



About Your Council

incorporating the
Local Governance Statement

January 2011

Prepared in terms of Section 40
of the Local Government Act 2002

Mayor and councillors



His Worship the Mayor
Kevin Winters JP



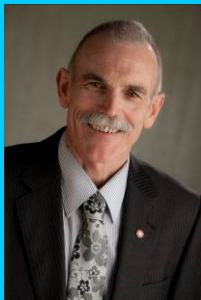
Cr Trevor Maxwell MNZM
Deputy Mayor



Cr Maggie Bentley



Cr Julie Calnan



Cr Dave Donaldson QSM



Cr Mark Gould JP



Cr Karen Hunt



Cr Geoff Kenny



Cr Mike McVicker



Cr Glenys Searancke QSM



Cr Charles Sturt



Cr Maureen Waaka, MNZM, JP



Cr Janet Wepa

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1. Directory

Council Offices (all departments):

Rotorua District Council
Civic Centre
1061 Haupapa Street
Private Bag 3029
Rotorua Mail Centre
Rotorua 3046

Phone: 07 348 4199 (24 hours)
Fax: 07 350 0184
Website: www.rdc.govt.nz
Email: mail@rdc.govt.nz

Auditors:

Audit New Zealand
Tauranga
On behalf of the Office of the Controller and
Auditor General

Bankers:

Bank of New Zealand
Cnr Fenton and Hinemoa Streets
Rotorua

Solicitors:

Davys Burton Ltd
1109 Fenton Street
Rotorua

Insurers:

Civic Assurance
PO Box 5521
Wellington

2. Logos and Brands

Council Corporate Logo

The 'Destination Rotorua' corporate logo resulted from the need for an overarching brand depicting the attributes of Rotorua as a desirable place to live, to work, to invest in and to visit.

The concept evolved out of the established tourism marketing brand: "ROTORUA - *feel the spirit – Manaakitanga*".



The brand is intended to capture the essence of a community's shared vision of where it is going – its *destination*.

Marketing Brand



Expressed visually, "ROTORUA, feel the spirit – Manaakitanga" is a challenge to ourselves as locals and an invitation we extend to the 2 million visitors we host each year, to experience the special essence of this extraordinary slice of New Zealand.

The word "*Manaakitanga*" represents the spiritual protection and guardianship of all that is precious according to tikanga Maori. It is a deep-rooted concept in Maori culture. It is a feeling. It is an invitation. It is also a responsibility. It implies guardianship of the land (whenua), treasures (taonga), visitors (manuhiri) and people (tangata). It requires us, as *tangata whenua* (people of the land), to deliver our very best. .

Rotorua District Coat of Arms

The shield, in blue, depicts a pine tree representing the forestry industry in Rotorua District, a sprig of kowhai representing the flora of New Zealand and a geyser representing the thermal regions of New Zealand of which Rotorua is the centre.

The chevron, in gold, shows a rainbow trout leaping.

Above the shield is the esquire's closed helm which is always used for civic arms with its crest wreath and mantling or decorative tournament cloak in the colours of the shield - blue and gold. On the helm stands the crest, also in the colours of the shield, with the New Zealand huia bird standing in a clump of New Zealand fern.



The arms are supported by a settler, representing the importance of the farming industry to Rotorua and by a Maori holding a weapon called a taiaha and wearing a korowai or Maori cloak, and chieftain's feathers.

The motto means "We together" signifying the harmony between Pakeha and Maori and was used during an official welcome by the Maori people to the Prince of Wales (later Duke of Windsor) on his visit to Rotorua in 1920. The motto "Tatou Tatou" was recommended to the Council by a former deputy mayor of Rotorua, Mr Pakake Leonard, who was appointed to a subcommittee set up to consider a coat of arms for the city. At the time of the grant of arms in 1963, the City of Rotorua's coat of arms was thought to be the only New Zealand city with a Maori motto rather than a Latin one.

3. About the District

Rotorua lies on the boundary of the Bay of Plenty and Waikato Regional Council areas. According to the 2006 Census, Rotorua's usually resident population numbered 68,100. Rotorua ranks 4th in size out of the 58 districts in New Zealand, and 16th in size out of New Zealand's 73 cities and districts. The district is centred around a thriving urban area on the southern shore of Lake Rotorua, and extends to include a substantial rural area as well as lakeside communities. Rotorua is a bicultural district with an increasingly multicultural population. The local environment encompasses 14 lakes, active geothermal areas, and a considerable amount of public open space. Rotorua has an increasingly broad industry base that includes tourism, agriculture, forestry, retail, manufacturing, business services, social services and education.

Some district statistics:

- The total area of the Rotorua District is 2,615 km².
- Based on the 2006 Census, the district's usually resident population stands at 68,100.
- According to the 2006 Census, the usually resident population of the main urban area stands at 53,766.
- Almost 20% of the population lives in rural and lakeside areas.
- The Rotorua District is a visitor icon in New Zealand and overseas, due in part to its geothermal and cultural attractions. For the year ending May 2010 there was an average of 4,800 visitors per day staying in Rotorua commercial accommodation .
- There are 800 ha of reserves managed by Rotorua District Council.
- There are more than 1,000 km of local roads in the district, of which almost 82% are sealed.
- The gross capital valuation is almost \$14.1 billion and gross land valuation is around \$7.9 billion.
- Rotorua's GDP is estimated at \$2.9 billion per annum.

Rotorua's Early History

According to oral history, many of Rotorua's Maori residents trace their ancestry to Tamatekapua, the captain of the Arawa canoe that arrived in New Zealand from the fabled homeland of *Hawaiki* more than six centuries ago. The Arawa canoe was beached at Maketu on the Bay of Plenty coast where the new arrivals settled down to live. They had been at Maketu for some time when an ancestor called Kahumatamomoe journeyed inland to explore. He discovered what is now known as Lake Rotorua, and settled at what is now Kawaha Point. Prompted by reports from other explorers, including Tamatekapua's grandson Ihenga, other members of the

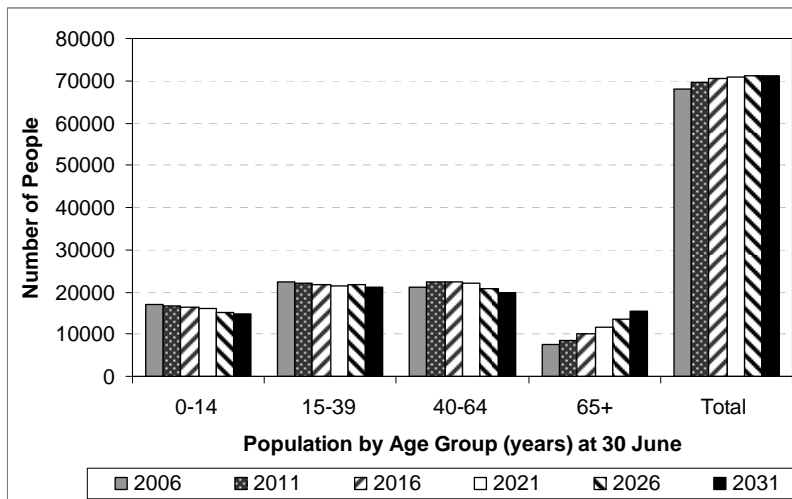
Arawa tribe eventually moved from the coast and settled in the Rotorua and Taupo areas. The earliest Maori villages in Rotorua were located close to geothermal activity, including Ohinemutu and Whakarewarewa. Descendants of the original settlers have left their mark on modern-day Rotorua through song, dance, legends and place names.

