



KAPITI COAST DISTRICT COUNCIL

Governance Statement January 2020

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1 WHAT IS A LOCAL GOVERNANCE STATEMENT?

What is the Purpose of the Local Governance Statement?

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

What Information Does the Statement Contain?

To meet the purpose, this Local Governance Statement includes the following broad categories of information or identifies for citizens where this information can be found: governance structures and processes, functions, responsibilities, and activities of the Kāpiti Coast District Council, electoral arrangements, the way Elected Members make decisions and relate to each other and to the management of the Kāpiti Coast District Council, key policies of the Kāpiti Coast District Council, including a significance and engagement policy.

The Legal Requirement for Council to have a Local Governance Statement

Section 40(1) of the Local Government Act 2002 (LGA 2002) states:

- “(1) A local authority must prepare and make publicly available, following the triennial general election of members, a local governance statement that includes information on—*
- (a) the functions, responsibilities, and activities of the local authority; and*
 - (b) any local legislation that confers powers on the local authority; and*
 - (ba) the bylaws of the local authority, including for each bylaw, its title, a general description of it, when it was made, and, if applicable, the date of its last review under section 158 or 159; and*
 - (c) the electoral system and the opportunity to change it; and*
 - (d) representation arrangements, including the option of establishing Māori wards or constituencies, and the opportunity to change them; and*
 - (e) members’ roles and conduct (with specific reference to the applicable statutory requirements and code of conduct); and*
 - (f) governance structures and processes, membership, and delegations; and*
 - (g) meeting processes (with specific reference to the applicable provisions of the Local Government Official Information and Meetings Act 1987 and standing orders); and*
 - (h) consultation policies, and*
 - (i) policies for liaising with, and memoranda or agreements with, Māori; and*
 - (j) management structure and the relationship between management and elected members; and*
 - (ja) the remuneration and employment policy, if adopted; and*
 - (k) equal employment opportunities policy; and*
 - (l) key approved planning and policy documents and the process for their development and review; and*
 - (m) systems for public access to it and its elected members; and*
 - (n) processes for requests for official information.*
- (2) A local authority must comply with subsection (1) within 6 months after each triennial general election of members of the local authority.*
- (3) A local authority must update its governance statement as it considers appropriate.”*

2. THE FUNCTIONS, RESPONSIBILITIES AND ACTIVITIES OF THE KĀPITI COAST DISTRICT COUNCIL

The Council's Long Term Plan, adopted on 28 June 2018 provides information about the Council's work programme for the next 20 years to 2038 with a focus on the first three years. The work programme has been organised into four clusters:

- Infrastructure
- Community Services
- Planning and Regulatory Services
- Governance and Tāngata Whenua

In each cluster, there are a number of specific services and activities and for each one there is further information on what we do, why we do it and the challenges we face, key pieces of work, how we will pay for them, and how we will measure the effectiveness of what we do.

INFRASTRUCTURE

Water

Whakahaere Wai

- provision of water supply services to the community. The operation and management of four water supply schemes at Waikanae, Paraparaumu/Raumati, Paekākāriki, Te Horo/Hautere and Ōtaki providing sources and treatment to meet the Drinking Water Standards for New Zealand, and managing the distribution systems;
- these schemes contain a mix of assets including: water intake structures, ground water bores, water treatment plants, pump stations, bulk water supply mains, storage reservoirs, water distribution mains, service pipes and fittings; and
- advice and policy development on water use and conservation.

Access and Transport

Putanga me te Ikiiki

- operation and maintenance of the transport network;
- replacement of assets to ensure long-term sustainability;
- improvement of existing assets to maintain serviceability;
- creation of new assets to cater for demand and growth;
- planning and investigation in relation to transport activities;
- promotion of active travel modes and public transport;
- safety of road users;
- liaison with stakeholders;
- enforcement of traffic and transport regulations, standards and bylaws;
- provision of engineering input to the assessment of resource and planning application for new development; and
- development and implementation of Council's transport strategy.

Coastal Management

Whakahaere Takutai

- maintenance of Council (public) owned seawalls;
- beach protection projects such as dune reshaping and planting;
- beach patrols;
- signage; and
- monitoring.

Wastewater Management

Whakahaere Wai Para

- the provision of wastewater services to the community. Provision and management of three wastewater schemes at Waikanae, Paraparaumu/Raumati, and Ōtaki protecting public health and the natural environment; and
- these schemes contain a mix of assets including: service connections, reticulation pipes and manholes, pumping stations, storage tanks and ponds and wastewater treatment plants.

Stormwater Management

Whakahaere Wai Āwhā

- the safe and efficient collection, transportation, treatment and disposal of stormwater runoff in urban areas. This includes management of streams, watercourses and a physical stormwater pipe network; and
- a requirement that all developments be hydraulically neutral to ensure that peak flows do not increase downstream and that ponding levels are not increased upstream.

Solid Waste

Para Ūtonga

- provision of effective and efficient waste management, as required by the Waste Minimisation Act 2008, including waste minimisation;
- licenses for waste collectors and operators in Kāpiti;
- monitoring of compliance with license and bylaw requirements;
- monitoring the provision of resource recovery facilities in Otaihanga and Ōtaki, including asset management;
- provision of a greenwaste and recycling drop off centre in Waikanae;
- management of the (part closed) Otaihanga landfill;
- collaboration with Greater Wellington Regional Council to ensure the landfill operation and after closure development meets current and future environmental requirements;
- implementation of Kāpiti's actions and contribution to the implementation of regional actions of the Wellington Region Waste Management and Minimisation Plan; and
- initiation, development, support and delivery of waste minimisation activities; Zero Waste Education in schools, Waste Levy funding of waste minimisation projects, and waste audits.

