



TE KAUNIHERA-Ā-ROHE O TARATAHI
CARTERTON
DISTRICT COUNCIL

GOVERNANCE STATEMENT

Prepared in accordance with Section 40 of the Local Government Act 2002

Adopted on 29 January 2020

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1. **What is a governance statement?**

A local governance statement is a collection of information about the functions, powers, and key processes of a Council. It includes how the Council makes decisions, and how the community can influence those processes. The statement is required under section 40 of the Local Government Act 2002.

2. **Council's functions, responsibilities, and activities**

The purpose, focus, and powers of councils are set out in the following key sections of the Local Government Act 2002:

Section 10

(1) *The purpose of local government is—*

- (a) *to enable democratic local decision-making and action by, and on behalf of, communities; and*
- (b) *to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.*

Section 12

(2) *For the purposes of performing its role, a local authority has—*

- (a) *full capacity to carry on or undertake any activity or business, do any act, or enter into any transaction; and*
- (b) *for the purposes of paragraph (a), full rights, powers, and privileges.*

(4) *A territorial authority must exercise its powers under this section wholly or principally for the benefit of its district.*

The Council has overall responsibility and accountability for the proper direction and control of the Council's activities in pursuit of community outcomes. These responsibilities include:

- formulating the District's strategic direction in conjunction with the community, i.e. the Long-Term Plan (LTP)
- determining the services and activities to be undertaken by Council
- administering the various legislation and regulations conferred on local authorities by statute
- monitoring the delivery of the Long-Term Plan and Annual Plan
- advocacy on behalf of the community with central government, other local authorities, and other agencies.

3. **Statutes pertaining to local government**

In fulfilling its purpose, the Carterton District Council exercises power and fulfils responsibilities conferred on it by various statutes and regulations. Chief among these are the:

- Local Government Acts of 1974 and 2002
- Local Electoral Act 2001

- Local Government Rating Act 2002
- Local Government Official Information and Meetings Act 1987
- Resource Management Act 1991.

There are also numerous general Acts of Parliament that confer powers and obligations on the Carterton District Council.

4. **Legislation and by-laws for Carterton District**

There is legislation that applies specifically to Carterton District Council:

- Carterton and District Memorial Square Act 1932 No 3.

There are by-laws adopted by Carterton District Council. These are listed in Attachment 1, with the dates each was made, last reviewed, and due for review.

5. **The electoral system**

Carterton District Council currently operates its elections under the First Past the Post electoral system. Electors vote for their preferred candidate(s), and those with the most votes, win.

Under the Local Electoral Act 2001, there are three ways in which the Council's voting system can be changed:

- The Council can resolve to change the system.
- It can conduct a binding poll.
- Electors can demand a binding poll, through a petition by five percent or more of the registered electors.

Once changed, the electoral system must be used for at least the next two triennial Council elections.

In August 2017, the Council resolved to retain the First Past the Post electoral system for the 2019 and 2022 triennial elections.

6. **Representation arrangements**

6.1 Review process

The Council is required to review its representation arrangements at least once every six years. This 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, 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 Māori 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 Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review, and should also follow guidelines published by the Local Government Commission. The Act gives members of the public the right to make a written submission to the Council, and the right to be heard if desired.

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

In 2018, the Council undertook a Representation Arrangements Review, and decided to continue with its existing representation and boundary arrangements. The district is represented by a mayor and 8 at-large elected members, who were elected in the 2019 triennium elections. There are no ward boundaries.

6.2 Māori wards and constituencies

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

A review on whether or not Council would have separate Māori wards took place with the Representation Arrangements Review in 2018. The review found that separate Māori wards were not warranted at that time.

7. Key roles

7.1 Councillors

The Mayor and councillors of the Carterton District Council have the following roles:

- setting the policy direction of Council
- monitoring the performance of the Chief Executive in executing that policy
- representing the interests of the Carterton District (on election all members make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgement, in the best interests of the District.

- employing the Chief Executive (who in turn employs all other staff).

