Tāmaki nui-a-Rua at the ceremony and conveyed his appreciation to acknowledge the immense privilege of leading Council for the next three years.
- 4.4 He gave thanks to all that placed their trust in him to lead the Council, and congratulated fellow elected members, noting that they had earned the confidence of the community and all brought a mix of experience and fresh perspectives to the Council. He thanked the Chief Executive and the entire Council team for their professionalism, support and commitment in keeping the wheels turning during the election process. He also thanked his family and friends for their encouragement and understanding over the past month.
- 4.5 He acknowledged that it was clear that the community wanted a focus on the essentials, delivery of quality services, having a Council that was easy to engage with and having affordability as the cornerstone of Council's focus on value.
- 4.6 In conclusion he spoke about the significant challenges being faced by Council this term.
- 4.7 Each Councillor then made and attested their declaration pursuant to Schedule 7 Clause 14 of the Local Government Act 2002, with each declaration witnessed by Mayor Scott Gilmore, and a brief acknowledgement from each Councillor.

#### **5. Appointment of Deputy Mayor**

- 5.1 Mayor Scott Gilmore announced that in accordance with the powers under Section 41A of the Local Government Act 2002, he appoints Councillor Sharon Wards as Deputy Mayor.

#### **6. Meeting Adjournment**

- 6.1 Mayor Scott Gilmore acknowledged Councillor Erana Peeti-Webber who was unable to attend due to a long-standing previous commitment, however would be making her declaration of office at the first ordinary meeting of Council.
- 6.2 The Mayor declared that the meeting would now be adjourned to reconvene on Friday 31 October 2025, at 9:30am, in the Dannevirke Council Chambers, 156

High Street, Dannevirke

*The meeting adjourned at 7:31pm, and reconvened on Friday 31 October 2025 at 9:30am in the Dannevirke Council Chambers, 156 High Street, Dannevirke.*

## **7. Present**

Mayor – Mr S M Gilmore, Crs A J Amboy, C L Corlett, P A Johns, E F Kennedy, P M Naylor, K E R Te Waaka, S A Wallace and S M Wards.

### **In Attendance**

Ms F Elkington	- Audit New Zealand
Ms S Lowe	- Group Manager – People, Capability and Customer Experience
Mrs K Tani	- Group Manager – Strategy and Information
Mr H Featonby	- Group Manager - Operations
Ms T McDonald	- Chief Financial Officer
Ms J Smith	- General Counsel
Mr P Wimsett	- Chief Adviser
Mrs S Walshe	- Finance Manager
Mrs B Fowler	- Senior Financial Accountant
Mrs A Dunn	- Manager – Democracy Services

## **8. Apologies**

*That the apology from Councillor E L Peeti-Webber be approved and leave of absence granted for the meeting.*

*Mayor Gilmore/Wards*

*Carried*

## **9. Notification of Items Not on the Agenda**

Nil

## **10. Declarations of Conflicts of Interest in Relation to this Meeting's Items of Business**

Nil

## **11. Reports**

### **11.1 Appointment of the Deputy Mayor for 2025-28 Triennium**

The Tararua District Council considered the report of the Manager – Democracy Services dated 23 September 2025 that provided advice on the appointment of

the Deputy Mayor and background information on the powers under Section 41A of the Local Government Act 2002 for the Mayor to appoint the Deputy Mayor

***That the report from the Manager Democracy Services dated 23 September 2025 concerning the Appointment of the Deputy Mayor for 2025-28 Triennium be received.***

***That the Tararua District Council note that the Mayor has chosen to use their power under Section 41A of the Local Government Act 2002 to appoint the Deputy Mayor.***

***That the Council note that the Mayor has appointed Councillor Sharon Wards as Deputy Mayor of the Tararua District Council for the 2025-28 Triennium.***

***Mayor Gilmore/Johns***

***Carried***

## 11.2 **Adoption of Annual Report 2024/25**

The Tararua District Council considered the report of the Senior Financial Accountant dated 20 October 2025 that presented the recommendation from the Audit and Risk Committee meeting held on 8 October 2025, seeking Council's adoption of the Annual Report for the financial year ending 30 June 2025.

Officers spoke about the background to the item coming to the meeting, noting the Audit and Risk Committee is chaired by an independent Chairperson. It was advised that officers had worked closely with Audit New Zealand during their recent Audit, who gave verbal clearance at the 8 October 2025 committee meeting to give the incoming Council confidence in adopting the Annual Report, given that it related to a period in time that pre-dated the term of the newly elected Council.

Officers then spoke about the changes that had been made to the Annual Report since its consideration by the Audit and Risk Committee, outlining each of the minor corrections that had been made.

Copies of the Independent Auditors Report, the Representation Letter and amended Governance Report for the Annual Report were circulated to members.

The Audit Director, Fiona Elkington of Audit New Zealand, acknowledged the significant achievement in adopting the Annual Report within the statutory deadline this year. She spoke about the purpose of the letter of representation that had been circulated, and advised that she was pleased to present her unmodified audit opinion for adopting with the Annual Report.

She noted that the opinion contained an emphasis of matter, to draw attention to items within the Annual Report regarding local water done well, noting all Councils have some form of emphasis of matter in their reports for this matter.

During question time, it was noted that a reference in section 5 to note 37 should

be to note 38. In response to questions, clarification was also provided on the reference to working groups rather than committees for iwi, and on the threshold for what would be considered significant from an audit perspective.

***That the report from the Senior Financial Accountant dated 20 October 2025 concerning the Adoption of Annual Report 2024/25 be received.***

***That the Mayor and Chief Executive be delegated authority to make any minor changes requested by Audit New Zealand and to sign the Statement of Compliance and Responsibility that is contained within the Annual Report for the year ending 30 June 2025; and***

***That the Tararua District Council adopt the Annual Report 2024/25 in accordance with Section 98 of the Local Government Act 2002.***

***Crs Johns/Corlett***

***Carried***

### **11.3 General Explanation of Legislation Affecting Members**

The Tararua District Council considered the report of the Manager – Democracy Services dated 23 September 2025 that provided a general explanation of the Local Government Official Information and Meetings Act 1987 and other laws affecting elected members.

***That the report from the Manager Democracy Services dated 23 September 2025 concerning the General Explanation of Legislation Affecting Members be received.***

***Crs Wallace/Wards***

***Carried***

### **11.4 Setting of Date of First Meeting of Council**

The Tararua District Council considered the report of the Manager – Democracy Services dated 23 September 2025 that sought confirmation of the date and time of the first meeting of Council in accordance with Schedule 7, Clause 21(d) of the Local Government Act 2002.

***That the report from the Manager Democracy Services dated 23 September 2025 concerning the Setting of Date of First Meeting of Council be received.***

***That the Tararua District Council confirms the first meeting of Council will be held on Wednesday 12 November 2025, at 9:30am in the Dannevirke Council Chambers.***

***Crs Wards/Amboy***

***Carried***

## 11.5 **Update to Tararua District Council Standing Orders**

The Tararua District Council considered the report of the Manager – Democracy Services dated 25 August 2025 that sought to update Council’s Standing Orders to reflect updated legislative clauses and other minor amendments.

***That the report from the Manager - Democracy Services dated 25 August 2025 concerning the Update to Tararua District Council Standing Orders be received.***

***That the Tararua District Council’s standing orders dated 31 October 2019 be replaced with the standing orders set out in Appendix 1 to the report of the Manager – Democracy Services dated 25 August 2025, noting that the amended standing orders reflect minor changes to legislation.***

*Crs Corlett/Johns*

***Carried***

## 12. **Mayoral Matters**

12.1 Mayor Scott Gilmore advised that for future Council meetings he intended this part of the meeting to be more formalised, with a written report included on the agenda.

He congratulated the elected team and expressed thanks to officers for all their work through the election process as well as their work to set up the newly elected Council for success so they can do their best for the residents of the Tararua District.

## 13. **Items not on the Agenda**

Nil

There being no further business the Mayor thanked those present for their attendance and contributions, and declared the meeting closed at 10:10am.



## Report

Date : 6 November 2025

To : Mayor and Councillors  
Tararua District Council

From : Allie Dunn  
Manager Democracy Services

Subject : **Adoption of Committee Structure and Terms of Reference 2025-28**

Item No : **9.1**

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### **1. Recommendation**

1.1 *That the report from the Manager Democracy Services dated 03 November 2025 concerning the Adoption of Committee Structure and Terms of Reference 2025-28 be received.*

1.2 *That the Tararua District Council adopt the following committee structure and membership for the committees established by the Mayor under section 41A of the Local Government Act 2002, noting that the Mayor is a member of each committee ex officio:*

***Risk and Assurance Committee***

***Membership: Mr Philip Jones (Chairperson), Cr Sharon Wards (Deputy Chairperson), and Councillors Peter Naylor, Steve Wallace and Elisabeth Kennedy***

***Community Connections Committee***

***Membership: Cr Erana Peeti-Webber (Chairperson), Cr Elisabeth Kennedy (Deputy Chairperson), and Councillors Keshaan Te Waaka, Alison Amboy and Chris Corlett***

***Infrastructure and Projects Committee***

***Membership: Cr Steve Wallace (Chairperson), Cr Chris Corlett (Deputy Chairperson), and Councillors Peter Johns, Erana Peeti-Webber and Alison Amboy***

***Performance and Monitoring Committee***

***Membership: Cr Sharon Wards (Chairperson), Cr Peter Naylor (Deputy***

*Chairperson), and Councillors Chris Corlett, Keshaan Te Waaka, and Erana Peeti-Webber*

*District Growth Committee*

*Membership: Cr Peter Johns (Chairperson), Cr Alison Amboy (Deputy Chairperson), and Councillors Sharon Wards, Elisabeth Kennedy and Peter Naylor*

- 1.3 *That the Tararua District Council adopt the following Portfolios of Focus Areas and membership for each portfolio focus area:*

*Youth: Councillors Keshaan Te Waaka and Alison Amboy*

*Communications / Consultation: Councillors Peter Naylor and Alison Amboy*

*Rural: Councillors Sharon Wards and Elisabeth Kennedy*

*Marae, Kura Kaupapa Māori and Kohanga Reo: Councillors Keshaan Te Waaka and Erana Peeti-Webber*

- 1.4 *That the Tararua District Council adopt the Terms of Reference for the Risk and Assurance Committee established the Mayor under Section 41A of the Local Government Act 2002 as set out in Appendix 1 to the report “Adoption of Committee Structure and Terms of Reference 2025-28”, noting that Terms of Reference for the remaining committees will be reported separately to a future meeting of Council following discussions with the respective Committee Chairpersons.*

## **2. Reason for the Report**

- 2.1 To determine the membership, for each of the committees established by the Mayor under Section 41A of the Local Government Act 2022 and outline the process for the adoption of Terms of Reference and delegation of authority for each committee.

## **3. Background**

- 3.1 Under Section 41A of the Local Government Act 2002, the Mayor has the power to establish the committees of the Council and appoint a Chairperson to each of the committees.

- 3.2 The Council will need to consider and approve the appointment of members and the Terms of Reference proposed for each committee, and any delegations of authority to apply.
- 3.3 It is proposed that the Terms of Reference for each committee will be developed in consultation with the committee chairpersons, and reported to the next meeting of Council for adoption. The exception to this is the Risk and Assurance Committee, which has been discussed with the independent chairperson of that committee and is attached for adoption at this meeting.