COMMUNITY SERVICES

(including Civil Defence Emergency Management (CDEM))

Economic Development Projects

Whakawhanake Umanga

In December 2014 Council adopted a new Economic Development Strategy. The Strategy was developed by an Economic Development Working Party made up of district, business and Council representatives.

The Strategy has four key focus areas:

- Open for Business Council;
- Building Capability;
- Positioning Kāpiti; and
- Leadership.

A refresh of the Economic Development Strategy commenced in late 2018, with the refreshed strategy to be presented to Council in early 2020. The refreshed strategy has been developed with key partners and stakeholders and builds off the previous strategy adopted by Council for the district.

Proposed strategic pillars of the refreshed strategy are

- Positioning Kāpiti / Whakapapa
- Open for opportunity / Kaitiakitanga
- Growing skills and capability / Whanau
- Strengthening partnership and leadership / Kotahitanga
- Supporting key sectors

Included within the refreshed strategy will be an updated Action Plan and Implementation Plan which will include actions to be delivered by Council and other partners.

Community Facilities and Community Support (Property, Supporting Social Welfare) ***Whakaurunga Hapori***

The facilities managed under this Activity include:

- community halls;
- libraries;
- public toilets;
- administration buildings;
- depots;
- housing for older persons;
- rental housing;
- leased buildings;
- cemeteries;
- swimming pools;
- provision of biodiversity advice and support, and policy development;
- implementation of greenhouse gas reduction initiatives, energy-saving projects and policy development;
- implementation of waste minimisation initiatives;
- provision of limited funding to assist community services, youth and community development; resources to work with government agencies and community organisations to ensure the District has the resources and services it needs to support social wellbeing; and
- facilitation of community input into Council decision-making by supporting partner groups - the Kāpiti Coast Youth Council, the Kapiti Coast Older Persons' Council and the Kapiti Accessibility Advisory Group.

Parks and Open Space ***Ngā Papa Rēhia me ngā Wāhi Maho Māhorahora***

- parks - including destination parks and neighbourhood parks;
- reserves and monitored ecological and restoration sites including bush reserves and coastal esplanades;
- sports grounds;
- playgrounds;
- trees and amenity plantings;
- built assets - pavilions, toilets, furniture, etc;
- amenity lagoons and water features in parks and open space;

- implementation of the Cycleways, Walkways and Bridleways Strategy; and
- administration of incentive programmes for lands owners with ecological sites on their properties.

Recreation and Leisure (including Libraries and Aquatics)

Ngā Wharepukapuka, Ngā Toi me ngā Whare Tāonga

- access to a district wide library service with four public libraries in Ōtaki, Waikanae, Paraparaumu and Paekākāriki;
- the library website providing continuous access to library administration services and online resources;
- community programmes, events and activities for children, teens and adults in all public libraries;
- collaboration with the SMART regional libraries consortium that increases the collection size available to Kāpiti residents;
- support for history and heritage through local history communications (collections and archives of books, documents and photographs), and through relationships with iwi, historical societies, genealogy groups and museums;
- celebration and preservation of tāngata whenua history and heritage through the Māori Land Court Minutes, Matahiāpo and Mātahi collections, Matariki and Waitangi Day celebrations, and other activities;
- maintenance and on-going development of the Kāpiti Heritage Trail;
- networking with and promotion of the eight museums district wide, and support and promotion of museum and heritage events;
- contribution of funding to the Otaki Museum, Kapiti Coast Museum and Paekākāriki Station Museum;
- implementation of the Council's Strategy for Supporting the Arts (2012);
- partnership with Mahara Gallery, the District's public gallery, and provision of operational funding and on-going support;
- networking with the arts community, promotion of artists, art projects and events including support for the annual Kāpiti Arts Trail;
- funding for local art projects through Creative Communities Scheme;
- implementation of the Council's Public Art Policy (2013) which supports the acquisition of public art for the District.

PLANNING AND REGULATORY

Districtwide Planning

Ngā kaupapa takiwa

- urban management strategies, such as the districtwide Development Management Strategy which will be reviewed in the current triennium and Local Community Outcome Statements resulting from front-end visioning and analysis in different communities (most communities completed 2005-2011). These documents inform formal District Plan processes;
- maintenance and review of the District Plan including plan changes (public or private);
- sustainable design guidance for engineering and infrastructure development, such as Subdivision and Development Principles and Requirements, various design guides, and engineering input into subdivision consents;
- analysis and recommendations on policy approaches relating to climate change and other natural hazards;
- design and planning advice to external stakeholders (for example, developers and landowners) and to other Activity areas (for example, for Town Centre upgrades and significant infrastructure projects);
- design and construction of Town Centre upgrades;

- advocacy on urban planning and growth management issues (for example, submissions on central government Resource Management Act 1991 legislation and policy statements on regional plans and policies); and
- strategic land purchase.

Regulatory Services

Ratonga whakaritenga

Building

There are two sets of statutory functions required under the Building Act 2004.

As a Building Consent Authority:

- the processing of building consent applications and the issuing of building consents; and
- the inspection of building projects during construction and issue Code Compliance Certificates at completion.

As a Territorial Authority:

- the undertaking of building Warrant of Fitness audits;
- response to public enquiries;
- investigation of complaints;
- investigation of reported illegal building work and dangerous and insanitary buildings;
- identification of earthquake prone buildings;
- the processing of applications for alterations to compliance schedules, Certificates of Public Use, and Certificate of Acceptance; and
- the processing of Land Information and Project Information Memoranda.

Resource Consents and Compliance

- processing of applications for resource consents for land use, and subdivision and Notices of Requirement designations;
- District Plan, resource consent and Resource Management Act monitoring;
- processing of various statutory certificates as set out within the Resource Management Act 1991;
- provision of professional advice and information to customers; and
- processing of Land Information and Project Information Memoranda.

