

# Governance Statement

2023 - 2025



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# 1. What is a Local Governance Statement?

A Local Governance Statement is a collection of information about the processes through which Horowhenua District Council engages with the residents of the Horowhenua District, how Council makes decisions, and how residents and ratepayers can influence those processes.

The Local Governance Statement supports the purpose of local government by promoting local democracy. The statement provides the public with information on the ways to influence local democratic processes

The Local Governance Statement is a requirement of the Local Government Act 2002 and includes the following broad categories of information:

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

## 2. Functions, Responsibilities and Activities

The Local Government Act 2002 sets out the purpose of local government as:

- (1) 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.
- (2) In this Act, good-quality, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are—
  - (a) efficient; and
  - (b) effective; and
  - (c) appropriate to present and anticipated circumstances.

The Local Government Act 2002 introduced changes to the way councils plan ahead, and as part of this, placed a responsibility on councils to work with their communities to identify the community's expectations and priorities – known as community outcomes.

Council has an obligation to ensure that its work programmes and services contribute to community outcomes.

Our Long-Term Plan (LTP) sets out the Community Outcomes and the Council's priorities for the next 20 years. It also provides information on budgets, rating levels, major projects and general Council services. A LTP highlights the Council's plans for the next 20 years, including the means of funding the Council's ongoing programmes and capital works projects. Horowhenua District Council is currently delivering on the Long Term Plan 2021 - 2041.

Council has overall responsibility and accountability for the proper direction and control of the district's activities. This responsibility includes areas of stewardship such as:

- Core infrastructure and Services (i.e. roadways, footpaths, water, sewerage and stormwater)
- Community Services and Facilities (i.e. libraries, recreational facilities and community facilities)
- Regulatory Functions and Services (i.e. building and resource consents, health, animal control, parking and general bylaws)
- Environment (i.e. parks, reserves and built environment)
- Local Economy (promoting a resilient and diverse economy)
- Local Democracy (i.e. access to Council information and public engagement opportunities)
- Financial Management of the Council (ensuring Council expenditure is affordable and sustainable)

### 3. Legislation

In conducting its activities, Horowhenua District Council exercises powers and fulfils responsibilities conferred on it by New Zealand and Local Legislation. The following outlines applicable statutory requirements. Please note this list is not exhaustive, but outlines those statutes which are most commonly used:

**Section 46(1) Local Government Act 2002** - Councillors can be held liable for losses resulting from negligence or unlawful action by the elected Council.

**Schedule 7 clause 1 of The Local Government Act 2002** - Any elected member (the Mayor or a councillor) will be disqualified if they cease to be an elector or become disqualified for registration as an elector under the Electoral Act 1993, or are convicted of an offence punishable by a term of imprisonment of two years or more.

**Local Authority (Members' Interests) Act 1968** - This regulates the circumstances under which a member has a pecuniary interest in a matter before the Council. Nobody may be elected to a Council, or once elected, remain a member, if the value of contracts between the Council and that member exceed \$25,000 in any financial year. Nor may a member participate in the discussion or voting on a matter in which the member has a direct or indirect pecuniary interest, except an interest in common with the public. If members are convicted of a breach of this requirement they will be automatically be disqualified from office. They may also be fined up to \$100. A disqualified member may, however, stand for election at a by-election.

**The Local Government Official Information and Meetings Act 1987 ("LGOIMA")** - The obligations of LGOIMA are binding on members. They apply to the disclosure of information by a member in respect of any information held by that member (in his or her capacity as member) to a member of the public. The underlying principle is that unless there is good reason to withhold it, information should be made available. Section 7 of the Act gives a number of grounds for withholding disclosure. The LGOIMA also sets out the procedural requirements for meetings of local authorities, the publication of agenda, procedures for discussion with the public excluded and access by the public to the minutes of meetings.

**Statutes Pertaining to Local Government** - In fulfilling its purpose, the Horowhenua District Council exercises powers and fulfils responsibilities conferred on it by various Statutes. These are:

- Local Government Acts of 1974 and 2002
- Local Electoral Act 2001
- Local Government (Rating) Act 2002
- Local Government Official Information and Meetings Act 1987
- Resource Management Act 1991

In addition, there are numerous other general Acts of Parliament that confer powers on the council and regulate its functions.

## 4. Local Legislation

In addition to the legislation that applies to all local authorities (in particular the Local Government Act, the Rating Act, the Resource Management Act, the Building Act, and the Reserves Act), Council is also bound by various local legislation (acts that apply specifically to it). These are:

Levin Borough Empowering Act 1966 [1966, No. 22 (L)]

Levin Borough Empowering Amendment Act 1968 [1968, No. 5 (L)]

Levin Borough Empowering (Playford Park) Act 1948 [1948, No. 10 (L)]

Levin Borough Empowering Amendment Act 1952 [1952, No. 54 564 (2)]

Levin Borough Reserves Vesting and Empowering Act 1907 [1907, No. 12 (12)]

Horowhenua County Loan Act 1910 [1910, No. 12 (L)]

Manawatu County Loan and Empowering Act 1917 [1917, No. 2 (L)]

Reserves and Other Land Disposal Act 1956 – Section 21 [Foxton Beach]

Reserves and Other Land Disposal Act 1965 – Section 9 [Endowment]

Reserves and Other Land Disposal Act 1968 – Section 13 [Land]

## 5. Bylaw

Where an issue is not already covered under existing legislation, Council may create a new bylaw provided that the proposed bylaw is the most appropriate form of bylaw; and does not give rise to any implications under the New Zealand Bill of Rights 1990. If a draft bylaw is approved, it will go out for public consultation. Horowhenua District Council must follow a special consultative procedure (with exceptions) on any proposed changes to an existing bylaw or in the creation of a new bylaw.

For a list of current and operative Bylaw enforced by Horowhenua District Council visit:

<http://www.horowhenua.govt.nz/Council/Local-Bylaws-Policies>

## 6. Requests for Official Information

Two pieces of legislation prescribe how and what information is disclosed and protected for Local Government.

They are:

- Local Government Official Information and Meetings Act 1987 (LGOIMA)
- Privacy Act 1993

### **Local Government Official Information and Meetings Act 1987 (LGOIMA)**

The purposes of this Act are –

- To provide for the availability to the public of official information held by local authorities
- To promote the open and public transaction of business at meetings of local authorities, in order
- To enable more effective participation by the public in the actions and decisions of local authorities; and
- To promote the accountability of local authority members and officials, and thereby enhance respect for the law and to promote good local government in New Zealand
- To provide for proper access by each person to official information relating to that person
- To protect official information and the deliberations of local authorities to allow for public interest and the preservation of personal privacy.

The underlying principle of the Act is the ‘principle of availability. That is, information should be made available unless there is good reason to withhold it.

Given the size of our organisation, a policy dealing with information requests needs to be simple and easy to use. Information to guide staff on when and how to apply either piece of legislation is required so Council can make appropriate and consistent decisions.

The Act also promotes the open and public transaction of business at meetings of local authorities.

Generally, members of the public are entitled to attend any meeting of Council or a committee of Council. There are times however when, for specific reasons, public may need to be excluded for the whole or part of a meeting. Any exclusion must be justified under the Act.

Official information includes any information held by a local authority. Most information held by a local authority is classified as official information. This can be held in any form including tape, electronic, maps, plans, etc. It does not include information contained in library or museum material used for reference or exhibition purposes.

