

Hauraki District Council

Local Governance Statement

2011



Hauraki District Council
P O Box 17
William Street
Paeroa, New Zealand
Ph: 07 862 8609
Ph: Within the District 0800 734 834
Fax: 07 862 8607
E-mail: info@hauraki-dc.govt.nz
Website: www.hauraki-dc.govt.nz

Contents

Introductory Statement	1
Local Governance Statement 2011	1
Hauraki District Council's Mission Statement.....	2
Hauraki District's Community Outcomes.....	2
District Overview	1
Location.....	1
Hauraki District's Image.....	1
Function.....	2
Responsibilities	2
Activities	3
<i>Leadership.....</i>	<i>3</i>
<i>Network Services.....</i>	<i>3</i>
<i>Community Services.....</i>	<i>3</i>
<i>Community Development</i>	<i>3</i>
<i>Regulatory Services</i>	<i>3</i>
Local legislation that confers powers on the local authority	4
Hauraki District Council Bylaws.....	5
Consolidated Bylaw - Introductory	6
<i>Land Transport</i>	<i>6</i>
<i>Public Safety</i>	<i>6</i>
<i>Trade Waste and Waste Water</i>	<i>6</i>
<i>Water Supply.....</i>	<i>7</i>
<i>Cemeteries</i>	<i>7</i>
<i>Land Drainage.....</i>	<i>7</i>
<i>Solid Waste</i>	<i>7</i>
<i>Wharves</i>	<i>7</i>
The electoral system and the opportunity to change it	8
Electoral Systems.....	8
<i>'First Past the Post' and 'Single Transferable Vote' System.....</i>	<i>8</i>
<i>Provisions for changes to the Electoral System</i>	<i>8</i>
Representation arrangements.....	9
Representation review	9
Existing arrangement.....	9
Elections.....	9
Separate Wards for Maori Electors.....	9
Boundary changes	10
<i>The Reorganisation process.....</i>	<i>10</i>
Members' roles and conduct	11

Mayor and Councillors	11
The Mayor	11
The Deputy Mayor	11
Committee Chairpersons and Committees	12
Elected Members	12
Code of Conduct	12
Governance structures and processes, membership, and delegations	13
Wards Committees	13
Hearings Committee	13
District Plan Committee	13
Consultative Committee Water and Waste	13
Audit Committee	13
Other standing committees	13
Waikato Civil Defence Emergency Management Group	14
Thames Valley Combined Civil Defence Committee	14
Regional Development Joint Committee	14
Regional Transport Committee	14
Hauraki Gulf Forum	15
Other Committees	15
Councillor Portfolios	16
Other Liaison and Co-operation	16
Meeting processes	17
General Provisions Relating to Meetings	17
<i>Standing Orders</i>	17
PART VII—of the Local Government Official Information and Meetings Act, 1987	17
Consultation policies	18
Consultation Requirements	18
Consultation Policy	18
Special Consultative Procedure	18
Policies for liaising, and memoranda or agreements with Maori	20
Introduction	20
Background	20
Tangata Whenua	20
Memorandum of Partnership	21
Memoranda Content	21
Taurahere	22
<i>Mana Whenua Forum</i>	22

Future Policy Development	23
The management structure and the relationship between management and elected members	24
Division of Responsibility between the Council and Management	24
Role of the Council	24
The Chief Executive.....	25
Management Structure.....	26
Business Units.....	27
Engineering	27
Planning and Environmental Services	27
Community Services	27
Corporate Services.....	27
Equal employment opportunities policy	28
Key approved planning and policy documents and their review processes.....	29
District Plan.....	29
The District Plan Process	29
Long-Term Plan	29
Annual Plan	30
Annual Report	30
Asset Management Plans	30
Asset Management Plan Policy.....	30
Activity management Plans.....	30
Accounting Policies	31
Financial Strategy.....	31
Revenue and Financing Policy.....	31
Liability Management and Investment Policy	31
Policy on Significance.....	32
Rating Policies	32
Development Contributions or Financial Contributions Policy.....	32
Appointment of Directors	33
Occupational Safety & Health	33
Systems for public access to Council and its Elected Members.....	35
Service Centres.....	35
Elected Members	35
Mayor	35
Plains Ward	36
Paeroa Ward	37
Waihi Ward.....	38

Process for requests for official information..... 39

Appendix A: Provisions relating to Maori - Local Government Act, 2002..... 40

Introductory Statement

Local Governance Statement 2011

A Local Governance Statement is a collection of information about the processes through which Council engages with its community, how Council makes decisions and how citizens can influence those processes.

A Local Governance Statement helps support the purpose of local government by promoting local democracy. The statement does this by providing the public with information on the ways to influence local democratic process and decision making.

For this reason, a Local Governance Statement must include the following broad categories of information:

- Functions, responsibilities, and activities of the local authority;
- Electoral arrangements;
- Governance structures and processes;
-
- The way elected members make decisions and relate to each other and to the management of the local authority;
- Key policies of the Council.

The first Local Governance Statement was available to the public on 31st December 2003. Thereafter, the statement is to be reviewed within six months of each triennial election. Hauraki District Council has a programme in place to update the Local Governance Statement by August and February every year between these triennial elections.

The statement may also be reviewed and revised by the Council at any time to ensure its currency.

The statement was formally adopted by the current Council on 13 April 2011.

The following table records the six monthly review process. Delegated authority for the Chief Executive to approve reviews was:

Date	Reviewed by:	Approved by:
12 September 2011	Policy Analyst	Chief Executive
22 February 2012	Policy Analyst	Chief Executive

Hauraki District Council's Mission Statement

It is Council's mission to;

- Provide quality services and facilities
- Foster open-minded and two-way communication with the community
- Actively advocate on behalf of the community
- Ensure the sustainable use and management of resources

...for the benefit of all who live in, work in and visit the Hauraki District.

Hauraki District's Community Outcomes

- Vibrant and sustainable businesses and business economies in our District;
- Integrated provision of quality health and social services throughout our District;
- Maintain and protect the vibrancy of rural communities within our District;
- Cultural values of tangata whenua throughout the District be respected and supported through further development of consultation, participation and partnerships;
- Our Hauraki youth be provided with greater opportunities to participate in the decision-making processes pertaining to the development of our communities;
- We encourage increased opportunities to participate in recreational, sporting and cultural activities;
- Hauraki District residents be given the opportunity to participate in education and training programmes;
- Management of our natural and physical environment in a suitable manner;
- Long term planning to ensure that our future infrastructure requirements meet the growth and development opportunities of our District.

-

District Overview

Location

The Hauraki District is located in the upper half of New Zealand's North Island and has Auckland and the Coromandel Peninsula at its doorstep, being south east of Auckland City and at the base of the Coromandel Peninsula. The District covers an area of 1,269 square kilometres, incorporating the six different area units of Mangatawhiri, Hauraki Plains, Ngatea, Kerepehi, Paeroa, Ohinemuri and Waihi (or the three different wards: the Plains Ward, Paeroa Ward, and Waihi Ward). The population of this District (as measured by the New Zealand census) in 2006 was 17,190. In January 2012 Statistics New Zealand estimated that Hauraki District's population is approximately 18,750 (this includes the additional 680 people that joined Hauraki from the Kaiaua area).



Hauraki District's Image

The Hauraki District enjoys a "clean-green" image, and has versatility so that it will suit many lifestyles. With dramatic scenery and rolling plains, bushwalks, heritage trails, the Hauraki Gulf, arts and crafts, sports facilities, wineries and much more, there is a wide range of activities in the area. Approximately 75% of the District is used for pastoral farming with dairying being the most significant type.

The District thrives on mining, boasting Waihi's Martha Mine, and also on tourism, being home to a number of other well known tourist attractions such as the L & P bottle, the Karangahake walkway, the Hauraki Rail Trail, the Ngatea Water Gardens, the Hauraki Gulf and the most recent addition of the Seabird Coast.

