

Local Governance Statement

2016-2019

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What is a 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 local democracy and provides you with information on the how to influence local democratic processes.

This Local Governance Statement includes information under the following broad headings:

- (a) The functions, responsibilities, and activities of Far North District Council including local legislation that confers powers on the Council
- (b) Governance: structures (committees, community boards etc) and processes (including meeting processes), members' roles and conduct (including legal information and the code of conduct)
- (c) Representation arrangements, including the electoral system we use, and the next opportunity to change them
- (d) Council's management structure and the relationship between management and Elected Members
- (e) Communicating with Council, key planning and policy documents, including consultation policies and policies for liaising with Māori, and our processes for public enquiries and requesting official information.

Functions, responsibilities and activities of Council

Purpose of local government

The purpose of local government is –

- To enable democratic local decision-making and action by, and on behalf of, communities
- 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. (Local Government Act 2002, section 10 (1)).

In a nutshell our role is to lead and represent our communities, engaging with you and encouraging your participation in decision-making. In making our decisions, we need to consider the needs of the people currently living in our communities as well as those who will live here in the future.

We have a pretty broad scope to do anything that contributes to our purpose. As such we undertake a wide range of functions and carry out a number of roles. For example:

- We work with communities, and advocate on their behalf, to create sustainable district well-being.
- We provide local infrastructure, including water, sewerage, stormwater, drainage, roads, district facilities (from libraries, halls and cemeteries to reserves and public toilets).
- We provide environmental safety and health, district emergency management and civil defence, building control, public health inspections and other environmental health services and regulation.
- We control the effects of land use, noise, and the effects of activities on the surface of lakes and rivers.
- We contribute to community, economic and social development within the district.

Our Long Term Plan 2015-2025 sets out the activities and services we intend to deliver to meet the District's needs. During 2017 and 2018 we will be developing a new Long Term Plan for 2018-2028.

Legislation (including local)

We carry out our role and responsibilities under a wide array of legislation, including:

- the Local Electoral Act 2001, which sets out the processes for the conduct of council elections
- the Local Government Act 2002, which sets out the general powers of councils, and planning and accountability requirements
- Local Government (Rating) Act 2002, which sets out the powers councils have to raise revenue by different rating tools to pay for the services we deliver.

In addition to the legislation that applies to all territorial authorities, the Far North District Council also has powers and responsibilities under the **Northland Regional Council and Far North District Council Vesting and Empowering Act 1992**, which

- (a) vested in the Far North District Council certain property, documents, rights and liabilities of the Northland Regional Council including land vested in the Northland Regional Council under the Local Government (Northland Region) Reorganisation Order 1989, certain harbour and maritime facilities, resource consents and approvals and
- (b) gave the Far North District Council certain authorities and powers in respect of mooring charges.

Bylaws

The Local Government Act 2002 also provides Council with the power to make bylaws for the following purposes:

- protecting the public from nuisance
- protecting, promoting and maintaining public health and safety
- minimising the potential for offensive behaviour in public places.

Our bylaws can be accessed at: <https://www.fndc.govt.nz/your-council/councils-bylaws>

Appendix 1 contains an overview of our Bylaws at December 2016, their purpose and the key dates for review. You can find more information about Council's consultation process under "Community participation in Council decision making" sections of this document.

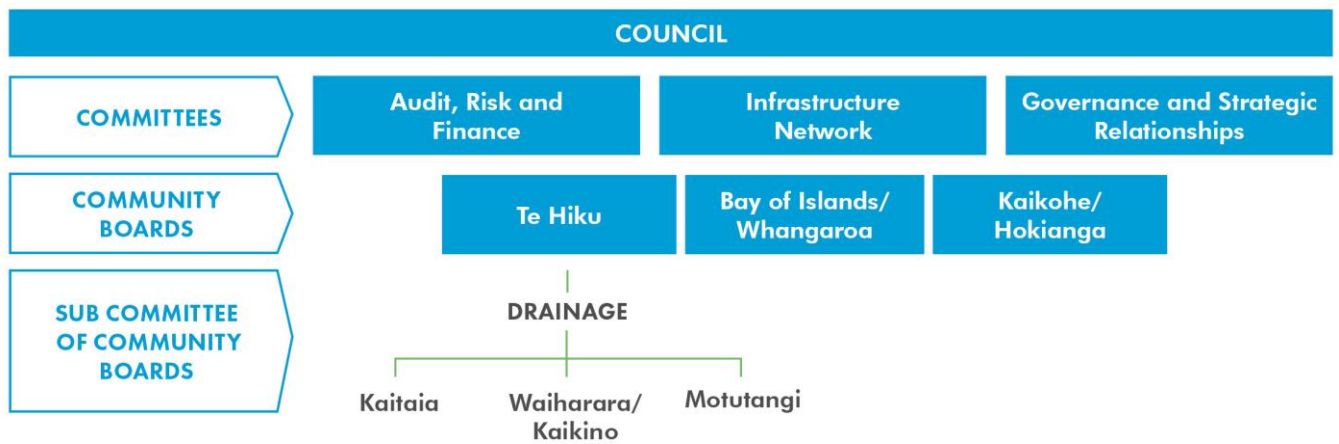
Governance structure for 2016-2019 and processes

Council representation

The Council comprises the Mayor, who is elected by the District, and nine councillors, who are elected from three wards. The Council retains the sole power to perform a number of functions (see delegations below).

There are currently no Māori wards.

