



2009

**GISBORNE DISTRICT COUNCIL**

## **LOCAL GOVERNANCE STATEMENT**

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Council's Local Governance Statement is a requirement of section 40 of the Local Government Act 2002 (LGA 2002).

The Act requires Council to review and alter the Local Governance Statement to reflect changes resulting from the triennial local elections.

The Local Governance Statement describes how the Council engages with its community and makes decisions. It explains how the community can influence those processes.

The Local Governance Statement clarifies the roles of the governance and management arms of Council, and provides guidance for the structure of Council.

The values and tenets of the Treaty of Waitangi are affirmed in the work of the Gisborne District Council.

The principles by which Councils must act are outlined in section 14 of the Local Government Act 2002.

All Council publications referred to in this document are available on the Council Website:  
[www.gdc.govt.nz](http://www.gdc.govt.nz)

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**The Local Governance Statement is Council's official information document.**

## 1. Governance

*The format of this document follows the order of the subheadings in section 40 of the Local Government Act 2002.*

### COMBINED RESPONSIBILITIES

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

The Gisborne District Council is one of four New Zealand unitary authorities. Our status comes from the district's relative isolation and the strong communities of interest within it.

Unitary councils combine the functions, duties and powers of a territorial authority (service delivery bodies) with those of a regional council (regulatory authorities).

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.

*See Appendices I & II for the lists of statutes and regulations, and by-laws*

### PURPOSE OF COUNCIL

*Section 40 1(b)  
any local  
legislation that  
confers powers  
on the local  
authority*

The purpose of the Gisborne District Council is to enable and ensure democratic local decision-making to promote the social, economic, environmental and cultural well-being of the Gisborne district and its residents in the present and for the future.

The Council has overall responsibility and accountability for the proper direction and control of the Council's activities on behalf of its communities.

### 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 has resolved to conduct the NBR Communitrak® Surveys every two years from 2009.

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

## 2. The Electoral System

The local electoral system was reviewed in 2006 and as a result 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.

### 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,
  - 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.

## 3. Electoral Representation and Boundary Review

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.

The Council currently does not have any Maori wards or specific Maori representation.

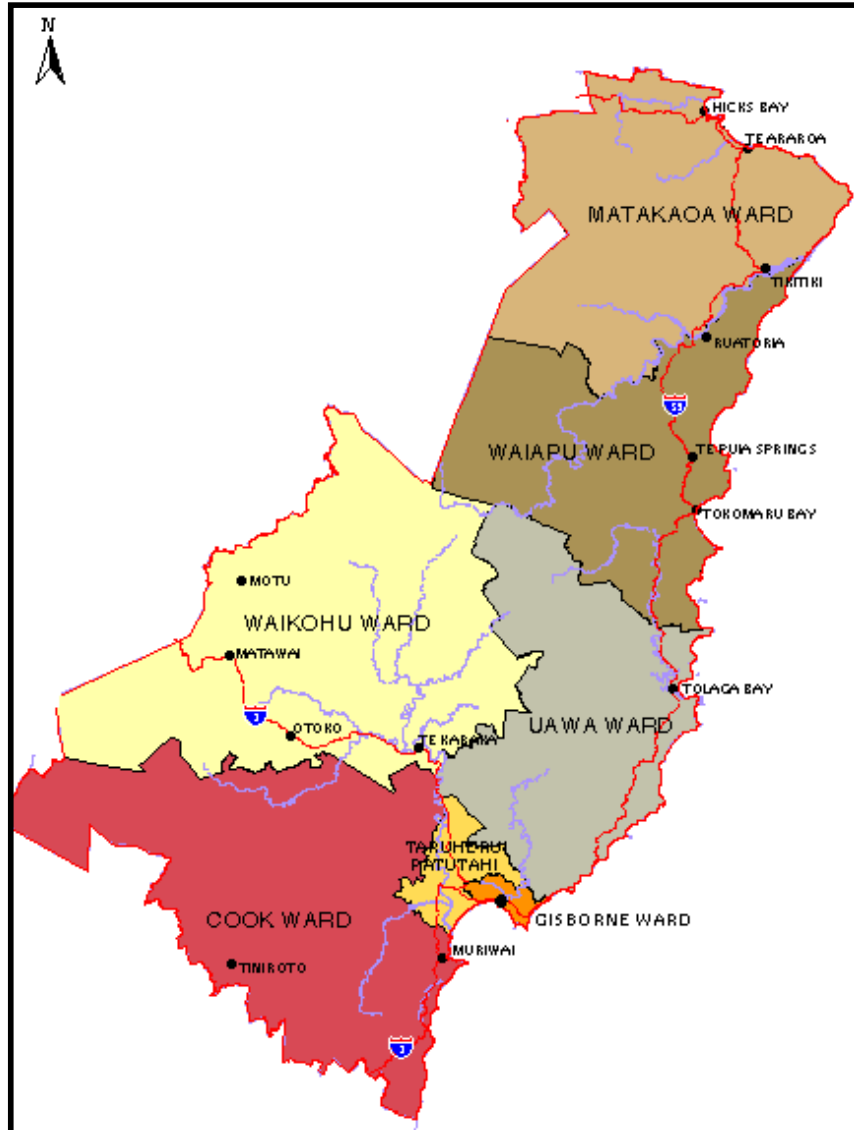
The Gisborne district is currently represented by 14 Councillors covering 7 wards, as shown below.

WARD	No of COUNCILLORS	RESIDENT ELECTORS
Cook	1	1122
Gisborne	8	21,200
Matakaoa	1	952
Patutahi/Taruheru	1	2559
Uawa	1	1216
Waiapu	1	1256
Waikohu	1	1201

Ref: Electoral Enrolment Centre - August 2007

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

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



**COMMUNITY BOARDS**

The Council currently does not have any Community Boards.

