



LOCAL GOVERNANCE STATEMENT



Responsibility: Corporate

COUNCIL DOCUMENT

Adopted May 2017

Local Governance Statement

Introduction

The Local Governance Statement is prepared under section 40 of [The Local Government Act 2002](#). 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 and the key processes through which South Waikato District Council engages with the residents of the District. It also sets out how the Council makes decisions, and how citizens can influence these 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.

South Waikato District Council's Local Governance Statement

The Governance Statement:

- clarifies the governance and the management responsibilities
- clarifies the governance role and expected conduct of Elected Members
- describes the effective, open and transparent processes used by Council
- describes the separation of regulatory and non-regulatory responsibilities
- explains the good employer requirements.

Local Governance Statements ensure the community has information on the processes the Council follows when making decisions and taking action, and how the community can influence these processes.

The purpose of the South Waikato District Council is to enable democratic local decision-making to provide good quality local infrastructure, public services and regulatory functions at the least possible cost to the households and business of the South Waikato District in the present and the future.

Council has overall responsibility and accountability for the direction and control of Council's activities in furthering community outcomes.

Council has involvement in a number of activities including district infrastructure, environmental development (including regulatory functions), community development, provision of suitable recreation and leisure facilities, community consultation and economic development.

A key to the efficient running of the Council is the clear division between the roles of Council (elected members) and management. Elected members concentrate on setting the strategic vision and policies, while management is concerned with implementing policy and strategy.

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

Functions and responsibilities

The [Long Tern Plan](#) (LTP) sets out the activities and services we intend to provide to meet the District's needs for the current 10 year timeframe.

LOCAL LEGISLATION

Central Government and the Local Authority

Authority is conferred on local authorities as a group by legislation covering areas such as:

- Airports
- Building Controls
- Civil Defence and Emergency Management
- Dog Control and Stock Impounding
- Fire Protection
- Housing
- Litter Control
- Mining and Quarries
- Pollution
- Public Health (minor)
- Reserves, Cemeteries and Crematoria

- Resource Management
- Revenue
- Road Transport and Highways
- Urban Transport
- Water and Soil

Authority is also conferred on the South Waikato District Council (or its predecessors) by name under the Tokoroa Agricultural and Pastoral Association Empowering Act 1968.

Bylaws

Acting under legislation relating to local bylaws, the South Waikato District Council has in force the following:

- South Waikato District Council Dog Control Bylaw 2015
Allows Council to implement and enforce the provisions of Council's Dog Control Policy as formulated under the Dog Control Act 1996.
Currently being reviewed
- South Waikato District Council Speed Limits Bylaw 2008
Allows Council to set speed limits for all public roads in the South Waikato District except State Highways.
Review was due in January 2014 and was put on hold due to the Waikato Speed Management Project. New Zealand Transport Agency (NZTA) has appointed a governance group to oversee the implementation of a national Draft Speed Management Guide with the Waikato Region as the test region. This has now been completed and Council is currently proceeding with review.
- South Waikato District Council Parking and Traffic Bylaw 2008
Includes rules for the parking, stopping and standing of vehicles on District public roads, specifies loading zones and taxi stands and disabled persons' parking spaces, prohibits particular roads to certain vehicles and specifies how and when stock may be driven on public roads.
Currently being reviewed and being combined with Speed Limits Bylaw as proposed Land Transport Bylaw
- South Waikato District Council Solid Waste Bylaw 2008
Sets rules and guidelines for collection and disposal of refuse in an efficient and cost-effective manner in the interests of public health, protecting and enhancing environmental amenity and reducing impacts on public places. The bylaw also covers general issues relating to recycling, ownership of the waste stream, refuse storage, and waste management and minimisation.
Currently being reviewed as proposed Solid Waste Management and Minimisation Bylaw
- South Waikato District Council Trade Waste Bylaw 2008
This bylaw regulates the discharge of Trade Wastes to a sewerage system operated by the South Waikato District Council, and includes the classification of trade wastes, various treatment processes, the issuing of consents to discharge, and the monitoring and testing of waste.
Currently being reviewed
- Camping Control Bylaw 2011
This bylaw protects, promotes, and maintain public health and safety by regulating freedom camping within the district and restricts freedom camping in certain public places within the district.
Currently being reviewed
- Cemeteries and Crematoria Bylaw 2011

