



2011 Gisborne District Council

Local Governance Statement



Foreword from Mayor Meng Foon



Tēnā Koutou,

I am pleased to introduce you to our Local Governance Statement. The Local Governance Statement is a requirement of the Local Government Act 2002 (LGA 2002). The Act requires us to review and alter our Local Governance Statement to reflect changes resulting from the triennial local elections.

It is a collection of information about the Gisborne District Council's governance, how we make decisions, our organisation, key plans and policies and the processes we have to engage with our communities.

I hope that you find our Statement useful and informative about the ways that Council operates and how you can be involved.

Meng Foon
His Worship the Mayor

More information

All Council publications referred to in this document are available on the Council website www.gdc.govt.nz

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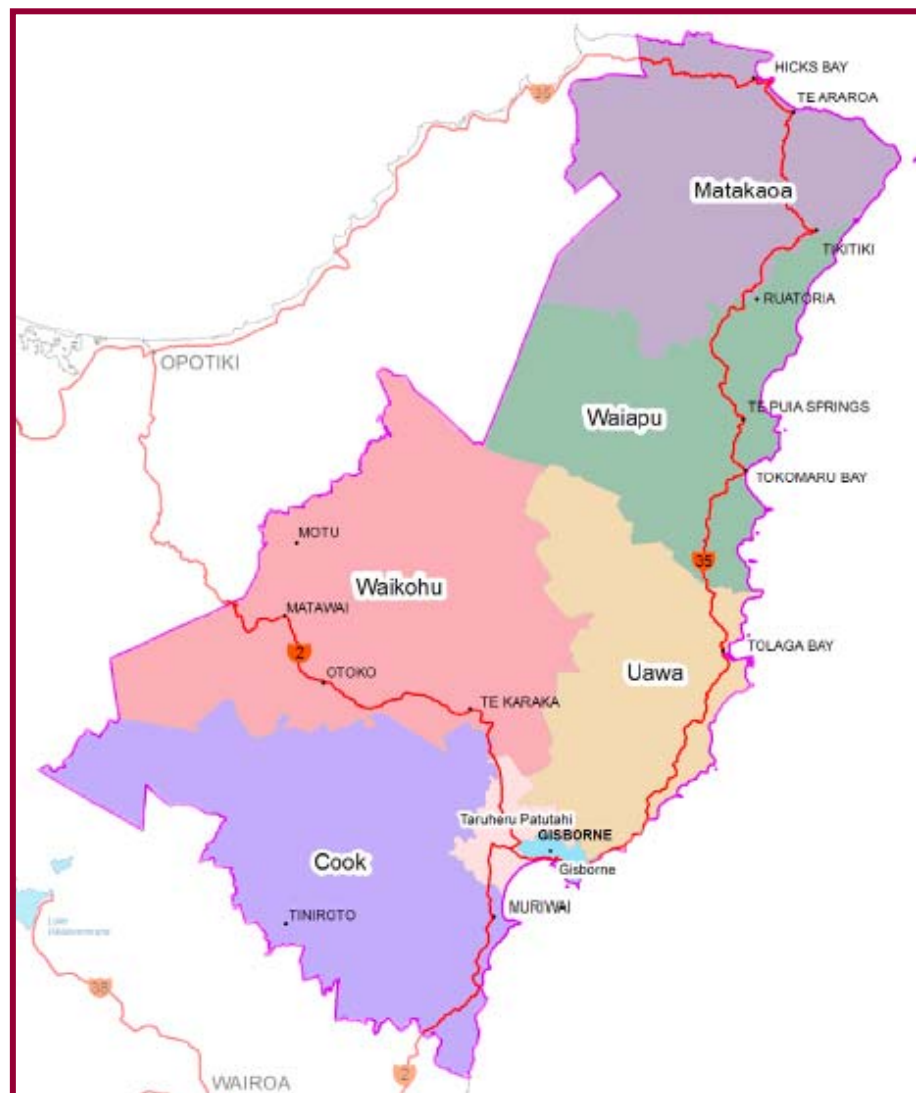
1. About our Region

Our District - First to See the Light

Our district covers the largest land area in the North Island of New Zealand with 8,360 square kilometres of land. We are located in the north-eastern corner of the central North Island and are referred to as Tairāwhiti, the East Cape, East Coast and the Eastland region. Gisborne city is the eastern most city in New Zealand and is the first city in the world to see the sun rise each day.

The unspoiled East Coast region is still one of the world's best kept secrets and has inspired authors, poets, artists and wine lovers. It has some of New Zealand's most exciting and consistent surf breaks and safe swimming.

Gisborne is home to a vibrant and progressive community, serviced by a full range of modern amenities. Our district is renowned for its warm climate with a total of 2,200 sunshine hours each year, and over 65 days where the temperature reaches above 24 degrees. Rainfall varies from about 1000mm near the coast to over 2,500mm in the higher inland country.¹



¹ Refer to Appendix 1 for Gisborne District's Community Profile

Our History

As the site of the first meeting between Maori and European, our district is rich in history. Gisborne's bicultural heritage is everywhere from the elaborate Maori canoe masthead to the Cook memorial. Over 100 marae in the district are living treasure houses of traditional Maori history. We have a unique population mix with the highest proportion of Māori (44%) compared to non-Māori in the country.

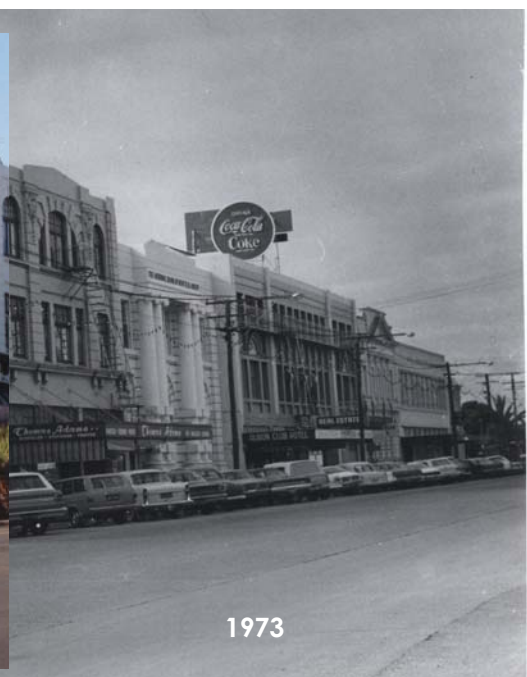
At Kaiti beach, near the city of Gisborne, Māori landed their waka Te Ikaroa-a-Rauru. Here also was the first landing place of Captain Cook in 1769, naming the area "Poverty Bay" previously known by the pre-Europeans as Turanganui-a-Kiwa meaning "the waiting place of Kiwa" (who was said to have landed on our shores around 1450AD).

The Gisborne District Council was formed in late 1989 as part of local body amalgamation, the national reorganisation of local government's structure. Seven principal local authority organisations with varying functions were amalgamated. Namely, Gisborne City Council, Cook County Council, Waiapu County Council, Waikohu County Council, Gisborne Harbour Board, East Cape Catchment Board and the East Coast Pest Destruction Board.

Significantly, the Gisborne District Council is New Zealand's first unitary authority combining district and regional council functions.

Quick Facts

- District Land area 8,360 km*
- Reserves 950 hectares**
- Capital value \$9.2 billion (Sept 2008)
- Number of dwellings 18,956
- Council's total asset value \$1.76 billion
- ** Land zoned "reserve".
- Percentage of total NZ land area 4.9%
- Population 44,496 (2006 census)
- Land value \$5.6 billion (Sept 2008)
- Number of rateable properties 21,610
- Based on the high water mark.
- Average population density 5.3 persons per sq km



Gladstone Road from Lowe Street looking down towards Reads Quay

2. Our Council

Our Direction

Council's direction is driven by our mission, vision and values which put into effect the purpose of local authorities specified under the LGA 2002.

COUNCIL'S MISSION IS TO:

“Lead and support the social, cultural, economic and environmental development of our communities - Mō tātou te Tairāwhiti”.

COUNCIL'S VISION IS:

“First to see the light. First choice for lifestyle and people, enterprise and environment - Ka mau te wehi!”

This vision sees Gisborne/Tairāwhiti needing to be more than a place for today. It sees a place for tomorrow as well so that those who follow after us inherit a district that is better than it is now. For Council this means taking responsibility for leading our communities now and into the future. Not through directing, but through helping to shape, collaborating with, and listening to our communities and seeking the best advice.

COUNCIL'S VALUES ARE:

- ▶ giving service
- ▶ working together
- ▶ solution focus
- ▶ learning and improving
- ▶ innovation
- ▶ can-do attitude.

Our Role

As one of only five Unitary Authorities, the Gisborne District Council (Council) combines the functions, duties and powers of a territorial council with those of a regional council. In most other parts of the country, the functions of regional councils and territorial councils are split as follows:

Regional Councils

- resource management (quality of water, soil, coastal planning etc)
- biosecurity control of regional plant and animal pests
- river management, flood control and mitigation of erosion
- regional land transport planning and contracting of passenger services
- civil defence (natural disasters, marine oil spills).