Personal information includes information about a “natural’ person (living identifiable person).

Once a request is made, the Council must supply the information within 20 working days unless there is a reason for withholding it. The Council may charge for official information under guidelines set down by the Ministry of Justice. This will apply particularly where considerable staff time is required to research information.

The LGOIMA says that information may be withheld if release of the information would:

- prejudice maintenance of the law;
- endanger the safety of any person;
- compromise the privacy of any person;
- reveal confidential or commercially sensitive information;
- cause offence to tikanga Māori 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.

## Privacy Act 1993

The Privacy Act 1993 amended the LGOIMA by removing the right of access to personal information about the person making the request, and requiring consultation with the Privacy Commissioner by the Ombudsman when considering a decision to withhold information on privacy grounds.

The Privacy Act deals with requests for personal information about a 'natural' person (living identifiable person). The objective of the Privacy Act is to provide protection for individual privacy. The Act's focus is on how information about a person is collected, used, disclosed, stored and accessed. There are 12 'principles' that should be adhered to.

## Privacy Officer

At least one person in the organisation is assigned the duties of a 'Privacy Officer'. That person's responsibilities include encouraging compliance with the Act and assisting the Privacy Commissioner to investigate any complaints made.

### *Key points for implementing the Act:*

- Only an individual who is in New Zealand or who is a citizen or permanent resident of New Zealand can make an information privacy request.
- Requests need not be in writing, can be verbal in person or over the phone
- To take all reasonable steps to grant the request within 20 working days after the request has been received
- Council may impose a charge in some circumstances. The individual making the request will be informed of the cost, should there be one, prior to officers proceeding with the request
- Council needs to communicate the reasons for refusing to provide information. It must also provide information on the right to seek a review from the privacy commissioner
- Legislation outlines the complaints process and powers of the Privacy Commissioner.

Horowhenua District Council processes requests for information in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993. These aim to balance issues of transparency and public interest with limits on the disclosure of personal information. Releases of information are sent via email, where an email address has been supplied.

### *Information can be requested by:*

- Downloading and completing our Official Information Request form available online at [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) and emailing it, along with any attachments to [LGOIMAOfficer@horowhenua.govt.nz](mailto:LGOIMAOfficer@horowhenua.govt.nz) ;
- Phoning our Customer Service Centre on (06) 366 0999;
- Asking in person at one of our Customer Service Centres; or
- Downloading and completing our Official Information Request form available online at [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz) and posting it, along with any supporting documents, to: LGOIMA Officer, Horowhenua District Council, Private Bag 4002, Levin 5540.
- Please be as specific as you can be in making your request; it helps us to find the information quickly for you. Make sure you include your contact phone number and either a postal or email address so we can provide you with a response. Further information about LGOIMA requests can be found at [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz).

## 7. The Electoral System and the opportunity to change it

The Horowhenua District Council currently operates its elections under the First Past the Post (FPP) electoral system.

The other option permitted under the Local Electoral Act 2001 is the Single Transferable Vote system (STV).

Currently, voters rank candidates in order of preference. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes.

Council can resolve to change the electoral system it uses at the next two elections or conduct a binding poll on the question, or electors can demand a binding poll under the Local Electoral Act 2001.

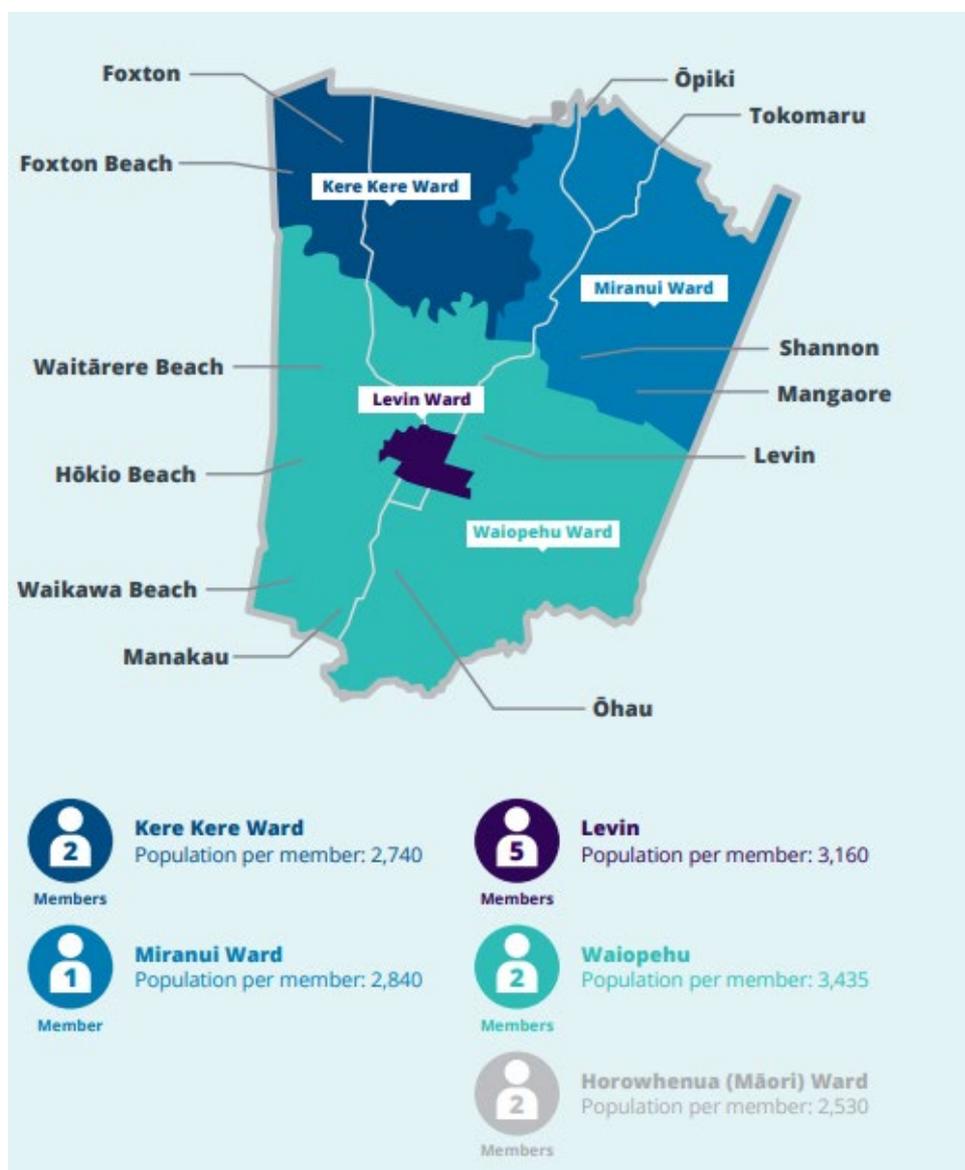
At least 5% of electors can initiate a poll by signing a petition demanding that a poll be held. Once changed, an electoral system must be used for at least the next two triennial general elections, i.e. the electoral system cannot change for one election and then change back for the next election.

## 8. Representation Arrangements

### 8.1 Wards

Horowhenua District is divided into four wards as shown on the map below. The Mayor is elected at large over the whole district, and Councillors by ward.

