



2019 Local Governance Statement – Our Council



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Introduction

Setting the Scene

Thames-Coromandel District Council at a Glance

Council's Functions, Responsibilities and Activities

Legislation and Bylaws

Commitment to the Treaty of Waitangi

Setting the Scene

The Thames-Coromandel District is a unique place to live, work and play. The Council has an important role to play in retaining the special values and nature of the Coromandel Peninsula.

This document, the Thames-Coromandel District Council's Local Governance Statement, contains information to help individuals within the community to understand how the Council works, how to keep informed of the Council's initiatives and how to influence the Council's decision-making through community consultation and planning processes. The document is a requirement of the Local Government Act 2002 and the Council is obliged under the Act to produce a new Local Governance Statement within six months after each local authority triennial election. .

Further information can also be found on the Council's website www.tcdc.govt.nz.

Thames-Coromandel District Council at a glance

The district's geography

- The District consists of the entire Coromandel Peninsula and covers an area of 2,297 square kilometres.
- The District is a magic part of New Zealand, largely surrounded by sea, with views across the Firth of Thames and Hauraki Gulf to the greater Auckland Region on the west coast and the Pacific Ocean on the east coast.
- The District's stunning beaches and coastline, dramatic landscapes, wildlife and abundant bush make this area an idyllic spot to live in or visit.
- The District's main settlements are Thames, Whitianga, Whangamata, Coromandel, Tairua, Pauanui, and Matarangi.
- The District is one of 12 districts in the Waikato Region.
- The Thames-Coromandel District has a mild climate, with moderate annual rainfall in both summer and winter.

The district's people

- 29,886 usual residents call our District home (2018)
- The largest residential settlement in our District is Thames, which has a population of 8,133 usual residents (2018).
- Our District's usual residents are predominantly European (88%) followed by Maori (18%), with (smaller representation) of other ethnic groups (2018).
- The District has an aging population. The proportion of usual residents aged 65+ has increased from 27% in 2013 to 31.1% in 2018. This compares to 15.2% for New Zealand as a whole.
- Our District has a high proportion of absentee ratepayers (over half the total ratepayers) as many people own holiday homes on the Coromandel Peninsula but are not permanent residents.
- Our District experiences a massive influx of visitors and holidaymakers over the Christmas and New Year summer holiday period, when the population can increase up to five times the usual population.

These stats are compiled by Infometrics based on information from Stats NZ 2018 and the 2018 Census



Council's functions, responsibilities and activities

Our Council exists to enable democratic local decision-making by and on behalf of communities and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

In performing its role, Council must act in accordance with the following principles:

- Conduct its business in an open, transparent, and democratically accountable manner
- Give effect to its identified priorities and desired outcomes in an efficient and effective manner
- Make itself aware of, and have regard to, the views of all of its communities
- Provide opportunities for Maori to contribute to its decision-making processes
- Collaborate and co-operate with other local authorities and bodies, as it considers appropriate, to promote or achieve its priorities and desired outcomes, and make efficient use of resources
- Undertake any commercial transactions in accordance with sound business practices
- Ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region
- Take into account the reasonably foreseeable needs of future generations.

Council's responsibilities cover a wide range of facilities, activities and services, from providing children's playground equipment through to treating water and wastewater. Meeting our community's priorities is fundamental to Council's overall responsibilities, activities and service delivery. Partnership and consultation with the community is an integral part of Council's overall core functions. Details on specific activities undertaken by Council are available through Council's Long Term Plan and Annual Plans.

You can find more information about your Council's consultation process under "**Community participation in Council decision making**" sections of this document.

Legislation and Bylaws

Legislation provides Council with the framework under which it operates. Legislation is often the basis from which priorities and decisions are made. One of the key pieces of legislation that Council operates under is the Local Government Act 2002.

The key purpose of the Local Government Act 2002 is to provide for democratic and effective local government. In addition to the Local Government Act 2002 and other legislation that applies to all councils, the Thames-Coromandel District Council is also bound by local legislation, which applies specifically to the Thames-Coromandel district.

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

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

You can find more information about local legislation and bylaws that apply to Council in **Appendix A** of this document. You can view/download Council's current bylaws on Council's website www.tcdc.govt.nz (under **Council/Bylaws**) or contact our customer services team.

Commitment to the Treaty of Waitangi

With the signing of the Treaty of Waitangi (Te Tiriti) in 1840, a covenant was created between the iwi and hapu of Aotearoa/New Zealand and the British Crown. Arising from this historic event stemmed a relationship based on the principles of partnership, equality before the law and the rights of citizenship for all.

Article II of the Treaty guaranteed to iwi and hapu the rights of ownership and guardianship (kaitiakitanga) over traditional domains of land and water and the resources found therein.

Article III of Te Tiriti established the rights of iwi and hapu as citizens with the same rights as all other citizens.

The Thames-Coromandel District Council recognises and respects the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi and to maintain and improve opportunities for Maori to contribute to local government decision-making processes, as provided for in the Local Government Act 2002. Council has entered into mechanisms to formally recognise its relationship with the tangata whenua of Hauraki (those Maori who have ancestral ties with the Coromandel Peninsula) and other Maori who live on the Coromandel Peninsula but have historic ties with other tribal areas. It is noted that Maori comprise 17% of the Thames-Coromandel District's population.

Two key statutes, the Resource Management Act 1991 and the Local Government Act 2002, provide the legislative framework for the Council and signal the processes and broad outcomes that it must achieve with iwi and hapu and the wider community.

The Resource Management Act places a duty on the Council to consult with tangata whenua when developing resource management policy. The degree of consultation is determined by the significance of the resources and issues to iwi and hapu, particularly where there are strong historic ties with ancestral lands and waters. The Act also allows the Council and tangata whenua to explore shared management arrangements for areas of particular cultural significance.

The Local Government Act requires the Council to consider and promote the current and future well-being of the community generally, and places particular emphasis on determining how it will provide opportunities for engagement and co-operation with Maori.