7.2 Mayor

The Mayor is elected by the District as a whole ('at large') and as one of the elected members' shares the same responsibilities as other members of Council. In addition, the Mayor has the following roles:

- the presiding member at Council meetings—the Mayor is responsible for ensuring the orderly conduct of business during meetings as determined by Standing Orders
- advocates on behalf of the community—this role may involve promoting the community and representing its interests and will be most effective where it is carried out with the knowledge and support of Council.

7.3 Deputy Mayor

The Deputy Mayor is elected by the members of Council at the Inaugural Meeting of Council. The Deputy Mayor exercises the same roles as other elected members. In addition, if the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all the Mayor's responsibilities and duties and may exercise the powers of the Mayor as summarised above. The Deputy Mayor may be removed from office by resolution of Council.

7.4 Chief Executive

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

- implementing the decisions of the Council
- providing advice to elected members
- ensuring that all delegated responsibilities, duties, and powers are properly performed or exercised
- ensuring the activities of the Council are managed effectively and efficiently
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council
- providing leadership for the staff of the Council.
- employing staff (including negotiation of the terms of employment)
- ensuring that an appropriate management structure is in place.

8. Code of conduct

Schedule 7 Clause 15 of the Local Government Act 2002 requires every Council to have a Code of Conduct for the Elected Members. The Carterton District Council most recently

revised its Code on 20 November 2019. This Code also applies to all people appointed to Committees or Sub-Committees of Council.

An amendment of the Code of Conduct requires a vote in support of the amendment of not less than 75 percent of the members present.

Carterton District Council's Code of Conduct provides guidance on the standards of behaviour expected from elected members in their dealings with:

- each other
- the Chief Executive and staff
- the media
- the general public.

The objectives of the Code are to:

- enhance the effectiveness of the local authority and the provision of good local government of the community, city, district or region
- promote effective decision-making and community engagement
- enhance the credibility and accountability of the local authority to its communities
- develop a culture of mutual trust, respect and tolerance between the members of the local authority and between the members and management.

9. **Statutory requirements**

There are certain legal provisions that councillors must be aware of because breaching the rules can have the consequence of loss of office, fines, or imprisonment. These provisions are contained in the:

- Local Government Act 2002
- Secret Commissions Act 1910
- Securities Act 1978
- Crimes Act 1961
- Local Authorities (Members' Interests) Act 1968
- Financial Markets Conduct Act 2013
- Health and Safety at Work Act 2015
- Public Records Act 2005.

The following is a summary of these enactments.

9.1 Local Government Act 2002

Under section 46, Councillors will be jointly and severally liable for losses reported by the Auditor-General under section 44, resulting from negligence or unlawful action by the elected Council.

Under clause 1 of Schedule 7, any elected member will be disqualified if they cease to be an elector or become disqualified for registration as an elector under the Electoral Act 1993, or are convicted of an offence punishable by a term of imprisonment of two years or more.

9.2 Secret Commissions Act 1910

The Secret Commissions Act 1910 deems every councillor to be an agent of the Council (section 16(1)(b)). It creates offences in relation to accepting inducements or rewards for doing or forbearing to do something in relation to the Council's affairs, or showing or having shown favour or disfavour to any person in relation to the Council's affairs or business (section 4(1)).

It is an offence, similarly, to divert, obstruct, or interfere with the proper course of the affairs or business of the Council, or to fail to use due diligence in the prosecution of its affairs or business, with intent to obtain any gift or other consideration from any person interested in the affairs or business of the Council (section 4(2)).

Section 5 of the Act makes it an offence for a member not to disclose to the Council his or her pecuniary interest (which includes the pecuniary interest of a parent, spouse/partner, or child) in a contract when making a contract on behalf of the Council (see also the discussion of the Local Authorities (Members' Interests) Act 1968 below). Section 9 of the Act makes it an offence to aid or abet, or to be in any way directly or indirectly concerned in, or privy to, the commission of any offence against the Act.

Conviction of an offence under the Act carries with it the possibility of imprisonment for up to two years, or a fine not exceeding \$1,000. Such conviction may also have the consequence of loss of office, in terms of clause 1 of Schedule 7 of the Local Government Act 2002.