#### **4. Discussion and Options Considered**

- 4.1 The following committees and their Chairpersons are appointed by the Mayor, with proposed membership, outlined in the table for approval by the Council:

<b>Committee</b>	<b>Chairperson</b>	<b>Members</b>
Risk and Assurance Committee	Philip Jones (independent member)	Sharon Wards (Deputy Chair), Peter Naylor, Steve Wallace, Elisabeth Kennedy
Community Connections Committee	Erana Peeti-Webber	Elisabeth Kennedy (Deputy Chair), Keshaan Te Waaka, Alison Amboy, Chris Corlett
Infrastructure and Projects Committee	Steve Wallace	Chris Corlett (Deputy Chair), Peter Johns, Erana Peeti-Webber, Alison Amboy
Performance and Monitoring Committee	Sharon Wards	Peter Naylor (Deputy Chair), Chris Corlett, Keshaan Te Waaka, Erana Peeti-Webber
District Growth Committee	Peter Johns	Alison Amboy (Deputy Chair), Sharon Wards, Elisabeth Kennedy, Peter Naylor

- 4.2 The Terms of Reference for each of these committees will be developed in consultation with the appointed Chairpersons, and brought to the next meeting of the Council for adoption.
- 4.3 The exception to this is the Terms of Reference for the Risk and Assurance Committee, due to their next meeting scheduled to be held prior to the next meeting of the Council. The proposed Terms of Reference for the Audit and Risk Committee is attached.
- 4.4 With the membership of each committee being proposed to be no more than five members, the committees are proposed to have powers of recommendation only,

with recommendation reports to be provided to the next Council meeting for formal approval.

- 4.5 The quorum for meetings of Council and its committees will be the majority of the committee members, unless specified otherwise in the Terms of Reference.
- 4.6 From time to time the Council may need to hold a hearing for such matters as objection to classification of menacing dog, and potentially resource consent applications, and district plan changes (should this requirement remain in legislation currently under review). Hearings are held on an as required basis and are not held often. For example, the last hearing held by the then Tribunal and Hearings Committee was December 2018, for an objection to dog owner disqualification. In the past triennium, one hearing was held for a notified resource consent application, with the Hearing Panel consisting of an accredited independent Hearing Commissioner. It is not known at this stage what Council's role may be in hearings of resource consent applications, until the legislative changes currently underway are finalised. However, there may be a need to form a Hearings Sub-committee to deal with hearings under the Dog Control Act 1996, which potentially could be formed in a similar way to a hearings panel under the Sale and Supply of Alcohol Act. It is proposed that this could be the subject of a future paper to Council.

#### **Deputy Chairs of Committees**

- 4.7 For each committee, the Mayor has made a recommendation for the appointment of the Deputy Chairperson, which has been outlined above. Under schedule 7, clause 26(4) of the Local Government Act 2002, if the Council did not appoint a deputy chairperson, then the appointment could be made at a meeting of the committee.

#### **Portfolios**

- 4.8 In addition to the committee structure above, the Mayor has established designated Portfolios to address specific areas of focus and has made recommendations regarding appointments to these roles.
- 4.9 The portfolio leads will be responsible for leading the designated portfolio focus area, including liaison with stakeholders and officers in relation to portfolio responsibilities, and preparation of written progress reports to relevant committees or Council.
- 4.10 The portfolios and their leads are as follows:

Portfolio Focus Area	Assigned to:
Youth	Crs Keshaan Te Waaka / Alison Amboy
Communications / Consultation	Crs Peter Naylor / Alison Amboy

Portfolio Focus Area	Assigned to:
Rural	Crs Sharon Wards / Elisabeth Kennedy
Marae, Kura Kaupapa Māori and Kohanga Reo	Crs Keshaan Te Waaka / Erana Peeti-Webber

## 5. Financial Considerations

- 5.1 There are no unbudgeted financial considerations associated with this paper.

## 6. Statutory Requirements

- 6.1 The powers for the Mayor to establish committees and appoint chairpersons came into force as from 12 October 2013. These powers are set out in Section 41A of the Local Government Act 2002.

- 6.2 Section 41A states the following:

*“(3) For the purposes of subsections (1) and (2), a mayor has the following powers:*

*(a) to appoint the deputy mayor:*

*(b) to establish committees of the territorial authority:*

*(c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor—*

*(i) may make the appointment before the other members of the committee are determined; and*

*(ii) may appoint himself or herself.*

*Section 41A further states the following:*

*(5) A mayor is a member of each committee of a territorial authority.*

*(6) To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).”*

- 6.3 Clause 31 of Schedule 7 to the Local Government Act 2002 sets out the ability of the Council to set the membership of committees and subcommittees, and Clause 32 of Schedule 7 sets out the ability of the Council to delegate authority to the committees and subcommittees.

## **7. Delegations**

- 7.1 The Council has the authority to decide the membership, set the terms of reference and delegate authority to the committees.

## **8. Conclusion**

- 8.1 The Council's committees have been established by the Mayor in accordance with the authority under Section 41A of the Local Government Act 2002. In addition, the Mayor has established designated Portfolios to address specific areas of focus and has made recommendations regarding appointments to these roles.

- 8.2 The legislation provides Mayors with a discretionary power to:

- Appoint the Deputy Mayor;
- Establish committees of the Council; and
- Appoint committee chairpersons.

- 8.3 However, the powers under Section 41A do not include determining the committee membership, appointing deputy chairpersons or deciding on the terms of reference and delegation of authority of the committees.

- 8.4 The Council are asked to consider this report and the proposed membership for each of the committees, including the recommendations from the Mayor for appointment of deputy chairpersons.

- 8.5 The Terms of Reference for committees will be reported separately to a future Council meeting.

8.6

## **Attachments**

1. [Terms of Reference - Risk and Assurance Committee 2025-28](#)



## **Terms of Reference**

### **Risk and Assurance Committee**

#### **Purpose**

The Risk and Assurance Committee will provide oversight of Council's approach to risk and compliance.

Ensure continuity of business, enhance governance framework and risk management practices, by reviewing key processes and controls used to monitor Council's compliance and achievements.

#### **Key Responsibilities**

The Audit and Risk Committee will have the responsibility to receive the external audit report(s) and monitor the implementation of recommended actions to be taken by management on significant issues and audit recommendations raised in relation to:

- (a) Internal Control Framework
  - (i) Maintaining an effective internal control framework that is sound and effective
  - (ii) Embedding a culture that is committed to probity
  - (iii) The appropriateness of systems, processes and controls in place to present, detect and effectively investigate the risk of fraud
- (b) Internal Reporting
  - (i) The processes for ensuring the completeness and quality of financial and operational information being provided to the Council
- (c) External Reporting and Accountability
  - (i) The appropriateness of the Council's existing accounting policies and principles
  - ii) Monitor external factors that contribute to Council's risk profile.
  - iii) Receive regular environmental scans to help the committee understand external influences and pressures

The Audit and Risk Committee will provide oversight of Council's approach to risk and compliance.

- (d) Risk Management

- (i) Review the risk management policy, framework and associated procedures for effective identification and management of the Council's significant risks and matters of compliance

The Audit and Risk Committee will make recommendations to Council in relation to:

1. The robustness of the internal control framework and financial management practices
2. The integrity and appropriateness of internal and external reporting and accountability arrangements
3. The robustness of risk management systems, processes and practices
4. Monitoring sector best practice and guidance in relation to audit and risk matters

#### **Delegated Authority**

Committee has powers of recommendation only.

#### **Membership**

Chairperson: Mr Philip Jones (independent member)

Deputy Chairperson: Cr Sharon Wards

Members: Crs Peter Naylor, Steve Wallace, Elisabeth Kennedy  
Mayor ex officio

#### **Quorum**

Three members of the committee

#### **Meeting Cycle**

Meetings held quarterly

#### **Executive Support**

Group Manager – People, Capability and Customer Experience



## Report

Date : 7 November 2025

To : Mayor and Councillors  
Tararua District Council

From : Allie Dunn  
Manager - Democracy Services

Subject : **Remuneration of Elected Members 2025-26**

Item No : **9.2**

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### 1. Recommendation

- 1.1 *That the report from the Manager - Democracy Services dated 05 November 2025 concerning the Remuneration of Elected Members 2025-26 be received.*
- 1.2 *That the Council recommend the following role descriptions to the Remuneration Authority for approval:*

<i>Role</i>	<i>Position Description</i>
<i>Deputy Mayor</i>	<i>Responsible to assist and deputise for the Mayor in a range of civic, regional and national forums. Chairing of Council meetings in the absence of the Mayor. Responsible for assigned Committee Chairperson role, as well as Portfolio Lead role.</i>
<i>Committee Chairperson</i>	<i>Responsibility for chairing of committee meetings and efficient running of the committee. Liaison with executive officers in the preparation of the committee meeting agendas. Liaison with stakeholders appearing before the committee.</i>
<i>Deputy Chairperson / Portfolio Lead</i>	<i>Responsible for chairing of assigned committee meetings in absence of Committee Chairperson.</i>  <i>Responsible for leading the designated portfolio focus area, including liaison with stakeholders and officers in relation to portfolio responsibilities, and preparation of written progress reports to relevant</i>

	<b><i>committees or Council.</i></b>
<b><i>Councillors</i></b>	<p><b><i>Responsibility to prepare and participate specifically in those committees, any working parties, focus groups they are members of or Council organisations they are appointed to, and prepare and participate in the work of other committees where they have a specific interest in particular matters coming before those committees.</i></b></p> <p><b><i>Attend meetings of any assigned Community Committees in a liaison role between the Community Committees and the Council.</i></b></p>

- 1.3 ***That the Council recommend to the Remuneration Authority that the positions of additional responsibility be remunerated at the proposed ratio to councillor base remuneration set out in the following table:***

<b><i>Position title</i></b>	<b><i>Number of members per position</i></b>	<b><i>Proposed Ratio to Councillor base remuneration</i></b>	<b><i>Salary</i></b>
<b><i>Deputy Mayor</i></b>	<b><i>1</i></b>	<b><i>1:45</i></b>	<b><i>\$63,675</i></b>
<b><i>Committee Chairperson</i></b>	<b><i>3</i></b>	<b><i>1:2</i></b>	<b><i>\$52,697</i></b>
<b><i>Deputy Chairperson / Portfolio Lead</i></b>	<b><i>5</i></b>	<b><i>1:1</i></b>	<b><i>\$48,305</i></b>
<b><i>Councillor with no additional responsibilities</i></b>	<b><i>0</i></b>	<b><i>1:0</i></b>	<b><i>\$43,914</i></b>

## **2. Reason for the Report**

- 2.1 To consider the governance remuneration pool that was allocated by the Remuneration Authority to take effect following the 2025 Council election and provide a response to the Authority outlining how the remuneration pool will be allocated to individual roles within the Council following the 2025 election.

### **3. Background**

- 3.1 The Local Government Act 2002 gives the Remuneration Authority responsibility for setting remuneration for local government elected members.
- 3.2 Since 2010, the Authority has been reviewing the model for allocating remuneration to Mayors, Councillors and Community Board members and progressively implemented changes.
- 3.3 In July 2018 the Remuneration Authority released an information paper describing the changes that the Remuneration Authority would be making to its approach to setting remuneration for Mayors, Councillors and Community Board members from 1 July 2019, and the method and timing for its implementation both before and after the Council elections in October 2019.
- 3.4 The method and timing established in 2019 continues to be in force and is the basis for the method and timing for considering remuneration following the 2025 elections.

