

RANGITĪKEI
DISTRICT COUNCIL

Local Governance Statement

2022-2025

RANGITĪKEI DISTRICT COUNCIL

Reviewed March ~~2020~~2023

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1. Introducing the Local Governance Statement

1.1 What is the Purpose of the Local Governance Statement?

A Local Governance Statement is a collection of information about how Council operates, how it makes decisions, and how members of the community can influence these processes. It supports the purpose of local government by promoting democracy and provides you with information on how to influence local democratic processes.
~~A Local Governance Statement is a collection of information about the processes through which the Council engages with its community, how the Council makes decisions, and how citizens can influence these processes. A Local Governance Statement helps support the purpose of local government by promoting local democracy. The statement does this by providing the public with information on the ways to influence local democratic processes.~~

1.2 The Legal Requirement to Have a Local Governance Statement

Section 40 of the Local Government Act 2002 (LGA 2002) requires Council to have a Local Governance Statement.

1.3 What Information Does the Statement Contain?

To meet the purposes, this Local Governance Statement includes the following broad categories of information or identifies ~~for citizens~~ where this information can be found:

- Functions, responsibilities and activities of the Rangitikei District Council¹;
- Electoral arrangements²;
- The way elected members' make decisions and relate to each other and to the management of the Rangitikei District Council³;
- Governance structures and processes⁴; and
- The key policies of the Rangitikei District Council⁵.

1.4 Where do I get further information?

The documents mentioned in this Local Governance Statement (including plans, reports, policies and memorandum of understanding agreements) are available from the Rangitikei District Council's website www.Rangitikei.govt.nz. Hard copies are available on request (and are in some cases subject to a charge or fee), and are available for viewing at the Council's Office in Marton or at any of the District's libraries. ~~This includes:~~

~~Rangitikei District Council Long Term Plan.~~
~~Rangitikei District Council Annual Plan.~~
~~Rangitikei District Council Annual Report.~~
~~Rangitikei District Council Bylaws.~~

¹ LGA 2002 s.40(1)(a)

² LGA 2002 s.40(1)(c)

³ LGA 2002 s.40(1)(g)

⁴ LGA 2002 s.40(1)(f)

⁵ LGA 2002 s. 40(1)(l)

~~Membership list of the Taihape and Ratana Community Boards, and the Marton, Turakina, Bulls and Hunterville Community Committees.
Rangitikei District Council Agendas and Minutes.
Memorandum of Understanding: Tutohinga.
Rangitikei District Plan~~

2. Functions, Responsibilities and Activities of the Council

2.1 Functions

Under the LGA 2002, the purpose of local government has been defined as being:

- *~~"To enable democratic local decision-making and action by, and on behalf of communities and;~~*
- *~~to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.To meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.~~⁶*

~~The 2012 Amendments to the LGA 2002 changed the focus of local government, from promoting the social, economic, environmental and cultural well-being of communities to providing infrastructure and local public services in a cost-effective manner⁷.~~

~~And the role of a local authority has been defined as being to:~~

- ~~*"Give effect, in relation to its district, to the purpose of local government and; perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment."*⁸~~

~~Core services of Council are identified as;~~

- ~~network infrastructure,~~
- ~~public transport services,~~
- ~~solid waste collection and disposal,~~
- ~~the avoidance or mitigation of natural hazards, and,~~
- ~~libraries, museums, reserves, recreational facilities, and other community infrastructure⁹.~~

2.2 Principles

The LGA 2002 sets out a number of principles which the Council must act in accordance with¹⁰:

⁶ LGA 2002 s.10(1)

~~⁷ LGA 2002 s. 10(2)~~

~~⁸ LGA 2002 s. 11~~

~~⁹ LGA 2002 s. 11A~~

¹⁰ LGA 2002 s. 14

- Conduct business in an open, transparent and democratically accountable manner.
- Implement priorities and outcomes as effectively and efficiently as possible.
- Have regard to the views of the community.
- Take account of; the diversity of the community, community interests, interests of both current and future communities, when making a decision.
- Provide opportunities for Māori in decision making processes.
- Collaborate with other local authorities.
- Undertake commercial transactions in accordance with sound business practices.
- Periodically assess expected returns from commercial activities and ensure the returns are likely to outweigh the risks.
- Ensure prudent stewardship and the efficient and effective use of resources.
- Take a sustainable development approach considering; the social, economic, and cultural interests of people and communities; the need to maintain and enhance the quality of the environment; and the needs of future generations.

2.3 Delivery of Services

~~Since 2014, the~~ Council ~~has been~~ required to review the cost-effectiveness of current arrangements for meeting the needs of communities within the district for good-quality local infrastructure, local public services, and performance of regulatory functions¹¹. The review must consider options for governance, funding, and delivery of infrastructure services and regulatory services and are commonly referred to as 'section 17a' reviews.

Such reviews are normally undertaken at six-yearly intervals or when a contract expires. The Council may elect not to undertake such a review when a change is not feasible until two years have elapsed or where costs of the review outweigh the potential benefits.

2.4 Responsibilities

The Rangitikei District Council has determined that it has the overall responsibility and accountability for the proper direction and guidance of the activities under its direct control. This responsibility and accountability includes:

- Providing a leadership focus for the District.
- Formulating the District's strategic direction.
- Ensuring activities are carried out in accordance with the Long Term Plan.
- Managing the principal risks to Council assets, services, infrastructure and investments.
- Administering all relevant legislation and regulations, and upholding the law.
- Encouraging economic and social development within the District.

¹¹ LGA 2002 s. 17A(1) and s. 17A(2)

- Representing local and community interests as appropriate.
- Providing and maintaining recreational and leisure facilities and facilitating the provision of community services.
- Reporting to ratepayers on the above.

2.5 General and Local Legislation

In addition to the legislation that applies to all local authorities, and such further legislation and amendments that Government from time to time may impose, the Rangitikei District Council is also bound by the following local legislation (Acts or sections of Acts) that apply specifically to it. These Acts are:

- Reserves and Other Lands Disposal and Public Bodies Empowering Act 1906. (Section 22 and schedule 6. Site for volunteer drill-shed Marton).
- Reserves and Other Lands Disposal and Public Bodies Empowering Act 1907. (Section 55 and Schedule 20 - Vesting land to Bulls Town Board for the purpose of town hall).
- Reserves and Other Lands Disposal and Public Bodies Empowering Act 1910. (Section 35 Exchange of certain lands in Bulls for recreation and rifle range purposes).
- Reserves and Other Lands Disposal Act and Public Bodies Empowering Act 1917. (Section ~~29-59~~ Authorising the erection of seaside cottage on Koitiata Domain).
- Maori Purposes Act 1954. (Section 5 Ratana Settlement administration).
- Local Legislation Act 1961. (Section 17 Validating deed of covenant between Marton Borough Council and Marton RSA).
- Water Conservation (Rangitikei River) Order 1993.