Functions, responsibilities and activities of the Hauraki District Council

Function

The purpose of the Hauraki District Council is to promote the social, economic, environmental and cultural well-being of the Hauraki District in the present and for the future taking a sustainable management approach.

Responsibilities

In fulfilling its functions the Hauraki District Council has a variety of roles:

- 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 (eg. roads, sewage disposal, land drainage, water, stormwater, flood and river control works) and community infrastructure (libraries, parks, public toilets, swimming pools and recreational facilities);
- Environmental management;
- Planning for the future needs of the Hauraki District.

In fulfilling its purpose Hauraki District Council exercises powers and fulfils responsibilities conferred on it by many pieces of legislation.

The major enactments in alphabetical order are:

- Building Act 2004
- Civil Defence and Emergency Management Act 2002
- Climate Change Response Act 2002
- Dog Control Act 1996
- Gambling Act 2003
- Health Act 1956
- Historic Places Act 1993
- Land Transport Management Act 2008
- Local Electoral Act 2001
- Local Government (Rating) Act 2002
- Local Government Act 1974
- Local Government Act 2002
- Local Government Official Information and Meetings Act, 1987
- Prostitution Reform Act 2003
- Reserve Act 1977
- Resource Management Act 1991
- Sale of Liquor Act 1989
- Transit New Zealand Act 1989
- Treaty of Waitangi Act 1975
- Waste Minimisation Act 2008

A list of all legislation which confers obligations or responsibilities on local authorities is available in the Hauraki Community Plan 2009-19 available on Councils website: www.hauraki-dc.govt.nz

Activities

The activities of Council are currently grouped under the following “Significant Activities”.

Leadership

- Democracy
- Iwi Liaison
- Policy Development

Community Development

- Community Growth
- Community Initiatives

Network Services

- Roading
- Water Supply
- Wastewater
- Land Drainage
- Stormwater
- Solid Waste

Regulatory Services

- Resource Management Implementation
- Building Control Services
- Community Protection
 - Emergency Management
 - Rural Fire
 - Environmental Health
 - Liquor Licensing
 - Hazard Zone Monitoring

Community Services

- Community Recreation
 - Swimming Pools
 - Libraries
 - Events Centre
 - Sports fields and recreational reserves
 - District sports co-ordinator
- Community Facilities
 - Community Halls
 - Rural Community Halls
 - Pensioner Housing
 - Public Toilets
 - Cemeteries
 - Non-recreational reserves

- Animal Control Services

Further information can be found in the Hauraki Community Plan 2009-19 available on Councils website. The Draft 2012-22 Hauraki Long Term Plan is currently being prepared and will be available late March 2012, with adoption in June 2012. The Groups of Activities within this revised plan are proposed to differ to what is listed above.

Local legislation that confers powers on the local authority

In addition to the legislation that applies to all territorial local authorities, the Hauraki District Council is also bound by separate pieces of local legislation (Acts that apply specifically to it).

- **Local Legislation Act, 1927**
 - Section 60
Authorising Hauraki United Drainage Board to exercise an unexercised loan authority of Hauraki Drainage Board
 - Section 61
Authorising Hauraki United Drainage Board to exercise an unexhausted loan authority of Horahia Drainage Board.

- **Local Legislation Act, 1938**
 - Section 7
Authorising Hauraki Plains County Council to acquire a water-main for water-supply district and making special provision in connection therewith.

- **Local Legislation Act, 1966**
 - Section 12
Authorising Hauraki Plains County Council to adopt classification of land fixed by Hauraki Catchment Board.

- **Hauraki Plains County Council Empowering (Kerepehi Sewerage Works) Act, 1975**
 - An Act to empower the Hauraki Plains County Council to make and levy a capital charge on certain property within the Hauraki Plains County.

- **Hauraki Plains Eastern Water-Supply Empowering Act, 1935**
 - An Act to enable the Hauraki Plains County Council to take, divert and impound water in certain streams in the Hauraki Mining District for supplying water to parts of the County of Hauraki Plains and to the County of Thames and to validate an agreement made between such Council and the Thames County Council.

Hauraki District Council Bylaws

As required by the Local Government Act, 2002 (section 158), Council is required to review all bylaws in existence before 1 July 2008. Council completed the review of bylaws in January 2008, and all reviewed bylaws were in force as part of a single consolidated bylaw by 1 March 2008.

The consolidated bylaw consists of the following parts:

- Part 1: Introductory
- Part 2: Land Transport
- Part 3: Public Safety
- Part 4: Trade waste and waste water
- Part 5: Water Supply
- Part 6: Cemeteries
- Part 7: Land Drainage
- Part 8: Solid Waste
- Part 9: Wharves

In addition to the consolidated bylaw the Council has a Fire Prevention Bylaw involving Vegetation 1993 also in force. This bylaw's provides for the following:

- 1) Regulating Fires in the Open
- 2) Declaration of Restricted Fire Season
- 3) Declaration of Prohibited Fire Season
- 4) Public Notice of Restricted and Prohibited Fire Seasons
- 5) Issuing of Permits, Revocation, Suspension and fees
- 6) Council may extinguish fires
- 7) Live ashes
- 8) Removal of Gorse and other growth
- 9) Storage of Combustible Materials
- 10) Storage of Hay

The Council is continuing with the current Hauraki District Fire Prevention Bylaw involving Vegetation. This is recommended as the Department of Internal Affairs have developed a proposal for a new Fire and Rescue Act and it is expected this new legislation will alter the Council's involvement in fire prevention in the future. The bylaw will be reviewed in its entirety as appropriate when further information is available on the proposed new Fire and Rescue Act.

Consolidated Bylaw - Introductory

The purpose of Part 1 (Introduction) is to provide clear and definitive definitions of words and phrases, an authoritative source for determination of the powers and functions of officers appointed to administer bylaws, for penalties and breaches of bylaws and for related administrative matters. This part was adopted on 12 July 2007, and became effective on the 1 September 2007 and must be reviewed by July 2017.

Land Transport

The purpose of Part 2 (Land Transport) is to provide for the regulation of roads and footpaths within the control of the Council by-

- a) the setting of speed limits for vehicles,
- b) providing requirements for parking and control of vehicular or other traffic,
- c) providing requirements for the movement of stock, and
- d) providing requirements for the construction, maintenance and use of vehicle crossings.

This part was adopted on 12 July 2007, and became effective on the 1 September 2007 and must be reviewed by July 2017.

Public Safety

The purpose of Part 3 (Public Safety) of the Bylaw is to ensure that acceptable standards of safety, convenience, visual amenity and civic values are maintained for the well-being of inhabitants and visitors to the district. This part was adopted on 12 July 2007, and became effective on the 1 September 2007 and must be reviewed by July 2017. Some sections of Part 3 of the Bylaw were updated as part of the Dog Control Policy and Bylaw review. Chapter 6 (Control of Dogs) including Schedules 6 and 7 were updated on the 17 August 2011 and came into effect from the 19 September 2011.

Trade Waste and Waste Water

The purpose of Part 4 (Trade Waste and Wastewater) is to:

- Ensure sustainable environmental protection.
- Minimize the reception and disposal costs to the community of trade waste and wastewater.
- To encourage and promote industry to treat trade waste onsite to an appropriate and cost effective level.
- To have a fair and equitable trade waste wastewater charging policy and to encourage sustainable industry activity throughout the district.
- To ensure that industry maintains trade wastewater discharges within agreed and consented flow and contaminate levels.

This part was adopted on 30 January 2008, and became effective on the 1 March 2008 and must be reviewed by January 2018.

Water Supply

The purpose of Part 5 (Water Supply) is to provide for:

- The protection of the water supply;
- The conditions of supply of water by the Council;
- Provision through schedules of standards for connection to the water supply system of the Council;

This part was adopted on 14 November 2007, and became effective on the 1 December 2007 and must be reviewed by December 2017.

