

Local Governance Statement

Introduction

The Council has prepared this local governance statement in accordance with the requirements of Section 40 of the Local Government Act 2002.

This statement includes key information for the public concerning the Council's functions, powers and bylaws, electoral matters, members' roles, governance structures, meeting processes, consultation policies, policies in relation to Maori, management and employment policies.

It provides a summary of information contained in various Council policies and documents, and these should be referred to if there is a need for recourse to the full text on any such matters.

1. Functions, Responsibilities and Activities

The purpose of the Tararua District Council is to play a broad role in promoting the social, economic, environmental and cultural wellbeing of its communities, taking a sustainable development approach.

In meeting its purpose, the Tararua District Council has a variety of roles, and is involved in a number of activities. These include the following:

- facilitating solutions to local needs
- advocacy on behalf of the local community with central government, other local authorities and other agencies
- development of local resources
- management of local infrastructure including network infrastructure (e.g. roads, footpaths, sewage disposal, water, stormwater) and community infrastructure (libraries, parks and reserves, recreational facilities, camping grounds, cemeteries, community buildings, swimming pools)
- environmental management
- planning for the future needs of the local district
- animal control
- building control
- civil defence and emergency management
- community support
- Dannevirke Aerodrome
- district promotion and economic development
- forestry
- general inspection / liquor licensing
- health and safety
- housing for the elderly
- public conveniences

- service centres
- solid waste management

2. Local Legislation and Bylaws

No specific local legislation exists which confers powers on the Tararua District Council. The bylaws adopted by the Council are as follows:

Tararua District Council Speed Limits Bylaw 2013

This bylaw sets out speed limits for local roads within the Tararua District. The bylaw was made in April 2014, and is subject to review after ten years.

Tararua District Council Alcohol Bylaw 2018

This bylaw contains provisions to enhance safety and the public enjoyment of public places within the Tararua District by providing for liquor control in designated public places to minimise the incidence of alcohol related offences and behaviour.

Currently the specified places and times to which this bylaw applies are the Pahiatua and Dannevirke Central Business Districts at all times, and Akitio Beach from 12 noon on 24 December in any year to 7 am on 3 January of the following year at all times during this period.

The bylaw was made in December 2018, and is subject to review after five years.

Administration Bylaw 2018

This bylaw identifies those terms and expressions common to and used in bylaws. It also addresses the service of orders and notices, powers of delegation and entry, suspension and revocation of licences, removal of works executed contrary to any bylaw, and fees and charges payable under any bylaw.

The bylaw was made in October 2018, and is subject to review after five years.

Tararua Cemeteries Bylaw 2018

This bylaw enables Council to control and set standards for the operation of cemeteries within the boundaries covered by Council's responsibility or ownership.

The bylaw was made in October 2018, and is subject to review after five years.

Dog Control Bylaw 2018

This bylaw gives effect to the Dog Control Policy 2018 which sets standards of control that must be observed by dog owners, and covers matters such as dogs in public places, wandering dogs, ownership of more than one dog, nuisances caused by dogs, and dog exercise areas. In conjunction with the Dog Control Act 1996 the bylaw allows for legal action and consequent fines.

The bylaw was made in October 2018, and is subject to review after five years.

Public Places Bylaw 2018

This bylaw ensures that public places are used in a manner that will not cause any obstruction, nuisance or damage, or endanger the public.

The bylaw was made in October 2018, and is subject to review after five years.

Solid Waste Bylaw 2018

This bylaw promotes the delivery of effective and efficient waste management and minimisation in the district. It assists in implementing Council's Waste Management and Minimisation Plan, and promotes the purpose of Waste Minimisation Act 2008 and the goals of the New Zealand Waste Strategy.

It also regulates the collection, storage, management and disposal of waste (including recyclable material) from public places or by persons licensed by the Council, and protects the health and safety of waste collectors, waste operators and the public.

The bylaw was made in October 2018, and is subject to review after five years.

The Keeping of Animals, Cats, Poultry and Bees Bylaw 2018

This bylaw outlines requirements for the keeping of animals, poultry and bees. The requirements are deemed necessary for the protection of neighbours and property owners. For the purpose of clarity the provisions of the Animal Welfare Act 1990 and any code of welfare made under that Act take precedence over this bylaw.

The bylaw was made in October 2018, and is subject to review after five years.

