



GREAT LAKE TAUPŌ

Taupō District Council

LOCAL GOVERNANCE STATEMENT

Adopted on 28 February 2017

[A1860509]

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1. PURPOSE

The Taupō District Council's Local Governance Statement is a collection of information about the processes that Council uses to engage with the Taupō District community.

The Statement outlines how the Council makes decisions and how the public can influence those processes.

Council's Local Governance Statement is provided as a requirement of Section 40 of the Local Government Act 2002.

2. FUNCTIONS, RESPONSIBILITIES AND ACTIVITIES

The purpose of the Taupō District Council is to enable democratic local decision-making and to meet the current and future needs of its communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a cost-effective way.

In performing its role the Council must have particular regard to the contribution that the following core services make to its communities:

- (a) network infrastructure
- (b) public transport services
- (c) solid waste collection and disposal
- (d) the avoidance or mitigation of natural hazards
- (e) libraries, museums, reserves, recreational facilities, and other community infrastructure.

Under various pieces of legislation, the Council is also responsible for:

- Formulating the District's strategic direction in conjunction with the community through the Long Term Plan (LTP) and reporting on progress.
- Determining the services and activities to be undertaken by the Council
- Managing various regulations and up-holding the law, including the formulation and enforcement of bylaws
- Advocating on behalf of the local community with central government, other local authorities and other agencies
- Environmental management through the Taupō District Plan
- Ensuring local communities are encouraged to be part of the decision making processes of local government
- Ensuring effective succession of Elected Members.

3. LOCAL LEGISLATION CONFERRING POWERS ON COUNCIL

Some Councils are bound by legislation (known as Local Legislation) that only applies to that Council. The Taupō District is subject to the following pieces of legislation:

- Taupō Borough Empowering (Information Centre) Act 1970

4. ELECTORAL SYSTEM AND OPPORTUNITY TO CHANGE IT

Council's electoral system is governed by the Local Electoral Act 2001. This Act provides a choice of two electoral systems for the election of mayor and Councillors. The choices are "First Past the Post (FPP) or "Single Transferable Vote" (STV) system.

FPP allows voters to tick as many candidates' names as they want, up to the number of vacancies to be filled. The candidate(s) that receive the most votes is/are declared the winner. This form of voting is used in parliamentary elections to elect Members of Parliament to constituency seats.

STV requires the voters to rank candidates in an order of preference. This system is used for District Health Board elections.

STV uses a cascading system of transferring votes to ensure that all of a voter's preferences are taken into account. Once a particular candidate has achieved enough votes to be elected any "excess" votes for that candidate are transferred to the voter's next highest preference. Because each voter's preferences will be different the system requires a computer to calculate the result and a number of "iterations" will need to be run before the final result is declared.

Taupō District Council currently operates its elections under the FPP electoral system.

Under the Local Electoral Act 2001, there are three ways that the electoral system may be changed from one type to the other. First, the Council can resolve to make a change. Secondly, the Council can conduct a binding poll on whether to make a change. Thirdly, electors can demand a binding poll by at least 5% of electors signing a petition demanding that a poll be held.

If the electoral system is changed, the new electoral system must be used for at least the next two triennial general elections; that is, we cannot change our electoral system for one election and then change back for the next election.

The Council's last review of the electoral system was in August 2014 where it was resolved that the 2016 and 2019 triennial elections would be conducted under FPP. While each of the ways of making a change has a slightly different date for initiating the process the matter can and will be reviewed again in 2020 for application at the 2022 and 2025 triennial election.

5. REPRESENTATION ARRANGEMENTS

The current membership of Council consists of 10 Councillors plus the Mayor [total of eleven]. At the present time the 10 Councillors are elected on a ward basis by the electors of each ward with the Mayor elected at large by the electors of the whole district.

5.1 Wards

The Taupō District is divided into three wards as follows:

- Mangakino/Pouakani Ward [one Councillor]
- Taupō/Kaingaroa Ward [seven Councillors]
- Turangi/Tongariro Ward [two Councillors]

Refer to Appendix A for a map outlining Ward boundaries.