Territorial Councils

- community wellbeing and development
- environmental health and safety (including building control, and environmental health matters)
- infrastructure (roading and transport, sewerage, water/stormwater)
- recreation and culture
- resource management including landuse planning and development control.

Under the Local Government Act 2002, Council is tasked with two key responsibilities. **The first is to promote the social, cultural, economic, and environmental wellbeing of the Gisborne district and its residents in the present and for the future. The second is to enable democratic local decision-making and action on behalf of our communities.**

Community wellbeing is promoted through the broad range of Council's services and activities. While some of these are clearly visible to our communities (such as libraries, pools and recreational facilities), many Council services and activities go unnoticed but make a substantial contribution to our community's wellbeing. These include things such as our roads, water supply and drainage or working with others (such as community groups) to facilitate and achieve common outcomes.

We further contribute to community wellbeing through our regulatory responsibilities. Activities such as resource consents, noise control and environmental protection all enhance the safety and the sustainability of the district that we live in.

Key Strategy, Policy and Planning Documents²

An important aspect of Council in carrying out its roles and responsibilities is developing and reviewing strategies, policies and plans. The strategies policies and plans contribute to community wellbeing at the highest level.

Some policies and plans are required by statute (for example the Long Term Plan and District Plans) and others are non statutory. A description of key plans are provided below.³

Ten Year Plan (TYP) and Annual Plan⁴

Council is required to produce a Ten Year Plan (TYP) every three years. Council's current 2009-2019 Ten Year Plan was adopted in June 2009. The next TYP must be adopted by 1 July 2012.

² Refer to Appendix 21 for the full lists of statutes and regulations, and by-laws.

³ Refer to Appendix 3 for a full list of strategies, policies and planning documents.

⁴ While the Local Government Act 2002 requires Councils to prepare a Long Term Council Community Plan, and the recent Amendment to the Act renamed the document a Long Term Plan, for ease of reference and consistency Gisborne District Council refers to these documents as Ten Year Plans.

Section 40 1(l) key approved planning and policy documents and the process for their development and review

It is a long term planning document covering a period of 10 years. The TYP sets out the Council's priorities for the following decade and establishes how Council intends to contribute to the community well-being.

Each year between publications of the TYP, an Annual Plan outlining changes and amendments to the TYP will be adopted.

Ref: Sections 93-96 Local Government Act 2002

Annual Report

The purpose of the Annual Report is to compare actual performance in the year with the intended activities and the intended level of performance described in the Ten Year Plan or Annual Plan.

The Council's financial year ends on 30 June and the Annual Report must be produced within 4 months of that date.

Ref: Section 98 Local Government Act 2002

GDC Combined Regional Land and District Plan

The purpose of the preparation, implementation and administration of the Proposed Combined Regional Land and District Plan is to assist the Council in carrying out its functions in the sustainable management of natural and physical resources within the Gisborne district under the Resource Management Act 1991.

The aim of the plan is sustainable management as defined in the Act as:

"Managing the use, development, and protection of natural and physical resources in a way, or at a rate, that enables people and communities to provide for their social and cultural well-being, and for their health and safety".

Delegation

The Delegation Manual approved by Council details the financial, regulatory, and administrative delegations assigned to Council and management.

Ref: Sections 41 & 42 Local Government Act 2002

Council Policies

Lists of policies required by the Local Government Act 2002 and approved by Council are detailed in the Ten Year Plan (TYP) document and outlined in **Appendix Three**. The policies provide guidance for staff and Councillors in the areas of discretionary and consistent decision-making. Policies can be in accordance with Council's Significance Policy reviewed, added, or deleted at any time.

Policy Manual

Policies are directions set by Council to provide operational guidelines on an ongoing basis. Any instruction or rule made or ratified by resolution of Council that is intended to be applied indefinitely will be included in the Policy Manual. Managers are responsible for maintaining this document and any review and/or amendment to policy can only be made by the Council.

Community Outcomes for the Gisborne District

In accordance with section 91 of the Local Government Act 2002, the Council carried out a comprehensive consultation process to identify community outcomes for the intermediate and long term future of Gisborne. In December 2008 the following outcomes were adopted.

From the community consultation held the following eight Community Outcomes emerged:

- Vibrant Tairāwhiti
- Connected Tairāwhiti
- Prosperous Tairāwhiti
- Safe Tairāwhiti
- Skilled and Educated Tairāwhiti
- Empowered Tairāwhiti
- Environmentally Sustainable Tairāwhiti
- Healthy Tairāwhiti

The LGA Amendment Act 2010 changed the definition for Community Outcomes. As a result, in March 2011 Council undertook a review which saw the eight community outcomes retained, with the supporting outcome statements better aligned with the new community outcome definition:

“Outcomes a local authority aims to achieve in order to promote the social, economic, environmental and cultural wellbeing of its district or region, in the present and for the future”

3. Council and Community Engagement

The Gisborne District Council is working for the community. Part of working well is enabling the community to access and engage with the organisation and elected members.

Council has a number of mechanisms that we use to engage with the community and ensure that citizens can access information, contribute to decision-making and communicate with us easily. Two important pieces of legislation that sit at the core of the Gisborne District Council's planning and decision making processes, namely, the Local Government Act 2002 (LGA) and the Resource Management Act 1991 (RMA).

The Local Government Act 2002

The LGA sets out the requirements for decision making that local authorities must follow. It also outlines Council's obligations with respect to decision-making. Specifically, part 6 of the Act requires that Council:

- ▶ assess options by considering the benefits and costs on the present and future wellbeing of the district
- ▶ consider the extent to which community outcomes would be promoted or achieved
- ▶ give consideration of views and preferences of persons likely to be affected by or have an interest in a matter
- ▶ establish and maintain processes to provide opportunities for Māori to contribute to decision making processes
- ▶ undertake consultation in accordance with the principles of the Act (ref section 82).

Consultation with Māori

Ref: s82(2), Local Government Act 2002 Principles of Consultation

Council recognises its obligations under the Local Government Act 2002 (part 6 section 81) to establish and maintain processes to provide opportunities and capacity for Māori to contribute to its decision-making processes and make information available.

A number of mechanisms have been developed for both consultation purposes and to involve Māori of the district in Council decision-making processes. These mechanisms will continue to be developed and reviewed to ensure their effectiveness.

The contribution by Tāngata Whēnua and Māori to decision-making processes is provided for by way of direct public forum, petitions, deputations and representation from Tāngata Whēnua to all committees of Council.

Section 40 1(i)
policies for liaising
with Maori and any
memoranda or
agreements with
Maori (and
specifics on how
the local authority
intends to
discharge its
obligations to Maori
under sections 14,
81 and 82)

Additionally, Council has a number of project specific “protocols” with affected Tāngata Whēnua that deal with culturally significant issues that pertain directly with a project. General Tāngata Whēnua relationship protocols are in place and are being promoted as another avenue to better inclusion into the processes of Council.

Standing Orders

Provision is made at all Council and Council Committee meetings for Tāngata Whēnua to address the meeting on any topic in accordance with Appendix G of the Council's Standing Orders. This is a fixed agenda item for every Council and Council Committee meeting.

Consultation Processes

All resource consent applications are copied and distributed to affected Tāngata Whēnua for their information, comment, and input.

Formal Relationship Documents

The following relationship documents exist between tangata whenua, Māori, and Council and the private sector as appropriate:

- ▶ The Titirangi Accord – Ngāti Oneone and Council general relationship accord.
- ▶ A protocol for the Titirangi Reserve between Ngāti Oneone and Gisborne District Council.
- ▶ A protocol for the Heinz-Wattie Site between the representatives of Te Whanau-ā-Iwi, Ngāi Tāwhiri, Ngāti Oneone, kaumātua, Gladiator Investments Limited, and Gisborne District Council.
- ▶ A memorandum of understanding between Ngāti Oneone and Gisborne District Council for on-site earthworks for the extension of Hirini Street.
- ▶ A general relationship declaration of understanding between local runanga, Māori organisations and Gisborne

Section 82 (2) of the Local Government Act 2002

Consultation Policy⁵

To enable Council to meet the requirements of the Local Government Act, in particular sections 82-90, Council has a Consultation Policy to ensure that it acts in a transparent manner with the community, provides a framework that allows the whole of Council to be consistent in its approach in consultation(s) with the community.

⁵ A full copy of the Council's consultation policy is available on the Council's service centers and on the Council website.

The Gisborne District Council values and is committed to effective community consultation because better decisions are made when there is community input.

Meaning of Consultation

Consultation is a genuine exchange of information, points of view and options for decisions between affected and interested people and decision-makers before a decision has been made. The policy recognises that consultation is not delegation of decision-making or promoting a decision that is already made and there will be some circumstances where consultation is not appropriate.

