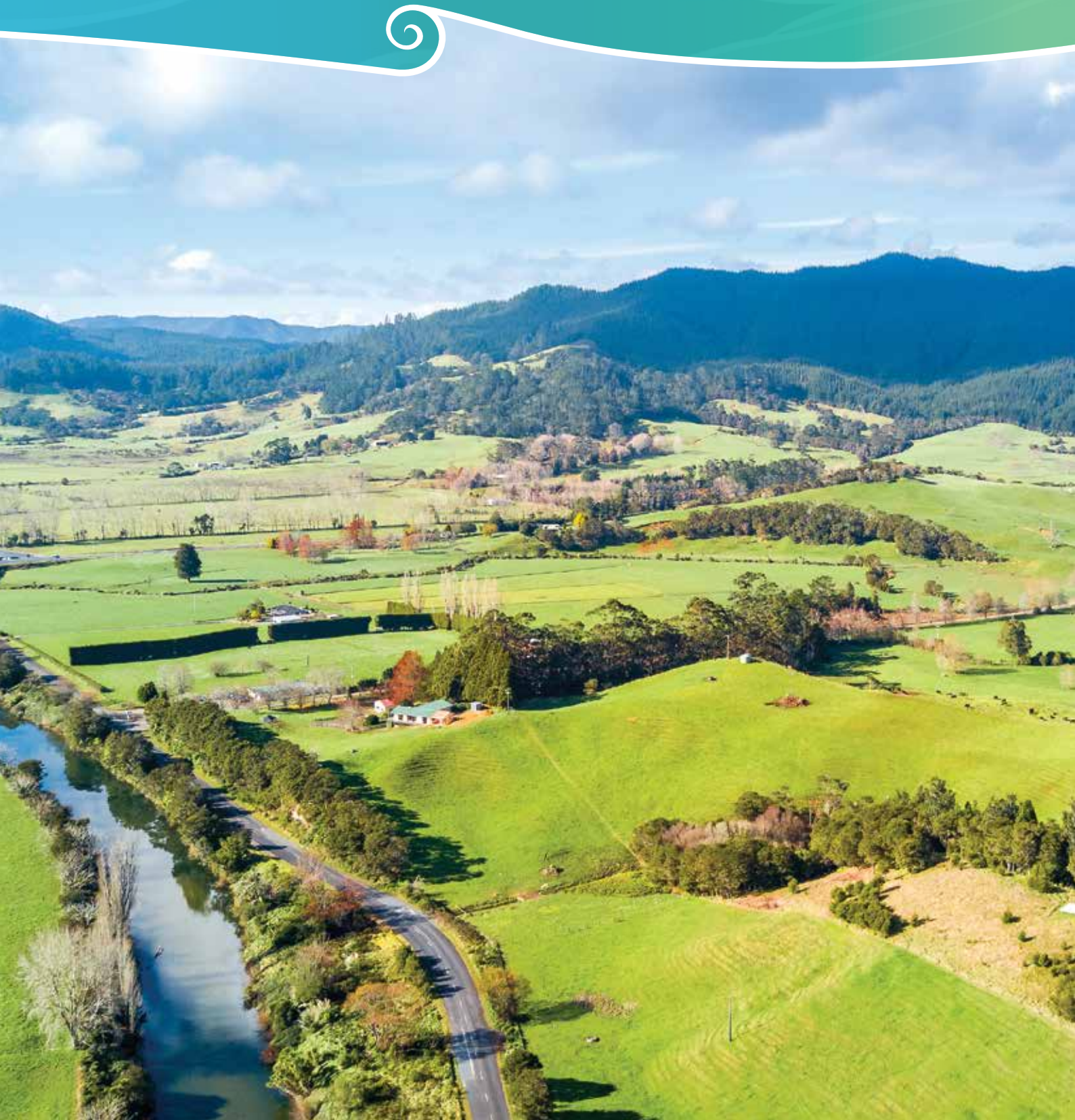


# LOCAL GOVERNANCE STATEMENT 2023





## DOCUMENT MANAGEMENT AND CONTROL

<b>Title</b>	Thames-Coromandel District Council Local Governance Statement 2023
<b>Sponsor</b>	Group Manager Corporate Services
<b>Approved by:</b>	Council
<b>Adoption date:</b>	2023
<b>Review by:</b>	April 2026

*Property of Thames-Coromandel District Council*



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# INTRODUCTORY STATEMENT

## LOCAL GOVERNANCE STATEMENT

A local governance statement is a collection of information about the processes through which Council engages with its community, how the Council makes decisions, and how citizens can influence those processes.

A local governance statement helps support the purpose of local government by promoting local democracy. The statement does this by providing the public with information on the ways to influence local democratic process and decision making.

For this reason, a local governance statement must include the following broad categories of information:

- functions, responsibilities, and activities of the local authority;
- local legislation conferring power to local authorities;
- key bylaws and policies of the Council;

- electoral arrangements;
- representation arrangements;
- members' roles and conduct;
- governance structures and meeting processes;
- the way elected members make decisions and relate to each other and to the management of the local authority including the way consultation is undertaken;
- management structures and employment policies (where applicable);
- systems for public access and processes for requests of official information.

This Local Governance Statement is to be reviewed with each triennial election.

The statement may also be reviewed and revised by the Council at any time to ensure its currency.