European settlers arrived in New Zealand throughout the 18th century. The subsequent development of the Rotorua area was driven by interest in the unique geothermal and cultural attractions of the area, coupled with the establishment of transport links, forestry and farming. The foundations of today's local government structure were laid by the Thermal Springs District Act of 1881, which made provisions for the establishment of certain amenities in Rotorua. An agreement was also concluded between the Government and the Maori people on the setting up of a Town Board to administer the affairs of the new township. Te Arawa sub-tribe Ngati Whakaue contributed generously to the development of the town through the gifting of more than 120 parcels of land for health and recreational purposes. These include Government Gardens, Kuirau Park, Pukeroa Hill, the Lakefront Reserve, and many other reserves. Today, policy issues in respect of Rotorua's gifted reserves are discussed by a joint committee of the Pukeroa Oruawhata Trust and the District Council.

Rotorua's People

Including people of mixed ethnicity, the major ethnic groups in the Rotorua District are European (56%), Maori (36%), Pacific Islands (4%) and Asian (4%). More than half of Rotorua's young people are of Maori descent. According to Census results, around 8,000 Rotorua residents are affiliated with the Arawa tribe that were the original settlers of the central Bay of Plenty area. In addition, many of Rotorua's Maori residents are affiliated with tribes from other parts of New Zealand. Rotorua's population profile is becoming much more multicultural than it has been in the past, including increases in residents from the Pacific Islands, Asian countries, and many other parts of the world. Rotorua's population profile is also relatively youthful but, like other parts of New Zealand, is gradually growing older. Official projections show that the district is expected to have only moderate residential population growth over the coming decade, with more rapid growth in the eastern suburbs, northern rural areas and eastern lakeside areas.

Population Projections by Age Group 2001 (Base)-2026 Rotorua District



Source: Statistics New Zealand Medium Population Projections, released February 2005.

Te Arawa and Geothermal Activity of the District

Included in the mythology of the Te Arawa people is an explanation for the origins of the geothermal activity within the district. The story of the tohunga (person of great knowledge) Ngatoroirangi is known and has been recited by both Te Arawa and Tuwharetoa, people of the Rotorua and Taupo regions for hundreds of years.

The following is a brief excerpt of the legend of Ngatoroirangi and the Pacific Ring of Fire:

The explorer Ngatoroirangi of the Arawa canoe was ascending Mount Tongariro when he called to his sisters from Hawaiki to bring him warmth or he would surely die.

Ngatoroirangi's prayers were heard and his sisters called upon the fire demons, Te Pupu and Te Hoata, who plunged into the sea and swam to Ngatoroirangi. Te Pupu and Te Hoata surfaced for the 1st time at Whakaari (White Island), where the earth burst into flames, they found that they still had many miles to go so continued on their journey, stopping briefly at Mou-tohora, Okakaru, Rotoehu, Rotoiti, Rotorua, Tarawera, Orakei-Korako and Taupo.

This is but one legend that talks about the geothermal wonders of NZ. These stories act to inform future and current generations about where the geothermal and volcanic activity is, to provide warnings and create an aura of importance about these treasures, whereby they are respected and protected.

Rotorua's Economy

Rotorua's central North Island location provides easy road, rail and air access, and in December 2009 hosted its first scheduled international air services. Council has invested significantly in improving public amenities in the District. Rotorua is home to an increasing number of industry clusters including forestry, tourism and education. These are made up of professional bodies that are committed to working together to improve their operations.

In the Rotorua District, primary production (including farming and forestry but excluding related processing and manufacturing) generates 7.2% of total employment compared with 6.0% nationally and in 2010 contributed an estimated \$493 million (17%) towards Rotorua's total economic output. Many manufacturers, service industries and contractors in Rotorua are directly affected by progress in the district's primary sector. Rotorua's soils are well suited for pastoral farming and forestry, and the district's average annual rainfall of 1,400mm is distributed evenly throughout the year. Rotorua also has a sunny climate and relatively little wind.

Recent major developments have slowed with the economic downturns. There are however advanced plans to further develop the Rotorua Central Mall, work has also started to convert the old post office building to inner city apartments and the airport extension to enable trans-Tasman capability was completed at the end of 2009. Extensive additions to the Rotorua museum will be completed in August 2011. These major investments will all have a positive impact on the business confidence in the region.

Rotorua's occupational profile is gradually changing, with fewer agricultural workers and increased numbers of manufacturers, professionals, teachers and other service occupations. Career opportunities exist across a wide range of industries. Fast-growing sectors over the coming years are expected to include trade and tourism, manufacturing, health, education and transport. Despite continued uncertainties in the forestry sector, the outlook for forestry and wood processing also remains optimistic. Emerging industries in Rotorua include spa and wellness, biotechnology and film and television. There is also considerable scope for increased commercial development on land and resources owned and managed by local Maori.

Rotorua's Environment

Rotorua's unique environment has shaped the development and identity of the district and provides a wide range of social, cultural, recreational and economic resources. The landscape and its cover have been substantially altered over time by geological events and human activity. Land cover in the district is now dominated by pasture (48%) and planted forest (20%), as well as indigenous forest and lakes. There are 137 Protected Natural Areas in the district, covering more than 30,620 ha. More than half of this area comprises scenic reserves.

The district's 14 lakes form a backdrop to an abundant variety of natural resources, recreation opportunities, visitor attractions and economic opportunities. The lakes and geysers of Rotorua are icons, recognised in this country and known throughout the world. Around 80% of Rotorua residents visit the district's lakes on at least a monthly basis. Lake water quality is an issue of significant community concern. In general, lake water quality has been declining over the long-term due to increased nutrient levels resulting in sporadic algal blooms on a number of lakes. A collaborative approach is being taken with Bay of Plenty Regional Council, Te Arawa Lakes Trust and lakeside communities to better manage lake water quality.

4. What is a Local Governance Statement?

Rotorua District Council's Local Governance Statement is a collection of information about the processes that Council uses to engage with the district's residents.

It outlines how Council makes decisions and shows how residents can influence those processes. It also promotes local democracy by providing the public with information on ways they can influence local democratic processes.

Council's Local Governance Statement is a requirement of section 40 of the Local Government Act 2002. Council is obliged to produce a new governance statement within six months following each triennial election.

5. Council's Functions, Responsibilities and Activities

As outlined in the Local Government Act 2002, the purpose of the Rotorua District Council is to enable democratic local decision-making to promote the social, economic, environmental and cultural well-being of the Rotorua District Council and its residents in the present and for the future.

The Council has overall responsibility and accountability for the proper direction and control of the Council's activities in promoting the social, economic, environmental and cultural well-being of the community. This responsibility includes:

- Formulating the district's strategic direction in conjunction with the community through the Long Term Council Community Plan (LTCCP);
- Determining the services and activities to be undertaken;
- Managing principle risks;
- Administering various regulations and up-holding the law;
- Monitoring the delivery of services identified in the LTCCP and Annual Plan;
- Ensuring the integrity of management control systems;
- Safeguarding the public interest;
- Ensuring effective succession of elected members;
- Reporting to ratepayers.

6. Local Legislation

In addition to the legislation that applies to all local authorities, the Rotorua District Council is also bound by five pieces of local legislation (acts that apply specifically to it). These are:

- **Rotorua Borough Reclamation Empowering Act 1931**

This empowers the former Rotorua Borough Council to reclaim such portions and to authorise the vesting of lands reclaimed from the bed of Lake Rotorua in the Borough of Rotorua.

- **Rotorua City Geothermal Energy Empowering Act 1967**

This enables the former Rotorua City Council to make provision for the control of the tapping and use of geothermal energy in the City of Rotorua.