Environmental protection

- environmental health and alcohol licensing;
- noise control (Resource Management Act 1991);
- licensing and inspection of food premises (Food Act 2014);
- infectious diseases (Health Act 1956);
- insanitary buildings (Building Act 2004);
- abatement of nuisance and cleansing notices (Health Act 1956);
- hazardous substances investigation and enforcement in residences and on public land (Hazardous Substances and New Organisms Act 1996);
- alcohol licensing and inspection (Sale and Supply of Alcohol Act 2012);
- control the growth and placement of gambling venues and machines (Gambling Act 2003, Racing Act 2003, Class 4 Gambling Policy 2019, and TAB Venue Gambling Policy 2019);
- compliance monitoring;
- inspection of swimming pools (Building Act 2004);
- trade waste licensing and inspection (Trade Waste Bylaw 2019);
- freedom camping (Freedom Camping Act 2011);

- animal control (Dog Control Act 1996, Impounding Act 1955, Dog Control Bylaw 2019, Dog Control Policy 2019);
- parking infringements and stationary vehicle offences (Land Transport Act 1998, Traffic Bylaw 2010);
- emergency management and incident response (Hazardous Substances and New Organisms Act 1996);
- general bylaws investigation and enforcement; and
- emergency management (Civil Defence and Emergency Management Act 2002).

Governance and Tāngata Whenua

Kāwanatanga me te Tāngata Whenua

- management of all Council and Committee processes both formal and informal;
- maintenance of a legally coherent and workable governance structure;
- delivery of statutory documents and processes under associated legislation, for example, Local Government Act 2002, the Local Government Official Information and Meetings Act 1987 and the Local Electoral Act 2001;
- management of electoral processes including (as required under legislation): representation reviews, local body elections, and referenda;
- development and delivery of an elected member induction and professional development programme;
- elected member remuneration and expenses in accordance with Remuneration Authority determinations;
- continuous improvement in managing the democratic framework processes, including the uptake of new technology;
- encouraging community awareness of and participation in decision-making processes through a civics education programme;
- administering community grants programmes and a range of civic events; and
- governance support for the Council's iwi partnership body.

3. LEGISLATION

In 2019 the Local Government Act 2002 was amended. The amendments included changes to clause 10, the purpose of local government:

10 *The purpose of local government is -*

- (1) (a) *to enable democratic local decision-making and action by, and on behalf of, communities; and*
 (b) *to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.*

4. THE ELECTORAL SYSTEM AND THE OPPORTUNITY TO CHANGE IT

The Electoral System

Kāpiti Coast District Council resolved in August 2002 to change its voting system to the Single Transferable Vote (STV) system for the 2004 elections. This is the system that was also used for the 2007, 2010, 2013, 2016 and 2019 local body elections.

Using this system, electors rank candidates in order of preference. Successful candidates must receive a quota (share of votes) of the votes cast. When there are enough candidates with a quota to fill all the seats, they are the winners. The quota needed for a

candidate to be elected is determined by the number of seats and the numbers of votes cast are achieved by redistributing votes. In the first round of counting the candidates with the highest and lowest number of votes are identified. The lowest-polling candidates are then excluded.

The Opportunity to Change the Council's Voting System

Under the Local Electoral Act 2001, there are three ways in which the Council's voting system can be changed. The Council can resolve to change the system to be used for the next two elections, the Council can conduct a binding poll or electors can demand a binding poll (in which case, five per cent or more of the registered electors need to sign a petition demanding that a poll be held). Once changed, an electoral system must be used for at least the next two triennial (three yearly) Council elections.

5. REPRESENTATION ARRANGEMENTS

The Kāpiti Coast District Council consists of a Mayor, who is Chairperson of the Council, and ten Councillors.

Wards

The Kāpiti Coast District is divided into four wards for electoral purposes. Five of the ten Councillors represent the entire District and five of them represent these four wards:

- Ōtaki, Waikanae, Paekākāriki-Raumati Wards - one Councillor in each; and
- two Councillors in the Paraparaumu Ward.

Community Boards

The Kāpiti Coast District has four Community Boards. The composition of each is as follows:

- Ōtaki Community Board – four members elected by the community plus the Ōtaki Ward Councillor appointed by Council;
- Paraparaumu/Raumati Community Board - four members elected by the community plus the two Paraparaumu Ward Councillors appointed by Council;
- Paekākāriki Community Board – four members elected by the community plus the Paekākāriki-Raumati Ward Councillor appointed by Council; and
- Waikanae Community Board – four members elected by the community plus the Waikanae Ward Councillor appointed by Council.

Māori Wards

The Local Electoral Act 2001 gives the Council the ability to establish separate wards for Māori electors. The decision to create a separate Māori ward may be made by:

- a resolution of Council;
- a Council initiating a poll on the matter;

or

- the community may demand a poll. A petition of five percent (or more) of electors can require the Council to conduct a poll.

In June 2017 the Council resolved to maintain the status quo following the recommendation from Te Whakaminenga o Kāpiti for Council not to consider the establishment of a Māori Ward for electoral purposes and to revisit the question in the next Triennium. Consideration of this issue is one of two preliminary decisions leading into a formal review of representation arrangements as required by the Local Electoral Act 2001 (the other decision is about the choice of electoral system).

Council has confirmed for the 2019-2022 Triennium governance structure would include the appointment a Māori representative on its major Standing Committee (the Strategy and Operations Committee). This decision was made in accordance with Clause 31, Schedule 7 of the Local Government Act 2002 which allows Council to appoint non-elected members to a committee if the person has the skills, attributes or knowledge to assist the work of the Committee.