**REVIEW OF REPRESENTATION**

The Council is required to review its representation arrangements 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

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

- Whether to have Community Boards and, if so, how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

#### **THE REORGANISATION PROCESS**

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.

*Section 40 1(e)  
members roles  
and conduct (with  
specific reference  
to the applicable  
statutory  
requirements and  
the code of  
conduct)*

## **4. Members' Roles And Conduct**

The governing body of a local authority is responsible and democratically accountable for the decision-making of the local authority.

*[Ref: s41(3) Local Government Act 2002]*

#### **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]*

#### **ROLE OF THE MAYOR**

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

- Presiding member at Council meetings, responsible for ensuring the orderly conduct of business (as determined in Standing Orders).
- Promote the community and represent its interests, with the knowledge and support of the Council
- Ceremonial head of Council
- Providing leadership and feedback to other elected members on teamwork and chairing committees.

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

### **ROLE OF THE DEPUTY MAYOR**

The Deputy Mayor is elected by the members of Council at the first meeting of Council. The Deputy Mayor exercises the same roles as other elected members.

When the Mayor is absent or incapacitated, or the office of Mayor is vacant, the Deputy Mayor must perform all the responsibilities and duties, and may exercise the powers of the Mayor (summarised above).

The Deputy Mayor may be removed from office by resolution of Council. (That person would remain a member of Council.)

### **THE CHIEF EXECUTIVE**

As Council's Principal Administration Officer, the Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council.

The responsibilities, powers and delegations of the Chief Executive are set out in section 42 of the Local Government Act 2002.

## **5. Committees of Council**

### **Governance Structures**

The Council may create one or more Committees of Council.

The Council elects from its membership the chairpersons for each committee. That person is responsible for managing the committee's Terms of Reference. The Chairperson may be removed from office by Council resolution.

Committees have authority to consider all matters coming within their scope as detailed in the Terms of Reference (see pages 8 to 15). The authority of Council Committees is also laid out in the Delegations Manual.

A quorum requires a minimum of half of the committee's members to be present when the membership is an even number; and a majority when the membership is uneven.

Ordinary Council meetings are held every month.

With the exception of the Hearings Committee, His Worship the Mayor is an ex officio member of all committees.

(View Council's meeting schedule at the Council offices or on our website [www.gdc.govt.nz](http://www.gdc.govt.nz).)

Section 40  
1(f)...governance  
structures and  
processes  
(including the  
membership and  
delegations to any  
subordinate  
decision-making  
structures such as  
Council  
Committees)

### **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 requires Council to adopt a Code of Conduct. All elected members must adhere to the Code of Conduct.

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.

*(Schedule 7, Section 15 of the LGA 2002)*

## **6. Committees: Responsibilities**

### **Finance & Monitoring**

The purpose of this committee is to overview the financial affairs and performance of the Council. It will advise Council on the preparation of and performance against: budget, Annual Plans, the LTCCP, 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 may authorise major administrative contracts, such as the Valuation contract for the district revaluation, and may authorise variations in such contracts.
- The authorisation of any transactions which are in compliance with Council's LTCCP, Annual Plan, Treasury Policy or authorised contracts which are outside the delegated authority of (available) Council officers.
- The committee is delegated to decide on, and implement, all Council's delegations concerning remission of rates, imposition or remission of penalties, etc as specified in the adopted Rates Remission Policies in the LTCCP.
- The committee may sub-delegate any of the delegations it has concerning Council's adopted Rates and Penalty Remission Policies.
- The committee may set fees and charges for Council services, provided these do not conflict with fee setting procedures of Bylaws or the LTCCP Process.

### **Membership**

Cr Craig Bauld (Chair), Crs Nona Aston, Bill Burdett, Roger Haisman, Allan Hall, Gary Hope, Pat Seymour, Graeme Thomson and Brian Wilson,

**Quorum:** 5

### **Operations**

This committee provides the governance overview of Council's operational activities and services to the community. These include particularly those operations that use infrastructural assets, utility services and public facilities.

The focus of the committee is on engineering and works programmes and projects. It 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 in the use and deployment of Council's assets and external service delivery.

#### **Delegations**

The committee has the authority to approve expenditure items that are provided for in the LTCCP or Annual Plan where the value of that expenditure exceeds that authority delegated to officers.

#### **Membership**

Cr Graeme Thomson (Chair), Crs Nona Aston, Bill Burdett, Roger Haisman, Allan Hall, Gary Hope, Atareta Poananga and Brian Wilson,

**Quorum:** 4

### **Regional Land Transport.**

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, together with the overview of regional and land transport proposals in the Regional Land Transport Programme. It is a requirement under the Land Transport Act 1998 and the Transport Management Act 2003 that every regional council establish a land transport committee.

#### **Delegations**

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

#### **Membership**

Cr Bill Burdett (Chair), Crs Nona Aston, Andy Cranston, Allan Hall, Pat Seymour. Kathy Sheldrake

**Quorum:** 3.

### **Environment and Policy**

#### **Rationale**

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

The area of responsibility includes formal policy and regulatory plans under the Resource Management Act, Biosecurity Act, Building Act, Dog Control Act, Health Act, Bylaws, Regulations and similar legislation under the Local Government Act 2002. It also includes non statutory policy plans such as community development plans, economic strategies and longer term urban development and township development plans. Policy and regulatory services, monitoring and delivery related to those Policies and Acts shall be a prime function of the Committee.