- **Rotorua City Empowering (Information Centre and Public Relations Office) Act 1972**

This gives powers to the former Rotorua City Council to establish, operate and manage an information centre and public relations office.

- **Rotorua City Empowering (Ohinemutu Streets) Act 1974**

This vests the private streets and footways at Ohinemutu in the City of Rotorua.

- **Rotorua District Council (Sale of Liquor) Empowering Act 1996**

This authorises the Council to hold on-licences and special licences under the Sale of Liquor Act 1989 in respect of the following premises owned by the Council:

Rotorua District Council Civic Administration Building, Hinemaru Street

Rotorua Convention Centre, Fenton Street

Tourism Rotorua Centre, Fenton Street

Rotorua Public Library, Haupapa Street

Rotorua Museum of Art & History, Government Gardens, Queens Drive

Energy Events Centre, Government Gardens, Queens Drive

Rotorua Soundshell, Lakefront Reserve, Memorial Drive

Rotorua International Stadium, Ray Boord Park, Devon Street

The Rotorua District Council also has a number of bylaws which are as follows:

Air Quality Control Bylaw 2010

Dog Control Bylaw 2005

Food Safety Bylaw 2006

General Bylaw 1980

General Bylaw Amendment No.1 1989

General Bylaw Amendment No.1 1992

General Bylaw Amendment No.1 1997

Geothermal Safety Bylaw 2008

Livestock Movement Bylaw 2006

Prostitution Bylaw 2009

Public Places Liquor Control Bylaw 2009

Sanitary Landfill Bylaw 2008

Signs on Roads Bylaw 2008

Speed Limit Bylaw 2005

Traffic Bylaw 2008

Vegetation in Urban Areas Fire Prevention Bylaw 1992

Water Services and Trade Waste Bylaw 2010

7. Electoral Systems

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, councillors and community board members. The choices are "First Past the Post" (FPP) or "Single Transferable Vote" (STV) system.

FPP allows electors 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 declared the winner.

STV, instead of putting a tick beside a candidate's name, requires the elector to put a number. Electors are in effect ranking candidates in order of preference. The number of votes required for each candidate to be elected is called the quota and the quota is calculated on the number of positions to be filled and the number of valid votes. The necessary number of candidates to fill all vacancies is achieved initially by counting of first preferences, then by transferring a portion of votes received by any candidates where the number of votes for

that candidate is in excess of the quota, and then by the exclusion of the lowest polling candidate and the transfer of these votes in accordance with voter's second preference. This system is mandatory for District Health Board elections and has been adopted by some councils.

Rotorua District Council currently uses the First Past the Post electoral system. Under the Local Electoral Act 2001, the Council can resolve to change the electoral system to be used at the next two elections to the Single Transferable Vote (STV) system or stay with First Past the Post (FPP) for the next election. Council can conduct a binding poll on the question or electors can demand a binding poll. A poll can be initiated 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 triennial election.

The Council's last review of the electoral system was in 2008 and no change was made to Council's electoral system; therefore the 2010 triennial election was conducted under FPP.

The next opportunity for review is in 2011, to change the electoral system for the 2013 elections or to conduct a poll, or electors could demand a poll.

8. Election and appointment process to Te Arawa Standing Committee

The Te Arawa Standing Committee was formed in 1993 by Council and Te Arawa iwi. The Committee's purpose is to involve and encourage greater participation from Te Arawa and Maori in the decision-making processes of Council.

The committee's term of reference is to represent the interests of Te Arawa whanui at Council, committee meetings, to consider matters regarding council services, policies and information and make submissions or recommendations, where those matters may affect Te Arawa whanui. However any matters that impinge upon the collective resources of Te Arawa iwi, hapu and whanau will be reviewed by the Standing Committee, but shall not compromise the tino rangatiratanga of any Te Arawa tribe, hapu and whanau.

There are nine members on the Te Arawa Standing Committee. The membership is made up of three Council representatives, and six iwi elected members.

The iwi election process for the Te Arawa Committee is undertaken every three years, in the same year as the local government elections.

9. Representation Options

The current membership of Council consists of 12 members together with the Mayor. The Mayor and 12 councillors are elected by the electors of the whole district. There is also a Rotorua Lakes Community Board comprising six members (four elected from the community and two appointed from Council).

Council is required to review its representation arrangements at least once every six years. The Council undertook a review in 2009 for the 2010 election. This review included the following:

- The number of elected members (within the legal requirement to have a minimum of six 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, then the boundaries and names of those wards and the number of members that will represent each ward.
- Whether or not to have separate wards for electors on the Maori roll.
- Whether to have community boards and, if so, how many, their boundaries and membership, and whether to subdivide a community for electoral purposes.

The Local Electoral Act 2001 gives any member of the public the right to make a written submission to Council, and the right to be heard.

The submitters have the right to object to any decisions on the above to the Local Government Commission which will make a binding decision. 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.

Maori Wards and Constituencies

The Local Electoral Act 2001 also gives 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.

Consideration of whether to have Maori wards was addressed by Council when it undertook the representation review in 2009 for the 2010 election.

The Reorganisation Process

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

- Make changes to the boundaries of the district.
- Create a new district.
- Create a unitary authority, i.e. transfer all of the functions of a regional council to Rotorua District Council.
- Transfer a particular function or functions to another council.

The procedures for resolving each type of proposal are slightly different. In general they begin with a proposal either from the local authority, the Minister of Local Government, or by a petition signed by 10% of electors.

Proposals for a boundary alteration or transfer of functions from one local authority to another will be considered by one of the affected local authorities, or by the Local Government Commission if the local authorities refer the proposal to the Commission or if they cannot agree on which of them should deal with matter. Proposals for the establishment of a new district or for the creation of a unitary authority will be dealt with by the Commission. These proposals cannot be implemented without a poll of electors.

Further information on these requirements can be found in the Local Government Act 2002. The Local Government Commission has also prepared guidelines on procedures for local government reorganisation.

10. Roles and Conduct of Elected Members

Section 39 of the Local Government Act 2002 outlines governance principles for local authorities, these are:

- (a) *a local authority should ensure that the role of democratic governance of the community, and the expected conduct of elected members, is clear and understood by elected members and the community; and*
- (b) *a local authority should ensure that the governance structures and processes are effective, open, and transparent; and*
- (c) *a local authority should ensure that, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities; and*

- (d) *a local authority should be a good employer; and*
 (e) *a local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.*

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% or more vote of Council. 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 the 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 the possession of, elected members, and contains details of the sanctions that Council may impose if an individual member breaches the code.

A code of conduct was initially adopted in December 2003 by Council in accordance with provisions of the Local Government Act 2002.

11. Governance

Governance of the district relates to the manner of achieving representation of the community's views and how these are translated into actions and work programmes of the Council. This section outlines the structures and processes that promote the following governance themes:

Representation	<ul style="list-style-type: none"> ▪ involvement in governance decisions at Council and Committee level ▪ advocacy undertaken on behalf of the Rotorua community ▪ effectiveness of governance structures
Leadership	<ul style="list-style-type: none"> ▪ overview of governance structures and outputs achieved
Strategic directions	<ul style="list-style-type: none"> ▪ strategic community achievements ▪ setting of strategic platform

Background

Local government in the Rotorua District is based on three core premises: transparency, participation and accountability. Transparency is achieved through the community being able to "clearly see the policies, plans and objectives and how they are able to be financed". Participation is achieved through the consultative community input processes that enable Council to connect with its constituents and interested parties. Accountability is achieved through a number of reports, including the Annual Report, which are produced to gauge effectiveness and attainment of targets. The Government's watchdog, the Auditor-General, audits both the financial and non-financial achievements in the Annual Report, providing both the community and Central Government with an independent assessment of Council's achievements.

