



# Local Governance Statement

## March 2017

Involving the Community in Council

# Contents Page

Part 1	What is a Local Governance Statement?	3
Part 1	Functions, Responsibilities and Activities	4
Part 3	Legislation	5
Part 4	Local Legislation	6
Part 5	Bylaw	6
Part 6	Requests for Official Information	7
Part 7	The Electoral System and the opportunity to change it?	9
Part 8	Representation Arrangements	10
Part 9	Structure and Reorganisation Proposals	12
Part 10	Members Roles and Conduct	12
Part 11	Public Access to Council and Elected Members	15
Part 12	Management Structure	20
Part 13	Council Organisations	21
Part 14	Appointments to Statutory Bodies, Community Groups/Associations and Other Organisations 2013-2019	22
Part 15	Governance Structures and Processes	24
Part 16	Meeting Processes	36
Part 17	Engagement and Consulting with Māori	37
Part 18	Key Approved Planning Documents	38
Part 19	Consultation	39
Part 20	Equal Employment Opportunities Policy	40

# 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

**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.

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 future circumstances.

The governance statement will be updated from time to time to ensure that its content is accurate and up to date. For the most recent copy please contact Council on (06) 366 0999 or visit our website [Click here](#)

## 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 10 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 10 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 2015–2025.

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 [Click here](#)

## 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 [Click here](#) 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 [Click here](#) 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 [Click here](#)

## 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.

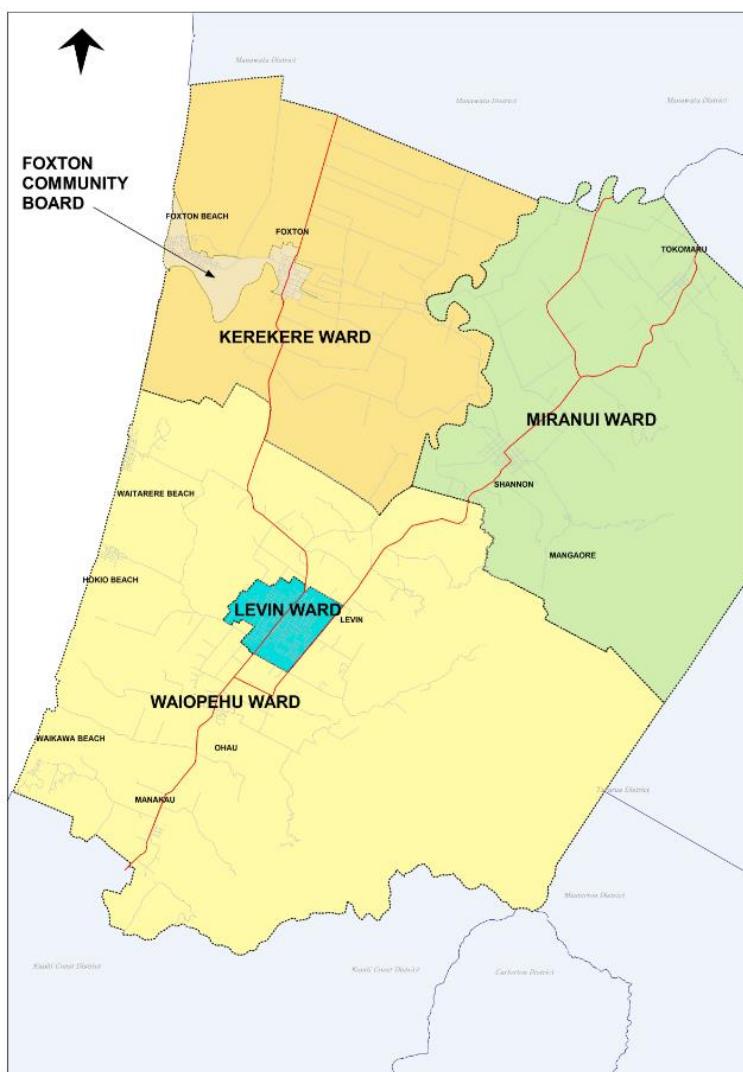
At least 5% of electors can initiate a poll by signing a petition demanding that a poll be held. Once changed, an electoral system must be used for at least the next two triennial general elections, ie the electoral system cannot change for one election and then change back for the next election.