Kere Kere Ward	5,480 ( 2 members)
Miranui Ward	2,840 (1 member)
Levin Ward	15,800 (5 members)
Waiopehu Ward	6,870 (2 members)
Horowhenua (Māori) Ward	5,060 (2 members)
<b>Total</b>	<b>36,060</b>



## 8.2 Community Board

Council has one Community Board - Te Awahou Foxton Community Board. This Board is constituted under Section 49 of the Local Government Act 2002 to:

- represent and act as an advocate for the interests of its community
- consider and report on any matter referred to it by the Council and any issues of interest or concern to the Community Board
- make an annual submission to Council on expenditure in the community
- maintain an overall of services provided by the Council within the community
- communicate with community organisations and special interest groups in the community
- undertake any other responsibilities delegated by the Council (currently the Council has not delegated any such responsibilities)

The Te Awahou Foxton Community Board has a Chairperson and four other members. The five members are elected triennially by electors in the Board's community, and the Council appoints one member from the two Kere Kere Ward Councillors. The Board elects its own Chairperson and Deputy Chairperson at its first meeting after the triennial election.

Electors can demand the formation of a new community board. This is done by a process similar to the reorganisation process described in the Local Government Act.

## 8.3 Māori Wards

The Local Electoral Act 2001 also gives the Council the ability to establish separate wards for Māori electors. The Council may resolve to create separate Māori wards.

The Council resolved in 2021 to create two Māori Ward Councillors which were included in the 2022 Elections.

Council is awaiting further clarification from Central Government on any future requirements for Māori Wards.

## 8.4 Review of Representation Arrangements

Local authorities are required to review representation arrangements at least once in every period of six years. Horowhenua District Council's last reviewed its arrangements in 2021 and retained the FPP system at a meeting on 11 August 2021. This decision was publically notified.

A review must include the following:

- The number of elected members
- 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 Māori 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. It 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 speak to the submission at a hearing.

Electors have the right to appeal any decisions on the above to the Local Government Commission, which will make a binding decision on the appeal. Further details on the matters that the Council must consider in reviewing its membership and basis of election are found in the Local Electoral Act 2001.

## 9. Structure and Reorganisation Proposals

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

- Make changes to the boundaries of the District
- Create one or more new territorial local authorities (city or district councils)
- Create a unitary authority, ie transfer the functions of Horizons Regional Council to district councils in the Manawatu-Wanganui region
- Transfer a particular function or functions to another council.

The process begins when an application is lodged with the Local Government Commission. This can be done by any person, body or group, including a local authority or the Minister of Local Government.

Further information on these requirements is in the Local Government Act 2002, Schedule 3. The Local Government Commission has also prepared guidelines on procedures for local government reorganisation, which are available on its website [www.lgc.govt.nz](http://www.lgc.govt.nz)

## 10. Members' Roles and Conduct

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.

### 10.1 Division of Responsibility between the Council and Management

The Local Government Act 2002 sets out a series of governance policies that support the principles of local government.

The Council is required to publish a Local Governance Statement. This clarifies the governance and management responsibilities together with the governance role and expected conduct of elected members. The Statement describes the effective, open and transparent processes used by Council. This ensures separation of regulatory and non-regulatory responsibilities and explains the good employer requirements.

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

While Council has delegated many of its functions, it maintains overall responsibility for effective systems of internal control. Internal control includes the policies, systems and procedures established to provide measurable assurance that specific objectives will be achieved.

### 10.2 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 District's strategic direction in conjunction with the community - Long Term Plan (LTP)
- 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.

The Mayor and Councillors of the Horowhenua 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 Officer (under the Local Government Act 2002, the local authority employs the Chief Executive Officer who in turn employs all other staff on its behalf)

### 10.3 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 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
- Provides leadership and feedback to other elected members on teamwork and chairing committees.

## 10.4 Deputy Mayor

The Deputy Mayor is appointed by the Mayor at the first meeting of the Council following each triennial election. 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 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.

## 10.5 Code of Conduct

Schedule 7 clause 15 of the Local Government Act 2002 requires every Council to adopt a Code of Conduct for the Elected Members of the Council. Horowhenua District Council adopted its Code on 16 November 2022. This code also applies to all persons appointed to Committees or Subcommittees of Council. A copy of the Code of Conduct can be made available upon request to Horowhenua District Council on (06) 366 0999 or found online here:

<https://www.horowhenua.govt.nz/Council/About-Council/Council-Committees>

Horowhenua District Council's Code of Conduct provides guidance on the standards of behaviour expected from Elected Members in their dealings with each other, the Chief Executive, staff, the media and general public.

The objectives of the Code of Conduct are to enhance:

- the effectiveness of the Council as a good local government for the District
- the credibility of the Council
- Mutual trust, respect and tolerance among members as a group and between members and those people they deal with in the course of their duties.

The Code of Conduct is based on the following general principles of good governance:

- Public interest - members must serve the interests of the District as a whole, their primary duty is to the interests of the entire District, not just the ward that elected them
- Honesty and integrity - members must not place themselves in situations where their honesty and integrity may be questioned
- Objectivity - members must make decisions on merit, including decisions making appointments, awarding contracts, or recommending individuals for rewards or benefits
- Accountability - members must be accountable to the public for their actions and the manner in which they carry out their responsibilities
- Openness - members must be open about their actions and those of the Council
- Personal judgment - members can and will take account of the views of others, but must reach their own conclusions on the issues before them
- Respect for others - members must promote equality by treating people with respect
- Duty to uphold the law - members must uphold the law, and on all occasions act in accordance with the trust the public places in them.
- Stewardship - members must ensure that the Council uses its resources prudently and for lawful purposes, and that the Council maintains sufficient resources to meet its statutory obligations to both present and future generations.

# 11. Public Access to Council and Elected Members

Contact details for Horowhenua District Council are as follows:

Horowhenua District Council  
126-148 Oxford Street, Levin 5510  
Private Bag 4002, Levin 5540  
Phone 06 366 0999 (operates 24 hrs/7 days a week)  
[enquiries@horowhenua.govt.nz](mailto:enquiries@horowhenua.govt.nz)  
[www.horowhenua.govt.nz](http://www.horowhenua.govt.nz)  
[www.facebook.com/HorowhenuaDC](http://www.facebook.com/HorowhenuaDC)

## 11.1 Contacting the Council

Council can be contacted in a number of ways. Requests for Council service can be lodged in various ways including visiting, phoning or writing (including emails to [enquiries@horowhenua.govt.nz](mailto:enquiries@horowhenua.govt.nz) and faxes) to the relevant Council department, the Chief Executive; or through Council's website [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz).

To contact the Mayor or a Councillor refer to pages 16-18.

Contact details for Council's management are shown on page 19 of this Local Governance Statement.

## 11.2 Community Connection

The Community Connection is published in the Horowhenua Chronicle on the first Wednesday of every month, excluding January. In addition to this it is available online at [www.horowhenua.govt.nz](http://www.horowhenua.govt.nz).

## 11.3 Opportunities for Participation in Council Activities

Council offers numerous opportunities for community input into decision-making processes and strategy development. Council will inform Horowhenua residents (through the likes of newsletters, website and other key media publications) when key plans and policies are being developed/reviewed that require community input or feedback.

Regular opportunities exist for members of the public to raise their views with their elected members. These opportunities allow for a more informal conversation between elected members and the community.

Before each Council meeting, time is set aside for members of the public to raise with the Mayor and Councillors any matters they wish. Where a matter is the subject of a Council report, members of the public can request to speak to Councillors as part of the meeting.