Governance

2019-2022 Elected Members' Governance Structure

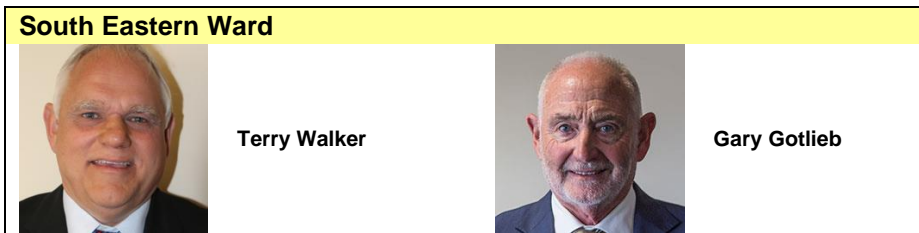
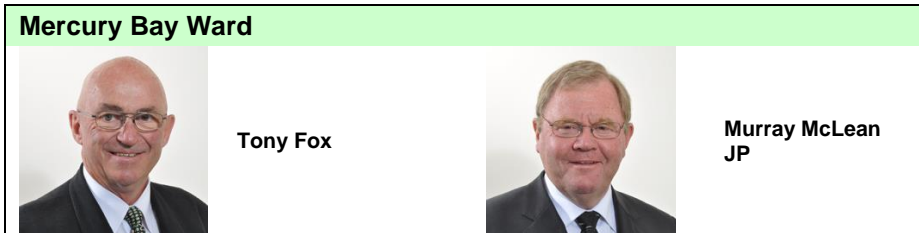
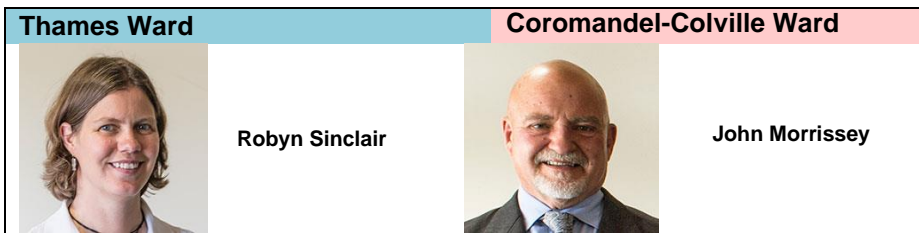
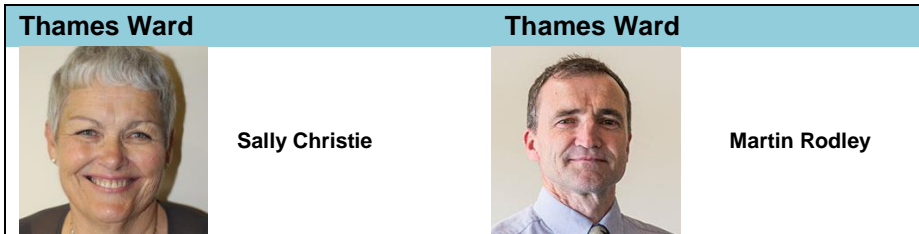
Elected Members' Role and Conduct

Community Representation

Council-Controlled Organisations

Triennial Agreement for the Waikato Region

2019-2022 Elected Members' Governance Structure



Mayor and Councillors

The Council is governed by a Mayor and eight councillors. The Mayor is elected at large across the whole district. The councillors are elected from four wards (Thames, Coromandel-Colville, Mercury Bay and South Eastern) and have also been appointed as members of various Community Boards and Council committees.

The overall role of the Mayor and councillors is to advocate on behalf of their communities and the district as a whole.

Contact Details

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South Eastern Ward

Terry Walker

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Gary Gottlieb

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Community Boards

Services the Community Boards governs:

- Harbour facilities
- Community centres and halls
- Airfields
- Public conveniences
- Local transportation
- Local social development
- Parks and reserves
- Libraries
- Swimming pools
- Cemeteries
- Local strategic planning
- Local economic development

Services the Council governs:

- Wastewater
- Solid waste
- District transportation
- Community health and safety
- District strategic planning
- Emergency management
- Hazard management
- Water supply
- Stormwater
- Land drainage
- District economic development
- District social development
- Land use planning
- Land use management
- District leadership
- Local advocacy
- Building control

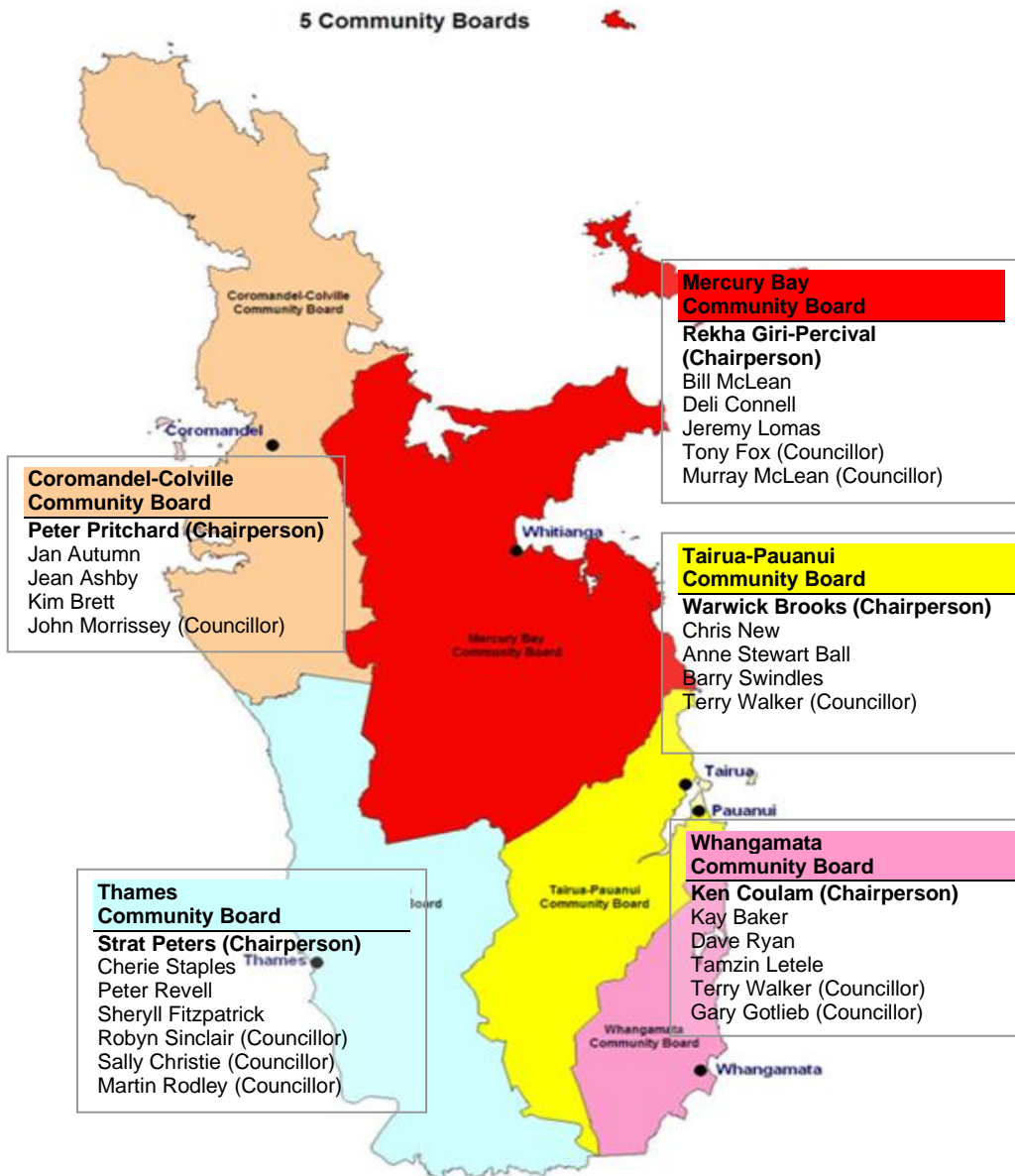
In April 2012, the Council adopted a new partnership approach to ensure greater engagement of local communities in decision making. At the core of this approach was providing greater decision making at the local level. This means that the Community Boards make decisions relating to activities and services that are within their geographic areas.

