



**WESTLAND**  
DISTRICT COUNCIL

# Local Governance Statement

**Amended by Council - 27 February 2014**

**Version 2014.02**

# Record of Amendments

Date	Amendment	Clause	Page Reference
14.10.10	Update the Councillors Contact Details	2	6
19.11.10	Update the list of Committees as per Council Meeting of 18.11.10	7.1 & 7.2	17-18
18.07.12	Include the Council Vision		2
18.09.12	Update the Management Team Listing	2.2	3
18.07.12	Update the Representation Review	4.1-4.4	8-11
18.09.12	Include a clause regarding updating		
18.09.12	Add Conduct Review Committee (Council Resolution- 23.08.12)	7.2	20
26.09.12	Amend reference from Chief Executive Officer to "Chief Executive"		Various Pages
27.02.14	Various amendments to reflect legislative changes and new Council committee and management structure, to insert list of bylaws, and to include the Consultation Policy and Elected Members Code of Conduct (for Council Resolution - 27.02.14)		Various Pages
	Addition of Westroads Greymouth Ltd (as per Council Meeting - 27.02.14)	7.1	18
	Addition of Waste Management to Groups (as per Council Meeting - 27.02.14)	7.3	21

## Table of Contents

Section	Page No.
<b>1. Introducing the Local Governance Statement</b>	<b>4</b>
1.1 What is the Purpose of the Local Governance Statement.....	4
1.2 What Information Does the Statement Contain.....	4
1.3 The Legal Requirement for Council to have a Local Governance Statement..	4
1.4 Updating of the Manual	4
<b>2. How to Contact Us</b>	<b>5</b>
2.1 Initial Contact.....	5
2.2 Council Office and Council Contacts.....	5
<b>3. Functions, Responsibilities and Activities of the Council</b>	<b>10</b>
3.1 Functions.....	10
3.2 Responsibilities.....	11
3.3 General and Local Legislation.....	12
3.4 Activities.....	13
<b>4. Electoral Systems and Representation Arrangements</b>	<b>14</b>
4.1 Electoral System.....	15
4.2 Wards and Constituencies.....	15-16
4.3 Representation Options.....	17
4.3.1 Maori Wards.....	17
4.3.2 Community Boards.....	17
4.4 Changing Representative Arrangements.....	17
<b>5. Reorganisation Processes</b>	<b>19</b>
5.1 Changing the District's Boundaries or Functions.....	19
<b>6. Roles and Conduct</b>	<b>21</b>
6.1 Mayor and Councillors Role.....	21

6.2	Mayor’s Role.....	21
6.3	Deputy Mayor’s Role.....	22
6.4	Committee Chairperson’s Role.....	23
6.5	Chief Executive’s Role.....	23
6.6	Code of Conduct.....	25
<b>7.</b>	<b>Governance and Management Structure</b>	<b>26</b>
7.1	Governance Structure.....	26
7.2	Council Committees.....	28
7.3	Management Structure.....	30
7.4	Delegations.....	32
<b>8.</b>	<b>Meeting Processes</b>	<b>33</b>
8.1	The Rules for Meetings and Standing Orders.....	33
<b>9.</b>	<b>Consultation Policies</b>	<b>34</b>
9.1	Consultation Policy.....	34
9.2	Special Consultation Procedure under Local Government Act 2002.....	34
9.3	Policy on Liaising with Maori.....	35
<b>10.</b>	<b>Equal Employment Opportunity Policy</b>	<b>37</b>
10.1	Equal Employment Opportunity Policy.....	37
<b>11.</b>	<b>Key Planning and Policy Documents</b>	<b>37</b>
11.1	Long Term Plan (LTP).....	38
11.2	The Annual Plan.....	40
11.3	The Policy Manual.....	40
11.4	The Westland District Plan.....	40
11.5	Bylaws.....	41
<b>12.</b>	<b>Requests for Official Information</b>	<b>42</b>
12.1	Requests for Official Information.....	42

## COUNCIL VISION

***“Westland will, by 2030, be a world class tourist destination and have industries and businesses leading through innovation and service”.***

*This will be achieved by:*

- *Involving the community and stakeholders*
- *Having inspirational leadership*
- *Having expanded development opportunities*
- *Having top class infrastructure for all communities*
- *Living the ‘100% Pure NZ’ brand*

*Council by-line in promoting Westland:*

***“Westland, the last best place”***



# 1. Introducing the Local Governance Statement

---

## **.1 What is the Purpose of the Local Governance Statement?**

A local governance statement is a collection of information about the processes through which the Council engages with its community, how the 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 processes.

## **1.2 What Information Does the Statement Contain?**

To meet the purpose, this Local Governance Statement includes the following broad categories of information or identifies for citizens where this information can be found:

- governance structures and processes,
- functions, responsibilities, and activities of the Westland District Council,
- electoral arrangements, the way elected members make decisions and relate to each other and to the management of the Westland District Council,
- key policies of the Westland District Council.