At regular times throughout the year, the Mayor and Councillors host informal "cuppa with a councillor" meetings at venue through the district. These sessions involve the Mayor and one other councillor, or two councillors being based at various community facilities, and being available to talk with members of the community over a cup of tea.

All of these opportunities are mechanisms for the public to raise grass roots community concerns with the Mayor and councillors on an ongoing basis..

## 11.4 Elected Representatives

The elected representatives to Council are the Mayor and twelve Councillors. The Councillors are elected on a ward basis as follows:

Kere Kere Ward	2 members
Miranui Ward	1 member
Levin Ward	5 members
Waiopahu Ward	2 members
Horowhenua (Maori) Ward	2 members

The only Community Board in the district is the Te Awahou Foxton Community Board, which has five elected members. The Local Government Commission has determined that there will be one liaison Councillor elected from the Kere Kere Ward Councillors.

The Mayor, Councillors and Board Members are:

	<p>Mayor Bernie Wanden</p> <p>Mobile: 027 291 5546</p> <p>Email: <a href="mailto:mayor@horowhenua.govt.nz">mayor@horowhenua.govt.nz</a></p>
	<p>Deputy Mayor David Allan</p> <p>Ward: Kere Kere</p> <p>Mobile: 021 031 1812</p> <p>Email: <a href="mailto:cr.david.allan@horowhenua.govt.nz">cr.david.allan@horowhenua.govt.nz</a></p>



Cr Mike Barker

Ward: Levin

Mobile: 021 642 953

Email: [cr.mike.barker@horowhenua.govt.nz](mailto:cr.mike.barker@horowhenua.govt.nz)



Cr Rogan Boyle

Ward: Waiopahu

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Cr Ross Brannigan

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Cr Clint Grimstone

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Cr Paul Olsen

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Cr Jonathan Procter

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Cr Justin Tamihana

Ward: Horowhenua (Maori)

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Cr Piri-Hira Tukapua

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Mobile: 027 529 4883

Email: [cr.piri-hira.tukapua@horowhenua.govt.nz](mailto:cr.piri-hira.tukapua@horowhenua.govt.nz)



Cr Alan Young

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**Te Awahou Foxton Community Board**



John Girling

*Chairperson*

Mobile: 021 025 75080

Email: [johngirling@horowhenua.govt.nz](mailto:johngirling@horowhenua.govt.nz)



Trevor Chambers

*Deputy Chairperson*

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Email: [trevor.chambers@horowhenua.govt.nz](mailto:trevor.chambers@horowhenua.govt.nz)



Nola Fox

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## 12. Management Structure

The Chief Executive and staff are responsible for managing day-to-day operations and implementing Council's decisions and policies. The organisation is structured under five groups, each of which is headed by a Group Manager.

- Community Infrastructure
- Community Experience and Services
- Community Vision and Delivery
- Housing and Business Development
- Organisation Performance

Further information on Councils Leadership Team can be found by going to:

<http://www.horowhenua.govt.nz/Council/Your-Council/Leadership-Team>

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

Council is supported by a professional corporate organisation, led by the Chief Executive. Senior Officers provide Council with policy advice and are responsible for implementing Council's policies to achieve the results Council seeks to accomplish during the triennium.

Monique Davidson is Council's Chief Executive. Her contact details are:



Monique Davidson  
Chief Executive

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Phone: 06 366 0999

## 13. Council Organisations

Part 1 of the Local Government Act 2002 identifies two types of organisations for which a local authority has governance responsibilities. Briefly, these organisations are described as:

1. Council Organisations (COs) – where one or more local authorities control one or more voting rights, or have the right to appoint one or more directors.
2. Council-Controlled Organisations (CCOs) – where one or more local authorities control 50% or more of the voting rights, or have the right to appoint 50% or more of the directors.

Each of these organisations delivers services, provides advice, or in some way supports the achievement of the objectives in the Council's Long Term Council Community Plan.

The Local Government Act 2002 requires that Council may appoint a person as a director of a CO or CCO only if the 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 Council is required to adopt a policy setting out an objective and transparent process for identifying and considering the skills, knowledge, and experience required of directors of a CO or CCO, and their appointment and remuneration.

The Council has direct and indirect shareholdings in a variety of CCOs and control, either through ownership greater than 50%, or the ability to appoint more than half of the board. These organisations all operate on a commercial basis at arm's length from the Council.

There are a number of regionally owned or controlled organisations in which the Council has an interest through ownership or representation, but does not have the ability to appoint more than half of the directors, or does not own 50% or more of the shareholding. These include Civic Assurance, MWLASS and Local Government Financial Agency, of which Council have a minor shareholder interest in.

The Council also has non-controlling interests in numerous Council organisations, by virtue of appointing one or more board members or trustees. These are generally "not for profit" bodies, and includes:

### Council Controlled Organisations

- **Shannon Community Development Trust** – Council appoints 100% of the new Trustees to the Shannon Community Development Trust. The Shannon Community Development Trust distributes funding to support projects that bring benefits to the Shannon community.

## 14. Appointments to Statutory Bodies, Community Groups/Associations and Other Organisations 2022-2025

At the beginning of each term, Council appoints representation to statutory bodies, community associations and other organisations for the elected term. These appointments enable Council to support special interests groups and community orientated bodies within the community.

Community Organisation / Group	Appointment(s)
Access and Inclusion	Cr Mike Barker
Horowhenua Crime Prevention Camera Trust	Cr Sam Jennings
Education Horowhenua	Cr Clint Grimstone
Foxton Beach Community Patrol Inc	Cr Ross Brannigan
Foxton Futures Governance Group	Cr Justin Tamihana
Horizons Regional Council – Passenger Transport Committee	Cr Paul Olsen
Horizons Regional Council – Regional Transport Committee	HWTM Bernie Wanden
Horizons Regional Council – Road Safety Group	HWTM Bernie Wanden
Horowhenua Learning Centre Trust	Cr Clint Grimstone
Keep Horowhenua Beautiful Committee	Cr Nia Hori Te Pa
Lake Accord (He Hokioi Rerenga Tahī)	HWTM Bernie Wanden Cr Nina Hori Te Pa
Manawatu River Users Advisory Group	HWTM Bernie Wanden
Manawatu/Wanganui Regional Disaster Relief Fund Trust	HWTM Bernie Wanden
Manawatū-Wanganui Regional Civil Defence Emergency Management Group Governance Body	HWTM Bernie Wanden
Mayor's Taskforce for Jobs	HWTM Bernie Wanden
Neighborhood Support	Cr Mike Barker
Older Person's Network	HWTM Bernie Wanden
Save Our River Trust	Cr Justin Tamihana
Shannon Community Development Trust	Cr Paul Olsen
yEP	CR Alan Young CR Piri-Hira Tukapua CR Rogan Boyle (alternate)
Youth Network	Cr Alan Young

# 15. Governance Structures and Processes

The Council reviews its committee structure after each triennial election to ensure that it aligns with how Council wishes to go about the business of setting strategic direction and the decision making process.

Council’s governance structure recognises the Risk and Assurance Committee, Community Funding & Recognition Committee, Hearings and Regulatory Committee, Chief Executive Employment and Performance Review Committee, District Licensing Committee and Community Wellbeing Committee as official committees of Council.