Consultation Principles

Council's policy sets out the principles to be applied in its approach to community consultation. The principles are:

- ▶ **Access to Information** - the Council will provide reasonable access to relevant information and in a format that is appropriate.
- ▶ **Encouragement to Present Views** - the Council will encourage all those affected by or who have an interest in an issue or project to present their views.
- ▶ **Transparency** - the Council will provide information about the purpose of the consultation and the scope of the decisions.
- ▶ **Opportunity to Present Views** - the Council will be flexible in allowing a variety of means of presenting views so that anyone who wishes to have their views considered will be given that opportunity.
- ▶ **Feedback** - the Council will provide information on the outcome of the decision-making process and the reasons for the decisions.
- ▶ **Openness** - the Council will receive views with an open mind and will give those views due consideration when making a decision.
- ▶ **Responding to Diversity** - the Council will seek the views of a wide cross-section of the community using the most appropriate ways of consulting with various sector and interest groups in the community.
- ▶ **Consulting with Tāngata Whēnua and Māori** - the Council will continue to maintain and further look for appropriate mechanisms for engagement with Māori and Tāngata Whēnua, and provide opportunities for them to contribute.
- ▶ **Timeliness** - the Council will build consultation into the planning process from the start so that there is sufficient time for considered responses from all groups.
- ▶ **Coordination** - the Council will encourage planning, coordination and collaboration amongst Council departments and entities over consultation processes.

Special Consultative Procedure

The LGA (part 6 section 83) outlines the minimum steps that local authorities must undertake with particular decisions. That require a “special consultative procedure”. These steps include:

- Preparing a statement of proposal
- Providing a summary of the information in the statement of proposal
- Including the information of the statement of a proposal on the agenda of a local authority
- Making the proposal available to the public
- Publically notifying and specify time period for submissions.

Policy on Significance

The objective of Council's Significance Policy is to ensure the Gisborne District's various communities are fully consulted and able to actively participate in the consideration of significant issues, decisions or other matters, and/or which involve Gisborne District Council's strategic assets.

The Council's Significance Policy is available on the Council website.

Annual Residents' Survey

Each year Council conducts a random survey of the district's residents. This gives Council an insight into the utilisation of provided facilities and services, the degree of 'customer' satisfaction, general attitudes and community needs.

The survey provides background information for a number of Council studies and decisions. Satisfaction measures are compared against previous results to identify trends. The main objectives of this survey are to assess Council performance and gather feedback on people's dealings with Councillors and Council staff.

Council and Committee Meetings

Councillors meet monthly (or as required) for Committee and Council meetings. The full Council generally convenes on the last Thursday of each month.

Meetings are publically notified and conducted in accordance with the Local Government Official Information and Meetings Act 1987 (LGOIMA). Council also makes available a meeting calendar on its website. Agendas and minutes are also available on the website.

Council has adopted Standing Orders which set out procedures for the conduct of its meetings.⁶ Copies of Standing Orders and the Code of Conduct are available at our Customer Service counters. The Code of Conduct is also available on our website www.gdc.govt.nz.

Conduct of Meetings

All Council and Committee meetings are usually open to the public. Members of the public may have speaking rights after prior arrangements are made with the Council. The Local Government Official Information and Meetings Act 1987 (LGOIMA) contains a list of the circumstances where Councils may consider items with the public excluded.

Requesting Official Information

Section 40 1(n)
Local Government
Act
processes for
requests for official
information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the Council.

Once a request is made the Council must supply the information (normally within 20 working days) unless reason exists for withholding it. Information may be withheld if it would:

- endanger the safety of any person;
- prejudice maintenance of the law;
- compromise the privacy of any person;
- reveal confidential or commercially sensitive information;
- 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; or
- allow information to be used for improper gain or advantage.

The Council may charge for official information under prescribed guidelines.⁷

Ref: Ministry of Justice. LGOIMA

Requests for official information should be addressed to:

The Chief Executive
Gisborne District Council
PO Box 747
GISBORNE 4040

⁶ (Ref: Parts 2 & 3 of the Model Standing Orders. Section 48 Local Government information and Official Meetings Act 1987. Sections 46 – 51A Local Government Official Information and Meetings Act 1987).

⁷ Appendix 4 provides information on public access to Council.

4. Governance Structure

Combined Responsibilities

The Gisborne District Council management and committee structures are designed to reflect the separation of regulatory, from other functions. Council exercises powers and fulfils responsibilities required under local and national legislation.

Elected Members Role and Conduct

*Section 40(1)(a):
the functions,
responsibilities and
activities of the
local authority ...*

The elected Council consists of the Mayor and 14 Councillors (including the Deputy Mayor). The Councillors cover seven areas of the district (referred to as wards). These are Waikohu, Patutahi/Taruheru, Cook, Gisborne, Uawa, Waiapu and Matakaoa. While the Councillors have been elected from their respective wards, they have an obligation and a duty to represent the interests of the district as a whole.

The Council is elected every three years and is responsible for setting the overall direction of the district and the budget through Ten Year Plans and Annual Plans, setting policies, setting and reviewing bylaws, monitoring Council's performance, adopting a Code of Conduct for elected members, employing the Chief Executive, and adopting (or otherwise) reports as required under various legislation. Councillors also have a key role in engaging with their local communities, advocating on behalf of others and raising any issues that need to be addressed.

Mayor and Councillors⁸



⁸ Appendix 5 provides the contact details for the Mayor and Councillors

Roles

The Mayor and the Councillors have the following roles:

- Set the policy direction and monitor the performance of the Council
- Represent the interests of the district as detailed in their post-election declaration
- Employ a Chief Executive
- The Mayor is required to be a Justice of the Peace while holding office.

Ref: s42(2)(g); s41(4); Schedule 7 (14), Local Government Act 2002

Mayor

The Mayor is elected by the district and as one of the elected members shares the same responsibilities as other members of the Council.

The Mayor also has the following roles:

- To preside at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in standing orders);
- Voting rights of the Mayor are described in the standing orders;
- Lead policy and development;
- Spokesperson for the Council;
- Advocate on behalf of the community;
- Justice of the Peace.

The Mayor must follow the same rules as other elected members about making public statements and committing the Council to a particular course of action, unless acting under a delegation of authority from the Council and in accordance with the rules for media contact on behalf of the Council.

Deputy Mayor

*Sections 33, 34, 35
and 36 of Schedule
7 of the Local
Government Act
2002.*

The Deputy Mayor must be elected by the members of the Council, at the first meeting of the Council. If the Mayor is absent or incapacitated the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor.

The Deputy Mayor may be removed from office by a Council resolution. The Deputy Mayor provides leadership with the Mayor on policy identification and development.

Obligations of Elected Members

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

- Local Government Act 2002, Schedule 7, includes obligations to act as a good employer and to abide by the current 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 and their financial interests (either direct or indirect);
- The Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards, and
- The Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit.

Code of Conduct

The Local Government Act 2002, Schedule 7 requires a local authority to adopt a code of conduct. Once adopted, all elected members are required to comply with the code.

The purpose of the code of conduct provides guidance on the standards of behaviour that are expected from the Chair and elected members of the Gisborne District Council.

This code of conduct applies to:

- all elected members of the Council, namely the Mayor, and Councillors,
- all persons appointed to Committee of the Council or sub-committee.

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.

Council's Code of Conduct can be obtained from our website <http://www.gdc.govt.nz/assets/Files/Council/Code-of-Conduct-Oct-2010.pdf>.

Committees of Council

Elected Councils can create subordinate decision-making structures such as committees. Committees can be established or dis-established by way of a resolution of Council. Council has nine committees. These are:

- Civil Defence and Emergency Management Committee (Group)
- Community Development Committee
- Efficiency Review Committee
- Environment and Policy Committee
- Finance and Monitoring Committee
- Hearings Committee
- Operations Committee
- Regional Land transport Committee
- Wasterwater Management Committee

Committees have the authority to consider all matters coming within their scope as detailed in Council's Delegation Manual.⁹ These are outlined below.

⁹ Full copies of the Delegation Manual is available from Council's website www.gdc.govt.nz or from Customer Service counters at the Fitzherbert Street Administrative centre in Gisborne, the Service Centre in Te Puia Springs, and the HB Williams Memorial Library.

Civil Defence and Emergency Management Committee (Group)

Rationale

The purpose of this committee is to ensure that appropriate emergency management as detailed in the Civil Defence Emergency Management Act 2002 (The Act) is carried out within the Gisborne District. The Civil Defence and Emergency Management (CDEM) Group provides governance and general oversight of the activities required to be undertaken on its behalf by the Act. To assist the CDEM Group to achieve its responsibilities a Co-ordinating Executive Group (CEG) has been formed to provide advice, implement its decisions and oversee the Group Plan. CEG comprises of senior officers from Council and the organisations providing emergency and essential services as defined in the Act.

The Group comprises the whole of Council and meetings may take place on the same date as Council meetings. The Group is chaired by the Mayor.

Delegations

The Group has delegated authority to approve expenditure (including substituted capital expenditure) items that are provided for in the LTP or Annual Plan where the value of expenditure exceeds that authority delegated to officers.

Quorum

Half of the members when the number is even and a majority when the membership is uneven (8).