Council's responses and submissions to plans and policy initiatives, as well as submissions to central government legislative initiatives, also form part of the area of responsibility.

The prime focus of the Committee will be on environmental policies, regulations and projects.

### **Delegations**

The Committee has the authority to approve expenditure items that are provided for in the LTCCP or Annual Plan where the value of that expenditure exceeds that authority delegated to officers.

### **Membership**

Cr Pat Seymour Chair, Crs. Craig Bauld, Andy Cranston, Alan Davidson, Gary Hope, Kathy Sheldrake.

**Quorum:** 3

## **Hearings Committee**

### **Rationale**

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**

Cr Alan Davidson (Chair), Crs, Craig Bauld, Roger Haisman, Hemi Hikawai, Atareta Poananga, Kathy Sheldrake, Pat Seymour.

**Quorum:** 4

## **Community Development Committee**

### **Rationale**

The purpose of this committee is to provide the governance overview and monitoring of the Council's programmes that have some relevant aspect of the community's social, cultural or economic wellbeing as their 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. Major policy initiatives will be referred by Council to the Environment & Policy Committee to ensure alignment and integration.

### **Delegations**

The committee has the authority to approve expenditure items that are provided for in the LTCCP or Annual Plan where the value of that expenditure exceeds that authority delegated to officers.

### **Membership**

Cr Hemi Hikawai (Chair), Crs, Nona Aston, Bill Burdett, Andy Cranston, Alan Davidson, Allan Hall.

**Quorum:** 3

## **Assets Review Committee**

### **Rationale**

The purpose of this committee is to review the performance, structure and holdings of those Council assets which have potential to strengthen Council's financial position. The sub-committee reports to the Finance and Monitoring committee on its investigations and any resulting recommendations.

### **Delegations**

The committee has the authority to investigate and advise only.

### **Membership**

Cr Brian Wilson (Chair), Crs, Gary Hope, Pat Seymour, Graeme Thomson.

**Quorum:** 4

## **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. (The conditions of the consents are attached as Appendix A).

### **Membership**

Cr Bill Burdett (Chair), Crs, Andy Cranston, Roger Haisman, Brian Wilson.

Tangata Whenua: Ian Ruru, Peter Brown, Stan Padoe and Lewis Jones

**Quorum:** 4 (Two (2) to be Councillors and two (2) to be maori/tangata whenua)

*(Ref: Decision report under the Resource Management Act 1990 by the independent hearing commissioners on the Applications, and Requirements and Recommendation to the Minister of Conservation on restricted coastal activities by the Gisborne District Council, July 2007.*

*Ref: Conditions of Wastewater discharge Resource Consents and Notices of Requirement, Clauses 12 - 17)*

## **Civil Defence and Emergency Management 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 Group provides governance and general oversight of the activities required to be undertaken on its behalf by the Act. The Group comprises the whole of Council and conducts Group business during normal Council meetings. To assist the CDEM Group to achieve its responsibilities a Co-ordinating Executive Group (CEG) has been formed to advise the Group, 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. It is chaired by the Council Chief Executive.

### **Delegations**

The Group has delegated authority to approve expenditure items that are provided for in the LTCCP or Annual Plan where the value of expenditure exceeds that authority delegated to officers.

### **Membership**

Full Council, Mayor as chairperson

Copies of the Terms of Reference for each committee are available from the Customer Service counters at the Fitzherbert Street Administrative centre in Gisborne, the Service Centre in Te Puia Springs, the HB Williams Memorial Library and on the Council's web site at [www.gdc.govt.nz](http://www.gdc.govt.nz).

## **7. 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.

The Mayor or Committee chair is responsible for maintaining order at meetings and may order the removal of any member of the public for disorderly conduct, or any member of the Council who does not comply with Standing Orders.

Minutes of Council and Committee meetings must be kept and made publicly available, subject to the provisions of the LGOIMA.

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](http://www.gdc.govt.nz).

*(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. )*

## **8. Council Controlled Organisations (CCO's)**

Council Controlled Organisations (CCOs) are defined in 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.

### **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: s6 (4) Local Government Act 2002. Electricity Reform Act 1998]*

### **COUNCIL ORGANISATIONS (CO)**

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, or does not own 50 percent or more of the shareholding. These organisations include the Tairāwhiti Museum Trust and Tourism Eastland.

*[Ref: s6 (1) Local Government Act 2002]*

#### **COUNCIL'S BUSINESS UNITS**

Council owns a number of commercial enterprises otherwise known as business units. They include the Waikanae Beach Holiday Park, and the Warrant of Fitness, Registration and Driver Licence Centre.

#### **COUNCIL'S COMMUNITY UNITS**

Council manages several community organisations including the Rockforte Finance Olympic Pool and the H.B. Williams Memorial Library.

## **9. CONSULTATION POLICIES**

### **Consultation Policy**

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.

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 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.

*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)*

### **CONSULTATION WITH MAORI**

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.

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. 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.

The current Government directory of organisations to represent their iwi and/or hapū for the purposes of the Resource Management Act 1991 are:

- Te Runanga-ō-Ngāti Porou
- Te Runanga-ō -Ngāti Oneone
- Ngāi Tāmanuhiri Whānui Charitable Trust
- Rongowhakaata Charitable Trust
- Te Aitanga-ā-Māhaki Trust
- Ngā Ariki Kaiputahi Whānau Trust (Ngā Ariki)

At the present time relationship issues with Māori are managed through the Council’s Māori Liaison Officer.

### **Special Consultative Procedure**

Where any decision requires a special consultative procedure to be followed, Council will follow the procedure prescribed in the relevant Act. This will also occur when the issue triggers the Council’s Significance Policy.