Cemeteries

The purpose of Part 6 (Cemeteries) is to provide for:

- Protection of public health and maintaining public decency in relation to cemeteries and burial grounds:
- Regulate the conduct of persons using or frequenting any cemetery
- Regulate the erection of monuments
- Regulate when and how burials will be conducted
- Prescribe fees relating to the provision of services within the cemetery

This part was adopted on 30 January 2008, and became effective on the 1 March 2008 and must be reviewed by January 2018.

Land Drainage

The purpose of Part 7 (Land Drainage) of the Hauraki District Council Consolidated Bylaw is to control and protect land drainage works vested in or under the management or jurisdiction of the Council.

This part was adopted on 30 January 2008, and became effective on the 1 March 2008 and must be reviewed by January 2018.

Solid Waste

The purpose of Part 8 (Solid Waste) of the Hauraki District Council Consolidated Bylaw is to provide for collection and disposal of refuse in an efficient and cost effective manner, serving the interests of public health, enhancing the amenity of the residential and business environment and protecting the natural environment while at the same time ensuring that any impact on the road network in the district is kept to a minimum. General issues relating to recycling, ownership of the waste stream, refuse storage, waste management and minimisation are also covered by this Part of the Bylaw.

This part was adopted on 30 January 2008, and became effective on the 1 March 2008 and must be reviewed by January 2018.

Wharves

The purpose of Part 9 (Wharves) of the Hauraki District Council Consolidated Bylaw is to provide for the control and management of the wharf facilities that are provided by, owned or controlled by the Council.

This part was adopted on 19 December 2007, and is to become effective on the 1 February 2008 and must be reviewed by December 2017.

The electoral system and the opportunity to change it

Electoral Systems

'First Past the Post' and 'Single Transferable Vote' System

The Local Electoral Act, 2001 defines an electoral system as any of the following electoral systems that are prescribed for use at an election or poll:

- The system commonly known as First Past the Post (FPP);
- The system commonly known as Single Transferable Voting (STV) using Meek's method of counting votes.

The Hauraki District Council currently operates its elections under the First Past the Post electoral system. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes are 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. This system is currently used in district health board and local authority elections. Electors rank candidates in order of preference. The number of votes required for a candidate to be elected (called the quota) depends on all the number of positions to be filled and the number of valid votes. The number of candidates required to fill all vacancies is achieved by:

- Counting of electors' first preferences;
- Then 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 the exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters' second preferences.

The complete Local Electoral Act, 2001 can be viewed at www.dia.govt.nz

Provisions for changes to the Electoral System

The Local Electoral Act, 2001 makes provision for changes to the system by either Council or elector initiative.

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 five percent 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. we cannot change our electoral system for one election and then change back for the next election.

In 2011 the Council decided not to change the system for the 2013 election which was conducted under the First Past the Post system.

Representation arrangements

(including the option of establishing Maori wards or constituencies, and the opportunity to change them)

Representation review

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 also follow guidelines published by the Local Government Commission. The Act gives citizens the right to make a written submission to Council, and the right to be heard if they wish. There is also 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 basis of election can be found in the Local Electoral Act, 2001.

Existing arrangement

The Council comprises 13 Councillors elected from three wards plus the Mayor elected at large.

Elections

Council had the option of conducting a review of representation and boundaries by either the 31 of April, 2003 or by 31 August, 2006. The Council resolved in 2003 to undertake a representation and boundary review by 31st August, 2006 for the 2007 triennial election. This review of representation was undertaken and there was no opposition to the status quo. As such the existing arrangement above remained for the 2010 triennial election, and will be reviewed in 2012 for the 2013 triennial election.

Separate Wards for Maori Electors

The Local Electoral Act, 2001 also gives the 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 electors within the district.

Boundary changes

The Reorganisation process

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

- Make changes to the boundaries of the district;
- Create a new district;
- Create a unitary authority, i.e. transfer all of the functions of the Waikato Regional Council to Hauraki District Council;
- Transfer a particular function or functions to another Council.

The procedures for resolving each type of proposal are slightly different. In general they begin with a proposal either from the local authority, the Minister of Local Government, or by a petition signed by 10 per cent of electors.

Proposals for a boundary alteration or transfer of functions from one local authority to another will be considered by a joint committee of the affected local authorities, or by an agreed appointed local authority, or by the Local Government Commission if the local authorities refer the proposal to the Commission or if they cannot agree on which of them should deal with the matter.

Proposals for the establishment of a new district or for the creation of a unitary authority will also be dealt with by the Local Government Commission. These proposals cannot be implemented without a poll of electors.

Information on these requirements can be found in the Local Government Act, 2002 (in particular Schedule 3). For further information contact the Hauraki District Council or the Local Government Commission. The Local Government Commission has also prepared guidelines on procedures for local government re-organisation.

From 1 November 2010 the Kaiawa area, previously part of the former-Franklin District, was incorporated into the Hauraki District. As part of this boundary change Hauraki District gained approximately 680 residents and an additional 125 square kilometres of land.

Members' roles and conduct

Mayor and Councillors

The Mayor and Councillors of the Hauraki 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 judgment 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

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 Council. In addition the Mayor has the following roles:

- Presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in standing orders);
- Advocate on behalf of the community. 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 Council;
- Ceremonial head of Council;
- Providing leadership and feedback to other elected members on teamwork and their chairing of committees.

The current Mayor following the 2010 triennial election is Mayor **John Tregidga**.

The Deputy Mayor

The Deputy Mayor is elected by the members of Council at the first meeting of 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 of the Mayor. The Deputy Mayor may be removed from office by a resolution of the Council.

The current Deputy Mayor following the 2010 triennial election is Cr. **Bruce Gordon**.

Committee Chairpersons and Committees

The 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 any powers delegated by the Council.

A committee chairperson may be removed from office by resolution of the Council.

Unless already appointed by the Council a committee can appoint a deputy chairperson who fills the role of Chairperson when that person is absent.

Elected Members

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

- Schedule 7 of the Local Government Act, 2002 includes obligations to act as a good employer and to abide by the current Code of Conduct and Standing Orders;
- The Local Authorities (Members' Interests) Act, 1968 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 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 prohibits the acceptance of gifts or rewards for acting in a certain way and also prohibits the use of official information for private profit;
- The Securities Act, 1978 places elected members in the same role as Company Directors whenever the Council offers shares in a company to the public.

Code of Conduct

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 a 75 per cent or more vote of the Council.

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 general 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.

The current Code of Conduct was reviewed and adopted by the Council on the 10 November 2010.

Governance structures and processes, membership, and delegations

The Council reviews its Committee structures after each triennial election. The Council established that full Council meetings would be held on the last and third to last Wednesday of every month. The following Standing Committees were also established:

Wards Committees

The Paeroa Ward Committee, the Waihi Ward Committee and the Plains Ward Committee each deal with community issues specific to their Ward.

Hearings Committee

The Hearings Committee handles all powers, duties and discretions vested in the Council by the;

- Resource Management Act, 2002;
- Dog Control Act, 1996;
- Sale of Liquor Act, 1989;
- Crown Owned Minerals Act, 1991;
- Fencing of Swimming Pools Act, 1987;
- Building Act, 2004

District Plan Committee

The District Plan Committee handles matters relating to District Plan Changes, District Plan Review and Resource Management Policy issues.

Consultative Committee Water and Waste

Established to help manage the consultation with special interest groups within the District regarding the issues of water and wastes.

Audit Committee

Established to ensure a robust system is in place for appeals to rate remissions decisions. Also available as required to meet with Council Auditors.

Other standing committees

In addition to the above standing committees the following joint committees have been appointed by the Council.

Waikato Civil Defence Emergency Management Group

Membership of the Waikato Civil Defence Emergency Management (CDEM) Group comprises the Regional Council, and the Territorial Local Authorities of the region.

The role of the CDEM Group will be to:

- Overview the preparation of the Regional Emergency Management Group Plan, and to publicly consult on it;
- Determine annual planning and budgeting;
- Approve Emergency Management Policy;
- Overview the emergency response capability of the emergency operating centres; and
- Ensure accountability to the group, and to their respective Councils.