The role of the Community Boards is:

- To govern local activities
- To ensure that communities have an increased role in determining what happens in their local area
- Consider all matters referred to the Board by Council, or any matter of interest or concern to the Community Board
- Input into the Council's budgeting and priority setting documents which includes Annual and Long Term Plans
- Approving work programmes for locally funded activities, consistent with the Annual and Long Term Plans.

In addition to the elected Council and its committees, the district has five Community Boards (Coromandel-Colville, Mercury Bay, Tairua-Pauanui, Thames and Whangamata). The overall role of the Community Boards is to represent and act as an advocate for the interests of their communities. In effect, the Community Boards fulfil a role linking local communities and the Council. The councillors have been appointed as members of the local community boards.

Members of Community Boards at a Glance



Elected Members' role and conduct

Council's elected members are members of the community who have been elected by the community and given responsibility for the overall governance of our district. This includes identifying the long-term direction for our district and ensuring that Council acts in the best interests of its community.

Council's elected members are responsible for:

- Law-making (bylaws) and ensuring compliance with the relevant Acts of Parliament (e.g. the Local Government Act 2002)
- Developing and approving Council policy
- Determining the expenditure and funding requirements of Council through the Long Term Plan and Annual Plan processes
- Monitoring the performance of Council against its stated objectives and policies (in particular through the Annual Report)
- Representing the interests of the Thames-Coromandel district (upon election, all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill, judgment and in the best interest of the community)
- Employing the Chief Executive (under the Local Government Act 2002 the local authority employs the Chief Executive, who in turn employs all other staff on its behalf).

Council may borrow money, purchase assets, dispose of assets for the purpose of performing its role in terms of the Local Government Act 2002 (and other statutes) and may delegate activities to a committee or subordinate decision-making body, member or officer of the local authority.

Mayor

The Mayor is elected by the community as a whole and, as one of the elected members, shares the same responsibilities as other members of Council. In addition, the Mayor has the following roles:

- Presiding member at the full Council meetings. The Mayor is responsible for ensuring the orderly conduct during meetings, as determined in Council's Standing Orders. The Mayor is an ex-officio member of all Council committees. She is specifically appointed to the Chief Executive Liaison Committee as chairperson and is a member of several other committees
- Advocating on behalf of the community. This role may involve promoting the community and representing its interest. Such advocacy will be most effective where it is carried out with the knowledge and support of Council
- Ceremonial head of Council
- Providing leadership and feedback to other elected members about teamwork and chairing committees.

The Mayor has the power to:

- Lead the development of Council plans, policies and budgets
- Appoint the deputy mayor
- Establish Council committees
- Appoint chairs to Council committees.

Deputy Mayor

The Deputy Mayor may be appointed by the Mayor or Council at the first meeting of the full Council following the triennial election. The Deputy Mayor exercises the same role as other elected members. In addition, if the Mayor is absent or incapacitated, or if the office of the Mayor is vacant, the Deputy Mayor must perform all of the Mayor's responsibilities and duties and may exercise the powers of the Mayor.

Elected Members' legal obligations

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

- Schedule 7 of the Local Government Act 2002 includes obligations for Council to act as a good employer in respect of the Chief Executive, 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 as an elected member and their financial interest (either direct or indirect)
- The Secret Commissions Act 1910 prohibits elected members from accepting gifts or rewards, which could be seen to sway them to perform their duties in a particular way
- The Crimes Act 1961 relates to the acceptance of gifts for acting in a certain way and the use of official information for private profit.

Code of Conduct

All elected members are required to adhere to a code of conduct. All councils must adopt a code of conduct as a requirement of the Local Government Act 2002. The Thames-Coromandel District Council adopted its current code of conduct in October 2019. To read this go to www.tcdc.govt.nz/your-council

The code of conduct sets out 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. It also covers disclosure of information that is received by, or is in the possession of, elected members and contains details on the sanctions that Council may impose if an individual breaches the code.

Once adopted, the code can only be amended by a 75% or more vote of Council.

Community Representation

Council Wards and Community Boards

Council is currently comprised of four electoral wards and five community boards:

Wards

- Coromandel-Colville
- Mercury Bay
- South Eastern
- Thames

Community Boards

- Coromandel-Colville
- Mercury Bay
- Tairua-Pauanui
- Whangamata
- Thames

Council Committees and Joint Committees

Council or the Mayor may create one or more committees of Council. A committee chairperson is responsible for presiding over the meeting of the committee and ensuring that the committee acts within the powers delegated by Council as set out in the Committee's terms of reference. A committee chairperson may be removed from office by resolution of Council. Council has three standing committees, various joint committees and representation on other local authority committees to guide Council in the fulfilment of its responsibilities.

