



WAITAKI DISTRICT COUNCIL

LOCAL GOVERNANCE STATEMENT 2016

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

This Statement provides the public with information on the ways to influence local democratic processes.

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Local Governance Statement

The Local Government Act 2002 requires Council to disclose the following information in its Governance Statement:

The purpose of the Waitaki District Council is to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

The following Community outcomes were agreed by Council on 24 June 2015 as part of the 2015-25 Long Term Plan.

We keep our district affordable

We try to keep our district as affordable as possible. We want every dollar from rates to provide the best possible services and best value for money and we are constantly working to improve how we can deliver them in an affordable way. We face a number of challenges in keeping our services affordable. For instance, we continuously have to balance diverse (and sometimes competing) community needs and wants. Our district is a large geographical area with a small population so maintaining our assets, particularly roads, has to be met by a small group of ratepayers. We also have to respond to changes by central government, many of which affect our rates and levels of service.

We enable opportunities for new and existing businesses

We have experienced good business growth over the last few years. For instance the North Otago Irrigation Company has added around 270 jobs to the district and about \$48m to the local economy each year. We have also been involved in business development such as the North End Business Park in Oamaru and in tourism activities such as Alps2Ocean. This means more jobs and more business for our district.

We provide and enable services and facilities so people want to stay and move here

Growing our district and creating a place where people want to live means providing the right services at the right time and at the right cost. Council provides many things including roads, footpaths, drinking water, libraries and swimming pools. Getting the mix of services right, whether it's clean water, cultural attractions or sports fields, is important so everyone has the opportunity to play an active role in the community.

We understand the diverse needs of our community

The needs of our community are many and diverse. We want to make sure we understand these so we can deliver our services more effectively. We need to think about the best ways to provide services and infrastructure for the future. How do we plan for changes in demographics (eg our ageing population) and a more ethnically diverse community? How should we balance community needs now and into the future?

Waitaki's distinctive environment is valued and protected

Our environment, both natural and built, has some special features that we believe are worth protecting. We need to assess our buildings for earthquake risk. We also need to balance growth and development with the needs of the environment. It's important we get the mix right.

We maintain the safest community we can

We live in a safe community but we want to reduce crime and the fear of crime through projects such as CCTV and Community Patrols. We also need to ensure health standards are high for businesses such as restaurants and bars, manage dog control problems and have a suitable emergency management centre.

In fulfilling its purpose Waitaki District Council exercises powers and fulfils responsibilities conferred on it by numerous public acts of parliament (eg Local Government Act 2002, Resource Management Act 1991) and the following local statutes:

- Oamaru Town Management Ordinance 1872
- Oamaru Town Hall, Gasworks Sites and Recreation Reserves Act 1875

Electoral System

Every three years Council must review the electoral system.

The review of the electoral system is a choice between first-past-the-post (FPP) voting and single transferable vote (STV) voting. In August 2014, Council resolved to retain FPP voting for the 2016 elections. This decision was not challenged and was publicly notified in September 2014. The process for determining which electoral system Council will follow can be found in the Local Electoral Act 2001.

Representation Arrangements

Every three to six years Council must review its representation and that of its Community Boards. The review of representation involves decisions about the number of councillors to be elected, how many wards (if any) are needed to reflect community interest, and – if wards are favoured – how many members should be elected from each ward. On 28 August 2012 Council resolved to retain the four wards as follows:

- Ahuriri 1 Councillor
- Corriedale 2 Councillors
- Oamaru 6 Councillors
- Waihemo 1 Councillor

Council has not exercised the option of establishing a Maori Ward.

Waitaki District includes two Community Boards: Ahuriri (north-western ward) and Waihemo (southern ward). The role of the boards is to:

- Represent and act as an advocate for the interests of their community.
- Consider and report on any matter referred to it by Council and any issues of interest or concern to the Community Boards.
- Make an annual submission to Council on expenditure in the community.
- Maintain an overview of services provided by Council within the community.
- Communicate with community organisations and special interest groups in the community.
- Undertake any other responsibilities delegated by Council.
- Ensure each Community Board has a Chairperson and five other members. Five members are elected triennially by electors in the community, and Council appoints one member from its ranks. The Board elects its own chairperson at its first meeting after the triennial election.