# FUNCTIONS, RESPONSIBILITIES AND ACTIVITIES

## FUNCTION

The Thames-Coromandel District Council's role is to enable and give effect to democratic local decision-making and action by, and on behalf of, communities and to promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future. To perform its role, the Council has functions and responsibilities under different legislation as follows:

- Building Act 2004
- Burial and Cremations Act 1964
- Civil Defence and Emergency Management Act 2002
- Climate Change Response Act 2002
- Dog Control Act 1996
- Employment Relations Act 2000
- Freedom Camping Act 2011
- Food Act 2014
- Gambling Act 2003
- Hazardous Substances and New Organisms Act 1996
- Health Act 1956
- Health and Safety at Work Act 2015
- Heritage New Zealand Pouhere Taonga Act 2014
- Land Transport Act 1998
- Land Transport Management Act 2003
- Local Electoral Act 2001
- Local Government (Rating) Act 2002
- Local Government Act 1974
- Local Government Act 2002
- Local Government Official Information and Meetings Act 1987
- Local Government (Financial Reporting and Prudence) Regulations 2014
- Litter Act 1979
- Public Records Act 2005
- Prostitution Reform Act 2003
- Privacy Act 2020
- Psychoactive Substances Act 2013
- Reserves Act 1977
- Resource Management Act 1991
- Sale and Supply of Alcohol Act 2012
- Secret Commissions Act 1910
- Severe Weather Emergency Legislation 2023
- Severe Weather Emergency Recovery Legislation Act 2023
- Shop Trading Hours Act 1990
- Treaty of Waitangi Act 1975
- Waste Minimisation Act 2008
- Water Services Act 2021
- Water Services Entities Act 2022
- Taumata Arowai – the Water Services Regulator Act 2020
- Water Services (Drinking Water Standards for New Zealand) Regulations 2022.



## ACTIVITIES

In order to perform its functions, the Council undertakes many different activities. Information is provided about these activities in council's plans and reports, such as the Long Term Plan, Annual Plan and Annual Report.

The Thames-Coromandel District Council has the following activities below:

GROUPING OF ACTIVITIES LTP 2021-2031		
Group of Activities	Activities	Sub Activities
Council	Representation	
	Grants and Remissions	
	Property	
	Economic Development	
	District Plan	
Planning and Regulation	Resource Consents	
	Building Control	
Protection of People and the Environment	Emergency Management	
	Coastal and Hazard Management	
	Community Health and Safety	
Community Spaces and Development	Coromandel-Colville Ward	Halls
		Harbour Facilities
		Parks and Reserves
		Public Conveniences
		Cemeteries
	Mercury Bay Ward	Halls
		Harbour Facilities
		Parks and Reserves
		Public Conveniences
		Cemeteries
		Libraries
	Tairua-Pāuanui Ward	Airfields
		Halls
		Harbour Facilities
		Parks and Reserves
		Public Conveniences
		Cemeteries
		Libraries

## GROUPING OF ACTIVITIES LTP 2021-2031

Group of Activities	Activities	Sub Activities
Community Spaces and Development	Whangamatā Ward	Halls
		Harbour Facilities
		Parks and Reserves
		Public Conveniences
		Cemeteries
	Thames Ward	Airfields
		Halls
		Harbour Facilities
		Parks and Reserves
		Public Conveniences
		Cemeteries
	Roads and Footpaths	District Transportation
Coromandel-Colville		Roads and Footpaths
Mercury Bay		Roads and Footpaths
Tairua-Pāuanui		Roads and Footpaths
Whangamatā		Roads and Footpaths
Thames		Roads and Footpaths
Solid Waste	Solid Waste	
Stormwater	Stormwater	
	Land Drainage	
Wastewater	Wastewater	
Water Supply	Water	

Further information can be found in the [2021 – 2031 Long Term Plan – Te Mahere Pae Tawhiti](#) available on the Council’s website. We are proposing to make some changes to the Group of Activities for the 2024-34 Long Term Plan. The Long Term Plan 2024-34 will be consulted on during 2023/24 and come into effect 1 July 2024.

# LOCAL LEGISLATION THAT CONFERS POWERS ON THE LOCAL AUTHORITY

In addition to legislation applicable to all territorial local authorities, the Thames-Coromandel District Council is also bound by separate pieces of local legislation (Acts that apply specifically to it). A list of local legislation can be found below, with a high-level summary of what they consist of:

- **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 with respect to 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.





# THAMES-COROMANDEL DISTRICT COUNCIL BYLAWS

Bylaws are legislation made by the Council under powers given to it by statutes such as the Local Government Act 2002, Land Transport Act 1998 and Freedom Camping Act 2011. Most bylaws are required to be reviewed within five or 10 years after they are made. The processes for the development and review of bylaws are prescribed in the statutes under which they are made and will always require public consultation to be carried out. Thames-Coromandel District Council currently has the following bylaws in place:

TITLE	GENERAL DESCRIPTION	DATE MADE	LAST REVIEW
<b>Activities in Public Places Bylaw 2017</b>	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	May 2022
<b>Advertising and Signs Bylaw 2017</b>	To ensure advertising signs are erected, maintained and displayed in a manner that does not present a hazard, obstruction of danger to public safety.	September 2017	May 2022
<b>Alcohol Control Bylaw 2018</b>	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
<b>Animal Nuisance Bylaw 2019</b>	To manage the effects of, or behaviours associated with, the keeping of animals, including bees, pigs and poultry, so as not to create nuisance or endanger the health of the public	October 2019	October 2019
<b>Dog Control Bylaw</b>	To regulate the control of dogs in the district. Includes restricted and controlled areas and duty to avoid nuisances.	August 2016	May 2022
<b>Freedom Camping Bylaw</b>	The purpose of our bylaw is to control freedom camping.	October 2022	December 2022
<b>Maritime Facilities Bylaw</b>	Orderly management and control of maritime facilities that are owned or under the control of the Thames-Coromandel District Council	September 2022	September 2022
<b>Parking Control Bylaw 2014</b>	To set parking controls for roads or any portion of land or buildings set aside for parking.	December 2014	June 2016
<b>Speed Limit Bylaw 2005</b>	To set speed limits for roads in the Thames-Coromandel District, as specified in the Bylaw.	14 July 2005	May 2019
<b>Traffic Control Bylaw 2017</b>	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 2022
<b>Water Supply Bylaw 2019</b>	To manage water supply, protect public health and the security of the public water supply.	December 2019	December 2019