## **1.3 The Legal Requirement for Council to have a Local Governance Statement**

Section 40 of the Local Government Act 2002 (LGA 2002) requires Council to have a Local Governance Statement.

## **1.4 Amendments to this document**

This document shall be maintained by the Executive Assistant who shall amend it in accordance with:

- a) any instructions to that affect given by the Council and any delegatee authorised to amend it; or
- b) any need for typographical, grammatical or other minor amendment where the intention of the Council is not altered.

## 2. How to Contact Us

---

### 2.1 Initial Contact

In the first instance members of the public should contact Council staff if they have an information or service request. Any member of the Council's staff can be contacted by phoning 03 756 9010. Council staff may be emailed either via a website enquiry through the Council Website at [www.westland.govt.nz](http://www.westland.govt.nz), at [council@westlanddc.govt.nz](mailto:council@westlanddc.govt.nz); or directly to the staff member.

Staff members email addresses follow this format:

firstname.surname@westlanddc.govt.nz

### 2.2 Council Office

Street Address: 36 Weld Street, Hokitika 7810

Email: [council@westlanddc.govt.nz](mailto:council@westlanddc.govt.nz)

Monday to Friday 8.30 am to 5.00 pm

Telephone (03) 756 9010

Fax (03) 756 9045

Any initial contact regarding Council services should be made to the Council Office. Any complaints about advice given by Council staff should be directed to the Chief Executive.

#### Staff Contacts

Name	Telephone	Email
Tanya Winter <i>Chief Executive</i>	03 756 9010	<a href="mailto:tanya.winter@westlanddc.govt.nz">tanya.winter@westlanddc.govt.nz</a>
Jim Ebenhoh <i>Group Manager: Planning, Community and Environment</i>	DDI 03 756 9035	<a href="mailto:jim.ebenhoh@westlanddc.govt.nz">jim.ebenhoh@westlanddc.govt.nz</a>
Vivek Goel <i>Group Manager: District Assets</i>	DDI 03 756 9034	<a href="mailto:vivek.goel@westlanddc.govt.nz">vivek.goel@westlanddc.govt.nz</a>
Gary Borg <i>Group Manager: Corporate Services</i>	DDI 03 756 9030	<a href="mailto:gary.borg@westlanddc.govt.nz">gary.borg@westlanddc.govt.nz</a>

<b>MAYOR</b>	<b>POSTAL</b>	<b>PHONE</b>	<b>EMAIL</b>
<b>Mayor Mike Havill</b>	PO Box 62 Ahaura 7843	Ph: 03 732 3003 Mobile: 021 924 404	<a href="mailto:mayor@westlanddc.govt.nz">mayor@westlanddc.govt.nz</a>
<b>NORTHERN WARD</b>			
<b>Cr Anthea Keenan</b>	240 Kaniere Road Hokitika 7811	Ph: 755 8374 (H) Fax: 755 8375	<a href="mailto:cr.keenan@westlanddc.govt.nz">cr.keenan@westlanddc.govt.nz</a>
<b>Cr Murray Montagu</b>	35A Montagu Spur RD 2 Hokitika 7882	Ph: 755 6807 (H) Mobile: 021 626 2924	<a href="mailto:cr.montagu@westlanddc.govt.nz">cr.montagu@westlanddc.govt.nz</a>
<b>Cr Kees van Beek</b>	1616 Old Christchurch Road RD 2 Hokitika 7882	Ph: 03 736 9844 (H) Ph: 755 8844 (H) Fax: 755 8844 Mobile: 027 644 5469	<a href="mailto:cr.vanbeek@westlanddc.govt.nz">cr.vanbeek@westlanddc.govt.nz</a>
<b>HOKITIKA WARD</b>			
<b>Cr Jim Butzbach</b>	227 Gillams Gully Road RD 2 Hokitika 7882	Ph: 755 8180 (WK) Mobile: 027 594 3616	<a href="mailto:cr.butzbach@westlanddc.govt.nz">cr.butzbach@westlanddc.govt.nz</a>
<b>Cr Mark Dawson</b>	137 Brickfield Road RD 2 Hokitika 7882	Ph: 755 6878 (H) Mobile: 027 434 5845	<a href="mailto:cr.dawson@westlanddc.govt.nz">cr.dawson@westlanddc.govt.nz</a>
<b>Cr Latham Martin</b>	74 Park Street Hokitika 7810	Ph: 755 7337 (H) Fax: 755 7337 Mobile: 027 849 1424	<a href="mailto:cr.martin@westlanddc.govt.nz">cr.martin@westlanddc.govt.nz</a>
<b>SOUTHERN WARD</b>			
<b>Deputy Mayor Pauline Cox</b>	121 Whites Road RD 1 Hokitika 7881	Ph: 755 6245 (H) Fax: 755 6633 Mobile: 027 439 3173	<a href="mailto:cr.cox@westlanddc.govt.nz">cr.cox@westlanddc.govt.nz</a>
<b>Cr Greg Hope</b>	1 Marks Road PO Box 11 Haast 7844	Ph: 03 750 0877 (H) Ph: 03 750 0703 (W) Fax: 03 750 0718 Mobile: 021 042 9738	<a href="mailto:cr.hope@westlanddc.govt.nz">cr.hope@westlanddc.govt.nz</a>