Role of Council

Council has the overall responsibility for:

- Proper direction and control of the district's activities in a prudent financial manner
- Representing the views of the community in the most effective, strategic, and holistic manner possible
- Laying the strategic foundations for the district to grow in a dynamic and enabling manner.

These roles require stewardship of:

Operational policy and strategic direction, including:

- Risk management
- Administration of regulations and bylaws
- Management integration
- Safeguarding public interest, including advocacy.

Representation

Electoral System

The system of elected member representation was reviewed for the 2010 elections. The Mayor and 12 Councillors were elected by electors of the whole district.

There is also a Rotorua Lakes Community Board with four members elected and two appointed by Council.

Members are remunerated in accordance with the determinations made by the Remuneration Authority.

The next elections will be held in October 2013.

Meetings

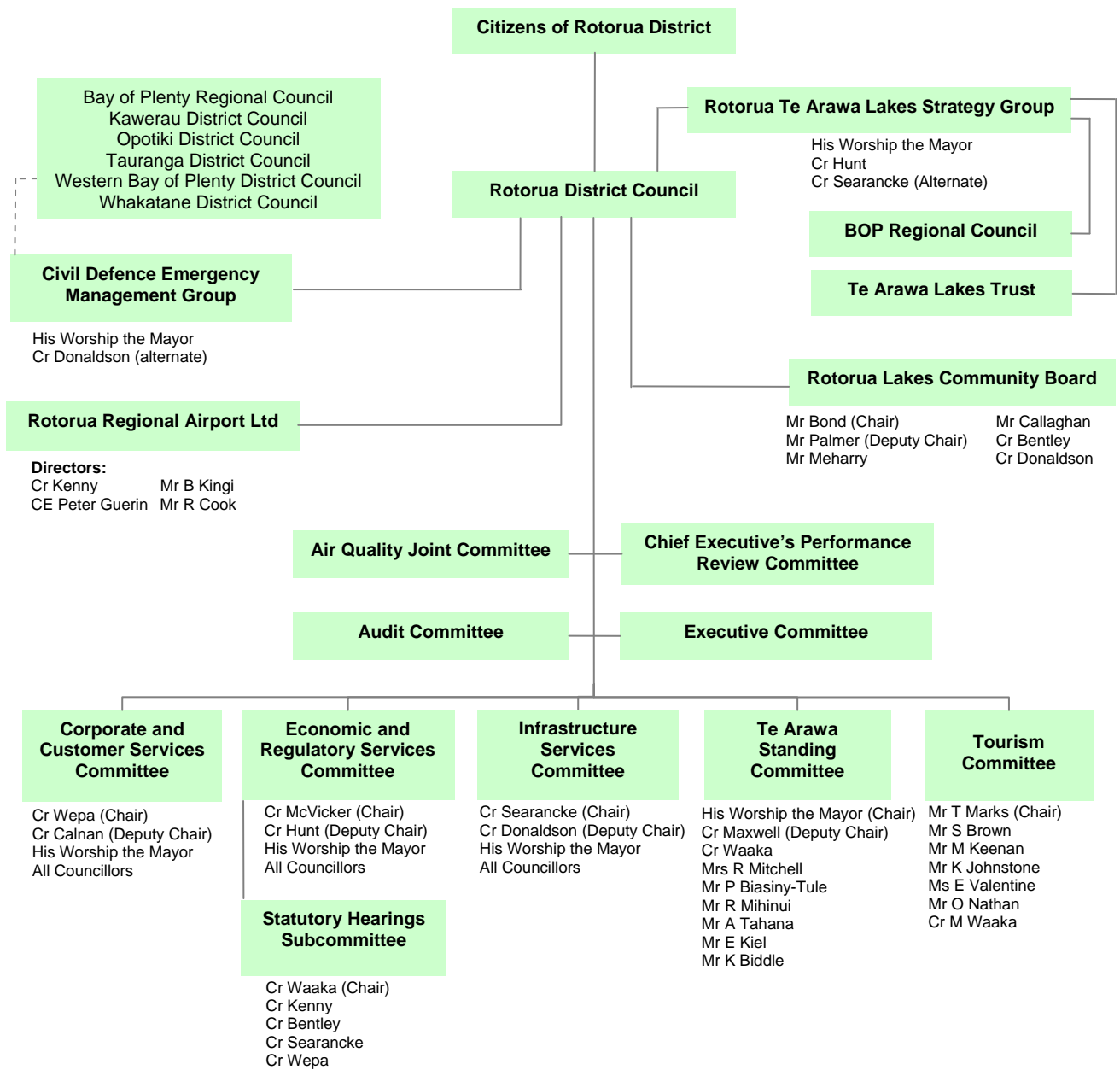
Council's committee structure and meeting arrangements were determined by Council in November 2010, and this committee structure provides an open and accountable governance system.

The Mayor and Councillors

The Mayor is an ex-officio member of all council committees, and attends most meetings. The Mayor also holds positions on many trusts, community organisations, and community committees. These positions include acting as trustee or board member, committee member or chair, and patron. The Mayor also hosts many meetings to ensure facilitation and that information is passed on to the community.

The Mayor is a Justice of the Peace, and hosts Citizenship Ceremonies, Community Awards, Trustpower Spirit of Rotorua Awards, Young Achievers' Awards and 100% School Attendance Awards. The award ceremonies are well attended and recognise the important contribution that others make to the Rotorua community.

Committee Structures



His Worship the Mayor is an ex officio member of all committees

Committee Terms of Reference

- **Corporate and Customer Services**
LTCCP and Annual Plan, rates, financial, Castlecop business unit, civil defence, customer services, library, pensioner housing, community halls, community grants, community, social policy, monitoring, information and research, community assistance policies, sister city relationships.
- **Economic and Regulatory Services**
City services, event venues, Museum of Art and History, animal control, building control, planning, litter enforcement, parking enforcement, signs, geothermal safety, animal control, economic development.
- **Infrastructure Services**
Aquatic facilities, cemeteries/crematorium, nursery, public gardens, reserves, land drainage, Rotorua Airport, rural fire, roading, road safety, state highways, waste management, refuse collection, landfill, waste water, sewerage schemes, water supplies.
- **Te Arawa**
The Te Arawa Standing Committee was established in 1993 and is chaired by the Mayor at the request of Te Arawa at the time the committee was established. As part of the Rotorua District Council's decision making process Te Arawa Standing Committee has the responsibility to provide a Te Arawa perspective on all matters that affect Maori.
- **Tourism**
The Tourism Committee was established following the elections in 2010. Membership comprises an appointed Chair, five other appointed members and one councillor. The purpose of the Tourism Committee is to determine where Council's tourism investment should be focussed and to monitor the results.
- **Executive Committee**
Comprises His Worship the Mayor, the Deputy Mayor, chairpersons of Economic and Regulatory Services Committee, Corporate and Customer Services Committee, Infrastructure Services Committee and Chief Executive. Its work includes decisions on applications for remission and/or postponement of rates in cases of extreme hardship, negotiation of leases and emergency matters.
- **Statutory Hearings Subcommittee**
This subcommittee is chaired by Cr Waaka along with four other councillors. It has approximately 12 meetings per year and deals with matters such as subdivision applications, resource consent conditions and applications, objections and the District Plan.
- **Rotorua Te Arawa Lakes Strategy Group**
Rotorua District Council, BOP Regional Council, and the Te Arawa Lakes Trust form this group. Lakes water quality is an important issue for the district and the group has been charged with ensuring that a proactive strategic approach is taken toward co-ordinating lakes quality improvement. Mayor Winters and Councillor Hunt are Council's representatives.
- **Rotorua Regional Airport Ltd (RRAL)**
The airport operates as Rotorua International Airport and is a vital infrastructural component of the Rotorua and wider Bay of Plenty/Southern Waikato regions' economy. The Airport is 100% owned by the Rotorua District Council through a company which manages and plans separately to Rotorua District Council through a board of directors. Members of the Board are Cr G Kenny, Mr R Cook, Mr B Kingi and Chief Executive P Guerin.
- **Civil Defence Emergency Management Group**
The six city/district councils in the Bay of Plenty region, together with the Bay of Plenty Regional Council, form this joint committee. The functions of the joint committee are to identify, assess and manage hazards and risks for the Bay of Plenty region.