Thames Valley Combined Civil Defence Committee

Jointly with Matamata-Piako and Thames-Coromandel District Councils

Purpose

- To ensure that the Hauraki District Council:
 - Improves and promotes the sustainable management of hazards in a way that contributes to the social, economic, cultural and environmental well-being and safety of the public and to the safety of property within the district;
 - Encourages and enables its communities to achieve acceptable levels of risk; and
 - Provides for planning and preparation for emergencies and for response and recovery in the event of an emergency within the district.
- To develop closer integration between local authorities and agencies involved in emergency management to improve the District's local capability to deal with emergencies.

Regional Development Joint Committee

Jointly with the Thames-Coromandel District Council.

Purpose

- To ensure that the Hauraki District Council and Thames-Coromandel District Council:
 - Facilitate economic development in the Thames Valley Region;
 - Implement the findings of the Regional Economic Development Strategy; and
 - Facilitate cross-border co-operation on economic development, where mutually beneficial.

Regional Transport Committee

Led by Environment Waikato with political membership from all District Councils within the Waikato. NZTA and representatives from mobility, health, environmental, cultural and safety sectors are also appointed.

Purpose

- To enable Hauraki District Council to:
 - Identify the future land transport needs of the District;

- Identify the most desirable means of responding to such needs in a safe and cost effective manner, having regard to the effect the transport system is likely to have on the environment;
 - Identify an appropriate role for each land transport mode in the District;
 - Assist in the development of Land Transport Strategies and Plans for the Waikato region.
- To develop closer integration between local authorities and agencies involved in land transport to improve the District's local land transport capability.

Hauraki Gulf Forum

The Forum is established by the Hauraki Gulf Marine Park Act, 2000

The purpose of this Act is to:

- Integrate the management of the natural, historic, and physical resources of the Hauraki Gulf, its islands and catchments;
- Establish the Hauraki Gulf Marine Park;
- Establish objectives for the management of the Hauraki Gulf, its islands and catchments;
- Recognise the historic, traditional, cultural, and spiritual relationship of the tangata whenua with the Hauraki Gulf and its islands;
- Establish the Hauraki Gulf Forum.

The Forum has the following purposes:

- To integrate the management, and where appropriate, to promote the conservation and management in a sustainable manner, of the natural, historic, and physical resources of the Hauraki Gulf, its islands and catchments, for the benefit and enjoyment of the people and communities of the Gulf and New Zealand;
- To facilitate communication, co-operation, and co-ordination on matters relating to the statutory functions of the constituent parties in relation to the Hauraki Gulf, its islands and catchments, and the Forum;
- To recognise the historic, traditional, cultural and spiritual relationship of tangata whenua with the Hauraki Gulf, its islands, and where appropriate, its catchments.

Other Committees

The Council also has the following standing committees that meet only as and when required.

- Pensioner Flats Allocation
- Councillor Remuneration
- CEO Performance Assessment
- Economic Development
- Tetley's Quarry
- Councils Organisations Appointment Subcommittee
- Waihi Beach Leasehold Subcommittee
- District Reserves Committee
- Drainage Committees

Councillor Portfolios

In addition to standing on committees Councillors have assigned portfolios. Portfolio holders are able to provide staff with Councillor input on a one to one basis as and when needed. Current Council portfolios and portfolio holders are:

Portfolio	Portfolio Holder
Finance	Bruce Gordon
Policy	Paul Milner
Policy – RMA and Regulatory	Mary Carmine (Deputy, Paul Milner)
Property	Ashley Tubman
Water	Sel Baker (Deputy Don Challis)
Waste Water	Greg Harris
Drainage/Stormwater	Don Challis (Deputy, James Thorp)
Roading	Greg Harris (Deputy, James Thorp)
Community Recreation and Facilities	Julie Bubb and Harry Shepherd
Iwi Liaison	John Tregidga (Deputy, Harry Shepherd)
Solid Waste	James Thorp
Economic Development	Toby Adams
Social Development	Gill Leonard
Youth	Gill Leonard (Deputy, Max McLean)
Civil Defence	Max McLean
Sport & Recreation	Max McLean
Heritage, Arts and Culture	Mary Carmine

Other Liaison and Co-operation

The Council is involved with many groups working within the community. Such organisations fall outside the “Council Organisation” definition where there is no voting right attached to membership.

Meeting processes

General Provisions Relating to Meetings

Schedule 7 of the Local Government Act, 2002 sets out the provisions for meetings. Generally, the Council must hold the meetings that are necessary for the good government of the District.

Standing Orders

A member of the Council must abide by Standing Orders.

Standing Orders were adopted by the Council on 10 November 2010.

A copy of the Standing Orders can be viewed at the Hauraki District Council office, William St, Paeroa.

PART VII—of the Local Government Official Information and Meetings Act, 1987

This Act applies to Council meetings at which resolutions and decisions are made. All such meetings must be publicly notified and agendas and associated reports must be available for public inspection.

There is a presumption that every Council meeting will be open to the public (s 47), unless the public is expressly excluded. The public may be excluded from meetings only on the grounds set out in the Act.

Any member of the public has a right to inspect or receive copies of the minutes of all meetings open to the public.

There are certain protections for statements made in documents or at meetings.

Consultation policies

Consultation Requirements

The Local Government Act, 2002 (LGA 2002) sets out consultation requirements and principles (sections 75-90) for the Council to follow when making decisions. For any decision, the Council should:

- Assess the problem or issue to be addressed, the options for addressing it, and the costs, benefits, and impacts of those options;
- Consider the views of the community at all stages of the decision-making, particularly including persons likely to be affected by or interested in the matter, and the views of Maori (especially where land or water are affected);
- Consult prior to making any decision or predetermination of an option;
- Make sustainable decisions in the interests of the community's cultural, economic, environmental, and social well-being, now and in the future;
- Provide reasons for decisions made, and identify and explain any inconsistency with other Council plans or policies.

Consultation Policy

The purpose of this policy is to ensure a consistent approach to consultation across Hauraki District Council and compliance with the consultation requirements of the Local Government Act, 2002 and other relevant Acts. The policy structures the commitment the Council has to consultation and defines types and procedures of the consultation process.

The policy outlines the Council's statutory requirements to consult with the community in general and more specifically with local Maori. It also describes matters at the Council's discretion during the consultation process such as when the Council can make significant decisions without consulting with the public i.e. in emergency situations.

Special Consultative Procedure

The LGA, 2002 has specific procedures that the Council must follow when making certain types of decisions. The Special Consultative Procedure (predominantly set out in sections 83-89 of the LGA, 2002) is regarded as a minimum process that the Council must use when making decisions that trigger particular criteria within the LGA, 2002 or Council's Significance Policy.

N.B. The objective of Council's Significance Policy is to ensure that the community of Hauraki District is fully consulted and able to actively participate in the consideration of issues, proposals, decisions or other matters which are significant, and/or which involve Hauraki District Council's strategic assets.

The Special Consultative Procedure consists of the following steps:

- **STEP ONE: Preparation of a statement of proposal and a summary.**
Council must prepare a description of the proposed decision or course of

action. The statement must be available for distribution to interested parties and must be available for inspection at the Council offices and may be made available elsewhere. The Council also has to prepare a full and fair summary of the proposal, which must be distributed as widely as it considers to be reasonably practicable. This statement must be included on an agenda for a Council meeting.