Review of Representation Arrangements

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 (between six and 30 including the Mayor);
- whether the Elected Members (other than the Mayor) shall be elected by the entire District, or continue to be elected by their Ward (or a mix of both systems);
- the boundaries and names of those wards and the number of members that will represent each ward (if election by wards is preferred); and
- whether to have Community Boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

A representation review must be publicly notified by the council no later than 31 August 2021, the year before the 2022 local body elections.

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

If a council receives any objection it must refer the whole representation review to the Local Government Commission. It must do this no later than 15 January in the year of the election.

The Commission has a quasi-judicial role to determine the best representation arrangements for that local authority. It takes into account the original council decisions, the submissions, appeals and objections. It must issue its decision no later than 11 April of the election year.

A Commission decision can be appealed to the High Court on a point of law.

6. MEMBERS' ROLES AND CONDUCT

Role of Elected Members

The Mayor and the Councillors of the Kāpiti Coast District Council have the following roles:

- setting the policy direction of Council;
- monitoring the performance of Council;
- representing the interests of the District (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the District); and
- 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).

Role of the Mayor

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

- presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in the Council's Standing Orders);
- advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council;
- ceremonial head of the Council; and
- providing leadership and feedback to other Elected Members on teamwork and chairing committees.

The Local Government Act 2002 was amended in 2012 to provide the Mayor with additional powers: to appoint the deputy mayor, to establish committees and appoint chairs to them; to appoint himself or herself as the chair of a committee, and to provide leadership in the development of the Long Term Plan, the Annual Plan, policies and budgets. Nothing in the amendment prevents the Council from exercising its powers under clauses 18, 30 and 31 of Schedule 7 of the Act.

Role of the Deputy Mayor

The Deputy Mayor may be 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 Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be appointed by the Mayor and may be removed from office by resolution of the Council.

Role of the Committee Chairperson

The Council or the Mayor may create one or more committees of the Council. The Mayor may appoint committee chairpersons or they may be appointed by the Council using the processes prescribed in clause 25 of Schedule 7 of the Act. A committee chairperson is responsible for presiding over meetings of the committee, ensuring that the committee acts within the powers delegated by the Council, and as set out in the Council's Governance Structure. A committee chairperson may be removed from office by resolution of the Council.

Elected Members legislation regarding conduct

Elected Members have specific obligations under the following legislation:

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the Chief Executive (clause 36) and to abide by the current code of conduct (clause 15) and standing orders (clause 27); Under Schedule 7 of the Local Government Act 2002, if a member is convicted of an offence that carries a term of two or more years of imprisonment the member will lose office
- the Local Authorities (Members' Interests) Act 1968 which regulates the conduct of Elected Members in situations where there is, or could be, a pecuniary interest (either direct or indirect);
- the Secret Commissions Act 1910 which 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 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit;
- the Financial Markets Conduct Act 2013 promotes informed participation in the financial markets. It places Elected Members in the same position as company directors; they may be personally liable if investment documents such as a prospectus contained untrue statements;
- the Public Records Act 2005 provides a framework to keep central and local government organisations accountable by ensuring records are full and accurate, well maintained and accessible.
- the Health and Safety at Work Act 2015 imposes duties on the Council and Councillors in respect of health and safety.

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 (Schedule 7, clause 15(i)). Council voted to adopt its current Code of Conduct on 12 December 2013 and the Code is available on the Council website or by contacting the Democracy Services Team. Once it is adopted such a code may only be amended by a 75 per cent or more vote of the Council. The existing Code of Conduct remains in place until such time as it is replaced.

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.

7. GOVERNANCE STRUCTURES AND PROCESSES, MEMBERSHIP AND DELEGATIONS

The Council comprises a Mayor and 10 elected Councillors from the four Wards of the Kāpiti Coast District. They are:

Mayor of Kāpiti Coast District:

K Gurunathan

Councillors:

Ōtaki Ward
James Cootes

Waikanae Ward
Jocelyn Prvanov

Paraparaumu Ward
Bernie Randall, Martin Halliday

Paekākāriki-Raumati Ward
Sophie Handford

Districtwide
Janet Holborow, Angela Buswell, Rob McCann, Gwynn Compton, and Jackie Elliott

After the October 2019 election the Mayor chose to exercise his powers under section 41A of the Local Government Act 2002, which enabled him to establish committees and their terms of reference, and appoint Chairs to them. The Council then appointed the Deputy Chairs, and approved delegations for the Committees. The Council also approved delegations for the four Community Boards.

To assist the Council to discharge its duties it has one Standing Committees which meets up to twice monthly, and five Subcommittees with each committee having its own terms of reference and certain powers delegated to it by the Council. These seven Committees are:

Committee/Subcommittee	Chair	Deputy Chair
Strategy and Operations Committee	Cr James Cootes	Cr Gwynn Compton
Audit and Risk subcommittee	Bryan Jackson	Cr Angela Buswell
Chief Executive Performance and Employment Subcommittee	Mayor K Gurunathan	Cr Janet Holborow
Appeals Hearing Subcommittee	Mayor K Gurunathan	Cr Jocelyn Prvanov
Grants Allocation Subcommittee	Cr Jackie Elliott	Cr Bernie Randall
Campe Estate Subcommittee	Mayor K Gurunathan	

The four Community Boards are:

Community Board	Chair	Deputy Chair
Ōtaki	Christine Papps	Marilyn Stevens
Waikanae	James Westbury	Jill Griggs
Paraparaumu-Raumati	Kathy Spiers	Guy Burns
Paekākāriki	Holly Ewens	Tina Pope

A new set of delegations was adopted by Council in November 2019 (the document is available on the Council website). The framework recognises the provisions of Section 32 of the Local Government Act 2002 and reflects the following principles of delegation:

- delegated authorities should focus on specific work streams or in respect of Community Boards on local matters;
- local decisions are best made closest to local people and by local people in response to local needs;
- wherever possible committees of Council should refer matters of local significance to the respective Community Board(s); and
- Community Boards should exercise the delegations to the fullest extent.