All Thames-Coromandel District Council bylaws can be found at [tcdc.govt.nz](https://www.tcdc.govt.nz)

# THE ELECTORAL SYSTEM AND THE OPPORTUNITY TO CHANGE IT

## ELECTORAL SYSTEMS

### ‘First Past the Post’ and ‘Single Transferable Vote’ System

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 2022 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

## REPRESENTATION REVIEW

The Council is required to review its representation arrangements at least once every six years. This review must include the following:

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

The Council must follow the procedure set out in the **Local Electoral Act 2001** when conducting this review, and should also follow guidelines published by the Local Government Commission. The Act gives 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 appeal any decisions on the above.

Council reviewed its representation and boundaries, which applied to the election in 2022.

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**.

## EXISTING ARRANGEMENT

The Thames-Coromandel District Council comprises the Mayor and 9 Councillors elected as follows:

- **1 Councillor elected** by the electors of Coromandel-Colville Ward and appointed to the Coromandel-Colville Community Board.
- **3 Councillors elected** by the electors of Mercury Bay Ward and appointed to the Mercury Bay Community Board.
- **2 Councillors elected** by the electors of South-Eastern Ward and appointed to the Tairua-Pāuanui Community Board and the Whangamatā Community Board.
- **3 Councillors elected** by the electors of Thames Ward and appointed to the Thames Community Board.
- **5 Community Boards** across the four wards being Coromandel-Colville, Mercury Bay, Tairua-Pāuanui, Thames and Whangamatā.
- **4 Members elected** to each Board being Coromandel-Colville Community Board, Mercury Bay Community Board, Tairua-Pāuanui Community Board, Thames Community Board and Whangamatā Community Board.

## SEPARATE WARDS FOR MĀORI ELECTORS

The **Local Electoral Act 2001** also gives the Council the ability to establish separate wards for Māori electors. Council's current representation arrangements do not include Māori wards. Council are currently undertaking consultation with iwi to understand their views and preference in relation to Māori Wards.



# MEMBERS' ROLES AND CONDUCT

## MAYOR AND COUNCILLORS

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

- setting the policy direction of Council;
- developing and adopting plans and budgets;
- monitoring the performance of Council;
- representing the interests of the people of the district (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the district);
- employing the Chief Executive (under the Local Government Act the local authority employs the Chief Executive, who in turn employs all other staff on its behalf);
- ensuring that the Council is a “good employer” and that it meets health and safety requirements in terms of the Health and Safety at Work Act 2015.

## THE MAYOR

The Mayor is elected by the district as a whole. The role of the Mayor was amended and extended in 2013 by section 41A of the Local Government Act 2002. The role of the Mayor is now defined as providing leadership to:

- the other members of the Council; and
- the people of the district of the territorial authority; and
- the development of the territorial authority’s plans (including the Long Term Plan and Annual Plan), policies, and budgets for consideration by the members of the territorial authority.

The Mayor has the same voting rights as other Councillors except, where required, he or she may be called on to make a casting vote.

The Mayor may appoint the Deputy Mayor, the Chairperson and the members of each Committee of the Council. The names of any appointments made by the Mayor must be tabled at the first meeting of the Council after the appointments are made. Nothing, however, limits or prevents the Council from discharging any of these appointees. Procedures for any discharges as set out in Standing Orders and the LGA 2002 should be followed.

The current Mayor following the 2022 triennial election is **Mayor Len Salt**.

## THE DEPUTY MAYOR

The Deputy Mayor is appointed by the Mayor.

The Deputy Mayor exercises the same roles as other elected members. In addition, if the Mayor is absent or incapacitated, or if the office of the Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties of the Mayor. The Deputy Mayor may be removed from office by a resolution of the Council, in accordance with the Standing Orders.

The current Deputy Mayor following the 2022 triennial election is **Deputy Mayor Terry Walker**.

## COMMUNITY BOARDS

A Community Board chair is responsible for presiding over meetings of the Community Board and ensuring that the Board acts within any powers delegated by the Council.

A Community Board chairperson may be removed from office by resolution of the Council.

Unless already appointed by the Council a Committee can appoint a deputy chairperson who fills the role of Chairperson when that person is absent.

The role of the Community Board is to:

- represent, and act as an advocate for, the interests of its community; and
- consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the Community Board; and
- maintain an overview of services provided by the territorial authority within the community; and
- prepare an annual submission to the territorial authority for expenditure within the community; and
- communicate with community organisations and special interest groups within the community; and
- undertake any other responsibilities that are delegated to it by the territorial authority.

## ELECTED MEMBERS

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

- Schedule 7 of the Local Government Act 2002 includes obligations to act as a good employer 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 interests (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** prohibits the acceptance of gifts or rewards for acting in a certain way and also prohibits the use of official information for private profit.