2.6 Local Bylaws

The Rangitikei District Council has ~~a number of bylaws as follows~~ the following bylaws:

<u>Name of bylaw</u>	<u>Description</u>	<u>Date of review</u>	<u>Date bylaw was made</u>
<u>Animal Control Bylaw</u>	<u>Sets regulations on the keeping of animals (excluding Dogs) within the District so that they do not cause nuisance or endanger health.</u>	<u>31 January 2019</u>	<u>Adopted 7 October 2013</u> <u>Amended 29 October 2015</u> <u>Amended 17 December 2015</u>
<u>Control of Advertising Signage Bylaw</u>	<u>To ensure health and safety, reduce hazards and to maintain aesthetic standards.</u>	<u>31 January 2013</u>	<u>Adopted 15 October 2017</u>
<u>Control of Dogs Bylaw</u>	<u>Requires owners to suitably confine, house and otherwise control their dogs.</u>	<u>17 May 2016</u>	<u>Adopted 27 November 2014</u>

<u>Name of bylaw</u>	<u>Description</u>	<u>Date of review</u>	<u>Date bylaw was made</u>
<u>Food Business Grading Bylaw</u>	<u>Sets out a food grading scheme.</u>	<u>1 November 2021</u>	<u>Adopted 27 November 2014</u>
<u>Liquor Control Bylaw</u>	<u>To minimise the potential for offensive alcohol related behaviour in public places. Adopted 1 September 2010.</u>	<u>30 November 2018</u>	<u>Adopted 30 June 2010</u>
<u>Mokai Bridge Bungy Jumping Bylaw</u>	<u>To ensure sufficient authority for an operator to use Mokai Bridge. Adopted 3 October 2013.</u>	<u>3 October 2013</u>	<u>Adopted 29 May 2008</u>
<u>Public Places Bylaw</u>	<u>To maintain standards of safety, amenity and civic values and address damage that may be caused to public places through use of facilities. Adopted 31 January 2013.</u>	<u>1 January 2013</u>	<u>Adopted 15 October 2007</u>
<u>Speed Limit Bylaw</u>	<u>Sets speed limits for the district. Note: Superseded by legislation and due to be revoked.</u>	<u>N/A</u>	<u>N/A</u>
<u>Stock Droving and Grazing Bylaw</u>	<u>Presents permitted standards on droving and grazing to protect road surfaces, improve road safety and avoid nuisance.</u>	<u>Amended 26 September 2019</u>	<u>Adopted 7 October 2013 (Amended 2019).</u>
<u>Trading in Public Places Bylaw</u>	<u>To regulate the conduct of persons selling goods to the public on footpaths, roads or from vehicles. Adopted 31 January 2013.</u> <u>Public Places Bylaw 2013:</u>	<u>1 January 2013</u>	<u>Adopted 15 October 2007</u>
<u>Traffic and Parking Bylaw</u>	<u>To set requirements for parking and the control of vehicles, and other roading related issues on any public road or public place.</u>	<u>N/A</u> <u>Adopted 27 August 2009.</u> <u>(Reviewed and amended 2013, 2014, 2015 and 2016, 2018 and 2019).</u>	<u>Adopted 26 October 2017</u>
<u>Water Related Services Bylaw</u>	<u>Manages and regulates the water supply, wastewater, stormwater and land drainage systems</u>	<u>Adopted 2 May 2013¹².</u> <u>30 April 2020</u>	<u>Adopted 2 May 2013¹³</u>

¹² However, Part 2 and Part 3 are not yet in effect. They introduce provisions for public and private stormwater drainage. Before these parts are put into effect, a series of maps clarifying the status of public and private drains will be released for consultation. Consultation has taken place on an amended bylaw, which will be proposed for adoption at Council's meeting on 23 April 2020.

¹³ However, Part 2 and Part 3 are not yet in effect. They introduce provisions for public and private stormwater drainage. Before these parts are put into effect, a series of maps clarifying the status of public and private drains will be released for consultation. Consultation has taken place on an amended bylaw, which will be proposed for adoption at Council's meeting on 23 April 2020.

- ~~Speed Limit Bylaw 2009: Sets speed limits for the District. Adopted 27 August 2009. (Reviewed and amended 2013, 2014, 2015 and 2016, 2018 and 2019).~~
- ~~Water Related Services Bylaw 2013: Manages and regulates the water supply, wastewater, stormwater and land drainage systems. Adopted 2 May 2013¹⁴.~~
- ~~Animal Control Bylaw 2019: Sets regulations on the keeping of animals (excluding Dogs) within the District so that they do not cause nuisance or endanger health. Adopted 7 October 2013; amended 29 October 2015 (for Turakina) and 17 December 2015 (for Mataroa and Crofton).~~
- ~~Control of Dogs Bylaw 2014: Requires owners to suitably confine, house and otherwise control their dogs. Adopted 27 November 2014 (Reviewed and amended in 2016).~~
- ~~Stock Droving and Grazing Bylaw 2013: Presents permitted standards on droving and grazing to protect road surfaces, improve road safety and avoid nuisance. Adopted 7 October 2013 (Amended 2019).~~
- ~~Control of Advertising Signage Bylaw 2013: To ensure health and safety, reduce hazards and to maintain aesthetic standards. Adopted 31 January 2013.~~
- ~~Trading in Public Places Bylaw 2013: To regulate the conduct of persons selling goods to the public on footpaths, roads or from vehicles. Adopted 31 January 2013.~~
- ~~Public Places Bylaw 2013: To maintain standards of safety, amenity and civic values and address damage that may be caused to public places through use of facilities. Adopted 31 January 2013.~~
- ~~Mokai Bridge Bungy Jumping Bylaw 2013: To ensure sufficient authority for an operator to use Mokai Bridge. Adopted 3 October 2013.~~
- ~~Liquor Control in a Public Place Bylaw 2018: To minimise the potential for offensive alcohol related behaviour in public places. Adopted 1 September 2010.~~
- ~~Food Business Grading Bylaw 2014: To ensure that all food businesses comply with minimum standards under legislating regulating the sale of food to the public and to introduce a grading system that will allow the community to make informed decisions in respect to food businesses. Adopted 27 November 2014.~~

3. Electoral Systems and Representation Arrangements

3.1 Electoral System

The Rangitikei District Council currently operates its elections under the first-past-the-post electoral system. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is declared the winner ~~regardless of the proportion of votes that the candidate(s) obtained.~~

The other option permitted under the Local Electoral Act 2001 is the single transferable vote system (STV). ~~This system is used in District Health Board elections.~~

¹⁴ However, Part 2 and Part 3 are not yet in effect. They introduce provisions for public and private stormwater drainage. Before these parts are put into effect, a series of maps clarifying the status of public and private drains will be released for consultation. Consultation has taken place on an amended bylaw, which will be proposed for adoption at Council's meeting on 23 April 2020.