Unless otherwise delegated, Committees and Community Boards in exercising their delegated authorities must operate within the constraints imposed by the Council's Long Term Plan/Annual Plan, and any existing Council policy.

The Council also has membership on a number of joint committees:

- Wellington Regional Strategy Joint Committee;
- Regional Transport Joint Committee;
- Wellington Region Waste Management and Minimisation Joint Committee;

8. MEETING PROCESSES

The legal requirements for Council meetings are set down in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

All Council and Committee meetings are open to the public unless there is reason to exclude the public. The LGOIMA contains a list of the circumstances where Councils 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).

Meeting agendas are public documents (although parts may be withheld if the above circumstances apply), and will be made available to the public two days before each meeting. Hard copies are available to peruse at District Libraries and in Service Centres, and are also available on the Council website.

The Mayor or Committee Chair 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 any member of the Council who does not comply with Standing Orders (a set of procedures for conducting meetings).

The Council adopted on 7 November 2019 a revised set of Standing Orders largely based on the version developed for the local government sector by Local Government New Zealand. A copy is available on the Council website.

Minutes of meetings must be kept and made publicly available, subject to the provisions of the Local Government Official Information and Meetings Act 1987. The Council, its Standing Committees and Community Boards generally meet every six weeks. At least 14 days' notice of the time and place of the meeting must be given. Extraordinary meetings can generally be called with three working days' notice. Council and Committee meetings normally commence at 9.30 am. Community Board meetings are scheduled on Tuesday evenings. The meetings are advertised in the local news media and via the Council website: www.kapiticoast.govt.nz.

During meetings of the Council, Committees or Community Boards, all Council participants must follow Standing Orders unless Standing Orders are suspended by a vote of 75 per cent (or more) of the members present.

9. POLICIES FOR LIAISING WITH, AND MEMORANDA OR AGREEMENTS WITH MĀORI

On 9 February 1994 the Kāpiti Coast District Council entered into a Memorandum of Partnership with Ati Āwa ki Whakarongotai Inc, Te Rūnanga o Raukawa Inc and Te Rūnanga o Toa Rangatira Inc. Since then the Memorandum of Partnership has been reviewed and re-signed in March 2008, June 2012, 6 February 2015 and 5 December 2017. The current document will be reviewed early in this triennium as required by one of its provisions. (Copies are available from the Democracy Services Team or the Iwi Relationships Manager.)

In observing the functions and duties as prescribed in legislation the Council will uphold the following principles:

- to actively promote the sustainable management of the District's natural and physical resources and those taonga of significance to the Tāngata Whenua, in a way that recognises the cultural and spiritual relationship of the Tāngata Whenua with the natural world;
- to develop an effective partnership with the Tāngata Whenua in the management of the District's natural and physical resources by the exercise of the utmost good faith, co-operation, flexibility and responsiveness in their dealings with each other;
- to promote active participation of the Tāngata Whenua in the preparation implementation and review of resource management policies and plans;
- to have particular regard to the rights of the Tāngata Whenua in the management and development of resources by recognising and providing for kaitiakitanga; and

- to recognise the Rangatiratanga right of the Tāngata Whenua as guaranteed in Article II of the Treaty of Waitangi, to retain responsibility and control of the management and allocation of their resources.

In September 2010 Council also signed a Memorandum of Understanding with Te Āti Awa ki Whakarongotai confirming a commitment by the Council and iwi to work in partnership on water and management of water for the district.

Consultation

Policy/Tikanga

The Tāngata Whenua of this District are independent tribes which each maintain their own mana and tikanga. For any issue requiring consultation the parties will agree whether the consultation should take place collectively or separately. The Council will ensure they will communicate with hapū constituents on all relevant matters. When Council works on specific issues with a particular rohe it will work with both rūnanga and hapū within those areas.

Principles of Consultation

On issues requiring consultation Council will:

- provide sufficient information to the Tāngata Whenua so that they can make informed decisions;
- provide reasonable time for both the participation of the Tāngata Whenua and the consideration of the advice given; and
- give genuine consideration of that advice, including a willingness to change if that is the result of the consultation.

To encourage sharing at a formal level, both the Tāngata Whenua and the Council are committed to meeting on a regular basis (usually six weekly), to discuss issues of mutual importance, indicate areas of concern and revise procedures as necessary. There is provision for additional meetings to be held at the request of either the Tāngata Whenua or the Council.

The Council and Tāngata Whenua acknowledge there is the potential for Mātā Waka groups to emerge within the Kāpiti Coast. (Mātā Waka refer to tribal members that live outside their traditional rohe or area.) Tāngata Whenua extends invitations to Mātā Waka to attend meetings with Te Whakaminenga o Kāpiti to discuss matters of concern to all Māori within the District.

10. THE MANAGEMENT STRUCTURE AND THE RELATIONSHIP BETWEEN MANAGEMENT AND ELECTED MEMBERS

Division of Responsibility between the Council and Management:

A key to the efficient running of any Council is that there is a clear division between the role of Elected Members and that of management. The Local Government Act 2002 sets out a series of governance policies that support the principles of local government. This Local Governance Statement clarifies the governance and the management responsibilities, the governance role and expected conduct of Elected Members, describes the effective, open and transparent processes used by the Council, ensures separation of regulatory and non-regulatory responsibilities and explains the good employer requirements. A management structure diagram is at the end of this document and on the Council website.

Local Governance Statements provide the community with information on the decision-making processes the Council follows and how the community can influence these processes. While many of the Council's functions have been delegated, the overall responsibility for ensuring effective systems of internal control are set up and followed ultimately rests with the Council. Internal control includes the policies, systems and procedures established to provide measurable assurance that specific objectives will be achieved.