## 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.

Kere Kere Ward	5,580 (2 members)
Miranui Ward	2,940 (1 member)
Levin Ward	16,550 (5 members)
Waiopēhu Ward	6,380 (2 members)
<b>Total</b>	<b>31,450</b>



## **8.2 Community Board**

Council has one Community Board - the 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 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 or conduct a poll on the matter, or the community may demand a poll. A petition of five percent (or more) of electors can require the Council to conduct a poll.

No action has been initiated to establish a Māori ward to date.

## **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 2012 and retained the FPP system at a meeting on 3 August 2012. 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 [Click here](#)

## 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 upholding 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 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.

### 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 1 February 2017. 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 0508 800 800.

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)  
Fax 06 366 0983  
[E-mail](#)  
[Website](#)  
[Facebook](#)

## 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 [Click here](#)

To contact the Mayor or a Councillor refer to pages 16-19.

Contact details for Council's management are shown on page 20 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 [Click here](#)

## 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.

## 11.4 Elected Representatives

The elected representatives to Council are the Mayor and ten 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

The only Community Board in the district is the 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 Michael Feyen</p> <p>Mobile: 027 4419 923</p> <p>Email: <a href="mailto:mayor@horowhenua.govt.nz">mayor@horowhenua.govt.nz</a></p>
	<p>Deputy Mayor Wayne Bishop</p> <p>Ward: Waiopahu</p> <p>Mobile: 0274 474 611</p> <p>Email: <a href="mailto:cr.wayne.bishop@horowhenua.govt.nz">cr.wayne.bishop@horowhenua.govt.nz</a></p>
	<p>Cr Ross Brannigan</p> <p>Ward: Kere Kere</p> <p>Mobile: 021 247 7338</p> <p>Email: <a href="mailto:cr.ross.brannigan@horowhenua.govt.nz">cr.ross.brannigan@horowhenua.govt.nz</a></p>



Cr Ross Campbell

Ward: Miranui  
Mobile: 027 253 3956  
Email: [cr.ross.campbell@horowhenua.govt.nz](mailto:cr.ross.campbell@horowhenua.govt.nz)



Cr Neville Gimblett

Ward: Kere Kere  
Mobile: 021 121 2214  
Email: [cr.neville.gimblett@horowhenua.govt.nz](mailto:cr.neville.gimblett@horowhenua.govt.nz)



Cr Barry Judd

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Mobile: 027 367 2030  
Email: [cr.barry.judd@horowhenua.govt.nz](mailto:cr.barry.judd@horowhenua.govt.nz)



Cr Victoria Kaye-Simmons

Ward: Levin  
Mobile: 027 601 1014  
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Cr Jo Mason

Ward: Levin  
Mobile: 027 248 6643  
Email: [cr.jo.mason@horowhenua.govt.nz](mailto:cr.jo.mason@horowhenua.govt.nz)



Cr Christine Mitchell

Ward: Waiopahu  
Mobile: 027 318 7703  
Email: [cr.christine.mitchell@horowhenua.govt.nz](mailto:cr.christine.mitchell@horowhenua.govt.nz)



Cr Piri-Hira Tukapua

Ward: Levin  
Mobile: 027 529 4883  
Email: [cr.pirihira.tukapua@horowhenua.govt.nz](mailto:cr.pirihira.tukapua@horowhenua.govt.nz)



Cr Bernie Wanden

Ward: Levin  
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Email: [cr.bernie.wanden@horowhenua.govt.nz](mailto:cr.bernie.wanden@horowhenua.govt.nz)