Below is a diagram of the main governance structure. Detailed further within the Governance Statement are further committees and boards. A full listing may be obtained from www.fndc.govt.nz.



Contact details for your Mayor and Councillors

Hon John Carter QSO

Mayor

Phone: 09 401 5210
or 027 445 5754

Email: john.carter@fndc.govt.nz



Cr Tania McInnes

Deputy Mayor
Bay of Islands-
Whangaroa Ward

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Email: tania.mcinnnes@fndc.govt.nz



Cr Colin 'Toss' Kitchen

Te Hiku Ward

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Email: colin.kitchen@fndc.govt.nz



Cr Mate Radich

Te Hiku Ward

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Te Hiku Ward

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Cr Dave Hookway

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Whangaroa Ward

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Email: dave.hookway@fndc.govt.nz



Cr Kelly Stratford

Bay of Islands -
Whangaroa Ward

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Email: kelly.stratford@fndc.govt.nz



Committees

Council has changed its committee structure from those adopted after the 2016 triennial elections. It has established the first three Committees, by resolution of Council at its 28th February 2018 meeting:

- Governance and Strategic Relationships Committee
- Audit, Risk and Finance Committee
- Network Infrastructure Committee
- District Licensing Committee
- Creative Communities Funding Assessment Committee

In addition Te Oneroa-a-Tōhē Beach Board is a co-governance partnership with Te Rūnanga o Te Rarawa, Te Manawa o Ngāti Kuri Trust, Te Rūnanga Nui o Te Aupouri Trust, Te Rūnanga o Ngāi Takoto and the Northland Regional Council for the benefit of the community. For administrative purposes the Board is a permanent joint committee of the Far North District Council and the Northland Regional Council.

In addition to formal committees the Council establishes working parties and other entities as required, such as the Procurement Board.

Full details of Council committees, membership and meeting arrangements may be obtained from www.fndc.govt.nz.

The four Northland Councils enter into a Triennial Agreement post local body elections whereby they agree to work collaboratively for the good governance of the region. This agreement is made pursuant to Section 15 of the Local Government Act 2002.

Council is additionally represented on a number of external boards, committees, working parties and local groups. A full listing may be obtained from www.fndc.govt.nz.

Community Boards

The Far North District includes three Communities, each with their own Community Board. Community Boards represent and act as an advocate for the interests of their community. They:

- Consider and report on all matters referred to them by Council and any matter of interest or concern to the Community Board
- Maintain an overview of services provided by Council within the Community
- Prepare an annual submission to Council for expenditure within the Community
- Communicate with community organisations and special interest groups within the Community
- Undertake any other responsibilities that are delegated to it by Council.

In addition to the Elected Members of the Board, Council appoints one Councillor to each Community Board. Each Community Board elects its own Chairperson.

Contact details for your Community Board Members

Member Adele Gardner

Chair - Te Hiku
Community Board

Phone: 021 187 9985

Email: adele.gardner@fndc.govt.nz



Member Melanie Dalziel

Deputy Chair - Te Hiku
Community Board

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Member Lawrie Atkinson

Te Hiku Community Board

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Member Nuū Ward

Te Hiku Community Board

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Email: nuu.ward@fndc.govt.nz



Member Bronwyn Bauer-Hunt

Te Hiku Community Board

Phone: 027 522 2116

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Te Hiku Community Board

Phone: 021 106 6897

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Kaikohe-Hokianga Community
Board

Phone: 027 532 9920

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Kaikohe - Hokianga
Community Board

Phone: 0276 404 080

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Member Kelly van Gaalen

Kaikohe-Hokianga
Community Board

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**Member Shaun Reilly**

Kaikohe-Hokianga
Community Board

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**Member Louis Toorenburg**

Kaikohe - Hokianga
Community Board

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Community Board

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Member Terry Greening

Chair -
Bay of Islands - Whangaroa
Community Board

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Bay of Islands - Whangaroa
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Community Board