## Horowhenua District Council Committee Structure 2022-2025

<b>Council Meeting</b>			Meets 6 Weekly Speaking Rights: Public Forum – ½ hour at beginning of each meeting Formal Agenda
Chief Executive Employment and Performance Committee	Risk and Assurance Committee	Community Wellbeing Committee	Meets 12 Weekly Formal Agenda
Hearings and Regulatory Committee	Community Funding and Recognition Committee	District Licensing Committee	Meets as required Formal Agenda
District Growth and Planning Steering Group		Capital Projects Delivery Steering Group	Meets 6 Weekly (1 hour) Informal Agenda – Formal Report to Council

In addition to Council's Committees there are two Steering Groups these are the District Growth and Planning Steering Group and Capital Projects Delivery Steering Group..

### 15.1 Establishment of Committees

Under section 41A of the Local Government Act 2002 the Mayor has the power to establish the committees of the governing body and appoint the chairperson of each committee of the governing body before the other members of the committees are determined.

Committee includes, in relation to the Council:

1. A committee comprising all the members of the Council;
2. A standing committee or special committee appointed by the Council;
3. A standing committee or special committee appointed by the Mayor;
4. A joint committee appointed under clause 30 of Schedule 7 of the Local Government Act 2002;
5. Any subcommittee of a committee described in items (a) (b), (c) or (d) of this definition; and
6. A subordinate decision-making body, including Subcommittees and Forums.

### 15.2 Committee Appointments

Appointments for the 2022 - 2025 triennium are as follows:

Committee	Members	Chair	Deputy Chair
Risk and Assurance Committee	Cr Young Cr Procter Cr Grimstone Mayor Wanden Independent Member x2	Cr Jennings	Cr Olsen
Community Wellbeing Committee	Cr Hori Te Pa Cr Grimstone	Mayor Wanden	
Chief Executive Employment and Performance Committee	Councillor Tukapua Councillor Olsen Councillor Jennings	Mayor Bernie Wanden	Councillor Allan
Hearings and Regulatory Committee	Councillor Tukapua Councillor Tamihana Councillor Jennings Mayor Bernie Wanden	Councillor Allan	
Community Funding and Recognition Committee	Councillor Boyle Councillor Allan Councillor Young Councillor Hori Te Pa Mayor Bernie Wanden Councillor Tukapua	Councillor Tukapua	
District Licensing Committee	DLC Panel	Councillor Brannigan	Councillor Tamihana
District Growth and Planning Steering Group	Councillor Tukapua Councillor Barker Councillor Tamihana Councillor Grimstone	Councillor Jennings	
Capital Projects Delivery Steering Group	Councillor Barker Councillor Jennings Councillor Boyle Councillor Olsen Independent Member	Councillor Brannigan	

## 15.3 Meeting Frequency

Council and the Te Awahou Foxton Community Board meet on a six weekly meeting cycle.

Chief Executive Employment and Performance Committee, Risk and Assurance Committee, and Community Wellbeing Committee meet on a 12 weekly cycle.

Hearings and Regulatory Committee, Community Funding and Recognition Committee and District Licensing Committee meet as required. A schedule of meetings dates can be found on Council's website: <http://www.horowhenua.govt.nz/Council/Your-Council/Meeting-Schedules-Requests>

## 15.4 Terms of Reference

Terms of Reference for Council, committees and special committees were adopted by Council on 16 November 2022.

COUNCIL	
<b>Membership</b>	Thirteen
<b>Meeting Frequency</b>	Meets on a six weekly basis  Extraordinary Meetings can be called following a resolution of Council, or on the requisition of the Chair or one third of the total membership of Council
<b>Quorum</b>	Seven

### Terms of Reference

The Council's terms of reference include the following powers which cannot be delegated to committees, officers or any other subordinate decision-making body.

The power to:

- a) make a rate
- b) make a bylaw
- c) borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan
- d) adopt a Long Term Plan or Annual Plan and Annual Report
- e) appoint a Chief Executive
- f) adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Governance Statement
- g) adopt a remuneration and employment policy
- h) approve or amend Council's Standing Orders
- i) approve or amend the Code of Conduct for elected members
- j) appoint and discharge members of committees
- k) establish a joint committee with another local authority or other public body
- l) make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation.

*In addition, Council can:*

- m) approve a proposed plan under the Resource Management Act 1991
- n) approve Council policy and strategy
- o) remove chairpersons of committees and subcommittees
- p) approve Council's recommendation to the Remuneration Authority for the remuneration of

- elected members
- q) approve the Triennial Agreement
- r) approve the Local Governance Statement
- s) determine whether or how to fill any extraordinary Council vacancies
- t) make decisions on representation reviews
- u) appoint or remove trustees, directors or office holders to Council CCOs, COs or external bodies
- v) approve the recommendation of a hearings commissioner on a proposed plan, plan change or variation (including private plan change) and
- w) approve a proposed plan or a change to a district plan under clause 17 of the First Schedule.

RISK AND ASSURANCE COMMITTEE	
<b>Elected Members</b>	Six
<b>Independent Members</b>	Two - members to be appointed by Council
<b>Meeting Frequency</b>	12 weekly
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number
<b>Reports to</b>	Council

## Purpose

The purpose of the Risk and Assurance Committee is to contribute to improving the governance, performance, and accountability of the Horowhenua District Council by:

- a) Ensuring that the Council has appropriate financial, health and safety, risk management and internal control systems in place.
- b) Seeking reasonable assurance as to the integrity and reliability of the Council's financial and non-financial reporting.
- c) Providing a communications link between management, the Council and the external and internal auditors and ensuring their independence and adequacy.
- d) Promoting a culture of openness and continuous improvement.

## Terms of Reference

The Council delegates to the Risk and Assurance Committee the following responsibilities:

- a) To monitor the Council's treasury activities to ensure that it remains within policy limits. Where there are good reasons to exceed policy, this should be recommended to Council.
- b) To review the Council's insurance policies on an annual basis.
- c) To review, in-depth, the Council's annual report and if satisfied, recommend the adoption of the annual report to Council.
- d) To work in conjunction with Management in order to be satisfied with the existence and quality of cost-effective health and safety management systems and the proper application of health and safety management policy and processes.
- e) To work in conjunction with the Chief Executive in order to be satisfied with the existence and quality of cost-effective risk management systems and the proper application of risk management policy and processes, including that they align with commitments to the public and Council strategies and plans. This will incorporate a review of the strategic risks register

annually and on a quarterly basis monitor the high risks and emerging risks through an in-depth review

- f) To provide a communications link between management, the Council and the external and internal auditors.
- g) To engage with Council's external auditors and approve the terms and arrangements for the external audit programme.
- h) To engage with Council's internal auditors and approve the terms and arrangements for the internal audit programme.
- i) To monitor the organisation's response to the external and internal audit reports and the extent to which recommendations are implemented.
- j) To engage with the external and internal auditors on any one-off assignments.
- k) To work in conjunction with management to ensure compliance with applicable laws, regulations standards and best practice guidelines, ensuring the evaluation and monitoring of the organisation's legislative compliance programme and systems.
- l) Evaluate and monitor business continuity policies and planning to provide assurance as to organisational readiness.
- m) Be aware of and monitor any legal proceedings involving potential or contingent liability.
- n) Monitor the continuous improvement recommendations that come out of key reviews (CouncilMARK, Section 17a Reviews or any other) to ensure key actions and recommendations are progressed.

## Specific Delegations

Subject to any expenditure, having been approved in the Long Term Plan or Annual Plan the Risk and Assurance Committee shall have delegated authority to approve:

- a) Risk management and internal audit programmes.
- b) Terms of the appointment and engagement of the audit with the external auditor.
- c) Additional services provided by the external auditor.
- d) The proposal and scope of the internal audit.