- **STEP TWO: Public notice.** The Council must publish a notice in one or more local newspapers, and any other newspapers as considered appropriate, notice of the proposal and of 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 i.e. to speak in support of their written submission. The Council must allow at least one month (from the date of the notice) for people to make written submissions.
- **STEP FOUR: Deliberate in public.** All meetings where 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 Local Government Official Information Meetings Act, 1987 (LGOIMA). All submissions must be made available to the public unless there is reason to withhold them under the LGOIMA.
- **STEP FIVE: Follow up.** A copy of the Council's decision and a summary of its reasons must be provided to submitters. There is no prescribed format for such a summary. By law, the Council must follow the special consultative procedure before it:
 - Adopts a Long Term Plan (LTP) or Annual Plan.
 - Amends an LTP.
 - Adopts, revokes, reviews or amends a bylaw.
 - Changes the mode of delivery for a significant activity (for example from Council to a council-controlled organisation or from a council-controlled organisation to a private sector organisation) if that is not provided for in a 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. The Council can (and does) consult outside of the special consultative procedure. When it is adopting its Long-Term Plan, Annual Plan or District Plan, it will hold formal meetings with the community. At these meetings the Council will seek views on the matters the Council considers to be important and identify issues of concern to the community.

Policies for liaising, and memoranda or agreements with Maori

Introduction

The Local Government Act, 2002 (LGA) has introduced a number of provisions relating specifically to Maori that must be either considered as a policy issue or introduced into the local authority practices and procedures.

Attached as Appendix A is a summary of the relevant legislation from the Act.

The key features are:-

- clarification of the role of the Treaty of Waitangi,
- provision of opportunities for Maori to be involved in decision making processes,
- electoral provisions for Maori representation,
- development of consultation policies and Memoranda of Agreement,
- fostering of capacity building of Maori to take part in local government processes,
- acknowledgement of the relationship of tangata whenua with the physical environment.

Background

The Hauraki District Council has been working closely with identified Tangata Whenua groups within the District to foster and further develop:-

- positive relations,
- improved communication,
- greater understanding of issues,
- consultation processes.

Tangata Whenua

Council has identified the following hapu/whanau groups as having unchallengeable status as Tangata Whenua within its District –

- Ngati Hako
- Ngati Tamatera
- Ngati Whanaunga
- Ngati Paoa
- Ngati Tara Tokanui/Koi
- Ngati Maru
- Ngati Porou ki Harataunga ki Mataora

The Council further acknowledges that the Hauraki Maori Trust Board is a representative of Hauraki Maori within the District but that the degree of delegation given to it by its constituent tangata whenua groups varies.

The Hauraki Maori Trust Board has lately focused on national issues such as Treaty Claims and the Foreshore debate.

The Council also recognises that Ngati Porou has kaitiaki status as manuwhiri to the coastal area of the District. Its status is limited to the Mataora Bay area of the Waihi ward.

Memorandum of Partnership

Council has actively sought the development of Memoranda of Partnership with the individual tangata whenua groups and with the Hauraki Maori Trust Board.

To date it has developed and signed such Memoranda with –

- Te Ruunanga A Iwi O Ngati Tamatera
- Te Kupenga O Ngati Hako
- Te Runanganui O Ngati Paoa
- Te Runanga O Ngati Maru

Council is actively negotiating a Memorandum with -

- Ngati Tara Tokanui
- Ngati Whanaunga

Council is in discussion concerning possible Memoranda with -

- Hauraki Maori Trust Board in relation to tangata whenua within the HDC rohe.

Memoranda Content

The Memoranda:

- Commit each party to a series of principles and understanding relating to Treaty of Waitangi;
- Identifies those marae/hapu that have standing as partners to the Memoranda;
- Commit each party to ongoing consultation and education;
- Acknowledge the status and standing of tangata whenua;
- Commit the partners to;
 - consultation on issues affecting social, environmental, economic and cultural impacts,
 - sharing of information,
 - development of respect,
 - progression of environmental outcomes.
- Acknowledge the special cultural and spiritual relationship of tangata whenua to natural and physical resources;
- A partnership approach to the management of such resources including policy development;
- Acknowledges legislative constraints and Tino Rangatiratanga;

- Defines consultation principles;
 - availability and provision of information,
 - adequate time,
 - genuine consideration of advice,
 - effective co-ordination,
 - appropriate consultation methods,
 - adequacy of RMA applicants consultation,
 - acknowledgement that consultation does not mean agreement,
 - Maintaining confidentiality of sensitive information and silent files.
- Addresses resources and budgeting;
- Has a review procedure for the Memoranda;
- Has a glossary.

The Memoranda developed and those currently being developed place the Hauraki District Council in a very strong and positive position in relation to the new requirements of the Local Government Act, 2002.

Taurahere

While Maori make up 19% of the population of Hauraki District the number of Maori living in the Hauraki District who do not have tangata whenua status within the District (Taurahere) is not known. It is reasonably believed to be a relatively small number.

Council is not aware of any separate Maori organisation that specifically represents Taurahere.

Council however does recognise in its Memoranda that tangata whenua have a legitimate advocacy role in issues affecting Taurahere.

Should any organisation be identified or formed that legitimately represents Taurahere, Council acknowledges that it will be included in the definition of Maori as outlined in the Local Government Act, 2002.

Mana Whenua Forum

In October 2011 representatives of Mana Whenua met with the Mayor and Deputy Mayor (and staff) to continue discussions on the formation of a Mana Whenua Forum. During that meeting an initial draft Heads of Agreement titled Te Mana Whenua Forum Mo Te Rohe o Te Kaunihera Hauraki was agreed to. The Heads of Agreement was adopted by the Council on 14 December 2011. This Forum will operate as detailed in the agreement and has been established as a Standing Committee of Council.

Membership of the Mana Whenua Forum consists of representatives of:

- Hauraki District Council
- Ngati Hako
- Ngati Maru
- Ngati Paoa
- Ngati Tamatera
- Ngati Tara Tokanui
- Ngati Whanaunga

and any other group that has Mana Whenua status in the District and that the Forum may agree to joining in the future. The Forum will meet at least four times per year, more often if needed.

Future Policy Development

- The Council will commit time and resources to the development of the remaining Memoranda.
- The Council will, over the next three years, review the content of the Memoranda with its tangata whenua partners to ensure that the Memoranda appropriately reflect the provisions of the Local Government Act 2002 relating to Maori.

The management structure and the relationship between management and elected members

Division of Responsibility between the Council and Management

A key to the efficient running of any Council is that there is a clear division between the role of Elected Members and that of management. The Local Government Act, 2002 sets out a series of governance policies that support the principles of local government. The first Hauraki District Council Local Governance Statement was adopted on 18 December 2003. The existing Council first adopted this Local Governance Statement for this current term of elected members on 13 April 2011. These statements clarify –

- the governance and the management responsibilities,
- the governance role and expected conduct of elected members,
- describe the effective, open and transparent processes used by Council
- ensure separation of regulatory and non-regulatory responsibilities, and
- explain the good employer requirements.

The Local Governance Statement ensures the community has information on processes the Council follows when making decisions and taking action and how the community can influence these processes.

While many of the Council's functions have been delegated, the overall responsibility for maintaining effective systems of internal control ultimately rests with the Council. Internal control includes the policies, systems and procedures established to provide measurable assurance that specific objectives will be achieved.

Role of the Council

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 Districts strategic direction in conjunction with the community - now the Long Term Plan (LTP), and titled Hauraki Long Term Plan;
- Determining the services and activities to be undertaken;
- Managing 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 ratepayers and residents.

The Chief Executive

The Local Government Act, 2002 requires the 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. 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.