Community Development Committee

Rationale

The purpose of this committee is to provide the governance overview and monitoring of the Council's programmes and policies that have the community's social, cultural or economic wellbeing as their primary focus. The committee will provide an interface between the Council, government agencies, organisations, groups and individuals in the community that have a role in contributing to community wellbeing in these areas. The committee may recommend to the Council that it adopt policies and practices to achieve these ends, in doing so it will work with other committees to ensure alignment and integration.

Delegations

The committee has delegated authority to:

- Approve expenditure (including substituted capital expenditure) items that are provided for in the LTP or Annual Plan where the value of that expenditure exceeds that authority delegated to officers.
- Recommend to the Finance and Monitoring Committee the approval of expenditure not in the estimates of up to \$100,000 or above the budget by 10%.
- Make submissions on government legislation and policy initiatives by other organisations on behalf of Council.

- Appoint non-voting advisory members to assist the committee.
- Prepare submissions on any matter that is within its rationale and scope for Council approval and submit on behalf of Council when timelines do not allow Council prior approval.

Membership

As appointed by resolution of Council from time to time provided there is a minimum of six Councillors plus His Worship the Mayor ex officio.

Non-Voting advisory members as appointed by the committee.

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Efficiency Review Committee

Rationale

The Gisborne district has a rates affordability problem, notwithstanding the organisation's relatively good sector benchmark performance. Part of the solution is to reduce Council expenditure. The Committee's purpose is to investigate and report on measures that reduce unacceptable cost and improve performance and services. Expenditure and income, as well as business and process efficiency within the organisation will be investigated and reviewed as will any Activity referred to the Committee by Council. The Committee will recommend change to other committees or Council and will support management to implement changes which are within the scope of their roles and delegations.

Delegations

The Committee has delegated authority to make recommendations to the Chief Executive, other committees and the Council on any matter within the scope of its purpose (rationale).

Membership

The membership is appointed by resolution of Council. The quorum shall be three. For clarity, staff servicing the Committee are not members.

Environment and Policy Committee

Rationale

The purpose of this committee is to provide governance overview of Council's policy development in all areas with the exception of the LTP and Annual Plan development.

The prime focus of the committee will be on environmental policies, regulations and their implementation.

The area of responsibility includes formal policy and regulatory plans under legislation including the Resource Management Act, Biosecurity Act, Building Act, Dog Control Act, Health Act, Bylaws, Regulations and the Local Government Act 2002. It also includes non statutory policy plans such as longer term urban development, and township development plans.

The committee will coordinate Council's responses and submissions to plans and policy initiatives by others including central government legislative initiatives.

Delegations

The committee has delegated authority to:

- Consider all matters within the scope.
- Approve expenditure (including substituted capital expenditure) items that are provided for in the LTP or Annual Plan where the value of that expenditure exceeds that authority delegated to officers.
- Recommend to the Finance and Monitoring Committee the approval of expenditure not in the estimates of up to \$100,000 or above the budget by 10%.
- Make recommendations to Council on plans, policy and policy related matters.

Membership

As appointed by resolution of Council from time to time provided there is a minimum of Six (6) Councillors plus the Mayor ex officio.

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Finance and Monitoring Committee

Rationale

The purpose of this committee is to overview the financial affairs and performance of the organisation. It will advise Council on the preparation of and performance against budget, Annual Plans, the LTP, Annual Reports and corporate and financial policies. The committee will provide an audit overview – internal as well as external. It will monitor risk management and the performance of Council's strategic, investment and enterprise assets.

Delegations

The committee has delegated authority to:

- authorise any transactions which are in compliance with Council's LTP, Annual Plan, Treasury Policy or authorised contracts which are outside the delegated authority of (available) Council officers
- decide on, and implement, all Council's delegations concerning remission of rates, imposition or remission of penalties where applicable in accordance with the adopted Rates Remission Policies in the LTP and where appropriate the write-off of water rates
- sub-delegate any of the delegations it has concerning Council's adopted Rates and Penalty Remission Policies
- set fees and charges for Council services, provided these do not conflict with fee setting procedures of bylaws or the LTP process
- approve substituted capital expenditure

- prepare submissions on any matter that is within its rationale and scope for Council approval and submit on behalf of Council when timelines do not allow Council prior approval
- commit expenditure not in the estimates of up to \$100,000 or above the budget by 10%.

Membership

As appointed by resolution of Council from time to time provided there is a minimum of six (6) Councillors (including the Chairperson) plus His Worship the Mayor ex officio.

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Hearings Committee

Rationale

The purpose of the committee is to provide timely decisions where Council has a statutory or quasi judicial making responsibility, and where decision making by full Council or staff is not necessary or practical.

Delegations

The committee has delegated authority to hear and decide the maximum extent available to it under the legislation applying in particular cases and will hear and determine wherever possible.

Membership

As appointed by resolution of Council from time to time provided there is a minimum of Six (6) Councillors with the availability of co-opted specialists (with voting rights) as determined by the committee.

In order to reduce costs to participants in the hearing, the Chairperson of the committee after consultation with the Group Manager Environment and Planning may direct the number of Councillors sitting on the panel to be reduced to three (3).

Quorum

Half of the members when the number is even and a majority of the membership if the number is uneven. Two (2) when the Chairman of the committee has directed that the membership be reduced to three (3).

Operations Committee

Rationale

The purpose of this committee is to provide governance overview of Council's operational activities and services to the community with an emphasis on the management of infrastructural assets, utility services and public facilities. While the focus of the committee will be on engineering and works programmes, property services and major and capital projects, the committee will monitor and guide the operational performance of all external services against agreed levels of service and the use of funds. The committee may recommend to the Council that it adopt policies and practices concerning Council's assets and external service delivery.

Delegations

The committee has delegated authority to:

- Approve expenditure (including substituted capital expenditure) items that are provided for in the LTP or Annual Plan where the value of that expenditure exceeds that authority delegated to officers.
- Approve substituted capital expenditure.
- Set fees and charges for matters within its scope.
- Set parking restrictions and charges.
- Prepare submissions on any matter that is within its rationale and scope for Council approval and submit on behalf of Council when timelines do not allow Council prior approval.
- Recommend to the Finance and Monitoring Committee the approval of expenditure not in the estimates of up to \$100,000 or above the budget by 10%.

Membership

As appointed by resolution of Council from time to time provided there is a minimum of six (6) Councillors plus His Worship the Mayor ex officio.

Quorum

Half of the members when the number is even and a majority when the membership is uneven.

Regional Transport Committee

Rationale

The purpose of this committee is to provide governance overview of Regional Land Transport.

The committee has responsibility for the development, monitoring and review of the district-wide Regional Land Transport Strategy and Programme. It is a requirement under the Land Transport Management Act 2003 that every regional council establish a regional transport committee in accordance with the Act.

Delegations

The committee has no delegations. The meeting be scheduled independently from the Operations Committee.

Membership

Membership appointed to the committee shall be:

Council Representatives

Five (5) Councillors plus Mayor ex officio; being three (3) members of the Operations Committee representing the infrastructural interest and two (2) members of the Environment and Policy Committee representing the regulatory interest.

Non-Council Representatives

In accordance with the Land Transport Management Act 2003 persons to represent the New Zealand Transport Authority and each of the objectives of economic development, safety and personal security, public health, access and mobility, environmental sustainability and cultural interests.

In accordance with s.107(1) no Non-Council Representative(s), except the NZTA representative, are entitled to vote on matters related to the regional land transport programmes.

Quorum

Seven (7). Three (3) to be Councillors

The Wastewater Management Committee

Rationale

The establishment of the Wastewater Management Committee is a requirement of the conditions of the resource consents for the upgrade and discharge of Gisborne's municipal wastewater. On 21 September 2007, the Minister of Conservation granted the coastal permit for the discharge of treated wastewater to the marine area subject to the same conditions as recommended by the Hearings Committee.

Delegations

The Wastewater Management Committee has been formed subject to Clause 30, of Schedule 7 of the Local Government Act 2002.

The Wastewater Management Committee has no delegated authority from Council, other than the functions expressed in the conditions of the resource consents.

Membership

The membership of the Wastewater Management Committee shall comprise four councillors and four tangata whenua representatives and other members that the committee itself shall determine from time to time.

The Wastewater Management Committee may appoint, or invite participation in an advisory or consultative capacity, other persons from:

- Gisborne District Council staff
- Tairāwhiti District Health Board
- Department of Conservation
- Industry
- Recreational groups
- Environmental groups
- Federated Farmers
- Others who may have a particular contribution to make to the workings of the committee.

The Council agrees to remunerate members that Council appoints.

Quorum

Half of the members when the number is even and a majority when the membership is uneven. Four (4). Two to be Councillors, two to be Maori/tangata whenua.

Council Controlled Organisations (CCO)

Council Controlled Organisations (CCOs) are defined in Part 1 Section 6 of the Local Government Act 2002 as any organisation in which one or more local authority controls 50% or more of the voting rights or has the right to appoint 50% or more of the Directors. Gisborne Holdings Ltd is a CCO set up to hold the district's strategic assets, such as Tauwhareparae Farms Ltd and to provide the management expertise needed for their commercial operation. It is 100% owned by the Gisborne District Council.