In addition, the Council delegates to the Risk and Assurance Committee the following powers and duties:

- e) The Risk and Assurance Committee can conduct and monitor special investigations in accordance with Council policy, including engaging expert assistance, legal advisors or external auditors, and, where appropriate, recommend action(s) to Council.
- f) The Risk and Assurance Committee can recommend to Council:
  - i. Adoption or non-adoption of completed financial and non-financial performance statements.
  - ii. Governance policies associated with Council's financial, accounting, risk management, compliance and ethics programmes, and internal control functions, including the: Liability Management Policy, Treasury Policy, Sensitive Expenditure Policy, Fraud Policy, and Risk Management Policy.
  - iii. Accounting treatments, changes in generally accepted accounting practice (GAAP).
  - iv. New accounting and reporting requirements.

The Risk and Assurance Committee may not delegate any of its responsibilities, duties or powers.

COMMUNITY FUNDING AND RECOGNITION COMMITTEE	
<b>Elected Members</b>	Six
<b>Independent Members</b>	None
<b>Meeting Frequency</b>	As required
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number.
<b>Reports to</b>	Council

**Purpose**

The Community Funding and Recognition Committee is responsible for the effective allocation and monitoring of the Council’s grants. In addition, the committee is responsible for considering applications and making recommendations for Civic Honours and Youth Excellence Scholarships.

**Terms of Reference**

The Community Funding and Recognition Committee is responsible for the following areas:

- a) Approve the priorities for allocating grants within each grant fund annually
- b) To determine under delegation the allocation of funding to specified applicants and report these allocations back to Council.

In fulfilling their role, all members shall be impartial and independent at all times.

**Community Grants and Funding**

- a) To consider the allocation of community grants in line with the relevant grants criteria and priorities for:
  - Community Development Grant
  - Community and Social Services Grant
  - Special Projects Grant
  - Rural Halls Grant
  - Vibrant Communities Grant.
- b) To consider the Community Wellbeing Strategy and the associated Action Plan priorities: Education, Positive Ageing, Youth, Arts, Culture & Heritage, Pride & Vibrancy, and Access & Inclusion when making funding recommendations:
- c) To make recommendations to Council for endorsement of funding allocations to specified applicants
- d) The criteria and focus areas for community grants funds will be reviewed by the Community Funding & Recognition Committee each triennium and recommendations regarding any significant changes will be made to Council during each three (3) year term.

**Civic Honours and Special Awards**

The Committee has the delegated responsibility to make decisions on behalf of Council with all decisions to be reported to Council (In-committee).

- a) To assess and consider nominations for the following awards:
  - Certificate of Recognition
  - Civic Honours
  - 50 Years’ Service Award.

- b) To receive and approve the Mayor's recommendations for Special Honours acknowledging significant and meritorious service not otherwise recognized.

### Youth Excellence Scholarships

The Committee has the delegated responsibility to:

- a) assess and consider applications for Youth Excellence Scholarships and award in line with criteria and budget allocation
- b) make recommendations to Council (In-committee) for endorsement of funding to specified applicants.

### Tertiary Scholarships

Tertiary Scholarship recipients are selected in conjunction with the sponsoring Council Manager by whom the Scholarship recipient will be required to be supervised.

One member of the Community Funding & Recognition Committee and a Council Manager from the Group in which the scholarship applicant has applied to work will:

- a) assess and consider applications for Tertiary Scholarships and award in line with criteria and budget allocation.

The Committee will:

- b) review the scholarship criteria and make recommendations to Council each triennium.

All recommendations are reported to Council for endorsement.

### International Representation Grant

International Representation Grants are awarded on an ad-hoc basis throughout the year as individuals are offered opportunities for international representation.

Grants are awarded within the allocated budget and in line with the grant criteria.

As individual applications are received, a Council officer will prepare a summary report and make a recommendation. This will be circulated to Committee members via email along with a copy of the application. Committee Members will:

- a) assess and consider applications and award in line with criteria and budget allocation
- b) make decisions on behalf of Council. Due to the at times, tight timeframes, it is not always practical to report to Council prior to awarding a grant
- c) All decisions will be reported to Council.

## HEARINGS AND REGULATORY COMMITTEE

<b>Elected Members</b>	Five
<b>Independent Members</b>	<b>None</b>
<b>Meeting Frequency</b>	Meets as required
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number
<b>Reports to</b>	Council

### Area of Focus

The Hearings Committee will consider and determine matters under these acts:

- Resource Management Act 1991
- Dog Control Act 1996

### Terms of Reference

The Hearings Committee has responsibility for and authority to:

- a) undertake the administration of all statutory functions, powers and duties within its terms of reference, other than those specifically delegated to any other committee or retained by Council
- b) approve Council's list of Hearings Commissioners under the Resource Management Act 1991 (comprising qualified Councillors sitting as Hearings Commissioners and independent Commissioners)
- c) review and agree the Council's guidelines for composition of hearings panels
- d) conduct statutory hearings on regulatory matters such as Council Bylaws, matters under the Dog Control Act 1996, etc, and undertake and make decisions on those hearings (excluding Resource Management Act 1991)
- e) hear and determine submissions and objections in relation to proposed changes to the operative District Plan
- f) hear and determine submissions and objections in relation to any proposed District Plan or variation thereof
- g) hear and determine any objections made under S 357 of the Resource Management Act (under which applicants may object to certain resource consent decisions made by officers under delegated authority)
- h) hear and consider matters requiring a decision as a result of the special consultative process having been undertaken and make any decisions needed as a consequence, except the actual adoption, pertaining to the formulation and review of Policy and Bylaws
- i) determine matters under any other legislation where a hearing process is necessary.

Note: 4. above does not preclude Committee Members dealing with matters under the Resource Management Act 1991.

<b>CHIEF EXECUTIVE EMPLOYMENT AND PERFORMANCE COMMITTEE</b>	
<b>Elected Members</b>	Five
<b>Independent Members</b>	None
<b>Meeting Frequency</b>	12 Weekly
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number
<b>Reports to</b>	Council

## Area of Focus

The Chief Executive Employment and Performance Committee will have responsibility for the effective monitoring of the Chief Executive Officer's performance and has the authority to undertake the annual remuneration review. The Committee also has the role of undertaking any review for the purposes of clause 35 schedule 7 LGA 2002, making a recommendation under clause 34 schedule 7 LGA 2002, and (if applicable) undertaking any recruitment and selection process, for recommendation to the Council.

## Terms of Reference

The Chief Executive Employment and Performance Committee will have responsibility for the effective monitoring of the Chief Executive Officer's performance and has the authority to undertake the annual remuneration review. The Committee also has the role of undertaking any review for the purposes of clause 35 schedule 7 LGA 2002, making a recommendation under clause 34 schedule 7 LGA 2002, and (if applicable) undertaking any recruitment and selection process, for recommendation to the Council.

The Chief Executive Employment and Performance Committee will have responsibility and authority to:

- a) Lead the Chief Executive recruitment process in accordance with best practice and the Local Government Act 2002, with the exception of the power to appoint a Chief Executive
- b) Manage any employment dispute(s) that may arise
- c) Agree with the Chief Executive the annual performance objectives
- d) Undertake a six monthly review to assess progress against the performance objectives, provide constructive feedback and agree to any amendments to the objectives with the Chief Executive
- e) Conduct a review at the end of the financial year to assess progress against the performance objectives and provide constructive feedback
- f) Undertake the annual remuneration review and make recommendations regarding remuneration to Council.