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

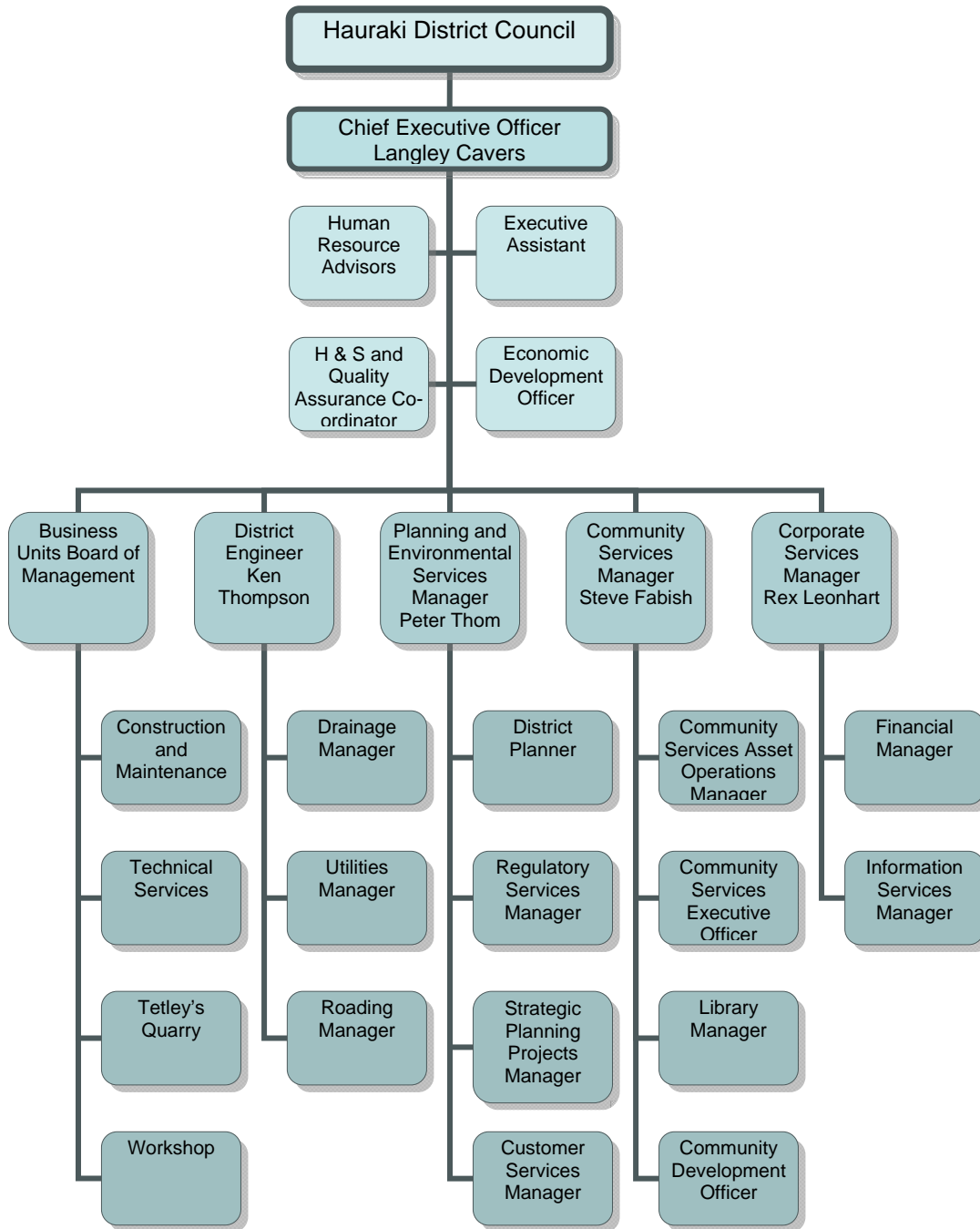
The Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council.

Under section 42 of the Local Government Act 2002, the responsibilities of the Chief Executive are:

- Implementing the decisions of Council;
- Providing advice to 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 Council effectively and efficiently;
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of Council;
- Providing leadership for the staff of Council;
- Employing staff (including negotiation of the terms of employment for the staff).

Management Structure

Council management is organised into five groups



Business Units

The Business units are separate units responsible to a Business Unit Board of Management which reports directly to Council. The units are:

- Workshop is responsible for servicing all Council's plant items,
- Technical Services provides professional engineering services to Council's Asset Managers and Planning and Environmental Department.
- Construction and Maintenance is predominately involved with providing contract services in respect of the Council functions including water supply, and wastewater systems, maintenance of parks and reserves, the operation of swimming pools, cemetery maintenance, etc.
- Tetley's Quarry business unit is involved with the supply of metal from Tetley's Quarry both to the Council and other contractors and the industry generally.

Engineering

Engineering activities incorporate:

- Land Drainage - consisting of managing the five land drainage districts within the District;
- Stormwater – providing and maintaining stormwater systems in urban areas.
- Roading - the roading network excluding state highways;
- Solid Waste - incorporating refuse collection, refuse disposal, and waste reduction and recycling;
- Wastewater - providing and operating reticulated wastewater systems for the districts urban areas;
- Water Supply - providing eight water supply systems that service the main communities of Hauraki District.

Planning and Environmental Services

The Planning and Environmental Services Group have statutory responsibility for resource management, environmental health, building construction, animal control and liquor licensing. They have responsibility for policy development, long-term planning documents and general bylaws administration. The Department also includes the Customer Services Team, which includes customer service advisors in the Ngatea, Paeroa and Waihi offices.

Community Services

This department is concerned with providing the essential community services such as public toilets, libraries, parks, domains, recreation reserves, swimming pools, community halls, pensioner housing and cemeteries. Community Services are also responsible for the Council's property and assets including land, buildings and forestry owned by the Council.

Corporate Services

Corporate Services provide internal support systems for the whole Council such support systems include revenue control, information systems, secretarial services, administrative services, financial processing, and financial management.

Equal employment opportunities policy

The Hauraki District Council is committed to the principle of equal opportunity in the recruitment, employment, training and promotion of its employees.

The Council regards the elimination of any discrimination and the provision of equal opportunities as essential principles in management of its staff resources. The Council will ensure there is a positive programme to identify and to eliminate discrimination in the areas of race, ethnic or national origin, age, gender, religion, marital status, family responsibilities, sexual orientation, people with disabilities, where it exists.

Legislation requires that local authorities (thus Hauraki District Council) act as a good employer, with particular emphasis on Equal Employment Opportunities for all staff.

The Human Rights Act sets out 13 grounds on which discrimination in employment is prohibited in New Zealand, aiming to prevent discriminatory action against people because of their age, sex, marital status, religious belief, ethical belief, colour, race, sexual orientation etc.

In local government, employers are not only guided by the Human Rights Act, but are also bound by the Local Government Act, 2002 and its amendments which requires them to pro-actively promote Equal Employment Opportunities within the organisation. In summary, local authorities are required to:

- Operate a personnel policy complying with the principle of being a good employer;
- Develop and publish an Equal Employment Opportunities programme each year;
- Ensure the EEO programme is complied with throughout the local authority;
- Report on the EEO programme in the Annual Report;
- Make appointments on the basis of the best person suited to the position;
- Notify any vacancies to enable suitably qualified people to apply.

Local authorities throughout New Zealand are therefore pro-actively promoting EEO, with objectives to encourage non-discriminatory recruitment practices, a workplace free from discrimination and harassment, effective training and education opportunities, and the removal of job barriers particularly for women and ethnic minorities.

Key approved planning and policy documents and their review processes

District Plan

The District Plan provides the means for the Council and communities to manage the environmental effects of activities in the District. The plan is written in accordance with the provisions of the Resource Management Act, 1991. The Council's functions and duties are set out in Sections 31 and 32 of the Act. The District Plan is a statutory policy document and has the force of regulation. The plan utilises a wide range of tools to achieve high standard environmental outcomes, these include: rules, advocacy, education, incentives and joint management planning.

The District Plan Process

The First Schedule to the Act outlines the procedures to be followed for the process of preparing or reviewing a District Plan and the consultation required. This section sets out the key steps and dates involved in preparing this plan. Under the Resource Management Act, 1991 a District Plan can be reviewed as required. Outside of the review changes to District Plans can be made by both the Council and private individuals.

Hauraki District Council's first District Plan was made operative on 1 September, 1997. The Council is currently in the process of reviewing its District Plan. The Proposed District Plan was publicly notified in 2010, and the hearings of submissions took place from October to December 2011.