This bylaw facilitates the management of cemeteries under the Council's control. This bylaw covers matters such as burials, the sale of burial plots, erection and maintenance of monuments, headstones and structures, vehicle control, keeping of record and regulating other miscellaneous activities in cemeteries

Currently being reviewed

- Administration of Bylaws Bylaw 2011

This bylaw includes; service of notices and the powers of entry that apply to other Council bylaws (adopted after February 2011). This bylaw allows Council to suspend and revoke licences issued under other bylaws and deals with offences against Council bylaws. Provisions within this bylaw allow the removal of works or structures constructed in breach of council's bylaws. The bylaw includes the procedure for applying for a dispensation from any of Council's bylaws. Some definitions that are common to a number of bylaws are included in this bylaw.

Currently being reviewed

- Hostels Bylaw 2011

This bylaw controls the operation of hostel type accommodation including guesthouses, rooming houses, boarding houses, private hotels, residential clubs, motels, and hostels, except where these are licensed by other appropriate legislation.

Currently being reviewed

- Keeping of Animals, Poultry and Bees Bylaw 2011

This bylaw regulates the keeping of animals including pigs, poultry and bees in the district, to ensure they do not create a nuisance or endanger the health of the public. When necessary, this bylaw controls the number of cats or kittens a household may keep in urban areas. The keeping of dogs is not covered by this bylaw; it is covered by the Dog Control Bylaw. This bylaw controls the keeping and slaughtering of stock in urban areas and manages the nuisance that the keeping of stock in urban areas may cause if not managed appropriately.

Currently being reviewed

- Prostitution Location and Signage Bylaw 2012

The principal objective of this bylaw is to administer the purpose and intent of the Prostitution Reform Act 2003.

Currently being reviewed

- Public Places Bylaw 2011

The objective of this bylaw is to control and manage a wide range of activities within public places.

Currently being reviewed

- Water Supply Bylaw 2015

The primary purpose of this bylaw is to protect, promote and maintain public health for our urban communities.

- Open Fires in the Urban Area Bylaw 2014

This bylaw allows Council to exercise control over fires in the open urban air, provides for the protection people and property from the risk and spread of fires and prevents smoke causing a nuisance.

Due to be reviewed in collaboration with Fire and Emergency New Zealand (FENZ) after 1 July transition of Councils' rural fire functions

- Cultural and Recreations Facilities Bylaw 2011

This bylaw provides for full and proper use and enjoyment by the public of Council facilities to prevent misuse, abuse and disorderly behaviour.

Currently being reviewed.

The Property Maintenance and Nuisance Bylaw and Air Quality Bylaw being discussed and will be potentially adopted during 2017.

ELECTORAL SYSTEM

Independent Election

Council believes that the democratic election of Councillors (by Ward) by the citizens of South Waikato ensures that it is able to operate in the best interests of the district and to function independently of management.

Council

The South Waikato District Community elects the Mayor and ten Councillors at each triennial local election. These elections are held every 3 years in October. The last triennial election was held in October 2016.

The Mayor is elected “at large”, ie, by all the eligible voters of the district. Councillors are elected from three Wards - Tirau Ward (1 member), Putāruru Ward (3 members) and Tokoroa Ward (6 members). Candidates standing for election from a ward are nominated and voted for by the eligible electors (resident and non-resident) of that ward only. However, a candidate need not be a resident of the Ward in which they are standing for election.

“Eligible electors” are persons who are on the Parliamentary Electoral Roll and are either residents of the South Waikato District, or live outside the district but own property within it, and have applied to be “ratepayer electors” of the district.

Community Board

A Community Board represents an area known as a “community”. The Board comprises both elected members and any Councillors appointed by Council from the Ward that corresponds to that community.

There is one Community Board in the South Waikato District Council area, the Tirau Community Board, which has four elected and one Council-appointed member (the Tirau Ward Councillor).

Community Boards must be included in the Review of Representation and Electoral Systems. Although a Community (leading to the election of a Community Board) can be created at any time, abolition of a Community Board can only be undertaken as part of a review of representation and electoral systems.

Review of Representation and Electoral Systems

The South Waikato District Council must review its representation and electoral systems at least every 6 years. When a review takes place, it must be concluded, at the latest, early in the year in which a triennial local election is due to take place. The South Waikato District Council last undertook a review during 2015 for the 2016 local elections. The next review is due in 2018 for the 2019 triennial elections.