## Foxton Community Board

	<p><b>David Roache</b> <i>Chairperson</i> Mobile: 027 442 5961 Email: <a href="mailto:davidroache@horowhenua.govt.nz">davidroache@horowhenua.govt.nz</a></p>
	<p><b>Tricia Metcalf</b> <i>Deputy Chairperson</i> Mobile: 021 447 711 Email: <a href="mailto:triciametcalf@horowhenua.govt.nz">triciametcalf@horowhenua.govt.nz</a></p>
	<p><b>David Allan</b>  Mobile: 021 031 1812 Email: <a href="mailto:davidallan@horowhenua.govt.nz">davidallan@horowhenua.govt.nz</a></p>
	<p><b>John Girling</b>  Mobile: 021 025 75080 Email: <a href="mailto:johngirling@horowhenua.govt.nz">johngirling@horowhenua.govt.nz</a></p>
	<p><b>Jenny Lundie</b>  Mobile: 027 600 0475 Email: <a href="mailto:jennylundie@horowhenua.govt.nz">jennylundie@horowhenua.govt.nz</a></p>

## 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 six groups, each of which is headed by a Senior or Group Manager.

- Customer & Community Services
- Business Services
- Strategic Planning
- Infrastructure Services
- Finance
- Economic Development

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

David Clapperton is Council's Chief Executive. His contact details are:

	<p>David Clapperton Chief Executive</p> <p>Email: <a href="mailto:davidc@horowhenua.govt.nz"><u>davidc@horowhenua.govt.nz</u></a> Phone: 06 366 0999</p>
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## 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 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 2016-2019

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.

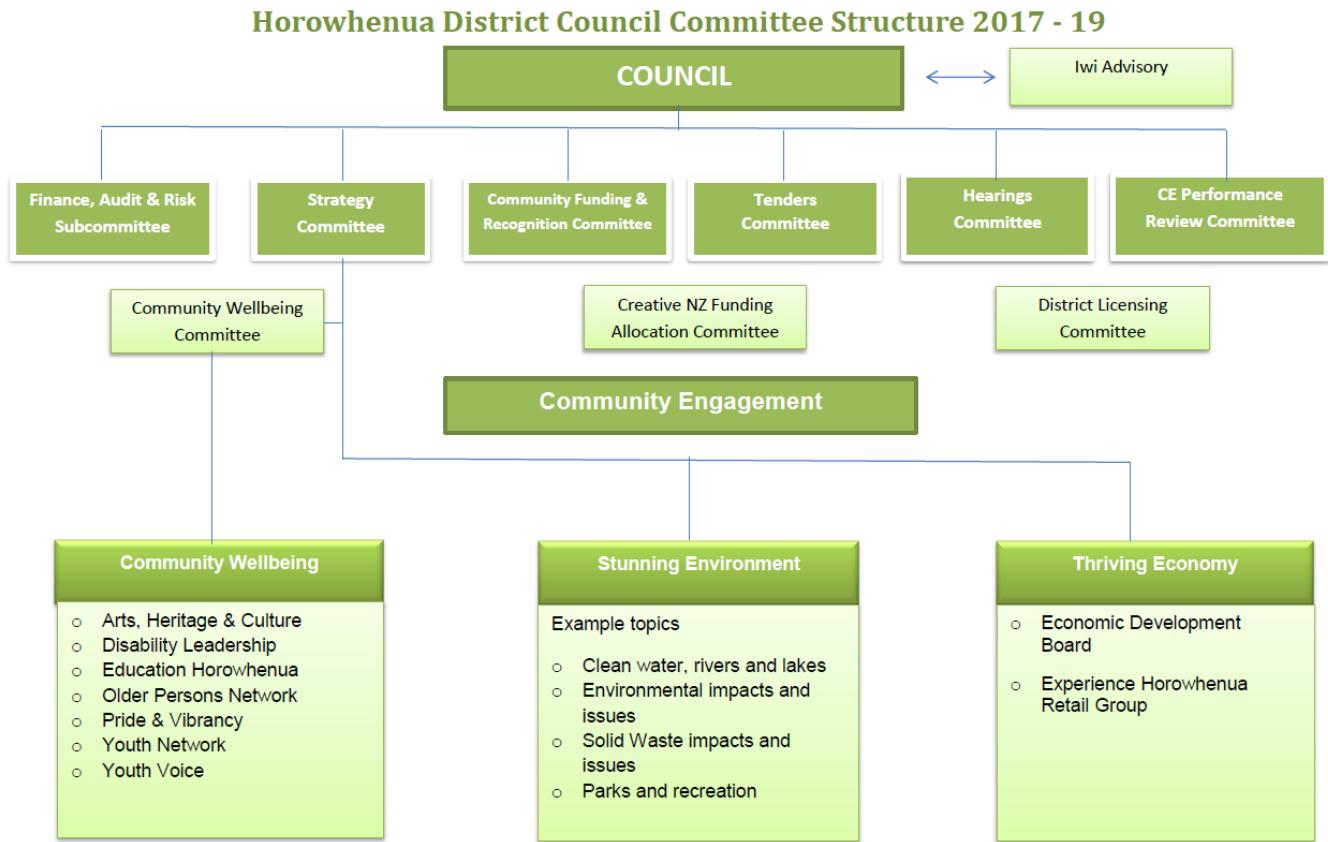
Community Organisation / Group	Appointment(s)
Coast Access Radio - Horowhenua District Trustee	Cr Barry Judd
Crime Prevention Camera Trust	Cr Ross Brannigan Cr Victoria Kaye-Simmons
Disability Leadership Forum	Cr Jo Mason
Education Horowhenua	Cr Barry Judd Cr Piri-Hira Tukapua
Foxton Area Community Medical Trust	Cr Neville Gimblett
Hokio Progressive Association Inc	Cr Christine Mitchell Cr Wayne Bishop
Horizons Regional Council – Passenger Transport Committee	Cr Neville Gimblett
Horizons Regional Council – Regional Transport Committee	Mayor Feyen Cr Ross Campbell (alternate)
Horowhenua District Health Transportation Trust	Cr Victoria Kaye-Simmons
Horowhenua Events Centre Trust	Council Appointee - Stephen Poulton
Horowhenua Health Workforce Trust	Cr Jo Mason
Horowhenua Lake Domain Board	Mayor Feyen Cr Victoria Kaye-Simmons Cr Piri-Hira Tukapua
Horowhenua Learning Centre Trust	Cr Piri-Hira Tukapua
Horowhenua Neighbourhood Support Management Committee	Cr Jo Mason
Jack Allen Community House	Cr Victoria Kaye-Simmons
Keep Levin Beautiful Committee	Cr Victoria Kaye-Simmons
Lake Accord (He Hokioi Rerenga Tahi)	Mayor Feyen Cr Victoria Kaye-Simmons Cr Ross Campbell
Manakau District Community Association	Cr Christine Mitchell Cr Wayne Bishop
Manawatu River Users Advisory Group	Mayor Feyen Cr Ross Campbell