Section 24 and Schedule 3 of the Local Government Act contains provisions for reorganisation proposals, including boundary changes.

Members' Roles and Conduct

The Mayor and Councillors of Waitaki 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.
- Employ the Chief Executive. Under the Local Government Act the local authority employs the Chief Executive, who in turn employs all other Council staff on its behalf.

The Mayor is elected by the district as a whole and as one of the elected members shares the same responsibilities as other members of 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.
- Establish committees of Council and appoint the chairperson of each committee.
- Provide leadership and feedback to other elected members on teamwork and chairing committees.

The Deputy Mayor is nominated by the Mayor and elected by members 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, the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of Council.

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

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 Council's policies and objectives within the budgetary constraints established by 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, on behalf of Council, the staff of Council in accordance with any remuneration and employment policy.
- Negotiating the terms of employment of the staff of Council in accordance with any remuneration and employment policy.

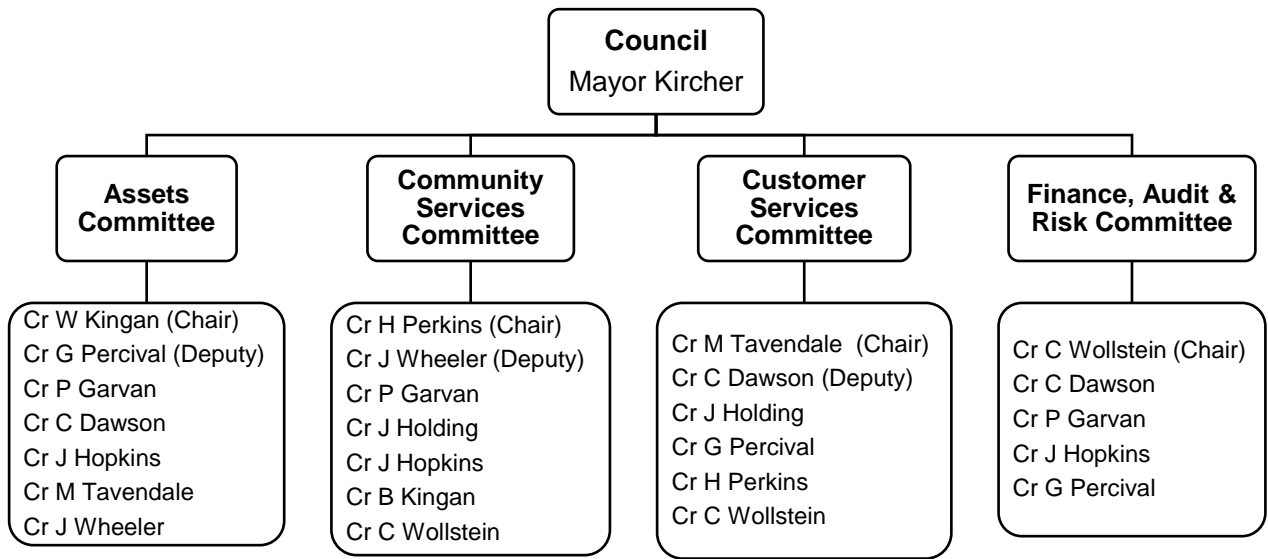
Elected members have specific obligations as to their conduct in the following legislation:

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

All elected members are required to adhere to a Code of Conduct. Adopting such a Code is a requirement of the Local Government Act 2002. Once adopted such a Code may only be amended by a 75% or more vote of Council. The Code sets out Council's understanding and expectations of how the Mayor and Councillors will relate to one another, to staff, to 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 Council may impose if an individual breaches the Code of Conduct. Copies of the full Code of Conduct may be obtained from Council.

