



**LOCAL GOVERNANCE STATEMENT**

**(Adopted 28 March 2017)**

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## **1 What is a Local Governance Statement?**

A Local Governance Statement is a collection of information about the processes that Council uses to engage with the District's residents.

It outlines how Council makes decisions and shows how residents can influence those processes. It also promotes local democracy by providing the public with information on ways it can influence local democratic processes.

Council's local governance statement is a requirement of the Local Government Act 2002. Council is obliged to produce a new local governance statement within six months following each triennial election.

## **2 Council's Functions, Responsibilities and Activities**

The purpose of the Kawerau District Council (hereafter referred to as Council), as outlined in the Local Government Act 2002, is to enable democratic local decision making and action by and on behalf of communities. Also to meet the current and future needs of communities for good quality infrastructure, local public services, and performance of regulatory functions in a way that is most cost effective for households and businesses. The Council has overall responsibility and accountability for the proper direction and control of the Council's activities in pursuit of community outcomes. This responsibility includes:

- Formulating the District's strategic direction in conjunction with the community - the Long Term Plan (LTP)
- Determining the services and activities to be undertaken
- Managing the principal risks
- Administering various regulations and up-holding the law
- Monitoring the delivery of the LTP and Annual Plan
- Ensuring the integrity of management control systems
- Safeguarding the public interest
- Ensuring effective succession of Elected Members
- Reporting to the community

### **3 Local Legislation and Bylaws**

In addition to the legislation that applies to all local authorities, the Kawerau District Council has adopted a number of local bylaws which apply specifically to the district.

These are as follows:

Dog Control Bylaw 2011

General Bylaw:

General Bylaw Part 1: Introductory 2009  
General Bylaw Part 2: Public Places 2013  
General Bylaw Part 3: Trading in Public Places 2009  
General Bylaw Part 4: Food Safety 2009  
General Bylaw Part 5: Advertising Signs 2013  
General Bylaw Part 6: Fires in Open Air 2013  
General Bylaw Part 7: Keeping of Animals, Poultry and Bees 2012  
General Bylaw Part 8: Wastewater Drainage 2010  
General Bylaw Part 9: On-site Wastewater Disposal Systems 2010  
General Bylaw Part 10: Trade Waste 2010  
General Bylaw Part 11: Solid Waste 2010  
General Bylaw Part 12: Cemetery 2010  
General Bylaw Part 13: Leisure and Recreation Facilities 2010

Liquor Control Bylaw 2009

Speed Limits Bylaw 2011

Traffic and Parking Bylaw 2011

Water Supply Bylaw 2009

### **4 Electoral Systems**

The Local Electoral Act 2001 specifies the electoral systems available to councils:

#### **4.1 “First Past the Post” and “Single Transferable Vote” Systems**

The Council currently operates its elections under the “First Past the Post” (FPP) electoral system. Electors vote by indicating their preferred candidate(s) and the candidate(s) who 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 currently 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 number of candidates required to fill all vacancies is achieved:

- First by the counting of electors' 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
- Then by the exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters' second preferences

#### 4.2 Deciding on which Electoral System to use

Under the Local Electoral Act 2001:

- Council can resolve to change the electoral system to be used at the next two elections
- Council can conduct a binding poll of eligible electors on which electoral system to use
- Electors can demand that a binding poll be undertaken

A poll can be initiated by at least five per cent of eligible 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 electoral system cannot be changed for one election and then changed back for the next election.

#### 4.3 The Voting System for Council's Triennial Elections

If voters want to institute STV voting for the Council 2019 election, deadlines for this to happen are:

- 12 September 2017 – last date by which Council can resolve to use STV for 2019 election without a binding poll.
- 21 February 2018 – last date by which petition for a poll on STV for 2019 election signed by at least five per cent of eligible voters, must be received.
- 21 May 2018 – date by which poll on STV/FPP for the 2019 election must be conducted if Council has so decided, or an eligible petition requesting a poll has been received.