The review determines:

- whether the number of elected members is appropriate
- whether members should be elected from wards only, or a mixture of Wards and ‘at large’, or ‘at large’ only
- whether there should be Māori wards, where the candidates are nominated and voted for only by electors who are on the Māori Parliamentary Roll. A Māori Ward may cover the whole district.
- if there are going to be wards, how many will there be, what their boundaries will be and how many councillors will be returned by each ward? And, if there is to be a mix of wards and ‘at large’ councillors, how many of each?

The review process involves public consultation and the right to make submissions and objections at a number of stages. Any lingering points of difference or dispute will be ruled upon by the Local Government Commission.

The last review resulted in no change to the number of elected members on Council.

Voting Systems

The current method by which electors vote at local elections in the district is the “First Past the Post” (“FPP”) system. Under this system, electors can vote for the offices of Mayor and Ward Councillors (and for the Tirau Community Board, if they are electors of the Tirau Ward.) Electors can vote only for candidates in the ward they are enrolled in. FPP was used to elect the Council and Tirau Community Board in October 2013.

The other available system for electing local authorities is “Single Transferable Voting” (“STV”). This is a form of preference voting, and is currently used to elect seven members of the Waikato District Health Board.

More detailed information on STV is available from Council’s Electoral Officer.

Review of Voting Systems

Before the 2019 elections, Council must consider and decide on which voting system should be in place for those elections, or whether a poll should be held to decide. Public Notice of the decision must be given and there is provision for electors to demand a poll. A poll decision is good for two elections, eg, a poll held before the 2016 elections would apply also to the 2019 elections.

MEMBERS’ ROLE AND CONDUCT

Division of responsibility between Council and Management

A key to the efficient running of any Council is that there is a clear division between the role of elected members and that of management.

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

- setting the policy direction of Council
- monitoring performance of Council
- representing the interests of the district’s residents
- employing the Chief Executive.

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

A person may not act as a member of South Waikato District Council until that person has made a declaration in accordance with Clause 14, Schedule 7, of the Local Government Act 2002. Members of South Waikato District Council must abide by the Standing Orders adopted by Council.

Anyone on the Council staff may stand for office as an elected member, but must resign as a member of staff if elected.

Role of the Tirau Community Board

The Community 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
- report any issues of interest or concern to the Community Board
- make an annual submission to the Council on expenditure in the community
- maintain an overview of services provided by the Council within the community
- act as a channel of communication between the community and Council
- undertake any other responsibilities delegated by the Council.

The Chief Executive

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

- implementing the decisions of Council
- providing advice to Council and Community Boards
- ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw, are properly performed or exercised
- managing the activities of Council effectively and efficiently
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of Council
- providing leadership for the staff of Council
- employing staff (including negotiation of the terms of employment for the staff).

Code of Conduct

South Waikato District Council adopted its Code of Conduct for the elected members on 27 March 2003. This code also applies to all people appointed to committees or sub-committees of Council. The Council Code of Conduct does not cover community board members, but the board may adopt its own codes. The code is updated regularly, with the last update adopted in 2017.

South Waikato'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
- the general public.

The objectives of the code are to enhance:

- the effectiveness of the Council
- 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 sets out Council's understanding and expectations of how the Mayor and Councillors will relate to one another, to staff, to media and to the general public in the course of their duties.

The Code of Conduct may be viewed at Council Offices and on the Council's website.

The Code of Conduct was amended in 2005, 2007, 2012 and 2017.

IN 2017 THE CODE OF CONDUCT UNDERWENT A COMPLETE RE-STRUCTURE AND WAS ADOPTED BY COUNCIL ON 16 FEBRUARY 2017 (RESOLUTION 17/26).

Legislative Requirements

Local Government Act 2002

Section 46(1) of the Local Government Act 2002 states that Councillors can be held liable for losses reported by the Auditor General under Section 44 of the Local Government Act 2002 resulting from negligence or unlawful action by the elected Council.

Decision-Making Principles and Processes

A local authority must act in accordance with a number of principles pursuant to section 14 of the Local Government Act. This includes but is not limited to conducting business in an open, transparent and democratically accountable manner. Part 6 of the Act,

Sections 76 to 90 provide the requirements for decision making and consultation.