11. EQUAL EMPLOYMENT OPPORTUNITIES POLICY

The following Equal Opportunities Policy was adopted on 30 September 2004 and updated in April 2009. The policy currently states:

- the Kāpiti Coast District Council is committed to implementing Equal Employment Opportunities (EEO). In accordance with the Local Government Act 2002 Section 40 (1) (k) the organisations EEO Policy is included in the Kāpiti Coast District Council Governance Statement; and
- the Kāpiti Coast District Council values diversity amongst staff and encourages the fullest use of staff talents and strengths. It will work towards the achievement of a workplace environment which provides opportunities for employment needs and staff aspirations to be identified and addressed accordingly.

Throughout Council, Elected Members and staff will continue to work towards:

- identifying and eliminating discriminatory practices within our organisation;
- identifying and adopting policies and procedures which enhance EEO in the workplace;
- providing support for employees through EEO networks which will assist managers to identify and eliminate policies and practices that work against equality in the workplace; and
- providing equal opportunities in all aspects of employment including recruitment, selection, training and career development.

No employee or applicant shall gain any advantage or suffer any disadvantage by reason of their race, colour, ethnic or national origin, marital, family or employment status, disability, religious, or ethical beliefs or political opinions or by reason of their age, sex or sexual orientation as stated in Part II of the Human Rights Act 1993.

Discrimination and/or harassment will not be tolerated within our organisation, either by employees, volunteers, customers, or contractors/service providers.

This policy shall apply to all applicants for vacancies, volunteers, contractors/service providers, and all employees of Kāpiti Coast District Council.

12. KEY APPROVED PLANNING AND POLICY DOCUMENTS AND THE PROCESS FOR THEIR DEVELOPMENT AND REVIEW

Long Term Plan (LTP)

The Local Government Act 2002 requires the Council to develop a Long Term Plan (LTP) in consultation with the community. The LTP is required to cover a minimum of ten years from the date of its publication. However, the Kāpiti Coast District Council has determined that its LTP will cover 20 years to provide clarity on implications and consequences of decisions including levels of debt and risk in a way that illustrates the implications for the community for the following twenty years. The LTP will be reviewed and updated every

three years following a further consultation process. In the first year of an LTP, the financial and service level information in the LTP, is by law, the Annual Plan. In the following two years, the Council will publish an Annual Plan. Each Annual Plan will describe the work programme to deliver that year's part of the LTP. No significant changes can be made through just the Annual Plan process, unless there is an amendment to the LTP. Any amendment and the Annual Plan can be consulted on and adopted concurrently.

Amendments to the Local Government Act 2002 now require the Council to consult with the community on the proposed content of the LTP by way of a Consultation Document (CD), with the draft components of the draft LTP available to the community.

Following the completion of consultation on the CD, Council finalised and adopted a new LTP on 28 June 2018.

The current LTP is available on the Council website or at Service Centres.

Revenue and Financing Policy

The policy sets out how the Council will fund its activities. This policy will be reviewed as part of the LTP processes in accordance with the Local Government Act 2002. This policy sets out the principles for determining how the Council's operating and capital spending will be funded – in other words, where the money to progress the agreed work programme will come from. In particular, it considers who benefits most from an activity and therefore who should contribute to funding it.

Significance and Engagement Policy

Changes to the Local Government Act 2002 required Council to adopt a Significance and Engagement policy by December 2014. Council adopted its policy in November 2014. The policy enables the Council and the community to identify the degree of significance attached to particular issues, proposals, assets and decisions. Under this policy, items are given a rating from a low to high degree of significance. In applying the policy Council will make it clear to communities how and when they can expect to be engaged in decisions about different issues. The policy also means that Council will be informed from the beginning of a decision-making process about the extent and form of any public engagement that is expected before a particular decision is made. The new policy includes special provisions for consultation on changes to the ownership or control of water assets – where both a referendum and a special consultative procedure are required.

When Council adopted the Significance and Engagement Policy in 2014 it determined that it would consult with the community as part of the consultation process associated with the 2015-2035 LTP and would consider amendments to the policy, based on the outcome of that consultation. The LTP (including the new policy) was adopted on 25 June 2015. The policy was reviewed during the development of the 2018-38 LTP, and was deemed to be fit for purpose with no revisions required.

Treasury Management Policy

The purpose of this policy is to outline approved policies and procedures in respect of all treasury activities to be undertaken by the Council.

Development Contributions Policy

Development Contributions are required from new developments (e.g. a new house or subdivision) in the form of money or land or both (at the Council's discretion) for capital expenditure required as a result of growth. They are used for roading, water supply and wastewater treatment facilities and reticulation, stormwater management and community infrastructure.

Changes to the Development Contributions Policy and associated fee schedule were approved by the Kāpiti Coast District Council as part of the 2018-38 Long Term Plan (LTP). The revisions have been based on the capital expenditure programme, revised population and employment forecasts, and policy changes. The Policy and fee schedule will be revised as part of the next LTP.

The District Plan

The purpose of the District Plan is to assist the Council to carry out its functions in order to achieve the purposes of the Resource Management Act. The District Plan is the principal means by which the Council seeks to ensure the sustainable management of the natural and physical resources of the district.

We are currently operating under two District Plans. At this time both the Operative District Plan (ODP) and the Proposed District Plan (PDP) Appeals version 2018 have legal effect. The ODP will continue to have legal effect where any corresponding objectives, policies and provisions in the PDP have been appealed. As appeals are resolved, the ODP provisions will fall away and the PDP will be relied on.