Further information on Council Committees and Community Boards can be found in **Appendix B**.

Council Organisations

Council organisations are described in the Local Government Act 2002 as organisations in which one or more local authorities control any proportion of voting rights or rights to appoint directors.

Bodies or organisations falling within this definition for the Thames-Coromandel District Council are:

- Destination Coromandel
- Waikato Civil Defence Emergency Management Group

Other organisations Council is involved in:

- Hauraki Rail Trail Charitable Trust

Council-Controlled Organisations

Council-controlled organisations are described in the Local Government Act 2002 as any organisation in which one or more local authorities control 50% or more of the voting rights or appoints 50% or more of the directors.

Bodies or organisations falling within this definition for the Thames Coromandel District Council are:

- **Waikato Local Authority Shared Services Ltd** - The company was set up to provide the 13 Waikato region local authorities with a vehicle to procure shared services and provide them to local authorities.
- **Local Government Funding Agency** - The LGFA's primary purpose is to provide more efficient funding costs and diversified funding sources (including foreign currency) for New Zealand local authorities. It provides investors with a new source of securities rated at AA+ (domestic long term) by international credit ratings agencies Standard and Poor's and Fitch Ratings. These ratings are the same as the New Zealand Government. The New Zealand Local Government Funding Agency Ltd (LGFA) was enabled under the Local Government Borrowing Act 2011 and was incorporated on 1 December 2011. The LGFA is owned by 30 Local Authority Councils and the Crown. It is a council controlled organisation operating under the Local Government Act 2002.

- **Destination Coromandel Trust** - The trust was established under the Local Government Act 2002. The purpose of the Trust is to promote The Coromandel as a leading tourist and visitor destination by marketing the area and tourist and visitor attractions within The Coromandel. It will support, promote and assist in activities and projects which will increase the opportunities for employment in the tourism and visitor industries in The Coromandel and as such, contribute to the social development and well-being of its communities. It is a council-controlled organisation because two local authorities (Thames-Coromandel and Hauraki District Councils) have the right to appoint 50% or more of the directors of the Trust. In 2015 the two councils resolved to exempt the trust as a council-controlled organisation. The councils must review the exemption within three years.

Triennial Agreement for the Waikato Region

The Local Government Act 2002 recognises that each individual local authority is only one player in the achievement of community well-being, and that well-being goes beyond local authority boundaries. The Act further recognises that local authorities will need to collaborate with a variety of agencies to find solutions to local issues. The main framework for co-ordinating the collaboration between different local authorities is the Triennial Agreement.

Through this agreement, local authorities are encouraged to work together to promote the well-being of their communities in all of their social, economic, environmental and cultural aspects. It also provides an opportunity for improved communication and co-ordination at all levels of local government in the Waikato region.

It is recognised that a significant level of formal and informal cooperation already exist between local authorities. The success of the Triennial Agreement will be demonstrated through expanded relationships that help local authorities to work cooperatively and collaboratively to advance community outcomes. This agreement does not address local authorities' relationships with central government agencies or other important sectors of the community, each of which will also be important to the effective delivery of community outcomes.

The Triennial Agreement must be reviewed and updated by 1 March following each three-yearly local authority election. The 12 councils that are signatories to the Waikato region triennial agreement are Thames-Coromandel District Council, Hamilton City Council, Hauraki District Council, Matamata-Piako District Council, Otorohanga District Council, Rotorua District Council, South Waikato District Council, Taupo District Council, Waipa District Council, Waitomo District Council, Waikato District Council and Waikato Regional Council.



Representation Arrangements

Electoral Voting System

Representation Arrangement

Separate Wards for Maori Electors

Existing Arrangements

Electoral Voting Systems

The Local Electoral Act 2001 defines an electoral system as any of the following electoral systems that are prescribed for use at an election or poll:

- (a) the system commonly known as First Past the Post;
- (b) the system commonly known as Single Transferable Voting (STV) using Meek's method of counting votes

The Thames-Coromandel District Council held its 2010, 2013 and 2016 elections under the First Past the Post (FPP) system. Under the First Past the Post system, electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is elected.

Provisions for Changes to the Electoral System

The Local Electoral Act 2001 makes provision for changes to the system by either Council or elector initiative.

The Council may resolve to change the electoral system to be used at the next two elections or conduct a binding poll, or electors can demand a binding poll. A poll can be initiated by at least 5% of electors signing a petition demanding that a poll be held.

Once changed, an electoral system must be used for, at least, the next two triennial general elections, i.e. the electoral system cannot be changed for one election and then changed back for the next election.

Representation Arrangements

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 legal requirement to have a minimum of six and a maximum of 30 members, including the Mayor)
- Whether the elected members (other than the Mayor) shall be elected by the entire district, or whether the district will be divided into wards for electoral purposes, or whether there will be a mix of 'at large' and 'ward' representation
- If election by wards is preferred, then the boundaries and names of those wards and the number of members that will represent each ward
- Whether or not to have separate wards for electors on the Maori roll
- Whether to have Community Boards and, if so how many, their boundaries and membership, and whether to subdivide a community for electoral purposes.

The Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review and should also follow guidelines published by the Local Government Commission. The Local Electoral Act 2001 gives citizens the right to make a written submission to the Council and the right to be heard, if they wish. There is also the right to object to or appeal any decisions to the Local Government Commission, which will make a binding decision.

Further details on the matters that the Council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

Council last undertook a representation review in 2016.

Separate Wards for Maori Electors

The Local Electoral Act 2001 also gives Council the ability to establish separate wards for Maori electors. The Council may resolve to create separate Maori wards or conduct a poll on the matter, or the community may demand a poll. Council considered Maori representation as part of its 2008/2009 representation review and determined that it would not create separate wards for Maori electors.

The demand for a poll can be initiated by a petition signed by 5% of electors within the district. The deadlines for a poll are the same as for a change to the electoral system.