Regulatory

Part 8 of the Local Government Act deals with regulatory, enforcement and coercive powers of local authorities.

This part of the Act provides local authorities with powers to make bylaws, powers of enforcement to enforce all regulatory measures including bylaws and infringement offences, and powers to undertake activities in relation to water services, including discharge or sewage and trade wastes.

Local Government Official Information and Meetings Act 1987

This Act is designed to make official information held by local authorities more freely available. It:

- provides for proper access by each person to official information relating to that person, which is held by local authorities
- provides for the admission of the public to meetings of local authorities
- protects official information held by local authorities and the deliberations of local authorities to the extent consistent with the public interest
- preserves personal privacy
- establishes procedures for the achievement of those purposes.

Secret Commissions Act 1910

It is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council. If convicted of any offence under this Act, a person can be imprisoned for up to 2 years or fined up to \$1,000, or both. A conviction, therefore, would trigger the provisions of the Local Government Act 2002 and result in removal of the Member from office.

Crimes Act 1961

It is unlawful for an elected member (or officer) to:

- Accept or solicit for themselves any gift or reward for acting or not acting in relation to the business of Council.
- Use information gained in the course of their duties for their, or another person's, monetary gain or advantage.

These offences are punishable by a sentence of up to 7 years imprisonment. A conviction, therefore, would trigger the provisions of the Local Government Act 2002 and result in removal of the Member from office.

Securities Act 1978

This Act places elected members in the same position as company directors whenever Council offers stock to the public. Elected members may be personally liable if investment documents (eg, prospectus) contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

Local Authorities' (Members' Interests) Act 1968

The Act provides that an elected member is disqualified from office if that member is concerned or interested in contracts under which payments made by, or on behalf of, South Waikato District Council exceed \$25,000 in any financial year.

Elected members are prohibited from participating in any Council decision or voting on any matter in which they have a pecuniary interest, other than an interest in common with the general public. The same rules also apply where a member's spouse contracts with the Council or has a pecuniary interest.

Members must declare their interest at Council meetings where matters in which they have a pecuniary interest arise. If the member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive immediately.

Members may also contact the Audit Office for guidance as to whether that member has a pecuniary interest. If there is a pecuniary interest, the member may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

Failure to observe the requirements of the Local Authorities (Members' Interests) Act 1968 could potentially invalidate the particular decision made or the action taken by Council. Failure to observe these requirements could also leave the elected member open to prosecution under the Local Authorities (Members' Interests) Act 1968. In the event of a conviction elected members can be ousted from office.

The Chief Executive must also seek approval from the Audit Office for contractual payments to Members, their spouses or their companies that exceed the \$25,000 limit. Failure to comply may mean, in the event of a conviction, elected Members can be removed from office.

Council and Committee Structure

Council

Constitution

Mayor:	Jenny Shattock (Chairperson)
Deputy Mayor:	Jeff Gash
Councillors:	Gray Baldwin
	Adrienne Bell
	Wendy Cook
	Marin Glucina
	Thomas Lee
	Bill Machen
	Arama Ngapo-Lipscombe
	Herman Van Rooijen
	Peter Shulte

Grants Committee meetings are held twice a year to coincide with Council's normal funding rounds.

The meetings scheduled for the Chief Executive Relationship Committee are based on a schedule of meetings contractually agreed to with the Chief Executive.

The Hearings Committee meet as required to hear and determine applications under the Resource Management Act 1991 and the Sale and Supply of Liquor Act 2012.

The Waikato Region Civil Defence Emergency Management Group Committee is administered by Waikato Regional Council.

The Regional Land Transport Committee is administered by Waikato Regional Council.

Council Committees

Council has eight principal committees and one advisory committee to monitor and assist in the effective discharge of Council's responsibilities. These are:

Principal Committees

- Corporate & Regulatory Committee
- Community & Assets Committee
- Hearings Committee
- Grants Committee
- Chief Executive Relationship Committee
- Finance Audit and Risk Committee
- Rural Access Sub-Committee
- District Licensing Committee

Advisory Committees

- Waikato Region Civil Defence Emergency Management Group Committee (Joint Committee)

This committee is responsible for providing additional assurance on the integrity of the information being presented, as well as operational aspects of these activities of Council.