Manawatu/Wanganui Regional Disaster Relief Fund Trust	Cr Bernie Wanden
Manawatu-Wanganui Region Civil Defence Emergency Management Group Governance Body	Mayor Feyen
Mangaore Village Residents' Association	Cr Ross Campbell
Mayor's Task Force for Jobs	Mayor Feyen
National Museum of Audio Visual Arts & Sciences Trust Board	Cr Ross Brannigan
Save Our River Trust	Mayor Feyen
Shannon Community Development Trust	Cr Ross Campbell
Shannon Progressive Association Inc	Cr Ross Campbell
Shannon Sewerage Working Party	Cr Ross Campbell
Thompson House Committee	Cr Victoria Kaye-Simmons
Waikawa Beach Ratepayers Association	Cr Christine Mitchell Cr Wayne Bishop
Waitarere Beach Progressive and Ratepayers Association Inc	Cr Christine Mitchell Cr Wayne Bishop
Youth Voice	Cr Piri-Hira Tukapua

# 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 Finance, Audit & Risk Subcommittee, Strategy Committee, Community Funding & Recognition Committee, Tenders Committee, Hearings Committee, Chief Executive Performance Review Committee and Community Wellbeing Committee as official committees of Council.



The role of the Community Engagement Forums is to give advice and feedback to Council and provide a conduit to wider community views. The forums are new to Council's structure and form an integral part of how the community can be more involved in Council activities.