# 3. Functions, Responsibilities and Activities of the Council

---

## 3.1 Functions

Under the Local Government Act 2002 (LGA), the purpose of local government is:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
  - (b) 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 LGA states that the role of a local authority is to—
    - (a) give effect, in relation to its district or region, to the purpose of local government stated in **Section 10**; and
    - (b) perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.
  - The LGA states that in performing its role, a local authority must have particular regard to the contribution that the following core services make to its communities:
    - (a) network infrastructure:
    - (b) public transport services:
    - (c) solid waste collection and disposal:
    - (d) the avoidance or mitigation of natural hazards:
    - (e) libraries, museums, reserves, recreational facilities, and other community infrastructure.

(Sections 10 and 11 of the Local Government Act 2002).

## 3.2 Responsibilities

The Westland District Council has interpreted these obligations to mean that it has the overall responsibility and accountability for the proper direction and control of the District's activities. This responsibility and accountability includes:

- Providing a leadership focus for the District.
- Formulating the District's strategic direction.

- Managing the principal risks facing Westland.
- Administering various regulations and upholding the law.
- Safeguarding the public interest.
- Ensuring the integrity of management control systems.
- Ensuring the effective succession of elected members.
- Promoting economic and social development of the District and acting as an advocate on behalf of community interests.
- Planning for a sound and sustainable physical and human environment and enforcing relevant regulations.
- Providing and maintaining infrastructural, physical, and utilities services.
- Providing and maintaining recreational facilities and facilitating the provision of social and community services.
- Reporting to ratepayers on the above.

### **3.3 General and Local Legislation**

In fulfilling its purpose, Westland District Council exercises powers and fulfils responsibilities conferred on it by legislation.

The major enactments are:

- Building Act 2004
- Civil Defence & Emergency Management Act 2002
- Dog Control Act 1996
- Health Act 1956
- Local Electoral Act 2001
- Local Government Act 1974 and 2002
- Local Government (Rating) Act 2002
- Resource Management Act 1991
- Sale and Supply of Alcohol Act 2012
- Transit New Zealand Act 1989

- Reserves Act 1977
- And such further legislation and amendments that Government from time to time may impose on local authorities.

There is no local legislation applicable in Westland.

### **3.4 Activities**

The Council groups the work it does under eight Activity Groups. These groups are:

- **Elected Representatives**

Governance, Meetings and Committees, Council Support, Council Consultation and Reporting.

- **Planning & Regulatory**

Animal Control, Building Control, District Plan, Environmental Health, Resource Management Act, Liquor Licensing.

- **Roading**

Bridges, Emergency Repairs, Footpaths, Road Legalisation, Road Maintenance, Capital Developments, Capital Replacements.

- **Water Supplies**

Kumara, Arahura, Hokitika, Ross, Harihari, Whataroa, Franz Josef, Fox Glacier, and Haast Township Supplies; and Whataroa Rural Water Supply.

- **Wastewater**

Hokitika, Kaniere, Franz Josef, Fox Glacier and Haast sewerage systems.

- **Solid Waste Management**

Public Refuse Landfills, Closed Landfills, Urban Refuse Collection, Waste Transfer Station, Waste Minimisation and Recycling.

- **Community Activities**

Museum, Cemeteries, Elderly Housing, Halls, Libraries, Parks and Reserves, Swimming Pools, iSite, Events, Community Development.

- **Other Operational Activities**

Stormwater, Commercial Buildings, Land Management, Jackson Bay Wharf, Street Furniture, Monuments, Rural Fire, Civil Defence..

## 4. Electoral Systems and Representation Arrangements

---

### 4.1 Electoral System

Westland 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 is declared the winner regardless of the proportion of votes that candidate(s) obtained.

The other option permitted under the Local Electoral Act 2001 is the single transferable vote system (STV). This system is used in district health board elections. Further information on STV can be obtained from Council's Electoral Officer.

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

Council undertook a representation review in April 2012 and accordingly a decision was made to reduce the number of councillors to eight. The consultative procedures relating to this proposal and the redefined Ward boundaries were notified and no submissions were received. Accordingly, the proposal became the basis for the next election on 3 July 2012.