Existing Arrangements

2. *Having considered all submissions received to the initial proposal for representation, and in accordance with s19N of the Local Electoral Act 2001, confirms as its final proposal for representation arrangements for the 2019 elections of the Thames-Coromandel District Council:*

- (i) 8 councillors, plus the Mayor (being the status quo);*
- (ii) four wards, being the Coromandel-Colville, Mercury Bay, South Eastern and Thames Wards (being the status quo);*
- (iii) one councillor elected from the Coromandel-Colville Ward, two councillors elected from each of the Mercury Bay and South Eastern Wards and three councillors elected from the Thames Ward (being the status quo) - noting that the Coromandel-Colville Ward's fair representation criteria (+/- 10% criteria) does not comply;*
- (iv) five Community Boards, being the Coromandel-Colville, Mercury Bay, Tairua-Pauanui, Whangamata and Thames Community Boards (being the status quo);*
- (v) four members elected from each of the Coromandel-Colville, Mercury Bay, Tairua-Pauanui, Whangamata and Thames Community Boards, and the following appointments by the Council (being the status quo):*
 - one councillor appointed to Coromandel-Colville Community Board*
 - two councillors appointed to the Mercury Bay Community Board*

- two councillors appointed to the Tairua-Pauanui Community Board*
- two councillors appointed to the Whangamata Community Board*
- three councillors appointed to the Thames Community Board.*



The Organisation

Council's Direction

Council's Management Structure

Council Direction

The Local Government Act 2002 requires local authorities to consider community views and preferences when making decisions (including on setting its direction).

The Council's direction informs everything that it does - what it delivers and how it goes about running the business. The current 2018-2028 work programme was set by the previous elected Council and was guided by a Vision set by the Council at that time. More information on this Vision and what it means for the Council's business can be found in the 2018-2028 Long Term Plan.

In 2018, the new Council reviewed its Mission, Vision, Values and Council Outcomes - the resulting Council direction is noted below.

Council's Mission

The Coromandel will be the most desirable area of New Zealand in which to live, work and visit.

Council's Vision

We will provide quality services and facilities, which are affordable, and delivered with a high standard of customer service.

We will be a good community citizen through our support of community organisations, economic development and the protection of the environment.

The Coromandel Peninsula is a desirable place to live, work and visit.

Council's Values

- Displaying empathy and compassion
- Fiscally responsible and prudent with ratepayers' money
- Integrity, transparency and accountability in all our actions
- Treating all employees fairly and evenly in accordance with good employer practice
- Being a great place to work where staff are inspired to be the best they can
- Working with and having meaningful and on-going consultation with all of our communities
- Creating strong partnerships with our district's iwi
- Having pride in what we do
- Being a highly effective and fast moving organisation.

Council's Outcomes

A Prosperous District - The Coromandel Peninsula has a prosperous economy

- The Coromandel District has Residential and commercial property growth (Rating Base), in serviced areas.
- We have increased visitor numbers particularly in traditional off-peak times of the year.
- Our District has a strong visitor, aquaculture and industrial employment economy.
- Our Economic and population growth is socially and economically sustainable
- We have a user friendly organisation that is consistent, predictable and customer solution focussed to enable our economy to grow
- The Coromandel's natural environment will be the cornerstone to growing our economy.

A liveable District - *The Coromandel Peninsula is a preferred area of New Zealand in which to live, work, raise a family and enjoy a safe and satisfying life*

- The Coromandel District has Residential and commercial property growth (Rating Base), in serviced areas
- We have increased visitor numbers particularly in traditional off-peak times of the year
- Our District has a strong visitor, aquaculture and industrial employment economy
- Our Economic and population growth is socially and economically sustainable
- We have a user friendly organisation that is consistent, predictable and customer solution focussed to enable our economy to grow
- The Coromandel's natural environment will be the cornerstone to growing our economy.

A Clean and Green District - *The Coromandel Peninsula's natural environment provides a unique sense of place*

- Our highly valued environment is protected
- Development fits sensitively within the Coromandel's unique landscape and coastal environment
- We have sustainable management of our land use
- Our regulatory framework is flexible and protects important community and environmental values

Council's Management Structure

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



The Chief Executive

The Chief Executive is appointed by Council in accordance with Schedule 7 of the Local Government Act 2002.

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

Under the Local Government Act 2002, the responsibilities of the Chief Executive are:

- Implementing the decisions of the Council
- Providing advice to the Council and Community Boards
- Ensuring that all responsibilities, duties and powers delegated to the Chief Executive, or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw, are properly performed or exercised
- Managing the activities of the Council effectively and efficiently
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council
- Providing leadership for the staff of the Council
- Employing staff (including negotiation of the terms of employment for the staff).

Working together

The CEO's Leadership Review team considers organisation-wide issues and provides the link between elected members and staff. They are responsible for monitoring operational performance, giving policy advice, implementing policy, strategic planning and service delivery.

Delegations

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

- the power to make a rate or bylaw
- the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan

- the power to adopt a Long Term Plan, annual plan, or annual report
- the power to appoint a chief executive; or
- the power to adopt policies required to be adopted and consulted on under the Act in association with the Long Term Plan or developed for the purpose of the local governance statement.

Council records all delegations in a Delegations Register.



Communicating with Council

Community Participation in Council Decision-making
Council Meetings
Policy and Decision-making Processes
Key Policy and Planning Documents and Publications
Request to Council for Information
Council Contact Details for Public Enquiries

Community participation in Council decision-making

The legislation under which the Council works places a very strong emphasis on being aware of, and considering, community views and preferences during its decision-making processes. The Council's Significance and Engagement Policy provides guidance on when we will engage and how the engagement will be delivered.

Community engagement is a term used to describe the broad range of ways for people to interact. It can include a variety of approaches on a community engagement spectrum:

- Giving out information alone
- Consultation with people to seek their views
- Involvement to ensure people's views are reflected in the alternatives developed
- Collaboration with people and involving them in decision-making, and
- Empowering others to take decisions and actions.

The Council provides a number of opportunities for the public to participate in its decision-making processes. One of the most important is through the Long Term Plan consultation process – when the Council seeks feedback from the public on Council priorities, services, income and expenditure, and funding tools. Other formal opportunities to participate include bylaw, reserve management plan and the annual plan submission processes as well as numerous other opportunities which are not required by law.

The public can also contact the Mayor, councillors and staff throughout the year if they have matters they would like to discuss.

Information on current and upcoming engagement processes can be found at www.tcdc.govt.nz.

Special consultative procedure

When making certain types of decisions, the Council must follow what is called the 'Special Consultative Procedure'. For example, it must use this procedure when it is adopting or amending a Long Term Plan, adopting, revoking, reviewing or amending a bylaw. The procedure provides for the minimum consultation requirements and the Council can also use it for other decision-making processes if it so wishes.