- **Chief Executive Performance Review Committee**
Comprises: His Worship the Mayor, Deputy Mayor, Chairs of Infrastructure Services Committee, Corporate and Customer Services Committee, and Economic and Regulatory Services Committee. The purpose of this committee is to review the performance of the Chief Executive annually and undertake the legislative requirements in relation to the Chief Executive's employment.
- **Audit Committee**
This committee comprises His Worship the Mayor, the chairperson and deputy chairperson of the Corporate and Customer Services Committee and an external appointee, Mr B Lane. Its work includes internal/external audit matters. This committee meets as required
- **Other Committees**
These are formed as subcommittees to deal with particular issues as required. They usually meet irregularly and are in existence for as long as required, sometimes being in a period of abeyance between active periods. The Mayor is an ex-officio member of all committees.

Rotorua Lakes Community Board

The Rotorua Lakes Community Board was established in 2007 to undertake the following responsibilities within the Lakes Community Board area - represent and act as an advocate; consider and report on any matter of interest or concern; maintain an overview of services provided; prepare an annual submission for expenditure; communicate with community organisations and special interest groups; and undertake any other responsibilities delegated to it by the council.

Delegation

Council delegates specific decision-making powers and duties to the respective committees, and these are listed in Council's delegation manual. There are specific duties and functions which Council is unable to delegate which are listed in Clause 32 Schedule 6 of the Local Government Act 2002. These are:

- the power to make a rate
- the power to make a bylaw
- the power to borrow money or purchase or dispose of assets, other than in accordance with the Long Term Council Community Plan
- the power to adopt a Long Term Council Community Plan, Annual Plan or Annual Report
- the power to appoint a chief executive
- the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002

There are also delegations to individual elected members, subcommittees, Rotorua Lakes Community Board, the Chief Executive and senior management to make certain decisions that allow the smooth and efficient running of day-to-day affairs.

All Council delegations are documented in Council's policy manual and are subject to review at each triennial election and any other time required.

Support for Elected Members

Elected members are guided, and advised formally and informally through a number of mechanisms. The Local Government Act 2002 and other legislation provides the framework in which members are elected and must operate.

Council has adopted a Guide to Good Governance which includes a code of conduct to help ensure transparency and a high standard of behaviour. Model standing orders are also used to guide meeting procedures and assist sound decision making processes.

The Remuneration Authority determines the overall salary pool for the Mayor and Councillors, and how Councillors are remunerated from the pool is determined by Council.

Elected members are advised by the Chief Executive (who may seek additional external advice on matters such as legal opinions) and staff. Resources are also available from such bodies as LGNZ, and professional organisations. However, first and foremost, elected members are advised by the community which they represent through formal and informal processes.

Members are elected every three years with the last election being in October 2010. Following elections, members undertake a formal induction programme covering their roles and responsibilities as well as providing a thorough overview of the organisation and its operations.

12. 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 is a specific reason to consider an item with public excluded. Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with the 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.

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

The Mayor or committee chair is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any member of the Council who does not comply with Standing Orders (a set of procedures for conducting meetings). 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 with three working days notice.

During meetings of the Council and committees, all council participants (the Mayor or chair, councillors or members) must follow Standing Orders unless Standing Orders are suspended by a vote of 75% (or more) of the members present. Copies of the Code of Conduct and of Standing Orders can be obtained from the Democracy Support Manager at the council's Civic Centre.

13. Consultation Policies

Local Government reforms in 1989 began to set the scene for the legislation relating to consultation.

Consultation Requirements

The Local Government Act 2002 (LGA 2002) sets out consultation requirements and principles (sections 75-90) for Council to follow when making decisions. For any decision, Council should:

- Assess the problem or issue to be addressed, the options for addressing it, and the costs, benefits, and impacts of those options.
- Consider the views of the community at all stages of the decision-making, particularly including persons likely to be affected by or interested in the matter, and the views of Māori (especially where land or water are affected).
- Consult prior to making any decision or predetermination of an option.
- Make decisions in the interests of the community's cultural, economic, environmental, and social well-being, now and in the future.

- Provide reasons for decisions made, and identify and explain any inconsistency with other Council plans or policies.

Special Consultative Procedure

The LGA 2002 has specific procedures that Council must follow when making certain types of decision. The special consultative procedure (predominantly set out in sections 83-89 of the LGA 2002) is regarded as a minimum process that Council must use when making decisions that trigger particular criteria within the LGA 2002 or Council's Significance Policy.

N.B. The objective of Council's Significance Policy is to ensure that the community of Rotorua District is fully consulted and able to actively participate in the consideration of issues, proposals, decisions or other matters which are significant, and/or which involve Rotorua District Council's strategic assets.

The special consultative procedure consists of the following steps:

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

STEP TWO: Public notice. 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.

STEP THREE: Receive submissions. Council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission i.e. to speak in support of their written submission. Council must allow at least one month (from the date of the notice) for people to make written submissions.

STEP FIVE: Deliberate in public. All meetings where Council deliberates on the proposal or hears submissions must be open to the public (unless there is some reason to exclude the public under the Local Government Official Information Meetings Act 1987 (LGOIMA). All submissions must be made available to the public unless there is reason to withhold them under the LGOIMA.

STEP SIX: Follow up. A copy of Council's decision and a summary of its reasons must be provided to submitters. There is no prescribed format for such a summary. By law, Council must follow the special consultative procedure before it:

- adopts a long-term council community plan (LTCCP) or annual plan
- amends an LTCCP
- adopts, revokes, reviews or amends a bylaw
- changes the mode of delivery for a significant activity (for example from Council to a council-controlled organisation or from a council-controlled organisation to a private sector organisation) if that is not provided for in a LTCCP.

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.