## CODE OF CONDUCT

All elected members are required to adhere to a **Code of Conduct**. Adopting such a code is a requirement of the Local Government Act 2002. Once adopted, the code may only be amended by a 75 per cent or more vote of the Council.

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

The current Code of Conduct was reviewed and adopted by the Council on 13 December 2022.



# GOVERNANCE STRUCTURES AND PROCESSES, MEMBERSHIP, AND DELEGATIONS

The Council reviews its Committee structures after each triennial election. The Mayor may appoint the Deputy Mayor, the Committee structure of the Council and the chairpersons of those Committees. The names of any appointments made by the Mayor must be tabled at the first meeting of the Council after the appointments are made. Nothing, however, limits or prevents the Council from discharging any of these appointees. Procedures for any discharges as set out in Standing Orders and the LGA 2002 should be followed.

*Council is proposing to establish a Sustainability and Community Resilience Committee.*

After the 2022 Triennial election the Council established that full Council meetings would be held on a Tuesday, every six weeks - refer to [Council Meeting Calendar | TCDC](#). The following Standing Committees were also established:

## COUNCIL COMMITTEES

### Risk and Assurance Committee

The purpose of the Risk and Assurance Committee (the Committee) is to provide the Council i.e. the Governing Body, and the community with confidence that the Council is managing its risks. The Committee is responsible for the review of the effectiveness of the following aspects of governance, risk management and internal control matters, external reporting, and audit matters:

- Enterprise Risk Management (ERM)
- Internal audit
- Integrity and investigations
- External audit
- Monitoring of compliance with laws and regulations
- Significant projects and programmes of work focusing on the appropriate management of risk
- Oversight of preparation of the long term plan, annual report, and other external financial reports required by statute.

The Committee is made up of the Mayor, Deputy Mayor, Councillors and an Independent Member (Chairperson), to be appointed by the Council.

### Chief Executive Review Committee

The purpose of the Chief Executive Review Committee is to consider and recommend to Council all matters pertaining to the Chief Executive's performance and contract.

The Chief Executive Review Committee shall have responsibility for:

- Overseeing the employment of the Chief Executive in accordance with the Local Government Act 2002.
- Collecting and analysing sufficient performance information on the Chief Executive to enable the objective assessment of his/her overall performance.
- Reviewing and assessing the Chief Executive's performance against the management accountabilities within his/her contract of employment, Council's governance policies and plans and agreed performance, objectives, priorities and measures.
- Recommending to Council agreed performance objectives and measures.
- Reviewing the Chief Executive's remuneration against market movement for the period and the assessed level of performance then recommending an appropriate remuneration level to Council.
- Negotiating employment contract terms with the Chief Executive for recommendation to Council.
- Recommending to Council whether or not the Chief Executive should be offered a new term of employment prior to the expiry of the current term in accordance with the Chief Executive's Contract and Schedule 7, Clause 34 of the Local Government Act 2002.
- Preparation of a three-year Strategic Plan that articulates how the committee's work programme will align to the Council's mission and vision, and also how the Committee's work programme will contribute to the achievement of Council's mission and vision.
- Preparing and implementing programmes of work, relevant to the purposes of the Committee, which are consistent with the Annual and Ten-Year Planning processes of Council. Such programmes are to include budgetary provision for all costs associated with the work of the Committee.

The Committee is made up of the Mayor (Chairperson), and three Councillors.

## OTHER COMMITTEES

Waikato Regional Council:

- Regional Land Transport Committee
- Waikato Civil Defence Emergency Management (CDEM) Committee



## COUNCIL CONTROLLED ORGANISATIONS

A Council Controlled Organisation (CCO) is an organisation where one or more local authorities control 50 per cent or more of the voting rights or have the right to appoint 50 per cent or more of the directors.

### Co-Lab (previously Waikato LASS)

In December 2005 the local authorities in the Waikato Region established Waikato Local Authority Shared Services Limited (WLASS) as a company and a CCO, for the purpose of working closely together on mutually beneficial joint projects to achieve better outcomes and cost savings for shareholders. Since December 2021 it is now trading as Co-Lab. Co-Lab is jointly owned by the 12 local authorities of the Waikato Region. Each local authority owns an equal number of shares in Co-Lab.

### New Zealand Local Government Funding Agency Limited (LGFA)

New Zealand Local Government Funding Agency Limited (LGFA) was enabled under the [Local Government Borrowing Act 2011](#) and was incorporated on 1 December 2011. LGFA is a CCO operating under the Local Government Act 2002.

LGFA's primary purpose is to provide more efficient funding costs and diversified funding sources (including foreign currency) for New Zealand local authorities. LGFA was established to raise debt on behalf of local authorities on terms that are more favourable to them than if they raised the debt directly.

## COUNCIL CONTROLLED ORGANISATION (EXEMPTED)

Exempted CCOs are an exemption for a smaller organisation from full reporting requirements. This exemption is made on the basis that it is not practical or efficient for full accountability requirements and performance monitoring to take place.

### Destination Hauraki Coromandel

This is a sub-regional tourism organisation for 'The Coromandel' which includes the geographic area of both the Hauraki and Thames-Coromandel Districts. Established in 2011 to promote tourism and travel in the 'The Coromandel'. Destination Hauraki Coromandel also supports, promotes and assists in activities and projects which will increase the opportunities for employment in tourism and visitor industries. Thames-Coromandel District Council and Hauraki District Council may appoint 50 per cent or more of the directors of the Trust. This exemption has been revisited and subsequently reconfirmed by the Council, most recently in November 2020, three years since the last exemption was granted.