9.3 Crimes Act 1961

The Crimes Act 1961 is relevant to Councillors as it deals with bribery and corruption. Councillors are within the definition of an "official" in section 99 of the Crimes Act. Section 105 of that Act provides that every official is liable to imprisonment for a term not exceeding seven years who, whether within New Zealand or elsewhere, corruptly accepts or obtains, or agrees or offers to accept or attempts to obtain, any bribe for him or herself or any other person in respect of any act done or omitted, or to be done or omitted, by him or her in an official capacity.

Putting this simply, it is an offence against this section to seek or obtain a reward for performing one's official duties as a councillor.

Section 105A then goes on to make it an offence, once again carrying a term of imprisonment of up to seven years, for an official to use any information acquired by him or

her in an official capacity to obtain, directly or indirectly, an advantage or a pecuniary gain for himself or herself, or any other person.

9.4 Local Authorities (Members' Interests) Act 1968

The Local Authorities (Members' Interests) Act 1968 is an important statute governing the conduct of councillors. It has two main aspects. The first is the prohibition of certain contracts between local authorities and their members. The second prevents voting on or discussing questions in which a member has a pecuniary interest.

As to the first aspect, the Act provides that no-one may be elected or appointed or be a member of a local authority or of any committee of it, if the total payments to be made by the Council in respect of contracts made by it with that person exceeds \$25,000 (GST incl) in any year (section 3(1)).

The Act covers contracts made by the Council directly with the person concerned, and also contracts made by the Council in which the councillor is concerned or interested. Special provisions deal with companies in which a member or his or her spouse/partner is interested either as a shareholder, or as a member of the company, or by virtue of certain management positions.

There are a number of exceptions to this rule but, in case of any doubt, a councillor should refer the matter to the Office of the Auditor-General or seek independent legal advice. The penalty for breach of these provisions (which are contained in section 3 of the Act) is immediate loss of office (section 4) and there is also the possibility of a fine being imposed (section 5).

Section 6(1) of the Act prohibits a member of a local authority or of a committee of it from voting on, or taking part in the discussion of any matter before the governing body of that local authority or before that committee in which he or she has, directly or indirectly, any pecuniary interest, other than an interest in common with the public. Once again, there are special provisions dealing with a pecuniary interest in the context of the interests of the member or his or her spouse/partner in a company.

The Office of the Auditor-General is empowered to declare that the rule will not apply with respect to any specified matter or specified class of matter on particular occasions. In doing so, it must act in the interests of the electors or inhabitants of the district. The penalty for discussing or voting when there is a pecuniary interest is, once again, loss of office, but only upon conviction of an offence (section 7).

Related to these statutory provisions is the common law principle of natural justice, which includes obligations to listen to both sides and not to be a judge in one's own cause.

9.5 Securities Act 1978

The Council has wide borrowing powers under Part 6 of the Local Government Act 2002. One of the ways the Council can borrow is by issuing stock or other forms of debt instruments. If such debt instruments are offered to the public, the Council must comply with the Securities Act.

What constitutes “offering to the public” is given a very wide meaning (section 3 of the Securities Act). The Securities Act regulates the offering of securities to the public. Local authority debt instruments are securities for the purposes of the Act. If the Council intends offering its debt instruments to the public it will have to produce a prospectus and an investment statement complying with the requirements of the Securities Act and the Securities Regulations 1983.

In addition, any advertisements relating to the offer will have to comply with certain requirements imposed by the Securities Act governing the advertising of public offers of securities. Certificates would also have to be issued to investors, and certain information relating to the Council and the securities would have to be sent periodically to the holders of the Council’s securities.

The Securities Act contains wide provisions establishing civil liability and criminal offences where a member of the public purchasing securities relies on untrue statements made in an advertisement (including an investment statement) or in a registered prospectus. In addition, there are general offences which apply to persons who do not otherwise comply with the provisions of the Act.