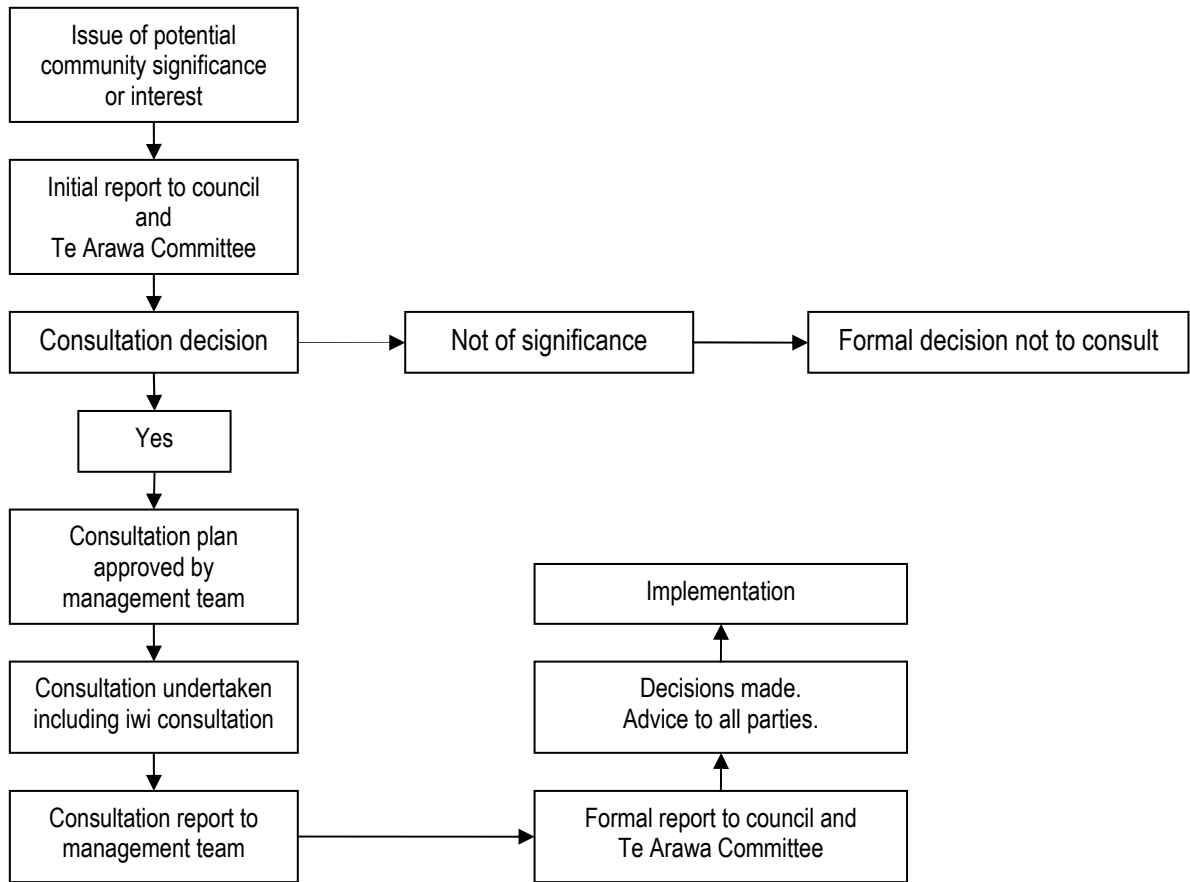
Council can (and does) consult outside of the special consultative procedure. When it is adopting its long-term council community plan, annual plan or district plan, it may hold meetings with the community. At these meetings Council may seek views on the matters Council considers to be important and identify issues of concern to the community.

The Resource Management Act also specifically sets out requirements for local authorities to consult. The act promotes consultation before decisions are made and the public is notified.

The Reserves Act also sets out clear guidelines, principles and procedures about how the public must be consulted or notified about any proposed change in use or management of reserve or open space land.

Council’s Policy Manual sets out the standard processes used for consultation under these Acts.

Consultation Flow Chart



14. Policy for Liaising, and Memoranda or Agreements, with Maori

Within Rotorua is a diverse range of Tangata Whenua/Maori stakeholders, such as Maori land trusts, owners and incorporations, runanga, marae, Maori service and voluntary organisations, Maori businesses, Maori tourist operators and Maori whanau, hapu and iwi. A list of Maori Committees and Advisory Groups that support Council, and Whare Korero are available to staff and the public.

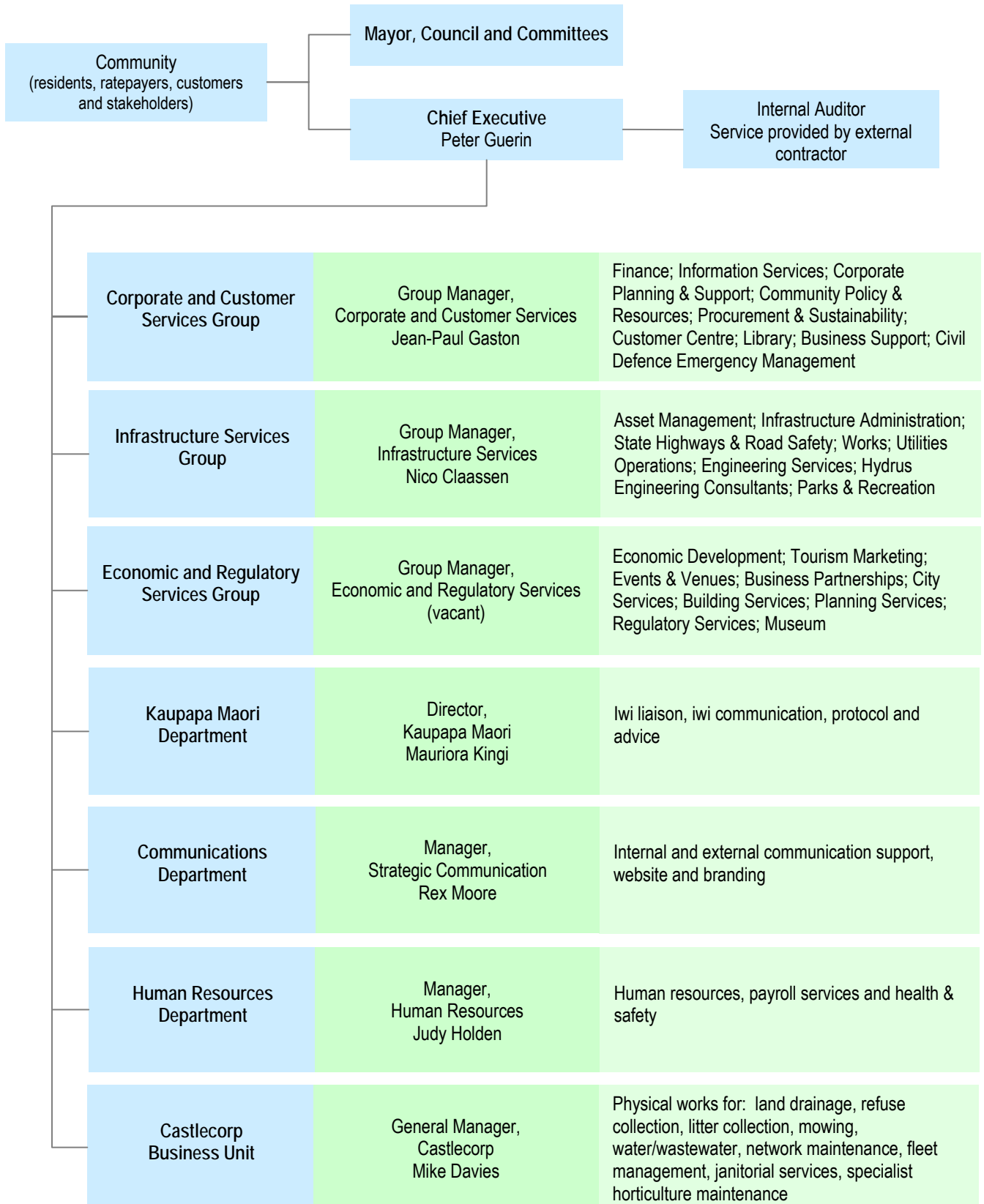
Council currently has committees, positions, policies and memoranda that also assist Maori to participate in Council decision-making. These mechanisms include: Memorandum of Understanding with Tuhourangi iwi, Memorandum of Understanding Rangiteaorere, Memorandum of Understanding Ngati Rangiwewehi, Mana Whenua Funding Policy 2010-2011, Te Arawa Standing Committee, Te Pukenga Koeke o Te Whare Taonga, Iwi Consultative Committee, Ngati Whakaue Gifted Lands Protocols Committee, Kauae Cemetery Trust, Pukaki Trust, the Waka Taua Trust, the Ngati Rangiteaorere Kahikatea Trust, Rotorua Te Arawa Lakes Strategy Committee, Te Reo Maori policy, Powhiri policy, Kaupapa Maori Department.