### **4. Description**

- 4.1 With the current system the Remuneration Authority reviews the ranking of each Council on a size index every three years.
- 4.2 At the beginning of each election year the Authority advises the Council of the “governance pool” allocated to Council. This governance pool provides the total amount that can be paid in remuneration to Tararua District Councillors and is aligned to Council’s ranking on the Remuneration Authority’s size index. Tararua District Council is ranked at number 40.
- 4.3 During the election year, the Remuneration Authority issues its determination in two parts. Part One applies for the period from 1 July until the day on which the new Council assumes office. For this part of the determination, the Remuneration Authority applies a similar rise to that applied in the previous year.
- 4.4 Part Two of the determination is implemented when the new Council takes office following the election. This part of the determination sets a minimum remuneration level for each Councillor from when they take office. The determination also sets a “governance remuneration pool”. The pool includes the remuneration for base councillor positions and the remuneration for councillors who hold positions of additional responsibility (eg deputy mayor, committee chairs). The pool does not include remuneration for the Mayor or Community Board members – this is funded outside of the pool at levels set by the Remuneration Authority.
- 4.5 As soon as possible after the election the Council needs to consider how it will allocate the pool to elected member roles. The roles may include not just internal council roles such as deputy mayor or committee chair, but also other jobs either

internal or representing the council on outside groups that involve additional responsibility.

#### **Governance Pool and Funding Available to be Allocated**

- 4.6 The Governance Pool set by the Remuneration Authority for the Tararua District Council is \$463,292. The minimum base salary payable to each Councillor is \$38,608. This leaves \$115,820 funding that Council must decide how to allocate amongst Councillors to recognise roles with additional responsibility.
- 4.7 There are four requirements that Council must meet:
- The whole pool must be utilised;
  - The Council must decide a base remuneration for councillors who have no additional responsibilities – either equal to or higher than the base amount set out by the Authority;
  - For any roles which attract additional remuneration above the base rate, the council is required to have a formal vote which must include the following: a title and short description of each role (i.e. what are the requirements for the councillor who undertakes it), the proposed annual dollar value of remuneration attached to the role, and the name of the councillor that fills that role; and
  - Following its formal decision-making, the Council must forward its resolutions to the Authority for consideration for inclusion in the determination.
- 4.8 The deadline for forwarding Council's proposal to the Remuneration Authority is Friday 14 November to meet the deadline for the first amending determination (due for gazetting on 18 December 2025) or 27 January 2026 to meet the deadline for the second amending determination which is due for gazetting early March 2026. The new rates cannot be paid until the formal gazetting of the Remuneration Rates, but will be backdated to the dates decisions took effect from. For example, should Council agree to a higher base remuneration rate for Councillors this will be backdated to the day Councillors took office.
- 4.9 Approved remuneration rates for positions of additional responsibility will be backdated to the day after the Council formally voted to confirm its recommendations.
- 4.10 Once the Council has agreed the levels of remuneration for positions of additional responsibility, the Council's proposal will be forwarded to the Remuneration Authority for their approval and inclusion in the amending determination scheduled for December 2025.
- 4.11 The Remuneration Authority advises that they have traditionally accepted proposals in respect of additional remuneration that have been unanimously supported by the Council. In the case of a split decision, they will require

documentation concerning the reasoning for and against the decision reached by Council.

## **5. Significance Assessment**

- 5.1 The Council's Significance and Engagement Policy is not triggered by matters raised in this report.

## **6. Options**

### **Proposal for Consideration**

- 6.1 The following proposal is put forward for consideration by Council. This proposal applies a ratio to base salary of 1.45 for the position of Deputy Mayor, 1.2 for the position of Committee Chairperson, and 1.1 for the remaining Councillors who all either hold positions of Deputy Committee Chairperson, or positions as Portfolio Leads.

- 6.2 The remuneration levels that would result from this model are:

Deputy Mayor:	\$63,675
Committee Chairperson:	\$52,697
Committee Deputy Chairperson / Portfolio Lead:	\$48,305
Councillor with no additional responsibilities:	\$43,914

### **Role Descriptions**

- 6.3 For any roles which attract additional remuneration above the base rate, the council is required to have a formal vote which must include the following:
- a title and short description of each role (i.e. what are the requirements for the councillor who undertakes it),
  - the proposed annual dollar value of remuneration attached to the role, and
  - the name of the councillor that fills that role.
- 6.4 The table below sets out proposed role descriptions for each position of responsibility. A role description for the base Councillor role is also included, which is intended to apply to all Councillors, including those assigned additional responsibilities over and above the base Councillor role.

<b>Role</b>	<b>Position Description</b>
Deputy Mayor	Responsible to assist and deputise for the Mayor in a range of civic, regional and national forums. Chairing of Council meetings in the absence of the Mayor.

<b>Role</b>	<b>Position Description</b>
Committee Chairperson	Responsibility for chairing of committee meetings and efficient running of the committee. Liaison with executive officers in the preparation of the committee meeting agendas. Liaison with stakeholders appearing before the committee.
Deputy Chairperson / Portfolio Lead	Responsible for chairing of assigned committee meetings in absence of Committee Chairperson.  Responsible for leading the designated portfolio focus area, including liaison with stakeholders and officers in relation to portfolio responsibilities, and preparation of written progress reports to relevant committees or Council
Councillors	Responsibility to prepare and participate specifically in those committees, any working parties, focus groups they are members of or Council organisations they are appointed to, and prepare and participate in the work of other committees where they have a specific interest in particular matters coming before those committees.  Attend meetings of any assigned Community Committees in a liaison role between the Community Committees and the Council.

6.5 With regard to the requirement for resolutions setting out names of Councillors performing each role of additional responsibility, it is noted that the appointment of the Deputy Mayor was pursuant to Section 41A of the Local Government Act 2002, and confirmed by resolution of the first triennial Council meeting.

6.6 The appointment of Committee Chairpersons, Deputy Chairpersons and Portfolio Leads is the subject of a separate report to Council.

## **7. Assessment of Options**

### **Financial Implications**

7.1 The Long Term Plan makes budget provision for payment of elected members' remuneration in accordance with the Remuneration Authority's annual determination.

## **Statutory Requirements**

- 7.2 The remuneration of elected members is governed by statute via the Local Government Act 2002. Section 6 of Part 1 of Schedule 7 of the Local Government Act 2002 sets out the requirements around the remuneration of members.
- 7.3 Section 7 of this part sets out the mandatory criteria that the Remuneration Authority must have regard to in determining remuneration, allowances and expenses payable to mayors, deputy mayors, committee chairs and members of Councils.
- 7.4 Section 9 of this part sets out the requirement for the Remuneration Authority to deliver to the Minister of Local Government a copy of every determination it makes under clause 6 and to publish each determinate in the Gazette within 14 days of delivering it to the Minister.
- 7.5 Section 19 of the Remuneration Authority Act 1977 applies to determinations made and those determinations made under this Act remain in force until superseded by a further determination.
- 7.6 The proposal put forward for consideration by Council complies with the Remuneration Authority's mandatory criteria that any proposal must meet. The whole of the pool is utilised, role descriptions are provided, and dollar values provided for the salary that each role is proposed to be paid.
- 7.7 Following consideration by Council, and subject to any amendments agreed to by Council at this meeting, the Council's adopted recommendation will be forwarded to the Remuneration Authority for consideration and approval.

## **8. Consultation**

- 8.1 There are no community consultation requirements associated with this matter.

## **9. Conclusion**

- 9.1 The Remuneration Authority is seeking Council's proposal on how it will share the Remuneration Pool to recognise roles of additional responsibility. The Council needs to decide which positions it wishes to recommend additional pay for, provide a brief description for each of those roles of the additional responsibilities above that of a base councillor, and the percentage of additional pay for each of those positions.
- 9.2 Once decided, the Council's recommendations will be submitted to the Remuneration Authority for approval and inclusion in their amending determination.

## **Attachments**

Nil.



## Report

Date : 7 November 2025

To : Mayor and Councillors  
Tararua District Council

From : Allie Dunn  
Manager - Democracy Services

Subject : **Elected Members Allowances and Expense Reimbursement Policy 2025-28**

Item No : **9.3**

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### 1. Recommendation

- 1.1 *That the report from the Manager - Democracy Services dated 05 November 2025 concerning the Elected Members Allowances and Expense Reimbursement Policy 2025-28 be received.*
- 1.2 *That the Council adopt the Elected Members Allowances and Expense Reimbursement Policy 2025-28 (subject to any amendments agreed to at this meeting).*

### 2. Reason for the Report

- 2.1 To consider and adopt a policy for elected members' allowances and reimbursement of expenses.

### 3. Background

- 3.1 The responsibility for determining the remuneration, allowances and expenses payable to elected members of Councils sits with the Remuneration Authority.
- 3.2 On 23 June 2025 the Remuneration Authority released its Determination outlining remuneration, allowances and hearing fees payable to elected members from 1 July 2025 to 30 June 2026. The Determination also sets out mileage

reimbursement rates, and rates for other allowances that would apply should the Council wish to include certain allowances in its policy.

- 3.3 The Authority's Determination is enabling, which means the Council can choose whether or not it wishes to include particular provisions in its policy. The Council can also agree to amounts less than the maximum amount set in the determination.
- 3.4 The policy for Elected Members' Allowances and Reimbursement of Expenses is adopted by Councils to apply for the triennium, and is updated from time to time to reflect any changes to allowance or reimbursement rates that the Authority may set through their annual Determination process.
- 3.5 Adoption of an updated policy to apply for the current triennium is sought.

#### **4. Description**

- 4.1 The Council may set a policy for Elected Members' Allowances and Reimbursement of Expenses as long as it fits within the criteria set by the Remuneration Authority. Should the Council wish to include any allowances that were outside of that criteria, the approval of the Remuneration Authority would need to be sought. The Remuneration Authority would then consider the proposal and would need to satisfy itself that the proposed allowance policies do not distort the remuneration of members, i.e. are more like additional remuneration payments than allowances for expenses.
- 4.2 It is also important to bear in mind the tax status of an elected member. The Inland Revenue Department classes elected members as self-employed for taxation purposes. This means elected members have the ability to offset costs incurred in the course of carrying out their elected member duties against income in their annual tax returns.

#### **Current Elected Members Allowances and Expense Reimbursement Policy**

- 4.3 The previous policy (adopted by Council in 2022) allowed for the following expenses and allowances. A full copy of this policy is appendix to this report:

<b>Position</b>	<b>Expense / Allowance</b>	<b>Description</b>
Mayor	Provision of vehicle	Full private use basis with reduction from salary as determined by Remuneration Authority relative to the value of the personal benefit received
Mayor	Mobile phone	Provision of phone and full payment of rental and

Position	Expense / Allowance	Description
		associated call charges
Mayor and Councillors	Tablet computer / iPad	Provision of device with full support provided by Council
Councillors	Mobile phone allowance	Councillors that provide their own mobile phone for use on Council business receive allowance of \$200, plus annual allowance of \$500 towards Council generated calls, text and data.
Councillors and Community Board Members	Vehicle-kilometre allowance	Per kilometre rate as set by the Remuneration Authority (aligned to IRD rates).
Councillors and Community Board members	Travel time allowance	Allowance of \$40 per hour for travel time exceeding one hour.
Mayor, Councillors and Community Board members	Reimbursement of actual and reasonable expenses.	Reimbursement of actual and reasonable expenses incurred on Council or Community Board business as described in the policy.

## 5. Significance Assessment

- 5.1 The Council's Significance and Engagement Policy is not triggered by matters discussed in this report.

## 6. Options

- 6.1 The Council is asked to consider the following entitlements available in the Remuneration Authority's current Determination for the 2025-26 year and decide any changes it wishes to make to the previous Elected Members' Allowances and Expense Reimbursement Policy.

## **Entitlements set by the Remuneration Authority in the Local Government Members (2025/26) Determination 2025**

### **Provision of Mayoral Vehicle**

- 6.2 Under the Remuneration Authority rules, when a Council provides its Mayor with a vehicle on a full private use basis, a deduction from the Mayor's salary must be made at the rate set by the Remuneration Authority. This reflects the value of personal benefit received by provision of the vehicle.
- 6.3 The rate of deduction is calculated using a formula of vehicle purchase price x 41% x 20%. A logbook is not required to be kept.
- 6.4 Other options available are:
- Providing a motor vehicle to the Mayor for restricted private use, which means no private use is allowed, and all travel must be recorded in a log book;
  - Providing a motor vehicle to the Mayor for partial private use, with a deduct calculated using a formula of vehicle purchase price x 41% x 10%. A log book is required to be used and private use must not exceed 10% of the use of the vehicle.