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

## **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.

*(Ref: Decision report under the Resource Management Act 1990 by the independent hearing commissioners on the Applications, and Requirements and Recommendation to the Minister of Conservation on restricted coastal activities by the Gisborne District Council, July 2007.)*

*(Ref: Conditions of Wastewater discharge Resource Consents and Notices of Requirement, Clauses 12 - 17)*

*Section 40 1(j) the management structure and the relationship between management and elected members*

## **11. Management Structures And Relationships**

Council is supported by a professional corporate organisation led by the Chief Executive.

The Local Government Act 2002 requires the Council to employ a Chief Executive whose responsibilities are to implement Council decisions, provide advice to the Council and employ other staff on behalf of Council.

Any complaint about individual staff members should be directed to the Chief Executive, rather than the Mayor or Councillors.

Officers provide Council with policy advice and are responsible for implementing Council's policies to achieve the results it wants. The management structure is presently organised into four groups under the Corporate Management Team.

*(See the appended Organisational Structure Charts)*

### **STAFF**

Council currently has a total complement of 305 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 -13 February 2009).*

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

## **12. Equal Employment Opportunities (EEO) Policy**

The Local Government Act 2002 (Schedule 7, Section 36) requires Council to act as a 'good employer'. 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.

### **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.

*[Ref: Schedule 7 and section 36 (2) of the Local Government Act 2002.]*

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

To continue with the ongoing development and review of human resource policies and procedures to achieve the principles of a 'good employer'.

*[Ref: Personnel Policies and Procedures for all Staff]*

To maintain a good working environment through a regularly reviewed Corporate Plan.

*[Ref: Corporate Plan 2004/05; adopted on 7 March 2005]*

## **13. Key Approved Planning And Policy Documents**

### **LONG TERM COUNCIL COMMUNITY PLAN (LTCCP) AND ANNUAL PLAN**

Council is required to produce a Long Term Council Community Plan (LTCCP) every three years. The next LTCCP must be adopted by 1 July 2009.

It is a long term planning document covering a period of 10 years. The LTCCP 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 LTCCP, an Annual Plan outlining changes and amendments to the LTCCP 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 LTCCP 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 & 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 Long Term Council Community Plan (LTCCP) document.

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 has 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 seven Community Outcomes emerged:

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

Council must review the outcomes at least every six years.

### **CONSULTATION WITH MAORI**

Processes that reflect the general principles of consultation are in place for consultation with Māori. Those principles will be adhered to in line with Mana Whēnua and Mana Tangata.

*(Section 82 (2) of the Local Government Act 2002)*

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

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

## **14. Public Access To The Council And Its Elected Members.**

### **Postal Address:**

Gisborne District Council  
PO Box 747  
GISBORNE

### **Physical Address:**

Fitzherbert Street  
GISBORNE.  
Phone:(06) 867 2049  
Fax:(06) 867 8076

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

### **EMAIL:**

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:

- [www.gdc.govt.nz](http://www.gdc.govt.nz) Council's administrative site
- [www.gisborne.govt.nz](http://www.gisborne.govt.nz) Economic Development Unit
- [www.gisborneholidaypark.co.nz](http://www.gisborneholidaypark.co.nz) Waikanae Beach Holiday Park
- [www.gpl.govt.nz](http://www.gpl.govt.nz) HB Williams Memorial Library

### **Chief Executive**

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

### **Corporate Affairs Manager**

K Douglas Birt: MBA, BE, M.I.P.E.N.Z.

### **Engineering and Works Manager**

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

### **Environment and Planning Manager**

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

### **Community Planning and Development Manager**

Nedine Thatcher: BA, MEd, MBA

The full list of Councillors may be found in Appendix IV

*Section 40 1(n)  
processes for  
requests for official  
information*

*Any request for  
information is  
automatically a  
request made  
under the LGOIMA.*

### **REQUESTING 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. The LGOIMA says that 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 Maori 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.

*(Ref: Ministry of Justice. LGOIMA)*

Requests for official information should be addressed to:

The Chief Executive  
Gisborne District Council  
PO Box 747  
GISBORNE

## 15. Appendix 1: Statutes

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

The statutes may be found on the government web site, [www.legislation.govt.nz](http://www.legislation.govt.nz)

## **16. Appendix 2: 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 Council Building Bylaw 1990
- 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

This list does not include bylaws that continued from the time the Gisborne District Council was formed in 1989 by the amalgamation of Waiapu, Cook, Waikohu County Councils and the Gisborne City Council.

In accordance with Section 158 of the Local Government Act 2002 the Council has undertaken 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 and the HB Williams Memorial Library, Gisborne, and the Te Puia Springs Service Centre.

## **17. Appendix 3: Key Projects, Planning Documents**

Council's key project and planning documents can be viewed or purchased from the Council offices or on the Council's website [www.gdc.govt.nz](http://www.gdc.govt.nz).

### ***Key Projects currently under way***

Sustainable Energy Project  
Sustainable Hill Country Project  
Township Development Plans (work-in-progress)  
Urban Development Strategy  
Botanical Gardens Project  
Waikanae/Awapuni Urban Design Project  
Wainui Urban Design/Plan Change Project  
Wastewater Project  
East Coast Forestry Project  
Inflow Infiltration Investigation – Intrusion into Sewers  
Major Regional Initiatives  
Rail Infrastructure Partnership.