Council also has other positions and policies that contribute to Maori engagement in Council decision-making such as the Community Arts and Public Arts Policy, the Youth Council, E Oho Programme, and Marae driveways and Maori Road lines policy.

All of these are reviewed from time to time to ensure the role or activities are current and relevant. Consideration is also given to their resourcing and support as well as ensuring that their existence and function is understood, accessible and known by Maori stakeholders and the wider community.

15. Management Structure and Relationships

Council appoints only the Chief Executive, who reports to and is accountable to the Mayor and councillors. The Chief Executive then employs staff and engages contractors to support in providing the policy advice and implementing the decisions of Council.



16. Equal Employment Opportunities Policy

Equity Policy Statement

The Rotorua District Council recognises the right of all employees to work in a safe and respectful environment where they are protected from all forms of violence, harassment and unlawful discrimination.

The Rotorua District Council will not tolerate violence, harassment and unlawful discrimination whether it be by supervising personnel, co-workers and members of the public toward staff, or by staff toward members of the public. Appropriate action will be taken against those who offend.

To ensure these goals the Rotorua District Council will:

- Ensure that all policies, procedures and processes support these goals.
- Ensure all staff have adequate training and understand this policy.
- Provide staff with access to support and advice through both external and internal persons.

This policy covers all workplace environments including external venues arranged through the Rotorua District Council and all relationships between staff, customers and contractors involved with this organisation.

Every staff member is responsible to support this policy and to ensure it is supported.

Equal Employment Opportunities Policy

The Rotorua District Council is committed to the principle of equal opportunity in the recruitment, employment, training and promotion of its employees. The Council will provide a welcoming positive environment and will implement a purposeful programme of action to ensure its activities and services are carried out with an awareness of, and an intent to eliminate discrimination in the areas of sex, marital status, religious beliefs, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status, sexual orientation.

Employee Assistance Programme Policy

The Rotorua District Council, together with staff representatives, will assist those employees who have personal problems that affect their work performance. It is in the best interest of the employer, unions and employee that a person with impaired work performance should receive early assistance and at the same time be assured that this will in no way be detrimental to their career.

17. Key Approved Planning and Policy Documents

The following have been identified as key Council planning and policy documents.

Long Term Council Community Plan (LTCCP):

Planning Processes

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

Included in the LTCCP are Council's Funding and Financial Policies which set out the guidelines of how Council plans for, and acquires funds, to finance its operation, and the projects and programmes in the ten year plan.

The Funding and Financial Policies comprise:

- Revenue and Financing Policy (including Rating Policy)
- Treasury Policy
- Development Contributions Policy
- Financial Contributions Policy
- Policy on Partnership with Private Sector
- Rates Relief Policies
- Funding Impact Statement

LTCCPs are also required to consider the social, environmental, economic and cultural well-being of current and future communities.

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

The LTCCP requires Council and the community to work together to build a great and indefinitely sustainable district.

Community outcomes from consultation

Sections 91 and 92 require councils to identify and report on Community Outcomes. These outcomes state what the community wants to see for Rotorua in the next 10 years. The outcomes will help to build relationships between many organisations in the district, and will reflect what the community wants.

The Community Outcomes are themes and short statements that state what the community believes the key priorities are for the future. They will provide a number of goals for the community, organisations, and Council to work toward. The Long Term Council Community Plan (LTCCP) and other strategies should work towards promoting these outcomes.

Council's Annual Plan:

The annual plan is developed from the LTCCP (Ten Year Plan). It includes information on Council's policies, actions, and funding that is to be undertaken for the coming financial year. Any significant changes from the previous annual plan's policies, objectives, significant services and performance measures are explained.

The annual plan is Council's main means of communicating its projects and programmes to the public. 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 including the rates for the next financial year.

The annual plan must include:

- Forecast financial statements for Council
- Funding Impact Statement which states:
 - revenue and financing mechanisms used
 - reasons for departing from the Funding Impact Statement in the Ten Year Plan for that year
 - Uniform Annual General Charge (and how it is calculated)
 - basis for charging the general rate (Land Value or Capital Value)
 - whether general rate is set differentially
 - activities funded by any targeted rates
 - properties charged any targeted rate
 - basis for changing any targeted rate and revenue sought

Council will prepare an Annual Plan in the two years between producing a Ten Year Plan which will incorporate information that is included in the Ten Year Plan. The current Ten Year Plan covers the period 2009 to 2019.

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 plan
- comment on the performance of all organisations included in the annual plan or ten year plan
- be produced within four months of the end of the financial year (adopted)
- contains an audited report, and financial statements which assesses Council's financial performance against its budget
- show the extent to which Council's equal employment objectives were met.

18. Public Access and Participation

Mayor and Council

His Worship The Mayor

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Director, Kaupapa Maori – Mauriora Kingi
Human Resources Manager – Judy Holden
General Manager, Business Unit Castlecorp – Mike Davies
Manager, Strategic Communications – Rex Moore

Corporate and Customer Services Group

Group Manager, Corporate & Customer Services – Jean-Paul Gaston

Manager Corporate Planning and Support –
Peter Christophers
Finance Manager – Teresa Foster
Manager, Information Services – Charles Burns
Procurement & Sustainability Manager – Kerry Starling
Customer Centre Manager – Roanna Dunn
Business Support Manager – Oonagh Hopkins
Library Manager – Jane Gilbert
Manager, Community Policy & Resources – Ann Esler

Economic and Regulatory Services Group

Group Manager, Economic & Regulatory Services – (vacant)

Manager, Regulatory and Support Services – Jim Nicklin
General Manager, Destination Rotorua Tourism Rotorua –
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General Manager, Events & Venues – Peter McLeod,
(07) 349 5141
Manager, Planning Services – Tracey May
Manager, Building Control – Darrell Holder
General Manager, Destination Rotorua Economic
Development – Grant Kilby
Director, Rotorua Museum of Art & History – Greg McManus,
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City Services Manager – Dennis Olliver

Infrastructure Services Group

Group Manager, Infrastructure Services – Nico Claassen

Manager, Engineering Services – Andy Bell
Utilities Operations Manager – Eric Cawte
Works Manager – Peter Dine
General Manager, Hydrus Engineering Consultants –
Greg Manzano
Asset Manager, Infrastructure Services – Clayton Oldham
State Highway and Road Safety Manager – Kevin Thompson
Parks and Recreation Manager – Garry Page
Administration Manager – Sally Garner

19. Requests for Official Information

The Local Government Official Information and Meetings Act 1987 requires Council to make information held in its records more readily available, to promote the right of access to that information, and to protect information where it is in the public interest to do so and for the sake of personal privacy. In addition to the privacy provisions of the LGOIMA, personal information held by Council is subject to the Privacy Act 1993. Provisions in some legislation require councils to specifically collect information and directs that the information must be made available and specifies to whom. Further, some legislation also directs certain information held is not to be made available for reasons of privacy.

Any individual or group of persons, organisations, a corporate body or the media have a right to request information that is held by Council. Requests for information can be made in writing or verbally but requests must be reasonably specific as to the information wanted. No reason for the request has to be given unless the information is wanted urgently.