Under the Local Electoral Act 2001 the Council can resolve to change the electoral system to be used at the next two elections or conduct a binding poll ~~on the question~~, or electors can demand a binding poll. A poll can be initiated by at least 5 percent of electors signing a petition demanding that a poll be held. Once changed, an electoral system must be used for at least the next two triennial general elections, i.e. - we cannot change our electoral system for one election and then change back for the next election.

The Council's last review of electoral systems was ~~conducted throughout 2018 and~~ completed in 2019, ~~and was applied for to the and (as a result) no change was made to Council's electoral system for the~~ 2019 and 2022 elections.

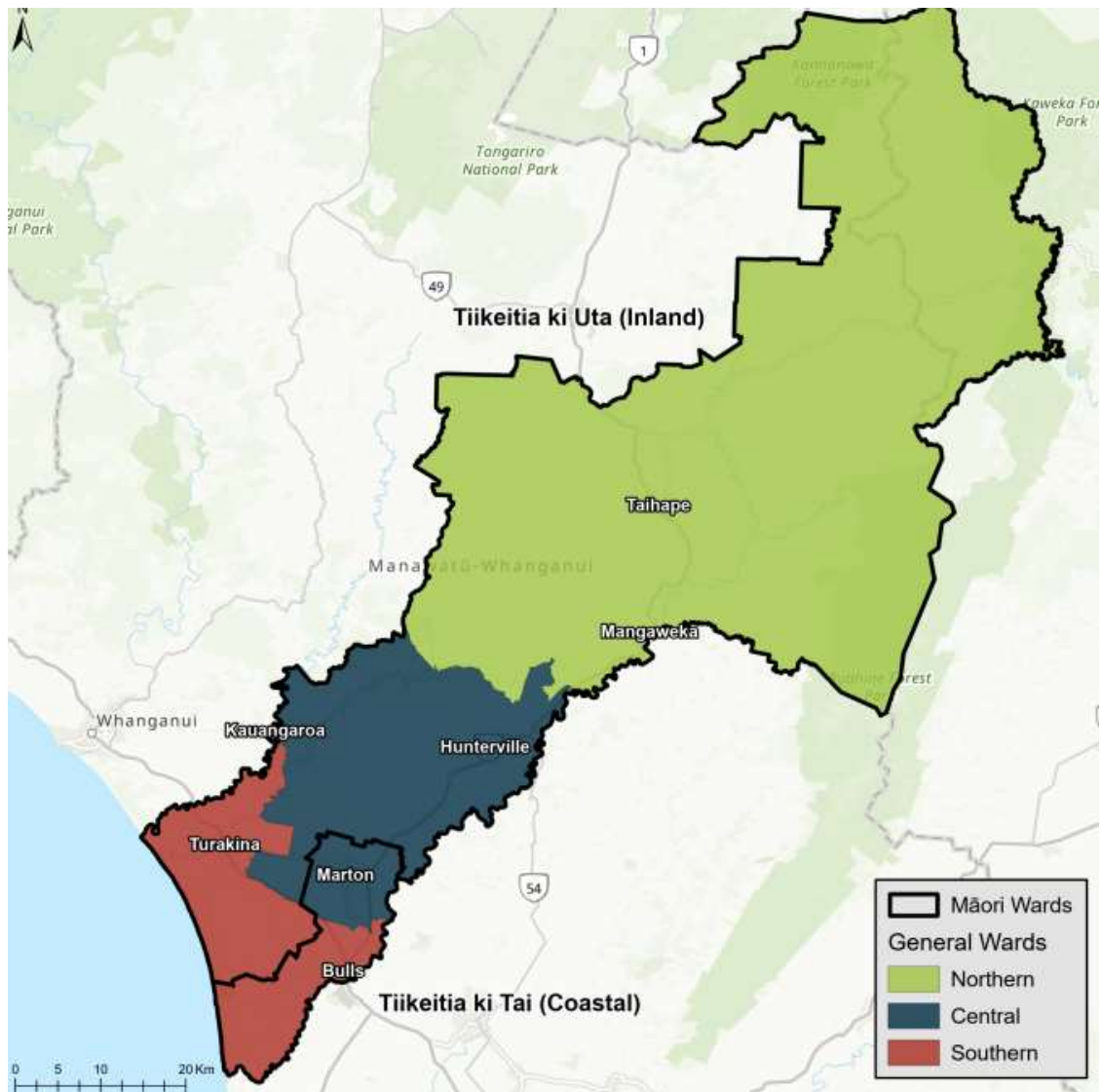
3.2 Wards and Constituencies

The Rangitikei District Council has one Mayor and eleven Councillors. The Mayor is elected at large while Councillors are elected from ~~three~~ five wards.

The ward boundaries are illustrated on the next page.

Ward	Number of Councillors	Population estimate 2017 ⁴⁵
Northern <u>General</u> Ward	<u>23</u>	<u>3,700</u>
Central <u>General</u> -Ward	5	<u>7,410</u>
Southern <u>General</u> Ward	<u>23</u>	<u>3,890</u>
<u>Tiikeitia ki Uta (Inland)</u>	<u>1</u>	
<u>Tiikeitia ki Tai (Coastal)</u>	<u>1</u>	

⁴⁵ Based on 2017 estimates



3.3 Representation Options

3.3.1 Māori Wards

The Local Electoral Act 2001 also gives the Council the ability to establish separate Wards for Māori electors. ~~The Council may resolve to create separate Maori Wards or conduct a poll on the matter, or the community may demand a poll. A petition of five percent of electors can require the Council to conduct a poll. In the 2018/19As part of the 2022~~ Representation Review Council created two Māori wards. ~~considered whether or not to establish Maori wards, but did not make a decision. For now this means Council will not establish Maori Wards.~~

3.3.2 Community Boards¹⁶

The Rangitikei District Council has two Community Boards – the Taihape Community Board and the Rātana Community Board, both part of the initial arrangements for the District when established in 1989. These boards are currently constituted under s.49 of the LGA 2002 to¹⁷:

- Represent and act as an advocate for the interests of their community.
- Consider and report on any matter referred to it by the Council and any issues of interest or concern to the Community Board.
- Make an annual submission to Council on expenditure in the community.
- Maintain an overview of services provided by the Council within the community.
- Communicate with community organisations and special interest groups in the community.
- Undertake any other responsibilities delegated by the Council (currently the Council has not delegated any such responsibilities).