Trade Waste Bylaw 2018

This bylaw regulates the discharge of trade waste to a sewerage system operated by Council to:

1. Ensure the protection of Council personnel and the general public.
2. Protect the ability of the Council to meet the requirements of the Resource Management Act and in particular its resource consents for the discharge of treated sewage and also the placement of sludge and bio solids on land.
3. Provide for an equitable spread of costs between domestic and trade waste discharges.
4. Protect the investment in the existing and any future infrastructure, treatment plant and disposal facilities.
5. Ensure compatibility between liquid, solid and gaseous phases of trade waste discharges. This compatibility can relate to such matters as meeting landfill acceptance criteria for solids and sludge and meeting resource consents for emissions to air as well as the trade waste discharge itself into the Council sewer.
6. Ensure trade waste dischargers consider, and where appropriate and practicable implement waste minimisation and cleaner production techniques to reduce the quantity of their trade waste discharges.
7. Foster consistency between territorial authorities with respect to trade waste requirements.

The bylaw was made in October 2018, and is subject to review after five years.

Trading in Public Places Bylaw 2018

This bylaw regulates the conduct of persons selling goods on streets, roads, footpaths and other public places. It also regulates the conduct of persons using vehicles to sell goods and services to the general public.

The bylaw was made in October 2018, and is subject to review after five years.

Traffic and Road Use Bylaw 2018

This bylaw sets out the requirements for parking and control of vehicular or other traffic on any road in the district other than state highways controlled by the New Zealand Transport Agency.

The bylaw was made in October 2018, and is subject to review after five years.

Wastewater Drainage Bylaw 2018

This bylaw is for wastewater drainage from both domestic and trade premises to the Council's wastewater system. The quality and quantity limits that separate domestic wastewater from trade waste are to be found in the Council's Trade Waste Bylaw.

Part 1 is the bylaw for wastewater drainage from both domestic and trade premises to the Council's wastewater system. In general only matters that are not covered by existing legislation or regulations are included.

Part 2 is the policy for how the Council will interpret the legislation and the bylaw in its day to day operation of the wastewater system for domestic customers, and also the domestic wastewater aspects of trade premises.

The bylaw was made in October 2018, and is subject to review after five years.

Water Supply Bylaw 2019

This bylaw ensures a safe and efficient public water supply, manages and regulates the Council's water supply and protects public water supply infrastructure.

The bylaw was made in August 2019, and is subject to review within the next three years.

3. The Electoral System and the Opportunity to Change it

The Council currently operates its elections under the first past the post electoral system. This form of voting is used in parliamentary elections to elect Members of Parliament to constituency seats. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is declared the winner regardless of the proportion of votes that candidate(s) obtained.

The other option permitted under the Local Electoral Act 2001 is the single transferable vote system (STV). This system is used in district health board elections. Electors rank candidates in order of preference. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes.

The necessary number of candidates to fill all vacancies is achieved first by the counting of first preferences, then by a transfer of a proportion of votes received by any candidate where the number of votes for that candidate is in excess of the quota, and then by the exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters' second preferences.

Under the Local Electoral Act 2001, the Council can resolve to change the electoral system to be used at the next two elections or conduct a binding poll on the question, or electors can demand a binding poll. A poll can be initiated by at least 5 per cent of electors signing a petition demanding that a poll be held. Once changed, an electoral system must be used for at least the next two triennial general elections, i.e. the Council cannot change its electoral system for one election then change back for the next election.

The Council's last review of electoral systems was in August 2020, and this determined the first past the post electoral system be used for the Tararua District 2022 local elections.

4. Representation Arrangements

4.1 *Wards*

The Tararua District is divided into two wards as follows:

North Tararua Ward – four councillors

South Tararua Ward – four councillors

The Mayor is elected by the district at large.

4.2 *Community Boards*

The Tararua District has two community boards, being Dannevirke and Eketahuna, each with four elected members and one Council appointment. These Boards are constituted under Section 49 of the Local Government Act 2002 to:

- represent and act as an advocate for the interests of their community
- consider and report on any matter referred to it by the Council, or on any issues of interest or concern to the community board
- make an annual submission to Council on expenditure in the community
- maintain an overview of services provided by the Council within the community
- communicate with community organisations and special interest groups in the community
- undertake any other responsibilities delegated by the Council. Both of the district's community boards have formally been delegated specific functions to undertake.

Each community board has a chairperson and four members. The Council appoints one of these members, and electors in the community elect the other positions triennially. The board elects its own chairperson at its first meeting after the triennial election.

The Council last reviewed the community board structures in the district in July 2015. This shall next be subject to review at least once every six years from this date.

Electors can demand the formation of a new community board. A process similar to the reorganisation process described elsewhere applies in such circumstances.

4.3 **Community Committees**

Community Committees exist in Woodville and Pahiatua that operate under contract to the Council. These committees are incorporated societies, being Woodville Districts' Vision and Pahiatua On Track. They elect their executive each year from their membership at their annual general meetings.

