



AGENDA

Meeting of the:

**Omau Reserve and Hall
Subcommittee**

Monday 17 June 2024

5:00pm at the

**Clocktower Chambers, Palmerston
Street, Westport**

Reserves And Halls Subcommittees

Reports to: Risk and Audit Committee

Meeting Frequency: Annually and as required

1. PURPOSE:

- 1.1 The purpose of Reserve and Hall Subcommittee is to manage the X reserve and hall with the support of Council;
- 1.2 In making these delegations the Council recognises that it is ultimately responsible for the reserves and halls in the district under the Instrument of Delegation for Territorial Authorities dated 12 June 2013 and as the administering body (specific to each reserve) under S.40 Reserves Act 1977.

2. COUNCIL RESPONSIBILITIES:

- 2.1 The Risk and Audit Committee will appoint members of the Subcommittees under Schedule 7 cl31(2) LGA 2002
- 2.2 In partnership with the Subcommittee and local community endeavour to develop Reserve Management Plans in accordance with s41 Reserves Act 1977, to provide clear guidelines for maintenance and development programmes in the best interests of the local community and District and within the provisions of the Reserves Act 1977.
- 2.3 If disputes arise concerning these terms of reference or any other matter concerning the Subcommittee, cooperatively work to find a resolution with all parties adhering to the Principles of Governance as set out in Section 3 of the Council's Code of Conduct;
- 2.4 If a dispute resolution cannot be reached, to use an appropriate independent mediator to mediate between the parties or an arbitrator to help produce a resolution which is acceptable to both parties and does not in any way contradict the provisions and responsibilities of Council as set out in the LGA 2002 or the Reserves Act 1977;
- 2.5 To produce and distribute the Subcommittee Order Paper for the formal annual/biennial subcommittee meeting, give public notice for the meeting and, if required, to provide secretarial support at the meeting;

3. GENERAL TERMS OF REFERENCE:

The Subcommittees

- 3.1 Are to be formally appointed by the Risk and Audit Committee under cl30 (2), Schedule 7 LGA Act 2002, which has the power under cl30(b), Schedule 7 LGA2002 to discharge or reconstitute the subcommittee and under cl31(2) to appoint and discharge members of the Subcommittee
- 3.2 Will be discharged on the coming into office of the members of Council elected at the triennial general election of members unless Council resolves otherwise
- 3.3 Will be formally appointed by Council following the Local Government triennial election of members in the following way:

Following a call for expressions of interest from those living within the local area who have been nominated by at least two residents or ratepayers within the local area and have the skills, attributes, or knowledge that will assist the work of the subcommittee

- 3.4 Is subject in all things to the control of the Risk and Audit Committee (s30 (4) Schedule 7 LGA 2002) and must carry out all general and special directions of the Risk and Audit Committee given in relation to the Subcommittee or its affairs;
- 3.5 Is prohibited from the disposing of or purchasing of land or buildings without the express approval of the Risk and Audit Committee and/or Council, whichever is appropriate; and
- 3.6 Is prohibited from appointing any subordinate body.

4. The role of Reserve and Halls Subcommittees is to:

- 4.1 Manage the reserve and hall for the benefit of the local community and wider district (including all that land identified in Appendix 1) in accordance with the Reserves Act 1977 and the Reserve Management Plan when it is completed and approved;
- 4.2 Develop, in partnership with Council, Reserve Management Plans where required and within Council’s budgets as set out in Council’s Annual Plan;
- 4.3 Make recommendations to council on property (including land & buildings) acquisitions and disposals in relation to the reserve or hall.
- 4.4 Develop and approve an annual budget each financial year to achieve 4.1 above

5. Delegations

The delegations to the Subcommittee are as follows:

- 5.1 The maintenance and operation of the reserve
- 5.2 The negotiation of Licences to Occupy for the reserve provided such licence shall be temporary in nature (up to 3 years) and capable of being terminated on no more than one month’s notice, and be in accordance with The Reserves Act 1977 Section 74 Licences to Occupy reserves temporarily
- 5.3 The letting of facilities
- 5.4 The setting of fees and charges for the reserve (Council to be advised of fees and charges for each following financial year by February of each year)
- 5.5 The raising and expenditure of finance (in accordance with the financial delegations below)
- 5.6 To enter contracts necessary for the efficient running and suitable use of the reserve in accordance with the financial delegations below;