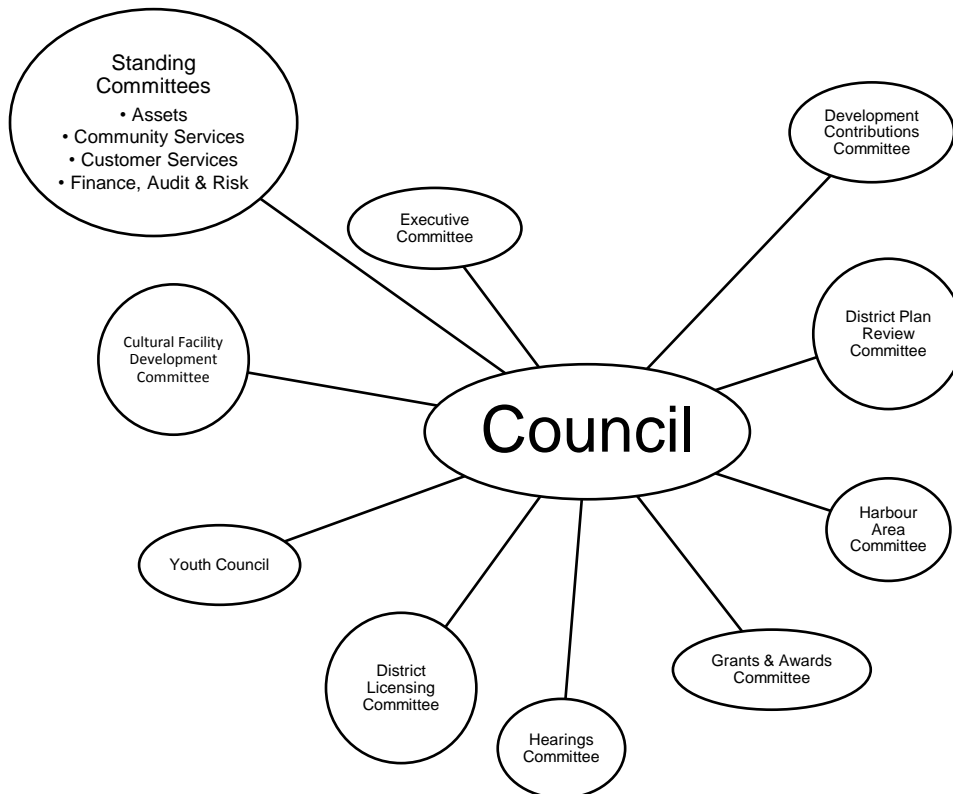
Governance Structure

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



The Mayor is an ex-officio member on the four standing committees detailed above.

Committees meet between full Council meetings. Further details on these committees, including their terms of reference, delegated powers and meeting arrangements can be obtained from Council.



Council may, from time to time, establish ad hoc committees to consider a particular issue or issues.

Council has established a number of further committees (other than the four main standing committees as above). The additional committees below report directly to Council, apart from the Hearings Committee which is a Quasi-Judicial Committee.

Council Organisations and Council Controlled Organisations

Council appoints trustees and directors to a number of companies and trusts. Where the number of Council appointees is less than half of the total membership of the respective governing board, the organisation is deemed to be a Council Organisation (CO). If Council appoints 50% or more of trustees/directors, it is deemed to be a Council Controlled Organisation (CCO).

Council Organisations include: Oamaru Whitestone Civic Trust, Waitaki Community Recreation Centre Trust and Waitaki District Community House Trust.

Council Controlled Organisations include: Whitestone Contracting Ltd, Tourism Waitaki, Waitaki District Health Services Ltd and Omarama Airfield Ltd.

Council has adopted policies and processes for appointing people to CCOs and CCOs that is designed to recognise the skills and attributes provided by appointees and the need to be publicly accountable.

Meeting Processes

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 items 'in committee' (public excluded items). Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with Council. LGOIMA contains a list of the circumstances where Councils 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. Council's agenda is a public document, although parts 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 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 14 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 Mayor and Councillors must follow Standing Orders (a set of procedures for conducting meetings). Standing Orders are to be reviewed by the Finance, Audit and Risk Committee on 15 February 2017. Council may suspend Standing Orders by a vote of 75% of the members present. A copy of the Code of Conduct and Standing Orders can be obtained from Council.