5.2 Community Boards

Community Boards are constituted under Section 49 of the Local Government Act 2002.

The Taupō District Council has one community board (Turangi/Tongariro Community Board).

The Turangi/Tongariro Community Board has eight members with six elected triennially by the community and two appointed by Council. The two Council appointees are the two Councillors representing the Turangi/Tongariro Ward. The Board elects its own chairperson at its first meeting following the triennial election.

The boundaries for the Community Board are the same as the Turangi/Tongariro Ward boundaries [refer to Appendix A].

The next review of the Community Board structure will occur as part of the wider representation review in 2018.

Electors can demand the formation of a new community board, the process for which is outlined in the Local Government Act.

5.3 Maori Wards and Constituencies

The Local Electoral Act 2001 also gives the Council the ability to establish separate wards for Maori electors. Council may resolve to create separate Maori wards or conduct a poll on the matter, or the community may demand a poll. The demand for a poll can be initiated by a petition signed by 5% of electors within the district.

The matter of the introduction of a Maori ward was considered in 2011 as part of the review of representation. This will form part of the next review of representation in 2018.

5.4 Review of Representation Arrangements

The Local Electoral Act 2001 requires the Council to review its representation arrangements at least once every six years. The last review was undertaken in 2012 and the resulting decisions can remain in place until after the 2016 election. The review must include the following:

- The number of elected members (within the legal requirement to have a minimum of 6 and a maximum of 30 members including the Mayor)
- Whether the elected members (other than the Mayor) shall be elected by the entire district, or whether the district will be divided into wards for electoral purposes, or whether there will be a mix of 'at large' and 'ward' representation
- If election by wards is preferred, the boundaries and names of those wards and the number of members that will represent each ward
- Whether to have community boards and, if so, how many, their boundaries and membership, and whether to subdivide a community for electoral purposes.

Through the review process there is the right to make a written submission to the Council, and the right to be heard.

There is also the right to appeal any decision made by the Council 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 can be found in the Local Electoral Act 2001.

6. MEMBER'S ROLES AND CONDUCT

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

- Setting the policy direction of Council
- Monitoring the performance of Council
- Representing the interests of the district [on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the district].
- Employing the Chief Executive Officer [under the Local Government Act 2002 the Council employs the Chief Executive Officer, who in turn employs all other staff on its behalf].

6.1 Role of the 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:

- provide leadership to—
 - (a) the other members of the territorial authority; and

(b) the people in the district of the territorial authority.

- to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
- For the above purposes the Mayor has the power to:
 - appoint the deputy mayor:
 - to establish committees of the territorial authority:
 - to appoint the chairperson of each committee
- A mayor is a member of each committee of a territorial authority.

6.2 Role of the Deputy Mayor

The Deputy Mayor can be appointed by the Mayor or elected by Councillors at the first meeting of Council. In addition to their role as an elected member, the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of Mayor [as summarised above] if the Mayor is absent or incapacitated, or if the office of Mayor is vacant. The Deputy Mayor may be removed from office by resolution of Council.