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**Member Martin Robinson**

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Community Board

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Member Rachel Smith

Bay of Islands - Whangaroa
Community Board

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**Member Bruce Mills**

Bay of Islands-
Whangaroa Community Board

Phone: 021 978 243

Email: bruce-mills@hotmail.co.nz

**Member – Manuwai Wells**

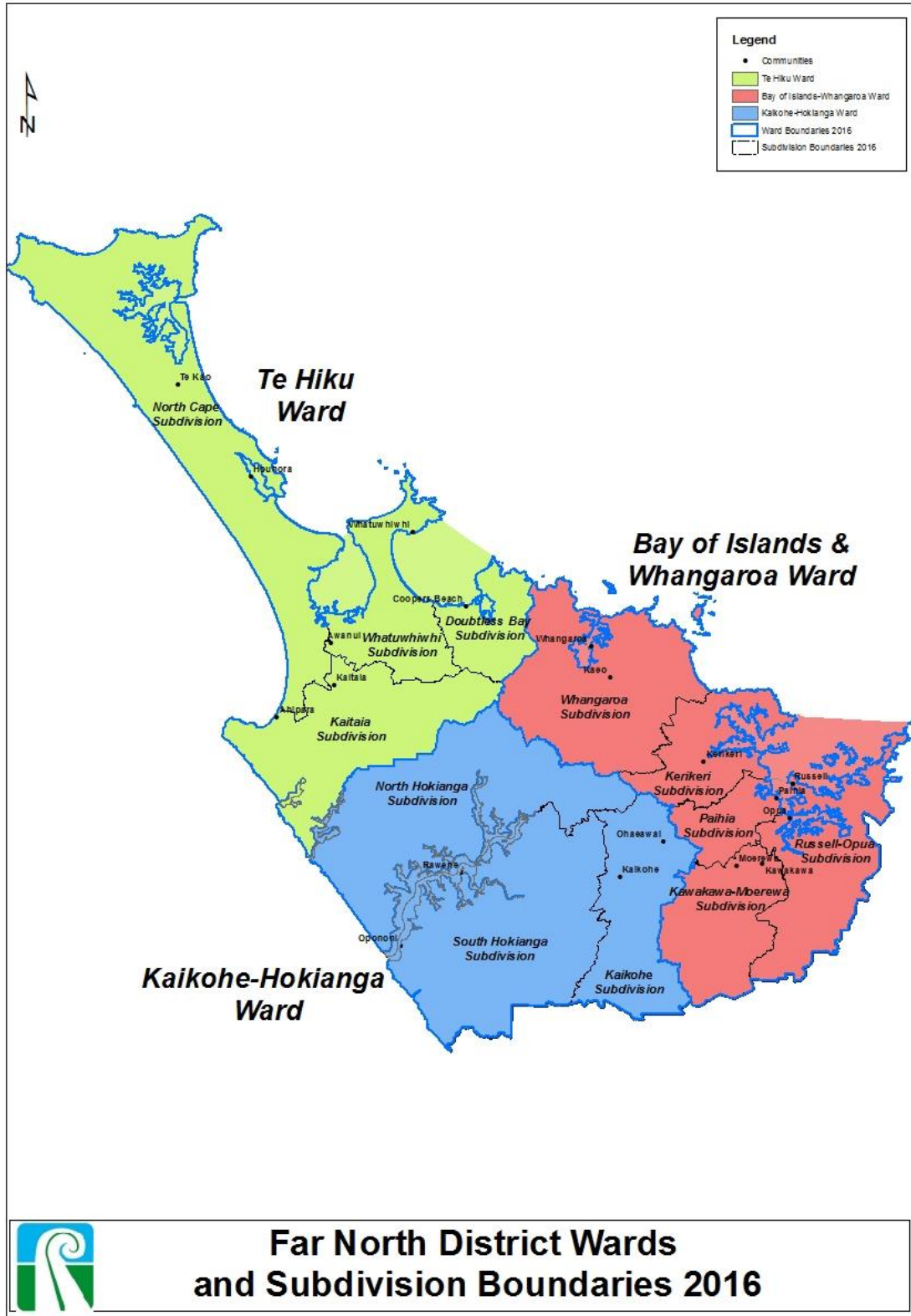
Bay of Islands-
Whangaroa Community Board

Phone: 021 298 8960

Email: manuwai.wells@fndc.govt.nz



Far North District Ward and Community Board areas



Date: 4/01/2017

Document Name: TAWARD2016_Jacobs_mesh_2016

Delegations

The Local Government Act 2002 provides that Council may delegate, to a committee or other subordinate decision-making body, community board, or member or officer of Council, any of its responsibilities, duties or powers except:

- the power to make a rate or bylaw
- the power to borrow money, or purchase or dispose of assets, other than in accordance with the long term plan
- the power to adopt a long-term plan, annual plan or annual report
- the power to appoint a chief executive officer
- the power to adopt policies required to be adopted and consulted on under the Act in association with the long-term plan or developed for the purpose of the local governance statement: or
- the power to adopt a remuneration and employment policy

Delegations are entered into the delegations register.

Council Organisations

Far North Holdings Limited - CCTO

Far North Holdings Limited is a Council Controlled Trading Organisation under the Local Government Act 2002 which is wholly owned by the Council. It is also a Company registered under the Companies Act 1993 to manage a portfolio of commercial and community property investments, including the operation and maintenance of maritime and airport facilities.

The registered office of Far North Holdings Limited is in the Opuā Industrial Building, 27 Baffin Street, Opuā.

Far North Holdings Limited may have a minimum of three and a maximum of five Directors appointed to serve a three year term by Council under its Policy on the Appointment of Directors. Subject to the right of Shareholders to appoint the Chairperson of the Board, the Directors must elect one of their number as Chairperson of the Board. Under the Companies Act 1993 the Directors' primary responsibility is to work in the best interests of Far North Holdings Limited. Council cannot lawfully 'instruct' the Directors.

Council may however comment on, or require an amendment to, the Statement of Intent which sets out the objectives which the company has for the coming year.

Te Ahu Charitable Trust – CCO

Te Ahu Centre in Kaitiāia was opened in 2012 with the aim of becoming a multipurpose community facility for the use and enjoyment of Kaitiāia and surrounding communities. Te Ahu Charitable Trust was originally formed to oversee the build and fundraising for the facility. During 2017 the Trust ceased to be a Council Controlled Organisation as the Trust became a community led organisation with responsibility for the operation, maintenance and development of Te Ahu. Council is a tenant in the facility, paying a commercial rent to the Trust.

Members roles and conduct

The role of Elected Members

The Mayor and the Councillors have the following roles:

- Setting the strategic direction of Council
- Monitoring the performance of Council against the strategy
- Representing the interests of the District (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the District)
- Employing the Chief Executive. The Chief Executive in turn, employs all other staff within the organisation.