Elected members are deemed “directors” of the local authority for the purposes of the Securities Act and the Regulations made under it. As such, they are potentially personally liable to investors if a registered prospectus or an investment (including an investment statement) contains an untrue statement. Members may also be criminally liable if the requirements of the Act or Regulations are not met. Some offences carry penalties that would also give rise to disqualification from office.

9.6 Financial Markets Conduct Act 2013

Under the Financial Markets Conduct Act 2013 elected members are essentially in the same position as company directors whenever the Council offers financial products (such as an issue of debt or equity securities). Elected members may be personally liable if documents that are registered under the Act, such as a product disclosure statement, contain false or misleading statements. Elected members may also be liable if the requirements of the Act are not met in relation to offers of financial products.

9.7 Health and Safety at Work Act 2015

The Health and Safety at Work Act 2015 sets up a regime for protecting the health and safety of people in work places that is quite different to the previous legislation. Under the Act elected members are “officers” and as such have obligations and responsibilities which

are the same as the Chief Executive (also an “officer” under the act). While Councillors do not have the same liabilities (i.e. penalties if they do not meet those obligations) it is important that Councillors make themselves aware of the measures the organisation has in place for managing health and safety and satisfies themselves that the council organisation is doing what is appropriate to meet the requirements of the Act.

9.8 Public Records Act 2005

The Public Records Act’s purpose is to provide a framework to keep central and local government organisations accountable by ensuring records are full and accurate, well maintained and accessible. The Public Records Act 2005 provides for the continuity of the National Archives and the role of the Chief Archivist. The Act enables accountability by ensuring that full and accurate records of the affairs of local government are created and maintained. It also provides a framework within which local authorities create and maintain their records and has a role in enhancing public confidence in the integrity of local authority records.

The definition of a record includes information, whether in its original form or otherwise, and is not limited to just written information. The definition also includes (but is not limited to) a signature, a seal, text, images, sound, speech, or data in any medium and recorded or stored by any electronic device or process.

In the conduct of their affairs elected members may receive information directly, for example from constituents. Members will need to consider whether that information meets the definition of a local authority record and if so will need to ensure it is included in the Council’s records.

10. Governance

10.1 Council’s responsibility

Carterton District Council comprises a Mayor and eight elected members, all of whom are elected from the District as a whole.

The Council’s elected members are responsible for:

- law-making (by-laws) and regulatory roles under Acts of Parliament
- developing and approving Council policy
- determining the expenditure and funding requirements through the Annual Plan process
- monitoring the performance of the Council against its stated objectives and policies
- employing, overseeing, and monitoring the Chief Executive’s performance.

The Council’s role is to provide cohesion for the District over a wide range of activities and services, from providing children’s play equipment to the treatment of the District’s water and sewage. Meeting the community’s priorities is fundamental to Council’s overall

operations and service delivery. Partnerships and consultation with the community are integral parts of the Council's operations.

10.2 Council committees

Committees are used for specific topics where detailed consideration is required. Any recommendations from committees will come back to the monthly Council meeting for adoption, unless the authority to decide has been delegated to the committee.

Each committee and working group has a terms of reference. The purpose and specific responsibilities are listed below.

Audit and Risk Committee

To monitor, evaluate and report to the Council on its financial, assurance and risk management policies, systems and processes and overview the performance of the Chief Executive, including the following tasks:

- Monitor the identification and management of risks faced by the Council.
- Monitor the Council's health and safety management system and identification of risks in accordance with the Health and Safety at Work Act 2015 and any substitute legislation.
- Approve the annual external audit proposal.
- Review the external auditor's management letter and management responses.
- Monitor management of the Council's internal financial control environment, and report as appropriate to the Council on compliance with all external audit requirements and statutory responsibilities.
- Monitor and review the Council's financial policies and financial performance.
- Review the draft Annual Report prior to consideration by Council, including consideration of reports from external auditors.
- Consider matters relating to the employment of the Chief Executive, including an annual performance review.