### ***Planning Documents***

Gisborne District Council Regional Policy Statement  
Long Term Community Council Plan 2006-2016  
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 Roding Strategy

## 18. Appendix 4: District Mayor And Councillors

### HIS WORSHIP THE MAYOR

Meng **FOON**, JP.  
90 Main Road  
Makaraka  
GISBORNE  
Phone: 867 1870  
Fax: 867 9152  
Cellph: 0274 484 084  
email: mayor@gdc.govt.nz

### Deputy Mayor

Nona **ASTON**, (Mrs) (Gisborne)  
58 Wi Pere Street  
GISBORNE  
Phone: 868 9842 (hm)  
Fax: 868 9879 (hm)  
email: nona.gaskin@xnet.co.nz

### Ward Councillors

J Craig **BAULD**, (Gisborne)  
Shanks Road  
Waingake RD1  
GISBORNE  
Phone: 862 9550  
Fax: 862 9551  
email: cbauld@xnet.co.nz

W S (Bill) **BURDETT**, (Waiapu)  
PO Box 18  
RUATORIA  
Phone: (06) 864 8966  
Phone: (06) 864 8341  
(Bus)  
Fax: (06) 864 8967

Andy **CRANSTON**, (Gisborne)  
27b Moana Road  
Okitu, Wainui  
GISBORNE  
Phone: 868 1160 (hm)  
Fax: 868 1161  
Cellph: 027 273 3192  
email: actionsurf@clear.net.nz

Alan **DAVIDSON**, (Gisborne)  
163A Whitaker Street  
GISBORNE  
Phone: 867 9474  
Fax: 867 9473  
email: alan.davidson@clear.net.nz

Roger J. **HAISMAN**, (Waikohu)  
23 O'Grady Rd  
RD1  
GISBORNE  
Phone: 867 0922  
Fax: 867 0918  
Cellph: 027 332 8601

Allan John **HALL**,  
6 Ann Street  
Gisborne  
Phone: 8686269  
Fax: 8685028  
email: aphall@xtra.co.nz

Hemi H **HIKAWAI**, (Gisborne)  
125A Russell Street  
GISBORNE  
Phone: 868 7393  
Fax: 868 7393  
email: jimmyhikawai@xtra.co.nz

Gary **HOPE**,  
(Patutahi/Taruheru)  
176 Valley Road  
GISBORNE  
Phone: 867 2257  
Fax: 867 3306  
Cellph: 027 446 3347  
email: sabbatical@xtra.co.nz

Atareta **POANANGA**,  
(Matakaoa)  
29 Island Road  
GISBORNE  
Phone: 868 7252  
Fax: 863 2441  
Cellph: 027 493 1051  
email: Nil

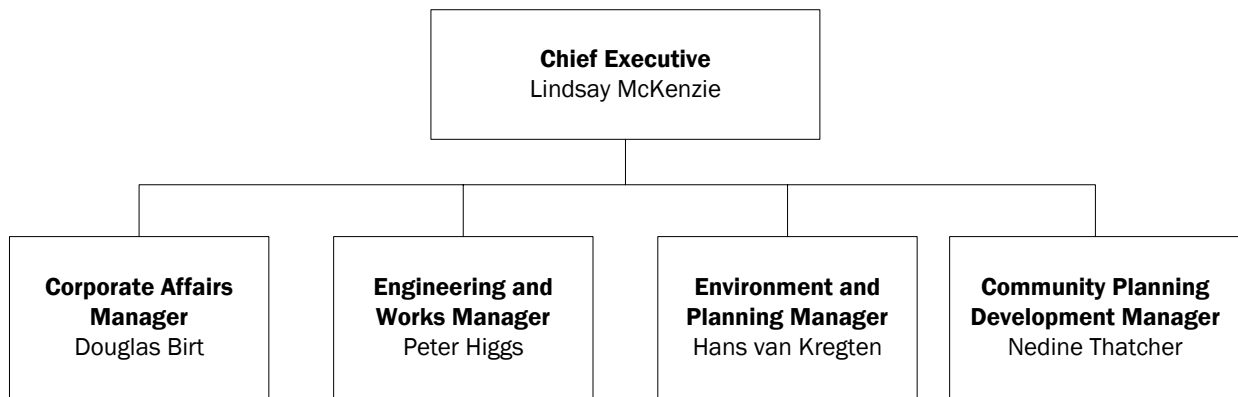
Pat **SEYMOUR**, OBE (Uawa)  
Wensleydale Station  
901 Waiomoko Road RD3  
Whangara, GISBORNE  
Phone: 862 2697  
Fax: 862 2703  
Cellph: 027 472 5997  
email: pnseymour@xtra.co.nz

Kathy **SHELDRAKE**, JP  
(Gisborne).  
27 Island Road  
GISBORNE  
Phone: 868 9430  
Phone: 868 5200 (Bus)  
Fax: 868 5208  
Cellph: 027 241 5063  
email: kathys@tmssport.co.nz