The role of the Mayor

The Mayor is elected by the electors of the District as a whole and as one of the Elected Members shares the same responsibilities as other members of Council.

The Mayor has the following roles:

- to provide leadership to the other members of the Council and the people of the District
- to lead the development of the Council's plans (including the long term plan and the annual plan), policies, and budgets
- preside as Chairperson at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in Standing Orders)
- advocate on behalf of the District and its communities. This role may involve promoting the District and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of Council
- ceremonial head of the Council

The Mayor has the following powers:

- to appoint the Deputy Mayor
- to establish Committees of the Council
- to appoint the Chairperson of each Committee.

The Mayor is a member of each Committee of Council and during their term is a Justice of the Peace.

The role of the Deputy Mayor

The Deputy Mayor is appointed by the Mayor unless the Mayor declines to exercise this power, in which case the Deputy Mayor is elected by the Members of Council at the first meeting following the election. The Deputy Mayor exercises the same roles as other Elected Members. However, 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, and may exercise the powers of, the Mayor (as summarised above).

The Deputy Mayor may at any time be removed from office by resolution of Council.

The role of a Committee Chairperson

A Committee Chairperson is responsible for presiding over meetings of the Committee, ensuring that the Committee acts within the powers delegated by Council as set out in the Council's Delegations Manual. A Committee Chairperson is appointed by the Mayor unless the Mayor declines to exercise this power, in which case the Chairperson may be appointed or removed from office by resolution of Council. If the local authority does not appoint a Chairperson, that power may be exercised by the Committee.

Conduct

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

- Schedule 7 of the Local Government Act 2002 includes obligations to act as a good employer in respect of the Chief Executive and to abide by the adopted code of conduct and standing orders;
- The Local Authorities (Members' Interests) Act 1968 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 directly or indirectly);
- The Secret Commissions Act 1910 prohibits Elected Members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way; and
- The Crimes Act 1961 deals with the acceptance of gifts for acting in a certain way and the use of official information for private profit.

All Elected Members are required to adhere to a Code of Conduct. This Code of Conduct sets out Council's understanding and expectations of how the Mayor and Councillors will relate to: each other; staff; media; and the general public in the course of their duties. It also covers disclosure of information that is received by, or is in the possession of, Elected Members and contains details of the sanctions that Council may impose if an individual breaches the Code of Conduct.

Council adopted a Code of Conduct on 15 December 2016. Copies of the Code of Conduct may be obtained from Council's website at www.fndc.govt.nz

Representation arrangements

Electoral voting systems

Local elections are held once every three years. Since 2004 there are two electoral systems that can be used:

- First Past the Post (FPP) - where electors vote by indicating their preferred candidates and the candidates with the most votes are elected
- Single Transferable Vote system (STV) – Where electors rank the candidates in order of preference

Far North District Council elections are currently (and always have been) conducted under the FPP system.

Changing the Electoral Voting system

The Local Electoral Act 2001 provides the opportunity for changing the electoral system by:

- a resolution (decision) of Council
- as a result of a poll demanded by electors
- as a result of a poll initiated by Council.

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

The public may demand a poll even if the Council does not resolve to change the system or to conduct a poll (on changing the system).

Existing Representation Arrangements

The current representation arrangements described in the governance structure were adopted in 2015. i.e. that in addition to a Mayor, who is elected by the District, there would be nine councillors who are elected from three wards as follows:

- | | |
|---------------------------------|-------------------|
| • Kaikohe-Hokianga Ward | Two Councillors |
| • Bay of Islands-Whangaroa Ward | Four Councillors |
| • Te Hiku Ward | Three Councillors |

That there would be three communities, each with a Community Board. Each community is split into the following subdivisions:

| Community | Subdivision | Number of elected members on the Community Board |
|--------------------------|------------------|--|
| Te Hiku | Kaitaia | 3 |
| | Doubtless Bay | 1 |
| | North Cape | 1 |
| | Whatuwhiwhi | 1 |
| Kaikohe-Hokianga | North Hokianga | 1 |
| | South Hokianga | 2 |
| | Kaikohe | 3 |
| Bay of Islands-Whangaroa | Whangaroa | 1 |
| | Kerikeri | 3 |
| | Paihia | 1 |
| | Russell-Opua | 1 |
| | Kawakawa-Moerewa | 1 |

There are currently no Māori wards. While the Far North District's population has a high proportion of Māori (the 2013 census, 44.5 percent of people in Far North District belong to the Māori ethnic group, compared with 14.9 percent for all of New Zealand) when the Council conducted a poll to introduce Māori representation for its 2016 triennial elections, the poll was defeated.

Council has also considered the following:

- Establishing a Māori standing or advisory committee of Council.
- The appointment of Māori to Council bodies.

Council has not pursued these options, but has decided to set up a mixture of Elected Members and Māori representation around MoUs.

Reviewing Council Representation Arrangements including Māori wards and constituencies

Council must review its representation arrangements at least once every six years. As part of the representation review a local authority takes a fresh look at the number of elected members (between six and 30), the way they are elected (whether they come from a ward or 'at large' across the wider district or a mixture of both approaches), boundaries and names of wards and constituencies and the number of members from each, whether or not to have separate wards for electors on the Māori roll, and whether to have Community Boards (and boundaries, membership, numbers etc).

Council must follow the procedures set out in the Local Electoral Act 2001 when conducting its representation review. We also follow the guidelines published by the Local Government Commission which can be viewed at www.lgc.govt.nz/representations-reviews/representation-review-guidelines/. A separate process is followed for reviewing the electoral system.