The committee do not have delegations to conduct the following – These responsibilities sit with the role of the wider Council.

- g) Undertake contract renewal/extension in accordance with the Local Government Act 2002
- h) Negotiate and amend the terms and conditions of employment of the Chief Executive
- i) Determine annual remuneration review decisions

<b>COMMUNITY WELL-BEING COMMITTEE</b>	
<b>Elected Members</b>	Up to Three
<b>External Membership</b>	Various
<b>Meeting Frequency</b>	12 Weekly
<b>Quorum</b>	An elected member as Chair of the meeting. There is no formal set quorum for this meeting, other than n elected member as Chair, as it is a non-decision making body.
<b>Reports to</b>	Council

## **Purpose**

The Community Wellbeing Committee brings together representatives from Council, government and non-government organisations, and community forums. The Committee will focus on population level results and indicators (rather than specific programme deliverables or client level results) and key action plans.

## **Terms of Reference**

The Community Wellbeing Committee will have responsibility to:

- a) Oversee the implementation of the Community Wellbeing Strategy and associated wellbeing action plans.
- b) Determine the key population level results and indicators for the next 3 years, and monitor those
- c) Receive reports from the Community Development Team that summarise target population group activity by Council and Council working groups
- d) Receive six monthly reports from all member agencies regarding activity directed at target population groups and provision of data that relates to specified strategy indicators
- e) Actively encourage coordination of members and their activities
- f) Foster strategic collaborations and partnerships
- g) Provide advice to Council officers on matters of community wellbeing in relation to specific target populations
- h) Seek to collectively influence relevant public policy
- i) Communicate Committee activity and information, to the public
- j) Educate the public and community on wellbeing matters
- k) Actively seek individual agency performance improvement, as well as “community wide” improvement
- l) Encourage community based local solutions to local issues
- m) Keep the wider community updated on progress towards the results sought across the Horowhenua District.

## TE AWAHOU FOXTON COMMUNITY BOARD

<b>Elected Members</b>	Five plus Kere Kere Ward Councillor (one)
<b>Independent Members</b>	None
<b>Meeting Frequency</b>	12 Weekly
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number
<b>Reports to</b>	Council

### Purpose

The role of Te Awahou Foxton Community Board is to:

- represent and act as an advocate for the interests of its community
- consider and report on matters referred to it by Council
- maintain an overview of services provided by Council within the community
- prepare an annual submission to Horizons Regional Council and Horowhenua District Council for expenditure within the community
- communicate and liaise with community organisations and special interest groups within the community on matters of interest and concern.

### Terms of Reference

The Community Board shall:

- facilitate the Council's consultation with local residents and community groups on local issues including input into the Long Term Plan, Annual Plan and policies that impact on the Community Board area
- engage with Council Officers on local issues and levels of service, including infrastructure, parks and recreation, and community services matters.
- Council will consult with the Board on all issues that impact on the Board's area and allow enough time for the Board's feedback to be considered before a decision is made.

The Community Board has responsibility for and authority to:

- a) Make submissions to any organisation, including submissions on resource consents notified by Horowhenua District Council or Horizons Regional Council, relating to matters of interest within the Board's area. A copy of any submissions made should be copied to the Chief Executive.
- b) Represent the interests of the community at Council, Committee or Subcommittee meetings when a motion under debate relates to a matter that the Board considers to be of particular interest to residents within its area.
- c) Consider matters referred to it by Officers, Council or committees, including reports relating to the provision of council services within the Board's area, and make submissions or recommendations in response to those matters as appropriate. This includes:
  - i. monitoring and keeping the Council informed of community aspirations
  - ii. keeping Council informed about the level of satisfaction with services provided
  - iii. providing input to proposed District Plan changes that may impact on the Board's area
  - iv. providing input into strategies, policies and plans

- v. providing input to bylaw changes that impact on the Board's area.
- d) Provide input and feedback to Council Officers on the following matters:
  - i. local road work priorities
  - ii. traffic management issues such as traffic safety, pedestrian crossings and street lighting
  - iii. application of the Resource Management Act (including notification of decisions) within the Board's area
  - iv. the Emergency Management needs of the area.
- e) This input and feedback can be provided from the full Board or from a subcommittee of the Board. The final decision on matters in d), will be made by Council Officers acting under their delegated authority.
- f) The Board shall formally report back to Council on its activities at each Council meeting via a written report of the Chairperson. The Chairperson will have speaking rights at each Council meeting.

DISTRICT LICENSING COMMITTEE	
<b>Elected Members</b>	Two (Chairperson and Deputy Chairperson , as appointed under s. 189(2) and (3), respectively, of the Sale and Supply of Alcohol Act 2012
<b>External Membership</b>	Up to two, drawn from a panel
<b>Meeting Frequency</b>	As required
<b>Quorum</b>	Three
<b>Reports to</b>	Statutorily independent

## Purpose

The Sale and Supply of Alcohol Act 2012 (the Act) requires Council to appoint a District Licensing Committee to deal with licensing matters. The District Licensing Committee is appointed to administer the Council's alcohol licensing framework, as determined by the Act.

## Terms of Reference

The functions of the District Licensing Committee are specified by the Act and are:

- a) to consider and determine applications for licenses and manager's certificates
- b) to consider and determine applications for renewal of licenses and manager's certificates
- c) to consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Act
- d) to consider and determine applications for the variation, suspension, or cancellation of special licenses
- e) to consider and determine applications for the variation of licenses (other than special licenses) unless the application is brought under section 280 of the Act (Note: section 280 relates to applications by constables or inspectors to the Alcohol Regulatory Licensing Authority (ARLA) for the variation, suspension or cancellation of a licence, other than a special licence)
- f) with the leave of the Chairperson for the licensing authority (ARLA), to refer applications to the licensing authority
- g) to conduct inquiries and to make reports as may be required of it by the licensing authority under section 175 of the Act
- h) any other functions conferred on licensing committees by or under the Act or any other enactment.

<b>DISTRICT GROWTH AND PLANNING STEERING GROUP</b>	
<b>Elected Members</b>	Five
<b>External Membership</b>	None
<b>Meeting Frequency</b>	Six Weekly
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number

<b>CAPITAL PROJECTS DELIVERY STEERING GROUP</b>	
<b>Elected Members</b>	Five
<b>External Membership</b>	One
<b>Meeting Frequency</b>	Six Weekly
<b>Quorum</b>	Half the membership, or a majority of members if there is an odd number

**Purpose**

The Steering Groups outlined in this section do not meet the definition of meeting under Part 7, clause 45 of the Local Government (Official Information and Meetings) Act 1987, as they are advisory or supervisory on nature and do not have any decision making power. They have been included in these terms of reference in the interests of openness and transparency.

Each Steering Group will be required to report to Council on their activities on a regular basis.

## 16. 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 with the public excluded. Although meetings are open to the public, members of the public do not have Public Participation time allocated unless they make prior arrangements with the Council.

Public Forums are a great opportunity for members of the public to raise any matters of concern directly to the Mayor and Councillors. These Forums are held prior to Council Meetings and run for 30 minutes. There is no need for a member of the public to request to speak to the forum, if they wish to speak they can just attend and voice their concerns.

More information about how to request time to speak to an item on the agenda at a Council or committee meeting can be found on the HDC website or by calling Council.