Council's Business Organisations

Council has an interest through ownership or representation in a number of regionally owned or controlled organisations. However, it does not have the ability to appoint more than half of the Directors, nor does not own 50 percent or more of the shareholding. These organisations include the Tairāwhiti Museum Trust and Tourism Eastland.

Council's Business Units

Council owns a number of commercial enterprises otherwise known as business units. They include the Waikanae Beach Top 10 Holiday Park, and the Gisborne Vehicle Testing station.

Council's Community Units

Council manages several community units including the Olympic Pool and the HB Williams Memorial Library.

Other Organisations of Interest

Eastland Community Trust (ECT)

ECT is a community trust to which the Council appoints the trustees and is the ultimate capital beneficiary on behalf of the Gisborne district. Because ECT is an electricity trust as defined in the Electricity Reform Act 1998 it is exempt from being a CCO. The Trust Deed requires ECT to report annually to Council.

Ref:P1 s6 (4) Local Government Act 2002. Electricity Reform Act 1998

5. The Electoral System

Section 40 1(d) representation arrangements, including the option of establishing Maori wards or constituencies, and the opportunity to change them

The Council currently operates its elections under the First Past the Post electoral system. The other option permitted under the Local Electoral Act 2001 is the Single Transferable Vote system (STV). This system is used for the District Health Board (DHB) elections.

The Gisborne district is currently represented by 14 Councillors covering 7 wards, as shown below.

Ward	No of councillors	Resident electors
Cook	1	1139
Gisborne	8	22001
Matakaoa	1	934
Patutahi/Taruheru	1	2650
Uawa	1	1158
Waiapu	1	1254
Waikohu	1	1203

Ref: Electoral Enrolment Centre - August 2010

The Gisborne District Mayor is elected by the district as a whole.

Changing the System

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

- 1) Council can;
 - a. resolve to change the system to be used at the next two elections; or
 - b. conduct a binding poll.
- 2) Electors can demand a binding poll.

In the latter case, 5% or more of registered electors need to sign a petition demanding that a poll be held. Once changed, an electoral system must be used at least for the next two triennial (three yearly) Council elections.

Taking into account the cost of changing electoral systems, the Council resolved, in August 2008, to retain the First Past the Post system.

Electoral Representation

Section 40 1(c) the electoral system and the opportunity to change that system

As part of the Local Electoral Act 2001, Council reviews the way it represents, including Maori wards and constituencies, at least once every six years. This review must include:

- The number of elected members (within the minimum and maximum allowances)

- 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 Maori wards; and, if so, the boundaries and names of those wards and the number of members that will represent each ward
- Whether to have Community Boards and, if so, how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

The last review was carried out in 2006 and the next representational review is scheduled to occur in 2012.

The Council currently does not have any Maori wards or specific Maori representation nor does the Council have any Community Boards.

The Reorganisation Process

Part 1A Local Electoral Act 2007 Representation arrangements for elections of territorial authorities, regional Councils, and community boards

The Local Government Act 2002 sets out procedures that must be followed during proposals to make changes to the district's boundaries.

Proposals for a boundary alteration or the transfer of functions from one local authority to another will be considered by one of the affected local authorities or by the Local Government Commission if the local authorities refer the proposal to the Commission. A proposal cannot be implemented without a poll of electors.

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

At the last review in 2006 Council decided after consultation to remain with the status quo.

6. Management Structures and Relationships

Our Organisational Structure

The elected Council has one employee, namely the Chief Executive. He is responsible for implementing and managing Council's policies and objectives within the budgetary constraints established by Council. The Chief Executive is supported by four Senior Managers whose departments reflect the range of activities that Council undertakes in order to contribute to the social, cultural, environmental and economic outcomes of our communities. The Council has four departments that sit under the Chief Executive. These are, Community Planning and Development, Corporate Services, Engineering and Works, and Environment and Policy. Each department is responsible for supporting the Chief Executive to implement Council decisions and policies and provide sound advice to the elected members through the Chief Executive and Senior Managers.¹⁰



Council currently has a total complement of 339 made up of permanent and casual staff. This figure, which does not include temporary, seasonal relief, or work scheme employees, is further broken down on the organisation charts.

(Ref: GDC Human Resources -25 February 2011).

Good Employer

Council is committed to ensuring a positive and equitable working environment for its staff so they can concentrate on providing this district with the focussed services it deserves.

Pay and Employment Equity

Council was one of the first participant's in the Department of Labour Pay and Employment Equity (PaEE) Review to investigate whether there were gender biases in Council's employment conditions. The review was very successful in engaging staff, identifying issues and proposing practical solutions. A group has been formed to advocate for equity in training, promotion, a healthy work/life balance and conditions that enable staff members to meet family responsibilities.

¹⁰ Refer to Appendix 6 for charts of the organisational structure.

*Section 40 1(k) the
equal employment
opportunities policy*

Equal Employment Opportunities (EEO) Policy

Council is committed to the principle of equal opportunity in the recruitment, employment, training and promotion of its employees.

The organisation provides a welcoming positive environment and regards the provision of equal opportunities, and the intent to eliminate, all areas of discrimination, as an essential principle in the management of its staff. The objectives of Council's EEO policy is outlined below:

Objectives

- To meet its statutory requirements and reassure staff that the Council is concerned with the spirit as well as the wording of the legislation.
- To continue with the ongoing development and review of human resource policies and procedures to achieve the principles of a 'good employer'.
- To maintain a good working environment through a regularly reviewed Corporate Plan.

Gisborne District Community Profile

The Community Profile provides information about your local community.

Total population

At the 2006 Census the usually resident population count for Gisborne district was 44,499, an increase of 1.2% since 2001. In comparison, the population for New Zealand as a whole had increased by 5.4% since 2001.

Numbers of people counted	<u>Gisborne District</u>	<u>New Zealand</u>
Males	21,687	1,965,618
Females	22,812	2,062,329
Total	44,499	4,027,947
Change since 2001 Census	525	207,198

Age

At the 2006 Census:

- 26.2 percent of people in Gisborne district were under the age of 15 years, compared with 21.5 percent for all of New Zealand.
- 12 percent of people in Gisborne district were aged 65 years and over compared with 12.3 percent for all of New Zealand.

Age distribution (years)	<u>Gisborne District</u>	<u>New Zealand</u>
0-15	26.2%	21.5%
15-64	61.8%	66.2%
65+	12%	12.3%

Ethnic groups (total responses)

At the 2006 Census:

- 54.3 percent of people in Gisborne district said they belong to the European ethnic group, compared with 67.6 percent for all of New Zealand.
- 47.3 percent of people in Gisborne district said they belong to the Maori ethnic group compared with 14.6 percent for all of New Zealand.

	<u>Gisborne District</u>	<u>New Zealand</u>
European	54.3%	67.6%
Maori	47.3%	14.6%
Pacific Peoples	2.9%	6.9%
Asian	1.7%	9.2%
Other (including "New Zealander")	8.9%	10.7%

Note: The Māori ethnic population includes those people who stated Māori as being either their sole ethnic group or one of several ethnic groups. These figures also include those who identify as being a "New Zealander". Therefore individual figures do not add up to totals.

The Council, in common with all other Local Authorities in New Zealand, exercises powers and fulfils responsibilities imposed on it by a number of Acts of Parliament, and their subsequent amendments, including the following:

Name of Statute

Arts Council of New Zealand Toi Aotearoa Act 1994	Land Transport Act 1999
Biosecurity Act 1993	Land Transport Management Act 2003
Building Act 2004	Litter Act 1979
Burial and Cremation Act 1964	Local Authorities (Members' Interests) Act 1968
Bylaws Act 1990	Local Electoral Act 2001
Civil Aviation Act, and other legislation controlling the aviation industry	Local Electoral Amendment Act 2002
Civil Defence Emergency Management Act 2002	Local Government (Rating) Act 2002
Construction Contracts Act 2002	Local Government Act 1974
Dog Control Act 1996	Local Government Act 2002
Employment Relations Act 2000	Local Government Official Information and Meetings Act 1987
Fees and Travelling Allowances Act 1951	Machinery Act 1950
Fencing Act 1978	Maritime Transport Act 1994
Fencing of Swimming Pools Act 1987	Minimum Wage Act 1983
Food Act 1981	Parental Leave and Employment Protection Act 1987
Forest and Rural Fires Act 1977	Privacy Act 1993
Gambling Act 2003	Prostitution Reform Act 2003
Government Rooding Powers Act 1989	Public Bodies Contracts Act 1959
Goods and Services Tax Act 1985	Public Works Act 1981
Hazardous Substances and New Organisms Act 1996	Rates Rebate Act 1973
Health Act 1956	Rating Valuations Act 1998
Health and Safety in Employment Act 1992	Remuneration Authority Act 1977
Holidays Act 2003	Reserves Act 1977
Human Rights Act 1993	Residential Tenancies Act 1986
Impounding Act 1955	Resource Management Act 1991
Income Tax Act 2007	Sale of Liquor Act 1989
Injury Prevention, Rehabilitation and Compensation Act 2001	Secret Commissions Act 1910
Kiwisaver Act 2006	Smoke-free Environments Act 1990
Land Act 1948	Soil Conservation and Rivers Control Act 1941
Land Drainage Act 1908	Transit New Zealand Act 1989
Land Transport Act 1998	Transport Act 1962
	Wages Protection Act 1983.