### **Vehicle-kilometre Allowance**

- 6.5 The Council can pay to a member a vehicle-kilometre allowance to reimburse that member for costs incurred in respect of eligible travel.
- 6.6 To be eligible the travel must meet the following criteria:
- The member is travelling in a private vehicle;
  - The member is travelling on local authority business; and
  - The member is travelling by the most direct route that is reasonable in the circumstances.
- 6.7 The Remuneration Authority's current vehicle-kilometre allowance rates are:
1. Petrol or diesel vehicle – \$1.04 per kilometre for the first 14,000 kilometres of eligible travel, 35 cents per kilometre after the first 14,000 kilometres of travel in the determination term;
  2. Petrol hybrid vehicle – \$1.04 per kilometre for the first 14,000 kilometres of eligible travel, 21 cents per kilometre after the first 14,000 kilometres of travel in the determination term;

3. Electric vehicle – \$1.04 per kilometre for the first 14,000 kilometres of eligible travel, 12 cents per kilometre after the first 14,000 kilometres of travel in the determination term.

If a member travels from a place where the member permanent or temporarily resides that is outside the local authority area, to the local authority area on local authority business, the member is only eligible for vehicle-kilometre allowance for eligible travel after the member crosses the boundary of the local authority area.

### **Travel Time Allowance**

- 6.8 A local authority may pay a member (other than the Mayor) an allowance for eligible travel time.
- 6.9 Eligible travel time is defined as time spent travelling within New Zealand:
  - On local authority business; and
  - By the quickest form of transport that is reasonable in the circumstances; and
  - By the most direct route that is reasonable in the circumstances.
- 6.10 The travel-time allowance is \$41.30 for each hour of eligible travel time after the first hour of eligible travel time travelled in a day.
- 6.11 If an elected member resides outside of the district's boundaries, and travels to the local authority area on local authority business, then the eligible travel time is calculated after the first hour of travelling once the member crosses the district's boundaries.
- 6.12 The maximum total amount of travel time allowance that a member may be paid for eligible travel in a 24-hour period is 8 hours.

### **ICT (Communications) Allowance**

- 6.13 The Remuneration Authority allows for a communications allowance to be paid to elected members. This recognises that particular communications equipment and services are required by members to perform their functions. If members are required to use their own equipment and communications services, the Council may pay an allowance in accordance with the limits set out below (note all rates apply for the determination:

Equipment:

- |                                     |       |
|-------------------------------------|-------|
| • Personal computer, tablet, laptop | \$400 |
| • Use of a Printer                  | \$50  |
| • Use of a mobile phone             | \$200 |

- Use of ICT consumables, up to \$200

Services:

- Internet connection, up to \$800
- Mobile connection, up to \$500

OR

- Reimbursement of actual costs of Council related calls on production of relevant phone records and receipts

6.14 The vehicle-kilometre and communications allowances have pro-rata provisions for members not in their position for the full twelve months of the determination.

### **Childcare Allowance**

6.15 An allowance entitlement is included in the Remuneration Authority's Determination for paying a childcare allowance as a contribution towards expenses incurred by the member for childcare provided while the member is engaged on local authority business. The allowance is to support members that are parents / caregivers to participate in Council business.

6.16 The eligibility criteria for reimbursing childcare costs are:

- The elected member is the parent or guardian of the child, or is a person who usually has responsibility for the day-to-day care of the child (other than on a temporary basis; and
- The child is aged under 14 years of age; and
- The childcare is provided by a person who:
  - is not a parent of the child or a spouse, civil union partner, or de factor partner of the member; and
  - does not normally reside with the elected member; and
- The elected member provides evidence satisfactory to the Council of the amount paid for childcare.

6.17 The total amount of childcare that can be paid to an elected member is \$7,500 per child for the determination term.

6.18 Should the Council agree to include this allowance in its policy, it is recommended that the allowance apply to members of Council only.

### **Home Security System Allowance**

6.19 Based on a security threat and risk assessment authorised by the Council, a member may be reimbursed the expenses of having a security system installed

and monitored at a member's primary place of residence within the Tararua District up to a maximum of:

- \$4,500 for installing the system; and
- \$1,000 in any year for monitoring, call-outs, and repairs.

6.20 A member may also be reimbursed for additional expenses for the provision of supplementary security measures at their primary place of residence within the Tararua District if:

- The security threat and risk assessment undertaken recommends that those supplementary security measures be provided to the member; and
- The Remuneration Authority, on application from the Council, approves reimbursement of the additional expenses arising from the provision of those supplementary security measures.

6.21 In response to a question about the definition of a security system, and whether this would include closed-circuit television (CCTV) systems, we believe that the term "security system" encompasses a variety of technologies and services designed to protect properties and enhance safety, including CCTV, alarm systems and access control systems.

6.22 Should the Council agree to include this allowance within its Policy, the definition will be checked with the Remuneration Authority to ensure they are working to the same definition. It could be helpful to have a definition included in the interpretation section in future Determinations.

## **7. Assessment of Options**

### **Financial Implications**

7.1 The payment of allowances and reimbursement of elected member expenses has been budgeted for in accordance with the current policy. In updating its policy, the Council needs to be aware that including any additional entitlements will have an impact on the budget set for payment of expenses and allowances.

### **Statutory Requirements**

7.2 The remuneration of elected members is governed by statute via the Local Government Act 2002. Part 1 of Schedule 7 of the Local Government Act 2002 sets out the requirements around the remuneration of members.

7.3 Section 6 of this part sets out the requirements for the Remuneration Authority to determine remuneration, allowances, and expenses payable to elected members.

7.4 Section 7 of this part sets out the mandatory criteria that the Remuneration Authority must have regard to in determining remuneration.

7.5 Section 9 of this part sets out the requirement for the Remuneration to deliver to the Minister of Local Government a copy of every determination it makes under clause 6 and to publish each determination in the Gazette within 14 days of delivering it to the Minister.

7.6 Section 19 of the Remuneration Authority Act 1977 applies to determinations made and those determinations made under this Act remain in force until superseded by a further determination.

## **8. Consultation**

8.1 There are no community consultation requirements associated with this matter. However, it is a requirement of the Remuneration Authority that both the determination and the expenses policy be available for perusal by the public. These will be made available via the Council's website.

## **9. Conclusion**

9.1 A draft policy is attached for consideration based on the provisions within the Determination, for consideration and adoption (subject to any amendments agreed to by the Council).

## **Attachments**

1 [↓](#). Elected Member Allowances and Expense Reimbursement Policy 2025-28



# Elected Members' Allowances and Expense Reimbursement Policy 2025-28

## Contents

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## 1. Introduction

This policy sets out rules on the claiming of expenses by elected members and the resources that will be available to them during their term of office.

The contact person for queries is the Manager – Democracy Services, email [governance@tararua.govt.nz](mailto:governance@tararua.govt.nz), phone 06 374 4080.

## 2. Documentation of Policies

The contents of this policy form the basis of the document, and it includes details of the procedures established for the payment of such allowances and expenses.

It applies to the elected members of the Tararua District Council, Dannevirke Community Board and the Eketāhuna Community Board.

## 3. Authentication of Expense Reimbursements and Allowances

From time-to-time elected members incur expenses on the Council's/Community Board's behalf, which need to be reimbursed. This reimbursement and the use of supplied resources apply only to elected members personally, and only while they are acting in their official capacity.

Costs for expenses must have a justifiable business purpose, be moderate and conservative having regard to the circumstances, and be appropriate in all respects. Transparency is achieved through disclosure in the Annual Report setting out the remuneration and value of other non-financial benefits received by, or payable to the Mayor, Councillors and Community Board members. This information is subject to scrutiny by Audit New Zealand.

The process for reimbursement of claims includes the following principles:

- Any expenses to be reimbursed must be on an actual and reasonable basis and in line with Council policy;
- Expense claims are approved by the Manager – Democracy Services, and full original receipts are required;
- Cost reimbursements will be made via the payroll system.

In the case of one-off expenditure such as travel to conferences, the process and prior approvals required are detailed in this policy.

In the case of vehicle mileage, travel time and communications, all limits set in this document are in accordance with and do not exceed the Remuneration Authority's Determination.

The Council's internal audit work programme includes sampling expense claims and allowances paid to elected members and staff.

All expenditure that falls under this policy is approved on the condition that it can be met within relevant budget provisions.

Attendance at conferences/seminars/training programmes by elected members is fully paid by the Council, and its purpose must contribute to their development, knowledge and abilities to carry out the responsibilities and workloads relating to their positions of office.

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Note that all allowances are paid after the deduction of withholding tax.

#### 4. Definitions

"Actual" means as evidenced by the original receipt attached to the claim form.

"Reasonable" means that it is within the amount specified by this policy or as deemed reasonable by the Mayor/Board Chairperson and/or Chief Executive.

"Council/Community Board business" includes: formal council and community board meetings, committee meetings, workshops, portfolio and appointed roles, conferences, seminars, statutory hearings, training courses, tours, site visits, meetings with staff, meetings with organisations and community groups, meetings with members of the public.

It does not include events where the primary focus is on social activity.

"Remuneration Authority" is an independent body established by the Remuneration Authority Act 1977, with responsibilities under the Local Government Act 2002 to determine remuneration and expense/allowance rules for local authority members.

#### 5. Allowances and Expenses of Elected Members

##### 5.1. Mayor

The Mayor will be provided with a vehicle on a full private use basis.

A deduction will be made from the Mayor's salary as determined by the Remuneration Authority relative to the value of the personal benefit received, and the Mayor cannot claim for vehicle-kilometre reimbursement.

A mobile phone is made available for the Mayor's use, with full payment of the rental and associated call charges paid by the Council.

The Mayor holds a credit card to pay directly any expenses incurred while carrying out Council business. Full receipts and details of all such expenditure are verified and accounted for through the Chief Executive's office, with approval sought through the Chairperson of the Risk and Assurance Committee.

##### 5.2. Vehicle-kilometre Allowance - Councillors and Community Board Members

All elected members (except the Mayor) are entitled to claim a vehicle-kilometre allowance in the form of a per kilometre rate to offset the cost of running the member's own vehicle in the following circumstances:

1. When travelling in the course of any business of the Council/Community Board relative to the elected members position, and as generally detailed within the definitions section of this policy;
2. When travelling on Council/Community Board business in order that the member may make himself or herself more familiar with the business of the Council/Community Board;
3. All such travel must be made by the most direct route reasonable in the circumstances;
4. Mileage will be paid at the maximum rate per kilometre as set out in the current Remuneration Authority Determination;



5. The maximum vehicle mileage allowance payable to anyone elected member in a financial year shall be determined in accordance with the guidelines of the Remuneration Authority;

Such travel involves travelling within the district, the region and outside of the district on official business in other towns and cities;

6. All such claims from elected members for the payment of vehicle mileage allowances shall be submitted in writing to the Manager – Democracy Services for processing in accordance with this policy and as approved by the Remuneration Authority.

### 5.3. Travel Time Allowance – Councillors and Community Board Members

1. All elected members (except the Mayor who is recognised as being a full-time member) are entitled to claim a travel time allowance for eligible travel by the member to and from the member's residence in undertaking their duties and responsibilities.
2. Such travel must be carried out by the quickest form of transport reasonable in the circumstances.
3. The travel time allowance is \$40.00 for each hour of eligible travel time after the first hour of eligible travel time travelled in a day.
4. However, if a member of a local authority permanently or temporarily resides outside the local authority area, and travels the local authority area on local authority business, the member is only eligible for a travel time allowance for eligible travel:
  - a. after the member crosses the boundary of the local authority area; and
  - b. after the first hour of eligible travel within the local authority area.
5. The maximum total amount of travel time allowance that a member may be paid for eligible travel in a 24-hour period is 8 hours.