The Rātana Community Board comprises of five members. Electors in the Rātana Community elect four members and one councillor is appointed. triennially. ~~The fifth member is a Southern Ward Councillor.~~

The Taihape Community Board comprises of six members. Electors in the Taihape Community elect four members ~~triennially and the Rangitikei District~~ Council appoints the any two of the Northern Ward Councillors as members of the Community Board. ~~The Taihape Community Board boundary was amended to be the same as the Northern Ward boundary.~~

Both Community Boards elect their own Chairperson and Deputy Chairperson at their first meeting after the triennial election.

~~The Council reviewed the Community Board structures in 2018/2019 as part of the Representation Review. It was decided, following public consultation, to retain both Boards.~~

¹⁶ Council also has community committees for Bulls, Marton, Hunterville and Turakina. More information on the community committees can be found on page 19.

¹⁷ LGA 2002 s. 52

3.4 Changing ~~Representative Representation~~ Arrangements

The Council is required to review its representation arrangements at least once every six years. The Council ~~completed its~~ last ~~conducted a~~ review in ~~throughout 2018 and completed the review in 2019~~2022. It is not legally required to review representation again until 20246.

This review must include the following:

- The number of Elected Members (between six and 30 including the Mayor).
- Whether the Elected Members (other than the Mayor) shall be elected by the entire district; or continue to be elected by their Ward (or a mix of both systems).
- The boundaries and names of those wards and the number of members that will represent each ward (if election by wards is preferred).
- Whether or not to have separate Māori Wards.
- Whether to have Community Boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

The Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review and should also follow guidelines published by the Local Government Commission. The Act gives electors the right to make a written submission to the Council, and the right to be heard if they wish.

Electors also have the right to appeal some decisions to the Local Government Commission, which will make a binding decision on the appeal.

4. Reorganisation Process

Local government reorganisation, as set out by the LGA 2002 ~~section-~~ 24, may provide for one or more of the following matters:

- the union of districts or regions,
- the constitution of a new district or region, including the constitution of a new local authority for that district or region,
- the abolition of a district or region, including the dissolution or abolition of the local authority for that district or region,
- the alteration of the boundaries of any district or region,
- ~~the transfer of a statutory obligation~~ from one local authority to another, of a responsibility, duty or power conferred by an enactment, or a discretionary function,
- ~~the assumption by a territorial authority of the powers of a regional council~~ as a unitary authority,
- ~~the performance or exercise by a local authority of both responsibilities, duties and powers of a regional council or a territorial authority,~~
- ~~the establishment of one or more joint committees and the delegation of powers,~~
- ~~the establishment of a local board area.~~

The purpose of reorganisation¹⁸ is to promote good local government by enabling and facilitating improvements to local governance.

- ~~Improve the effectiveness and efficiency of local government by:~~
 - ~~Providing communities with the opportunity to initiate, and participate in considering, alternative local government arrangements for their area; and~~
 - ~~Requiring the Commission, in consultation with communities, to identify, develop, and implement in a timely manner the option that best promotes good local government~~

A reorganisation application may be made to the Local Government Commission by one or more affected local authority, a group of at least 10% of electors in the affected area, or the Minister.

~~any person, body or group. The 2012 and 2013 Amendments to the LGA 2002 have steadily increased the flexibility related to reorganisation.~~

5. Roles and Conduct

5.1 Mayor and Councillors' Role

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

- Setting the policy direction of Council
- Monitoring the performance of the Council
- Representing the interests of the District
- Employing the Chief Executive

On election, all members must 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.

5.2 Mayor's Role¹⁹

The Mayor is elected by the District as a whole. The Mayor shares the same responsibilities as other elected members of Council, and also has the following roles:

- Provide leadership to elected members and people in the Rangitikei District.
- Lead the development of the District's plans, including the LTP and Annual Plan, policies, and budgets for consideration of Council.
- ~~Presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in Council's Standing Orders).~~
- ~~Advocate on behalf of the District. This role may involve promoting the District and representing interests of the District's residents. Such advocacy will be~~

¹⁸ LGA 2002 s. 24AA

¹⁹ LGA 2002 s. 41A

~~most effective where it is carried out with the knowledge and support of the Council.~~

- ~~• Ceremonial head of Council.~~

~~The Mayor has the powers to:~~~~The 2012 Amendments to the LGA 2002 also add the following roles of the Mayor²⁰:~~

- ~~• Ability to a~~Appoint ~~thea~~ Deputy Mayor.
- ~~• Ability to e~~Establish ~~principal~~ committees and appoint the Chair. ~~TT~~*The Mayor is an ex officio member of each committee. This means the Mayor is a full member with voting rights.*

The Mayor is also:

- Presiding member at Council meetings.²¹ The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in Council's Standing Orders).
- Advocate on behalf of the District. This role may involve promoting the District and representing interests of the District's residents. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council.
- Ceremonial head of Council.

~~Provide leadership to elected members and people of the district.~~

- ~~• Lead the development of the District's plans, including the LTP and Annual Plan, policies, and budgets for consideration of Council.~~

5.3 Deputy Mayor's Role

The Mayor has the authority to elect the Deputy Mayor. The Deputy Mayor exercises the same roles as other elected members. In addition:

- If the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties of the Mayor and may exercise the powers of the Mayor.
- The Deputy Mayor may be removed from office by resolution of Council.

5.4 Committee Chairperson's Role

The Chairperson of a committee is responsible for:

- Presiding over meetings of the Committee.
- Ensuring that the Committee acts within the powers delegated by Council, and as set out in the Council's Delegations Register.
- A Committee Chair may be removed from office by resolution of Council.

²⁰ LGA 2002 s. 41A

²¹ LGA 2002 Sch 7 cl26(1)(5)(6)

5.5 Chief Executive's Role

The Chief Executive is appointed by the Council in accordance with ~~section~~ 42 and Clause 33 and 34 of Schedule 7 of the LGA 2002. Recruitment of any new Chief Executive will be through an open and transparent recruitment process, with the final decision being made by full Council.