The statutes may be found on the government web site, www.legislation.govt.nz

Schedule of Bylaws

The Council is bound by local legislation and enforces a number of bylaws. These include:

- Gisborne District Airport (Landing Charges) Bylaw 2007
- Gisborne District Cemeteries and Crematoria Bylaw 2008
- Gisborne District Dog Control Bylaw 2008
- Gisborne District Fire Prevention Bylaw Involving Vegetation 2008
- Gisborne District Food Hygiene Bylaw 2008
- Gisborne District Freedom Camping Bylaw 2008
- Gisborne District Keeping Of Poultry, Bees and Animal Bylaw 2005
- Gisborne District Mobile Shops, Hawkers, Stalls & Itinerant Traders Bylaw 2008
- Gisborne District Navigation and Safety Bylaw 2004
- Gisborne District Public Places Liquor Control Bylaw 2003
- Gisborne District Public Places Bylaw 2008
- Gisborne District Reserves Bylaw 2008
- Gisborne District Stock Control Bylaw 2008
- Gisborne District Trade Waste Bylaw 2008
- Gisborne District Traffic and Parking Bylaw 2008
- Gisborne District Traffic Speed Bylaw 2005
- Gisborne District Water Supply Bylaw 2008
- Gisborne District Floodways and Drainage Bylaw 2008

In accordance with Section 158 of the Local Government Act 2002 the Council undertook a review of all its bylaws before the end of June 2008.

Copies of these bylaws may be viewed at the customer service counters, Fitzherbert Street Administration Centre, the HB Williams Memorial Library, Gisborne, and the Te Puia Springs Service Centre, Te Puia.

Strategies

- Active Recreation Strategy (2005-2010) – due for review 2008
- Disability Strategy (2007)
- Gisborne Civil Defence Emergency Plan (2009) – review by 2014
- Open Space Strategy (2002 – 2022)
- Regional Land Transport Strategy (2006-2016)
- Regional Pest Management Strategy 2004-2009
- Recreational and Shellfish Gathering Water Strategy (2003)
- Urban Coastal Strategy (2005-2025) – Periodical Review
- Wainui Beach Mgmt Strategy 2003 (1993-2020).
- Walking and Cycling Strategy (2005) – due for review
- Tairāwhiti By Choice (2008) – community outcomes have now changed under the Local Government Act 2002 Amendment Act 2010
- Tairāwhiti Positive Ageing Strategy (2009 to 2014) – due for review 2011
- Urban Development Strategy (2009) Review: 5 yearly (2014)

Policies

- Revenue and Financing Policy
- Liability Management Policy
- Investment Policy
- Development Contributions Policy
- Partnership with Private Sector Policy
- Developing Māori Capacity to Contribute to Decision Making
- Rating, Remission, Postponement and Penalty Policies
- Significance Policy

Planning Documents

- Gisborne District Council Regional Policy Statement
- Long Term Community Council Plan 2009-2019
- Air Plan: (proposed Regional Air Quality Management Plan for the Gisborne Region)
- Coastal Plan: (proposed Regional Coastal Environment Plan for the Gisborne Region)
- Combined Plan: (proposed Gisborne District Combined Regional Land and District Plan)
- Discharges Plan: (proposed Regional Plan for Discharges to Land & Water, Waste Management and Hazardous Substances)
- Regional Development Rooding Strategy

Appendix 4 - Public Access to the Council

*Section 40 1(n)
systems for public
access to the local
authority and its
elected members*

Postal Address:

Gisborne District Council
PO Box 747
GISBORNE 4010

Physical Address:

Gisborne District Council
15 Fitzherbert Street
GISBORNE 4040

Office hours are from Monday to Friday 8am to 5pm (Closed on Statutory Holidays)

Phone: (06) 867 2049

Fax: (06) 867 8076

General Enquiries:..... service@gdc.govt.nz

Administration matters:..... service@gdc.govt.nz

The Mayor: mayor@gdc.govt.nz

The Chief Executive:..... ceo@gdc.govt.nz

Web Sites:

Council and its affiliated websites may be accessed through:

Council's administrative site www.gdc.govt.nz

Waikanae Beach Top 10 Holiday Park www.gisborneholidaypark.co.nz

HB Williams Memorial Library www.gpl.govt.nz

Appendix 5 - District Mayor and Councillors

MAYOR

FOON Meng

Email: mayor@gdc.govt.nz
Home: 867 1870
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TARUHERU PATUTAHU WARD

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UAWA WARD

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TANGAERE Patrick Rickard

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COOK WARD

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GISBORNE WARD

ASTON Nona

DEPUTY MAYOR

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Fax: 867 94 73
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HALL Allan John

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Mobile: 027 656 35 19
Fax: 868 5028
6 Ann Street
GISBORNE 4010

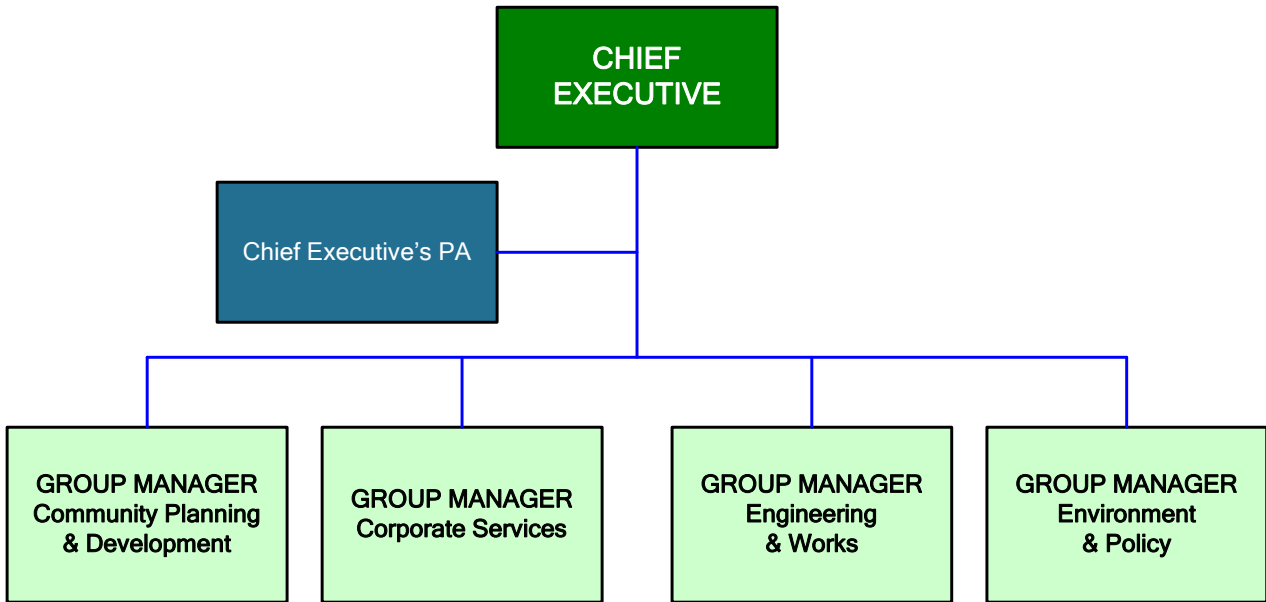


STOLTZ Rehette

Email: rehettestoltz@xtra.co.nz
Home: 868 53 82
Mobile: 021 279 79 48
162A Matokitoki Valley Road
R D 1, GISBORNE 4071



Corporate Management Team



Chief Executive

Lindsay McKenzie (BSc, Grad. Cert. Mgt (Monash), FNZIM, JP)

Group Manager - Community Planning & Development

Nedine Thatcher Swann (BA, MEd, MBA)

Group Manager - Corporate Services

Mike Drummond (CA - 1996 issued by Institute of Chartered Accountants NZ)