### 5.4. ICT (Communications) Allowances

1. The Mayor and Councillors will each be provided with a device set up with programmes necessary to receive meeting agendas and other information, and an official Tararua District Council email address for sending and receiving Council business related email communications.
2. Full technical support is provided by Council for the device and systems provided for Council business related use.
3. Councillors may claim an allowance in accordance with the following limits set by the Remuneration Authority for use of own equipment / services:
  - Use of multi-functional or other printer: \$50 pa
  - Use of ICT consumables: \$200 pa
  - Use of a mobile phone: \$200 pa
  - Mobile connection: \$500 pa
  - Internet connection: \$800 pa

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## 5.5. Expenses – Mayor, Councillors and Community Board Members

1. An elected member may be reimbursed for expenses incurred so long as the reimbursement is in line with Council policy and on an actual and reasonable basis;
2. The general types of expenses that may be paid or reimbursed to elected members include accommodation, food, travel and parking fees;
3. Such costs may be claimed by an elected member if they are required to travel long distances (in excess of 100 kilometres) to a meeting or event and it is not practicable to return home on the same day. This applies particularly if meetings are being held at the same venue on consecutive days;
4. As the Council has negotiated corporate rates with accommodation providers in various towns and cities such accommodation requirements will generally be arranged through the Chief Executive's office by the staff member nominated for this purpose;
5. Costs such as laundry, alcohol or mini-bar, newspapers etc will not be refunded;
6. Elected members who choose to make their own arrangements to stay private will be reimbursed for receipted actual expenses, provided such costs do not exceed those that would have been incurred through accommodation providers referred to in clause 4 above;
7. All air travel bookings shall be made through the Chief Executive's office by the staff member nominated for this purpose, and will be by economy class unless exceptional circumstances arise;
8. Any claims for expenses of the nature as outlined in this policy shall be submitted in writing by the elected member to the Manager – Democracy Services and must include a receipt from the supplier of the service setting out the details and the amount of the actual costs incurred;
9. From the time to time the Mayor, Councillors and Community Board members may have unforeseen costs arise for general items related to community events. Such expenditure will be reimbursed on an actual and reasonable basis, and claims must be submitted in writing through the Chief Executive's office. The items should be appropriate to the occasion and the expenditure should be moderate and conservative.

## 5.6. Childcare Allowance

1. Members of the Tararua District Council may claim childcare expenses.
2. A contribution is made towards expenses incurred by a member of the Tararua District Council for childcare provided while the member is engaged on Council business.
3. A member is eligible to be paid a childcare allowance in respect of childcare provided for a child if:
  - The member is a parent or guardian of the child, or is a personal who usually has responsibility for the day-to-day care of the child (other than on a temporary basis); and
  - The child is aged under 14 years of age; and
  - The childcare is provided by a person who:

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- Is not a parent of the child or a spouse, civil union partner, or de-facto partner of the member; and
  - Does not usually reside with the member; and
  - The member provides evidence satisfactory to the Council of the amount paid for childcare.
4. The amount of childcare allowance that can be paid to an elected member is \$7,500 per child for the determination term.

### 5.7. Home Security Expense Reimbursement and Allowance

1. Based on a security threat and risk assessment authorised by the Council, a members of the Tararua District Council may claim reimbursement of the expenses of having a security system installed and monitored at the member's primary place of residence within the Tararua District up to a maximum of:
  - \$4,500 for installing the system; and
  - \$1,000 in any year for monitoring, call-outs, and repairs.
2. A member may also be reimbursed for additional expenses for the provision of supplementary security measures at their primary place of residence within the Tararua District if:
  - The security threat and risk assessment undertaken recommends that those supplementary security measures be provided to the member; and
  - The Remuneration Authority, on application from the Council, approves reimbursement of the additional expenses arising from the provision of those supplementary security measures.
3. For the purpose of this expense reimbursement and allowance, the term "security system" is defined as encompassing a variety of technologies and services designed to protect properties and enhance safety, including closed circuit television (CCTV), alarm systems and access control systems.

## 6. Document Record

Change	Made By	Date	Version



**Dannevirke Service Centre**  
26 Gordon Street, Dannevirke  
PO Box 115, Dannevirke 4942  
Monday - Friday  
8:00am - 5:00pm  
**Phone:** 06 374 4080 (24 hours)  
**Email:** info@tararua.govt.nz

**Pahiatua Service Centre**  
136 Main Street, Pahiatua  
Monday - Friday  
8:00am - 4:30pm  
**Phone:** 06 376 0110 (24 hours)  
**Email:** info@tararua.govt.nz

**Eketāhuna Service Centre & Library**  
31 Main Street, Eketāhuna  
Monday - Friday  
10:30am - 12:30pm & 1:00pm - 4:30pm  
**Phone:** 06 376 0110 (24 hours)  
**Email:** info@tararua.govt.nz

**Woodville Service Centre, Library & i site**  
45 Vogel Street, Woodville  
Monday - Friday  
9:00am - 5:00pm  
**Phone:** 06 376 0200 (24 hours)  
**Email:** info@tararua.govt.nz



## Report

Date : 7 November 2025

To : Mayor and Councillors  
Tararua District Council

From : Allie Dunn  
Manager Democracy Services

Subject : **Adoption of Meeting Schedule**

Item No : **9.4**

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### 1. Recommendation

- 1.1 *That the report from the Manager Democracy Services dated 06 November 2025 concerning the Adoption of Meeting Schedule be received.*
- 1.2 *That the Tararua District Council adopt the schedule of meetings for the remainder of the 2025 calendar year as follows:*
- 25 November 2025 – Risk and Assurance Committee meeting, 9:30am  
Dannevirke Council Chambers, 156 High Street, Dannevirke*
- 26 November 2025 – Tararua District Council meeting, 9:30am, Dannevirke  
Council Chambers, 156 High Street, Dannevirke*
- 17 December 2025 – Tararua District Council meeting, 9:30am, Dannevirke  
Council Chambers, 156 High Street, Dannevirke*
- 1.3 *That the Tararua District Council note that a calendar of meetings for the 2026 calendar year will be developed for consideration at the December 2025 Council meeting.*

### 2. Reason for the Report

- 2.1 To present for adoption the proposed schedule of meetings for the remainder of the 2025 year.

### **3. Background**

- 3.1 The Local Government Act 2002 requires Council to hold the meetings that are necessary for the good government of its district. A proposed timetable for the remainder of the 2025 calendar year is discussed below, noting that a proposed schedule of meetings for the 2026 calendar year will be brought to the December 2025 Council meeting for discussion.
- 3.2 As set out in the Act, the adoption of a schedule of meetings can cover any future period that the Council considers appropriate. The schedule once adopted, can also be amended if required.
- 3.3 Notification of the schedule or any amendment made to that schedule constitutes a notification of every meeting on that schedule. This saves the Council from having to separately notify members of every meeting that it calls.

### **4. Significance Assessment**

- 4.1 The Council's policy on Significance and Engagement is not triggered by matters discussed in this report.

### **5. Discussion and Options Considered**

- 5.1 The meetings must be called and conducted in accordance with the requirements set out in the Local Government Act 2002, Part VII of the Local Government Official Information and Meetings Act 1987, and the Standing Orders of the Council.
- 5.2 The Council must hold the meetings at the times and places that it appoints.
- 5.3 In past triennia, Council meetings have been held on the last Wednesday of every month, with any extraordinary meetings and committee meetings also kept to a Wednesday.
- 5.4 For the remainder of the 2025 year, the Council needs to adopt a schedule of the meetings that are planned to be held. The alternative would be for the Mayor (or relevant Chairperson) to formally requisition each meeting, with separate notification then being sent to members.
- 5.5 The following dates and times are proposed for the remainder of the 2025 calendar year – the list below includes Induction training sessions for the Council:

<b>Date / Time</b>	<b>Description</b>
25 November 2025, 9:30am to 12 noon	Risk and Assurance Committee meeting
25 November 2025, 1:00pm to	Training session - Finance 101

4:00pm	
26 November 2025, 9:30am to 3:30pm	Council meeting followed by induction workshop on the Annual Plan
17 December 2025, 9:30am to 12 noon	Council meeting

- 5.6 The Dannevirke Community Board and Eketāhuna Community Board will each be discussing their proposed schedule of meetings at their upcoming meetings, including how often their meetings will be held, and at what time and day of the week. The outcome of these discussions will be included in the Council meeting schedule once known.

## 6. Statutory Requirements

- 6.1 Clause 19 of Schedule 7 of the Local Government Act 2002 sets out the provisions for calling meetings. The meeting schedule for 2016 is proposed for adoption in accordance with Clause 19(6) as follows:

*“(6) If a local authority adopts a schedule of meetings,—*

*(a) the schedule—*

*(i) may cover any future period that the local authority considers appropriate; and*

*(ii) may be amended; and*

*(b) notification of the schedule or of any amendment to that schedule constitutes a notification of every meeting on the schedule or amendment.”*

## 7. Delegations

- 7.1 The Council has the authority to adopt the schedule of meetings.

## 8. Consultation

- 8.1 The Council is required to give public notice of all Council, Committee and Community Board meetings, to inform the public of upcoming meetings. The Council is also required to make available to the public, at least clear two working days prior to each meeting, the agenda and associated reports that would be considered at the meeting. This is to enable members of the public to be informed about decisions that the Council, its committees or the Community Boards propose to make, to make their views known to members prior to the debate, and to request time to speak during public forum at the meeting on matters of concern to them. Copies of the agendas and their associated reports are displayed

in the District Libraries, and at Council reception, at least clear two working days prior to each meeting.

- 8.2 The meeting agendas, reports and minutes are also published on the Council's website.

## **9. Conclusion**

- 9.1 The proposed schedule for the remainder of the 2025 calendar year has been drafted to complete the induction programme and meeting requirements for the Council.
- 9.2 A proposed schedule for the 2026 calendar year will be brought to the December meeting of Council for Council consideration and adoption. Feedback is welcomed from members from today's meeting to help with the drafting of the 2026 schedule of meetings.

## **Attachments**

Nil.



## Report

Date : 7 November 2025

To : Mayor and Councillors  
Tararua District Council

From : Allie Dunn  
Manager - Democracy Services

Subject : **Tararua District Council - Code of Conduct for Elected Members**

Item No : **9.5**

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### 1. Recommendation

- 1.1 *That the report from the Manager - Democracy Services dated 03 November 2025 concerning the Tararua District Council - Code of Conduct for Elected Members be received.*
- 1.2 *That the Tararua District Council agrees to include the requirement for elected members who are undischarged bankrupts to disclose that fact, as set out in Clause 15(5) of Schedule 7 of the Local Government Act 2002.*
- 1.3 *That the Tararua District Council adopts the Code of Conduct as appended to the report of the Manager – Democracy Services dated 3 November 2025.*

### 2. Reason for the Report

- 2.1 To present an updated Code of Conduct to elected members for consideration and adoption.

### 3. Discussion and Options Considered

- 3.1 The overall aim of a Code of Conduct is to set out agreed values, understandings, and expectations about the manner in which members of the Council conduct themselves while acting in their capacity of elected members.
- 3.2 The Council adopted its current Code of Conduct in January 2024. It is usual practice for Councils to review their Code of Conduct on a triennial basis and

undertaking this review shortly after the Council election allows time for induction and briefing of newly elected members beforehand.