Information must be made available within 20 working days but this deadline can be extended if there are good reasons. A complaint can be made to the Ombudsman's Office if the delay is unreasonable.

Council has a duty to assist people in making requests for information. If the Council does not hold the information but believes another council, organisation or government department might, the request should be passed on to that organisation.

On receiving a request for information, Council can take various courses of action, such as:

- Supply the information requested.
- Transfer the request to another authority or agency should the information requested be held by that other agency.
- Refuse to supply the information for reasons specified in the Act.
- Determine that it is not able to locate the information or collate it without unreasonable cost.

The Act provides for reasonable charges to be made for supplying information. Currently Council does not charge for information other than where the request takes significant time to access and collate. The charges are: \$65.00 per hour (after the first hour) and 20 cents per photocopy.

The general principle guiding requests for information is that the information must be made available unless there is a reason under the Act for not releasing it. Reasons for refusing a request must be given.

Where a request is refused, applicants must be advised of their rights to approach the Ombudsman to investigate and review the decision of Council in refusing the request. This also includes personal information.

Should the Ombudsman recommend that the Council release information that it has already refused to release, Council can still refuse to accept the ruling of the Ombudsman but it must publicly notify its decision and the reasons for it. The High Court can then be asked to examine any decision by the Council not to follow the Ombudsman's ruling.

Reasons for refusing a request are:

- The release of the information would be likely to prejudice the maintenance of law.
- The information, if released, would be likely to endanger any person.
- To protect a trade secret or the commercial activities of Council.
- To protect personal privacy.

Individuals have the right to ask for any information about themselves, without charge.

Special rules govern the right of access to personal information and Council can be asked to correct information which is inaccurate or incomplete or misleading. If Council believes that its information is accurate, it must nevertheless note on its file that an objection has been made as to the accuracy of the information and the reasons for it.

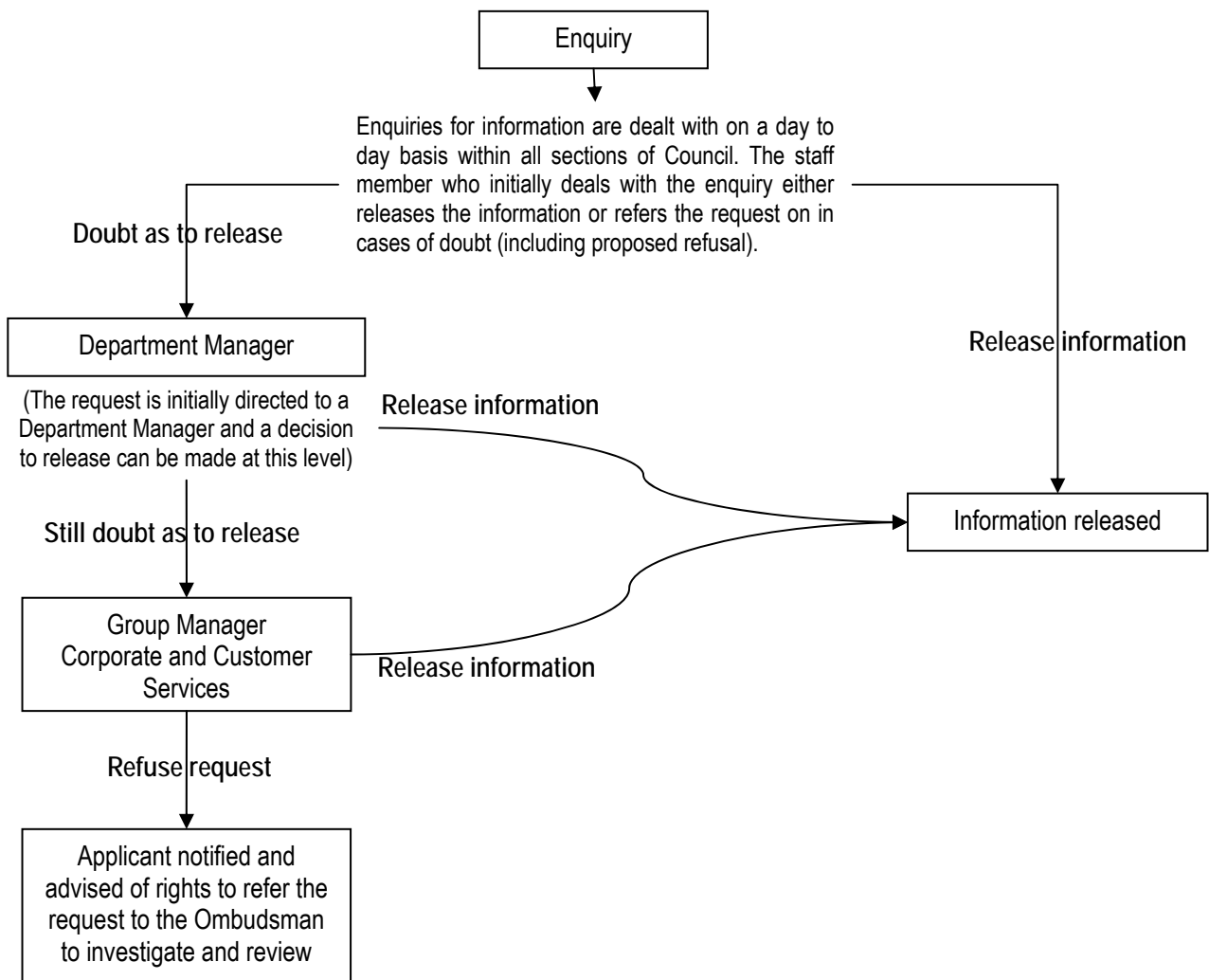
All requests to Council, whether verbal or in writing, are deemed to be requests under the Local Government Official Information and Meetings Act 1987. However, in the course of Council's day to day business operations, staff are constantly involved in giving out information to the public from records held. Some legislation directs that certain information must be released and conversely also may direct that information is not to be released. It is only in such cases where doubt exists as to whether any particular information that is held can or should be released, that a formal process is adopted and followed to deal with such requests. In all other cases the information is provided in the course of day to day business.

Council's procedures for dealing with requests for information under the Local Government Official Information and Meetings Act 1987 where there is doubt as to release of the information are shown on the flow chart below.

All such requests are directed internally to the Group Manager Corporate and Customer Services who is Council's delegated Official Information and Privacy Officer and responsible for the decision on the release, after consultation with the appropriate department head.

FLOW CHART

Decisions on Information Requests Local Government Official Information and Meetings Act 1987



20. Appendix 1: Local Government Act 2002 Section 40

40. Local governance statements—

- (1) A local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement that includes information on—
 - (a) the functions, responsibilities, and activities of the local authority; and
 - (b) any local legislation that confers powers on the local authority; and
 - (c) the electoral system and the opportunity to change it; and
 - (d) representation arrangements, including the option of establishing Maori wards or constituencies, and the opportunity to change them; and
 - (e) members' roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and
 - (f) governance structures and processes, membership, and delegations; and
 - (g) meeting processes (with specific reference to the applicable provisions of the Local Government Official Information and Meetings Act 1987 and standing orders); and
 - (h) consultation policies; and
 - (i) policies for liaising with, and memoranda or agreements with, Maori; and
 - (j) the management structure and the relationship between management and elected members; and
 - (k) equal employment opportunities policy; and
 - (l) key approved planning and policy documents and the process for their development and review; and
 - (m) systems for public access to it and its elected members; and
 - (n) processes for requests for official information.
- (2) A local authority must comply with subsection (1) within 6 months after each triennial general election of members of the local authority.
- (3) A local authority must update its governance statement as it considers appropriate.