<http://www.horowhenua.govt.nz/Council/Your-Council/Meeting-Schedules-Requests>

All Open Council meetings and workshops are publically livestreamed through YouTube:

<https://www.youtube.com/@HorowhenuaDistrictCouncil>

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.

Council is required to adopt a set of Standing Orders for the conduct of its meetings and those of its committees.

The Horowhenua District Council adopted their Standing Orders for Meetings on 16 November 2022. These can be found on Council's website. During meetings of the Council or committees, all council members must follow Standing Orders unless Standing Orders are suspended by a vote of three-quarters of the members present and voting. The Mayor or committee chair is responsible for maintaining order at meetings.

The Council agenda is a public document, although parts may be withheld if it contains an item that is to be considered with the public excluded.

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

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

Monthly meeting schedules are required to be publicly notified together with the dates, times and venues of meetings to be held. Copies of order papers can be viewed either from the Horowhenua District Council Service Centres, Libraries and Council's website:

<http://www.horowhenua.govt.nz/Council/Your-Council/Council-Meetings>

## 17. Engagement and Consulting with Māori

There are four Iwi within the boundaries of the Horowhenua District Council – Muaūpoko, Ngāti Raukawa ki te Tonga, Ngāti Apa and Rangitāne. Horowhenua District Council recognises the importance and special position of tangata whenua within the district.

Engaging and consulting with Māori is important and as such Council is looking to enhance relationships by increasing the level of capacity and capability within the organisation. We are currently working on a Māori engagement framework and are in the final stages of developing the Tūhono ki Te Ao Māori – cultural induction toolkit for staff. This will help to achieve more meaningful and effective consultation on a wide range of issues affecting Māori.”

Protecting the environment, economic growth and social wellbeing is important to Council and Māori. As such it is vital that those with local knowledge and experience are consulted on a range of issues, activities and plan reviews such as Long Term Plan, Annual Plan and District Plan to name a few.

Through its decision-making processes, Council recognises the principals of the Treaty of Waitangi and kaitiakitanga, providing for the relationship of Māori and their traditions with their ancestral lands, water sites, waahi tapu and other taonga. And further, Council recognises its obligations under the Local Government Act 2002 to establish and provide opportunities to Māori to contribute to its decision-making processes and make information available to Māori for this purpose.

More information about these Iwi partnerships can be viewed at:

<http://www.horowhenua.govt.nz/Council/Iwi-Relationships>

## 18. Key Approved Planning Documents

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

### The Long Term Plan (LTP)

A Long Term Council Community Plan (LTP) must be prepared that sets out Council's priorities for the next 20 years. It must provide information on budgets, rating levels, major projects and general Council services. It must also outline Horowhenua District's community outcomes – the aspirations of the community for the next 20 years or so – and Council's role in meeting them. The current LTP was adopted in June 2021 for the financial year beginning 1 July 2022. The Plan is reviewed and updated every three years, with the next review due in 2024.

### Annual Plan

In intervening years where an LTP is not prepared, an annual plan must be prepared. Each annual plan will describe the work programme to deliver that year's 'slice' of the LTP.

### Annual Report

After the end of the financial year Council publishes an annual report which contains audited accounts for the previous financial year. The purpose of the annual report is to:

- Compare the actual activities and actual performance of the local authority in the year with the intended activities and performance as set out in the LTP or annual plan
- Promote the local authority's accountability to the community for decisions made throughout the year by the local authority.

The Annual Report must be adopted by the end of October each year and contain an audited financial statement, set of accounts, and annual financial report which assesses Council's financial performance against its budget. Audit NZ are responsible for auditing Council's financials.

### Horowhenua District Plan

The District Plan is Council's key document for managing the district's natural and physical resources, recognising Council's functions and duties under the Resource Management Act 1991. The main purpose of the District Plan is to ensure that land use and subdivision in the Horowhenua District are sustainably managed. The District Plan identifies the district's significant resource management issues and sets out objectives, policies and rules to address these.

The Council's second generation District Plan became operative on 1 July 2015 following the review of the Horowhenua District Plan (1999).

**The following Strategies and Action Plans can be found on Council's website. These strategies and plans have been adopted by Council and inform the strategic vision and work plan for Council:**

- Community Wellbeing Strategy and Action Plans
- Heritage Strategy
- Horowhenua Economic Development Strategy
- Open Space Strategy
- Waste Management and Minimisation Plan
- Horowhenua Development Plan
- Reserve Management Plan
- Horowhenua Shared Pathways Strategy

## 19. Consultation

The Horowhenua District Council carries out consultation according to the Local Government Act 2002. The Act sets out consultation requirements and principles for Council (sections 75-87) to follow when making decisions. You can find out more by visiting:

[http://www.localcouncils.govt.nz/lqip.nsf/wpg\\_url/About-Local-Government-Local-Government-In-New-Zealand-How-councils-should-make-decisions#Decision-MakingPrinciples](http://www.localcouncils.govt.nz/lqip.nsf/wpg_url/About-Local-Government-Local-Government-In-New-Zealand-How-councils-should-make-decisions#Decision-MakingPrinciples)

Following a review of Council's engagement activities, strategy and policy, Council has updated its Significance and Engagement Policy and will engage with the public on the revised policy, through the draft 2017/18 Annual Plan engagement process.

The major recommendation is that the policy includes Council's engagement principles in its Community Engagement Strategy and that the strategy is rescinded.

### 19.1 Special Consultation Procedure

The Special Consultative Procedure has specific procedures that Council must follow when making certain types of decisions. The Special Consultative Procedure (mainly sections 83-87 of the Local Government Act 2002) is regarded as a minimum process that the Council must use when making decisions that trigger particular criteria within the Local Government Act 2002 or the Council's Significance and Engagement Policy.

To find out more about the Special Consultative Procedure, go to:

<http://www.legislation.govt.nz/act/public/2002/0084/latest/DLM172328.html>

### 19.2 Significance and Engagement Policy

Council's Significance and Engagement Policy (required under LGA 2002) outlines:

- general approach to determining the significance of proposals and decisions
- criteria or procedures for assessing the extent to which issues, proposals, assets, decisions, or activities are significant or may have significant consequences
- how the local authority will respond to community preferences about engagement on decisions relating to specific issues, assets, or other matters, including the form of consultation that may be desirable
- how the local authority will engage with communities on other matters.

The purpose of the policy is for the council and the community to identify significance and have clarity about how the council will engage with the community.

Find out more at

<http://www.horowhenua.govt.nz/Council/Local-Bylaws-Policies/Significance-and-Engagement-Policy>

The Council can and does conduct consultation outside of these processes. A range of consultation techniques have been used including surveys, focus group meetings, meetings and displays.

## 20. Equal Employment Opportunities Policy

Horowhenua District Council is committed to developing Equal Employment Opportunities (EEO) for all current and future employees. Council is a member of Equal Employment Opportunities Trust. Diversity is valued and embraced.

Fair and equitable employment practices are essential for an efficient and effective workforce.

Staff will be recruited, appointed, developed and promoted on the basis of their paid and unpaid work experience, ability, skills and future potential.

Council policies and practices are designed to prevent discrimination based on:

- Gender
- Race
- Family preferences
- Marital status
- Religious, cultural or political belief
- Disability
- Age
- Sexual orientation

Staff are provided information and education on Council's employment policies and procedures. This aims to support the prevention of discrimination and to promote a workplace that values diversity and promotes equal employment opportunities.