### 4.2 Wards and Constituencies

The Council resolved on 26 April 2012 that for the 2013 election and the subsequent election, Westland District Council will comprise 8 members elected from three wards with the Mayor being elected at large.

Three Wards will reflect the following identified communities of interest:

Northern Ward	All that part of Westland District north of the Mikonui River but excluding Hokitika and Kaniere.
Hokitika Ward	All that part of Westland including the town of Hokitika, the area north to Three Mile and including the areas to the east known as Blue

	Spur, Brickfield, Kaniere Township and the extension of Kaniere onto the Lake Kaniere Road.
Southern Ward	All that area of Westland south of the Mikonui River.

The population that each member will represent is:

<b>Ward</b>	<b>Estimated Population</b>	<b>Members</b>	<b>Population per Member</b>
Northern Ward	3130	3	1043
Hokitika Ward	3530	3	1177
Southern Ward	2290	2	1145

### **4.3 Representation Options**

#### **4.3.1 Maori Wards**

The Local Electoral Act 2001 also gives the Council the ability to establish separate wards for Maori electors. The Council may resolve to create separate Maori wards or conduct a poll on the matter, or the community may demand a poll. A petition of five percent of electors can require the Council to conduct a poll.

Currently, the Council has not resolved to create Maori Wards and there has not been any demand for a poll to do so.

#### **4.3.2 Community Boards**

Westland District Council has no Community Boards.

### **4.4 Changing Representative Arrangements**

The Council is required to review its representation arrangements at least once every six years. The Council conducted a review in April 2012. It is not legally required to begin to review representation again until May 2017.

This review must include the following:

- The number of Elected Members (between six and 30 including the Mayor);
- Whether the Elected Members (other than the Mayor) shall be elected by the entire district, or continue to be elected by their Ward (or a mix of both systems);
- The boundaries and names of those wards and the number of members that will represent each ward (if election by wards is preferred);
- Whether or not to have separate Maori wards;
- 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 electors the right to make a written submission to the Council, and the right to be heard if they wish.

Electors also have the right to appeal any decisions to the Local Government Commission, which will make a binding decision on the appeal.

## 5. Reorganisation Processes

---

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

The process for reorganising local government has been significantly changed by the Local Government Act 2002 Amendment Act 2012.

Reorganisation applications can be made seeking one or more of the following things -

- the union of districts or regions
- the constitution of new districts or regions
- the abolition of districts or regions
- the alteration of boundaries of a district or region
- the transfer of a statutory obligation from one local authority to another
- establishing a territorial authority as a unitary authority

The new process is as follows -

- an application is lodged with the Commission
- the Commission decides whether the application has the required information to allow it to be assessed
- as part of the process, the Commission determines whether there is community support for the application
- if the application meets these requirements, it will be assessed by the Commission but first the Commission must be satisfied there is community support for local government reorganisation in the affected areas
- if the Commission is satisfied this is the case, the application is publicly notified and alternative applications are called for
- the Commission identifies the reasonably practicable options for local government in the affected area which must include current local government arrangements
- if the Commission decides there should be changes to current arrangements, in order to promote good local government in the area, it identifies its preferred option and a draft proposal is developed and publicly notified
- submissions on the draft proposal are made to the Commission
- the Commission considers the submissions and may hold hearings on submissions

- the Commission decides whether a final proposal is to be issued
- if a final proposal is issued, a poll on the proposal may be requested by 10% of the electors in one of the affected districts
- if a proposal is supported by a poll or there is no poll, a reorganisation scheme is prepared and implemented by Order in Council



## **6. Roles and Conduct**

---

### **6.1 Mayor and Councillors' Roles**

The Mayor and the Councillors of the Westland District Council have the following roles:

- Setting the policy direction of Council.
- Monitoring the performance of the 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).

### **6.2 Mayor's Role**

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 Council's 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 the Council.
- Ceremonial head of Council.
- Providing leadership and feedback to other elected members on teamwork and chairing committees.

### **6.3 Deputy Mayor's Role**

The Deputy Mayor is elected by the members of Council at the first meeting of the Council. The Deputy Mayor exercises the same roles as other elected members. In addition:

- If the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor (as summarised above).
- The Deputy Mayor may be removed from office by resolution of Council.

### **6.4 Committee Chairperson's Role**

The Council has created one committee of Council. A committee chairperson is responsible for:

- Presiding over meetings of the committee.
- Ensuring that the committee acts within the powers delegated by Council, and as set out in the Council's Delegations Manual.
- A committee chairperson may be removed from office by resolution of Council.