6.3 Role of the Committee Chairperson

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

6.4 Legislation regarding Conduct of Elected Members

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

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

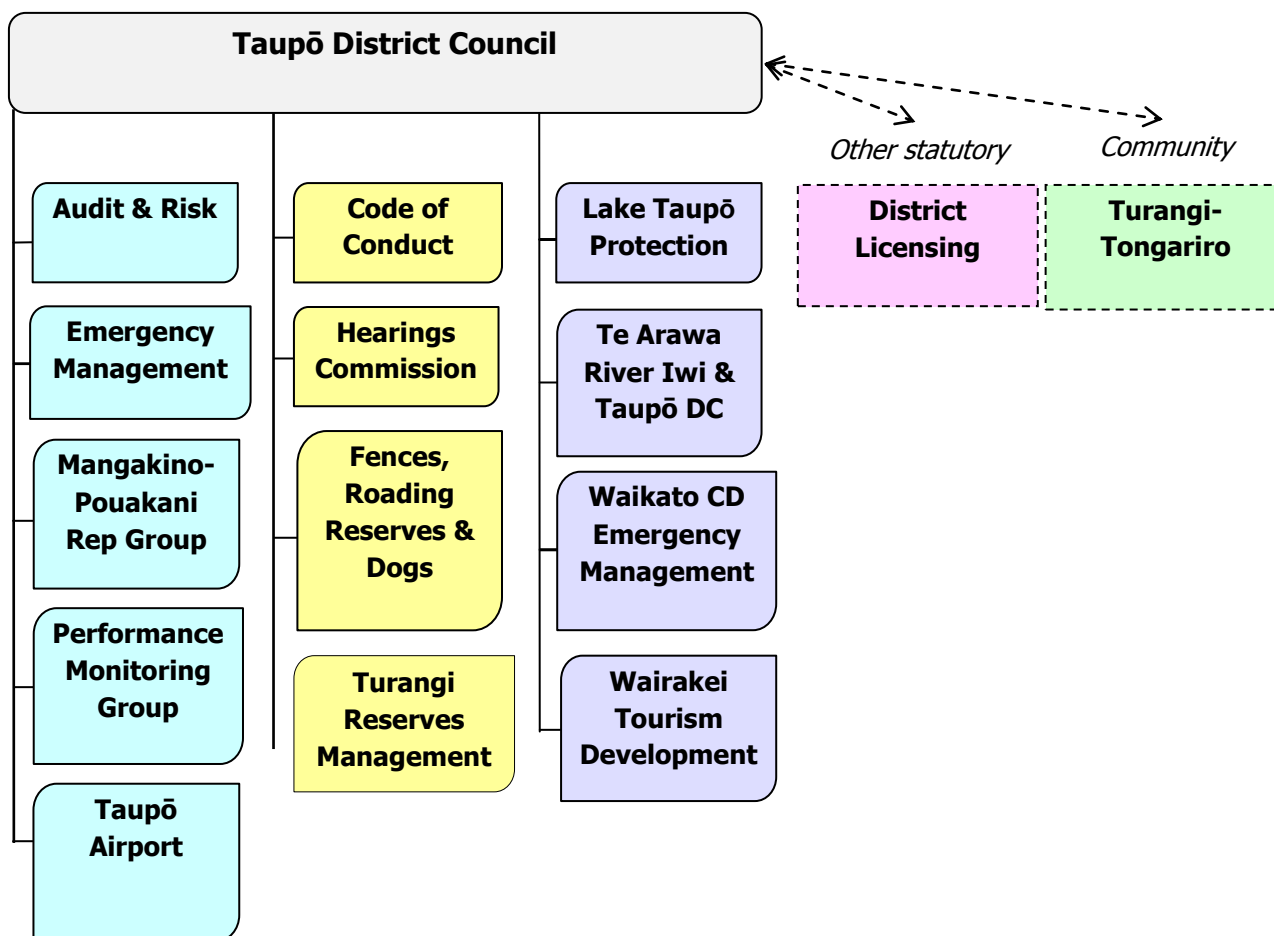
- The Local Government Official Information And Meetings Act 1987 (LGOIMA) which sets out the procedural requirements for meetings of local authorities and confidentiality of information.
- Financial Markets Conduct Act 2013 (FMCA) makes Members personally liable if product disclosure statements to investors contain untrue information. Council does not, at this time, offer securities to the public.
- Health And Safety At Work Act 2015 introduced a new term of “Officers”. This is any person occupying a position in relation to the business or undertaking, that allows the person to exercise significant influence over the management of the business or undertaking. Elected Council members (which include the Mayor and Councillors but excludes Community Board members) and the Chief Executive are by default identified as “Officers”.
- The Public Records Act 2005’s purpose is to provide a framework for ensuring records are full and accurate, well maintained and accessible.