If a poll has been conducted for an election, or the voting system has been changed, another poll or change cannot be made for that or the following election.

## **5 Representation Options**

### 5.1 Maori Wards and Constituencies

The Local Electoral Act 2001 gives Council the ability to establish separate wards for Maori electors. Council may resolve to create separate Maori wards or conduct a

poll on the matter, or the community may demand a poll. The demand for a poll can be initiated by a petition signed by five per cent of eligible electors within the District.

If Maori wards are implemented, the numbers of seats in that ward will be allocated according to the percentage of voters who are registered on the Maori roll.

## 5.2 Electoral Representation and Boundary Review

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 thirty 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, 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

Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review and should also follow guidelines published by the Local Government Commission. The Act gives people the right to make written submissions to Council and the right to be heard in support of their written submissions if they wish. People also have the right to appeal any decisions on the above to the Local Government Commission, which will make a binding decision on the appeal.

Further details on the matters that Council must consider in reviewing its membership and the basis of election can be found in the Local Electoral Act 2001.

Council resolved for the 2016 elections that:

- "First past the Post" electoral system would be used
- The election of the Council over the whole District will provide fair and effective representation for individuals and the Kawerau community generally
- The existing number of members, namely nine (9) will provide fair and effective representation for individuals and the Kawerau community generally
- There be no communities and community Boards due to the size of the District

As a result, Council retained the existing membership for the 2016 Triennial Elections, i.e.

- Mayor
- Eight Councillors

Council will need to conduct its next representation and electoral system review for the 2022 elections.

### 5.3 Changing the District's Boundaries or Functions

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

- Make changes to the boundaries of the District
- Create a unitary authority, e.g., transfer all of the functions of the Bay of Plenty Regional Council (known as Environment BOP) to Council, or vice versa
- Transfer a particular function or functions to another Council

Proposals for a boundary alteration or transfer of functions from one Council to another will be considered by the Local Government Commission.

The Local Government Commission will also deal with proposals for the establishment of a new District, abolition of Council or the creation of a unitary authority.

Further information on these requirements can be found in the Local Government Act 2002 (in particular Schedule 3).

The Local Government Commission has also prepared guidelines on procedures for local government reorganisation.

## 6 **Roles and Conduct of Elected Members and Chief Executive Officer**

The roles and conduct of the Mayor and Councillors are outlined in the Code of Conduct, which was adopted at the augural meeting of Council 25 October 2016.

Section 39 of the Local Government Act 2002 outlines the governance principles for local authorities, which are:

- “(a) a local authority should ensure that the role of democratic governance of the community, and the expected conduct of elected members, is clear and understood by elected members and the community; and*
- (b) a local authority should ensure that the governance structures and processes are effective, open, and transparent; and*
- (c) a local authority should ensure that, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities; and*
- (d) a local authority should be a good employer; and*

*(e) a local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.”*

## **7 Governance**

Councillors are elected by the community and given responsibility for the overall governance of the District, which includes setting the long-term direction and ensuring that Council acts in the best interests of its community.



Council has eight Councillors and a Mayor who are elected from the District as a whole.