### **6.5 Chief Executive's Role**

The Chief Executive is appointed by the Council in accordance with section 42 and clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. The Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council. Under section 42 of the Local Government Act 2002, the responsibilities of the Chief Executive are:

- Implementing the decisions of the Council
- Providing advice to the Council and community boards
- Ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised
- Managing the activities of the Council effective and efficiently
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council

- Providing leadership for the staff of the Council
- Employing staff (including negotiation of the terms of employment for the staff).

The Chief Executive is the only employee of the Council, and the only person who may lawfully give instructions to other staff. Any complaint about individual staff members should therefore be directed to the Chief Executive and not elected members or departmental managers. Any complaints about the CE should be directed in the first instance to the Chairperson of the Executive Committee, and this can be done through any elected member.

## **6.6 Code of Conduct**

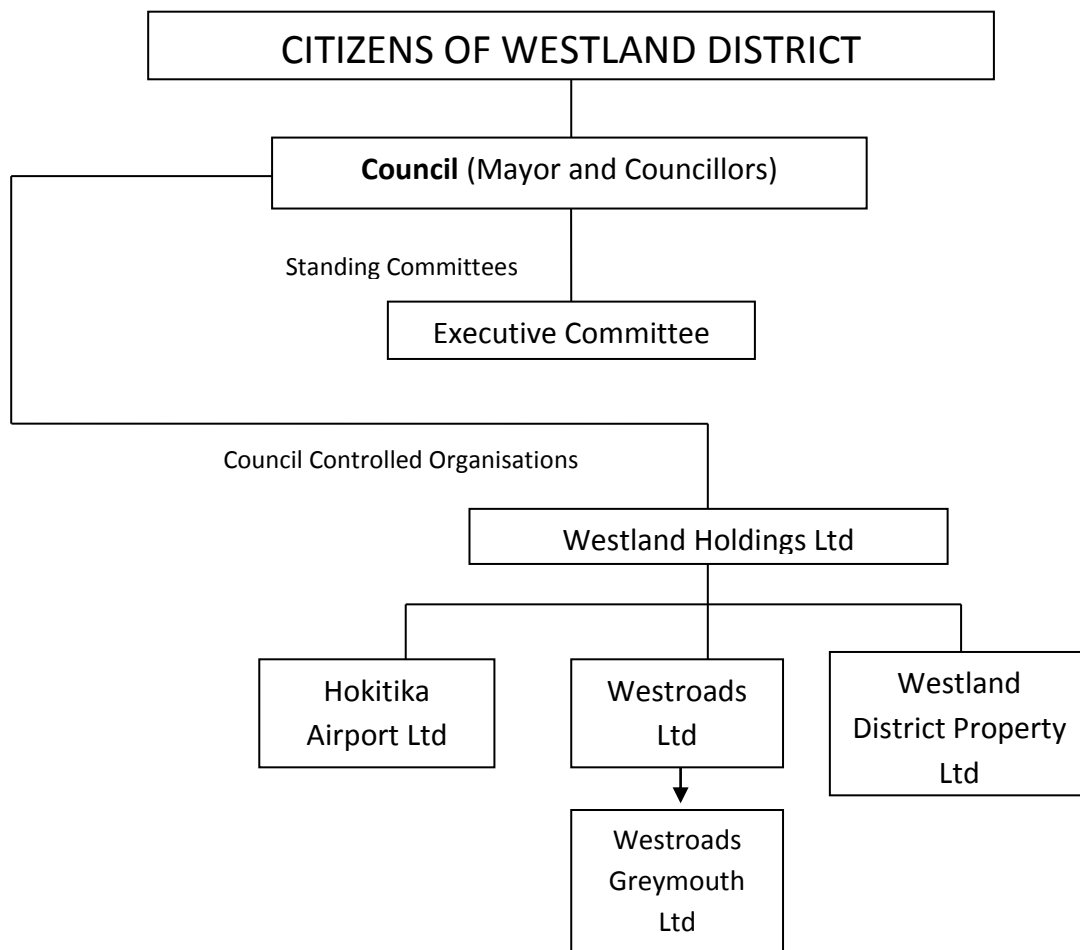
All elected members are required to adhere to Council's Code of Conduct. Council revises its Code of Conduct after the each triennial election. Once adopted the Code of Conduct may only be amended by a 75 per cent or more vote of the Council. The code sets out the Council's understanding and expectations 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. This is available on Council's website.

# 7. Governance and Management Structure

---

## 7.1 Governance Structure

### The Westland District Council Governance Structure



A key to the efficient running of local government is that there is a clear division between the role of Council and that of management. The Westland District Council elected members concentrate on setting policy, strategy, and determining the level of financial resources. The Council then reviews progress. Management is concerned with implementing Council policy and strategy.