~~The Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council. Under s. 42 of the LGA 2002, the responsibilities of the Chief Executive are²²:~~

- Implementing the decisions of the Council.
- Providing advice to the Council and Community Boards.
- ~~Ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised.~~
- Ensuring the effective and efficient management of the activities of the local authority.
- Facilitating and fostering representative and substantial elector participation in elections and polls held under the Local Electoral Act 2001²³
- 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 for the staff).

The Chief Executive is the only employee of the Council, and the only person who may lawfully give instructions to other staff. Any complaint about individual staff members should therefore be directed to the Chief Executive and not elected members. Any complaints about the Chief Executive should be directed in the first instance to the Mayor or Deputy Mayor.

The Chief Executive has an annual performance review, which all Councillors contribute to in a public excluded meeting. The Council will only monitor performance against criteria that have been identified and agreed with the Chief Executive in advance, and are focused on organisational operation and delivery of the core services.

5.6 Elected Members

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

- *Schedule 7 of the LGA 2002*, which includes obligations to act as a good employer and to abide by the current Code of Conduct and Standing Orders.
- *The Local Authorities (Members Interest) Act 1968* which regulates the conduct of Elected Members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect).

²² LGA 2002 Section 42

²³ ~~Added by section 15 of the Local Government Regulatory Systems Amendment Act 2019.~~

- *The Secret Commissions Act 1910*, which prohibits Elected Members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way.
- *The Crimes Act 1961* regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.
- Financial Markets Conduct Act 2013 – in particular Section 122 provides that if a local authority is the issuer in a disclosure document, that document must contain a statement that the financial products being offered under the disclosure document are not guaranteed by the Crown.
- Local Government Official Information and Meetings Act 1987 - The main focus of LGOIMA is the retention and release of official information held by Council and the conduct of Council meetings; the latter being evidenced by Standing Orders.

5.7 Code of Conduct

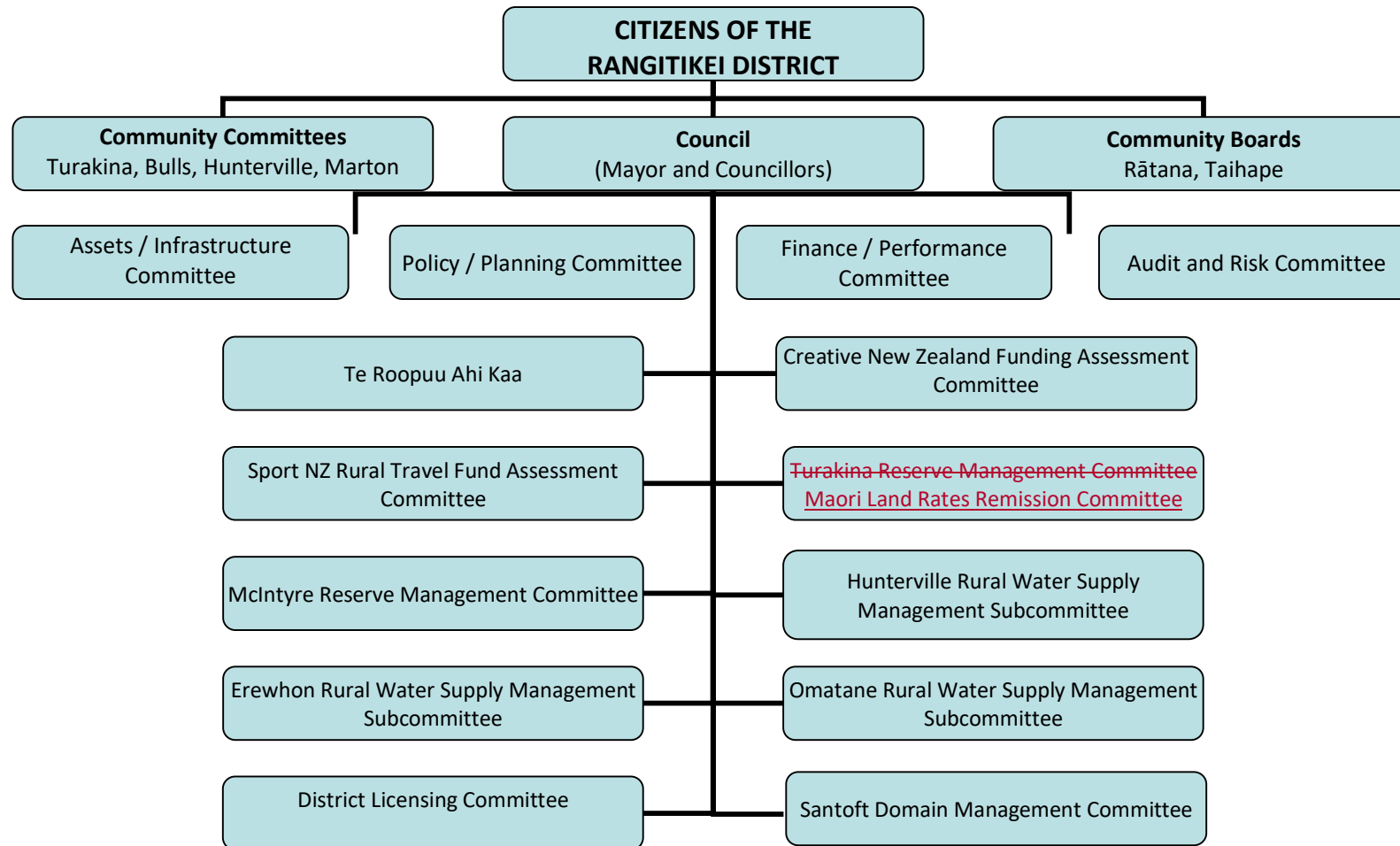
All elected members are required to adhere to Council's Code of Conduct. ~~There is provision for Council to revise~~ reviews its Code of Conduct after each triennial election. ~~Once adopted~~ The Code of Conduct may only be amended by a 75 percent or more vote of the Council.