<b>NAME</b>	<b>ADDRESS</b>	<b>PHONE</b>
Mr M J Campbell (Malcolm) (Mayor)	66 Bell Street <b>KAWERAU 3127</b>	323 8633 (bus) 323 7772 (res) 0274 576 122 <a href="mailto:mayor@kaweraudc.govt.nz">mayor@kaweraudc.govt.nz</a>
Cr W Godfery (Warwick)	30 Bell Street <b>KAWERAU 3127</b>	306 9420 (bus) 323 7771 (res) <a href="mailto:warwick@manna.org.nz">warwick@manna.org.nz</a>
Cr S Kingi (Sela)	43 Domett Street <b>KAWERAU 3127</b>	323 8025 (bus) 323 6009 (res) 027 509 2328 <a href="mailto:sela@tuwharetoa.org.nz">sela@tuwharetoa.org.nz</a>
Cr C J Ion (Carolyn)	125a Onslow Street <b>KAWERAU 3127</b>	323 4164 (bus) 323 9046 (res) 0274 156 458 <a href="mailto:ion.family@xtra.co.nz">ion.family@xtra.co.nz</a>
Cr B J Julian (Berice)	14 Domett Street <b>KAWERAU 3127</b>	306 9310 (bus) 323 9190 (res) <a href="mailto:berice@xtra.co.nz">berice@xtra.co.nz</a>
Cr C B Marjoribanks (Chris)	6 Bluett Road <b>OHOPE 3121</b>	323 8025 (bus) 312 5570 (res) 021 2233 761 <a href="mailto:chris@tuwharetoa.org.nz">chris@tuwharetoa.org.nz</a>
Cr R G K Savage (Rex)	28 Valley Road <b>KAWERAU 3127</b>	323 7287 (res) <a href="mailto:jonda.smith@compassnet.co.nz">jonda.smith@compassnet.co.nz</a>
Cr D Sparks (David)	6 Delamere Drive <b>KAWERAU 3127</b>	308 6817 (bus) 323 7776 (res) 027 321 0740 <a href="mailto:ulricsparks@gmail.com">ulricsparks@gmail.com</a>
Cr F K N Tunui (Faylene) (Deputy Mayor)	207 Valley Road <b>KAWERAU 3127</b>	323 8841 (bus) 323 7574 (res) 022 0434 472 <a href="mailto:faylene.tunui@hotmail.co.nz">faylene.tunui@hotmail.co.nz</a>

Council's Elected Members are responsible for:

1. Representing the Community

- Making decisions on the promotion of community well-being
- Keeping in contact with the Community, ascertaining its views and putting these to Council
- Advocating for the Community with other bodies such as central government or private sector bodies (e.g. the major employer in the District)
- Explaining Council decisions to affected parties

2. Setting Policy

What activities should the Council engage in and why, what regulatory intervention should the Council make and why etc. This policy setting takes place within a framework of:

- Things that the Council is prohibited from doing by law and things that the council must do by law
- Community needs and preferences

The rule of thumb is that the Council decides what it should be doing, staff provide policy advice on issues and carry out the decisions and Council reviews the performance of the organisation in achieving the objectives.

3. Monitoring and Review

Monitoring involves evaluating a policy or performance during a particular project. Review is about evaluating performance at a predetermined time.

The most visible review mechanism is Council's Annual Report, which sets out the performance of the Council against its objectives over the preceding year.

4. Role and Powers of the Mayor

The role of the Mayor is to provide leadership to:

- the other members of council, and
- the people of the Kawerau district

It is the role of the Mayor to lead the development of Council's plans, policies and budgets for consideration by Councillors.

The Mayor has the following powers:

- to appoint the deputy Mayor

- to establish committees for Council
- to appoint the chairperson for each committee of Council

## 7.1 Standing Committees

Council may create one or more committees of Council. A committee Chairperson is responsible for presiding over meetings of the committee and ensuring that the committee acts within the powers delegated by Council. A committee Chairperson may be removed from office by resolution of Council.

Council has established two standing committees:

- the Regulatory and Services Committee and
- the Audit and Risk Committee

The Regulatory and Services Committee comprises the Mayor and all Councillors. The Audit and Risk Committee comprises the Mayor, Councillors Julian, Marjoribanks, Sparks and Tunui, as well as Mr Philip Jones (external appointee).