### Hauraki Rail Trail Charitable Trust

The Hauraki Rail Trail Charitable Trust is a charitable trust formed to manage the cycleway known as the Hauraki Rail Trail (HRT). The Hauraki, Thames-Coromandel and Matamata-Piako District Councils are settlors to the Trust Deed. The Councils have the right to appoint 50 per cent or more of the directors of the company. This exemption has been revisited and subsequently reconfirmed by the Council, most recently in September 2020, three years since the last exemption was granted.



# MEETING PROCESSES

## GENERAL PROVISIONS RELATING TO MEETINGS

**Section 7 of the Local Government Act 2002** sets out the general provisions relating to meetings. Generally, the Council must hold the meetings that are necessary for the good government of the District.

### Standing Orders

All members of the Council must abide by Standing Orders. Standing Orders were adopted by the Council on 8 November 2022.

A copy of the Standing Orders can be viewed at the Thames-Coromandel District Council office, 515 Mackay St, Thames or on the [Council website](#).

## PART 7—of the Local Government Official Information and Meetings Act 1987

**The Local Government Official Information and Meetings Act 1987** applies to Council meetings at which resolutions and decisions are made. All such meetings must be publicly notified and agendas and associated reports must be available for public inspection.

There is a presumption that every Council meeting will be open to the public (s 47), unless the public is expressly excluded. The public may be excluded from meetings only on the grounds set out in the Act.

Any member of the public has a right to inspect or receive copies of the minutes of all meetings open to the public.

There are certain protections for statements made in documents or at meetings.





# PLANNING AND DECISION-MAKING

## DECISION-MAKING REQUIREMENTS

The **Local Government Act 2002** (LGA 2002) sets out obligations of local authorities in relation to the making of decisions and the consultation required with interested parties (sections 75-87). For any decision the Council should:

- seek to identify all reasonably practicable options for the achievement of the objective of a decision;
- assess the options in terms of their advantages and disadvantages;
- take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna and other taonga if any of the options identified involves a significant decision on them.

## CONSULTATION REQUIREMENTS

When making decisions Council will give consideration to the views and preferences for persons likely to be affected by or have an interest in the matter (section 82). Consultation principles include:

- that persons affected or having an interest should be provided with reasonable access to relevant information in a format that is appropriate to the preferences and needs to those persons;
- that persons who will or may be affected or have an interest in the matter should be encouraged to present their views.

### Significance and Engagement Policy 2020

**Section 76AA of the LGA 2002** states that every local authority must adopt a Significance and Engagement Policy, the purpose of the policy is to enable Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities. As well, the policy is intended to:

- a. provide clarity about how and when communities can expect to be engaged in decisions made by Council; and
- b. inform Council from the beginning of a decision-making process about the extent, form and type of engagement required.

This policy became effective on 9 September 2020. The LGA 2002 does not require that the Council review this policy within a defined timeframe.

Council adopted its **policy** in 2020. The policy is currently being reviewed and is scheduled to be completed by September 2023.

### Special Consultative Procedure

The LGA 2002 has specific procedures that the Council must follow when making certain types of decisions. The special consultative procedure (predominantly set out in sections 83-87 of the LGA 2002) is a minimum process that the Council must use when making decisions where the LGA 2002 or other Act requires the local authority to use it.

Through its Significance and Engagement Policy, in general, the more significant an issue the greater the need for community engagement.





# POLICIES FOR LIAISING, AND MEMORANDA OR AGREEMENTS WITH MĀORI

## INTRODUCTION

The **LGA 2002** includes a number of provisions relating specifically to Māori that apply to all local authorities.

The key features are:

- clarification of the role of the Te Tiriti o Waitangi | Treaty of Waitangi;
- provision of opportunities for Māori to be involved in decision-making processes;
- electoral provisions for Māori representation;
- development of consultation policies and processes for consultation with Māori;
- fostering of capacity building of Māori to take part in local government processes;
- acknowledgement of the relationship of Tangata Whenua with the physical environment.

Council adopted a '**Maori Contribution to Council Decision Making Policy**' in 2012 and reviewed it in May 2020.

## TANGATA WHENUA

Within the Thames-Coromandel District Council boundaries, the following iwi groups have Mana Whenua status in the district:

- Ngāti Hako
- Ngāti Porou Ki Hauraki.
- Ngāti Tamaterā
- Ngāti Hei
- Ngaati Whanaunga
- Ngāti Pūkenga
- Ngāti Paoa
- Te Patukirikiri
- Ngāti Tara Tokanui
- Ngāti Rāhiri-Tumutumu
- Ngāti Maru
- Ngāti Tai.

The Council will continue to work proactively with iwi and Māori communities to ensure they have the opportunity and capacity to contribute to decision-making.

## MEMORANDUM OF PARTNERSHIP

Council has actively sought the development of Memoranda of Partnership with individual Mana Whenua governance entities in the district and has developed and signed a memorandum with a local iwi.

## TREATY OF WAITANGI SETTLEMENTS

Treaty settlements with individual Hauraki iwi are likely to result in new or updated governance structures for those iwi that will result in amendments to the existing Memoranda of Partnerships and/or the development of new agreements.

The Council will commit time and resources to participate in the proposed co-governance bodies for the Hauraki rohe catchments and to implement any other requirements that may result from the Treaty Settlement processes.

There will also be partnership agreements developed with Hauraki Māori.