- 3.3 The Code of Conduct includes a requirement for members that have declared a pecuniary interest in an item to leave the meeting room during deliberations and voting on that item. This reflects good practice and ensures the decision-making process can be seen to be free from potential influence from any related pecuniary interest.
- 3.4 It is a requirement of the Local Government Act 2002 that Councils must consider whether or not its Code of Conduct will require its elected members who are undischarged bankrupts to disclose that fact (refer Clause 15(5), Schedule 7, Local Government Act 2002). The current Code of Conduct adopted January 2024 contains this requirement, and it is proposed that Council continue to require members who are undischarged bankrupts to make this disclosure.
- 3.5 Attached to this report is the proposed updated Code of Conduct, noting the only change proposed is to use the updated Council policy template for the Code of Conduct. It is not proposed to make any changes from the current Code of Conduct, noting the proposal through the Local Government (System Improvements) Amendment Bill, discussed in the next section of this report.

#### **Local Government (System Improvements) Amendment Bill**

- 3.6 The Local Government (System Improvements) Amendment Bill proposes to:
- Empower the Secretary for Local Government to issue a standardised code of conduct that would be binding on all Councils;
  - Require Councils to include the standardised Code of Conduct in statutory briefings of newly elected members; and
  - Extend the Code's application to community board members.
- 3.7 Although the Local Government Act 2002 to date has not required the Community Boards to adopt the Code of Conduct, it has been the practice at the Tararua District Council to have the two Community Boards each also adopt the Code of Conduct and be bound by the values and , understandings and expectations for behaviour set by the Code of Conduct.

### **4. Financial implications**

- 4.1 There are no financial implications associated with this matter.

### **5. Statutory Requirements**

- 5.1 Clause 15, Schedule 7 of the Local Government Act 2002 sets out the requirements for the Code of Conduct that every Council must adopt.

*“(2) The code of conduct must set out –*

*(a) Understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members, including –*

*(i) behaviour towards one another, staff, and the public; and*

*(ii) disclosure of information, including (but not limited to) the provision of any document, to elected members that –*

*(A) is received by, or is in the possession of, and elected member in his or her capacity as an elected member; and*

*(B) relates to the ability of the local authority to give effect to any provision of this Act; and*

*(b) a general explanation of –*

*(i) the Local Government Official Information and Meetings Act 1987; and*

*(ii) any other enactment or rule of law applicable to members.*

*(3) A local authority may amend or replace its code of conduct but may not revoke it without replacement.*

*(4) A member of a local authority must comply with the code of conduct of that local authority.*

*(5) A local authority must, when adopting a code of conduct, consider whether it must require a member or newly elected member to declare whether or not the member or newly elected member is an undischarged bankrupt.*

*(6) After the adoption of the first code of conduct, an amendment of the code of conduct or the adoption of a new code of conduct requires, in every case, a vote in support of the amendment of not less than 75% of the members present.*

*(7) To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act”.*

## **6. Delegations**

6.1 The Council has the authority to decide this matter, noting that a vote of at least 75% of the members present in support is required to replace the current Code of Conduct.

## **7. Consultation**

- 7.1 There are no community consultation requirements associated with this matter.

## **8. Conclusion**

- 8.1 An updated Code of Conduct has been developed to replace the Code adopted in January 2024.
- 8.2 There are no substantive changes proposed for the Code of Conduct, noting that the Secretary for Local Government is currently working on a replacement code.

## **Attachments**

- 1 [!\[\]\(8e30e55f0960c07614b4dd80abaf1c36\_img.jpg\)](#). Elected Members Code of Conduct 2025



# Elected Members Code of Conduct



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PONO	WHANAUNGATANGA	WHANAKE
Integrity through transparency, trust and accountability	One team who unites behind a shared vision	We will continue to evolve, adapting to our ever-changing environment
Integrity through standing up for what's right	One team who is respectful and considerate to all	We will continue to evolve, steering our waka in the right direction
Integrity through respect for our communities, environment and cultures	One team who encourages each other to succeed and excel	We will continue to evolve, leading our communities into a better future
		

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## 1. Introduction

The Code of Conduct (the Code) sets out the standards of behaviour expected from elected members in the exercise of their duties. Its purpose is to:

- Enhance the effectiveness of the Council and the provision of good local government of the community, city, district or region;
- Promote effective decision-making and community engagement;
- Enhance the credibility and accountability of the Council to its communities; and
- Develop a culture of mutual trust, respect and tolerance between the members of the Council and between the members and management.

This purpose is given effect through the values, roles, responsibilities and specific behaviours agreed in the code.

## 2. Scope

The Code has been adopted in accordance with clause 15(1) of Schedule 7 of the Local Government Act 2002 (Local Government Act 2002) and applies to all members, including any non-elected members appointed to committees or subcommittees, and the members of any community boards that have agreed to adopt it. The Code is designed to deal with the behaviour of members towards:

- Each other;
- The Chief Executive and staff;
- The media; and
- The general public.

It is also concerned with the disclosure of information that members receive in their capacity as elected members and information which impacts on the ability of the Council to give effect to its statutory responsibilities.

The Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the Council's Standing Orders.

## 3. Values

The code is designed to give effect to the following values:

1. **Public interest:** members will serve the best interests of the people within their community, district or region and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council, will work together constructively in an accountable and transparent manner;
3. **Ethical behaviour:** members will act with honesty and integrity at all times and respect the impartiality and integrity of officials;
4. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Respect for others:** members will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability.

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6. **Duty to uphold the law:** members will comply with all the legislative requirements applying to their role, abide by the Code of Conduct and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which the Council operates, including a regular review and assessment of the Council's collective performance.

These values complement, and work in conjunction with, the principles of section 14 of the Local Government Act 2002 and the governance principles of s39 of the Local Government Act 2002.

#### 4. Role and Responsibilities

The Code of Conduct is designed to strengthen the good governance of the Tararua District. Good governance requires that the complementary roles of the governing body and the administration are understood and respected. These roles involve:

##### 4.1. Members

The role of the governing body includes:

- Representing the interests of the people of the district;
- Developing and adopting plans, policies and budgets;
- Monitoring the performance of the Council against stated goals and objectives set out in its Long-term plan;
- Providing prudent stewardship of the Council's resources;
- Employing and monitoring the performance of the Chief Executive; and
- Ensuring the Council fulfils its responsibilities to be a 'good employer' and meets the requirements of the Health and Safety at Work Act 2015.

##### 4.2. Chief Executive

The role of the Chief Executive includes:

- Implementing the decisions of the Council;
- Ensuring that all responsibilities delegated to the Chief Executive are properly performed or exercised;
- Ensuring the effective and efficient management of the activities of the Council;
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council;
- Providing leadership for the staff of the Council; and
- Employing, on behalf of the Council, the staff of the Council, (including negotiation of the terms of employment for those staff).

The Chief Executive is the only person *directly* employed by the Council itself (s.42 Local Government Act 2002). All concerns about the performance of an individual member of staff must, in the first instance, be referred to the Chief Executive.

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## 5. Relationships

This section of the Code sets out agreed standards of behaviour between members; members and staff; and members and the public. Any failure by a member to comply with the provisions of this section can represent a breach of the Code.

### 5.1. Relationships between members

Given the importance of relationships to the effective performance of the Council, members will conduct their dealings with each other in a manner that:

- Maintains public confidence;
- Is open, honest and courteous;
- Is focused on issues rather than personalities;
- Avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and
- Avoids aggressive, bullying or offensive conduct, including the use of disrespectful or malicious language.

Please note, nothing in this section of the Code is intended to limit robust debate.

### 5.2. Relationships with staff

An important element of good governance involves the relationship between a Council, its Chief Executive, and its staff. Members will respect arrangements put in place to facilitate this relationship, and:

- Raise any concerns about employees, officers or contracted officials with the Chief Executive;
- Raise any concerns about the performance or behaviour of the Chief Executive with the Mayor or the Chairperson of the Chief Executive performance review committee (however described);
- Make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe these requirements at all times, such as the duty to be a good employer;
- Treat all employees with courtesy and respect and not publicly criticise any employee, and;
- Observe any protocols put in place by the Chief Executive concerning contact between members and employees.

Please note, elected members should be aware that failure to observe this portion of the Code may compromise the Council's obligations to be a good employer and consequently expose the Council to civil litigation or affect the risk assessment of Council's management and governance control processes undertaken as part of the Council's annual audit.

### 5.3. Relationship with the public

Given the vital role that the democratic local government plays in our communities it is important that Councils have the respect and trust of their citizens. To facilitate trust and respect in their Council, members will:

- Ensure their interactions with citizens are fair, honest and respectful;
- Be available to listen and respond openly and honestly to citizens' concerns;
- Represent the views of citizens and organisations accurately, regardless of the member's own opinions of the matters raised; and
- Ensure their interactions with citizens and communities uphold the reputation of the Council.

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## 6. Media and social media

The media play an important role in the operation and efficacy of our local democracy. In order to fulfil this role, the media needs access to accurate and timely information about the affairs of Council. Any failure by member to comply with the provisions of this section can represent a breach of the Code.

1. In dealing with the media, elected members must clarify whether they are communicating a view endorsed by their Council, committee, or community board, or are expressing a personal view.
2. Members are free to express a personal view to the media or social media at any time, provided the following rules are observed:
  - Comments shall be consistent with the Code;
  - Comments must not purposefully misrepresent the views of the Council or the views of other members;
  - Social media pages controlled by members and used for making observations relevant to their role as an elected members should be open and transparent, except where abusive or inflammatory content is being posted; and
  - Social media posts about other members, council staff or the public must be consistent with section 5 of this Code. (See Appendix A for guidelines on the personal use of social media).

## 7. Information

Access to information is critical to the trust in which a Council is held and its overall performance. A failure to comply with the provisions below can represent a breach of the Code.

### 7.1. Confidential information

In the course of their duties members will receive information, whether in reports or through debate, that is confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation. Accordingly, members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member.

### 7.2. Information received in capacity as an elected member

Occasionally members will receive information from external parties which is pertinent to the ability of their Council to properly perform its statutory duties. Where this occurs, and the information does not contravene the privacy of natural persons, the member will disclose such information to other members and/or the chief executive as soon as practicable.

## 8. Conflicts of Interest

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Members therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where



the member's spouse/partner has a pecuniary interest, such as through a contract with the Council. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member has declared a pecuniary interest in an item, they must leave the meeting room during deliberations and voting on that item.

If a member is in any doubt as to whether a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive immediately. Members may also contact the Office of the Auditor-General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

**Please note:** Failure to observe the requirements of LAMIA could potentially invalidate a decision made, or the action taken, by the Council. Failure to observe these requirements could also leave the elected member open to prosecution (see **Appendix B**). In the event of a conviction elected members can be ousted from office.

## 9. Register of Interests

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

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

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



## 10. Ethical behaviour

Members will seek to promote the highest standards of ethical conduct. Accordingly, members will:

- Claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;
- Not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or families, personal or business interests;
- Only use the Council's resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and
- Not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the Chief Executive if any such gifts are accepted. Where a gift to the value of \$500 or more is accepted by a member, that member must immediately disclose this to the Chief Executive for inclusion in the publicly available register of interests.

Any failure by members to comply with the provisions set out in this section represents a breach of the code.

### 10.1. Undischarged bankrupt

- In accordance with clause 15(5) of Schedule 7 (Local Government Act 2002) any member who is an "undischarged bankrupt" will notify the chief executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt. The member will also provide the chief executive with a brief explanatory statement of the circumstances surrounding the member's adjudication and the likely outcome of the bankruptcy.