Consultation

The Local Government Act 2002 sets out certain consultation principles and policy procedures that local authorities must follow when making decisions. The principles for consultation are found in section 82 of the Local Government Act 2002. Council has a Significance and Engagement Policy, as required by Section 5. This provides guidance to Council on how it might consult with the community.

The Special Consultative Procedure is used for major decisions or departures from plans or policies such as the Long Term Plan.

Council can and does consult outside of the Special Consultative Procedure. When it is adopting its Long Term Plan, Annual Plan or District Plan Council may hold formal meetings with community groups and other interested parties. At these meetings Council may seek views on matters Council considers as being important and identifying issues of concern to the community.

Council acknowledges Maori as people with whom there is a special relationship. Council is committed to giving effect to the principles and intent of the Treaty of Waitangi, and to engaging in genuine and appropriate consultation with Maori.

Council has in place protocols for ensuring Tangata Whenua are consulted with in regard to decisions made under the Resource Management Act 1991, Local Government Act 2002, and in the last triennium received and adopted a Memorandum of Understanding with Te Runanga o Moeraki to guide the ongoing relationship between Council and the Runanga. Council also has a relationship with Waitahi Taiwhenua O Waitaki Trust Board.

Council continues to focus on their wider role, including:

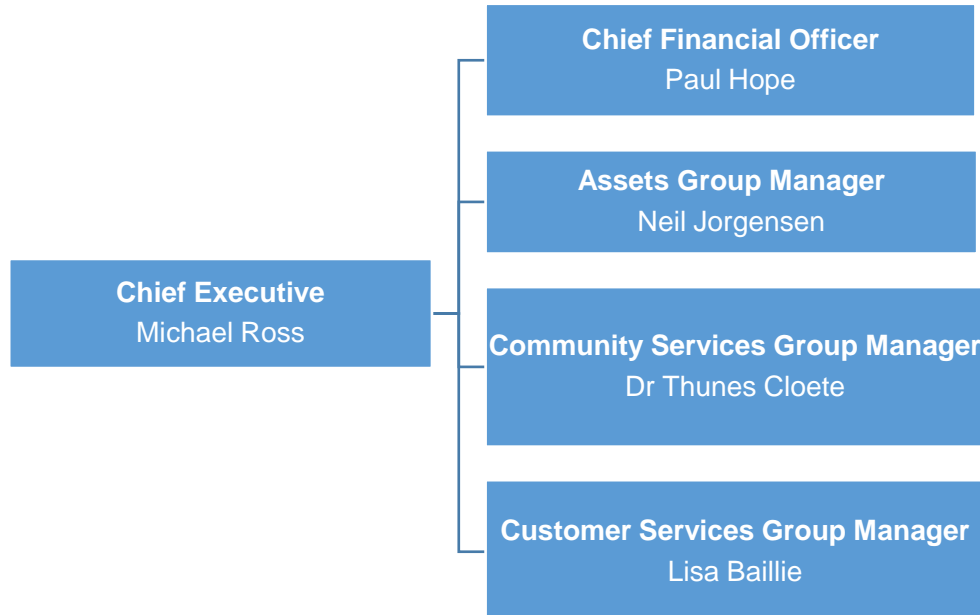
- Encouraging Maori contribution to decision-making processes of all Council activities, not simply decisions under the Resource Management Act.
- Reference to Maori rather than to Tangata Whenua, thus including Mana Whenua and Taura Here.
- Reference not only to enabling contribution to decision-making but also to fostering Maori capacity to contribute.

Council reports back annually against the Memorandum of Understanding through its Annual Report.

Management Structure

The Local Government Act 2002 requires Council to employ a Chief Executive whose responsibilities are to employ other staff on behalf of Council in accordance with any remuneration and employment policy, implement Council decisions and provide advice to Council. Under the Local Government Act 2002 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.

Council management is organised into four main groups as detailed below:



Equal Employment Opportunities

Council is committed to the principle of equal employment opportunities (EEO).