These committees are not formally part of the District's governance structure, but the functions undertaken by Community Committees are similar to those of Community Boards.

Their responsibilities include to:

- Oversee Council's services and facilities in their area.
- Arrange local community events where appropriate.
- Advocate on behalf of their community, and participate in any consultation processes of relevance or significance to them.
- Consider and report on all matters referred to them by the Council.
- Communicate and liaise with local organisations and special interest groups, and provide representation where appropriate.
- Distribute general assistance funding as appropriate for the benefit of their community.

4.4 **Maori Wards and Constituencies**

The Local Electoral Act 2001 also gives Council the ability to establish a separate ward for Maori electors.

Council last considered whether or not to have a Maori ward in July 2015 when its representation arrangements were reviewed, with no separate Maori ward being established.

The option to establish a Maori ward could be considered through the next representation review in August 2021.

4.5 **Review of Representation Arrangements**

The Council is required to review its representation arrangements at least once every six years. This review must include the following:

- the number of elected members (within the legal requirement to have a minimum of six and a maximum of 30 members including the Mayor)
- whether the elected members (other than the Mayor) shall be elected by the entire district, or whether the district will be divided into wards for electoral purposes, or whether there will be a mix of 'at large' and 'ward' representation

- if election by wards is preferred, then the boundaries and names of those wards and the number of members that will represent each ward
- whether or not to have separate wards for electors on the Maori roll
- whether to have community boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

The Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review, and should follow guidelines published by the Local Government Commission. The Act provides the right to make a written submission to the Council, and the right to request to be heard if wished.

The right to appeal any decisions on the above is also available through the Local Government Commission that will make a binding decision on the appeal. Further details on the matters that the Council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

The Council last conducted a review in July 2015. It is not legally required to review representation again until August 2021.

4.6 *The Reorganisation Process*

The Local Government Act 2002 sets out procedures that must be followed during proposals for:

- the union of districts or regions
- the constitution of a new district or region, including the constitution of a new local authority for that district or region
- the abolition of a district or region, including the dissolution or abolition of the local authority for that district or region
- the alteration of the boundaries of any district or region
- the transfer of a statutory obligation from one local authority to another
- the assumption by a territorial authority of the powers of a regional council

In general they begin with a proposal made to the Local Government Commission by any person, body, or group, including (but not limited to) one or more of the affected local authorities or the Minister of Local Government. They must include information that demonstrates the application has community support in the district of each affected territorial authority for local government reorganisation, and this may be accompanied by a petition of affected electors.

The Commission must be satisfied that any such proposal will best promote good local government in the affected area through efficiencies and cost savings, productivity improvements and simplified planning processes.

It provides for consultation to seek alternative applications by the Commission prior to it determining any preferred option and the issuing of a draft reorganisation proposal to give effect to its preferred option.

If a final proposal is issued affected electors may demand a poll to determine whether the final proposal is to proceed and become a reorganisation scheme.

A petition of 10% or more of affected voters enrolled in the district of a territorial authority may demand such a poll.

Further information on these requirements can be found in the Local Government Act. The Local Government Commission has also prepared guidelines on procedures for local government reorganisation.

5. Members Roles and Conduct

5.1 Council

The Mayor and the councillors of the Tararua District Council have the following roles:

- setting the policy direction of Council
- monitoring the performance of Council
- representing the interests of the district (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgement in the best interests of the district)
- employing the Chief Executive (under the Local Government Act the local authority employs the Chief Executive, who in turn employs all other staff on its behalf).

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of the Council. In addition the Mayor has the following roles:

- Is the presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in standing orders).
- Provide leadership to the other members of the Council and the people of the district. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council.
- Ceremonial head of Council, with statutory powers to make certain appointments and lead the development of the Council's plans (including the long term plan and the annual plan), policies, and budgets for consideration by councillors. Through all committees established, the Mayor is a member.
- Providing leadership and feedback to other elected members on teamwork and chairing committees.

The Deputy Mayor is appointed by the Mayor (unless he/she decides not to exercise their powers) at the first meeting of the Council. The Deputy Mayor exercises the same roles as other elected members. In addition, if the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of the Council.

Council may create one or more committees of Council. A committee chairperson is responsible for presiding over meetings of the committee, ensuring that the committee acts within the powers delegated by Council, and as set out in the Council's Delegations Manual. A committee chairperson may be removed from office by resolution of the Council.

The Chief Executive is appointed by the Council in accordance with section 42 and clauses 33 and 34 of Schedule 7 of the Local Government Act 2002.

The Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council. Under section 42 of the Local Government Act 2002, the responsibilities of the Chief Executive are:

- implementing the decisions of Council
- providing advice to the Council and Community Boards
- ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised
- managing the activities of the Council effectively and efficiently
- 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
- employing staff (including negotiation of the terms of employment for the staff).