6.5 Code of Conduct

All elected members are required to adhere to a code of conduct. Adopting such a code is a requirement of the Local Government Act 2002. Once adopted such a code may only be amended by a 75 per cent or more vote of the Council. The code sets out the Council’s understanding and expectations of how the Mayor and Councillors will relate to one another, to staff, to media and to the general public in the course of their duties. It also covers disclosure of information that is received by or is in possession of elected members, and contains details of the sanctions that the Council may impose if an individual breaches the code.

A copy of the adopted Code of Conduct can be viewed at www.taupo.govt.nz

7. GOVERNANCE STRUCTURES



8. CONDUCT OF MEETINGS

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 are reasons to consider some items with the public excluded. Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with Council.

The LGOIMA contains a list of circumstances where councils may consider items with the public excluded. (These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order). The Council agenda is a public document, although parts may be withheld if the above circumstances apply.

The Mayor or committee chairperson is responsible for maintaining order at meetings and may, at his or her discretion order the removal of any member of the public for disorderly conduct, or remove any member of Council who does not comply with standing orders.

Minutes of meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available, subject to the provisions of the LGOIMA.

For an ordinary meeting of Council, appropriate notice of the time and place of the meeting must be given (according to Schedule 7 of the Local Government Act). Extraordinary meetings should have notice given as is reasonable in the circumstances or if no notice is given, a public notice should give the reasons why it was not notified, and the nature of the business as soon as practical following the meeting.

During meetings the Mayor and Councillors must follow standing orders (a set of procedures for conducting meetings). The Council may suspend standing orders by a vote of 75 per cent of the members present. A copy of the standing orders can be viewed at www.taupo.govt.nz

9. CONSULTATION POLICY

The Taupō District Council has a Significance and Engagement Policy which:

- enables Council and its communities to identify the degree of importance attached to particular issues, proposals, assets, decisions and activities.
- provides clarity about how and when communities can expect to be engaged in decisions made by Council.
- informs Council from the beginning of a decision-making process about the extent, form and type of engagement required

Consultation is also carried out according to consultation principles set out in legislation including:

- the Principles of Consultation (sections 82-90 of the Local Government Act 2002) including the special consultative procedure
- the first schedule of the Resource Management Act 1991
- as required by the Reserves Act 1977.

10. WORKING WITH MAORI

The Local Government Act 2002 specifically makes provision for Te Tiriti o Waitangi (the Treaty of Waitangi). It encourages Councils to foster more positive and productive relationships with tangata whenua. The Act places a requirement on Councils to recognise and respect the Crown's responsibility to take appropriate account of the principles of partnership.

Council engages with hapu / iwi within the Taupō District in the following ways:

Written agreements to assist Council in working with tangata whenua:

- Joint Management Agreement with the Tūwharetoa Māori Trust Board on behalf of Ngāti Tūwharetoa for private plan changes and notified resource consents on multiply owned freehold Māori land
- In accordance with the Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010, Council must develop joint management agreements with Raukawa and Te Arawa. These agreements relate to the Waikato River and activities within its catchment affecting the River. The Raukawa JMA is signed and the Te Arawa agreement is due to be signed in early 2017. Ngati Tuwharetoa and Council are only required to have a joint management agreement if Ngati Tuwharetoa initiate the process.
- Additional considerations will need to be added to the Joint Management Agreements that are being developed with to fulfil legislative requirements for the clean-up of the Waikato river.
- Tutemohuta Reserve Trust (Waitahanui). This is 50-50 representation on a Māori Land Trust where tangata whenua provide the Māori Land (Tauhara Middle 14) and Council provides and maintains all facilities. Assets include sports field, playground, community hall and associated facilities.
- C75 Foreshore Reserve Trust. This Trust is under the umbrella of the Māori Land Court. Two Councillors are embedded on the committee of management. The partnership is based on tangata whenua providing the land and Council providing and maintaining all public amenities.

Protocols and services that assist Council to work with tangata whenua:

- Protocol for Accidental Discovery of Archaeological Sites
- Engagement agreement between Tuwharetoa Māori Trust Board and Council's senior staff.
- Ngāti Tuwharetoa Gallery Governance Group. This group provides guidance to Council in terms of tikanga regarding the Taupō Museum's Tuwharetoa Gallery.
- Māori Rates Officer – because of a sizeable ownership and unique nature of Māori Land, Council supports this administration function with a designated officer. That person manages and processes all matters concerning Māori Land Council rates.
- Strategic Relationships Manager – the key responsibility of this role is to facilitate, enhance and maintain relationships between Council and all tangata whenua groupings within the District.