# MANAGEMENT STRUCTURE AND THE RELATIONSHIP BETWEEN MANAGEMENT AND ELECTED MEMBERS

## DIVISION OF RESPONSIBILITY BETWEEN THE COUNCIL AND MANAGEMENT

A key requirement for the efficient running of any Council is that there is a clear division between the role of elected members and that of management.

The following roles show the difference in responsibility between that of the elected Council and the management team of the Thames-Coromandel District Council.

### Role of the Council

The Council has overall responsibility and accountability for the proper direction and control of the Council's activities in pursuit of community outcomes. This responsibility includes:

- formulating the district's strategic direction in conjunction with the community and conveying it in the **Long Term Plan 2021-31 | Te Mahere Pae Tawhiti 2021-31**
- determining the services and activities to be undertaken;
- managing principal risks;
- administering various regulations and up-holding the law;
- monitoring the delivery of the **Long Term Plan 2021-31 | Te Mahere Pae Tawhiti 2021-31** and **Annual Plan**;
- ensuring the integrity of management control systems;
- safeguarding the public interest;
- ensuring effective succession of elected members;
- reporting to ratepayers and residents.

### Role of the Chief Executive

The **Local Government Act 2002** (LGA 2002) requires the Council to employ a Chief Executive whose responsibility is to employ a workforce on behalf of the Council, implement Council decisions and provide advice to the Council. Under the LGA 2002 the Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the Chief Executive, rather than the Mayor or Councillors.

The Chief Executive is appointed by Council in accordance with section 42 and clauses 33 and 34 of Schedule 7 of the LGA 2002.

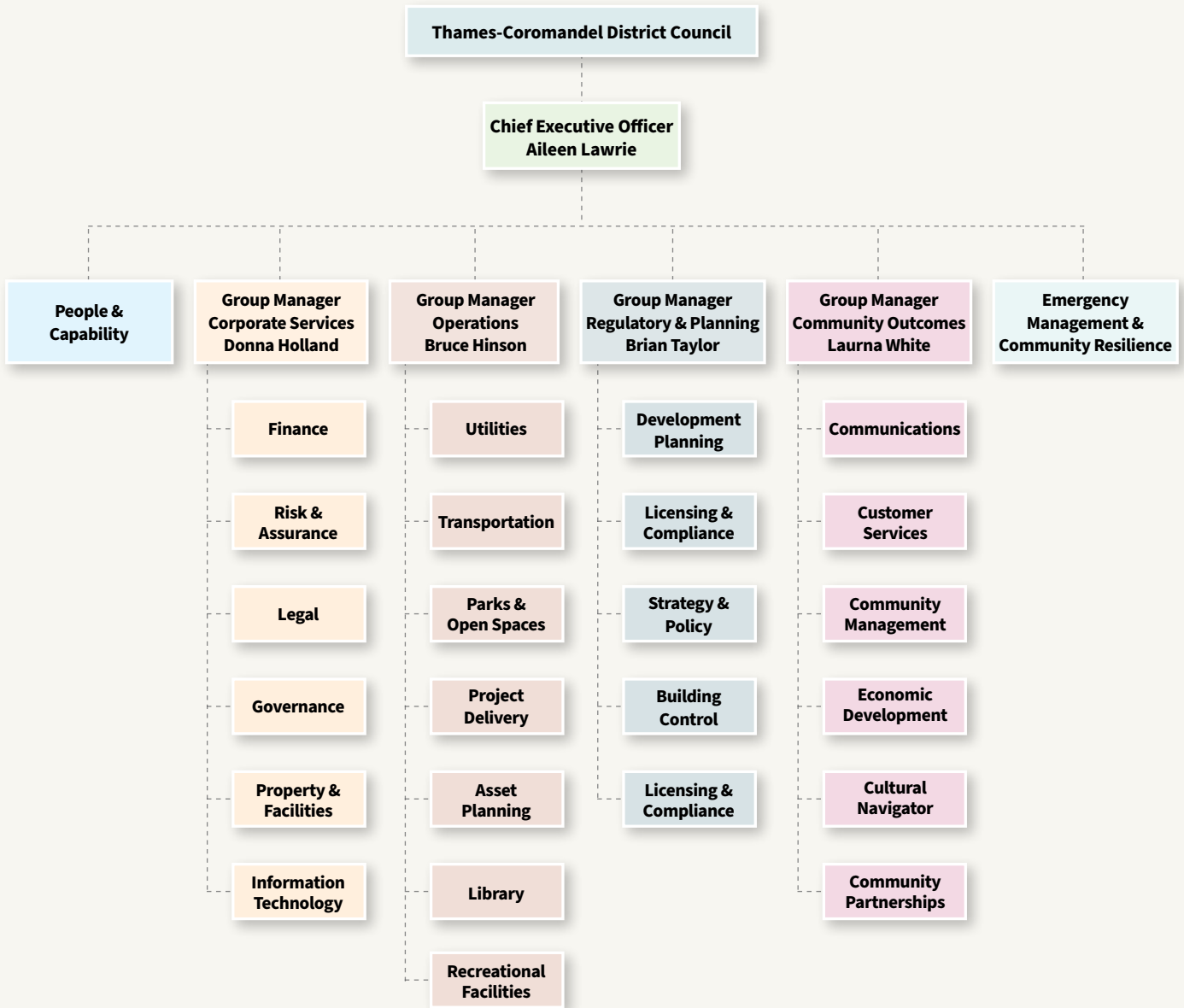
The Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council. Under **section 42 of the LGA 2002**, the responsibilities of the Chief Executive are:

- implementing the decisions of Council;
- providing advice to 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 Council effectively and efficiently.
- facilitating and fostering representative and substantial elector participations in elections and polls held under the **Local Electoral Act 2001**.
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of Council.
- providing leadership for the staff of Council.
- employing staff (including negotiation of the terms of employment for the staff).