The Code of Conduct sets out the standards of behaviour expected from elected members in the exercise of their duties. Its purpose is to:

- enhance the effectiveness of Council and the provision of good local government of the district;
- promote effective decision-making and community engagement;
- enhance the credibility and accountability of Council to its communities;
- promote strong and collegial relationships between members when working together in the course of their various functions and duties; and
- develop a culture of mutual trust, respect and tolerance between members and executive management. The code sets out the 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;~~
- ~~Disclosure of information and management of sensitive or confidential information.~~
- ~~The Code of Conduct also contains a general explanation of the Local Government Official Information and Meetings Act 1987.~~

6. Governance and Management Structure and Delegations

6.1 Governance Structure



6.2 Delegations

Council is assigned powers to act by a wide range of legislation, trust deeds and documents. In order to allow its Committees and the Chief Executive to carry out their functions, Council delegates some of these powers to act. The Chief Executive ~~has to further delegates~~ a number of these powers to allow Council staff to carry out their functions. ~~The~~ Council delegates authority to enable decisions to be taken at the lowest possible competent level subject to the provisions the LGA 2002. Council's delegations register outlines the delegations. ~~All delegations of power are contained in the Councils Delegations Register.~~

~~In delegating its powers to act under Schedule 7, clauses 32, 32A and 32B of the LGA 2002, the Council has regard for the following five principles;~~

- ~~• achieving more expert consideration of technical detail;~~
- ~~• gaining a more timely response;~~
- ~~• providing clarity where the responsibility for initial action lies;~~
- ~~• ensuring sufficient capacity to address and resolve issues; and~~
- ~~• maximising Council's focus on governance issues and matters which it may not lawfully delegate.~~

6.3 Council Committees

The Mayor reviews the committee structure after each triennial election. The Mayor appoints committees as necessary to achieve optimum efficiency and effectiveness in the execution of Council's functions having regard to the need to minimise administration and maximise the opportunity for thorough deliberation and consultation. For the 2022-2025 triennium Council has the following committees:

- Assets/Infrastructure Committee
- Policy/Planning Committee
- Risk and Assurance Audit and Risk Committee
- Finance/Performance Committee

~~Following the election in October 2012, the Mayor resolved to have three principal standing committees; the Assets/Infrastructure Committee, Policy/Planning Committee and Finance/Performance Committee. The Mayor appoints the Chair of each committee. After the 2019 Elections the Committees remained the same. Membership of each committee is determined by full Council. The Deputy Chair is elected by members of each committee. The Mayor is an ex officio member of each committee. The Committees meet monthly.~~

~~Subsequently, in July 2014, the Council endorsed the Mayor's proposal to establish a fourth standing committee, the Audit/Risk Committee, with an independent chair. This Committee remains after the 2019 Elections~~

~~Council does not have a Hearings Committee to deal with regulatory matters which by legislation must be heard. When the need arises, Council decides which members will conduct the hearing.~~

Council has appointed a District Licensing Committee (DLC), as required by section 186 of the Sale and Supply of Alcohol Act 2012. A commissioner has been appointed (under section 193) who is the chair of the DLC. Continuous service by a DLC member (and the commissioner) is limited to ten years. However, Council has limited the term to the end of the current triennium.²⁴

The Council has a Māori Liaison Standing Committee called Te Roopu Ahi Kaa. It advises Council on issues that affect Māori and provide a Māori perspective for Council's policies, plans and bylaws. This committee is entitled to nominate one member to each of the Assets/Infrastructure, Finance/Performance Committee and Policy/Planning Committee. Such nominees are full voting members.

The Council has four ~~c~~Community ~~E~~committees (Bulls, Turakina, Marton and Hunterville) ~~which meet bi-monthly~~. The purpose of these committees is to provide a local link and point of contact for Council liaison with the community, and to provide for the exchange of information, communication, and to assist with the Council's consultative processes. Membership of these Committees is available on the Council's website.

Council has two domain/reserve committees (McIntyre Reserve Management Committee, Santoft Domain Management Committee). The Domain/Reserve Committees –act as caregivers of these areas and progress their development through a range of projects. www.rangitikei.govt.nz.

Council has three rural water supply management committees (Erewhon, Hunterville and Omatane). The purpose of these committees is the management of the water schemes.

6.4 Council Membership and Representation on other organisations

Council will maintain representation on other organisations ~~as listed in the Delegations Register~~ for the purposes of collaboration with these key stakeholders, including for the following reasons²⁵:

- To respond to statutory requirements or pre-requisites for additional funding from central government.
- To demonstrate a commitment to community well-being and progressing community outcomes.
- To influence the strategy and programmes of regional organisations which operate in the Rangitikei as well as in neighbouring districts.
- To influence the distribution of funds into the Rangitikei.

Representatives may be elected members or other persons appointed by Council.

A Councillor may be a Board member in his/her own right but such an appointment is not as Council's representative.

²⁴ 13/RDC/303 and 304.

²⁵ 08/SPP /026

6.5 Management Structure

A key to the efficient running of local government is that there is a clear division between the role of Council and that of management. The Rangitikei District Council elected members concentrate on setting policy, strategy, and determining the level of financial resources. The Council then reviews progress. The Executive Leadership Team is concerned with implementing Council policy and strategy.



6.6 Triennial Agreements

Triennial agreements contain protocols for communication and co-ordination among the named local authorities covering the period until the next triennial election. Agreements must be entered into no later than 1 March after each election.

Section 15 of the LGA 2002 requires triennial agreements to include:

- Processes and protocols for identifying, delivering and funding facilities and services which are significant to more than one district²⁶.
- May include commitments to establish or continue joint committees or other joint governance arrangements²⁷.
- Terms of reference for committees or other arrangements, including delegations²⁸.

²⁶ LGA 2002 s. 15(2)(c)

²⁷ LGA 2002 s. 15(3)(a)

²⁸ LGA 2002 s. 15(3)(b)

- That council must notify other local authorities when making decisions which are inconsistent with the triennial agreement²⁹.

The Council enters into two triennial agreements; it is a principal signatory with the Manawatu--Wanganui (Horizons) Region and a non-primary signatory with the Hawke's Bay Region.

7. Meeting Processes

7.1 The Rules for Meetings and Standing Orders

The legal requirements for Council meetings are in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA). Meetings are run in accordance with Council's adopted Standing Orders.

All Council and Committee meetings are open to the public unless there is reason to consider some item 'in committee'. 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 scheduled monthly meetings of the Council provide a Public Forum which provides an opportunity for any person to address the Council on any matter which is relevant to the Council's business and statutory obligations. (This opportunity is also available at the start of meetings of the Ratana Community Board, Taihape Community Board and Community Committees). For guidance on public forum – view details on the website - Public Forums, Deputations and Petitions: Rangitikei District 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. Any decision to have an agenda item considered in the public excluded portion of the meeting may be challenged through referral of the matter to the Ombudsman.

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). ~~With a few specific changes, the Council has adopted the NZS 9202:2003 Amendment 1. Model Standing Orders for meetings of Local Authorities and Community Boards.~~

During meetings of the Council, Committees or Community Boards, all Council participants (the Mayor or Chair, Councillors, or Members) must follow Standing Orders unless Standing Orders are suspended by a vote of 75 percent (or more) of the members present.