Infrastructure and Services Committee

To oversee the operations of the Council's roading, waters, solid waste, parks and Events Centre, including the following tasks:

- Monitor the maintenance of the Council's Asset Management Plans.
- Oversee the formulation of proposals and priorities in respect of the development of community facilities, including parks.
- Monitor the operations of the Council's roads.
- Oversee the operation of the treatment and disposal of wastewater.
- Oversee the operation of the supply of water.
- Oversee the operation of stormwater.
- Develop plans and oversee the operation of solid waste management.
- Oversee the development of the animal facility upgrade.
- Oversee the management of Council properties.

- Provide advice to the Council on priorities for the Council's capital expenditure on infrastructure.

Policy and Strategy Committee

To oversee, co-ordinate and direct the development and review of policies, strategies, and by-laws, including the following tasks:

- Oversee the development of policies and strategies in relation to the four wellbeings as specified in the Local Government Act.
- Provide an oversight of the implementation of the Wairarapa Combined District Plan and any changes to the plan.
- Develop an urban growth plan for Carterton, for adoption by the Council.
- Develop, review and monitor policies under the Building Act 2004, including (but not limited to) the approval of the Council's Earthquake Prone Policy.
- Develop new bylaws, for adoption by the Council.
- Monitor and review existing bylaws and recommend to Council any changes.
- Develop and approve responses to government legislation proposals and policy issues.
- Oversee the development of plans and procedures for the Council's responsibilities under emergency management legislation.
- Monitor the development of Memoranda of Understanding between the Council and other bodies and provide an oversight of other relationships with Carterton groups.
- Monitor the use of Council grants.
- Receive advice from the Economic Development and Placemaking Advisory Groups.
- Monitor and provide input into any Wairarapa-wide policies and strategies.
- Develop a strategy for the operation of the Events Centre and monitor its performance.

Water Race Committee

To oversee the management of the Carrington and Taratahi water races and make recommendations to Council as required. Tasks include:

- To oversee the operation of the Carrington and Taratahi Water Races.
- To make decisions on applications to alter or use the water races.
- To make recommendations to Council on:
 - a) the level of rates and charges for the Rural Water Service activity.
 - b) any changes to, or development of new bylaws in respect to the Carrington and Taratahi Water Races.
- To develop policy in respect of the water races and recommend these to the Policy and Strategy Committee.

Hearings Committee

To hear and decide all applications, submissions or objections for any matter other than those matters the Council either retains for itself or sets up a specific Committee to manage, including the following tasks:

- To hear and decide matters in relation to the District Licensing Agency.
- To hear and decide matters in relation to the Dog Control Act.

- To hear and decide matters in relation to objections to proposals to close roads under the Local Government Act Transport Regulations.
- The hear matters in relation to the Reserves Management Act.
- The hear and decide any other matters the Council requests it to consider.

Community Grants Committee

To allocate grants funding, under the Council's Financial Grants Funds Policy.

Sport NZ Rural Travel Fund Committee

To make allocations from the Sport NZ Rural Travel Fund to financially assist sports clubs and school teams with transport expenses to local sporting competitions.

Economic Development Advisory Group

To assist the Council and business community develop and grow the Carterton District economy, including the following tasks:

- Preparing and reviewing a Carterton Economic Development Plan and recommending to Council
- Monitoring implementation of the plan and reporting progress to the Council and to Go Carterton
- Co-ordinating economic development activities within Carterton District.

Carterton Place Making Advisory Group

To assist the Council to promote the revitalisation of Carterton's town centre, including the following tasks:

- Preparing and reviewing Carterton Revitalisation Framework and recommending it to the Council
- Overseeing and monitoring the implementation of the Framework
- Providing advice to the Council on major projects in the town centre
- Co-ordinating/carrying out place-making activities in Carterton.

Carterton Arts, Culture and Heritage Advisory Group

To assist the Council to promote arts, cultural and heritage activities in Carterton, including the following tasks:

- Preparing and reviewing an Arts, Culture and Heritage Strategy and recommending it to the Council
- Overseeing and monitoring the implementation of the strategy
- Providing advice to the Council on major arts, culture and heritage initiatives in Carterton.

Walking and Cycling Advisory Group

To assist the Council to increase walking and cycling in the District, through developing projects to enhance walking and cycling facilities and promoting walking and cycling in the District, including the following tasks:

- Assisting with the redevelopment and implementation of the Carterton Walking and Cycling Strategy.