6. FINANCIAL

- 6.1 Invoices
All invoices for goods and/or services costing no more than \$10,000 for budgeted items, and \$2,000 for non-budgeted items may be authorised for payment by the Treasurer and Secretary of the Subcommittee.
Approval for the payment of invoices over \$10,000 for budgeted items and \$2,000 for non-budgeted items must be authorised by a Council staff member with appropriate delegated authority.
- 6.2 Contracts
All contracts for goods and/or services costing no more than \$10,000 for budgeted items, and \$2,000 for non-budgeted items may be authorised by the Treasurer and Secretary of the Subcommittee.
Approval of contracts over \$10,000 for budgeted items and \$2,000 for non-budgeted items must be authorised by a Council staff member with appropriate delegated authority

7. EXERCISE OF DELEGATIONS

In exercising the delegated powers, the Subcommittee will operate within:

- 7.1 Policies, plans, standards or guidelines that have been established and approved by Council;
- 7.2 The annual budget as approved by the Risk and Audit Committee;
- 7.3 All general and special directions of the Risk and Audit Committee and Council given in relation to the Subcommittee.

8. POWER TO DELEGATE

The Subcommittee may not delegate any of their responsibilities, duties or powers to a committee, subcommittee or person.

9. CESSATION OF SUBCOMMITTEE

9.1 The Subcommittee may be terminated by resolution of the Risk and Audit Committee or Council;

9.2 If the Subcommittee is terminated, any money raised by the Subcommittee must, in the first instance, be allocated to the reserve associated to the terminated Subcommittee

10. Matters which are not delegated by council:

10.1 The power to:

- Make a rate or bylaw;
- Borrow money, or purchase or dispose of assets;
- Acquire, hold or dispose of property;
- Appoint, suspend or remove staff;
- Institute an action for the recovery of any amount; or
- Issue and police building consents, notices, authorisations, and requirements under any Acts, Statutes, Regulations, By-laws and the like

10.2 The powers and duties conferred or imposed on Council by The Public Works Act 1981 or those powers listed in the Section 34 (2) of The Resource Management Act 1991

11. Membership

The membership of the Subcommittee consists of:

11.1 One Ward member elected under the Local Electoral Act 2001; and

11.2 Appointed members – up to 10 following a call for expressions of interest from those living within the local area who have been nominated by at least two residents or ratepayers within the local area and have the skills, attributes, or knowledge that will assist the work of the subcommittee

12. Officers of the Subcommittee

The Subcommittee must have a chairperson, secretary, and treasurer and up to seven committee members who shall be appointed by Council (as outlined in 3.3 above)

12.1 The Chair's main duty is to guide the meeting so that fair and satisfactory decisions are reached on the various items on the agenda.

12.2 The Secretary shall summon the meetings, co-ordinate the agenda for meetings and workshops, keep a true record of the proceedings and distribute these to members and the Risk and Audit committee as soon as practicable. Noting that the annual or biennial formal meeting will be managed by council staff.

12.3 The Treasurer is responsible for oversight of payments made, and deposits to, the subcommittee's nominated bank account; and to prepare income and expenditure accounts with a balance sheet at the end of the financial year to be audited by Council. The annual balance date for all financial reports shall be June 30th.

13 FINANCIAL ACCOUNTABILITY

13.1 The Subcommittee shall:

- i) Develop and approve an annual budget each financial year
- ii) Provide its Annual budget by the dates specified by Council's Risk and Audit Committee for approval;
- iii) Present to the Council any other report it is requested to provide.
- iv) Keep clear and accurate accounts and records of all transactions and make them available to the Council on request.

- v) Provide its Annual Report and Annual Accounts to the Council’s Chief Financial Officer, by the date specified by Council for review on the understanding this review will form part of the information Council will present during its overall annual Audit.
- 13.2 Members of the Subcommittee shall not be personally liable for any act done or omitted to be done in good faith in the course of operations of the Subcommittee or for any debt or other liability lawfully incurred by the Subcommittee.

14 CONTACT WITH MEDIA

Chairperson may speak on behalf of the subcommittee provided that:

- i) media comments must not state or imply that they represent the views of the Council;
- ii) where the chair is making a statement that is contrary to a Council decision or Council policy, the member must not state or imply that his or her statements represent a majority view;
- iii) media comments must observe the other requirements of the Code (of Conduct), e.g. not disclose confidential information; compromise the impartiality or integrity of staff; or avoids aggressive, offensive or abusive comments which reflects adversely on the member or the Council; and
- iv) media comments must not be misleading and should be accurate within the bounds of reasonableness.

All Subcommittee Members are free to express a personal view in the media, at anytime, provided i) to iv) above are observed.

15 Frequency of meetings

- 15.1 The Subcommittee shall hold at least one formal meeting per year.
- 15.2 This formal meeting will be administered by Council and follow all requirements for council meetings including agenda compilation (with Chair), advertising, distribution of agenda, secretarial and officer support at meeting if required and preparation and distribution of minutes;
- 15.3 For the avoidance of doubt, this clause does not prevent the Subcommittee holding informal meetings, workshops or working bees outside of the formal meeting schedule

16 CONDUCT OF AFFAIRS

The Subcommittee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members’ Interests) Act 1968, and Council’s Standing Orders and Code of Conduct.