Delegations

Council has delegated a range of responsibilities to Committees, the Mayor, various Councillors, the Chief Executive, and some staff. There are also sub-delegations to specified staff. A copy of the Delegations Manual can be viewed at Council Offices.

Meeting Processes

Legislation

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).

Standing Orders

Council applies the New Zealand Standard - Model Standing Orders for Meetings of Local Authorities and Community Boards NZS 9202:2003. Meeting procedures are separately identified in Part 2 of that Standard.

Consultation

The public can be part of Council's decision-making process through various consultation processes, as prescribed by Sections 75 - 90 of the Local Government Act 2002. These include the Annual Planning process, the Long Term Planning process and new policy or bylaw consultation. These provisions have been relaxed so that, within certain guidelines, a special consultation procedure is not required for every Annual Plan. A special consultation procedure was not used for the 2017-18 Annual Plan.

The Local Government Act 2002 has specific procedures that Council must follow when making certain types of decisions. The special consultative procedure is used for the Annual Planning and Long Term Planning processes. The procedure consists of the following steps:

Step 1: Preparation of a Statement of Proposal and a Summary

The Council must prepare a description of the proposed decision or course of action. The statement must be available for distribution throughout the community and inspection at Council offices, and may be made available elsewhere. The Council must also prepare a full and fair summary of the proposal, which must be distributed as widely as Council considers to be reasonably practicable. That statement must be included on an agenda for a Council meeting.

Step 2: Public Notice

The Council must publish a notice in one or more daily newspapers, or in other newspapers of equivalent circulation, of the proposal and of the consultation being undertaken. The special consultative procedure must not begin until the day of the public notice.

Step 3: Receive submissions

The Council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission. At least 1 month (from the date of the notice) must be allowed for submissions.

Step 4: Deliberate in public

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

Step 5: Follow up

A copy of the decision and a summary of the reasons must be provided to submitters. There is no prescribed format for such a summary.

Council must, legally, follow the Special Consultative Procedure before it:

- adopts a long term plan LTP or annual plan
- amends a long term plan
- adopts, revokes, reviews or amends a bylaw
- changes the mode of delivery for a significant activity that is not provided for in a long term plan (for example, changes from Council delivery to delivery by a Council Controlled Organisation, or from a council controlled organisation to a private sector organisation)
- the Council may be required to use the special consultative procedure under other legislation and it may use this procedure in other circumstances if it wishes to do so.

In addition, Council has a policy on consultation that provides a set of general principles to be considered when consulting.

Policies for Liaising with and Memorandum of Agreements with Māori

The Council has an obligation to take into account the principles of the Treaty of Waitangi and to recognise and provide for the special relationship between Māori, their culture, traditions, land and taonga. Council embraces the principles of the Treaty of Waitangi, acknowledges the importance of Kingitanga in the District and values its partnerships with both mana whenua (people of the area) and maataa waka (urban Māori/’other canoes’).

The Council acknowledges Raukawa as having Tangata Whenua status in the South Waikato District and operates in terms of the protocol for consultation on Resource Consents agreement.

The Council has developed working relationships with Raukawa in the form of a Memorandum of Understanding.

Corporate Structure

The Local Government Act 2002 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 Act, the Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should, therefore, be directed to the Chief Executive, not the Mayor or Councillors.

Council appoints a Chief Executive to manage the Council operations. The Chief Executive is accountable to the Mayor and Councillors.

The Chief Executive has statutory powers conferred by the Local Government Act 2002 and other powers at Council’s discretion. The Chief Executive has appointed Group Managers to manage key areas of the Council’s operations. South Waikato District Council has an Executive Team of the Chief Executive, four Group Managers, and the Communications Manager. The Human Resources Manager and Team Leader Executive Support also report directly to the Chief Executive-

Key Approved Planning and Policy Documents

Long Term Plan

Under the Local Government Act 2002, the Council is required to develop a Long Term Plan (LTP) in consultation with the community. This covers the 10 years from the date of its publication and is reviewed and updated every 3 years. Each LTP contains the Annual Plan for the next year. In the following 2 years, the Council will publish an Annual Plan. Each Annual Plan will describe the work programme to deliver that year’s ‘slice’ of the LTP.

LTPs consider the provision of good quality local infrastructure, public services and regulatory functions at the least possible cost to households and business to the current and future communities.

The LTP builds on what has been done already and sets out the next phases of work for the coming 10 years, while reaffirming the long term vision.