Any member of the public can make a written submission on a proposed representation review, which is then considered by council and council may change its proposals as a result. If a person who made a submission is not satisfied with the council's amended proposal they can appeal against it.

If a council receives any objection it must refer the whole representation review to the Local Government Commission. A Commission decision can be appealed to the High Court on a point of law.

The last representation review was done in 2015. The next review is due in 2021 in time for the 2022 elections, although Council could review its representation arrangements earlier if it wanted to and electors may request this via a poll.

Similarly Māori wards and constituencies can be reconsidered for the 2022 elections and electors may request this via a poll. Council has previously considered establishing Māori standing or advisory committees of Council and the appointment of Māori to Council and its committees but decided instead to set up a model of mixed Elected Members and Māori representation around the MoUs, relationship agreements, partnership agreements and charters agreed with Māori. These are described later in this Governance Statement.

Reorganisation process

Local government reorganisation means changes to the structure of local authorities. It could be changes to boundaries; the creation of a new Council; combining existing Councils; the abolition of a Council; or the transfer of functions and duties from one Council to another.

The procedures for resolving each type of proposal are slightly different. In general they begin with a proposal either from: one or more of the affected Local Authorities; the Minister of Local Government or by a petition signed by 10% of the electors of the affected District or Districts.

Further information on the requirements can be found at www.lgc.govt.nz/the-reorganisation-process/ or in Schedule 3 of the Local Government Act 2002.

In June 2015 the Local Government Commission announced that it would not proceed with a proposal for a unitary council in the Northland region. Since then the Commission and Northland Councils have been working together to identify opportunities for better local government and service delivery within the region on a collaborative basis. Updates on the reorganisation process in Northland can be found at www.lgc.govt.nz/the-reorganisation-process/reorganisation-current-applications/view/northland-reorganisation

Council's management structures and relationships

Council is supported by a professional organisation, led by the Chief Executive. The Chief Executive and staff are responsible for managing day-to-day issues implementing Council's decisions and policies.

Chief Executive

The Chief Executive is Mr Shaun Clarke (ONZM). Mr Clarke can be reached on 09 401 5200; 0272 200 088 or by email: Shaun.Clarke@fndc.govt.nz

The Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council. Their responsibilities are:

- 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
- Managing the activities of the Council 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 for the staff).

The Chief Executive is the only person who may lawfully give instructions to a staff member. Therefore any complaint about individual staff members should be directed to the Chief Executive rather than to the Mayor or a Councillor.

Management structure

Council's management is organised into four Groups and all staff can be contacted on 09 401 5200. The following is a list of the Groups, the General Managers and corresponding contact numbers:

| Group | General Manager | Email | Contact |
|-------------------------------------|------------------|--|--------------|
| Corporate Services | Samantha Edmonds | samantha.edmonds@fndc.govt.nz | 027 202 0446 |
| Strategic Planning and Policy | Darrell Sargent | darrell.sargent@fndc.govt.nz | 027 248 7603 |
| Infrastructure and Asset Management | Andy Finch | andrew.finch@fndc.govt.nz | 021 331 066 |
| District Services | Dr Dean Myburgh | dean.myburgh@fndc.govt.nz | 027 801 2268 |

In addition to the above Groups the Chief Executive Office also includes

- People and Capability (including Health and Safety)
- Communications (internal and external)

The Chief Executive, the General Managers, the People and Capability Manager, and the Communications Manager make up the Strategic Leadership Team. This team considers organisation-wide issues and provides the link between elected members and staff. They are responsible for monitoring operational performance, giving policy advice, implementing policy, strategic planning and service delivery. By working in partnership, the Strategic Leadership Team ensures that actions are consistent with Council's Vision, Mission, Strategic Direction, Principles, and the Long Term Plan and Annual Plan.

General functions for the Groups are as follows:

Corporate Services

| Finance and Revenue | Administration |
|--|--|
| Accounts payable and receivable Debt collection Financial accounting and planning Insurance Management accounting Property (sales/acquisitions/rentals) Revenue and Treasury management | Mayor and elected member and community board support Legal and legislative compliance Information: Official information (LGOIMA); Ombudsman enquiries; Personal information (Privacy Act); Property Information Procurement and project management Fleet management Publications |
| Information and Business Systems | Risk, Internal Audit and Other |
| Archives, document and information management Business continuity GIS Internet, intranet, website, telecommunications and mail Network and technical support Systems analysis and development | Performance analysis Quality management Risk Internal audit CCTOs and CCOs |

Infrastructure and Asset Management

| Asset Planning, development, maintenance and renewal | |
|---|--|
| Roading Water Wastewater Stormwater Solid waste | Land drainage Parks and reserves Civic and community facilities (e.g. halls, cemeteries, swimming pools, libraries and public tools) Properties |
| Emergency management and civil defence | |



District Services

| Approvals | Community Services |
|---|---|
| Resource consenting Building consenting Food and Liquor licensing | Libraries i-Sites Regional Museum Cemeteries administration |
| Customer Services | Monitoring and Enforcement |
| Contact centre Branches/service centres | Environmental Public health Compliance Animal management Bylaws |