For more information on the District Plan see the Council website:
<https://www.kapiticoast.govt.nz/your-council/planning/district-plan1/>

Kāpiti Coast District Council Bylaws

Under Part 8 of the Local Government Act 2002 Councils are empowered to create and apply bylaws in their areas. A local authority must review its bylaws no later than 5 years after the date on which the bylaw was made, and then no later than 10 years after it was last reviewed. Following is a list of the Council bylaws:

Title	Original Bylaw	Description	Date made	Last review date
Control of Alcohol in Public Places 2018	Liquor Control in Public Places 2004	This bylaw seeks to enhance the safety of the public and allow their responsible enjoyment of public places in the District. This will be achieved by providing alcohol free zones in public places to reduce the incidence of alcohol-related harm.	Adopted 2004	Adopted on 6 December 2018
Trade Waste Bylaw 2019	Trade Waste Bylaw 2000	Regulates the discharge of Trade Waste to a Sewage System operated by the Council.	Adopted in July 2000	Adopted on 24 January 2019
Dog Control Bylaw 2019	Dog Control Bylaw 1997 (replaced Part 4 of the General Bylaw 1991)	To promote better care and control of dogs by supporting objectives of the Kāpiti Coast District Council Dog Control Policy & complying with national legislation, in	Adopted 8 December 1997	Adopted on 14 March 2019

		particular S20 of the Dog Control Act 1996 & Impounding Act 1955.		
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Title	Original Bylaw	Description	Date made	Last review date
Beach Bylaw 2009	Beach Bylaw 2000	To manage human activities on the beach and protect the beach environment in accordance with the overarching objective defined in the Kāpiti Coast District Council Coastal Strategy 2006.	Adopted May 2000	Adopted on 28 May 2009
Cemeteries Bylaw 2016	Cemeteries Bylaw 2010	To enable the Council to control and set standards for the operation of cemeteries within the Kāpiti Coast District under the Council's ownership or control.	Adopted on 28 January 2010	Adopted on 29 September 2016
Solid Waste Bylaw 2010	Solid Waste Bylaw 2010 (replaced Parts 8 and 9 of the General Bylaw 1991)	To monitor and regulate the collection, transportation, disposal and management of waste and to encourage the reduction of waste (both in the generation and disposal of waste). Specific requirements are placed on occupiers and collections and there is a system of licensing for operators. The bylaw also provides for the promotion of Council's waste minimisation and waste reduction objectives and assists in the implementation of Council's Waste Management Plan.	Adopted on 22 April 2010	N/A
Public Places Bylaw 2017	Public Places Bylaw 2010 (replaced Part 3 of the General Bylaw 1991)	To maintain standards of public health & safety, protect the public from nuisance, minimise potential for offensive behaviour and manage various types of land	15 July 2010	Adopted on 29 June 2017

		under Council control.		
Title	Original Bylaw	Description	Date made	Last review date
Keeping of Animals, Poultry and Bees Bylaw 2010	Keeping of Animals, Poultry and Bees Bylaw 2010 (replaced Parts 4 and 5 of the General Bylaw 1991)	Manages the keeping of animals, bees and poultry throughout the Kāpiti Coast District to ensure they do not create nuisance or become a threat to public health and safety.	Adopted on 3 June 2010	N/A
Traffic Bylaw 2010	Traffic Bylaw 2000	Sets the requirements for parking and control of vehicular or other traffic on any road, public car park, reserve or any other public place owned or controlled by the Kāpiti Coast District Council.	Adopted on 14 December 2000	Adopted on 24 June 2010
Water Supply Bylaw 2013	Water Supply Bylaw 2010	To help ensure safe and sufficient potable water supplies are delivered throughout the Kāpiti Coast District.	Adopted on 24 June 2010	Adopted on 29 August 2013
Speed Limit Bylaw 2015	Speed Limit Bylaw 2005	Allows the Council to set speed limits by resolutions, on all roads under its ownership or control and in certain designated locations specified in the bylaw.	Adopted June 2005	Adopted on 15 October 2015
Title	Original Bylaw	Description	Date made	Last review date
General Bylaw 2010	General Bylaw 1991	This Bylaw contains the generic administrative provisions common to all Council Bylaws (unless specifically stated otherwise in those bylaws), and covers topics such as licenses, fees, dispensations, breaches, penalties and offences	22 August 1991	28 January 2010

13. ACCESS TO COUNCIL SERVICES AND ELECTED MEMBERS

Customer Services Office	<u>Physical Address</u> 175 Rimu Road Paraparaumu 5032	<u>Postal Address</u> Private Bag 60 601 Paraparaumu 5254
All enquiries	Phone (Toll Free)	04 296 4700 0800 486 486
	Fax	04 296 4830
	Email	kapiti.council@kapiticoast.govt.nz
	Website	www.kapiticoast.govt.nz
Waikanae Service Centre Mahara Place, Waikanae	Phone Fax	04 296 4761 04 293 4820
Ōtaki Service Centre 81-83 Main Street, Ōtaki	Phone Fax	06 364 9317 06 364 9303
Public Libraries	<u>Paraparaumu Library</u> 9 Iver Trask Place, Paraparaumu 5032	04 296 4700
	<u>Waikanae Library</u> Mahara Place, Waikanae 5036	04 296 4700
	<u>Ōtaki Library</u> Main Street, Ōtaki 5512	04 296 4700
	<u>Paekākāriki Library</u> 14 Wellington Road, Paekākāriki 5034	04 296 4700
Visitor Information Centres	Paraparaumu Waikanae	04 298 8195 04 296 4768
Swimming Pools	Coastlands Aquatic Centre Waikanae Ōtaki	04 296 4746 04 296 4789 06 364 5542
Emergencies	0800 486 486 or 04 296 4700	
Airport Noise Complaints	04 918 3434	

After Hours Numbers

All Emergencies (including Flooding, Water Supply, Sewerage, Animal Control, Noise Control, Beach Patrol, Civil Defence) **0800 486 486**.