The respective responsibilities of Council and the committees are as follows:

### **Council**

- |  |  |
|--|--|
| • Rating                                       | • Democracy                            |
| • Making By-laws                               | • Governance                           |
| • Long Term Plan                               | • Strategic Plan                       |
| • Annual Plan                                  | • Strategic Issues                     |
| • Annual Report                                | • Audit                                |
| • Funding Policy                               | • Property acquisition/disposal        |
| • Investment and Borrowing Management Policies | • Consultation/Relationship with Maori |

### **Regulatory and Services Committee**

#### Regulatory

Resource Management

- District Plan
- Submissions on Regional Plans
- Resource Consents
- Subdivisions

Health  
Building  
Plumbing  
Drainage  
Sale of Liquor  
Dangerous Goods  
By-Laws  
Stock Control

#### Services

Swimming Pool  
Parks & Reserves  
Roading including CBD

Footpaths  
Water  
Stormwater  
Wastewater  
Refuse/Zero Waste Plant  
Conveniences  
Cemetery  
Dog Control  
Civil Defence

Community Services  
Economic Development  
Library/Museum

Council Facilities  
Leases  
Rentals  
Asset Management  
Investments  
Loans  
Accounting  
Grants  
Noise Control

The Chairperson of the Committee is Councillor Carolyn J Ion and Deputy Chairperson is Councillor Berice J Julian.

### **Audit and Risk Committee**

The purpose of the Audit and Risk Committee is to:

- Monitor Council's external and internal audit processes
- Ensure that Council fulfils its legal responsibilities
- Review/monitor existing corporate policies and recommend new policies
- Provide a communication link between management, auditors and Council
- Support measures to improve management performance and internal controls
- Support the professionals independence, effectiveness and accountability of the Risk Management Framework
- Regularly review Council's performance throughout the year to ensure that services are delivered efficiently and close to budget

The Chairperson of the Committee is Mr Philip Jones and Deputy Chairperson is the Mayor.

### 7.2 Meeting Cycle

Council and Committee Meetings are scheduled on a monthly cycle. The following is the timetable for 2017:

	<b>REGULATORY &amp; SERVICES COMMITTEE</b>	<b>ORDINARY COUNCIL</b>	<b>AUDIT &amp; RISK COMMITTEE</b>
	<b>MEETING TIME: 9.00AM</b>	<b>MEETING TIME: 9.00AM</b>	<b>MEETING TIME: 1.00PM</b>
	<b>MEETING DATE</b>	<b>MEETING DATE</b>	<b>MEETING DATE</b>
<b>FEBRUARY 2017</b>	14	28	22
<b>MARCH 2017</b>	14	28	
<b>APRIL 2017</b>	11	26	
<b>MAY 2017</b>	16	30	2
<b>JUNE 2017</b>	13	27	21
<b>JULY 2017</b>	11	18	
<b>AUGUST 2017</b>	15	29	23
<b>SEPTEMBER 2017</b>	12	26	
<b>OCTOBER 2017</b>	17	31	
<b>NOVEMBER 2017</b>	14	28	8
<b>DECEMBER 2017</b>	12 preceding Council	12	13

## **8 Conduct of Meetings**

The legal requirements for Council meetings are set down in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA). All Council and Committee meetings must be open to the public unless there is reason to consider some item 'in committee' (i.e., these items are deemed to be confidential and members of the public will be asked to leave the meeting until discussion on the item has been completed). Although meetings are open to the public, members of the public do not have speaking rights except during the public forum section of the meeting.

A period of thirty minutes is set aside for a public forum at the start of each Ordinary Council and the Regulatory and Services Committee meetings which is open to the public. This period may be extended by a vote by members. Speakers may address meetings on any subject. However, issues raised must not include those subject to legal consideration, or be issues which are confidential, personal or the subject of a formal hearing.

Each Speaker during the public forum is permitted to speak for a maximum of three minutes. However, the Chairperson has the discretion to extend the speaking time. Standing Orders are suspended for the duration of the public forum. Council and Committees, at the conclusion of the public forum, may decide to take appropriate action on any of the issues raised. With the permission of the Chairperson, members may ask questions of speakers during the period reserved for public forum. Questions by members are to be confined to obtaining information or clarification on matters raised by the speaker.

The LGOIMA contains a list of the circumstances where Council may consider items 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 Council Agenda is a public document, although parts of it may be withheld if the above circumstances apply. The Mayor or committee 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 of Council 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 the LGOIMA.