17 QUORUM

The quorum at a meeting of the Subcommittee shall consist of:

- Half of the members if the number of members (including vacancies) is even; or
- A majority of members if the number of members (including vacancies) is odd.

18 REMUNERATION

No honorarium or meeting allowance will be payable to Subcommittee members unless first agreed by formal resolution of the Risk and Audit Committee.

19 OTHER DELEGATIONS AND RESPONSIBILITIES

These general provisions and delegations can be superseded by specific Reserve Management Plans and Reserve and Hall Subcommittee Terms of Reference and Delegations in consultation with the subcommittee and as resolved by the Risk and Audit Committee.

Omau Reserve and Hall Subcommittee

VENUE: Clock-tower Chambers, Palmerston Street, Westport



17 June 2024 05:00 PM

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OMAU RESERVE AND HALL SUBCOMMITTEE

17 JUNE 2024

AGENDA ITEM: 1

Prepared by Jason Sellaiah
Subcommittee Liaison Officer

APOLOGIES

1. REPORT SUMMARY

That the Omau Reserve and Hall Subcommittee receive any apologies or requests for leave of absence from members.

2. DRAFT RECOMMENDATION

That there are no apologies to be received and no requests for leave of absence.

OR

That the Omau Reserve and Hall Subcommittee receives an apology from (insert subcommittee members name).

OMAU RESERVE AND HALL SUBCOMMITTEE

17 JUNE 2024

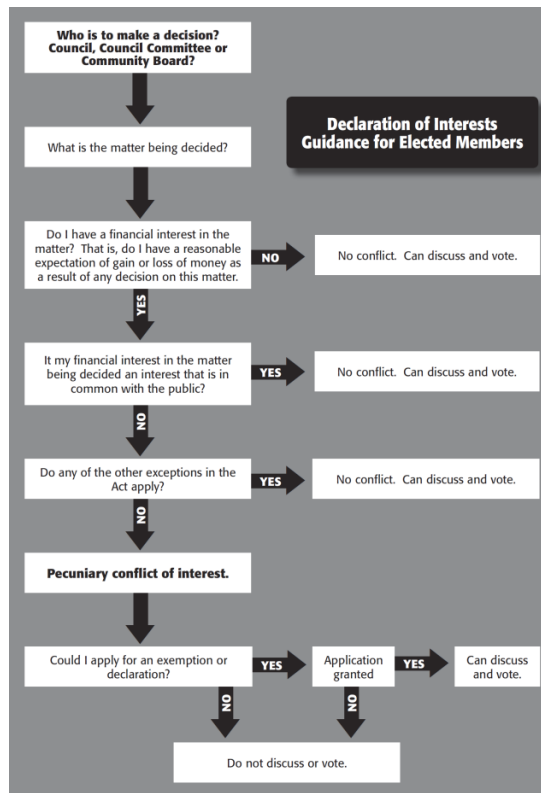
AGENDA ITEM: 2

Prepared by Jason Sellaiah
Subcommittee Liaison Officer

MEMBERS INTEREST

Members of the Omau Reserve and Hall Subcommittee are encouraged to consider the items on the agenda and disclose whether they believe they have a financial or non-financial interest in any of the items in terms of Council's Code of Conduct.

The attached flowchart may assist committee members in making that determination (Appendix A from Code of Conduct).



DRAFT RECOMMENDATION:

That the Omau Reserve and Hall Subcommittee members disclose any financial or non-financial interest in any of the agenda items.

OMAU RESERVE & HALL SUBCOMMITTEE

17 JUNE 2024

AGENDA ITEM: 3

Prepared by Jason Sellaiah
Subcommittee Liaison Officer

Attachments 1. Meeting Minutes 21 March 2023

CONFIRMATION OF MINUTES

1. DRAFT RECOMMENDATION

That the Omau Reserve and Hall Subcommittee receive and confirm previous minutes from 21 March 2023.



MEETING OF THE OMAU RESERVE SUBCOMMITTEE, HELD AT 5:00PM ON THURSDAY 21 MARCH 2023 AT THE CLOCKTOWER CHAMBERS, PALMERSTON STREET, WESTPORT.