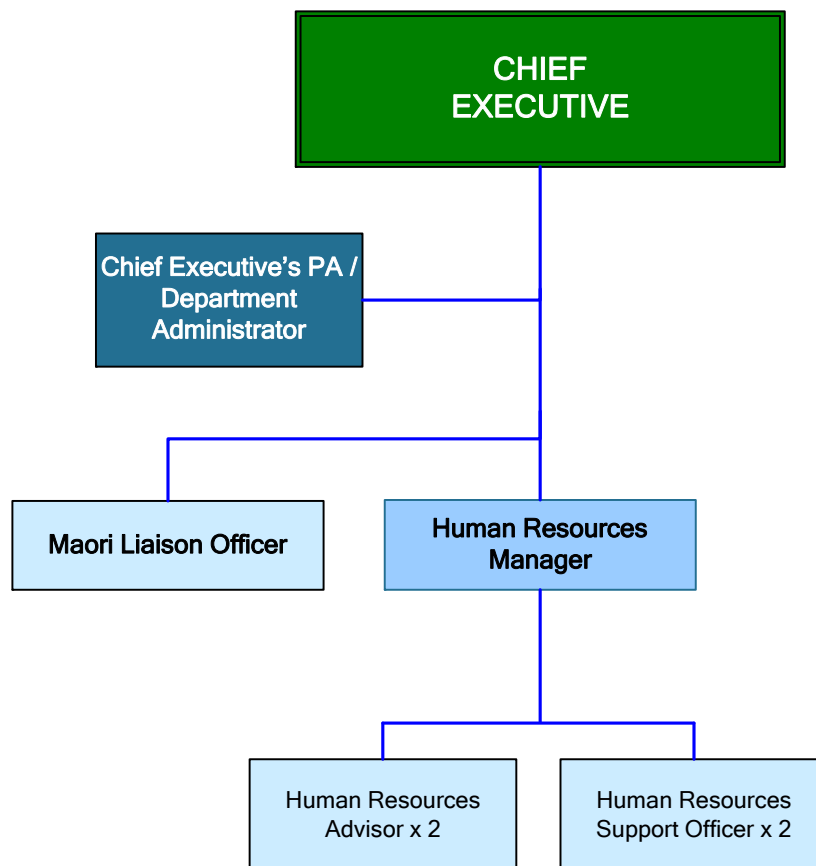
Group Manager - Engineering and Works

Peter Higgs (BE(Civil), FIPENZ, CPEng, Dip. Bus.Mgt)

Group Manager - Environment and Policy

Hans I van Kregten (BA (Geography), MTP-Urban & Regional Planning, MNZPI)

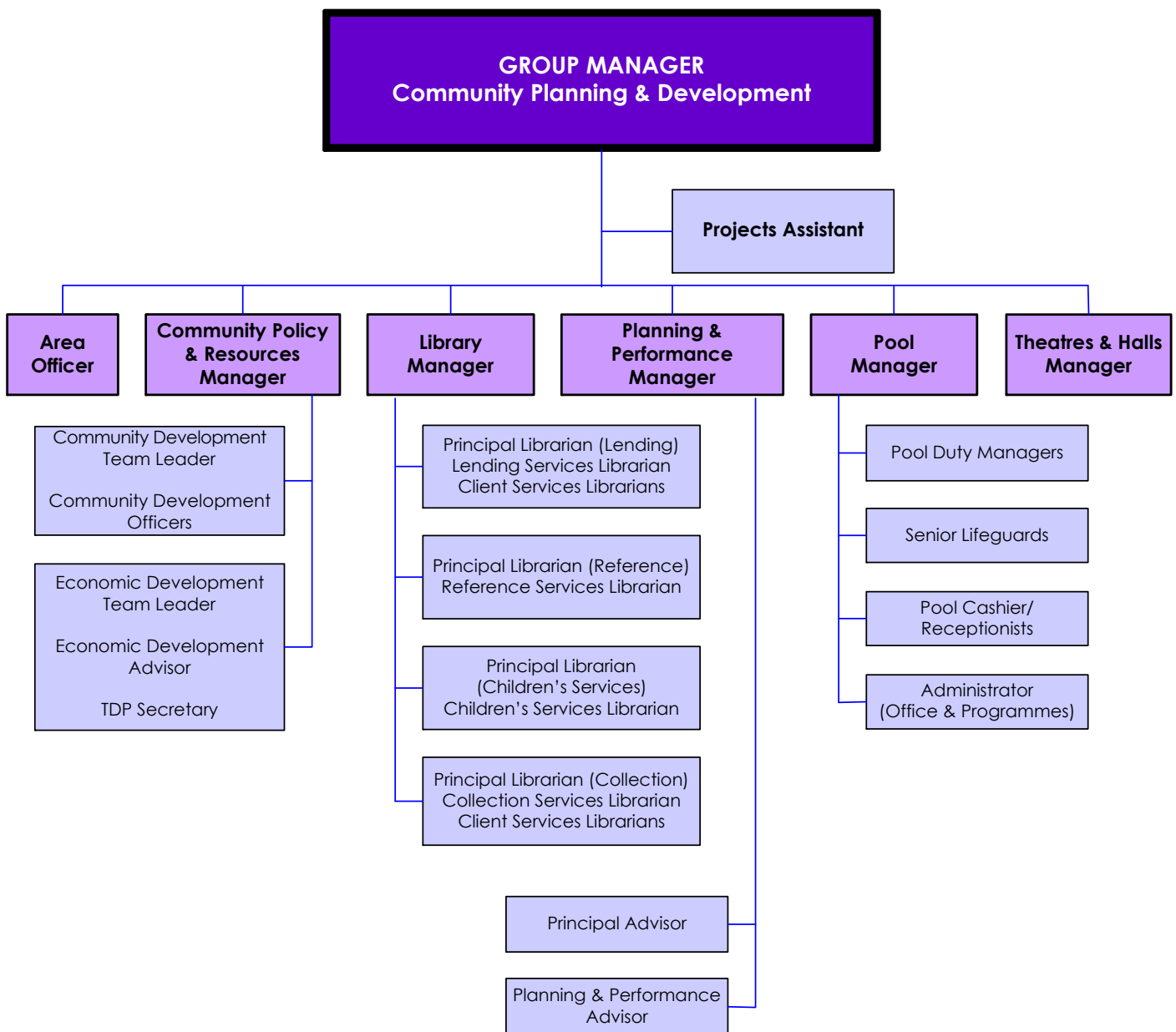
Chief Executive



Chief Executive: Staff complement as at 25 February 2011

FT/Permanent	6
PT/Permanent	3
FT/Fixed Term	0
PT/Fixed Term	0
Casual	0
Total	9

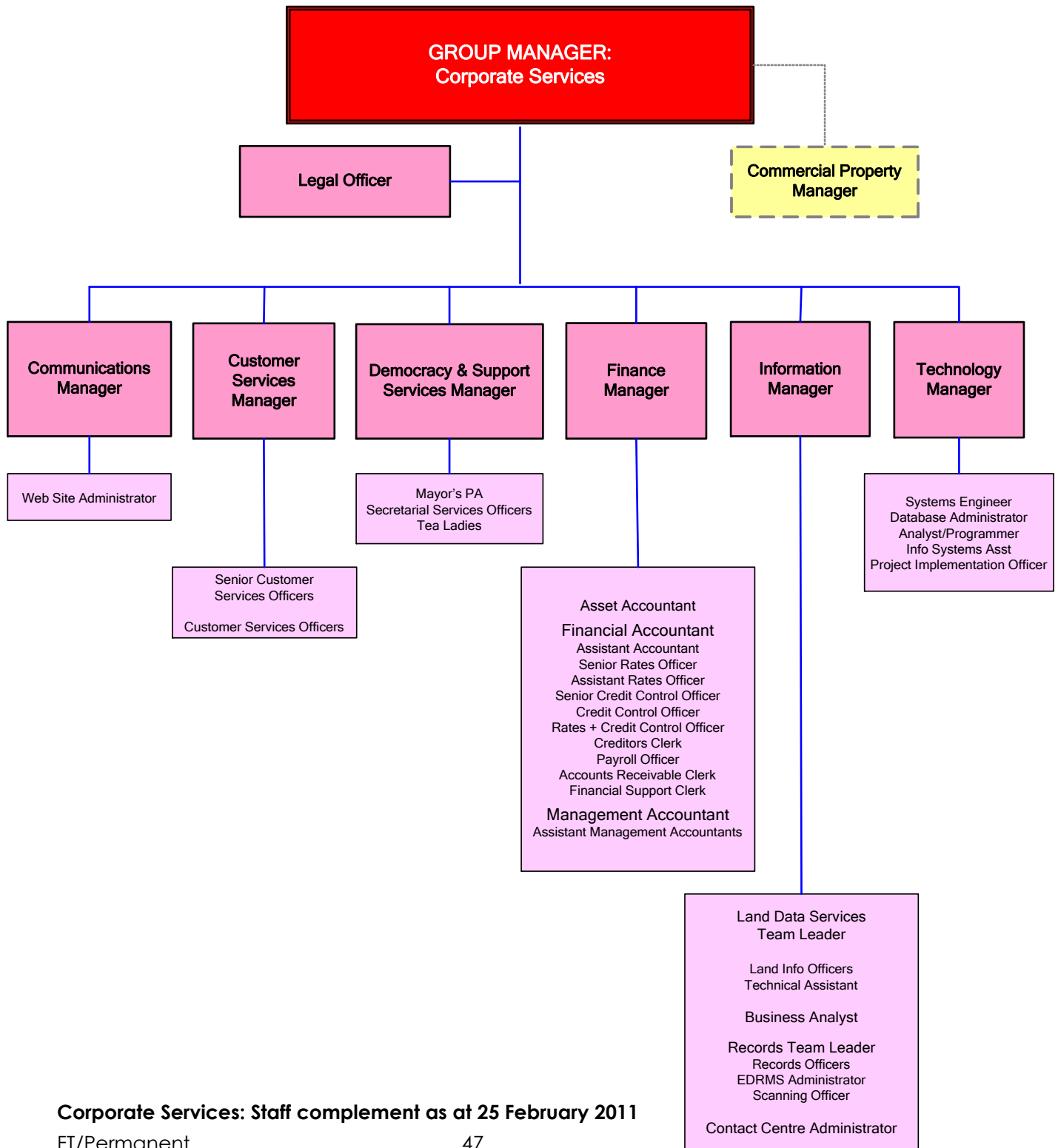
Community Planning and Development Department