Who to contact if you have an enquiry

Contact the Council's main office by phoning 04 296 4700 (or toll free 0800 486 486), or by writing to Kāpiti Coast District Council, Private Bag 60 601, Paraparaumu 5254. Emails can be sent to kapiti.council@kapiticoast.govt.nz. They will then be forwarded to appropriate staff for action.

14. ELECTED MEMBERS CONTACT DETAILS 2019-2022

Elected Member	Basis of election	Phone	Email Address
K Gurunathan	Mayor	027 205 3600	k.gurunathan@kapiticoast.govt.nz
Janet Holborow	Districtwide Deputy Mayor	027 2961 628	janet.holborow@kapiticoast.govt.nz
Angela Buswell	Districtwide	021 316 845	Angela.buswell@kapiticoast.govt.nz
Gwynn Compton	Districtwide	027 917 3571	gwynn.compton@kapiticoast.govt.nz
James Cootes	Ōtaki Ward	027 457 2346	James.cootes@kapiticoast.govt.nz
Jackie Elliott	Districtwide	021 045 2762	jackie.elliott@kapiticoast.govt.nz
Martin Halliday	Paraparaumu Ward	021 599 648	martin.halliday@kapiticoast.govt.nz
Sophie Handford	Paekākāriki-Raumati Ward	021 0894 7590	sophie.handford@kapiticoast.govt.nz
Rob McCann	Districtwide	021 212 2953	rob.mccann@kapiticoast.govt.nz
Jocelyn Prvanov	Waikanae Ward	021 111 0825	jocelyn.prvanov@kapiticoast.govt.nz
Bernie Randall	Paraparaumu Ward	021 204 6975	bernie.randall@kapiticaost.govt.nz

ŌTAKI COMMUNITY BOARD

Elected Member	Phone	Email Address
Christine Papps Chair	027 201 6435	christine.papps@kapiticoast.govt.nz
Marilyn Stevens Deputy Chair	021 225 5684	Marilyn.stevens@kapiticoast.govt.nz
Stephen Carkeek	027 536 9584	Stephen.Carkeek@kapiticoast.govt.nz
Shelly Warwick	06 364 0323 021 949 214	Shelly.warwick@kapiticoast.govt.nz

The Councillor appointed back to the Board is Cr James Cootes

WAIKANAE COMMUNITY BOARD

Elected Member	Phone	Email Address
James Westbury Chair	04 902 9100 0221 34 1787	james.westbury@kapiti.govt.nz
Jill Griggs Deputy Chair	021 565681	Jill.Griggs@kapiticoast.govt.nz
Margaret Stevenson- Wright	027 546 1630	Margaret.Stevenson-Wright@kapiticoast.govt.nz
Geoffrey Churchman	04 905 3011	Jeremy.seamark@kapiticoast.govt.nz

The Councillor appointed to the Board is Cr Jocelyn Prvanov

PARAPARAUMU-RAUMATI COMMUNITY BOARD

Elected Member	Phone	Email Address
Kathy Spiers Chair	027 363 5416	Kathy.spiers@kapiticoast.govt.nz
Guy Burns Deputy Chair	904 0789 021 262 4645	Guy.burns@kapiticoast.govt.nz
Jonny Best	027 480 0201	jonny.best@kapiti.govt.nz
Grace Lindsay	029 776 6767	Grace.Lindsay@kapiticoast.govt.nz

The Councillors appointed back to the Board are Cr Martin Halliday and
Cr Bernie Randall

PAEKĀKĀRIKI COMMUNITY BOARD

Elected Member	Phone	Email Address
Holly Ewens Chair	027 270 7090	Holly.ewens@kapiticoast.govt.nz
Tina Pope Deputy Chair	027 232 9998	Tina.Pope@kapiticoast.govt.nz
Daniel O'Connell	021 161 5645	Daniel.O'Connell@kapiticoast.govt.nz
Jessica Hortop	027 512 5061	Jessica.Hortop@kapiticoast.govt.nz

The Councillor appointed back to the Board is Cr Sophie Handford

15. PROCESSES FOR REQUESTS FOR OFFICIAL INFORMATION

Requests for official information directed to the Council fall under the Local Government Official Information and Meetings Act 1987 (LGOIMA) or the Privacy Act 1993.

LGOIMA covers requests that are made about or around another person, issue or event. Key purposes of LGOIMA are to progressively increase the availability of information and to promote accountability and transparency.

The Privacy Act allows individuals to request access to information Council holds regarding that individual and to request corrections to personal information.

Requesting Information

A person may request official information from the Council. It is not necessary to state that a request is being made under LGOIMA. However, due particularity must be given when requesting information and therefore a request must be specific about the information that is being sought.

Requests can be made verbally, however it is preferable to ensure accuracy, that requests are made in writing. Assistance will be given to requesters, when required, to aid in the process.

Email: informationrequest@kapiticoast.govt.nz

Phone: (04) 296 4700

Postal: 175 Rimu Road, Private Bag 60601 Paraparaumu 5254

Responses from Council

Requests for information will be processed according to LGOIMA and the Privacy Act ('the Acts').

The Acts specify time restrictions for transferring to another agency, for deciding whether to grant the request and for providing responses. A response will be given as soon as practicable and within 20 working days, unless an extension is required.

Once a request is made the Council must supply the information unless a reason for withholding it exists under the Acts.

Costs

Council may charge for the supply of official information. The requester will be notified if a charge is to be applied and given the option to refine the request if possible. Council will not proceed with collating the information until the requester has confirmed in writing that the charges are accepted. Charges are set in the LTP and are amended if required through the Annual Plan process. Official information requests pertaining to personal information incur no charges.

ORGANISATIONAL STRUCTURE 2019