The key principles are:

- All employees (whether current or prospective) will have an equal opportunity to gain benefits associated with employment on the grounds of relevant merit.
- People will not be discriminated against.

Goals are:

- To create an EEO environment.
- To implement EEO best practice in the workplace.
- To provide a harassment free workplace.
- To achieve, where possible, a labour force profile which matches the external labour market.

Key Approved Planning and Policy Documents

Long Term Plan

Sets out the direction for the District over the next ten years. Council reviews the Long Term Plan every three years and it provides information on all Council activities, how these will be delivered, cost and how they will be paid for. The next review begins in 2017 and will result in the 2018-28 Long Term Plan.

It provides a process to review the detailed budgets contained in the Long Term Plan with changes to budgets and services made if required. Significant and material changes to the Long Term Plan are consulted on with the community via the Annual Plan process.

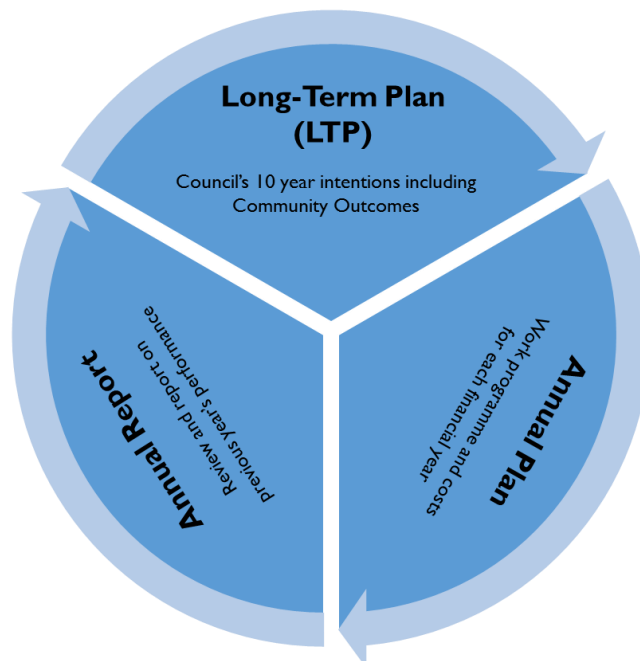
Annual Plan

The Annual Plan provides information on activities, services and projects that Council proposes to undertake during the year. It shows the cost of those activities and how they are paid for.

Annual Report

The Annual Report reports of the actual performance of Council against what was planned in the Annual Plan and Long Term Plan. This includes reporting on the achieved work programme, performance measures and financial targets and accountability.

The Annual Report is for each financial year (eg 1 July 2016 to 30 June 2017). The Annual Report must be completed and adopted by Council resolution within four months after the end of the financial year to which it relates. The Annual Report and Annual Report Summary must be made publicly available within one month after its adoption by Council. It is a requirement under Section 98 of the Local Government Act 2002. The Annual Report is audited by Audit New Zealand.



Revenue and Financing Policy

This policy explains who and how Council's activities and services will be funded.

Funding Impact Statement

Contains information on the rating mechanisms used by Council for its activities.

District Plan

The District Plan is prepared by Council to assist it carry out its functions under the Resource Management Act 1991 and is the means by which the use, development and protection of the District's natural and physical resources will be managed into the future.

Policy on Significance and Engagement

Outlines the thresholds for which issues/decisions of Council are subject to consultation, including the Special Consultative Procedure.

Reviews and changes to key planning and policy documents may be subject to legislative requirements and the process for such reviews is likely to involve following a Special Consultative Procedure.

Public Access to Council and Elected Members

Main administrative office of the Council is in Oamaru:

20 Thames Street
Private Bag 50058
Oamaru 9444
Phone: (03) 433 0300
Fax: (03) 433 0301
Freephone: 0800 108 081
Email: service@waitaki.govt.nz

Council also has an office at the Waihemo Service Centre, Palmerston:

54 Tiverton Street
PO Box 17
Palmerston 9443
Phone: (03) 465 1106
Fax: (03) 465 1111
Email: waihemosc@waitaki.govt.nz

Elected members' contact information is appended.