CPD: Staff complement as at 25 February 2011

FT/Permanent	28
PT/Permanent	24
FT/Fixed Term	0
PT/Fixed Term	5
Casual	7
Community Max	13
Total	77

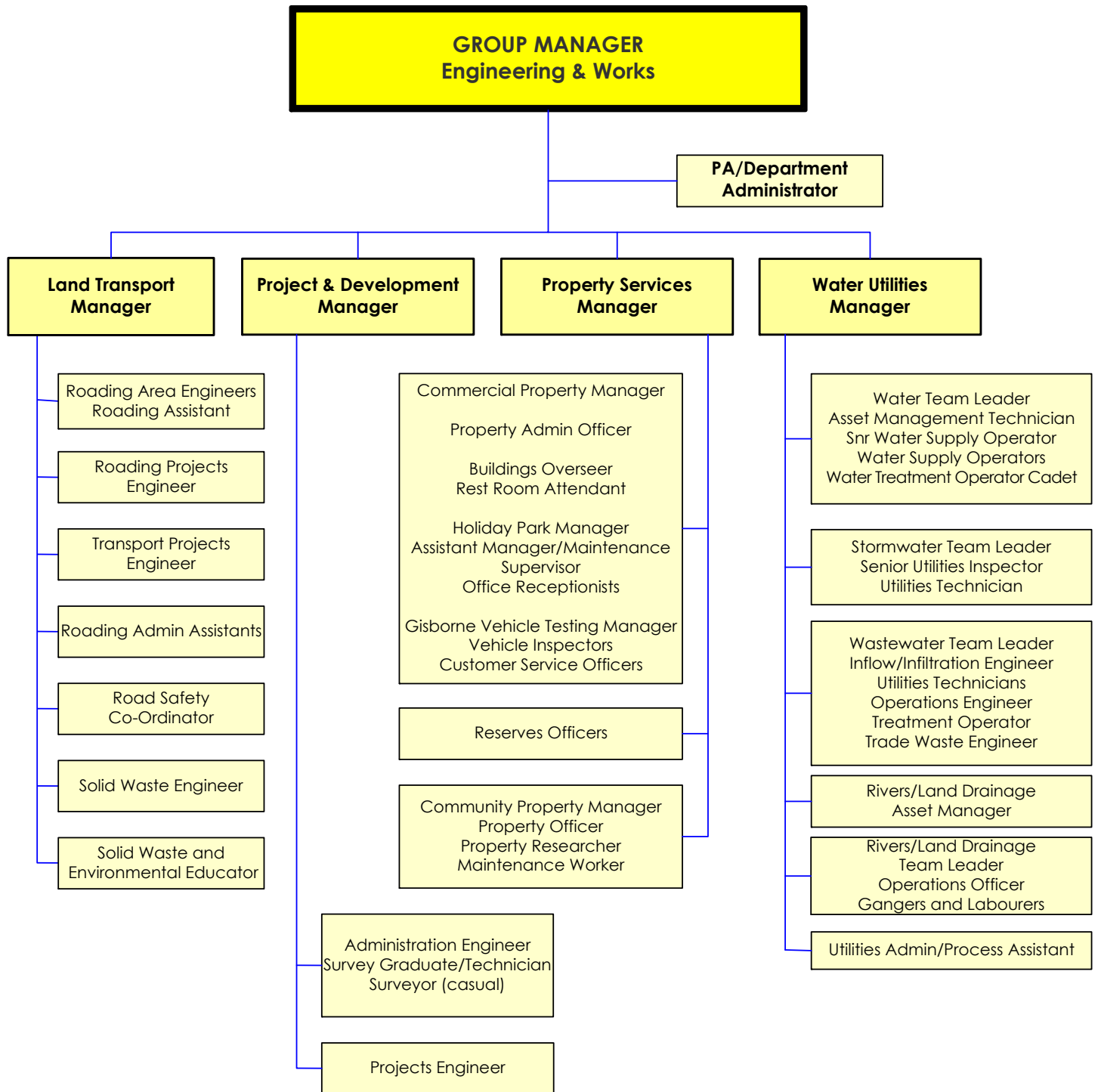
Corporate Services Department



Corporate Services: Staff complement as at 25 February 2011

FT/Permanent	47
PT/Permanent	13
FT/Fixed Term	2
PT/Fixed Term	0
Casual	0
Total	62

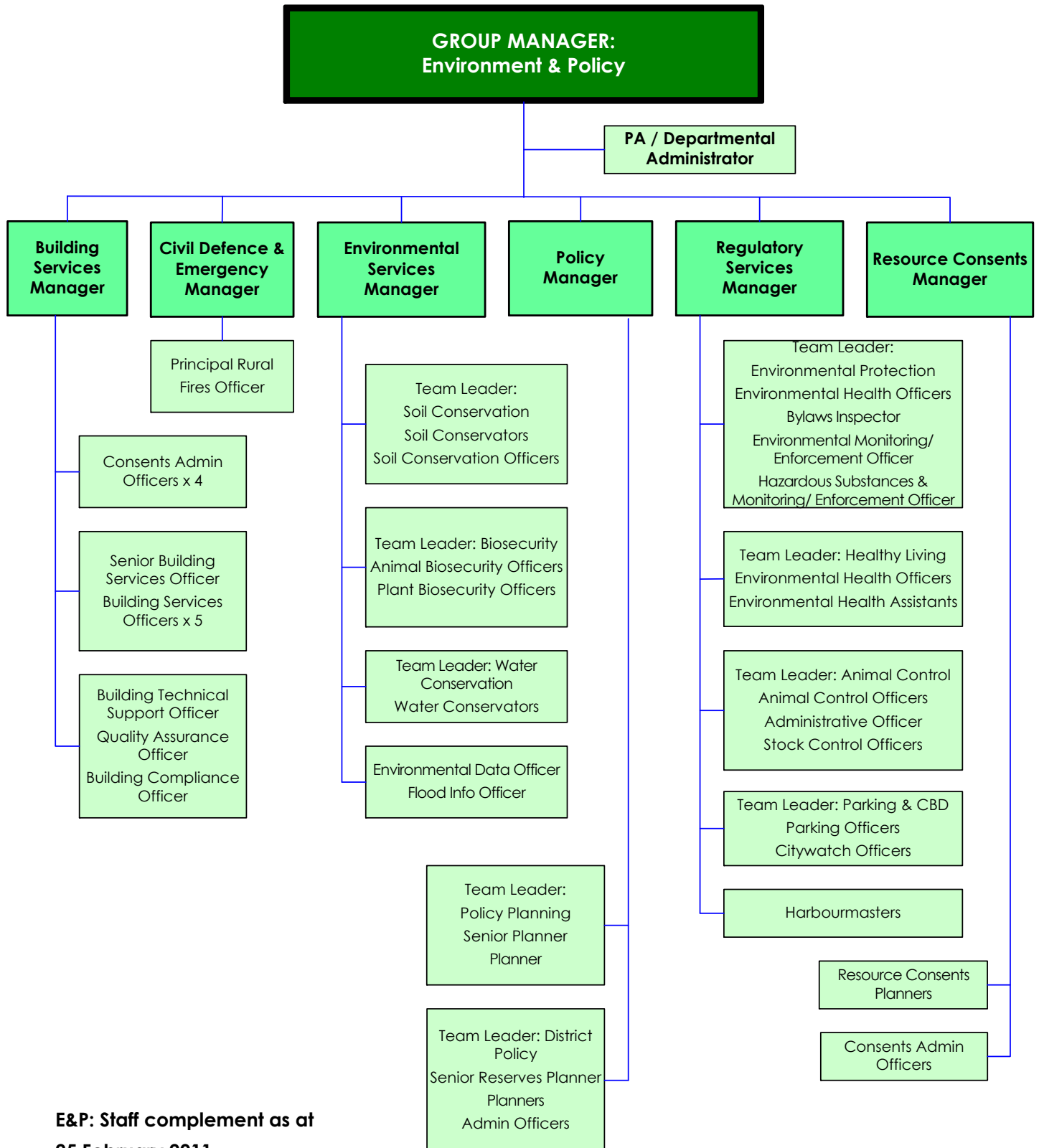
Engineering and Works Department



E&W: Staff complement as at 25 February 2011

FT/Permanent	62
PT/Permanent	26
FT/Fixed Term	0
PT/Fixed Term	2
Casual	5
Total	95

Environment and Policy Department



E&P: Staff complement as at

25 February 2011

FT/Permanent	76
PT/Permanent	18
FT/Fixed Term	1
PT/Fixed Term	1
Casual	0
Total	96