For an ordinary meeting of Council, at least fourteen days' notice of the time and place of the meeting must be given. Extraordinary meetings generally can be called on three working days' notice. During meetings, the Elected Members must follow Standing Orders (a set of procedures adopted by Council for conducting its meetings). Council may suspend Standing Orders by a vote of seventy five per cent of the members present and voting.

## 9 Significance and Engagement Policy

Council adopted the Significant and Engagement Policy in conjunction with the adoption on the 2015 – 2025 Long Term Plan. The policy comprises the following:

### 9.1 Policy Objectives

**The objectives of this policy are:**

- To enable Council and its communities to identify the degree of significance attached to particular issues, proposals, decisions, matters, assets and activities;
- To inform Council from the beginning of a decision-making process about the level and form of engagement required; and
- To provide clarity about how and when communities can expect to be engaged in decisions made by Council

### 9.2 Principles

Council's approach to engagement is underpinned by the following principles:

- Council needs to engage with communities and interested parties to understand their views and preferences
- In general, the more significant an issue, proposal, decision, matter, asset or activity, the greater the need for engagement

### 9.3 Definitions

**Community** means a group of people who live in the Kawerau District and have a particular characteristic or set of characteristics in common.

**Engagement** means a public process in which the community and interested parties are invited to contribute to Council decisions about an issue, matter, proposal or decision. Forms of engagement range from providing information to empowering the community to make a decision. An Engagement Guide is attached as a Schedule to this policy.

**Early engagement** means Council engagement with a community or interest party to seek input before the development or release of a draft proposal about any issue, proposal, decision or other matter subject to engagement.

**Interested parties** means individuals or groups of people who are likely to be affected by, or to have an interest in an issue, matter, proposal or decision which concerns, or is before Council.

**Local Government Act** means the Local Government Act 2002 and its amendments.

**The public** means the community of Kawerau and interested parties.

**Significance** in relation to any issue, proposal, decision, or other matter that concerns or is before a local authority, means the degree of importance of the

issue, proposal, decision, or matter, as assessed by the local authority, in terms of its likely impact on, and likely consequences for:

- a) the district or region
- b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter
- c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

**Significant** in relation to any issue, proposal, decision, or other matter, means that the issue, proposal, decision, or other matter has a high degree of significance.

**Special consultative procedure** means the procedure set out in section 83 of the Local Government Act 2002.

**Strategic asset** as defined in Section 5 of the Local Government Act is “an asset or group of assets that the local authority needs to retain if the local authority is to maintain the local authority's capacity to achieve or promote any outcome that the local authority determines to be important to the current or future well-being of the community; and includes:

- a) any asset or group of assets listed in accordance with section 76AA(3) by the local authority; and
- b) any land or building owned by the local authority and required to maintain the local authority's capacity to provide affordable housing as part of its social policy; and
- c) any equity securities held by the local authority in:
  - i) a port company within the meaning of the Port Companies Act 1988:
  - ii) an airport company within the meaning of the Airport Authorities Act 1966”

#### 9.4 Policy Statement

Council will use the special consultative procedure set out in the Local Government Act for any decision-making as required by statute. For any other issue, proposal, decision, or other matter that concerns or is before Council, Council will assess the degree of significance and determine the form of engagement required on a case by case basis with reference to the Engagement Guide in the Second Schedule of this Policy.

Significance will be assessed and the form of engagement determined before Council decision-making in relation to the issue, proposal, decision, or other matter takes place.

The criteria to determine significance and engagement are:

- The level of financial commitment or impact involved
- Whether, and to what extent the matter affects the level of service of a Council activity
- Whether the matter relates to a strategic asset as identified in the First Schedule to this Policy
- Whether the matter will affect a large proportion of the community

- The likely impact on present and future community wellbeing, recognising Māori cultural values and the relationship of Māori to land and water
- Whether community interest is high
- Whether the likely consequences are controversial
- Whether community views, including preferences about the form of engagement, are already known
- The form of engagement used in the past for similar matters

A matter affected by a number of the above criteria is likely to have a higher degree of significance and therefore a greater need for community engagement. Council will apply a consistent and transparent approach to engagement.