PRESENT: B Cargill, R Niederer, V Leigh (late)

IN ATTENDANCE: K Trigg (Group Manager Community Services), J Sellaiah (Subcommittee Community Liaison), G Barrell (Governance Secretary)

MEETING DECLARED OPEN AT: 5:02PM

1. APOLOGIES (Page 6)

Discussion:

W Chisnall, G Weston, R Warren

RESOLVED That the Omau Reserve Subcommittee receive apologies from *W Chisnall, R Warren and G Weston.*

R Niederer/B Cargill
2/2

CARRIED UNANIMOUSLY

2. MEMBERS INTEREST (Page 7)

Discussion:

Nil

RESOLVED that Omau Reserve Subcommittee members disclose any financial or non-financial interest in any of the agenda items.

R Niederer/B Cargill
2/2

CARRIED UNANIMOUSLY

3. CONFIRMATION OF MINUTES (Page 8)

Discussion:

Nil

RESOLVED that the Omau Reserve Subcommittee receive and confirm minutes from the meeting of 14 July 2022.

B Cargill/R Niederer
2/2

CARRIED UNANIMOUSLY

4. ACTION POINTS (Page 15)
Discussion

1. Letter of Thanks - Delete
2. Revitalisation Fund - Cannot be used to Gibson Beach - other funds maybe - Completed
3. Ownership re Gibson's Track - R Niederer spoke to Larry and they have started some maintenance.

It was noted that R Niederer will follow up with Larry re finishing works.

4. Costings for beach access track - Completed
5. Barefoot on Gibson's Track - Completed
6. Send contact details to R Niederer re planting trees - Completed
7. Email to Gary that cutting trees is a safety issue - Completed
8. Formal agreement for hirers - Completed

RESOLVED That the Omau Reserve Subcommittee receive the Action Point List for information.

R Niederer/B Cargill

2/2

CARRIED UNANIMOUSLY

5. APPOINTMENT OF CHAIR (Page 17)
Discussion:

B Cargill nominated R Niederer as Chair

V Leigh arrived at 5.19pm

RESOLVED That the Omau Reserve Subcommittee elect R Niederer as Chairperson.

B Cargill/R Niederer

Qty

CARRIED UNANIMOUSLY

6 FINANCE REPORT (Page 18)
Discussion:

R Niederer spoke to the finances. Current balance is \$2,278.00 noting a couple of upcoming transactions are soon to be paid.

Karen Forsman to be removed as a signatory. Wendy Chisnall to be added.

Signatories for the subcommittee are R Niederer, W Chisnall.

RESOLVED That the Omau Reserve Subcommittee remove Karen Forsman as a signatory and that Wendy Chisnall be added as signatory.

**V Leigh/B Cargill
3/3**

CARRIED UNANIMOUSLY

7. GENERAL DISCUSSION

R Niederer spoke to the email he sent earlier in the month. Highlighting things that have happened. There is still \$12,000 excl gst sitting in the revitalisation fund.

The subcommittee would like a No Camping sign.

ACTION POINT: K Trigg contact compliance re signage for No Camping

B Cargill spoke regarding a gap between the bund and parking area. People driving all around and these need to be roped or blocked off if possible. This could be done similarly to Carters Beach subcommittee, and this could possibly be funded through the revitalisation fund.

ACTION POINT: R Niederer will contact WestReef (WSL) regarding fencing.

K Trigg spoke regarding the availability of Sacha Healey for weed eradication and recommends the subcommittee contact her directly to arrange a meeting with her.

K Trigg noted the availability of a small budget for planting trees. If there are any specific areas the subcommittee would like planted, it could possibly come from this.

Subcommittee will retain the mower at this stage.

RESOLVED that the Omau Reserve Subcommittee discuss general business items.

**Moved
Qty**

CARRIED UNANIMOUSLY

-
- There being no further business the meeting concluded at 5:49PM
 - **Next meeting:** TBC
-

Confirmed: **Date:**

OMAU RESERVE AND HALL SUBCOMMITTEE

17 JUNE 2024

AGENDA ITEM: 4

Prepared by Jason Sellaiah
Subcommittee Liaison Officer

FINANCE REPORT

1. DRAFT RECOMMENDATION

That the Omau Reserve and Hall Subcommittee receive the finance report for information.

OMAU RESERVE AND HALL SUBCOMMITTEE

17 JUNE 2024

AGENDA ITEM: 5

Prepared by Jason Sellaiah
Subcommittee Liaison Officer

BUDGETS – PROPOSED PROJECTS / EXPENDITURE 2024-2025

1. DRAFT RECOMMENDATION

**That the Omau Reserve & Hall Subcommittee discuss the
Budgets – Proposed Projects / Expenditure 2024-2025**

OMAU RESERVE AND HALL SUBCOMMITTEE

17 JUNE 2024

AGENDA ITEM: 6

Prepared by Jason Sellaiah
Subcommittee Liaison Officer

GENERAL BUSINESS

1. DRAFT RECOMMENDATION

That the Omau Reserve & Hall Subcommittee discuss general business.