- Leading the promotion of walking and cycling in Carterton.
- Engaging the Carterton community in walking and cycling initiatives.
- Developing projects to enhance walking and cycling facilities and providing advice to the Infrastructure and Services Committee on capital projects requiring funding, as appropriate.
- Advising the Policy and Strategy Committee on any changes to the Walking and Cycling Strategy.

10.3 Hearing Panels

Where officers do not have delegated authority to consider and make decisions on resource consents, these will be heard by a Hearing Panel made up of Commissioners who have been accredited under the RMA Making Good Decisions programme, or independent commissioners.

The Hearing Committee will not hear matters in relation to the Resource Management Act. Hearing Commissioners for those matters may either be a suitably qualified elected representative(s) of an external commissioner. External commissioners will generally be used in the following circumstances:

- i. There are no suitably qualified elected representatives.
- ii. The Council or an individual elected representative may be perceived to have an actual or perceived conflict of interest.
- iii. Determination of objections made under Section 357B relating to local authority charges.
- iv. When matters are outside the technical knowledge or experience of accredited elected representatives.
- v. When one or more accredited elected representative may have, or may be perceived to have, a closed mind on the proposal.

10.4 Joint Standing Committees

Wairarapa Joint Planning Committee

The Carterton District Council in conjunction with the Masterton and South Wairarapa District Councils will establish a Wairarapa Joint Planning Committee. The purpose of the Committee will be to promulgate a District Plan to cover the three regions. The Committee will comprise two members from each authority plus supporting Council officers.

Wairarapa Library Services

This joint committee comprises elected members from the Carterton and South Wairarapa District Councils. The purpose of the Committee is to set policy for the direction of the Libraries in the two districts.

Joint District Licensing Committee

A Joint District Licensing Committee consisting of two members from each of the three Wairarapa district councils has been set up to implement the necessary processes under the Sale and Supply of Alcohol Act 2012, in particular the appointment of list members and the oversight of the Wairarapa Local Alcohol Policy.

10.5 Responsibilities assigned to individual members

In addition to appointment to committees, joint committees, and hearing panels, members may be appointed to other organisations in which the Council has an interest, they may be assigned responsibility for activity portfolios, or liaison roles, or chairing or membership of working groups that may be from time to time established.

10.6 Council Controlled Organisations

Council Controlled Organisations are defined in the Local Government Act 2002 as any organisation in which one or more local authorities control 50 percent or more of the voting rights or appoints 50 percent or more of the directors.

Carterton District Council has no Council Controlled Organisations.

10.7 Meeting times and agenda availability

The Council decides its meeting schedule, which it does each year. Meeting dates are then published, which is a requirement of the Local Government Official Information and Meetings Act. Meeting dates are also displayed on the Council's website.

The Council's ordinary meeting and the Infrastructure and Services Committee and Policy and Strategy Committee, meet on eight-weekly cycles. Some variation will be needed to align with statutory decisions that Council needs to make, such as the adoption of the Annual Plan and Annual Report. The Water Race and Audit and Risk Committees meet quarterly. The Hearings Committee meets as and when required, and the Sport NZ Rural Travel Fund and the Community Grants Committees meet annually.

All meetings of the Council and its committees are scheduled for Wednesdays.

Agendas for all Council and Committee meetings are available for public inspection two days prior to the meeting, with the exception of any Emergency meetings of Council where agendas are available at the meeting. Public excluded items are not included. Copies of agendas and minutes with the exception of public excluded items are available to members of the public at the Council Office, Library, and on Council's website www.cdc.govt.nz

Members of the public are welcome and encouraged to attend meetings of Council and Committees. However, the Chair will ask the public to leave should the Council or Committee move into a Public Excluded section of the meeting.

10.8 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 is a valid reason to consider an item 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 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, negotiating without disadvantage, 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 the Committee Chair is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of a member of the public for disorderly conduct or 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, at least 14 days' notice of the time and place of the meeting must be given. Extraordinary meetings generally can be called on three working days' notice.