# 7. Governance and Management Structure cont.

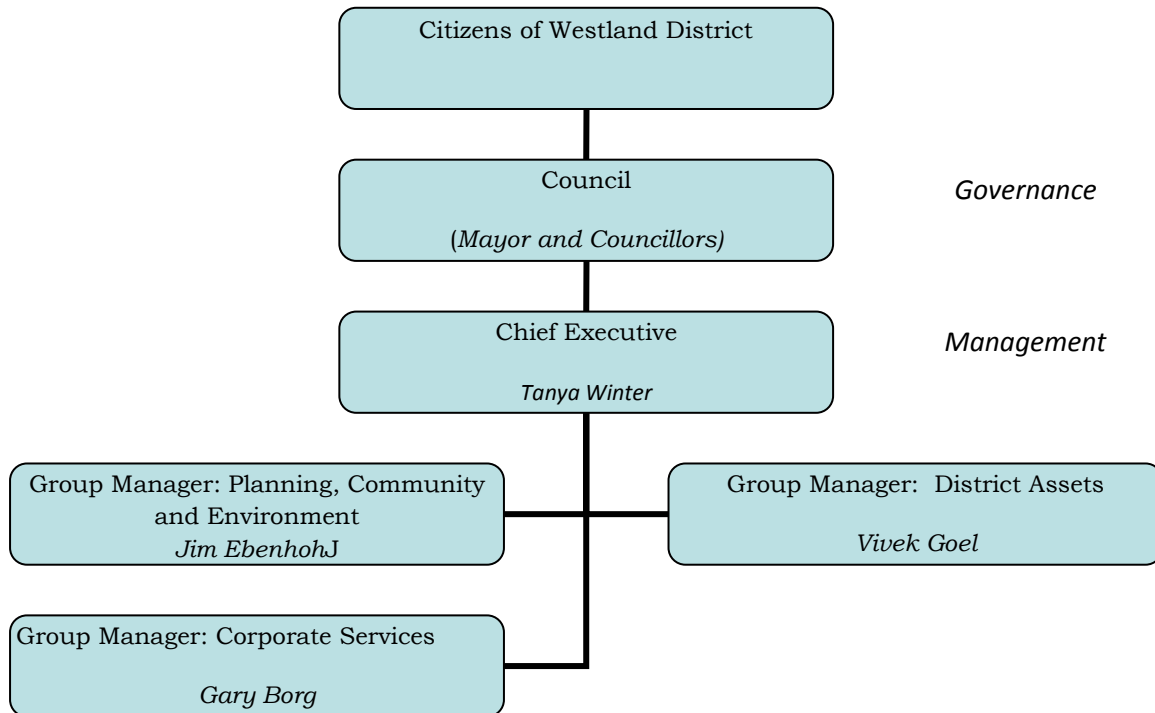
## 7.2 Council Committees

The Council reviews its committee structures after each triennial election. The Council has established the following committee

<b>Committee/ Chairperson</b>	<b>Membership Basis</b>	<b>Purpose/Activity</b>
<b>Executive Committee</b>	Mayor, Deputy Mayor with the power to co-opt as required	<ol style="list-style-type: none"> <li>1. To enable Council to carry out its statutory and contractual responsibilities as employer of the Chief Executive.</li> <li>2. To implement Council policies and processes for the selection, appointment and remuneration of directors to Council Controlled Organisations and trustees to Council Organisations.</li> <li>3. To maintain an on-going liaison with Boards of Directors of Council-Controlled Organisations in regard to Council's interest as a shareholder.</li> <li>4. To undertake the role of Audit Committee.</li> <li>5. To undertake the role of Risk Management Committee.</li> <li>6. To determine matters within the authority of Council where the urgency of those matters precludes an Extraordinary Meeting of the full Council.</li> </ol>

# 7. Governance and Management Structure cont.

## 7.3 Management Structure



### **Groups:**

#### Planning, Community and Environment:

- Animal Control
- Civil Defence
- Inspections and Compliance
- Liquor Licensing
- Community Assistance/Funding
- MDI Projects
- Library
- Museum
- Annual Plan

- Long Term Plan (LTP)
- Annual Report

#### Corporate Services:

- Finance
- CCO Monitoring and Reporting
- Insurance
- Audit and Risk
- Customer Services
- i-Site

#### District Assets

- Cemeteries
- Community Township Development
- Land and Buildings
- Parks and Reserves
- Public Toilets
- Rural Fire and Civil Defence
- Stormwater
- Swimming Pools
- Transportation
- Wastewater
- Water Supply
- Information Technology
- Waste Management

## **7.4 Delegations**

Council is assigned powers to act by a wide range of legislation, trust deeds and documents. In order to allow its Committees and the Chief Executive to carry out their functions, Council has to delegate some these powers to act. The Chief Executive has to further delegate a number of these powers to allow Council staff to carry out their functions.

All delegations of power are contained in the Council's Delegations Manual copies of which may be obtained from Council's Office.