The full policy is available on Council's website: <http://www.kaweraudc.govt.nz>

## 10 Management Structures and Relationships

Council is supported by a professional corporate organisation, led by the Chief Executive Officer. Officers provide policy advice and are responsible for implementing policies to achieve the results that Council wants.

The Chief Executive Officer and staff are responsible for managing day-to-day issues and implementing Council's decisions and policies. The organisation is structured into three departments. They are:

1. Operations and Services
2. Planning, Compliance and Capability Services
3. Finance and Corporate Services

### 10.1 Chief Executive Officer

The Local Government Act 2002 requires Council to employ a Chief Executive Officer whose responsibilities are to employ other staff on behalf of the Council, implement decisions and provide advice. Under the Local Government Act 2002, the Chief Executive Officer 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 Officer, rather than the Elected Members.

Russell George is Council's Chief Executive Officer.

His contact details are: Russell George  
Chief Executive Officer  
Kawerau District Council  
Private Bag 1004  
KAWERAU 3169

Email: [russell.george@kaweraudc.govt.nz](mailto:russell.george@kaweraudc.govt.nz)  
Telephone: 07 306 9009  
Facsimile: 07 323 8072  
Mobile: 0274 324 427



## 10.2 Management and Staff Structure

### Chief Executive Officer (Russell George)

- Chief Executive Officer's Secretary
- Policy Analyst/Strategic Planner
- Economic and Community Development Staff
- Event Co-ordination/Youth Development Staff

### → Manager, Operations & Services (Tom McDowall)

- Water & Wastewater Staff
- Parks & Reserves Staff
- Pool Staff
- Solid Waste Management Staff

### → Manager, Planning, Compliance and Capability (Chris Jensen)

- Environmental Health Staff
- General & Building Inspectorate Staff
- Dog Control Staff
- Civil Defence Staff
- Health & Safety Staff

### → Manager, Finance and Corporate Services (Peter Christophers)

- Administration Staff
- I.T. Staff
- Finance Staff
- Library/Museum Staff
- Customer Services Staff

### 10.3 Primary Responsibilities of the Chief Executive Officer and the Individual Managers

Chief Executive Officer – R B George C.A.

Responsible to the Council to plan, lead, organise and manage the operations of the Council in the most cost efficient manner having due regard for the policies of the Council, the law and social responsibilities.

Manager, Operations and Services – T D McDowall B.E. (Civil), N.Z.C.E.

Responsible to the Chief Executive Officer for the efficient management of the Water, Wastewater, Solid Waste Management, Roothing, Parks & Reserves and Pool operations of the Council in accordance with established policy, objectives, targets and the directives of the Chief Executive Officer.

Manager, Regulatory and Planning – C W Jensen

Responsible to the Chief Executive Officer for the efficient management of all of the Council's Regulatory, Planning and Emergency Management activities in accordance with established policy, objectives, targets and the directives of the Chief Executive Officer.

Manager, Finance and Corporate Services – P J Christophers BBS ACA

Responsible to the Chief Executive Officer for the efficient management of the Council's Library and Museum activities as well as the financial, administrative and customer service operations in accordance with established policy, objectives, targets and the directives of the Chief Executive Officer.

## 11 **Equal Employment Opportunities (EEO) Policy**

The Local Government Act 2002 requires Council to act as a 'good employer'.

Council operates an Equal Employment Opportunity policy. This policy states that:

*"The Employer is committed to the principle of equal opportunity in the recruitment, employment, training and promotion of its employees. The Employer will provide a positive environment and will implement a purposeful programme of action to ensure that its activities are carried out with an awareness of, and intent to eliminate discrimination in the areas of race, colour, ethnic or national origin, gender, religion, political beliefs, marital status, family responsibilities, sexual orientation, disability or age".*

## 12 Key Approved Planning and Policy Documents

The following have been identified as key Council planning and policy documents. To view or find out more about these plans, reports, policies and strategies, please contact the Council.