The current Chief Executive is **Aileen Lawrie**.

# MANAGEMENT STRUCTURE

Council management is led by the Executive Leadership Team, this being the Chief Executive and the four (4) group managers. There are four groups in the organisational structure of the Thames-Coromandel District Council as depicted below.







# EQUAL EMPLOYMENT OPPORTUNITIES POLICY

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



# KEY APPROVED PLANNING AND POLICY DOCUMENTS AND THE DEVELOPMENT AND REVIEW PROCESSES

## LONG TERM PLAN

The Council is required to develop a Long Term Plan (LTP) every three years. The LTP sets the strategic direction for the Council for the next 10 years – where we are going, what we want to achieve in the community, and how we'll pay for it.

The purpose of the LTP is to describe the activities carried out by the Council and the community outcomes it aims to deliver. It provides an integrated decision-making process and aims to coordinate the resources of the Council, as well as provide a long-term focus. Through its LTP the Council becomes accountable to the community. It is an opportunity for public participation in decision-making processes required for the activities to be undertaken by the Council.

The Council's 2021-31 LTP includes the following key policies:

- Financial strategy
- Infrastructure strategy
- Policies in relation to Council-Controlled Organisations established by the Council, Revenue and Financing Policy

The 2021-31 LTP can be found [here](#).

The Council can review and amend its LTP at any time. The processes for review and amendment are prescribed in the Local Government Act 2002 and require any amendments to be publicly consulted on. The next LTP 2024-2034 will need to be adopted by the Council before 30 June 2024.

## ANNUAL PLAN

In the years in between adoption of LTPs, the Council must adopt an Annual Plan (AP). It's our budget for one financial year, and explains how we intend to finance our activities and services during that year, as directed by the LTP. The AP focuses on the small adjustments the Council needs to make in light of the previous year's financial performance, updated financial figures, cost increases and inflation. The AP contributes to the Council's accountability to its community.

The 2023/24 AP can be found [here](#).

## DISTRICT PLAN

The other major plan we develop and implement is the District Plan, which determines land use and subdivision within the district's boundaries. The **Resource Management Act 1991 (RMA 1991)** requires Councils to have a District Plan. It contains our objectives, policies, rules and maps that set out what activities can take place, and where, in the district. The RMA 1991 prescribes the process to be followed for preparing, reviewing, or changing a district plan, including the consultation required. A Council must commence a review of a District Plan if the plan has not been a subject of a review or a change during the previous 10 years.

A District Plan must be reviewed once every 10 years and give people the opportunity to make submissions on its proposals through hearings before the plan is finalised. On 13 December 2013 the Council notified a proposed district plan and in April 2016 a 'Decisions Version' was issued. The provisions in the proposed district plan are now 'treated as operative' as they are not subject to an appeal, except for a few rules and sites that have appeals still to be settled, as of May 2023.

The District Plan can be found [here](#).

## COMMUNITY PLANS

Community Plans set out a Community Board's aspirations over a set period of time, based on the priorities identified with local communities. The views of the community are gathered through local meetings, community conversations, consultations and deputations made to the Community Board. Because the Community Plans are developed closely with the community, there is a greater sense of ownership. The plans are not mandatory plans like the Council's Long Term or Annual Plans, however their completion is a valuable process for Community Boards and the Council treats them as key planning documents.

The Community Plans can be found [here](#).



# HOW TO CONTACT COUNCIL AND ITS ELECTED MEMBERS

## THERE ARE MANY WAYS TO CONTACT COUNCIL:

- We are located at: 515 Mackay Street, Thames.
- Our postal address is Private Bag 1001, Thames, 3540.
- Our telephone number is (07) 868 0200
- Emails can be addressed to: [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)
- Our website is: [www.tcdc.govt.nz](http://www.tcdc.govt.nz)
- Our Facebook page is: [www.facebook.com/ThamesCoromandelDistrictCouncil](https://www.facebook.com/ThamesCoromandelDistrictCouncil)
- Our Instagram is: [www.instagram.com/coromandel\\_tcdc](https://www.instagram.com/coromandel_tcdc)

## SERVICE CENTRES

**Thames Service Centre**  
*(Includes AA Service Centre)*  
515 Mackay Street  
Thames

**Coromandel Town Service Centre**  
355 Kapanga Road  
Coromandel Town

**Mercury Bay Service Centre**  
10 Monk Street  
Whitianga

**Whangamatā Service Centre**  
620 Port Road  
Whangamatā

**District Mayor**  
Len Salt  
07 868 0200  
[len.salt@tcdc.govt.nz](mailto:len.salt@tcdc.govt.nz)





## COROMANDEL-COLVILLE WARD



**Councillor**  
John Morrissey  
027 245 2700  
[john.morrissey@council.tcdc.govt.nz](mailto:john.morrissey@council.tcdc.govt.nz)



**Board Chair**  
Gavin Jeffcoat  
[gavin.jeffcoat@council.tcdc.govt.nz](mailto:gavin.jeffcoat@council.tcdc.govt.nz)



**Board Member**  
Kim Brett  
[kim.brett@council.tcdc.govt.nz](mailto:kim.brett@council.tcdc.govt.nz)



**Board Member**  
Jean Ashby  
[jean.ashby@council.tcdc.govt.nz](mailto:jean.ashby@council.tcdc.govt.nz)



**Board Member**  
James (Jim) Davis  
[james.davis@council.tcdc.govt.nz](mailto:james.davis@council.tcdc.govt.nz)



## MERCURY BAY WARD



**Councillor**

Rekha Giri-Percival

[rekha.giri-percival@council.tcdc.govt.nz](mailto:rekha.giri-percival@council.tcdc.govt.nz)