²⁹ LGA 2002 s. 15(7)

Minutes of meetings are kept and made publicly available, subject to the provisions of the LGOIMA.

For a meeting of the Council, at least 14 days' notice of the time and place of the meeting must be given. Extraordinary meetings can generally be called on three working days' notice. A monthly schedule of forthcoming meetings of the Council, its committees and the Community Boards is advertised in the local newspapers during the third week of every month.

~~During meetings of the Council, Committees or Community Boards, all Council participants (the Mayor or Chair, Councillors, or Members) must follow Standing Orders unless Standing Orders are suspended by a vote of 75 percent (or more) of the members present.~~

In addition, the Council Code of Conduct sets out some expectations of the behaviour, which elected members expect of one another at meetings.

8. Consultation PoliciesCommunity Engagement and Consultation

Local authorities must follow certain consultation principles and a procedure when making certain decisions. This is covered by sections 76 to 81 of the LGA 2002.

Under section 76AA of the LGA 2002, Council is required to have a Significance and Engagement Policy. This policy must set out:

- The Council's general approach to determining the significance of proposals and decisions in relation to issues, assets, and other matters; and
- Any criteria or procedures that are to be used by the local authority in assessing the extent to which issues, proposals, assets, decisions, or activities are significant or may have significant consequences; and
- How the Council will respond to community preferences about engagement on decisions relating to specific issues, assets, or other matters, including the form of consultation that may be desirable; and
- How the Council will engage with communities on other matters.

The Significance and Engagement Policy, which includes details of statutory consultation requirements, can be found in the Council's website.

~~This procedure, the special consultative procedure, is outlined in sections 83, 86 and 87 of the LGA 2002.~~

Consultation must be undertaken in accordance with best practice consultation principles given in section 82 of the LGA 2002.

In some cases the use of the special consultative procedure is required (sections 83, 86 and 87 of the LGA 2002).

~~Under section 76AA of the LGA 2002, Council is required to have a Significance and Engagement Policy. This policy must set out:~~

- ~~• The Council's general approach to determining the significance of proposals and decisions in relation to issues, assets, and other matters; and~~
- ~~• Any criteria or procedures that are to be used by the local authority in assessing the extent to which issues, proposals, assets, decisions, or activities are significant or may have significant consequences; and~~
- ~~• How the Council will respond to community preferences about engagement on decisions relating to specific issues, assets, or other matters, including the form of consultation that may be desirable; and~~
- ~~• How the Council will engage with communities on other matters.~~

~~The Significance and Engagement Policy, which includes details of statutory consultation requirements, can be found in the Council's website at www.rangitikei.govt.nz.~~

9. Liaison with Māori – Te Tangata Whenua O Rangitīkei

9.1 Memorandum of Understanding: Tutohinga

The Memorandum of Understanding: Tutohinga establishes the protocols between the Rangitīkei District Council, Te Tangata Whenua O Rangitīkei and the Māori community Rātana. Under these protocols Te Roopu Ahi Kaa, as a Standing Committee of the Rangitīkei District Council, has a number of significant responsibilities to discharge on behalf of Te Tangata Whenua O Rangitīkei.

The Memorandum of Understanding Tutohinga was last reviewed in 2019 and should be reviewed in 2023. ~~Reviews coincide with the six-yearly cycle of Representation Reviews.~~

The Memorandum of Understanding has been put together on the basis that:

- Both parties have entered into the Memorandum of Understanding: Tutohinga in good faith and with a view to making the partnership work.
- Both parties recognise that there may be constraints from time to time in respect of resources.
- Both parties can see mutual benefits being derived from the establishment of the Memorandum of Understanding: Tutohinga.
- Both parties express the wish that their partnership will develop and become stronger over time.

Conversely, the Council also has significant responsibilities to both Te Roopu Ahi Kaa and Te Tangata Whenua O Rangitīkei under the Memorandum.

10. Equal Employment Opportunities

10.1 Equal Employment Opportunity Policy

The Council is committed to the principles of Equal Employment Opportunity for all its employees and will act in accordance with the following policy:

- People with the best skills and qualifications to do particular jobs are employed regardless of their gender, race, marital status, physical impairment, or sexual preference.
- All employees will have a fair and equitable chance to compete for appointment or promotion and to pursue their careers.
- The recruitment and promotion of employees is based on merit.
- All employees have equitable access to training and skills development.

11. Key Planning and Policy Documents

11.1 Long Term Plan (LTP)

The Long Term Plan (LTP) provides an overview of Council's direction, priorities and work programme for 10 years. It sets out the projects and services the Council intends to deliver for the community, the cost of undertaking that work, how it will be paid for, how finances will be managed and how performance will be monitored. The current LTP covers the period 2021-31. To ensure it stays up-to-date, the LTP is reviewed every three years. The LTP is consulted on with the community as required in the LGA 2002 (section 93A). Council cannot significantly deviate from the LTP without re-engaging the community. The LTP is audited. In accordance with section 93 of the LGA 2002, the Council adopted its fifth Long Term Plan³⁰ (LTP) in 2018. The LTP was adopted following the special consultative procedure set out in section 93A of the LGA 2002.

The purpose of the LTP is to:

Describe the activities of Council.

Describe community outcomes.

Provide integrated decision making and co-ordination of resources.

Provide a long-term focus for decisions and activities of council.

Provide a basis for accountability to the community.

The LTP is the central focus for the Council's future over the next 10 years. The plan will be reviewed by 30 June 2021 and will be reviewed every three years thereafter. It is important to note that Council cannot significantly deviate from the LTP without re-engaging the community through the special consultative procedure. In other words, once the plan is adopted it determines the Council's direction for the next three years. The LTP is subject to audit.

The LTP is the Council's key document and contains information on:

³⁰ The Long Term Plan was renamed in the 2010 changes to the Local Government Act 2002. The Long Term Plan was previously referred to in legislation as the Long Term Council Community Plan, or the LTCCP.