## 8. Meeting Processes

---

### 8.1 The Rules for Meetings and Standing Orders.

The legal requirements for Council meetings are in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

All Council and Committee meetings are open to the public unless there is reason to consider some item 'in committee'. Meetings are open to the public, and members of the public are able to speak in the Public Forum at the start of the Council meeting. The 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.

The Council agenda is a public document, although parts may be withheld if the above circumstances apply.

The Mayor or Committee Chair is responsible for maintaining order at meetings and may, at his discretion, order the removal of any member of the public for disorderly conduct, or remove any member of the Council who does not comply with Standing Orders (a set of procedures for conducting meetings). The Council has adopted the NZS 9202 model standing orders for territorial authorities.

Minutes of meetings are kept and made publicly available, subject to the provisions of the LGOIMA.

Public Notification of Meetings is in accordance with NZS 9202:2003.

During meetings of the Council or Committees, all Council participants (the Mayor, Chair or Councillors or Members) must follow Standing Orders unless Standing Orders are suspended by a vote of 75 per cent (or more) of the members present.

In addition the Council Code of Conduct sets out the expectations of the behaviour, which elected members expect of each other at meetings.

## 9. Consultation Policies

---

### 9.1 Consultation Policy

Council adopted its Consultation Policy in August 2005. This can be found on Council's website.

### 9.2 Special Consultation Procedure under Local Government Act 2002

The Local Government Act sets out certain consultation principles and a procedure that is followed when making certain decisions. This procedure, the special consultative procedure, is regarded as a minimum process.

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 community groups and other interested parties. 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.

The special consultative procedure consists of the following steps:

- **STEP ONE: Preparation of a statement of proposal and a summary.**

The Council must prepare a description of the proposed decision or course of action. The statement must be available for distribution throughout the community and must be available for inspection at the Council Office 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 the Council considers to be reasonably practicable. Use of the Council website is an acceptable way of making the statement of proposal and summary publicly available. That 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 daily newspapers, or in other newspapers of equivalent circulation, of the proposal and of the consultation being undertaken.

## 9. Consultation Policies cont.

---

- **STEP THREE: Receive submissions.**

The Council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission. The Council must allow at least one month (from the date of the notice) for submissions.

- **STEP FOUR: Deliberate in public.**

All meetings where the Council deliberates on the proposal or hears submissions must be open to the public (unless there is some reason to exclude the public under the LGOIMA). Submissions must be made available publicly unless there is reason to withhold them under LGOIMA.

- **STEP FIVE: Follow up.**

A copy of the decision and a summary of the 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 the Council to a Council-Controlled Organisation or from a Council Controlled Organisation to a private sector organisation) if that is not provided for in an LTP.

The Council may be required to use the special consultative procedure under other legislation, and it may use this procedure in other circumstances if it wishes to do so.

### 9.3 Policy on Liaising with Maori

Council will endeavour to recognise 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 of the Local Government Act 2002 provides principles and requirements for local authorities that are intended to facilitate participation by Maori in local authority decision making.

## **9. Consultation Policies cont.**

---

The Council is therefore committed to acknowledging the unique perspectives of Maori as Papatipu Runanga and is further committed to on-going dialogue in developing processes to facilitate such activities.

# **10. Equal Employment Opportunity Policy**

---

## **10.1 Equal Employment Opportunity Policy**

The Council is committed to the principles of Equal Employment Opportunity for all its employees and accordingly will act in accordance with the following policy:

- People with the best skills and qualifications to do particular jobs are employed regardless of their gender, race, marital status, physical impairment, or sexual preference.
- All employees will have a fair and equitable chance to compete for appointment or promotion and to pursue their careers.
- The recruitment and promotion of employees is based on merit.
- All employees have equitable access to training and skills development.

# 11. Key Planning and Policy Documents

---

## 11.1 Long Term Plan (LTP)

On 28 June 2012, the Council adopted the –2012-2022 Long Term Plan (referred to as LTP) in accordance with the Local Government Act. The LTP is the central focus for the Council’s future over the next 10 years. The Long Term Plan will be reviewed every three years.

- The purpose of a long-term plan as per the Local Government Act 2002 is to
  - describe the activities of the local authority
  - describe the community outcomes of the local authority's district or region
  - provide integrated decision-making and co-ordination of the resources of the local authority
  - provide a long-term focus for the decisions and activities of the local authority
  - provide a basis for accountability of the local authority to the community
  - provide an opportunity for participation by the public in decision-making processes on activities to be undertaken by the local authority

The LTP is the Council’s key planning document and contains:

- Community Outcomes. What the Community wants to see happen in the District over the next 10 years.
- Groups of Activities. What activities the Council undertakes, the level of service Council will provide for those activities, the assets employed and the total costs (both capital and operating) to Council for providing those services.
- Council Controlled Organisations – a description of the CCOs Council has established to deliver some services
- Assessments of water services and sanitary services within the district.
- How Council will develop Maori capacity to contribute to the decision making process.
- Funding and Financing policies including:
  - Revenue and Financing Policy (how and who pays for services provided).