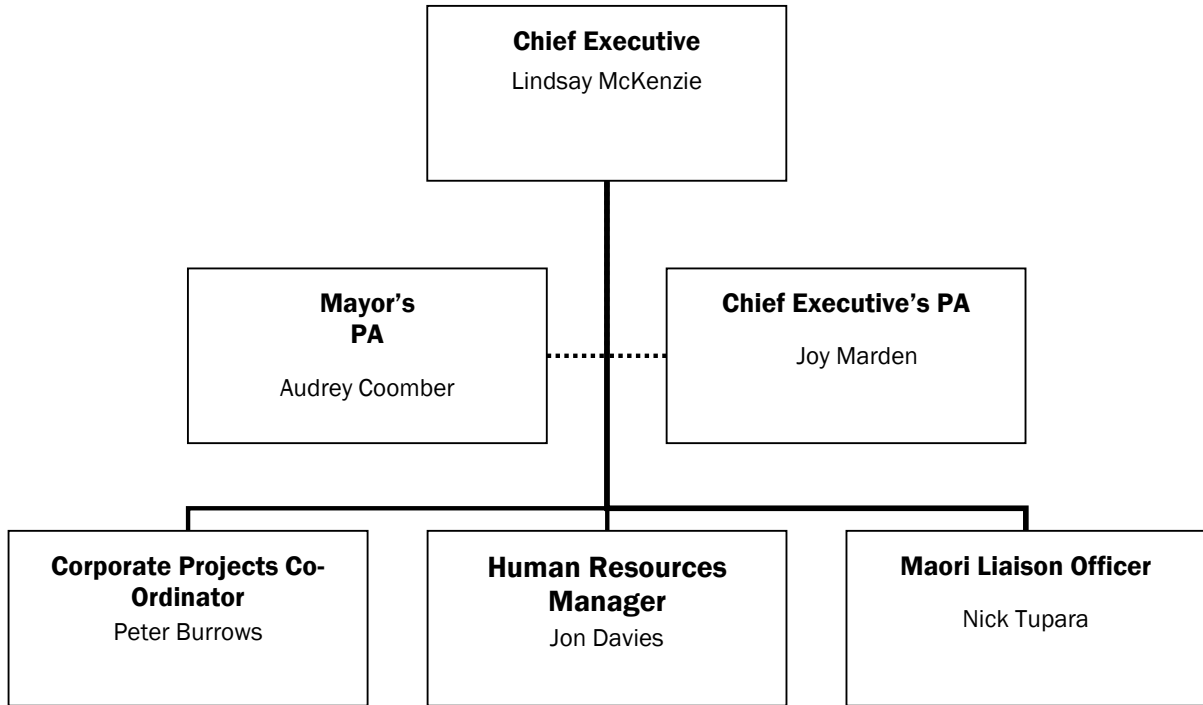
Graeme S **THOMSON**, (Cook)  
141 Harrington Road  
PO Box 96, Manutuke  
GISBORNE  
Phone: 862 8737  
Fax: 862 8197  
email: thomson230@xtra.co.nz

Brian **WILSON**, (Gisborne)  
10 Roberts Road  
GISBORNE  
Phone: 867 1600 (Hm)  
Phone: 867 4672 (Bus)  
Fax: 867 4675  
Cellph: 027 237 8080  
email: bwilson@paradise.net.nz

## 19. Appendix 5: Corporate Management Team



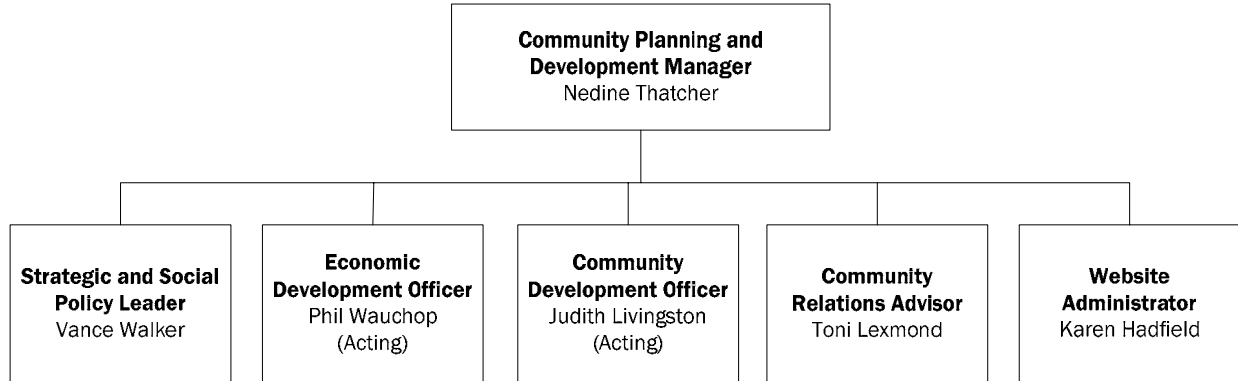
**20. Appendix 6: Chief Executives Department**