Elected members have specific obligations as to their conduct in the following legislation:

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the Chief Executive and to abide by the current code of conduct and standing orders
- the Local Authorities (Members' Interests) Act 1968 which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect)
- the Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way
- the Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.

All elected members are required to adhere to a code of conduct. Adopting such a code is a requirement of the Local Government Act 2002. Once adopted the code may only be amended by the Council through a 75 per cent or more vote supporting its alteration. The code sets out the Council's understanding and expectations of how the Mayor and councillors will relate to one another, to staff, to the media and to the public in the course of their duties. It also covers disclosure of information that is received by or is in the possession of elected members, and contains details of the sanctions that the Council may impose if an individual breaches the code. Copies of the full code of conduct may be obtained from the Manager – Democracy Services.

5.2 **Community Boards**

The role of community board members is defined as follows:

- Bringing his/her local knowledge to the task of identifying community needs and retaining the community's identity in all of its facets.
- Seeing that action is taken on issues affecting their community.

- Facilitating through their knowledge and understanding of how the system works, the relationship between individuals in the community and the Council and management.

The statutory responsibilities of Community Boards are set out in section 4.2 of this statement.

6. Governance Structures, Membership and Delegations

6.1 *Council*

Membership of the Council is as follows:

Mayor: Mrs T H Collis

Councillors	Ms E L Peeti-Webber (Deputy Mayor)	North Tararua Ward
	Mrs C J Isaacson	North Tararua Ward
	Mr K A Sutherland	North Tararua Ward
	Ms S M Wards	North Tararua Ward
	Mrs A K Franklin	South Tararua Ward
	Mrs S A Hull	South Tararua Ward
	Mr P A Johns	South Tararua Ward
	Ms R A Treder	South Tararua Ward

Frequency and timing of meetings: Meets on the last Wednesday of the month at 1.00pm (except July when no meeting is held and December when the meeting is held on the second Wednesday of that month).

6.2 *Committee Structure*

The Council reviews its committee structure after each triennial election. At the last review the Council established the following standing committees:

Tribunal and Hearings Committee

Terms of Reference: Hears and adjudicates on matters relating to resource planning, land subdivision, dog control and proposals for leasing or rental of reserve land

Membership: Her Worship the Mayor - Mrs T H Collis and Crs K A Sutherland and S A Hull, with an independent appointed hearing commissioner chair for any such hearing required under the Resource Management Act 1991.

Delegations: Straight forward applications are approved by the Chief Executive (or his nominee).

The Committee hears and determines applications for resource consent which fall outside of the above process, objections to dog owner and dog classifications and proposals for leasing or rental of any reserve land under the Reserves Act 1977.

Frequency and timing of meetings: Meets as required.

Chief Executive's Performance Appraisal Committee

Terms of Reference:	To review the performance of the Chief Executive and the accountabilities relating to this position.
Membership:	Her Worship the Mayor - Mrs T H Collis (Chairperson) Cr E L Peeti-Webber (Deputy Mayor) Cr A K Franklin Cr S A Hull Cr C J Isaacson Cr P A Johns Cr K A Sutherland Cr R A Treder Cr S M Wards
Delegations:	1. To carry out the annual review of the Chief Executive's performance, accountabilities and remuneration, and report the outcome along with recommendations for Council's consideration.

Frequency and timing Meets as required.
of meetings:

Works Liaison Committee

The Works Liaison Committee acts in an advisory role on Council's infrastructure by:

1. Monitoring strategy, policy and action plans relating to projects in the Council's capital works sheet, including advising on community consultation.
2. Acting as a community interface for consultation on the thirty-year infrastructure policy and asset management plans.
3. Providing a forum for councillors to raise community concerns with existing contracts or service delivery agreements and to suggest options to address those concerns.

Its membership comprises Cr K A Sutherland (Chairperson), Her Worship the Mayor - Mrs T H Collis, Crs E L Peeti-Webber (Deputy Mayor), A K Franklin, S A Hull, C J Isaacson, P A Johns, R A Treder and S M Wards.

Meetings are held on the third Wednesday of each month at 9.00am (except July, December and January where no meeting is held in those months).

Audit and Risk Committee

The Audit and Risk Committee is established to consider and where appropriate, make recommendations to the Council on the following:

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

Its membership comprises Mr Kevin Ross (external appointee interim Chairperson, Her Worship the Mayor - Mrs T H Collis, Crs E L Peeti-Webber (Deputy Mayor), A K Franklin, S A Hull, C J Isaacson, P A Johns, K A Sutherland, R A Treder and S M Wards.