Long-Term Plan

A Long Term Plan (LTP) sets out the local authority's priorities over the medium to longer term. It outlines how the Hauraki District Council intends to contribute to community well-being over the life of the plan. The LTP must be produced once every three years and must cover a period of at least ten years. The LTP will:

- Set out the Council's community outcomes and Hauraki District Council's intended contribution to those outcomes.
- Set out the things Hauraki District Council will be doing over the life of the plan.
- Co-ordinate the activities of the Hauraki District Council.
- Provide a long-term focus for the Hauraki District Council.
- Provide a means for the communities to hold the Hauraki District Council accountable.
- Provide an opportunity for the public to participate in local decision-making.

Annual Plan

The Annual Plan is a compilation adopted prior to the related year. The Annual Plan contains the proposed budget and funding impact for the next financial year. The Annual Plan is intended to be read in conjunction with the LTP. Every third year a LTP must be developed and for these years the annual plan is included as part of the LTP.

Annual Report

Within four months of the end of the financial year, Council adopts an Annual Report which contains audited accounts for the previous financial year. The purposes of the Annual Report are to:

- Compare the actual activities and performance of the local authority with the intended activities and performance as set out in the Long Term Plan and the Annual Plan; and
- Comment on the performance of all organisations included in the Annual Plan;
- Promote Councils accountability to the community for the decisions made throughout the year by the Council.

Asset Management Plans

Plans that focus on asset management in terms of asset service levels, replacement and renewal strategies.

The Asset Management Plans for Hauraki District Council were completed and adopted in 2009. The plans are currently under review they have recently been updated with the new valuation information. Staff are waiting for the finalisation of the Submission process and Estimates by the Council to update the Asset Management Plans with these numbers and then submit them for final adoption.

Asset Management Plan Policy

The Hauraki District Council manages its physical assets on behalf of its community to ensure that the assets are capable of delivering the agreed levels of service from that asset over the life of the asset in the most cost effective manner. In order to this Council has had to consider how it can select the appropriate asset management level for the organisation.

The Asset Management Policy therefore describes the methodology behind the decision to set a core, core plus or comprehensive asset management level for assets in the District.

Activity management Plans

Activity Management Plans are internal tools developed to ensure levels of service, budgets and work programmes are strategically prepared and programmed based on the Council's policies and commitments in the LTP. A programme is in place to develop these plans for all non-asset activities prior to 2014 for inclusion in the 2015-25 Long Term Plan.

Accounting Policies

Accounting policies are the bases, rules and procedures adopted in preparing and presenting financial reports.

It is fundamental to the understanding and interpretation of general purpose reports that those who use them are aware of the accounting policies on which they are based. The disclosure of accounting policies is governed by International Financial Reporting Standards 1 (IFRS1) issued by the Financial Reporting Standards Board and the Institute of Chartered Accountants of New Zealand.

Financial Strategy

Section 101A of the Local Government Act, 2002 requires the Council to develop and adopt a Financial Strategy in order to facilitate prudent financial management by a local authority and to ensure that a local authority's funding and expenditure on services, rates, debt and investment are transparent.

Hauraki District Council's Financial Strategy is currently being developed and will be consulted on as part of the 2012-22 LTP.

Revenue and Financing Policy

Section 102 of the Local Government Act, 2002 requires the Council to adopt a Revenue and Financing Policy "in order to provide predictability and certainty about sources and levels of funding".

Section 103 also deals with the specific requirements for the Revenue and Financing Policy which include a list of sources of revenue that must be covered by the policy, and how these sources are to be applied to funding operating expenses and capital expenditure.

Section 101(3) sets out the matters the Council must take into consideration when determining the various funding sources and also the requirement to consider "the overall impact of any allocation of liability for revenue needs on the current and future social, economic, environmental and cultural well-being of the community."

This policy will be included in the draft 2012-22 Hauraki Long Term Plan and will be subject to the Special Consultative Procedure.

Liability Management and Investment Policy

Section 102 of the Local Government Act, 2002 requires the Council to adopt a Liability Management and Investment Policy "in order to provide predictability and certainty about sources and levels of funding".

Section 104 and section 105 also deals with the specific requirements for these policies.

The Liability Management Policy must include policies with respect to the management of both borrowing and other liabilities including interest rate exposure, liquidity, credit exposure, debt repayment, specific borrowing limits and the giving of securities.

The Investment Policy must state the policies with respect to investments including the objectives, the mix of investments, the acquisition of new investments, and an outline of the procedures by which investments are managed and reported and an outline of how risks are assessed and managed.

These policies will be included in the draft 2012-22 Hauraki Long Term Plan and will be subject to the Special Consultative Procedure.

Policy on Significance

The Local Government Act, 2002 requires the Council to adopt a policy on “significance”,

The policy sets out:

- the Council's general approach to determining the significance of proposals and decisions in relation to issues, assets, or other matters; and
- any thresholds, criteria, or procedures that are to be used by the Council in assessing the extent to which issues, proposals, decisions, or other matters are significant.

Rating Policies

The rating policies can be found in the Hauraki Community Plan and detail the Council's policies with respect to all rating matters.

The first section details the application of the various rates used as funding tools, that are identified in the revenue and financing policy.

The second section details the various policies around collection of rates as required under the Local Government (Rating) Act, 2002.

The third section deals with some administrative issues about which the Council develops policy in the interest of clarity.

The fourth section provides for policies on rates relief. These include a policy on remission and postponement of rates on Maori freehold land (section 108 of the Local Government Act, 2002), a rates remission policy (section 109) and a rates postponement policy (section 110).

This policy will be included in the draft 2012-22 Hauraki Long Term Plan and will be subject to the Special Consultative Procedure.

Development Contributions or Financial Contributions Policy

The policy requirements of the Council are set out at section 102 of the Local Government Act, 2002 which reads as follows:

“102 Funding and financial policies

(4) A local authority must adopt –

(d) A policy on development contributions or financial contributions;”

With respect to section 102(1), the Local Government Act, 2002 defines “development contribution” as follows:

A “development contribution” means a contribution –

- (a) *provided for in a development contribution policy included in the Long-Term Plan of a territorial authority; and*
- (b) *calculated in accordance with the methodology; and*
- (c) *comprising-*
 - i) *money; or*
 - ii) *land, including a reserve or esplanade reserve (other than in relation to a subdivision consent), but excluding Maori land within the meaning of Te Ture Whenua Act 1993, unless that Act provides otherwise; or*
 - iii) *both."*

The Council must adopt a "Development Contribution Policy" in accordance with section 102(2)(d) of the Local Government Act, 2002.

The policy sets development contributions allowing developers to buy into existing surplus capacity of the Councils infrastructural and community assets. The current Development Contributions was adopted in 2009 in conjunction with the 2009-19 Hauraki Community Plan. This policy is currently under review and will be consulted on separate to but alongside the draft 2012-22 Hauraki Long Term Plan.

Appointment of Directors

The Hauraki District Council either owns or has an interest in a number of Council Organisations (COs).

These organisations deliver services, provide advice, or in some way support the achievement of the Council's long term goals and objectives.

The Council may appoint a person to a directorship of council organisations only if Council considers the person has the skills, knowledge and experience to:

- Guide the organisation given the nature and scope of its activities;
- Contribute to the achievement of the objectives of the organisation.

The purpose of this policy is set out an objective and transparent process for identifying and considering the skills required of a Council Organisation director and for appointing such directors.

The Council considers that any person that it appoints to be a director of a Council Organisation should, as a minimum, have the following skills:

- A skill-level appropriate to the position;
- An understanding of governance issues;
- Either business experience or other experiences that are relevant to the activities of the organisation (or both);
- Sound judgement;
- A high standard of personal integrity; and
- The ability to work as a team member.

Occupational Safety & Health

Hauraki District Council is committed to a culture of quality in regards to Health and Safety initiatives. An ethos that safety is of paramount importance and the encouragement of a consultative approach to health and safety management strategies supports Councils proactive commitment to health and safety in the workplace. Health and Safety is accorded the same status as other business goals.