Strategic Planning and Policy

| Strategy, Policy and Planning | Community and Māori Development and Engagement |
|---|---|
| Strategic Direction setting with elected members Strategic Frameworks Annual and long-term planning processes Sustainable Development of the District Strategies and Policies that support the District and Council Vision, Objectives and Strategic Direction of Council District plan Spatial and structure plans Strategy, policy and planning advice, research, monitoring and reporting Strategic implementation Bylaw development and review Advocacy | Develop and maintain strategic relationships Economic, social and community development Support the development of community and iwi / hapū Management Plans Youth development Consultation and engagement co-ordination and advice |

Community Participation in Council Decision – Making

Decision-making

In the course of decision-making, local authorities must:

- Identify the significance of an issue or decision, and meet particular procedural requirements for a significant decision
- Identify whether a decision is significantly inconsistent with any policy or plan adopted by that local authority (although other policies and plans may also be relevant)
- Promote compliance with the principles of consultation
- Consider community views and preferences during the decision-making process
- Provide opportunities for Māori contribution to decision-making processes
- Consider all reasonably practical options
- Assess the options by considering the costs and benefits of each option, the extent to which they achieve community outcomes in an integrated and efficient manner, and their impact on the capacity of the local authority to meet its statutory obligations.

Council places a very strong emphasis on being aware of, and considering, community views and preferences during its decision-making processes. We use a broad range of ways for you to interact with us and always welcome feedback so we can improve.

Meeting processes

Council meets every eight weeks.

The times and venues for ordinary meetings are advertised in local papers (*Northern News* and the *Northland Age*). Notice periods are detailed in the Local Government Official Information and Meetings Act 1987 in section 46. For ordinary meetings at least 14 days notice is usually given, which can be reduced if a schedule of meetings is adopted. Extraordinary meetings are generally called with at least three working days notice.

All Council, Committee and Community Board meetings are open to the public unless there is reason to exclude the public (e.g. protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order). The Local Government Official Information and Meetings Act 1987 contains a list of these circumstances.

Agendas are also public documents, although parts may be withheld if the above circumstances apply. Meeting minutes are kept as evidence of the proceedings and made publicly available, subject to those same circumstances.

Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with Council or the Community Board.

Standing Orders govern the conduct of meetings, but can be suspended (75% majority vote). The Mayor, Committee or Community Board Chairperson is responsible for maintaining order at meetings.

Visit the Council website www.fndc.govt.nz for a schedule of meeting dates or to obtain copies of the Code of Conduct and Standing Orders.

Consultation and Engagement Policies and Principles

Council has Significance and Engagement Policy to provide clarity about how and when communities can expect to be engaged in Council decisions. It can be found here www.fndc.govt.nz/your-council/councils-policies and will be reviewed during the course of the triennium.

While we have some discretion over how we consult and engage we must meet the principles of consultation (which can be tailored based on the significance of a decision and what we have heard and know already). The principles are contained in section 82 of the Local Government Act 2002 and in a nutshell provide those affected/interested in a decision should have:

- Access to relevant information, including the purpose of the consultation and scope of the decision(s)
- An opportunity to present their views
- Their views given due consideration with an open mind.

Specific legal requirements also override general consultation and engagement requirements. Two examples are where the special consultative procedure is required or Council's obligations to consult when preparing its District Plan (or a plan change) which are set out in Schedule 1 of the RMA. In the latter case the principles of consultation still apply. A bit more information on the special consultative procedure is provided below.

Special Consultative Procedure (section 83 of the LGA)

- A Statement of Proposal (and a summary if Council thinks it is necessary for public comprehension) or Consultation Document (for Long-Term and Annual Plans only) must be adopted and made as widely available as is practicable. Past practice is to make them available on the Council website and at Council service centres.
- Council must publish a notice, in one or more newspapers that are circulated across the District, of the proposal and of the consultation being undertaken.
- Council must offer the public a reasonable opportunity to make a submission on the proposal. This may be in writing or it may be verbal. The consultation period must be open for no less than one month from the date of notification.
- All meetings where Council deliberates on the proposal or hears submissions must be open to the public (unless there is some reason to exclude the public under the LGOIMA).
- Council must provide submitters a summary of the decision(s) made as a result of consultation. There is no prescribed format for such a summary. We load the summary onto the Council website so that submitters who did not provide contact details can be informed.

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

The Far North District Council recognises the special place of Māori within the District and their relationship with the natural, cultural and physical resources of the District and as a significant proportion of the District's population. Council also recognises its need to build relationships with all levels of Māori society, whanau, hapū and iwi, across the District, and that the nature of the relationship will vary depending on the issues and the parties involved.

A range of options exist for how these relationships might be recognised including, but not limited to, memoranda of understanding (MoU), relationship agreements, partnership agreements and charters. In some instances the type of agreement may be dictated by legislation as a result of Treaty of Waitangi settlements between the Crown and Treaty claimant groups.



Our Significance and Engagement Policy and our 2016 Māori Relationship Framework engagement with Māori state that our engagement will be in line with our relationship agreements (acknowledging that having the capability and capacity to engage are issues for Council and Māori alike).

Currently (January 2017) MoUs exist with Te Rarawa, Ngāti Hine, Te Whiu, Ngakahu Ngakohu Whanau Ahuwhenua Trust and Matauri X Management Committee.

In partnership with the other Northland Councils, the Northland Councils' CEOs and Iwi CEOs have agreed a Relationship Terms of Reference. An invitation has also been sent to Te Kahu o Taonui from both Northland Regional Council and Far North District Council to progress a governance to governance, rangatira ki rangatira relationship.