## 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 2016–2019 triennium are as follows:

Committee	Members	Chair	Deputy Chair
Chief Executive's Performance Agreement Review Committee	Full Council	Mayor Michael Feyen	Deputy Mayor Bishop
Community Recognition & Funding Committee	Cr Bernie Wanden Cr Jo Mason Cr Piri-Hira Tukapua	Cr Neville Gimblett	Cr Ross Campbell
Community Wellbeing Committee		Cr Barry Judd	Cr Jo Mason
Creative New Zealand Funding Allocation Committee	Cr Victoria Kaye Simmons Cr Ross Brannigan	To be appointed by Committee	
Finance, Audit and Risk Subcommittee	Full Council	Independent Chair	Cr Barry Judd
Hearings Committee	Cr Bernie Wanden	Cr Jo Mason	Cr Piri-Hira Tukapua
Strategy Committee	Full Council	Mayor Michael Feyen	Cr Victoria Kaye Simmons
Tenders Committee	Cr Ross Brannigan Cr Neville Gimblett Cr Christine Mitchell	Deputy Mayor Bishop	Cr Ross Campbell
Community Engagement Forums			
Economic Portfolio	Cr Bernie Wanden Deputy Mayor Bishop		
Environmental Portfolio	Cr Christine Mitchell Cr Neville Gimblett		
Cultural Portfolio	Mayor Michael Feyen Cr Piri-Hira Tukapua Cr Ross Campbell Cr Barry Judd		
District Licensing Committee	-	Cr Ross Brannigan	Cr Neville Gimblett

Appointments are to be reviewed annually, as agreed by Council.

### 15.3 Meeting Frequency

Council, Finance, Audit & Risk Subcommittee, Strategy Committee and Foxton Community Board meet on a six weekly meeting cycle.

Hearings Committee, Community Wellbeing Committee and Community Forums meeting dates can be found on our website:

A schedule of meeting dates can be found on Council's website [Click here](#)

### 15.4 Terms of Reference

Terms of Reference for Council, committees and special committees were adopted by Council on 1 February 2017.

COUNCIL	
<b>Membership</b>	11
<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>	6

#### 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:*

1. make a rate
2. make a bylaw
3. borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan
4. adopt a Long Term Plan or Annual Plan and Annual Report
5. appoint a Chief Executive
6. 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
7. adopt a remuneration and employment policy
8. approve or amend Council's Standing Orders
9. approve or amend the Code of Conduct for elected members
10. appoint and discharge members of committees
11. establish a joint committee with another local authority or other public body

*In addition, Council can:*

1. approve a proposed plan under the Resource Management Act 1991
2. approve Council policy and strategy
3. remove chairpersons of committees, subcommittees and Community Engagement Forums

4. approve Council's recommendation to the Remuneration Authority for the remuneration of elected members
5. approve the Triennial Agreement
6. approve the Local Governance Statement
7. make decisions on representation reviews
8. appoint or remove trustees, directors or office holders to Council CCOs or COs
9. approve the recommendation of a hearings commissioner on a proposed plan, plan change or variation (including private plan change) and
10. approve a proposed plan or a change to a district plan under clause 17 of the First Schedule

FINANCE, AUDIT & RISK SUBCOMMITTEE	
<b>Membership</b>	12 (full Council, one independent)
<b>Meeting Frequency</b>	Meets on a six weekly basis
<b>Quorum</b>	6
<b>Reports to</b>	Council

### Purpose

The Finance, Audit and Risk Subcommittee provide objective advice and recommendations regarding the results of Council's financial processes, risk management, control and governance frameworks and processes. It is responsible for exercising active oversight of all areas of the Council's control and accountability in an integrated and systematic way.

The Finance, Audit and Risk Subcommittee ensure Council takes responsibility for:

- the robustness of the internal control framework and financial management practices
- the integrity and appropriateness of internal and external reporting and accountability arrangements
- the robustness of risk management systems, processes and practices
- the independence and adequacy of internal and external audit functions
- compliance and applicable laws, regulations, standards and best practice guidelines
- the establishment, maintenance and effectiveness of controls to safeguard the Council's financial and non-financial assets

### Terms of Reference

The Finance, Audit and Risk Subcommittee assist Council to fulfil its responsibilities by:

1. Undertaking the administration of all statutory functions, powers and duties within its terms of reference, other than those specifically delegated to any other committee or subcommittee, or retained by Council.
  - a. reviewing asset management plans
  - b. monitoring Council's investments and debt portfolio
  - c. monitoring debt recovery and recommending write offs as appropriate.
2. Internal Control Framework
  - a. review whether management's approach to maintaining an effective internal control framework is sound and effective

- b. review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour
- c. review whether management has in place relevant policies and procedures and how these are reviewed and monitored
- d. review whether there are appropriate systems, processes and controls in place to prevent, detect and effectively investigate fraud.