Meetings are held on the third Tuesday at 1.00pm in the months of March, June, August and October.

Finance Committee

The Finance Committee acts in an advisory role by:

1. Reviewing and influencing business cases to be considered by Council on capital programmes prior to Council adopting the projects into the Long Term Plan or Annual Plan.
2. Acting as a community interface for consultation on the thirty-year infrastructure policy and asset management plans.

Its membership comprises Her Worship the Mayor - Mrs T H Collis (Chairperson), Crs E L Peeti-Webber (Deputy Mayor), A K Franklin, S A Hull, C J Isaacson, P A Johns, K A Sutherland, R A Treder and S M Wards.

Meetings are held on the third Wednesday of each month following the Works Liaison Committee meeting (except July, December and January where no meeting is held in those months).

Strategy and Policy Committee

The Strategy and Policy Committee acts in an advisory role by:

1. Discussing strategies, plans and policies that advance the Council's vision and goals, and comply with the purpose of the Local Government Act.
2. Reviewing proposed submissions in response to government legislation proposals and regional or national policy issues.
3. Recommending topics for community engagement forums and receiving feedback and status reports from such forums.

Its membership comprises Cr S M Wards (Chairperson), Her Worship the Mayor - Mrs T H Collis, Crs E L Peeti-Webber (Deputy Mayor), A K Franklin, S A Hull, C J Isaacson, P A Johns, K A Sutherland and R A Treder.

Meetings are held on the second Wednesday of each month at 9.00am (except July, December and January where no meeting is held in those months).

Economic Development and Marketing Committee

The Economic Development and Marketing Committee acts in an advisory role by:

1. Reviewing proposed Provincial Growth Fund applications and progress of Accelerate 25.
2. Recommending for approval by Council the Economic Development Plan.

3. Providing a support network for existing and new businesses.
4. Providing feedback on website initiatives and I-site review.

Its membership comprises Cr S A Hull (Chairperson), Her Worship the Mayor - Mrs T H Collis, Crs E L Peeti-Webber (Deputy Mayor), A K Franklin, C J Isaacson, P A Johns, K A Sutherland, R A Treder and S M Wards.

Meetings are held on the second Wednesday of each month following the Strategy and Policy Committee meeting (except July, December and January where no meeting is held in those months).

6.3 **Community Boards**

Community Boards focus on local issues within a particular community area or ward, and can refer their recommendations to the Council on issues affecting their community. Their membership is as follows:

Dannevirke Community Board

Membership: Mr P F Walshe (Chairperson), Mr T J Hynes (Deputy Chairperson), Mr W R Macdonald, Mrs K P Spooner - Taylor and Cr E L Peeti-Webber

Frequency and timing of meetings: Meets on the 1st Monday of the month at 1.00pm except in January.

Eketahuna Community Board

Membership: Mr C C Death (Chairperson), Mr S C McGhie (Deputy Chairperson), Mr T A Carew, Ms D F Clifton and Cr R A Treder

Frequency and timing of meetings: Meets on the 2nd Monday of the month at 10.00am except in January

6.4 **District Licencing Committee**

The Council has appointed the District Licensing Committee to fulfil its requirements under the Sale and Supply of Alcohol Act 2012.

Mr David Lea has been appointed as a commissioner and the chair of this committee. Mrs Maureen Reynolds, Mr Kerry Sutherland and Mr Nick Perry have been appointed to the committee's members list for three years.

The chair may approve applications that are not subject to objections, or the committee will meet as necessary to determine all such applications and in any cases where objections have been received. Where a hearing is required through convening a full meeting of the District Licensing Committee it shall be conducted by the commissioner and two of the list members as selected by the commissioner.

7. Meeting Processes

The legal requirements for Council, Committee, and Community Board meetings are set down in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

All Council, Committee and Community Board meetings must be open to the public unless there is reason to consider an item 'in committee'. Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made. The LGOIMA contains a list of the circumstances where items may be considered with the public excluded. (These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order). The meeting agenda is a public document, although parts may be withheld if the above circumstances apply.

The Mayor or chairperson is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any member who does not comply with standing orders.

Minutes of meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available, subject to the provisions of LGOIMA.

For an ordinary meeting, at least 14 days' notice of the time and place of the meeting must be given. Extraordinary meetings generally can be called on 3 working days' notice.

During meetings the Mayor, councillors and board members must follow standing orders (a set of procedures for conducting meetings). Standing orders may be suspended by a vote of 75 per cent of the members present. A copy of the code of conduct and standing orders can be obtained from the Manager – Democracy Services.