The co-governance entity Te Oneroa-a-Tōhē Beach Board (with Te Rūnanga o Te Rarawa, Te Manawa o Ngāti Kuri Trust, Te Rūnanga Nui o Te Aupouri Trust, Te Rūnanga o Ngāi Takoto and the Northland Regional Council) was established as a result of Treaty of Waitangi settlements for Te Hiku Iwi.

Key Approved Planning and Policy Documents

Plans and policies

Strategy, policy and planning applies occurs across the Council more often than not in consultation with the community. Some of our key documents and policies include:

- Long Term Plan – a 10 year organisational strategic plan (with strategies, policies and operational plans within it e.g. Infrastructure Strategy, Revenue and Financing Policy). The most recent Long Term Plan was adopted on 28 June 2018.
- Annual Plan – annual budget and variations from the Long Term Plan.
- Annual Report – which documents our key achievements and financial and non-financial performance each year.
- Community Board Strategic Plans – Community board plans that outline priorities for a given year.
- District Plan - encourage the sustainable use of natural and physical resources of the district in a way which provides for community wellbeing. The District Plan provides a framework for the administering of resource consents and is currently under review.
- Significance and Engagement Policy – described above.
- Rates Remission and Postponement Policies - www.fndc.govt.nz/services/rates

Community and Iwi and Hapu Management Plans are not Council owned plans but are key documents for Council and other decision makers to be aware of.

You can find a full list of Council policies at www.fndc.govt.nz/your-council/councils-policies

Equal Employment Opportunities

Council is an Equal Employment Opportunity (EEO) employer and aims to maintain staff's awareness of EEO principles and their implementation by the Far North District Council.

“Equal Employment Opportunities” are an integral component of the People & Capability management strategies of the Council. These strategies ensure the elimination of any practices and attitudes that inhibit the recruitment and advancement of staff, particularly: women, Māori, ethnic and minority peoples and people with disabilities.

Further detail is set out in Council's Equal Employment Opportunity Policy adopted November 2016.



Getting Information and Service

You can access a full range of services and ask for information at any of our Service Centres or by contacting our Call Centre on 0800 920 029 or 09 401 5200 during normal working hours (outside normal working hours, an after hours answering service will log and escalate any urgent requests).

All correspondence should be directed to:
Far North District Council
Private Bag 752
Kaikohe 0440

or via Council's website at: <http://www.fndc.govt.nz/contact/email-us>
or by direct email at: ask.us@fndc.govt.nz

Council service centres can be found in the following locations:

| Headquarters – Kaikohe | Kaitaia | Kaero |
|--|--|--|
| 5 Memorial Avenue Tel: 0800 920 029 Tel: 09 401 5200 Fax: 09 401 2137 Monday – Friday 8:00am - 5:00pm | Te Ahu Centre, Corner Matthews Avenue and South Road Tel: 0800 920 029 Tel: 09 401 5200 Fax: 09 408 2546 Monday – Friday 8:00am - 5:00pm | Leigh Street Tel: 0800 920 029 Tel: 09 401 5200 Fax: 09 405 0379 Monday - Friday 8:00am - 4:30pm (closed 12:30pm - 1:00pm) |

| Kerikeri | Kawakawa | Rawene |
|---|---|---|
| John Butler Centre 60 Kerikeri Road Kerikeri Tel: 0800 920 029 Tel: 09 407 0400 Fax: 09 407 0419 Monday – Friday 8:00am - 5:00pm | Gillies Street Kawakawa Tel: 0800 920 029 Tel: 09 401 5200 Fax: 09 404 3054 Monday – Friday 8:00am - 4:30pm | Parnell Street Rawene Tel: 0800 920 029 Tel: 09 401 5200 Fax: 09 405 7828 Tuesdays and Thursdays 8:00am - 4:30pm (closed 12:30pm-1:00pm) |

| Paihia | Hokianga |
|---|--|
| <p>i-SITE Visitor Information Centre The Wharf, Marsden Road, Paihia</p> <p>Tel: 0800 920 029 Tel: 09 402 7345 Fax: 09 402 7314 Open 7 days (except Christmas Day) 8:00am - 5:00pm - Winter</p> | <p>i-SITE Visitor Information Centre 29 - 31 State Highway 12, Opononi</p> <p>Tel: 0800 920 029 Tel: 09 405 8869 Fax: 09 405 8317 Open 7 days (except Christmas Day) 8:30am - 5:00pm</p> |

Official Information

All requests for information are requests for official information, although you don't have to say this (nor do you need to refer to the Local Government Official Information and Meetings Act 1987, LGOIMA, when you request that information).

We make most information available to you, however, there may be circumstances (and these are contained in LGOIMA) where there is a reason to withhold it:

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

or would be good reason to withhold unless a public interest exception applies:

- compromise the privacy of any person
- reveal confidential or commercially sensitive information
- in certain circumstances, cause offence to tikanga Māori or would disclose the location of waahi tapu
- prejudice public health or safety
- compromise legal professional privilege
- disadvantage the local authority while carrying out negotiations or commercial activities
- allow information to be used for improper gain or advantage.

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 guidelines set down by the Ministry of Justice.

Requests for information can be lodged through any of our contact channels described above.