## 11. Creating a supportive and inclusive environment

In accordance with the purpose of the Code, members agree to take all reasonable steps in order to participate in activities scheduled to promote a culture of mutual trust, respect and tolerance. These include:

- Attending post-election induction programmes organised by the Council for the purpose of facilitating agreement on the Council's vision, goals and objectives and the manner and operating style by which members will work.
- Taking part in any assessment or evaluation of the Council's performance and operating style during the triennium.
- Taking all reasonable steps to acquire the required skills and knowledge to effectively fulfil their Declaration of Office (the Oath) and contribute to the good governance of the district.

## 12. Breaches of the Code

Members must comply with the provisions of the code (Local Government Act 2002, schedule 7, cl. 15(4)). Any member, or the Chief Executive, who believes that the Code has been breached by the behaviour of a member may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

### 12.1. Principles

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

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

## 12.2. Who can make a complaint?

The Code of Conduct is designed to be a self-regulatory instrument and complaints regarding a breach of the Code can only be made by members themselves, or the Chief Executive, who can make a complaint on behalf of their staff. On receipt of a complaint, the Chief Executive must forward the complaint to an independent person, whether an independent investigator or an initial assessor, for an assessment.

## 12.3. Role of the initial assessor

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

If a complaint is not dismissed, the initial assessor (or independent investigator in a one-step process) may recommend one of the following:

### Refer to the Mayor

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

- That the member attends a relevant training course
- That the member work with a mentor for a period
- That the member tenders an apology

### Mediation

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

### Refer to Independent Investigator

Where the initial assessor finds that the complaint is serious or no resolution can be reached and/or mediation is refused, the initial assessor will refer the complaint to an independent investigator. The



independent investigator will be selected from the Council's independent investigators' panel assembled by the Chief Executive, or an independent investigator service that is contracted to the Council. Complaints that involve a chairperson or Chief Executive will be referred directly to the independent investigator.

Complaints that are dismissed, referred to a chairperson, or resolved by mediation, will not be reported to the Council.

#### 12.4. Role of the independent investigator

The independent investigator will:

- Determine whether a breach has occurred;
- If so, determine the seriousness of the breach; and
- Recommend actions that a Council should take in response to the breach.

Any recommended actions made in response to a complaint that has been upheld will be considered by the Council.

##### Determining the significance of an alleged breach

The independent investigator may take whatever actions they need to determine the significance of a complaint, within the budgetary constraints set down, including re-assessing the complaint.

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

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

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

On completing their investigation, an independent investigator may dismiss a complaint or make a recommendation to the governing body. The independent investigator's recommendation will be contained in a report to the Council Chief Executive which will form the basis of a consequent report to the governing body to recommend to them the decision and the actions that they may be required to take.

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

#### 12.5. Costs and support

The Council must ensure that members who make a complaint are not left to meet any costs created by doing so. Members, those who make complaints, and those who are subject to a complaint, should be given appropriate and reasonable support.

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## 12.6. Process for determining and investigating complaints

### Step 1: Chief Executive receives complaint

All complaints made under this Code of Conduct must be made in writing and forwarded to the Chief Executive who will refer the complaint to the initial assessor. A complaint does not need to explicitly refer to the Code of Conduct to be a valid complaint, provided it is clear that it relates to the Code of Conduct. The Chief Executive will also:

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

A complaint by the Chief Executive, or implicating the Chief Executive, must be forwarded to the Mayor who will refer the complaint to the initial assessor and delegate other steps to Council Officers.

### Step 2: Initial assessor makes an assessment and arranges mediation

1. The initial assessor will undertake an assessment of the merits of the complaint. If they consider it is not valid, the complaint will be dismissed. The complainant will have no recourse or appeal. Grounds for concluding that a complaint has no merit include that it is trivial, vexatious, frivolous, or politically motivated.
2. The initial assessor may refer the person responsible for the alleged breach to the chair or Mayor or Deputy Mayor for their advice and guidance. These will not be reported to the Council. A meeting or meetings with the chair may be regarded as sufficient to resolve the complaint. Where a member is referred to the chair, the initial assessor may also recommend, for the chair's consideration.
3. If deemed to have merit, the initial assessor will contact the parties to seek their agreement to independently facilitated mediation. If the parties agree and the issue is resolved by mediation the matter will be closed and no further action is required.
4. If the parties do not agree to mediation, or mediation is unsuccessful in resolving the matter, the initial assessor will refer the complaint to an independent investigator selected from a panel established by the Chief Executive at the start of the triennium, or service contracted to the Council. The initial assessor will also inform the complainant and the respondent that the complaint has been referred to the independent investigator and the name of the independent investigator.

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

If the complaint is found to be a breach of the Code of Conduct the independent investigator will inform the initial assessor, who will inform the complainant and respondent. The independent investigator will then assess the nature and effect of the breach and prepare a report for the Council on the seriousness of the breach and recommend actions commensurate with that breach. In preparing that report the independent investigator may:

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- Consult with the complainant, respondent, and any affected parties;
- Undertake a hearing with relevant parties; and/or
- Refer to any relevant documents or information.

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

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

#### **Step 4: Process for considering the investigators report – recommendations are not binding**

Council's process for determining and investigating complaints give an independent investigator the power to make recommendations to the Council, then:

- The Chief Executive's report, containing the independent investigators recommendations and report, will be presented to the governing body, or committee/sub-committee with delegated authority to consider code of conduct complaints;
- The Governing body, or community board, will ensure that members with an interest in the complaint are not present during the discussion on the independent investigator's recommendations;
- The report will be received in public meeting unless grounds, such as those set out in s.48 LGOIMA, exist for the exclusion of the public;
- The Chief Executives report may also outline the plan for the report's public release, for the governing body's information and comment;
- The governing body, community board, or committee/sub-committee with delegated authority, may accept the investigators recommendations or, if they believe it is justified, amend the independent investigators recommendations. As part of these considerations the complainant may be asked to appear before the governing body, board or committee and answer questions from members;
- The penalty or sanction that might be applied will depend on the seriousness of the breach and may include actions set out in Attachment Three.

### **12.7. Selecting the initial assessor and independent investigator**

#### **Selecting an initial assessor**

The Chief Executive is responsible for this. In selecting the initial assessor, the Chief Executive will consult with the Council.

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

- The external appointee on Council's Audit and Risk Committee;
- A member of staff, such as an internal ombudsman or ethics adviser, as long as they have operational independence from the Chief Executive (similar to the independence afforded an Electoral Officer);
- A retired Council chief executive;

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- A retired Council politician;
- A member of the public with relevant experience and competency.

#### Selecting an independent investigator

The Chief Executive is responsible for compiling a panel or list of independent investigators.

At the beginning of each triennium the Chief Executive, in consultation with the Council, will compile list of independent investigators. In selecting them, a Chief Executive may consider:

- The council's legal advisers;
- A national service specialising in public sector integrity;
- A national service providing assessment and investigation services; or
- An individual with relevant skills and competencies.

**Please note:** Given the litigious nature of some code of conduct disputes independent investigators should have relevant liability insurance, provided on their own behalf or by the Council. The Chief Executive also needs to ensure that investigations are undertaken within budgetary limits negotiated in advance.

#### 12.8. Actions that may be applied when a breach has been confirmed

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

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

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

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

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15. That the member be invited to consider resigning from the council.

**Please note:** Actions 1-6 will typically not be reported to the Council. Actions 7-15, which have a high degree of public interest, namely democratic representation, should be considered in an open meeting, unless there are grounds, such as those set out in LGOIMA, for not doing so.

### 12.9. Responses to statutory breaches

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

- Breaches relating to members' interests (where members may be liable for prosecution by the Auditor General under LAMIA).
- Breaches which result in the council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under section 44 LGA 2002 which may result in the member having to make good the loss or damage).
- Breaches relating to the commission of a criminal offense which will be referred to the Police (which may leave the elected member liable for criminal prosecution).

Failure to observe the provisions of the Code of Conduct may also result in the following:

- Expose the Council to litigation;
- Invalidate insurance of indemnity for members;
- Expose individual members to responsibility for loss under section 46 of the Local Government Act.

## 13. Penalties and actions

Where a complaint is determined to be material and referred to the Council or an adjudicative body established to consider complaints, the nature of any penalty or action will depend on the seriousness of the breach.

### 13.1. Material breaches

In the case of material breaches of the Code, the Council, or the adjudicative body with delegated authority, may require one of the following:

1. A letter of censure to the member;
2. A request (made either privately or publicly) for an apology;
3. Removal of certain Council-funded privileges (such as attendance at conferences);
4. Removal of responsibilities, such as committee chair, deputy committee chair or portfolio holder;
5. Restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);
6. Limitation on any dealings with Council staff other than the Chief Executive or identified senior manager;
7. A vote of no confidence in the member;
8. Suspension from committees or other bodies to which the member has been appointed; or
9. Invitation to the member to consider resigning from the Council.

A Council or adjudicative body with delegated authority may decide that instead of a penalty, one or more of the following may be required:

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- Attend a relevant training course; and/or
- Work with a mentor for a period of time; and/or
- Participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
- Tender an apology.

The process is based on the presumption that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA), for not doing so.

### 13.2. Statutory breaches

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

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

## 14. Review

Once adopted, the Code continues in force until amended by the Council. The Code can be amended at any time but cannot be revoked unless the Council replaces it with another Code. Amendments to the Code require a resolution supported by 75 per cent of the members of the Council present at the Council meeting at which the amendment is considered. Councils are encouraged to formally review their existing Code and either amend or re-adopt it as soon as practicable after the beginning of each triennium in order to ensure that all members have the opportunity to provide their views on the Code's provisions.



## Appendix A: Guidelines on the personal use of social media<sup>5</sup>

There's a big difference in speaking "on behalf of Council" and speaking "about" the Council. While your rights to free speech are respected, please remember that citizens and colleagues have access to what you post. The following principles are designed to help you when engaging in personal or unofficial online communications that may also refer to your Council.

1. **Adhere to the Code of Conduct and other applicable policies.** Council policies and legislation, such as LGOIMA and the Privacy Act 2020, apply in any public setting where you may be referring to the Council or its activities, including the disclosure of any information online.
2. **You are responsible for your actions.** Anything you post that can potentially damage the Council's image will ultimately be your responsibility. You are encouraged to participate in social media but in so doing you must exercise sound judgment and common sense.
3. **Be an "advocate" for compliments and criticism.** Even if you are not an official online spokesperson for the Council, you are one of its most important advocates for monitoring the social media landscape. If you come across positive or negative remarks about the Council or its activities online that you believe are important you are encouraged to share them with the governing body.
4. **Let the subject matter experts respond to negative posts.** Should you come across negative or critical posts about the Council or its activities you should consider referring the posts to the Council's authorised spokesperson, unless that is a role you hold, in which case consider liaising with your communications staff before responding.
5. **Take care mixing your political (Council) and personal lives.** Elected members need to take extra care when participating in social media. The public may find it difficult to separate personal and Council personas. Commenting online in any forum, particularly if your opinion is at odds with what Council is doing, can bring you into conflict with the Code should it not be clear that they are your personal views.
6. **Never post sensitive and confidential information** provided by the Council, such as confidential items, public excluded reports and/or commercially sensitive information. Such disclosure will contravene the requirements of the Code.
7. **Elected Members' social media pages should be open and transparent.** When commenting on matters related to the Council no members should represent themselves falsely via aliases or differing account names. Neither should they block any post on any form of social media that they have control over unless there is clear evidence that the posts are actively abusive. Blocking constructive debate or feedback can be seen as bringing the whole Council into disrepute.

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<sup>5</sup>Based on the Ruapehu District Council Code of Conduct.



## Appendix B: Legislation bearing on the role and conduct of elected members

This is a summary of the legislative requirements that have some bearing on the duties and conduct of elected members. The full statutes can be found at [www.legislation.govt.nz](http://www.legislation.govt.nz).