### 12.1 The Long Term Plan (LTP)

The Long-Term Plan (LTP):

- Sets out Council's priorities over the medium to longer term (covers the next ten years)
- Sets out how Council intends to contribute to the Community Outcomes

The purpose of the LTP is to:

- Describe the activities of Council
- Describe the Community Outcomes
- Provide integrated decision-making and co-ordination
- Provide a long-term focus for the Council
- Provide a basis for accountability of Council to the Community

In line with the Act, Council produced a full Long Term Plan for 2015-2025.

### 12.2 Council's Annual Plan

The Annual Plan includes information on Council's policies, actions and funding that are to be undertaken over the coming financial year compared to what was proposed in the Long Term Plan for that year.

The Annual Plan is Council's main means of communicating its projects and programmes to the public in the years that a Long Term Plan is not produced. If the Annual Plan includes significant or material differences from what was in the Long Term Plan for the financial year, then the special consultative procedure must be used prior to the adoption of the Annual Plan which stipulates that the public must be given a minimum of one month to make submissions. Council then considers the submissions before adopting its approved Annual Plan and confirming the rates for the next financial year.

The Annual Plan must include:

- The nature and scope of the significant services to be undertaken
- The performance measures and other measures used to monitor, measure and review Council's performance
- An outline of the indicative costs (i.e., of proposed expenditure) and the sources of funds
- An outline of Council's funding and financial policies
- Forecast financial statements for the year, including:
  - An estimated and forecast statement for the beginning and end of the financial year
  - An operating statement (reflecting forecast revenues and expenses)

- A statement of cash flows
- An explanation of changes (variations) between the Annual Plan and the Long Term Plan.

### 12.3 Council's Annual Report

After the end of the financial year, Council publishes an Annual Report which contains audited accounts for the previous financial year. The Annual Report must:

- Compare the actual performance with the proposed performance set out in the Plan
- Comment on the performance of all organisations included in the Annual Plan
- Be produced and adopted within four months of the end of the financial year
- Contain an audited financial statement, set of accounts and annual financial report which assesses Council's financial performance against its budget

### 12.4 Funding and Financial Strategies/Policies

The following strategies and policies are included in Council's Long Term Plan:

#### ***Financial Strategy***

Council must as part of the Long Term Plan, prepare a Financial Strategy for the years covered by the Long Term Plan. The purpose of the Financial Strategy is to:

- Facilitate prudent financial management by Council by providing a guide to consider proposals for funding and expenditure against, and
- Provide a context for consultation on Council's proposals for funding and expenditure

#### ***Infrastructure Strategy***

The Infrastructure Strategy is intended to help Council and the community make informed decisions about the major infrastructure decisions and investments which need to be made over the next 30 years.

The strategy outlines:

- The key infrastructure issues which must be addressed over the next 30 years
- The main options for dealing with those issues
- The implications of those options for residents and businesses in terms of cost and service delivery; and
- Council's preferred scenario for managing the issues and implications

#### ***Revenue and Financing Policy***

Council provides a wide range of services that need to be funded. This policy outlines who pays for each activity and why.

### ***Rating Policy***

This policy specifies the rating tools that Council uses to fund the activities it undertakes.

#### 12.5 Other Policies

Council is required to consult with the community before adopting the following policies:

##### ***Development and Financial Contributions Policy***

This policy outlines in what circumstances development or financial contributions will be required from developers.

##### ***Rates Remission and Postponement Policies***

These policies outline circumstances in which Council will consider rates relief for property owners and include:

- Rate Remission for High Valued Property
- Rate Remission for Farming Property
- Rate Remission and Postponement for Development
- Rate remission and Postponement for Maori Freehold Land
- Rate Penalty Remission

#### 12.6 Asset Management Plans

In recognition of the importance of the assets that Council manages on behalf of the Community, plans to ensure that these assets will continue to provide the same level of service to the Community well into the future have been developed.