### 3. Internal Reporting

- a. regularly review Council's performance against budget, Financial Strategy parameters and service level performance targets set out in the relevant Long Term Plan and/or Annual Plan
- b. regularly review Council's performance against the benchmarks set under the Local Government (Financial Reporting and Prudence) Regulations 2014 and any subsequent amendments
- c. consider the processes for ensuring the completeness and quality of financial and operational information being provided to the Council
- d. seek advice from internal and external auditors regarding the completeness and quality of financial operational information that is provided to Council.

### 4. External Reporting and Accountability

- a. review and recommend to the Council for adoption, the Council's Annual Report, and the Financial and service performance reporting aspects of the Long Term Plan (including the Financial Strategy and Infrastructural Strategy) and Annual Plans
- b. agree the appropriateness's of the Council's existing accounting policies and principles and any proposed change
- c. satisfy itself that the financial statements and statements of service performance are supported by appropriate management signoff in relation to significant estimates and judgements and the adequacy of the systems of internal control.

### 5. Risk Management

- a. review whether management has in place a current, comprehensive and effective risk management framework and associated procedures for effective identification and management of Council's significant risks
- b. consider whether appropriate action is being taken by Management to mitigate Council's significant risks.

### 6. Internal Audit

- a. review and approve the internal audit coverage and annual work plans, ensuring these plans are based on the Council's risk profile
- b. review the adequacy of management's implementation of internal audit recommendations
- c. review the internal audit charter to ensure appropriate organisational structures, authority, access, independence, resourcing and reporting arrangements are in place.

### 7. External Audit

- a. prior to the commencement of each audit, confirm the terms of the engagement, including the nature and scope of the audit, timetable and fees, with the external auditor
- b. at the completion of each audit receive the external audit management report and review and monitor the resolution of the action(s) to be undertaken by management on significant issues and recommendations

- c. if so desired, host a members-only session with the external auditor to raise / discuss any matters that either side wishes to bring to the other's attention.

8. Compliance with Legislation, Standards and Best Practice Guidelines

- a. review the effectiveness of the system for monitoring the Council's compliance with laws including governance legislation, regulations and associated government policies, with Council's own standards, and best practice guidelines as applicable.

STRATEGY COMMITTEE	
<b>Membership</b>	11 (full Council)
<b>Meeting Frequency</b>	Meets on a six weekly basis
<b>Quorum</b>	6
<b>Reports to</b>	Council

### Purpose

The purpose of the Strategy Committee is to set the vision and direction for the Horowhenua District. In order to achieve this, the committee will determine specific outcomes that need to be met to deliver on the vision, and set in place the strategies, policies and work programmes to achieve set goals and targets.

### Terms of Reference

*The Strategy Committee is responsible for:*

#### Strategy and Policy

- a. developing and recommending strategies, plans and policies to Council that advance the Council's vision and goals, and comply with the purpose of the Local Government Act
- b. monitoring the implementation and effectiveness of strategies, plans and policies
- c. general coordination of Council policy and decisions
- d. provide and set topics for the agenda for Community Engagement Forums and receive feedback and status reports from Community Engagement Forums
- e. responding to government legislation proposals and policy issues.

#### Significant Projects and Monitoring and Reporting

- a. monitoring and oversight of significant projects
- b. review business cases and agree next steps on significant projects
- c. receive and consider reports on the Council's performance against the Long Term Plan and Annual Plan.

#### Community Consultation and Engagement

- a. receive reports from the Council's Community Engagement Forums and monitor engagement with the community
- b. review annually and agree upon the model for Community Engagement Forums to ensure ongoing effectiveness from Council and community perspective.