11. MANAGEMENT STRUCTURES AND RELATIONSHIPS

The Local Government Act 2002 requires Council to employ a Chief Executive whose responsibilities are to employ other staff on behalf of the Council, implement Council decisions and provide advice to the Council. Under the Local Government Act 2002 the Chief Executive is the only person who may lawfully give instructions to a staff member.

Any complaint about individual staff members should therefore be directed to the Council's Chief Executive Officer, rather than the Mayor or Councillors.

11.1 Chief Executive

The Chief Executive is Mr Gareth Green. Mr Green may be reached on 07 376 0899 or by email: ggreen@taupo.govt.nz

The Chief Executive is appointed by the Council in accordance with Section 42 and Clauses 33 and 34 of Schedule 7 of the Local Government Act 2002.

11.2 Management Structure

The Council management is organised four divisions. These are Group Manager:

Operational Services:	Kevin Strongman
Finance and Strategy:	Alan Menhennet
Corporate and Community:	Brian Fox
Business and Technology:	John Ridd

12. EQUAL EMPLOYMENT OPPORTUNITIES POLICY

Council has adopted the following policy statement:

The Taupō District Council supports the principle of equal opportunity of employment and intends to eliminate all forms of discrimination.

The Council will provide a culturally sound, sensitive, safe and healthy working environment which promotes a positive climate for employees and actively seeks to enhance employee skills and abilities to ensure appointment and promotional opportunities on merit.

To achieve this Council has adopted the following goal:

To ensure that employment related matters and decisions are based only on skills and abilities and are determined on merit regardless of gender, marital status, family responsibilities, sexual orientation, creed, age, disability, colour, race or ethnic origin.

13. KEY APPROVED PLANNING AND POLICY DOCUMENTS

13.1 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. The LTP describes the activities that Council

will undertake to deliver on its responsibilities to promote the social, economic, environmental, and cultural well-being of the District. This involves Council identifying, in detail, what needs to be done and how this will be carried out.

The LTP covers the 10 years from the date of its publication and is reviewed and updated at least every three years. In the intervening two years, Council publishes an Annual Plan. Each Annual Plan describes the work programme for delivering that year of the LTP.

The current LTP covers the period 2015 - 2025. Council will begin the development of the 2018-2028 LTP in 2016.

Policies within the LTP:

- Revenue and Financing Policy
- Funding Impact Statement
- Policy to Determine Significance
- Infrastructure Strategy

13.2 Annual Plan

An Annual Plan is adopted every year by 30 June.

13.3 Taupō District Council District Plan (under review)

This plan has been prepared under the Resource Management Act 1991. It was publicly notified on 18 July 2000 and decisions on submissions and further submissions were released on 30 May 2003. All appeals were resolved in 2007 and the plan was made Operative on 25 September 2007. The current plan changes and any appeals can be viewed online at www.taupo.govt.nz.

The process for review of the District Plan is set out within Schedule 1 of the Resource Management Act.

13.4 Taupō District 2050 Growth Management Strategy

The adoption of Taupō District 2050 [the Growth Management Strategy], by Council on 27 June 2006 allows the District to move forward with proactive growth management and leadership on the nature and location of future urban growth. This is currently being updated.

13.5 Other Key Policies

View Taupō Districts Council's key policies [here](#)

14. SYSTEMS FOR PUBLIC ACCESS TO COUNCIL AND ELECTED MEMBERS

14.1 Contact details for Taupō District Council

Main Office: Taupō Main Office, Cnr [72] Lake Terrace and Rifle Range Road
Service Centres: Turangi Service Centre, Turangi Town Centre
Mangakino Service Centre, Rangatira Drive
Address [postal]: Private Bag 2005, Taupō 3352
Phone (Main Office): (07) 376 0899
Phone (Turangi): (07) 386 7017
Phone (Mangakino): (07) 882 8700
Fax (Main Office): (07)– 3780118
Fax (Turangi): (07) 386 8449
Internet: www.taupo.govt.nz or fixmystreet.org.nz
Email: info@taupo.govt.nz

14.2 Contact details of the Councillors and Community Board Members

Can be viewed on line [here](#)

14.3 Systems for Processing Complaints

In the first instance most complaints are dealt with and resolved by the department involved.