The Special Consultative Procedure involves:

- Preparing a description of the proposal (a statement of proposal) and a summary of that description
- Making the proposal available at the Council offices
- Publicly notifying the proposal and the consultation being carried out on it
- Inviting and receiving submissions for at least one month
- Hearing submissions and making decisions in public
- Providing a copy of the Council's decisions and its reasons to those who submitted.

Council meetings

Council meets on a six-weekly cycle. Meetings are publicly notified in local newspapers five to fourteen days before the end of each month. In some circumstances, this requirement may vary, e.g. for extraordinary meetings. The dates and times of all meetings are advertised in the Hauraki Herald and are also on Council's website www.tcdc.govt.nz (under **Council/Meetings and Minutes**) and on our facebook page.

The legal requirements for Council meetings are set down in the Local Government Act 2002 and Local Government Official Information and Meetings Act 1987. All Council and committee meetings must be open to the public unless there is reason to consider an item "in committee", which means that these items are deemed to be confidential and members of the public will be asked to leave the room until discussion on the item has been completed.

For an ordinary meeting of Council, at least 14 days notice of the time and place of the meeting must be given. Extraordinary meetings generally can be called on three working days notice, although a notice of motion to alter a previous Council resolution requires at least five

days notice. Under the Local Government Act 2002, Council also has the ability to call a meeting at 24 hours notice, if required.

During meetings, the Mayor and councillors must follow standing orders. The Mayor or committee chairperson is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove a member of Council who does not comply with standing orders. Council may suspend standing orders by a vote of 75% of the members present and voting.

The Local Government Official Information and Meetings Act 1987 contains a list of the circumstances where Council may consider items with the public excluded. These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order.

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

The Council meeting agenda is a public document, although parts of it may be withheld if the circumstances relating to confidentiality apply. Minutes of meetings must be kept as evidence of proceedings of the meeting. These must be made publicly available, subject to the provisions of the Local Government Official Information and Meetings Act 1987.

You can view and download details on current meetings from Council's website www.tcdc.govt.nz (under **Council/Meetings and Minutes**).

Policy and Decision-Making Processes

Policy

A policy is a statement of position which is used to guide decision-making. It provides a framework (often including rules, procedures and/or criteria) within which the Council operates.

Council has policies written for a number of reasons:

- So people working within the Council have a framework to help them get on with their job
- To ensure consistent decisions are made across the organisation
- To provide some transparency of the Council's decision-making processes for the wider public
- To be efficient in the way we work – one well thought-out decision in the form of a policy can be applied to many cases
- To meet our statutory requirements.

Policy-making is not just about writing a set of rules or statements, it is also about spending time giving consideration to the issues and options relating to the policy. There are generally two decisions to be made:

- Is a policy the best mechanism for addressing the issues? Are there any alternative or complementary techniques, for example, public education programmes or published guidelines?
- If a policy is an appropriate method, what should the policy say?

Council uses a "Policy-making Guidance and Information Sheet" to ensure that all options are considered and all appropriate sectors of the community are consulted when key policy is being developed.

Decision-making

Almost everything that the Council does involves a decision. In keeping with its overall purpose of enabling democratic local decision-making, the Local Government Act 2002 prescribes the process by which decisions must be made by a local authority.

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

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

While the decision-making requirements of the Local Government Act 2002 must apply to each decision, the legislation does give the Council some jurisdiction to make judgements about the extent to which options are assessed and decisions are recorded. In essence, a judgement on how best to comply with the requirements will depend on the relative importance of the issue to the district and its complexity. The Council must consider the significance of all relevant matters (as mentioned above), the principles of local government, the extent of the Council's resources and the extent to which the nature of the decision allows the opportunity to consider the views and preferences of other people.

Parliament is currently proposing changes to this aspect of the legislation which would reduce some of these statutory requirements.

Key Documents and Publications

Policy and strategy making applies to various areas of Council operation; from internal organisational issues such as resource procurement, to district-wide Council issues such as regulating dogs. Regional and national policies and strategies can also directly affect the Council's decision-making although the Council is not responsible for developing such documents. Some of the Council's policies and strategies are required by law. Others have been developed in response to other issues, for example, community concerns.

Just as policy is a statement of position, strategy provides a general direction for the organisation, or a part of the organisation, to achieve a certain state in the future. Strategies often define what that desired state might look like and actions for achieving it. In addition to the above, strategies help the organisation move in a common direction.

Some of the key documents that the Council has are outlined below.

Long Term Plan

The Long Term Plan is effectively an organisational strategic plan. The Long Term Plan sets out everything the Council intends to deliver and how over a ten year period. All other planning documents should be consistent with it. The current Long Term Plan was adopted in June 2018. The next Long Term Plan will be adopted by July 2021.

Annual Plan

In the years that a Long Term Plan is not reviewed, the Council must produce an annual plan. The Annual Plan covers one financial year and should reflect the levels of service and associated budgets as shown for that year in the adopted Long Term Plan. Any variations are required to be identified and reasons given for these variations. The Annual Plan is essentially an opportunity to make minor adjustments to its work programme planned in the Long Term Plan and to confirm the proposed budget.

Community Board Plans

At its meeting on 18 April 2012, the Council adopted a new partnership approach to the governance of the district (also known as Community Governance framework). Through this framework, Community Boards have been empowered to develop budgets for local activities which are subject to Council approval.

Annual Report

On completion of each financial year, the Council must then produce an Annual Report which assesses the actual performance over that year compared to that initially set in the Long Term Plan or Annual Plan for that year.

Council policies and strategies

The Council has a number of policies and strategies covering a range of the Council activities.

You can find these documents on our Thames-Coromandel District Council website <http://www.tcdc.govt.nz/Your-Council/Documents-incl-Bylaws-Policies-and-Strategies/>

Funding and financial policies

Council is required to produce a Financial Strategy as part of its Long Term Plan, and a number of funding and financial policies. Many of these feature in the Long Term Plan, including for example:

- Revenue and Financing Policy
- Development Contributions Policy
- Rates Relief Policy

Equal employment opportunities policy

Council has adopted an Equal Employment Opportunities Policy and reports achievement against the policy in the Annual Report.