## COMMUNITY FUNDING AND RECOGNITION COMMITTEE

<b>Membership</b>	5
<b>Meeting Frequency</b>	Meets as required (anticipated to be up to six (6) times per annum)
<b>Quorum</b>	3
<b>Reports to</b>	Council

### TERMS OF REFERENCE

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

#### Community Grants and Funding

- a. to consider the allocation of community grants in line with the relevant grants criteria and priorities for:
  - o Community Development Grant
  - o Community Consultation Grant
  - o Rural Halls Grant
  - o Vibrant Communities Grant

To consider the Community Wellbeing Strategy and the associated Action Plan priorities (Positive Ageing, Youth, Arts, Culture, History and Heritage\*, Pride and Vibrancy\* and Disability\*) when making funding recommendations. (\*Action Plans currently under review)

- b. to make recommendations to Council for endorsement of funding allocations to specified applicants
- c. the criteria and focus areas for community grants funds will be reviewed by Council officers with the Community Funding and 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.

- a. to assess and consider applications for the following awards:
  - o Certificate of Recognition
  - o Civic Honour
  - o Mayoral Award
  - o Service Award

The criteria and focus areas for Civic Honours and Special Awards will be reviewed by Council officers with the Community Funding and Recognition Committee each triennium and recommendations regarding any significant changes will be made to Council during each three (3) year term.

#### Youth Scholarships

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

The criteria and focus areas for Youth Scholarships will be reviewed by Council officers with the Community Funding and Recognition Committee each triennium and recommendations regarding any significant changes will be made to Council during each three (3) year term.

### **Tertiary Scholarships**

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

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:

- a. 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 by 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 tight timeframes, it is not always practical to report to Council prior to awarding a grant
- c. All decisions will be reported to Council

The criteria and focus areas for International Representation Grants will be reviewed by Council officers with the Community Funding and Recognition Committee each triennium and recommendations regarding any significant changes will be made to Council during each three (3) year term.

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

TENDERS COMMITTEE	
<b>Membership</b>	6
<b>Meeting Frequency</b>	Meets as required
<b>Quorum</b>	3
<b>Reports to</b>	Council

### Terms of Reference

The Tenders Committee is responsible for assisting Council in its general overview of procurement and tender activity. The committee will accept and consider tenders which exceed the Chief's Executive's delegated authority to approve, for projects approved by Council through an Annual Plan or Long Term Plan.

The committee is able to provide oversight and direction to officers on tendering processes in general and/or relating to a particular project.

The Tenders Committee will make a recommendation to Council on the outcome of a tender process for resolution when above delegations.

The Tenders Committee has delegation to approve or award contracts beyond the Chief Executive's delegated authority within the parameters of approved AP/LTP Budgets up to \$2 million.

HEARINGS COMMITTEE	
<b>Membership</b>	4 or 5
<b>Meeting Frequency</b>	Meets as required
<b>Quorum</b>	3
<b>Reports to</b>	Council

### Purpose

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

- Resource Management Act 1991
- Dog Control Act 1996

### Delegations

Specific Delegations to the Hearings Committee are as stated in Part D of the Horowhenua District Council Delegations Register (RM8 D16/66721).

### Terms of Reference

The Hearings Committee has responsibility for and authority to:

1. approve Council's list of Hearings Commissioners under the Resource Management Act 1991 (comprising qualified Councillors sitting as Hearings Commissioners and independent Commissioners)

2. review and agree the Council's guidelines for composition of hearings panels
3. conduct statutory hearings on regulatory matters and undertake and make decisions on those hearings (excluding Resource Management Act 1991)
4. hear and determine submissions and objections in relation to proposed changes to the operative District Plan
5. hear and determine submissions and objections in relation to any proposed District Plan or variation thereof
6. 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)
7. 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.
8. determine matters under any other legislation where a hearing process is necessary.

<b>CHIEF EXECUTIVE PERFORMANCE REVIEW COMMITTEE</b>	
<b>Membership</b>	11
<b>Meeting Frequency</b>	Twice yearly
<b>Quorum</b>	6
<b>Reports to</b>	Council

### **Purpose**

The Chief Executive Performance Review Committee has responsibility for the effective monitoring of the Chief Executive's performance and has the authority to undertake the annual remuneration review.