**CX Dept: Staff complement as at 13 February 2009**

FT/Permanent	6
PT/Permanent	2
FT/Fixed Term	0
PT/Fixed Term	1
Casual	0
Total	9

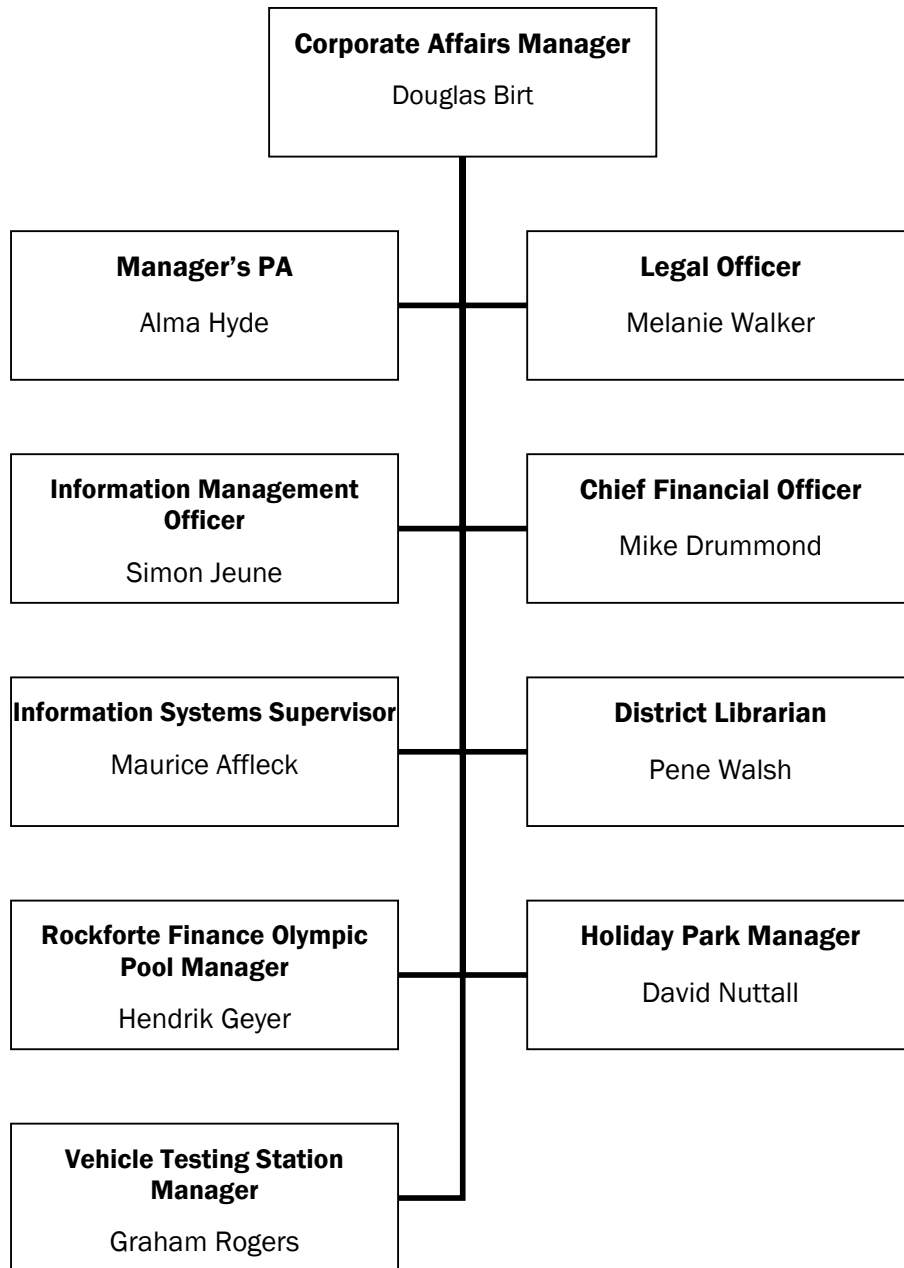
## 21. Appendix 7: Community Planning and Development



**CX Dept: Staff complement as at 13 February 2009**

FT/Permanent	11
PT/Permanent	1
FT/Fixed Term	1
PT/Fixed Term	1
Casual	0
<b>Total</b>	<b>14</b>

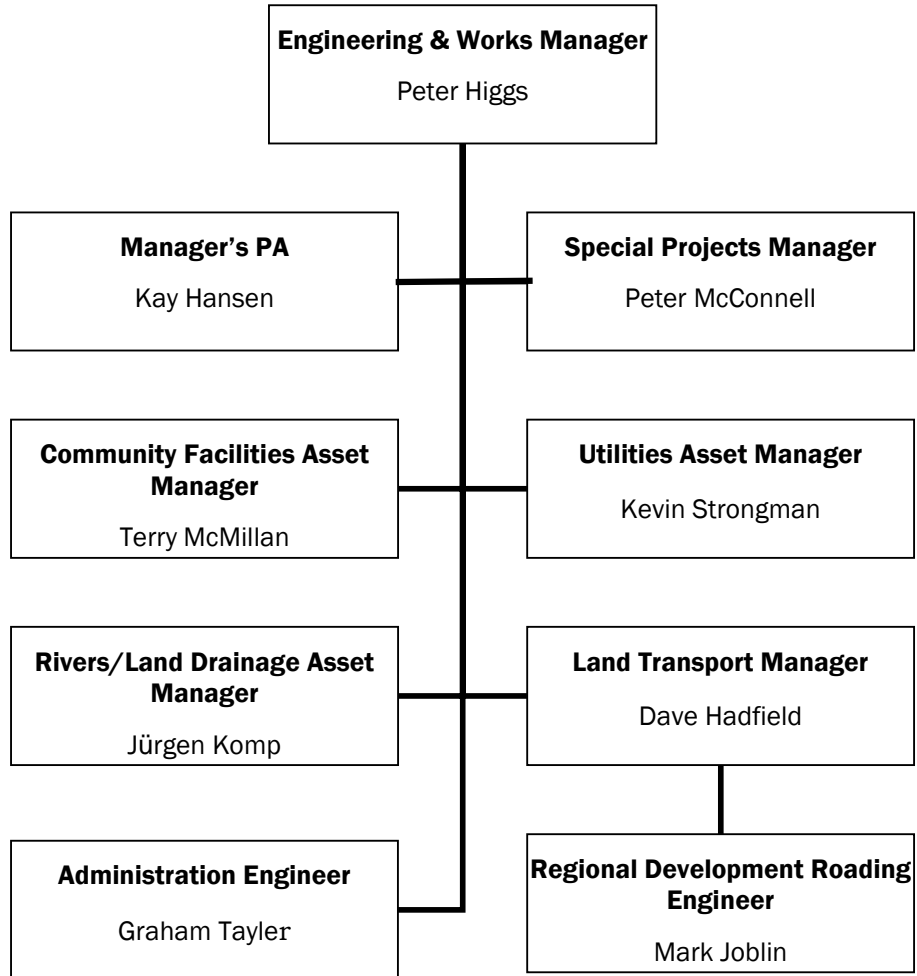
## 22. Appendix 8: Corporate Affairs Department