Regulatory policies

The Council's bylaws are aimed at regulating community behaviour. Bylaws, in particular, may be adopted to protect the public from nuisance, e.g. liquor consumption in public places, or maintaining public

health and safety e.g. the control of dogs. Other similar policies may be required to be adopted by law to minimise social harms e.g. the Gambling Venue Policy. See Appendix A for a full list of Council bylaws.

District Plan

An important plan of the Council's is the District Plan. The District Plan is required by the Resource Management Act 1991 to encourage the sustainable use of natural and physical resources of the district in a way which provides for community wellbeing. The District Plan provides a framework for administering resource consents.

Reserve management plans

Under the Reserves Act 1977, the Council is required to produce management plans for each reserve it manages, controls or administers. These can be found at <http://www.tcdc.govt.nz/Your-Council/Documents-incl-Bylaws-Policies-and-Strategies/Reserve-Management-Plans/>

Community plans

The community plans outline the aspirations of local communities for the future, some of which would require actions by the Council. The Council regards the community plans as a useful tool to help in its decision-making and these can be found at www.tcdc.govt.nz/cbplans

Keeping informed about Council activities

Thames-Coromandel District Council website

www.tcdc.govt.nz

Council's website is designed to provide quick and easy access to information around our services and facilities. This includes information about our elected members, Council projects, media releases, events, economic development, civil defence and emergency management news. It also provides information on bylaws, policies, building and planning, environmental issues and how to get involved in local decision making. The website also features a number of e-services including online rates payment, consent tracking, online building consent tracking. You can also search databases for cemetery information and maps. There is also tools to help make online submissions around consultation processes.

Destination Coromandel website

www.thecoromandel.com

This website is run by our regional tourism organisation, Destination Coromandel and provides comprehensive tourism information, events and things to do around the Coromandel. It is the official tourism and visitor website for the Coromandel. Destination Coromandel is funded by the Thames-Coromandel and Hauraki District Councils.

Council communications

We use a variety of communication platforms to share Council news.

OurCoromandel is Council's brand promoting Council's news. This is done through a monthly full page advertisement that runs in community newspapers across the Coromandel and through our electronic newsletter which is sent out to anyone wanting to sign up, to find out about what's going on in Council. To subscribe go to this link www.tcdc.govt.nz/subscribe

Summertimes Magazine is our Council summer magazine that is distributed to ratepayers and visitors in mid-November. The 100-page glossy magazine is full of news around Council projects, community

news and events running from December through to Easter. The magazine can be viewed on line <http://www.tcdc.govt.nz/summertimes>

Social media. Council has a twitter account @ourcoromandel and a Facebook page www.facebook.com/ThamesCoromandelDistrictCouncil which helps us connect with other audiences, particularly our large ratepayer base who live outside the Coromandel.

Media Releases

The Council issues regular media releases to local media, including local radio, to assist with keeping ratepayers and residents informed of its activities. The Communications team work with local media to help journalists report on council activities and keep the local community informed.

The Council's media releases are published on our website www.tcdc.govt.nz

Council Publications

The Council publishes a range of publications, information and consultation leaflets as needed on particular topics, including the Annual Plan, Annual Report and Long Term Plan. Radio and print advertising in local media is used regularly to convey information to residents and ratepayers.

The Council also publishes other specialist newsletters for interested groups including a council newsletter for the building industry and an electronic newsletter for District Plan users.

Customers can also subscribe to receive eNewsletters about the subjects that interest them at www.tcdc.govt.nz/subscribe

Public Notices

Notification of issues affecting the community (such as road closures, council meetings and proposed bylaw changes) appear in the form of public notices placed in the Hauraki Herald.

Getting Information

You can obtain public information and publications relating to Council from all area service centres (Whangamata, Whitianga and Coromandel), libraries, information centres and online at Council's website www.tcdc.govt.nz

Alternatively, contact Council's Communications Team on (07) 868 0200.

Requests to Council for information

Requesting Official Information

All requests for information are deemed to be a request made under the Local Government Official Information and Meetings Act 1987. You do not have to say that you are making a request under this Act.

Once a request is made, Council must supply the information unless there is a reason for withholding it. The Local Government Official Information and Meetings Act 1987 states that information may be withheld if release of the information 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 disclose the location of waahi tapu
- Prejudice public health or safety
- Compromise legal professional privilege
- Disadvantage Council while carrying out negotiations or commercial activities
- Be used for improper gain or advantage

Council must answer requests for information within 20 working days. The applicant must be advised in writing if the answer will take longer than 20 working days and the reason for the delay. Council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance, written communications should be addressed to the Chief Executive.

Requests may be delivered to:

Chief Executive
Thames-Coromandel District Council
515 Mackay Street
Thames

OR sent to:

Chief Executive
Thames-Coromandel District Council
Private Bag
Thames 3540

Requesting Council Services

Requests for Council Services can be lodged in various ways including:

- Visiting, phoning or writing (including emails and faxes) to our Customer Services team customer.services@tcdc.govt.nz
- Contacting the Mayor or a Councillor. Contact details for elected members are available in the Governance Section of this document.

Council Contact Details for Public Enquiries

District Office

515 Mackay Street, Thames

Telephone : (07) 868 0200

Fax : (07) 868 0234

website : www.tcdc.govt.nz

email : customer.services@tcdc.govt.nz

Area Offices

Coromandel

355 Kapanga Road, Coromandel

Telephone : (07) 866 1001

Fax : (07) 866 1003

Whitianga

10 Monk Street, Whitianga

Telephone : (07) 866 2010

Fax : (07) 866 2026

Whangamata

620 Port Road, Whangamata

Telephone : (07) 865 0060

Fax : (07) 865 0074



Appendices

Appendix A

Appendix B

Appendix A

Acts applicable to Local Government

In fulfilling its purpose, Thames-Coromandel District Council exercises powers and fulfils responsibilities conferred on it by many pieces of legislations. Some of the key legislation that applies to all New Zealand local authorities includes, but is not limited to:

- Building Act 2004
- Burial and Cremation Act 1964
- Bylaws Act 1910
- Civil Defence Emergency Management Act 2002
- Dangerous Goods Act 1974
- Disabled Person Community Welfare Act 1975
- Dog Control Act 1996
- Fencing of Swimming Pools Act 1987
- Forest and Rural Fires Act 1977
- Gambling Act 2003
- Hazardous Substances and New Organisms Act 1995
- Health Act 1956
- Impounding Act 1955
- Litter Act 1979
- Local Authorities (Members' Interest) Act 1968
- Local Electoral Act 2001
- Local Government Act 1974
- Local Government Act 2002
- Local Government Act 2002
- Local Government Official Information and Meetings Act 1987
- Local Government (Rating) Act 2002
- Privacy Act 1993
- Public Works Act 1981
- Rating Valuation Act 1998
- Reserve Act 1977
- Residential Tenancies Act 1986
- Resource Management Act 1991
- Sale and Supply of Alcohol Act 2012
- Secret Commissions Act 1910
- Transport Act 1962

Note : Many of these Acts have supporting legislation

For more information visit www.legislation.govt.nz

Local Legislation

Council is also bound by local legislation, which includes Acts that apply specifically to Thames-Coromandel District Council. These Acts are:

- **Thames Borough Council Empowering Act 1949**
An Act to enable the Thames Borough Council to make and levy rates on behalf of the Hauraki Catchment Board each year at the same time as it makes and levies the borough rates and also to remove the trust provisions and mining reservations in respect of certain lands now vested in the Thames Borough Council and to prevent the granting of mining privileges over the surface of such lands under the provisions of the Mining Act 1926, and to empower the Council to dispose of part of such lands.
- **Thames Borough Council Empowering Act 1967**
An Act to vest certain land in the Corporation of the Borough of Thames, to authorise the reclamation of certain land, to authorise the removal of trust provisions in with respect of certain lands, and to restrict the granting of mining privileges over the surface of such lands under the provisions of the Mining Act 1926, and to authorise the Corporation to dispose of certain lands.
- **Thames Borough Endowment Leasing Act 1900**
An Act to enable the Thames Borough Endowment at Waihou River to be leased.
- **Thames Water Supply Transfer Act 1880**
An Act to transfer the Thames Water Supply to the Mayor, Councillors, and Burgesses of the Borough of the Thames.

Bylaws

Council enforces a number of bylaws, which have been approved by the Thames-Coromandel District Council.

The bylaws enforced by Council comprise of the following:

Title	General Description	Date Made	Last Review
Activities in Public Places Bylaw 2017	Manage effects of, or behaviours associated with certain activities that create a nuisance or impact public safety. Manage use of public places including parks, reserves and beaches. Ensure safe and accessible public access for the use of everyone in the community.	June 2017	June 2017
Advertising and Signs Bylaw 2017	To ensure advertising signs are erected, maintained and displayed in a manner that does not present a hazard, obstruction of danger to public safety.	December 2017	September 2017
Alcohol Control Bylaw 2018	To reduce the instance of crime or disorder related to alcohol consumption by controlled where and when people can possess or consume alcohol in public places	October 2018	October 2018

Title	General Description	Date Made	Last Review
Animal Nuisance Bylaw 2019	To manage the effects of, or behaviours associated with, the keeping of animals, including bees, pigs and poultry in the Thames-Coromandel District, so as not to create nuisance or endanger the health of the public	October 2019	October 2019
Bylaw for Standards of Camping on Private Property	For the making of bylaws to protect the public from nuisance, and to protect, promote and maintain public health and safety.	9 December 2015	9 December 2015
Cemeteries Bylaw 2015	To set and control standards for the operation of cemeteries owned or under the control of Council.	13 May 2015	13 May 2015
Dog Control Bylaw	To regulate the control of dogs in the district. Includes restricted and controlled areas and duty to avoid nuisances.	1 August 2016	May 2016
Freedom Camping Bylaw 2014	The purpose of our bylaw is to control freedom camping in the Thames-Coromandel District	1 December 2014	December 2015

Title	General Description	Date Made	Last Review
Maritime Facilities Bylaw	Orderly management and control of maritime facilities that are owned or under the control of the Thames-Coromandel District Council	9 December 2015	9 December 2015
Parking Control Bylaw 2014	To set parking controls for roads or any portion of land or buildings set aside for parking.	12 December 2014	June 2016
Speed Limit Bylaw 2005	To schedule speed limits that apply to roads under the control of Council.	14 July 2005	29 June 2016
Traffic Control Bylaw 2017	Set requirements for the control of vehicular or other traffic on any road under the care, control or management of the Thames Coromandel District Council	June 2017	June 2017

If you require a copy of the bylaw, please check our website www.tcdc.govt.nz (under **Council/Bylaws**) or contact our Customer Services team.

Appendix B

Council Committees, Joint Committees and Council Representation

The Council reviews its committee structures after each triennial election. At the last review, the Council established the following standing committees:

- Audit and Risk Committee
- Chief Executive Liaison Committee
- Emergency Management Committee
- District Licensing Committee

Committees meet six weekly, quarterly or less frequently based on need. For a schedule of programmed dates, refer to Council's website www.tcdc.govt.nz (under **Council/Meetings and Minutes**).

For more information regarding committee membership and other representation, refer to Council's website www.tcdc.govt.nz (under **Council/Council Committees**).

Standing Committees

1. Audit and Risk Committee

Purpose:

To ensure that Council has appropriate risk management and internal control systems in place that provide:

- a. Effective management of potential opportunities and adverse effects; and
- b. Reasonable assurance as to the integrity and reliability of the financial reporting of Council.

2. Chief Executive Liaison Committee

Purpose:

To consider and recommend to Council all matters pertaining to the Chief Executive's performance and contract.

3. Emergency Management Committee

Purpose:

- a. To provide governance and oversight of planning, co-ordination and delivery of the TCDC Emergency Management Unit work programme and Civil Defence resilience, response and recovery functions.
- b. To provide governance and oversight to TCDC's Emergency Management Unit contribution, partnerships and response within the greater Waikato Region.

4. District Licensing Committee

Purpose:

1. All new licence applications for licences and manager certificates, either contested or uncontested. All renewal applications for licences and managers certificates, either contested or uncontested
2. Applications for Temporary Authorities
3. Applications for variation
4. Other functions include conducting enquiries and creating reports and referrals to the Alcohol Regulatory and Licensing Authority (ARLA).

Other Local Authority Committees

Waikato Regional Council:

- Regional Land Transport Committee
- WCDEM Committee

Council Organisations

- Hauraki Rail Trail Charitable Trust
- Destination Coromandel Trust
- Local Authority Shared Services
- Local Government Funding Agency
- Hauraki Gulf Forum