11. Engagement

11.1 Significance and engagement policy

Carterton District Council adopted its own significance and engagement policy in November 2014. The policy is publicly available from the Council office and website www.cdc.govt.nz/policies .

Some Council decisions have greater significance than others. The Significance and Engagement Policy explains how the Council will determine the degree of significance of particular issues, proposals, assets, decisions, and activities. It lets both the Council and the community understand when the community can expect to be engaged in the Council's decision-making processes, and to know how this engagement is likely to take place.

11.2 Special Consultative Procedure

The Local Government Act sets out certain consultation principles and a procedure that local authorities must follow when making certain decisions. This procedure, the special consultative procedure, is regarded as a minimum process.

The Special Consultative Procedure (section 83 of the Act) must be used for:

- adoption or amendment of a Long-Term Plan
- making, amending or revoking a by-law
- reviewing a strategic asset.
- changes to the mode of delivery of a significant activity if that is not provided for in an LTP.

There are also statutes that require the special consultative procedure to be followed in specific situations, including:

- Resource Management Act 1991
- Sale and Supply of Alcohol Act 2012
- Reserves Act 1977
- Dog Control Act 1996
- Building Act 1991.

The special consultative procedure consists of the following steps:

1. Prepare a statement of proposal and a summary.
2. Give public notice.
3. Review submissions
4. Deliberate in public.
5. Provide a copy of the decision and a summary of the reasons to submitters.

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.

12. Policies for liaising with, and memoranda or agreements with, Māori

The Carterton District Council recognises the importance of the Treaty of Waitangi as the founding document of Aotearoa New Zealand, which created a partnership between iwi and the Crown. The Council also recognises that through legislation, such as the Resource Management Act and the Local Government Act, the Council is devolved powers from the Crown for the whole community.

The Council acknowledges Hurunui o Rangi Marae as mana whenua in our District and recognises the value of Hurunui o Rangi in the social and cultural fabric of our community.

A formal memorandum of understanding exists with Hurunui o Rangi Marae and this is currently being reviewed.

13. Management structures and relationships

13.1 Chief Executive

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, rather than to the Mayor or councillors.

13.2 Council departments

Community services

- Community development
- Youth development
- Community events
- Grants allocation
- Arts, culture, and heritage
- Events Centre operations
- Library services
- Information Centre.

Corporate services

- Governance support
- Customer services
- Rates administration
- Financial management
- Corporate planning and reporting
- Information management
- Health and safety
- Electoral support.

Operations

- Roads and bridges
- Footpaths
- Street lighting
- Urban water supply
- Sewerage and the treatment and disposal of sewage
- Stormwater
- Waste management and recycling
- Water races

- Rural fire.

Parks and reserves

- Cemetery
- Parks and reserves
- Council property
- Outdoor swimming pool
- Civic gardens
- Holiday Park

Planning and regulatory

- Animal and dog control
- Noise control
- Building consents
- Environmental health
- Sale and supply of alcohol
- District Plan
- Resource Management Act monitoring

13.3 Equal Employment Opportunity Policy

The Local Government Act 2002 (section 36 of Schedule 7) requires the Council to act as a good employer. The Council is committed to the principle of equal opportunity in the recruitment, employment, training, and promotion of its employees. The organisation provides a welcoming, positive environment, and regards the provision of equal opportunities as essential principles in the management of its staff.

14. Key approved planning and policy documents

The Council has a range of strategies, plans, and policies that direct, guide, and manage Council activity. Some are required by statute.