However, depending on the seriousness of the complaint it may be escalated to the appropriate Group Manager or to the Chief Executive Officer. However, any complaint/concern unable to be resolved will be investigated and resolved by the Democracy and Community Engagement Manager.

People wishing to make complaints should do so in writing addressed to the appropriate person.

15. 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. You do not have to say you are making a request under LGOIMA.

Once a request is made the Council must supply the information unless reason exists for withholding it. The LGOIMA says that information may be withheld if release of the information would endanger the safety of any person or prejudice maintenance of the law or, subject to being outweighed by public interest considerations, if release would:

- compromise the privacy of any person
- reveal confidential or commercially sensitive information
- cause offence to tikanga Maori or would disclose the location of waahi tapu in relation to certain Resource Management Act matters
- prejudice public health or safety
- prejudice measures to prevent or mitigate material loss to members of the public
- compromise the effective conduct of the Council's public affairs in certain ways
- compromise legal professional privilege
- disadvantage the Council while carrying out negotiations or commercial activities
- allow information to be used for improper gain or advantage.

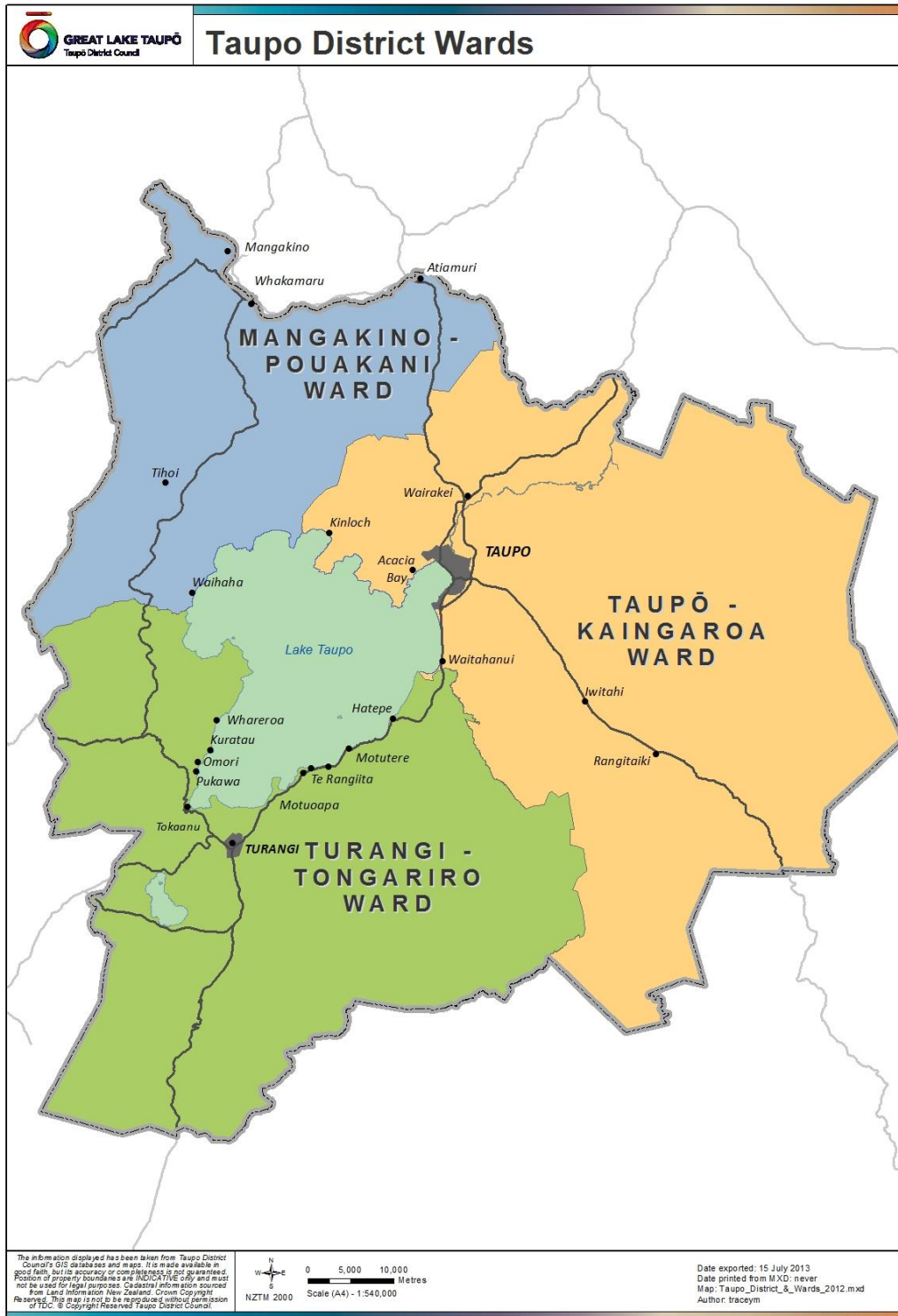
The Council must answer requests within 20 working days (although there are certain circumstances where this time-frame may be extended). The Council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance you should address requests for official information to the Democracy and Community Engagement Manager. Council may charge for providing official information where extensive research is involved. Council has a policy on charging and this can be viewed on www.taupo.govt.nz under 'Policy'.