8. Consultation Policy

The Local Government Act sets out consultation principles and a procedure that local authorities must follow when making certain decisions. This procedure, **the special consultative procedure**, provides a minimum process. The Council's Significance and Engagement Policy guides the Council when considering what decisions or matters may be of particular importance, how the Council will assess their significance, and how and when the community can expect to be consulted.

The Council can and does consult outside of the special consultative procedure. When it is adopting its long-term plan or district plan, it may hold open day consultation forums and meetings for the public and other interested parties. Through these discussions the Council will facilitate an awareness of significant issues and proposals that are the subject of consultation to seek the views and concerns of the community.

The special consultative procedure consists of the following steps:

- **Step One:** Preparation of a statement of proposal and a summary if considered necessary to enable public understanding of the proposal. The Council must prepare a description of the proposed decision or course of action. The statement must be made publicly available along with the opportunity for interested persons to present their views.

- **Step Two:** Public notice. The Council must publish a notice in one or more daily newspapers, or in other newspapers of equivalent circulation, of the proposal and the consultation being undertaken.
- **Step Three:** Receive submissions. The Council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission. The Council must allow at least one month (from the date of the notice) for submissions.
- **Step Four:** Deliberate in public. All meetings where the Council deliberates on the proposal or hears submissions must be open to the public (unless there is some reason to exclude the public under the LGOIMA). All submissions must be made available unless there is reason to withhold them under LGOIMA.
- **Step Five:** Follow up. A copy of the decision including reasons and the practicable options must be provided to submitters.

By law, the Council must follow the special consultative procedure before it:

- adopts a Long Term Plan (LTP)
- amends a LTP
- adopts, revokes, reviews or amends a bylaw
- transfers the ownership or control of strategic assets if that is not provided for in an LTP.

The Council may be required to use the special consultative procedure under other legislation, and it may use this procedure in other circumstances if it wishes to do so. Reference to the Significance and Engagement Policy sets out the specific details concerning the consultation requirements involved as part of the Council decision-making process. A copy can be obtained from the Manager – Democracy Services.

9. Policies for Liaising With, and Memoranda or Agreements With, Maori

In March 2000 Council entered into a partnership agreement with the tangata whenua, Nga Hapu O Rangitane. The partnership objectives are wide-ranging with an emphasis on regard for the environment, and consultation on issues relating to social, economic and cultural wellbeing and development. The partnership agreement provides the foundation and formal structure for regular proactive consultation and the mutual consideration of views.

A memorandum of partnership was entered into with Ngati Kahungunu in September 2019 to represent their collective interests. It has similar objectives to the above, and sets out the basis of their relationship with Council through working together collaboratively.

10. Management Structures and Relationships

The Local Government Act 2002 requires Council to employ a Chief Executive whose responsibilities are to employ other staff on behalf of the Council, implement Council decisions and provide advice to the Council and Community Boards. Under the Local Government Act the Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the Chief Executive, rather than the Mayor or councillors.

A Council committee is appointed to undertake an annual review of the Chief Executive's performance, and it sets specific accountabilities each financial year to be achieved.

The Council negotiates with the Chief Executive an employment agreement for a term not exceeding five years. A second term of employment is available for two years to an incumbent Chief Executive on the expiry of the first term of appointment subject to satisfactory performance regarding the associated responsibilities, and possessing the mix of skills and attributes appropriate to the position.

The Council reviewed the appointment to this position in May 2020, and a five-year employment agreement was entered into with effect from 2 November 2020.

The organisation structure consists of various divisions responsible for undertaking the functions, activities and services provided by the Council to the communities of the district. Its executive leadership team comprises as follows:

- Bryan Nicholson (Chief Executive)
- Chris Chapman (Group Manager – Infrastructure)
- Tina Love (Group Manager – Operations)
- Sandy Lowe (Group Manager – People and Capability)
- Raj Suppiah (Group Manager – Corporate)
- Mark Maxwell (Group Manager – Economic and Community Development)

11. Remuneration and Employment Policy

The Council has not adopted a remuneration and employment policy.

12. Equal Employment Opportunities Policy

The Council is committed to the principle of equal employment opportunity in the recruitment, employment, training and promotion of its employees. The organisation will provide a welcoming positive environment and will implement a purposeful programme of action to ensure its activities and services are carried out with an awareness of, and an intent to eliminate discrimination, including in the areas of race, colour, ethnic or national origin, gender, religion, marital status, family responsibilities, sexual orientation, people with disabilities or age.