Long Term Plan 2018–2028	Adopted June 2018
Wairarapa Combined District Plan	Adopted May 2011
Delegations Manual	Last amended November 2019
Significance and Engagement Policy	Adopted November 2014
Infrastructure Strategy 2018–2048	Adopted June 2018
Reserve management plans	Various
Waste Minimisation & Management Plan 2017-2023	Adopted June 2017
Wellington Region Civil Defence Emergency Management Group Plan 2019-2024	Adopted June 2019
Arts, Culture & Heritage Strategy	Adopted October 2019

Wairarapa Library Service Strategic Plan	Reviewed 2009, due for adoption in 2020
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15. Systems for public access and participation

15.1 Council meetings

Members of the public are able to address Council at the commencement of each Ordinary Meeting. Arrangements can be made through the Democratic Services Coordinator, phone 06 379 4030, or email info@cdc.govt.nz

15.2 Elected members' contact details

Name	Contact Details
Mayor Greg Lang	06 372 7080 / 027 898 1618 greg.lang@cdc.govt.nz
Deputy Mayor Rebecca Vergunst	027 742 2264 rebecca.vergunst@cdc.govt.nz
Cr Steffen Bertram	022 161 8632 steffen.bertram@cdc.govt.nz
Cr Robyn Cherry-Campbell	021 155 6821 robyn.cherry-campbell@cdc.govt.nz
Cr Steve Cretney	06 379 6401 / 021 796 401 steve.cretney@cdc.govt.nz
Cr Brian Deller	06 379 8368 / 027 444 5340 brian.deller@cdc.govt.nz
Cr Jill Greathead	06 379 6193 / 027 488 4376 jill.greathead@cdc.govt.nz
Cr Russell Keys	06 379 6433 / 027 454 0860 russell.keys@cdc.govt.nz
Cr Rob Stockley	021 438 762 rob.stockley@cdc.govt.nz

15.3 Carterton District Council officers

Council Office:

28 Holloway Street
PO Box 9
Carterton

Phone 06 379 4030
Fax 06 379 7832

E-mails:	info@cdc.govt.nz	for general enquiries
	rates@cdc.govt.nz	for rates enquiries
	events@cartertonec.co.nz	for Events Centre enquiries
	infocentre@cdc.govt.nz	for Information Centre enquiries

Websites:	www.cdc.govt.nz www.cartertonec.co.nz	Carterton District Council Carterton Events Centre
Chief Executive		Jane Davis
Community Services Manager		Carrie Mckenzie
Corporate Services Manager		Phoebe Chamberlain
Infrastructure, Services and Regulatory Manager		David Gittings

16. Requests for official information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the Council. You do not have to say you are making a request under LGOIMA. Any request for information will be assumed to be a request under LGOIMA.

Once a request is made the Council must supply the information unless reasons exists for withholding it. LGOIMA says that information may be withheld if release of information would, for example:

- endanger the safety of any person
- prejudice maintenance of the law
- compromise the privacy of any person
- reveal confidential or commercially sensitive information
- in the case of resource consents, cause offence to tikanga Māori or would disclose the location of a 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 disadvantage
- inhibit the effective conduct of public affairs through free and frank expression of opinions by or between members and officers
- not be in the public interest.

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

Appendix A—Carterton District Council By-laws and Wairarapa Consolidated By-laws

	Last reviewed	Next review due
Model By-laws adopted by Carterton District Council		
2005 Liquor Control By-law	24/09/2014	02/12/2024
1997 Control of Dogs By-law	09/10/2017	09/10/2028
Wairarapa Consolidated By-laws		
Part 1 – Introductory By-law	08/07/2019	08/07/2024
Part 2 – Public Places (including parks and reserves) By-law	08/07/2019	08/07/2024
Part 3 – Sale of Goods or Services in Public Spaces By-law	08/07/2019	08/07/2024
Part 4 – Prevention of Nuisance from Fire and Smoke By-law	08/07/2019	08/07/2024
Part 5 – Water Supply By-law	08/07/2019	08/07/2024
Part 6 – Keeping of Animals, Poultry and Bees By-law	08/07/2019	08/07/2024
Part 7 – Cemeteries and Crematoria By-law	08/07/2019	08/07/2024
Part 8 – Wastewater By-law	08/07/2019	08/07/2024
Part 9 – Trade Waste By-law	08/07/2019	08/07/2024
Part 10 – Traffic By-law	08/07/2019	08/07/2024
Part 11 – Speed By-law	08/07/2019	08/07/2024
Part 12 – Beauty Therapy, Tattooing and Skin Piercing Bylaw	08/07/2019	08/07/2024