Staff complement as at 13 February 2009

FT/Permanent	84
PT/Permanent	27
FT/Fixed Term	2
PT/Fixed Term	1
Casual	24
<b>Total</b>	<b>138</b>

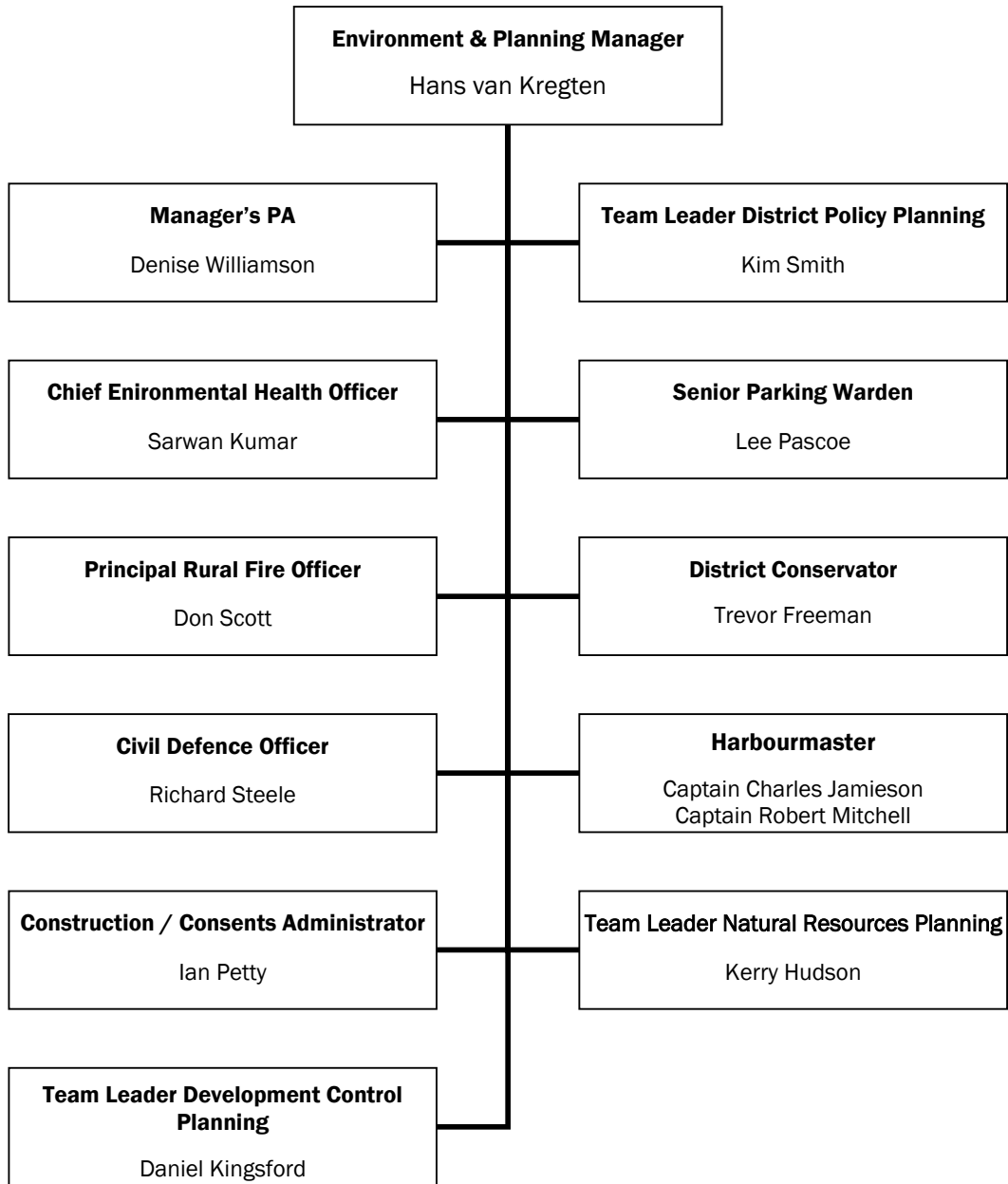
## 23. Appendix 9: Engineering And Works Department



Staff complement as at 13 February 2009

FT/Permanent	49
PT/Permanent	8
FT/Fixed Term	3
PT/Fixed Term	0
Casual	1
<b>Total</b>	<b>61</b>

## 24. Appendix 10: Environment And Planning Department



Staff complement as at 13 February 2009

FT/Permanent	65
PT/Permanent	14
FT/Fixed Term	4
PT/Fixed Term	0
Casual	0
Total	83

## 25. Appendix 11: Gisborne Statistics

### 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 44,460, a change of 1.1 percent since 2001.
- In comparison, the population for New Zealand as a whole had increased by 5.4 percent since 2001.

#### Numbers of people counted

	<b>Gisborne District</b>	<b>New Zealand</b>
Males	21,663	1,965,618
Females	22,797	2,062,329
Total	44,460	4,027,947
Change since 2001 Census	486	207,198

The area used for this profile is within the Gisborne district boundary.

#### 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)

	<b>Gisborne District</b>	<b>New Zealand</b>
0-15	26.2%	21.5%
15-64	61.8%	66.2%
65+	12%	12.3%

#### Ethnic groups (total responses)

At the 2006 Census:

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

	<b>Gisborne District</b>	<b>New Zealand</b>
European	46.9%	67.6%
Maori	40.9%	14.6%
Pacific Peoples	2.7%	6.9%
Asian	1.5%	9.2%
Other	8%	1.7%