- Investment and Liability Management Policies (what the Council can invest in or borrow).
  - Development and Financial Contributions (what contributions will be required by developers for new subdivisions etc.).
  - Local Authority and Private Sector Partnership Policy (if Council goes into partnership to provide services with a private organisation).
  - Rates Remission Policy (if and what charitable/public good organisations receive rates remissions)
  - Statement Concerning Balancing the Budget (whether Council will produce a balanced budget over the life of the plan, and if not, why not)
  - Funding of Depreciation Policy (describes how Council will fund depreciation to replace assets over the life of the plan)
- Council's Policy on Significance.
  - Forecast Financial Statements. Detailed forecasts for three years, and summary forecasts for the seven years after the first three.
  - Forecast Funding Income Statement. How the rates are going to be allocated charged to ratepayers.
  - Significant Forecasting assumptions. What the Council has assumed in preparing the LTP. For example levels of service, inflation, etc.

The LTP is adopted through the special consultative procedure set out in sections 83 & 84 of the Local Government Act 2002. It is important to note that Council cannot significantly deviate from the LTP without re-engaging the community through the special consultative procedure. In other words once the plan is adopted it determines the Council's direction for the next three years.

# **11. Key Planning and Policy Documents**

## **cont.**

---

### **11.2 The Annual Plan**

The year in which a Long Term Plan is adopted this document becomes the Annual Budget for that year. For the two years between reviews of the LTP Council will adopt an Annual Plan through the special consultative procedure set out in sections 83 & 85 of the Local Government Act 2002.

This Annual Plan will focus on the budgets for the current financial year and the setting of rates. This document will not be able to significantly deviate from the LTP.

### **11.3 The Policy Manual**

All policies adopted by the Westland District Council are contained in a policy manual. This is available on request from the Executive Assistant.

### **11.4 The Westland District Plan**

The Westland District Plan was adopted on 16 May 2002 and is currently being reviewed. This Plan sets out the framework of objectives, policies, and methods to be used to achieve integrated management of the effects of the use, development, and protection of the natural and physical resources of Westland District. Some of the methods to be used include rules controlling the effects of land use and land subdivision.

The Plan has been prepared to fulfil the requirement of Part V of the Resource Management Act 1991 that there be, at all times, one district plan for each territorial authority district. Implementation of the Plan's policies and methods is intended to assist the Council to carry out its functions under the Act. The Plan is one of a number of initiatives to be used by the Council to achieve the (sustainable management) purpose of the Act.

The District Plan is available on the Council's Website at [www.westland.govt.nz](http://www.westland.govt.nz) and at Council's Office, 36 Weld Street, Hokitika in hardcopy or CD.



# 11. Key Planning and Policy Documents

## cont.

---

### 11.5 Bylaws

The following bylaws are in force and are due for review 5 years after the date of initial enactment printed at the end of the bylaw, or 10 years after the date of the most recent review [in brackets], whichever is later:

---

---

- Airport Charges Bylaw 1998 [19 June 2008]
- Dog Control Bylaw 1997 [19 June 2008]
- Fencing Bylaw 1991 [19 June 2008]
- Jackson Bay Wharf Bylaw 2001 [19 June 2008]
- Liquor Bans Bylaw 2007 [28 February 2013]
- Refuse Bylaw 1992 [19 June 2008]
- Speed Limits Bylaw 2006 [19 June 2008]
- Trading in Public Places Bylaw 2008 [19 June 2008]
- Traffic and Parking Bylaw 1999 [28 November 2013]
- Waste Water Bylaw 2010 (enacted 24 February 2011)
- Wildfoods and Other Events Bylaw 2003 incorporating the Wildfoods and Other Events Amendment Bylaw 2006  
[9 December 2009]

# 12. Requests for Official Information

---

## 12.1 Requests for Official Information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the Council. All requests for information are a request made under LGOIMA. You do not have to say you are making a request under LGOIMA. Once a request is made the Council must supply the information unless reason exists for withholding it or the provisions of the Privacy Act 1993 apply. The LGOIMA says that information may be withheld if release of the information would:

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

The Council answers requests within 20 working days (although there are certain circumstances where this time-frame may be extended). A charge shall be made to recover all reasonable costs incurred by Council in providing the information. In 2013 Council adopted a set of fees and charges for requests under LGOIMA. These are on the Council website under fees and charges. An estimation of cost prior to providing the information can be made available.

In the first instance you should address requests for official information to the Chief Executive.