- ~~Groups of Activities: The LTP shows the level of service Council will provide for each activity, the assets employed and the total costs (both capital and operating) to Council for providing those services.~~
- ~~Financial Strategy: to underpin prudent financial management, with an analysis of the key factors likely to impact on the Council (population change, investment in infrastructure etc.)~~
- ~~Infrastructure: to make explicit how Council envisages it will manage its roads, water, wastewater and stormwater facilities over the next 30 years.³¹~~
- ~~Variations between the LTP and earlier assessments of water services, sanitary services and waste management within the District.~~
- ~~Forecast financial statements: Detailed forecasts for three years and summary forecasts for the seven years after the first three.~~
- ~~Details of any Council controlled organisations, its objectives, scope of activities and targets.~~
- ~~Funding Impact Statement: How the rates are going to be allocated/charged to ratepayers.~~
- ~~A Revenue and Financing policy: who pays for services provided, why and how~~
- ~~Significant Forecasting assumptions and associated risks to the financial estimates. A summary of the Council's Significance and Engagement Policy.~~
- ~~Development of Maori Capacity to Participate in Council Decision making.~~
- ~~How Council will develop Maori capacity to contribute to the decision making process.~~
- ~~Describe community outcomes; good access to health services, a safe and caring community, lifelong educational opportunities, a treasured natural environment, a buoyant district economy and enjoying life in the Rangitikei.~~

As a consequence of the LGA 2002 Amendment Act 2014, the LTP is now required to also include:

- ~~the infrastructure strategy, and,~~
- ~~the projected number of rating units within the District.~~

11.2 The Annual Plan

In the ~~intervening two years of the adoption of a~~between the LTP, the Council adopts an Annual Plan. This allows for any adjustments which need to be made to the LTP and provides an updated programme for the year ahead. Council may or may not consult on the Annual Plan depending on the extent of variation from the LTP. This may be through the formal consultative procedure as set out in sections 95A of the LGA 2002.³² However, this is not mandatory if there is little variation from what the Long term Plan projected for that year and there are no issues requiring community engagement. The Annual Plan focuses on the budgets for the current financial year and the setting of rates. This document is not able to significantly deviate from the LTP. The Annual PlanIt is not subject to audit.

³¹-Council has opted to include community and leisure assets within this strategy.

³² However, s.95(2A) allows the Council to dispense with this requirement if the proposed annual plan does not include significant or material differences from the content of the long term plan for the financial year to which the proposed annual plan relates.

11.3 The Annual Report

~~The Annual Report is a key accountability document. It explains Council's performance for the year against what was set out in the Annual Plan. Under section 98 of the LGA 2002 Council is required at the end of each financial year to report back to the community on how the year actually turned out compared with the Annual Plan or LTP. The purpose of this report is to ensure Council is accountable to the Community. The Annual Report is audited.~~

11.4 The Pre-Election Report

~~Under s. 99A and clause 36 of Schedule 10 of the LGA 2002, Council is required to prepare a pre-election report with certain information for the three years preceding (and following) the year of the election.~~

11.5 The Rangitikei District Plan

~~The Rangitikei District Plan was adopted on 3 October 2013. The Plan~~ The District Plan sets out the rules that Council will apply to control the way land is used, subdivided and developed in the District. It identifies where activities can take place (e.g. zones), what land can be developed and what features (such as landscapes) should be protected sets out the framework of objectives, policies, and methods to be used to achieve integrated management of the effects of the use and development of resources and protection of the natural and physical resources of the Rangitikei District. The principal method in the Plan to control the effects of land use and land subdivision is through rules. Rules are deemed to have the effect of regulation for the purposes of the Resource Management Act 1991 (RMA 1991). The District Plan is created and administered under the Resource Management Act 1991. The operative Rangitikei Rangitikei District Plan was adopted on 3 October 2013.

Changes to the Plan may be proposed by either the Council or any other person or organisation at any time following the processes outlined in the Resource Management Act 1991.

~~The RMA 1991 prescribes submission and appeal processes before the notified plan becomes operative.~~

~~The Plan has been prepared to fulfil the requirement of Part 5 of the RMA 1991 that there be, at all times, one District Plan for each territorial authority district. Implementation of the Plan's policies and methods are intended to assist the Council to carry out its functions under the RMA 1991. The Plan is one of a number of initiatives to be used by the Council to achieve the (sustainable management) purpose of the RMA 1991.~~

11.6 Triennial Agreements

~~Triennial agreements contain protocols for communication and co-ordination among the named local authorities covering the period until the next triennial election. Agreements must be entered into no later than 1 March after each election.~~

~~S. 15 of the LGA 2002 requires triennial agreements to include:~~

- ~~Processes and protocols for identifying, delivering and funding facilities and services which are significant to more than one district³³.~~
- ~~May include commitments to establish or continue joint committees or other joint governance arrangements³⁴.~~
- ~~Terms of reference for committees or other arrangements, including delegations³⁵.~~
- ~~That council must notify other local authorities when making decisions which are inconsistent with the triennial agreement³⁶.~~

~~The Council enters into two triennial agreements; it is a principal signatory with the Manawatu-Wanganui (Horizons) Region and a non-primary signatory with the Hawkes Bay Region.~~

12. Request for Official Information

12.1 Request for Official Information

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

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

- Endanger the safety of any person³⁷.
- Prejudice maintenance of the law³⁸.
- Compromise the privacy of any person³⁹.
- Reveal confidential or commercially sensitive information⁴⁰.
- Cause offence to Tikanga Māori or would disclose the location of Waahi Tapu⁴¹.
- Prejudice public health or safety⁴².
- Compromise legal professional privilege⁴³.
- Disadvantage the local authority while carrying out negotiations or commercial activities⁴⁴.
- Allow information to be used for improper gain or advantage⁴⁵.

³³ LGA 2002 s. 15(2)(c)

³⁴ LGA 2002 s. 15(3)(a)

³⁵ LGA 2002 s. 15(3)(b)

³⁶ LGA 2002 s. 15(7)

³⁷ LGOIMA s. 6

³⁸ LGOIMA s. 6

³⁹ LGOIMA s. 7

⁴⁰ LGOIMA s. 7

⁴¹ LGOIMA s. 7

⁴² LGOIMA s. 7

⁴³ LGOIMA s. 7

⁴⁴ LGOIMA s. 7

⁴⁵ LGOIMA s. 7

The Council must answer requests within 20 working days (although there are certain circumstances where this timeframe may be extended). A charge shall be made to recover all reasonable costs incurred by Council in providing the information. An estimation of cost prior to providing the information can be made available. Council has adopted the charging guidelines issued by the Ministry of Justice.

When Council refuses to supply the requested information it must give reason and provide information concerning the applicant's right, by way of complaint under section 27(3) to an Ombudsman, to seek an investigation and review of the refusal.

[The full LGOIMA Requests Policy is available on Council's website - LGOIMA Request Policy: Rangitikei District Council](#)

In the first instance you should address requests for official information to:

[The Group Manager – Democracy & Planning, Rangitikei District Council](#)
[Private Bag 1102 Marton 4741](#) or email info@Rangitikei.govt.nz