Appendix 1 Bylaws

Council Bylaws

| Subject / Title Bylaw | General Description | When made | Date of last review | Review required by |
|--|---|------------------------------|---------------------|--------------------|
| Cemeteries & Crematoria | Controls and regulates burials in the District, including fees payable, hours of burial, digging of graves, vehicles in cemeteries, and rules of conduct, etc. | 30/01/1991 | N.A. | N.A. |
| Control of Amusement Devices and Entertainment Premises | Regulates premises or places where the public are admitted and which are used for the discharge of missiles by firearms or otherwise, or a merry-go-round, swing, ferris wheel, or other riding device, by way of licence. | 16/10/2009 (after review) | - | 16/10/2019 |
| Control of the Use of Public Places | Regulates the use of public places to avoid conflict between users and inappropriate use of public open spaces. | 16/10/2009 (after review) | - | 16/10/2019 |
| Control of Brothel Premises Location and Advertising Signs | Controls where brothel premises and businesses are located within the District, and the type, size and location of related advertising signage. | 2004 | N.A. | N.A. |
| Control of Earthworks | Regulates excavations and provides for penalties for non-permitted works or damage to public property as a result of earthworks. | 26/11/2009 (after review) | - | 26/11/2019 |
| Control of On-Site Wastewater Disposal Systems | Aims to ensure that all on-site wastewater disposal systems that are in operation or proposed to be installed anywhere in the District are installed, operated and maintained, in a safe and sanitary manner, with no, or minimum adverse effects on the surrounding natural environment. | 26/11/2009 (after review) | - | 26/11/2019 |
| Control of Vehicle Crossings | Regulates the use, construction and maintenance of vehicle crossings giving access from public roads to properties located within the District. | 26/05/2010 (after review) | - | 26/05/2020 |
| Cycle Trail | Regulate the use of the Pou Herenga Tai – Twin Coast Cycle Trail, to protect, promote and maintain the health and safety of cycle trail users, | 08/09/2016 | | 01/10/2021 |



| | | | | |
|--------------------------------------|---|------------------------------|------------------------|-------------|
| | to protect from nuisance those using the trail and to minimise damage to the trail. | | | |
| Dog Control | Regulates the keeping of dogs in the District. | 14/09/2006 (after review) | Currently under review | Due in 2023 |
| Keeping of Animals, Poultry and Bees | Regulates the keeping of animals, poultry or bees so they do not cause a danger, nuisance or health risk to any person or property. | 13/09/2007 (after review) | - | 13/09/2017 |
| Land Drainage | Enables regulation of land drainage assets within the District. | 16/10/2009 (after review) | - | 16/10/2019 |
| Maritime Facilities | Regulates the use of wharves and other landing places, grids, pontoons, and trailer-boat launching ramps, either owned or controlled by the Far North District Council. | 2002 | | N.A. |
| Mobile Shops & Hawkers | Regulates the licensing and conduct of persons involved in the sale of goods, including hawker (door-to-door) sales and mobile shops. | 29/07/2010 (after review) | - | 29/07/2020 |
| Mooring Charges | Imposes charges payable by persons who use or have the right to use pile or swing moorings within any coastal marine area that adjoins the District. | 2002 | N.A. | N.A. |
| Nuisances | Controls and regulates harm caused by nuisances as defined under Section 29 of the Health Act 1956. | 1991 | N.A. | N.A. |
| Parking & Traffic Control | Regulates use of public parking areas and sets out parking restrictions for these areas. | 17/06/2010 (after review) | - | 17/06/2020 |
| Public Places Liquor Control | Enhances public safety and minimises the potential for offensive behaviour in public places, by providing for liquor control in specified public areas. | 02/11/2003 | 29/07/2010 | 29/07/2020 |
| Reserves | Regulates use of and conduct in parks and reserves. | 09/12/2010 (after review) | - | 09/12/2020 |



| | | | | |
|---------------------|--|------------------------------|------------|------------|
| Skating and Cycles | Prohibits the riding of skateboards, roller-blades, roller-skates and similar devices in certain defined public places. | 12/07/2007 (after review) | 13/12/2012 | 13/12/2022 |
| Speed Limits | Protects the public from nuisance and protects, promotes and maintains public health and safety by imposing appropriate enforceable speed limits. | 24/10/2008 (after review) | - | 24/10/2018 |
| Solid Waste | Promotion & delivery of effective and efficient waste management and minimisation; implementation of waste management and minimisation plan; regulation of collection and disposal of waste from public places; protection of the health & safety of waste collectors, operators and public; management of litter and nuisance in public places. | 17/06/2010 (after review) | 01/06/2016 | 01/06/2026 |
| Trade Waste | Controls the discharge of trade wastes to the sewerage system to ensure the appropriate legislation is complied with. | 16/10/2009 | 05/05/2016 | 05/05/2026 |
| Vehicle on Beaches | Restricts vehicular access to Coopers Beach | 24/03/2015 | | 24/03/2020 |
| Water Supply | Controls and regulates supply of water in the District including fittings, materials and installations, protection of supply, and prevention of waste and contamination. | 16/10/2009 (after review) | - | 16/10/2019 |
| Wastewater Drainage | Regulates the installation, use and maintenance of connections to public wastewater collection systems. | 16/10/2009 | 05/05/2016 | 05/05/2026 |

N.A. = not applicable (not required by legislation)

Date of last review – in some cases the date of last review refers to when the initial review was completed. Where this review has highlighted the need for the Bylaw to be amended, replaced, amalgamated etc the date may not correspond to the approval of a new, amended or readopted Bylaw because consultation, further work etc may have been required. Please see our website for an up to date list of Bylaws and any consultation occurring on them www.fndc.govt.nz