The net effect is the Council and the community working together to build a great and sustainable District.

The latest LTP is 2015-2025. The Long Term Plan will be reviewed and superseded with the Long Term Plan 2018-2028 due for completion in June 2018.

District Plan

The purpose of the District Plan is to assist the Council to carry out its functions in order to achieve the purpose of the Resource Management Act 1991.

It covers matters relating to the management of the use, development or protection of land and any associated natural and physical resources for which the Council has responsibility. Council promotes the orderly and sustainable management and development of the district's natural and physical resources.

The District Plan became operative 1 July 2015.

Proposed plan changes that are being programmed include Putāruru Residential zoning and Culturally Significant Landscapes. This is required to be reviewed every ten years.

Council's Policies

The policies provide guidance for staff and Councillors in the areas of discretionary decision-making. Adoption and adherence to policies enables consistent application of discretion, consistent decision-making by staff and Council, consistent treatment of public, service groups and companies, and transparent process criteria and timetables adopted. Policies establish a rigour to many activities and directions of Council that are not otherwise governed by legislation. Policies can be reviewed, added, or deleted at any time during the normal Council process. Council's policies are available on request, and on Council's website.

Council's Annual Plan

The Annual Plan is developed from the LTP, Council's Revenue and Financing Policy, and community consultation. It includes information on Council's policies, actions and funding that are to be undertaken over the coming financial year.

The Annual Plan is Council's main means of communicating its projects and programmes to the public. Historically legislation has prescribed that a special consultative procedure must be used. These provisions have been relaxed so that, within certain guidelines, a special consultation procedure is not required for every Annual Plan. A special consultation procedure was not under for the 2017-18 Annual Plan.

The special consultative procedure stipulates that the public must be given a minimum of one month to make submissions. Council then considers the submissions before adopting its approved Annual Plan and confirming the rates for the next financial year.

Council's Annual Report

After the end of the financial year Council publishes an Annual Report which contains audited accounts for the previous financial year. The Annual Report must:

- Compare the actual performance with the proposed performance set out in the Annual Plan.
- Comment on the performance of all organisations included in the Annual Plan.
- Be produced within 4 months of the end of the financial year.
- Contain an audited financial statement.
- Show the extent to which Council's equal employment objectives were met.

Funding and Financial Policies

Council's Funding and Financial Policies set out the guidelines of how Council plans for and acquires funds to finance its operation, and the projects and programmes in the Annual Plan.

The Funding and Financial Policies include:

- Revenue and Financing Policy

- Funding Impact Statement
- Investment Policy
- Liability Management Policy
- Rating Policy (including Rates Remission and Postponement Policies)
- Significance and Engagement Policy
- Partnerships with Private Sector Policy
- Financial Contributions and Development Policy
- Appointment of Directors to Council Controlled Organisations (CCOs) Policy

Revenue and Financing Policy

This Policy sets out how the Council will fund its activities.

Funding Impact Statement

This is a statement that details the sources of revenue and their application.

Investment Policy

This Policy provides for the primary objectives for all of Council's Investments.

Liability Management Policy

This Policy provides for the management of Council's borrowing and other liabilities. These include debt repayment, specific borrowing limits and the giving of securities.

Rating Policy

- Remission and Postponement on Māori Freehold Land - This Policy is a requirement to assist ratepayers of Māori freehold land experiencing extreme financial circumstances that affect their ability to pay rates, and to recognise the special characteristics of Māori freehold land in relation to Schedule 11 of the Local Government Act 2002.
- Rates Remission – This Policy is to provide relief in the payment of rates and penalties for specific purposes. Council has a number of rates remissions with remissions for community, sporting and other organisations; rates on land protected for natural historical or cultural conservation purposes; economic development (industrial and commercial developments); school sewerage rates; and rate penalties and remission on uniform annual general charges on non-contiguous rating units owned by the same owner.
- Rates Postponement – This Policy is to assist ratepayers experiencing extreme financial circumstances to delay the payment of their rates.

Significance and engagement Policy

The Council is required, under the Local Government Act 2002, to define a “significant” decision. By identifying if a decision is significant or not will guide the Council as to the appropriate level of consultation with and information provision to the public.

Partnership with the Private Sector Policy

This policy allows the Council to consider entering into a public/private partnership with those engaged in business in specified circumstances. The central idea is that Council can use its resources to support community outcomes without the whole cost being borne by Council's ratepayers.