The Committee also has the role of undertaking any recruitment and selection process, for recommendation to Council.

### **Terms of Reference**

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

1. agree with the Chief Executive the performance objectives for the financial year
2. 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
3. conduct a review at the end of the financial year to assess progress against the performance objectives and provide constructive feedback
4. undertake the annual remuneration review and make decisions regarding remuneration.

## CREATIVE NZ FUNDING ALLOCATION COMMITTEE

<b>Membership</b>	9
<b>Meeting Frequency</b>	Twice yearly
<b>Quorum</b>	5
<b>Reports to</b>	Council

### Purpose

Horowhenua District Council administers the Creative Communities NZ Scheme on behalf of Creative New Zealand. Creative New Zealand allocates the Horowhenua District an annual amount of funding to administer.

Members include Councillors and community representatives from performing arts, fine arts, music and cultural arts backgrounds. Committee members serve for a fixed period of up to three years and may serve for only two consecutive periods.

### Terms of Reference

To allocate funding provided from Creative New Zealand on a twice yearly basis under the criteria set by Creative New Zealand.

The Special Committee meet twice a year to consider applications received under the respective grant rounds and to allocate funding to qualifying applicants.

## DISTRICT LICENSING COMMITTEE

<b>Membership</b>	2x Council appointees (Chairperson and Deputy Chairperson) 5x external appointees
<b>Meeting Frequency</b>	Meets as required
<b>Quorum</b>	A Chairperson plus two members

### 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 include:

1. to consider and determine applications for licenses and manager's certificates
2. to consider and determine applications for renewal of licenses and manager's certificates
3. 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

4. to consider and determine applications for the variation, suspension, or cancellation of special licenses
5. 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)
6. with the leave of the Chairperson for the licensing authority (ARLA), to refer applications to the licensing authority
7. to conduct inquiries and to make reports as may be required of it by the licensing authority under section 175 of the Act
8. any other functions conferred on licensing committees by or under the Act or any other enactment.

#### *Reporting to Council*

An annual report on the proceedings and operations of the District Licensing Committee will be prepared and submitted to Council.

<b>Foxton Community Board</b>	
<b>Membership</b>	5 plus 1x Council appointee
<b>Meeting Frequency</b>	To be determined by the Board
<b>Quorum</b>	3
<b>Reports to</b>	Council

#### **Purpose**

The role of the 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:

1. as a board, 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
2. 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
3. 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:
  - a. monitoring and keeping the Council informed of community aspirations
  - b. keeping Council informed about the level of satisfaction with services provided
  - c. providing input to proposed District Plan changes that may impact on the Board's area
  - d. providing input into strategies, policies and plans
  - e. providing input to bylaw changes that impact on the Board's area
4. Provide input and feedback to Council Officers on the following matters:
  - a. local road work priorities
  - b. traffic management issues such as traffic safety, pedestrian crossings and street lighting
  - c. application of the Resource Management Act (including notification of decisions) within the Board's area
  - d. the Emergency Management needs of the area

This input and feedback can be provided from the full Board or from a subcommittee of the Board.

*Note:* the final decision on matters in No. 4, will be made by Council Officers acting under their delegated authority.

## 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.

More information about how to request time to speak to an item on the agenda at a Council or committee meeting can be found [Click here](#) or by calling Council.

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 1 February 2017. 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 [Click here](#)

## 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 creating a Māori Advisory Group. This will provide for an opportunity for a more solid and consistent working relationship with Māori across the district. In addition, this will achieve more meaningful and effective consultation on a wide range of issues affecting not only Māori, but the wider community.

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 [Click here](#)

## 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 10 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 10 years or so – and Council's role in meeting them. The current LTP was adopted in June 2015 for the financial year beginning 1 July 2015. The Plan is reviewed and updated every three years, with the next review due in 2018 for the 2018-28 period.

## **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 in terms of Council's functions and duties under the Resource Management Act 1991. The District Plan identifies the district's significant resource management issues and sets out objectives, policies and rules to address these issues.

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 [Click here](#)

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 [Click here](#)

### 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 [Click here](#)

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.