A focus on continuous improvement through a systematic approach to occupational health and safety management involving completing reviews, developing plans and evaluating outcomes compliments this approach.

Safety is a fundamental part of operations at Hauraki District Council. Protection of people, our environment and assets is central to our business and a key to our success.

It is Council's policy that each of its employees shall be provided with a safe and healthy place to work. To achieve this policy, the Council will, in compliance with all relevant legislation, regulations, codes of practice and safe operating procedures make every practicable effort in the area of accident prevention, hazard management, injury protection and prevention, health monitoring and contractor management where Council engages others to assist or carry out work on its behalf. These aspects of working conditions are given top priority.

Systems for public access to Council and its Elected Members

There are many ways to contact Council:

- We are located at: 1 William Street, Paeroa.
- Our postal address is PO Box 17, Paeroa 3640.
- Our telephone number is (07) 862 8609 or (0800) 734 834 (within the District)
- Our fax number is (07) 862 8607
- Emails can be addressed to: info@hauraki-dc.govt.nz
- Our web site is: www.hauraki-dc.govt.nz

Service Centres

Principal Office, Paeroa
1 William Street
Paeroa

Plains Service Centre
Orchard Road
Ngatea

Waihi Service Centre
92 Seddon Street
Waihi

Written communications should generally be addressed to the Chief Executive but can be marked for the attention of a specific staff member if known.

Elected Members

Mayor

Mr. John P Tregidga, MNZM, JP
(07) 862 8956
mayor@hauraki-dc.govt.nz

Plains Ward

- Mrs. G R Leonard (Chairperson) JP (07) 867 7535
Gill.Leonard@hauraki-dc.govt.nz
- Mr. G A Harris (Deputy Chairperson) JP (0274) 851 072
Greg.Harris@hauraki-dc.govt.nz
- Mr. D E Challis JP (07) 867 7097
Don.Challis@hauraki-dc.govt.nz
- Mr. B A Gordon (Deputy Mayor) (07) 867 7436
Bruce.Gordon@hauraki-dc.govt.nz



Paeroa Ward

- Mrs. J M Bubb (Chairperson) JP (07) 862 7188
Julie.Bubb@hauraki-dc.govt.nz
- Mr. P A Milner (Deputy Chairperson) (07) 862 8653
Toby.Adams@hauraki-dc.govt.nz
- Mr. T. Adams (07) 862 6993
Paul.Milner@hauraki-dc.govt.nz
- Mr. J R H. Thorp (07) 862 7782
James.Thorp@hauraki-dc.govt.nz



Waihi Ward

- Mr. S G Baker (Chairperson) JP (07) 863 8683
Sel.Baker@hauraki-dc.govt.nz
- Mr. H T Shepherd (Deputy Chairperson) (07) 863 7589
Harry.Shepherd@hauraki-dc.govt.nz
- Mrs. D M Carmine (07) 863 8740
Mary.Carmine@hauraki-dc.govt.nz
- Mr. M McLean (07) 863 5151
max.mclean@hauraki-dc.govt.nz
- Mr. A Tubman JP (07) 863 8681
Ashley.tubman@hauraki-dc.govt.nz



Process for requests for official information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from Council. All requests for information are deemed to be 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 there is a reason 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 Council while carrying out negotiations or commercial activities;
- Allow information to be used for improper gain or advantage.

The Council must answer such requests within 20 working days. The applicant must be advised in writing if the answer is to take longer than 20 days and the reasons for the delay. The Council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance you should address requests for official information to:

Chief Executive
Hauraki District Council
PO Box 17
PAEROA 3640

Appendix A: Provisions relating to Maori - Local Government Act, 2002

SECTION	COMMENTARY
<p>4 Treaty of Waitangi</p> <p>In order to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Maori to contribute to local government decision-making processes, Parts 2 and 6 provide principles and requirements for local authorities that are intended to facilitate participation by Maori in local authority decision-making processes.</p>	
<p>14 Principles relating to local authorities</p> <p>(1) In performing its role, a local authority must act in accordance with the following principles:</p> <p>(d) a local authority should provide opportunities for Maori to contribute to its decision-making processes:</p>	<p>This is the key requirement for the implementation of the Treaty Clause.</p>
<p>40 Local governance statements</p> <p>(1) A local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement that includes information on—</p> <p>(d) representation arrangements, including the option of establishing Maori wards or constituencies, and the opportunity to change them; and</p> <p>(h) consultation policies; and</p> <p>(i) policies for liaising with, and memoranda or agreement with, Maori; and</p>	<p>The first Governance Statement review must be made publicly available by 9 April 2004. [s274]</p> <p>Provisions of the Local Electoral Act, 2001 are relevant here. [s40(1)(d)]</p>
<p>75 Planning, decision-making, and accountability</p> <p>This Part—</p> <p>(b) states the obligations of local authorities in relation to the involvement of Maori in decision-making processes:</p>	<p>This section is the further development of section 4.</p>

SECTION	COMMENTARY
<p>77 Requirements in relation to decisions</p> <p>(1) A local authority must, in the course of the decision-making process,—</p> <p style="padding-left: 20px;">(c) if any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Maori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga.</p>	<p>Sets a high priority for developing a process to identify and record contact details for Maori groups and also for recording details of significant cultural and traditional matters and places of interest to Maori within the Hauraki District</p>
<p>81 Contributions to decision-making processes by Maori</p> <p>(1) A local authority must—</p> <p style="padding-left: 20px;">(a) establish and maintain processes to provide opportunities for Maori to contribute to the decision-making processes of the local authority; and</p> <p style="padding-left: 20px;">(b) consider ways in which it may foster the development of Maori capacity to contribute to the decision-making processes of the local authority; and</p> <p style="padding-left: 20px;">(c) provide relevant information to Maori for the purposes of paragraphs (a) and (b).</p> <p>(2) A local authority, in exercising its responsibility to make judgments about the manner in which subsection (1) is to be complied with, must have regard to—</p> <p style="padding-left: 20px;">(a) the role of the local authority, as set out in section 11;</p> <p style="padding-left: 20px;">(b) such other matters as the local authority considers on reasonable grounds to be relevant to those judgments.</p>	<p>The consideration of capacity building will be a contentious issue that should be approached with risk management as a key driver.</p> <p>The setting of expectations that cannot be delivered could well result in adversarial attitudes.</p> <p>Section 81(1)(c) strongly indicates the need for Maori involvement in establishing policies and processes under section 81(1)(a) and 81(1)(b).</p>
<p>82 Principles of consultation</p> <p>(2) A local authority must ensure that it has in place processes for consulting with Maori in accordance with subsection (1).</p>	<p>While this section relates to all consultation section 82(2) places a responsibility on local government to ensure it meets its responsibility to Maori on consultation.</p>

SECTION

Schedule 10 Council plans and reports

Part 1 Information to be included in long-term plans

1 Community outcomes

A long term plan must, to the extent determined appropriate by the local authority, describe the community outcomes for the local authority's district or region.

8 Development of Maori capacity to contribute to decision-making processes

A long-term plan must set out any steps that the local authority intends to take, having undertaken the consideration required by section 81(1)(b), to foster the development of Maori capacity to contribute to the decision-making processes of the local authority, over the period covered by that plan.

9 Financial Strategy A long term plan must include a local authority's financial strategy adopted under section 101A.

10 Revenue and Financing Policy

A long-term plan must include a local authority's revenue and financing policy adopted under section 102(1).

Schedule 11 Matters relating to rates relief on Maori freehold land

Maori Representation

Section 19 Local Electoral Bill
Schedule 1A Local Electoral Bill

COMMENTARY

The LGA Amendment Act in 2010 reduced the requirements for community outcomes essentially making them Council Outcomes.

The Local Electoral Act, 2001 has been amended to include Maori representation, Maori electorates and associated processes. Section 40(1)(d) requires consideration of these provisions.

Rating Act

Consequential Amendments relating to s102.