The five asset management plans are:

- 1) Water Supply
- 2) Wastewater
- 3) Stormwater
- 4) Roading
- 5) Community Facilities and Property Assets

These plans ensure that Council can continue to meet the levels of service required for essential services in the future.

## 13 Systems for Public Access and Participation

### (a) Contact details for Council:

Kawerau District Council  
Private Bag 1004  
KAWERAU 3169

Telephone: 07 306 9009  
Hotline: 07 306 9042  
Facsimile: 07 323 8072  
E-mail: [kaweraudc@kaweraudc.govt.nz](mailto:kaweraudc@kaweraudc.govt.nz)  
Website: [www.kaweraudc.govt.nz](http://www.kaweraudc.govt.nz)

### (b) System for requesting Council service

Requests for Council service can be made by visiting, telephoning or writing to (including emails and faxes) the Council offices.

### (c) Opportunities for participation in Council activities

Council offers numerous opportunities for the Community to participate in the decision-making processes throughout the year, as well as in the Draft Long Term Plan and Annual Plan submission processes. The projects and programmes outlined in the draft plans are a result of ongoing public input and consultation with the Community.

In addition, many of Council's key plans and policies are developed using Community input. Council will inform residents (through newsletters and other media) when key plans and policies are being developed/reviewed that require community input or feedback.

## 14 Requests for Official Information

The purposes of the Local Government Official Information and Meetings Act 1987 are:

- To make information held by local authorities more readily available
- To promote more open conduct of meetings
- To promote the right of access to information
- To protect information where it is in the public interest and for the sake of personal privacy

All local authorities are now covered by some form of official information legislation.

### Who can request information?

Anyone - even non-New Zealand citizens or those living outside the country. Community organisations, pressure groups, the media and businesses have the same rights as individuals.

### How can requests be made?

By the person or organisation telephoning or writing to the local authority concerned. The request must be reasonably specific. No reason has to be given by the person or organisation making the request unless the information is wanted urgently.

### What is the maximum allowable response time?

Twenty working days is the maximum allowable response time. This deadline can be extended, but only if there are good reasons. If the delay is unreasonable, a complaint can be made to the Ombudsman's Office. There will be many situations where information can be supplied the same day it is requested. Requests should be responded to as quickly as reasonably possible.

### What duty is there to assist?

Every local authority has a duty to assist people in making requests for information. If the local authority does not have the information, but believes another local authority, organisation, or government department might, your request must be passed on.

### What charges can be made?

Any charge levied by Council for supplying official information must be reasonable (personal information cannot be charged for).

Council's Policy is that when Council is providing organisations and individuals with detailed financial and non-financial information, they are charged the actual costs of producing the information.

Normally the charge is for the time involved in extracting the information and the cost of photocopying.

The Ombudsman can also investigate the costs charged for any information supplied.

### What if the request is refused?

The information must be made available unless there is a reason under the Act for not releasing it. The reasons for refusal must be given. The person or organisation's right to appeal Council's decision to withhold the information to the Ombudsman must also be explained. Where a decision is made (whether to release or refuse to release official information), the Ombudsman has the function to investigate and review that decision. The jurisdiction of the Ombudsman extends to all decisions concerning official information (including any information that comes into the category of personal information).

### For what reasons could a request be refused?

Reasons could (for example) include:

- The release of the information would be likely to prejudice the maintenance of the law
- The information, if released, would be likely to endanger any person
- To protect a trade secret or the commercial activities of the local authority
- To protect personal privacy

The only reasons which can be advanced for refusal to supply official information are those that the Act itself specifies.

Sections 6 & 7 of the Act contain most of the reasons permissible. Some of the reasons the Act refers to must be weighed against "other considerations which render it desirable, in the public interest, to make the information available".

### What about personal information?

An individual has the right to ask for any information about himself/herself without charge. This includes requests by members of staff.

Special rules govern the right of access to personal information. There are fewer reasons for withholding personal information.