**Councillor**

Deli Connell

027383 5124

[deli.connell@council.tcdc.govt.nz](mailto:deli.connell@council.tcdc.govt.nz)



**Councillor**

John Grant

[john.grant@council.tcdc.govt.nz](mailto:john.grant@council.tcdc.govt.nz)

## MERCURY BAY COMMUNITY BOARD



**Board Chair**

Krissy Robinson

[krissy.robinson@council.tcdc.govt.nz](mailto:krissy.robinson@council.tcdc.govt.nz)



**Board Member**

Bess Kingi

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**Board Member**

Peter MacKenzie

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**Board Member**

Caroline Hobman

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## SOUTH-EASTERN WARD



**Councillor**  
Gary Gotlieb  
[gary.gotlieb@council.tcdc.govt.nz](mailto:gary.gotlieb@council.tcdc.govt.nz)



**Councillor / Deputy Mayor**  
Terry Walker  
021 536 580  
[terry.walker@council.tcdc.govt.nz](mailto:terry.walker@council.tcdc.govt.nz)

## TAIRUA-PĀUANUI COMMUNITY BOARD



**Board Chair**  
Warwick Brooks  
[warwick.brooks@council.tcdc.govt.nz](mailto:warwick.brooks@council.tcdc.govt.nz)



**Board Member**  
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**Board Member**  
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**Board Member**  
Barry Roberts  
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## WHANGAMATĀ COMMUNITY BOARD



**Board Chair**

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**Board Member**

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**Board Member**

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**Board Member**

Neil Evans  
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## THAMES WARD



**Councillor**  
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**Councillor**  
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**Councillor**  
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## THAMES COMMUNITY BOARD



**Board Chair**  
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**Board Member**  
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**Board Member**  
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**Board Member**  
Rob Johnston  
[rob.johnston@council.tcdc.govt.nz](mailto:rob.johnston@council.tcdc.govt.nz)



# HOW TO REQUEST OFFICIAL INFORMATION

Information held by the Thames-Coromandel District Council is public information and will be made available upon request, unless there are good reasons for withholding it. When anyone requests information from Council, they are making an official information request under the **Local Government Official Information and Meetings Act 1987** (LGOIMA).

A request for information does not need to be in writing and can be made orally or via email. A verbal request can be requested to be put into writing if that is reasonably necessary. If the person requesting the information declines or is unable to put the oral request in writing, the Council staff member will record their understanding of the request and provide a copy of that record to the requester. The Council will make the information available as soon as possible and, in any case, a decision about the request will be provided within 20 working days. In some cases, the Council may publish the response on its website in addition to providing a response to the requester. If a request cannot be responded to within 20 days, the Council may decide to extend the time frame and will give reasons why the extension is necessary and reasonable. Under LGOIMA the Council can refuse to respond to requests for the reasons in section 17.

Where a request is unclear, a Council staff member will contact the requester requesting clarification.

Once a request is received or clarified, Council may decide to withhold some information for reasons contained in the LGOIMA. If Council decides to withhold information, it will provide the requester with the reason for that decision. Under LGOIMA good reasons are contained in section 6 and section 7. Section 7 grounds for withholding information must be balanced with the public interest in making that information available.

Grounds under section 6 will apply where the making available of the information will:

- endanger the safety of any person;
- prejudice maintenance of the law; including the prevention, investigation, and detection of offences, and the right to a fair trial;

Grounds under section 7 may apply where the making available of the information will:

- compromise the privacy of any person;
- reveal confidential or commercially sensitive information;
- cause offence to tikanga Māori or would disclose the location of wāhi tapu;
- prejudice the supply of similar information where public interest is that such information should continue to be supplied;
- be likely to otherwise damage the public interest;
- prejudice public health or safety;
- prejudice measures that prevent or mitigate material loss to members of the public;
- cause improper pressure or harassment of members or officers acting in the course of their duty;
- compromise legal professional privilege;
- disadvantage Council while carrying out negotiations or commercial activities;
- allow information to be used for improper gain or advantage.

In some cases, the Council may consider that the request is for information held by another agency. In that case the Council may decide to transfer the request to that other agency and will do so within 10 days of receiving it.

In most cases the release of information will be free of charge. If, however, the request is large or complex the Council can decide to charge for staff time in searching, collating, and copying the information. If a decision is made to charge, Council will write to the requester outlining the costs involved and allowing time for the requester to amend their request or withdraw it without incurring a charge.

Complaints about Council's decisions under LGOIMA can be made to the Office of the Ombudsman.

Written requests can be made via the Council's website, by email and by post at the following addresses:

Chief Executive  
Thames-Coromandel District Council  
Private Bag 1001  
THAMES 3540  
Email: [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)



## CONTACT US



[tcdc.govt.nz](http://tcdc.govt.nz)

Email: [customer.services@tcdc.govt.nz](mailto:customer.services@tcdc.govt.nz)

Phone: 07 868 0200

**Service Centres:**

515 Mackay Street, Thames

355 Kapanga Road, Coromandel Town

10 Monk Street, Whitianga

620 Port Road, Whangamatā

2 Manaia Road, Tairua (Tairua Library)

**Post:**

Thames-Coromandel District Council

Private Bag 1001, Thames, 3540