The Council will ensure that equal employment opportunities are promoted and provided within the organisation by:

- Fostering a positive climate in the work place, which appreciates a diversity of background and individual contribution, and encourages employees to develop their potential.
- Selecting the best person for the job on the basis of the job requirements and the ability of that person to perform the job.
- Ensuring that all personnel policies, procedures and activities reflect the fundamental principles of the Equal Employment Opportunities Policy, in the recruitment, employment, training and promotion of employees.
- Identifying and providing appropriate training programmes that will include bi-cultural training to enable employees to best meet the requirements of their current jobs and to develop additional skills with a view to future promotion opportunities.
- Promoting employees on the basis of performance (past, present and potential), and the willingness of the employees to accept greater responsibility.

- Maintain a workplace free of discrimination and harassment, including on the basis of race, colour, ethnic or national origin, gender, religion, marital status, family responsibilities, sexual orientation, people with disabilities or age.

13. Key Approved Planning and Policy Documents

13.1 *Long Term Plan*

The Council has developed through the special consultative procedure a Long Term Plan. This covers the ten year period of 1 July 2018 to 30 June 2028.

The purpose of the Long Term Plan is to:

- Describe the activities of the Council.
- Describe the community outcomes desired by the district that are the foundation to the Council's planning framework.
- Provide integrated decision-making (between the Council and the community) and coordination of resources.
- Provide a long term focus for the Council's decisions and activities.
- Provide a basis for accountability to the community.

The Council may make an amendment to the Long Term Plan at any time if the special consultative procedure is used.

The Plan continues in force until the close of the third consecutive year to which it relates, and shall be reviewed at that time using the special consultative procedure.

13.2 *District Plan*

The Council approved the Tararua District Plan on 25 July 2012 to become operative on 1 September 2012. Plan Change No.1 was approved by Council on 31 July 2019, and is operative as of 19 August 2019. The approved provisions of Plan Change No. 1 have been incorporated into the District Plan.

The District Plan sets out the significant resource management issues in the Tararua District. It explains the objectives, policies and methods of implementation that the Council is proposing to adopt to ensure that the district's land and associated natural and physical resources are sustainably managed.

It is a requirement that the appropriateness, effectiveness and efficiency of the District Plan's policies are subject to a monitoring strategy.

Changes to the District Plan are prepared as required, and these are considered through public consultation and submissions being invited. The District Plan is subject to review every ten years through a formal consultation process.

13.3 *Emergency Management Civil Defence Plan*

The Council approved the Tararua District Council Emergency Management Civil Defence Plan on 24 February 2016.

This related to the period of January 2016 to December 2018, and it drives the district's Civil Defence work programme for that period and beyond. Its review is undertaken as required to ensure the policy aspects are consistent with both national and regional requirements.

This Plan aligns with the national Civil Defence Emergency Management Plan and the Manawatu-Whanganui Civil Defence Emergency Management Group Plan.

13.4 *Waste Management and Minimisation Plan 2017-2023*

The Council adopted a Waste Management and Minimisation Plan for the district on 13 December 2017. This was developed through public consultation and submissions.

This Plan sets out various goals and strategies for the minimisation and disposal of the district's solid waste, and is subject to review by the Council at least every six years.

13.5 *Annual Plan*

The Council each financial year reviews the Annual Plan which sets out its proposed plan and budget for that period.

This is developed from the Long Term Plan, and consultation is required if any significant amendments are proposed representing material changes to the Council's intentions as previously adopted for that year.

The Annual Plan is an annual budgeting document that supports and notes any proposed variations from the Long Term Plan.

13.6 *Asset Management Plans/Infrastructure Strategy 2018/2048*

Asset Management Plans provide a framework for the management and development of the Council's infrastructural assets.

They show how the Council will meet current and future levels of service required by the community through the creation, operation, maintenance, renewal and disposal of infrastructural assets in the most cost effective way.

The Council has Asset Management Plans for:

- Solid Waste
- Stormwater
- Wastewater
- Water
- Community and Recreation Facilities Assets

The Plans are reviewed to clearly reflect the communities desired levels of service, and this shall be considered through the development of the Council's 2021/2031 Long Term Plan process.

The Local Government Act requires the Council to prepare and adopt a 30-year infrastructure strategy as part of its Long Term Plan. It provides the Council and the community with an integrated picture of the key infrastructure service issues likely to be faced over the next thirty years.

The resulting strategy addresses:

- The main options for dealing with those issues
- The scenario Council considers is the most likely for dealing with those issues, the indicative estimates and timing of the cost of managing infrastructure assets under this scenario

13.7 *Dangerous and Insanitary Buildings Policy*

The Council adopted the Dangerous and Insanitary Buildings Policy on 30 August 2017. This policy covers identifying dangerous and insanitary buildings, and the matters taken into account when determining what remedial action will be taken.

The development of the policy occurred through the provisions of the Building (Earthquake-prone Buildings) Amendment Act 2016, and it must be reviewed every five years.