### The Local Government Act 2002

The Local Government Act 2002 is local government's empowering statute. It establishes our system of local government and sets out the rules by which it operates. Those rules include the principles underpinning Council decision-making, governance principles, Te Tiriti obligations as set by the Crown, and the role of the Chief Executive.

The Local Government Act also details the personal liability of members.

Although having qualified privilege, elected members can be held personally accountable for losses incurred by a Council where, following a report from the Auditor General under s44 Local Government Act 2002, it is found that one of the following applies:

- Money belonging to, or administered by, a Council has been unlawfully expended; or
- An asset has been unlawfully sold or otherwise disposed of by the Council; or
- A liability has been unlawfully incurred by the Council; or
- A Council has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.

Members will not be personally liable where they can prove that the act or failure to act resulting in the loss occurred as a result of one of the following:

- Without the member's knowledge;
- With the member's knowledge but against the member's protest made at or before the time when the loss occurred;
- Contrary to the manner in which the member voted on the issue; and
- In circumstances where, although being a party to the act or failure to act, the member acted in good faith and relied on reports, statements, financial data, or other information from professional or expert advisers, namely staff or external experts on the matters.

In certain situation members will also be responsible for paying the costs of proceedings (s47 Local Government Act 2002).

### Pecuniary Interests

Following passage of the Local Government (Pecuniary Interests Register) Amendment Bill in 2022, the Local Government Act 2002 was amended to now require Councils to keep a register of the pecuniary interests of their members, including community board members. The purpose of the register is to record members' interests to ensure transparency and strengthen public trust and confidence in local government processes and decision-making. Registers must comprise the following:

- the name of each company of which the member is a director or holds or controls more than 10% of the voting rights and a description of the main business activities of each of those companies,
- the name of every other company or business entity in which the member has a pecuniary interest, other than as an investor in a managed investment scheme, and a description of the main business activities of each of those companies or business entities,



- if the member is employed, the name of each employer of their employer and a description of the main business activities of those employers,
- the name of each trust in which the member has a beneficial interest,
- the name of any organisation or trust and a description of the main activities of that organisation or trust if the member is a member of the organisation, a member of the governing body of the organisation, or a trustee of the trust, and the organisation or trust receives funding from the Council, or community board to which the member has been elected,
- the title and description of any organisation in which the member holds an appointment by virtue of being an elected member,
- the location of real property in which the member has a legal interest, other than an interest as a trustee, and a description of the nature of the real property,
- the location of real property, and a description of the nature of the real property, held by a trust if the member is a beneficiary of the trust and it is not a unit trust (disclosed under subclause 20) or a retirement scheme whose membership is open to the public.

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

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

The Local Authorities (Members' Interests) Act 1968 (LAMIA) provides rules about members discussing and voting on matters in which they have a pecuniary interest and about contracts between members and the Council.

A pecuniary interest is likely to exist if a matter under consideration could reasonably give rise to an expectation of a gain or loss of money for a member personally (or for their spouse/partner or a company in which they have an interest). In relation to pecuniary interests the LAMIA applies to both contracting and participating in decision-making processes.

With regard to pecuniary or financial interests, a person is deemed to be "concerned or interested" in a contract or interested "directly or indirectly" in a decision when:

- A person, or spouse/partner, is "concerned or interested" in the contract or where they have a pecuniary interest in the decision; or
- A person, or their spouse/partner, is involved in a company that is "concerned or interested" in the contract or where the company has a pecuniary interest in the decision.

There can also be additional situations where a person is potentially "concerned or interested" in a contract or have a pecuniary interest in a decision, such as where a contract is between an elected members' family trust and the Council.

#### **Determining whether a pecuniary interest exists**

Elected members are often faced with the question of whether or not they have a pecuniary interest in a decision and if so whether they should participate in discussion on that decision and vote. When determining if this is the case or not the following test is applied:

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“...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.” (OAG, 2001)

In deciding whether you have a pecuniary interest, members 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 by making that decision?
- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the LAMIA apply to me?
- Could I apply to the Auditor-General for approval to participate?

Members may seek assistance from the Mayor or other person, to determine if they should discuss or vote on an issue, but ultimately it is their own judgment as to whether or not they have pecuniary interest in the decision. Any member who is uncertain as to whether they have a pecuniary interest is advised to seek legal advice. Where uncertainty exists members may adopt a least-risk approach which is to not participate in discussions or vote on any decisions.

Members who do have a pecuniary interest will declare the pecuniary interest to the meeting and not participate in the discussion or voting. The member will then leave the room during the consideration of the item. The declaration, abstention and departure of the member needs to be recorded in the meeting minutes. (Refer to requirements set out in the Council's Standing Orders).

#### **The contracting rule**

A member is disqualified from office if he or she is “concerned or interested” in contracts with their Council if the total payments made, or to be made, by or on behalf of the Council exceed \$25,000 in any financial year. The \$25,000 limit includes GST. The limit relates to the value of all payments made for all contracts in which you are interested during the financial year. It does not apply separately to each contract, nor is it just the amount of the profit the contractor expects to make or the portion of the payments to be personally received by you.

The Auditor-General can give prior approval, and in limited cases, retrospective approval for contracts that would otherwise disqualify you under the Act. It is an offence under the Act for a person to act as a member of the Council (or committee of the Council) while disqualified.

#### **Non-pecuniary conflicts of interest**

In addition to the issue of pecuniary interests, rules and common law govern conflicts of interest more generally. These rules apply to non-pecuniary conflicts of interest, including common law rules about bias. In order to determine if bias exists or not members need to ask:

“Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?”

The question is not limited to actual bias but relates to the appearance or possibility of bias reflecting the principle that justice should not only be done but should be seen to be done. Whether or not members believe they are not biased is irrelevant.

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Members focus should be on the nature of the conflicting interest or relationship and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- Members' statements or conduct indicate that they have predetermined the decision before hearing all relevant information (that is, members have a "closed mind"); and
- Members have a close relationship or involvement with an individual or organisation affected by the decision.

In determining whether or not they might be perceived as biased, members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing that platform, then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in Quasi judicial settings, such as Resource Management Act hearing).

### **Local Government Official Information and Meetings Act 1987**

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

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

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

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

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

- Protect the privacy of natural persons, including that of deceased natural persons;
- Protection information where it would disclose a trade secret or would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information;
- In the case of an application for resource consents or certain orders under the Resource Management Act 1992, to avoid serious offence to tikanga Māori, or to avoid the disclosure of the location of waahi tapu;
- Protect information the subject of an obligation of confidence, where making that information available would prejudice the supply of similar information (and it is in the public interest for this to continue), or would be likely otherwise to damage the public interest;
- Avoid prejudice to measures protection the health or safety of members of the public;
- Avoid prejudice to measures that prevent or mitigate material loss to members of the public;
- Maintain the effective conduct of public affairs through the free and frank expression of opinions between or to members and local authority employees in the course of their duty or the protection of such people from improper pressure or harassment;
- Maintain legal professional privilege;
- Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or

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- Prevent the disclosure or use of official information for improper gain or improper advantage.

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

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

### **The role of the Ombudsman**

An Ombudsman is an Officer of Parliament appointed by the Governor-General on the recommendation of Parliament. An Ombudsman’s primary role under the Ombudsmen Act 1975 is to independently investigate administrative acts and decisions of central and local government departments and organisations that affect someone in a personal capacity. Ombudsmen investigate complaints made under LGOIMA.

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

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

### **Secret Commissions Act 1910**

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council.

If convicted of any offence under this Act a person can be imprisoned for up to two years, and/or fines up to \$1000. A conviction would therefore trigger the ouster provisions of the Local Government Act 2002 and result in the removal of the member from office.

### **Crimes Act 1961**

Under this Act 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 Council; and
- Use information gained in the course of their duties for their, or another person’s, monetary gain, or advantage.

Elected members convicted of these offences will automatically cease to be members.

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### Financial Markets Conduct Act 2013

Financial Markets Conduct Act 2013 (previously the Securities Act 1978) essentially places elected members in the same position as company directors whenever Council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

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

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

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

- an offence
- a serious risk to public health, or public safety, or the health or safety of any individual, or to the environment
- a serious risk to the maintenance of the law including the prevention, investigation and detection of offences or the right to a fair trial
- an unlawful, corrupt, or irregular use of public funds or public resources
- oppressive, unlawfully discriminatory, or grossly negligent or that is gross mismanagement by a public sector employee or a person performing a function or duty or exercising a power on behalf of a public sector organisation or the Government

Council needs to have appropriate internal procedures that identify who in the organisation a protected disclosure may be made to, describe the protections available under the Act, and explain how the organisation will provide practical assistance and advice to disclosers. A discloser does not have to go through their organisation first. An appropriate authority can include the head of any public sector organisation and any officer of Parliament, such as the Ombudsman and Controller and Auditor-General. Ombudsmen are also an "appropriate authority" under the Protected Disclosures (Protection of Whistleblowers) Act 2022.

### The Serious Fraud Office Act 1990

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

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

- Operations people with the right skills and experience in the relevant areas, with clear accountability lines.

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- Risk mitigation to manage risks that can't be eliminated through segregation, discretion reduction, delegations, management oversight, and audit.
- Basic standards of behaviour moderated by a Code of Conduct, ongoing interests and gift processes (not simply annual declaration), plenty of opportunities and ways to speak up, disciplinary options, training and support.
- Design and oversight based on a clear understanding of operational realities (design, governance, management, audit, investigation, business improvement, and legal).

### **The Health and Safety Act at Work Act 2015**

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

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

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

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

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

### **The Harmful Digital Communications Act 2015**

The Harmful Digital Communications Act (HDCA) was passed to help people dealing with serious or repeated harmful digital communications. The Act covers any harmful digital communications (like text, emails, or social media content) which can include racist, sexist, and religiously intolerant comments – plus those about disabilities or sexual orientation and sets out 10 communication principles for guiding communication online. Under the Act a digital communication should not:

- disclose sensitive personal facts about an individual.
- be threatening, intimidating, or menacing.
- be grossly offensive to a reasonable person in the position of the affected individual.
- be indecent or obscene.

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- be used to harass an individual.
- make a false allegation.
- contain a matter that is published in breach of confidence.
- incite or encourage anyone to send a message to an individual for the purpose of causing harm to the individual.
- incite or encourage an individual to commit suicide.
- denigrate an individual by reason of colour, race, ethnic or national origins, religion, gender, sexual orientation or disability.

More information about the Act can be found at <https://netsafe.org.nz/netsafe>

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## 15. Document Record

Change	Made By	Date	Version
Adoption	Tararua District Council	31 January 2024	1.0
Review	Tararua District Council	12 November 2025	



**Dannevirke Service Centre**  
26 Gordon Street, Dannevirke  
PO Box 115, Dannevirke 4942  
Monday - Friday  
8:00am - 5:00pm  
**Phone:** 06 374 4080 (24 hours)  
**Email:** info@tararua.govt.nz

**Pahiatua Service Centre**  
136 Main Street, Pahiatua  
Monday - Friday  
8:00am - 4:30pm  
**Phone:** 06 376 0110 (24 hours)  
**Email:** info@tararua.govt.nz

**Eketāhuna Service Centre & Library**  
31 Main Street, Eketāhuna  
Monday - Friday  
10:30am - 12:30pm & 1:00pm - 4:30pm  
**Phone:** 06 376 0110 (24 hours)  
**Email:** info@tararua.govt.nz

**Woodville Service Centre, Library & iSite**  
45 Vogel Street, Woodville  
Monday - Friday  
9:00am - 5:00pm  
**Phone:** 06 376 0200 (24 hours)  
**Email:** info@tararua.govt.nz