Financial Contributions and development Policy

The Local Government Act 2002 allows councils to consider the use of development contributions for expected future costs of community. The Council does not require development contributions at this time. The Council does, however require financial contributions (Resource Management Act 1991). The financial contributions formulae are based on the actual evaluation of the asset and provides certainty for developers. In addition, the District Plan provides for the option for developers to pay a car parking contribution rather than provide physical car parking spaces, if appropriate.

APPOINTMENT OF DIRECTORS TO COUNCIL CONTROLLED ORGANISATIONS (CCOS) POLICY

This policy provides Council with a process and controls over the appointment of directors to council controlled organisations and their remuneration.

Asset Management Plans

Asset Management Plans are blueprint documents for the broad-based funding requirements for the district's infrastructure and have strong linkages to the production of the Funding and Financial Policies and LTP. These plans focus on asset management, asset service levels, depreciation and replacement of the district's major infrastructural assets. Council's asset management plans were last reviewed in 2015 and are reviewed every 3 years, with reviews to coincide with each LTP. These plans ensure that Council can continue to meet the levels of service required for essential services in the future.

To comply with new legislative requirements, it is intended that advanced Asset Management Plan functions and techniques, will be included in future Asset Management planning process.

Process for Development and Review of Policies

Policies are developed as required by legislation and reviewed as stipulated in the policy itself. Policies are adopted by Council and are available from Council's Tokoroa office.

Public Access to Council and Elected Members

Council

Council has a branch office in Putāruru and an agency at the Tīrau Information Centre, with the main office in Tokoroa. Office hours are from 8am to 5pm in Tokoroa and Putāruru (weekdays), and 9am to 5pm in Tīrau, 7 days a week.

Council can be contacted after hours for emergency services on (07) 885 0340.

Councillors

Councillors' contact information is available through our website (www.southwaikato.govt.nz), or on request from the Council offices.

Requests for Official Information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the Council. Any request for information is a request made under LGOIMA.

Once a request is made, the Council must supply the information, unless there are grounds for withholding it. LGOIMA states that information may be withheld if release of the information would:

- endanger the safety of any person
- prejudice maintenance of the law

- compromise the privacy of any person
- reveal confidential or commercially sensitive information
- cause offence to tikanga 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.

Council must still determine whether any of these grounds outweigh the interests of the public in having the information disclosed. If not, the information must be released.

Any refusal will be accompanied by specific reasons and it is the right of the person refused to have the Council's decision reviewed by the Ombudsman.

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

It is preferred that, wherever possible, such requests for information be in writing, as this will avoid confusion and ensure that the request is actioned by the appropriate Officer. Requests for information should be addressed to The Chief Executive, South Waikato District Council, Private Bag 7, Tokoroa 3444.

Documents Held by South Waikato District Council

A large group of documents, covering a wide range of formats and subjects, reflecting its many functions and complex administrative history, is held by the South Waikato District Council. Documents held include:

- Annual Plan
- Annual Report
- Asset Management Plans, including service drawings
- Cemetery Records
- Correspondence Files
- Financial and Accounting Records and Statements
- Indexed Minutes ~~Books~~ Records
- Legal Documents
- Long Term Plan
- Organisational Policies
- Rating Records
- Special Reports
- Property Files
- Valuation Rolls
- Waste Management Strategy
- Water Management Plan

Previous administrations from which records are held include:

- Matamata County Council
- Putāruru Borough Council

- Tokoroa Borough Council

Documents are also held for many bodies associated with the previous local administrations, as listed above. These include:

- Lichfield Domain Board
- Putāruru Domain Board
- Putāruru Town Board
- Tīrau Cemetery Committee
- Tīrau Cemetery Trustees
- Tīrau Domain Board
- Tokoroa Town Board
- Tokoroa Town Committee
- Tokoroa Township Committee.

Changing the Governance Statement

The Governance Statement must be updated as Council considers appropriate [Section 40 (3) of the Local Government Act 2002 (LGA)]. Council must have a Governance Statement within 6 months after each triennial election [Section 40 (2) LGA].

Changes to Standing Orders require a vote of not less than 75% of the members present. Standing Orders must not contravene the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987 or any other Act (Clause 27 Schedule 7 Local Government Act).