13.8 *Class 4 Gambling and Racing Board Venue Policy*

The Council following a review adopted its Class 4 Gambling and Racing Board Venue Policy on 29 June 2019. This covers class 4 gambling venues operated by societies and clubs, and also New Zealand Racing Board venues.

Its objectives are to manage the number and location of venues and gaming machines within the district, allow those who wish to participate in this form of gambling to do so, and have regard to the social impact of gambling.

The development of the policy is subject to the special consultative procedure, and it must be reviewed every three years.

13.9 *Dannevirke Domain Reserve Management Plan*

The Council completed the Reserve Management Plan for the Dannevirke Domain on 25 August 2010. This plan was developed under the requirements of the Reserves Act 1977 through community consultation.

It sets out the Council's intentions for the maintenance, protection, preservation and development of the Dannevirke Domain for the use and enjoyment of that area as a community recreation reserve. The review of this plan should be undertaken at least every ten years.

13.10 *Economic Development Plan*

The purpose of the Council's Economic Development Plan is to identify long-term growth goals that will create a stronger district economy. The Council adopted this plan on 25 September 2019, and it was developed for the 2018/2028 Long Term Plan period.

It is subject to review three yearly in conjunction with the Long Term Plan prepared through the special consultative procedure, and updated each year in conjunction with the Annual Plan.

13.11 *Tararua District Visitor and Walk-Cycle Strategy and Action Plan*

The objective of this strategy and action plan is to identify how Tararua's destination development and management opportunities may be enhanced.

It was accepted and endorsed by Council on 25 September 2019 to guide future intentions for the district regarding providing such services and experiences.

In developing this document over twenty-five stakeholders with leadership views about how to grow the visitor sector in Tararua were interviewed, and four half day workshops were held to discuss general visitor sector aspirations and constraints.

The potential to review its implementation will be considered through the Long Term Plan process.

13.12 ***Other Significant Policies***

The Council adopted a number of policies through the special consultative procedure as part of the Long Term Plan.

These include the following:

- Treasury management policy
- Revenue and financing policy
- Rating remission policy
- Policy on financial contributions
- Policy on significance and engagement
- Policy on the development of Maori capacity to participate in Council decision making

The Council through amendment of the Long Term Plan may change any of these policies subject to the special consultative procedure where necessary.

13.13 ***Triennial Agreement***

The Council has entered into a triennial agreement between the Horizons Regional Council and all territorial authorities within the Manawatu-Wanganui Region.

This document sets out protocols for communication and coordination within the region.

The document was originally prepared by a team appointed by the Regional Chiefs, and is subject to review not later than 1 March after each triennial general election.

14. **Public Access to the Council and its Elected Members**

The Tararua District Council's principal office is located at 26 Gordon Street, Dannevirke. Contact details are P O Box 115, Dannevirke, telephone 06 374 4080, fax 06 374 4137, email info@tararuadc.govt.nz, website www.tararuadc.govt.nz

Service Centres are located as follows:

Woodville Service Centre and Library, 45 Vogel Street, Woodville.
Contact details are phone 06 376 0200

Pahiatua Service Centre, 136 Main Street, Pahiatua.
Contact details are phone 06 376 0110

Eketahuna Service Centre and Library, 31 Main Street, Eketahuna.
Contact details are phone 06 376 0219

The Council operates a service request system available to the public for processing requests for service, and this can be accessed through any of its service centres or by telephone.

For emergencies after office hours contact the day time phone number of any service centre and you will be connected to the Council's after hours service (24 hours).

A directory of elected members is available on the Council's website setting out their contact details. Public forums are provided by the Council and the Dannevirke Community Board at the commencement of each monthly meeting, with a maximum period of up to thirty minutes set aside at each such meeting for this purpose.

15. Requests for Official Information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the Council. Any request for information is a request made under LGOIMA. You do not have to say you are making a request under LGOIMA.

Once a request is made the Council must supply the information unless reason exists for withholding it. The LGOIMA says that information may be withheld if release of the information would:

- endanger the safety of any person
- prejudice maintenance of the law
- compromise the privacy of any person
- reveal confidential or commercially sensitive information
- cause offence to tikanga Maori or would disclose the location of waahi tapu
- prejudice public health or safety
- compromise legal professional privilege
- disadvantage the local authority while carrying out negotiation or commercial activities
- allow information to be used for improper gain or advantage.

The Council must answer requests within twenty working days (although there are certain circumstances where this timeframe may be extended).

The Council may charge for official information taking into account guidelines set down by the Ministry of Justice, and the amount applicable to assessing any such payment is specified in its fees and charges schedule.

In the first instance you should address requests for official information to the Manager – Democracy Services.