Official Information Requests

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from Council. Any request for information is a request made under LGOIMA. You do not have to say you are making a request under LGOIMA. Once a request is made, Council must supply the information unless reason exists for withholding it. LGOIMA says that information may be withheld if release of the information would:

- Endanger the safety of any person;
- Prejudice maintenance of the law;
- Compromise the privacy of any person;
- Reveal confidential or commercially sensitive information;
- Cause offence to tikanga Maori or would disclose the location of waahi tapu;
- Prejudice public health or safety;
- Compromise legal professional privilege;
- Disadvantage the local authority while carrying out negotiations or commercial activities;
- Allow information to be used for improper gain or advantage.

Council must answer requests within 20 working days (although there are certain circumstances where this time-frame may be extended). Council may charge for official information under guidelines set down by the Ministry of Justice.

Bylaws

Bylaws are rules created by a local authority specifically for the regulation of the area of responsibility and for the benefit of the community as a whole.

Bylaw Title	Description	Date Made	Last/Next Review
Waitaki District Rural Water Schemes Bylaw 2001	Rules and regulations around Rural Water Supply connections, supply, payment, Council and private works, inspections, repairs, overflows, customer responsibilities, new water supply connections.	1 July 2001	30 June 2008
Waitaki Liquor Ban Bylaw	Allows Council to prohibit the consumption of liquor for the purpose of minimising the potential for offensive behaviour in public places.	25 November 2003	
Waitaki District Dog Control Bylaw	To regulate the keeping of dogs for the protection of the health and safety of the public.	19 November 2004	November 2014
Waitaki District Council General Bylaw 2006	Rules or regulations that are created to control specific activities within the Waitaki District including: <ul style="list-style-type: none"> • Requiring activities to be licensed; to ensure that activities are carried out in a safe and responsible manner. • Informing the community about acceptable standards of behaviour in public places. • Promoting a nuisance free environment. • Ensuring that the public can safely use public land. 	14 August 2006	Review commenced August 2016
Waitaki District Trade Waste Bylaw	Regulates the discharge of Trade Waste to a sewerage System operated by the Waitaki District Council.	6 July 2009	July 2019
Waitaki District Urban Fire Prevention Bylaw	To minimise the risk of open air fires posing a danger to persons and property, and to prevent smoke causing a nuisance in urban areas.	1 July 2009	Reviewed December 2015
Waitaki District Solid Waste Bylaw 2010	To ensure that refuse collection and disposal does not have significant environmental or health impacts.	13 December 2010	December 2015
Waitaki District Council Roading Bylaw 2013	To promote public safety and effectively regulate pedestrian, animal and traffic movements within the road corridors in Waitaki District.	1 September 2013	Under Review
Waitaki District Freedom Camping Bylaw 2016	To regulate and manage freedom camping on land controlled and managed by Waitaki District Council.	31 August 2016	

Legislation

Waitaki District Council exercises powers and fulfils responsibilities as described and conferred by government legislation and subsequent amendments. These include:

• Airport Authorities Act 1966	• Local Electoral Act 2001
• Biosecurity Act 1993	• Local Governments Act 2002 and 1974
• Building Act 2004	• Local Government (Rating) Act 2002
• Burial and Cremation Act 1964	• Local Government Official Information and Meetings Act 1987
• Bylaws Act 1910	• Marine and Coastal Area Act 2011
• Civil Defence Emergency Management Act 2002	• New Zealand Library Association Act 1939
• Climate Change Response Act 2002	• New Zealand Public Health and Disability Act 2000
• Commerce Act 1986	• New Zealand Walkways Act 1990
• Companies Act 1993	• Oaths and Declarations Act 1975
• Conservation Act 1987	• Ombudsmen Act 1975
• Dog Control Act 1996	• Plumbers, Gasfitter and Drainlayers Act 2006
• Employment Relations Act 2000	• Privacy Act 1993
• Fencing Act 1978	• Property Law Act 2007
• Fencing and Swimming Pools Act 1987	• Prostitution Reform Act 2003
• Financial Reporting Act 1993	• Protected Disclosures Act 2000
• Food Act 1981	• Public Audit Act 2001
• Forest and Rural Fires Act 1977	• Public Bodies Contracts Act 1959
• Gambling Act 2003	• Public Bodies Leases Act 1969
• Health Act 1956	• Public Records Act 2005
• Hazardous Substances and New Organisms Act 1996	• Public Works Act 1981
• Health and Safety in Employment Act 1992	• Rates Rebate Act 1973
• Historic Places Act 1993	• Rating Valuations Act 1998
• Holidays Act 2003	• Remuneration Authority Act 1977
• Human Rights Act 1993	• Reserves Act 1977
• Income Tax Act 2007	• Reserves and Other Land Disposals Act 1977
• Injury Prevention, Rehabilitation and Compensation Act 2001	• Residential Tenancies Act 1986
• Interpretation Act 1999	• Resource Management Act 1991
• Land Drainage Act 1908	• Sale of Liquor Act 1989
• Land Transfer Act 1952	• Securities Act 1978
• Land Transport Act 1998	• Smoke-free Environments Act 1990
• Land Transport Management Act 2003	• Treaty of Waitangi Act 1975
• Litter Act 1979	• Unit Titles Act 2010
• Local Authorities (Members Interests) Act 1968	• Waste Minimisation Act 2008

(Note: This does not represent an exhaustive list)

Mayor and Councillors Contact Details

Member Name	Contact Phone Number	Address
Mayor Gary Kircher	(03) 434 5057	326 Homestead Road RD 1C Oamaru 9491
<u>Oamaru Ward Councillors</u>		
Peter Garvan	(03) 434 6943	45 Severn Street Oamaru 9400
Jeremy Holding	(03) 434 2265	40 Tyne Street Oamaru 9400
Jim Hopkins	(03) 434 9410	16 Tamar Street Oamaru 9400
Hugh Perkins	(03) 434 1160	32 Hull Street Oamaru 9400
Melanie Tavendale	(03) 439 5243	19 Burnett Street 14 ORD Kakanui 9495
Colin Wollstein	(03) 434 7017	43C Hull Street Oamaru 9400
<u>Corriedale Ward Councillors</u>		
Bill Kingan	(03) 432 4247	71 Wellington Street 2C RD Oamaru 9491
Guy Percival	(03) 432 4225	55 Rutherfords Road Fuchsia Creek RD 15D Oamaru 9492
<u>Ahuriri Ward Councillor</u>		
Craig Dawson	(03) 438 9755	3 Keene Place Omarama 9412
<u>Waihemo Ward Councillor</u>		
Jan Wheeler	(03) 439 4855	3518 Hampden-Palmerston Road RD 2 Palmerston 9482

Ahuriri Community Board

Tony Chapman

1 Omarama Place
Omarama 9448
Phone: 027 242 8605

Brent Cowles

Otematata Lodge and Camping Ground
9 East Road
Otematata 9412
Phone: (03) 438 7826

Vicky Munro

2629 Kurow-Otematata Highway
Otematata 9412
Phone: (03) 438 7855

Calum Reid

PO Box 1
Kurow 9446
Phone: (03) 436 0064

Graham Sullivan

Willowbridge
10 RD
Waimate 7980
Phone: (03) 689 9870

Cr Craig Dawson

Waihemo Community Board

Ken Brown

75 District Road
Palmerston 9430
Phone: (03) 465 1177

Kathy Dennison

563 Horse Range Road
Palmerston 9482
Phone: (03) 465 1213

Heather McGregor

18 Runbrake Street
Palmerston 9430
Phone: (03) 465 1255

Paul Roy

173 Taieri Ridge Road
RD 3
Palmerston 9483
Phone: (03) 465 2144

Carol Watson

12 Goodwood Road
RD 1
Palmerston 9481
Phone: (03) 465 1489

Cr Jan Wheeler