16. COUNCIL BYLAWS

A local authority must prepare and make available a list of the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review. The list of bylaws is outlined in Appendix B.

APPENDIX A – WARD MAP



APPENDIX B- TAUPŌ DISTRICT COUNCIL BYLAWS

TITLE OF BYLAW	GENERAL DESCRIPTION	BYLAW MADE	LAST REVIEW	NEXT REVIEW
TDC Solid Waste Bylaw: 2012	Regulates waste management, collection, transport & disposal of waste	2007	2012	2022
TDC Cemeteries Management Bylaw 2012	Controls & manages all cemeteries within Council control	2006	2012	2022
TDC Dog Control Bylaw 2013	Sets standards of control that must be observed by dog owners	2004	2013	2023
TDC Traffic Bylaw 2008	Regulates parking & the use of roads & public places	2008	2014	2024
TDC Speed Limits Bylaw 2011	Sets speed limits within the Taupō District	2011		Under review
Liquor Control Bylaw 2013	To enhance safety with Taupō, Turangi/Tongariro and Mangakino areas by providing liquor controls for specified areas or timeframes	2008	2013	2023
TDC Trade Waste Bylaw 2010	Regulates the disposal of trade waste	2010	2016	2026
TDC Water Supply Bylaw 2009	Regulates Council and customer responsibilities for the supply and use of drinking water	2009	2015	2025
TDC Animals, Birds and Bees Bylaw 2016	Regulates the requirements for keeping animals, birds and bees within Taupo District to ensure the health and safety of any persons, animals, birds and bees, and to protect of the public from nuisance.	2016		2021
TDC Litter Bylaw 2016	Regulates the requirements for litter within Taupo District to ensure the health and safety of any persons, and for the protection of the environment.	2016		2021
TDC Objectionable Signs Bylaw 2016	Regulates the requirements for objectionable signage within Taupo District to protect the public from nuisance and to minimise the potential for offensive behaviour.	2016		2021
TDC Trading in Public Places Bylaw 2016	Regulates the requirements for trading in public places within Taupo District to ensure the health and safety of any persons, and to protect the public from nuisance.	2016		2021
TDC Reserves and Public Places Bylaw 2016	Regulates the requirements for reserves and public places within Taupo District to ensure the health and safety of any persons, and to protect the public from nuisance.	2016		2021