



# Franklin District Council

## Local Governance Statement For the triennium 2007-2010



*Franklin - a country lifestyle in harmony with our environment*

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# **1. Purpose and Use of this Local Governance Statement**

The Local Government Act 2002 (section 40) requires a local authority to prepare and make publicly available, following the triennial general election of members, a Local Governance Statement that provides information on Council functions, activities and processes. The aim of this LGS is to provide the public with information on ways to influence local democratic processes.

When circumstances change during a triennial term, amendments will be made to this LGS as appropriate and the document will be re-published in the same manner as each new local governance statement is published following a triennial general election.

The types of amendments could include:

- Changes to elected members due to resignations and by-elections
- Changes to contact details for elected members
- Changes in representation arrangements and delegated powers
- Changes in external organisations on which elected members are represented
- Amendments or additions to the list of key planning and policy documents approved by Council.

The LGS has been broadly separated into “Governance” and “Management” sections – showing the division of these functions within Council. Additional details are also provided on the District and where to find other relevant information.

The headings in this document correspond to the specific categories of information required by the LGA 2002.

**Information about how to contact the Council is contained in section 4.7 on page 11**

## **2. General Information on Franklin**

### **2.1 Franklin's Geography and History**

Franklin has several impressive natural and cultural features: the Hunua Ranges, the coastal bird sanctuaries at Miranda and along the south shore of the Manukau Harbour, limestone caves at Waikaretu and the historic features of Waiuku.

- The main Iwi traditionally associated with the Franklin area are Ngaati Te Ata, Ngati Tamaoho, Ngaati Tipa and Ngaati Paoa.
- European settlers arrived in the area in the 1850s and since this time Franklin has been a major agricultural producer, supplying Auckland, New Zealand and the international market with fresh produce.

### **2.2 Population** (all statistics taken from June 2007 Census unless otherwise stated)

- The normal resident population for the Franklin District was 62,200.
- Franklin's population ranks 17th in size out of the 73 districts in New Zealand.
- The Council's own projected population estimate for Franklin to June 2007 is 62,200. Franklin District Council uses projections for its internal planning. The forecast population increase per year is currently 2.1% (for period 2005-2011).
- Adjusted figures to June 2007 show the towns with the biggest populations in Franklin are Pukekohe (17,900), Waiuku (8,100) and Tuakau (3,900).
- Franklin District has 1.5 percent of New Zealand's population and is one of the fastest growing districts in New Zealand.
- 8,529 Māori residents normally live in the Franklin District, an increase of 861 people, or 11.2% since the 2001 Census. Approximately 1.5% of New Zealand's Māori population usually reside in Franklin District.

### **2.3 Key Social Statistics**

Franklin District has a relatively larger number of children and a smaller number of elderly people compared to New Zealand as a whole.

- The majority of people in Franklin are of European ethnicity, with a significant Maori minority, and smaller percentages of Asian and Pacific Island people.

### **2.4 Key Economic and Lifestyle Statistics**

Franklin is a wealthy District: the average income of residents is significantly higher than the New Zealand average.

- The biggest employers in Franklin are the agricultural and manufacturing sectors.
- The total land area of the District is 2,188km<sup>2</sup>.
- There are 1,620 kilometres of roads in Franklin, of which over 83% are sealed.
- Franklin offers a beautiful natural environment and rural lifestyle with convenient access to Auckland and Hamilton, and has a mild climate. These features have attracted many new residents to the area in recent years.

## **Part One: Council Governance**

### **3. The Functions, Responsibilities and Activities of Council**

Council is bound by a number of legislative requirements when undertaking activities. Council must also have regard to community expectations in its governance of the Franklin District.

#### **3.1 The Purpose of Council**

Under section 10 of the LGA 2002, the purpose of local government is to:

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

#### **3.2 The Role of the Mayor and Elected Members**

The LGA 2002 requires Council to be governed by Councillors and a Mayor.

The role of the Mayor is not set out in law, but traditionally the Mayor represents Council at public functions and events, and provides leadership to elected members and the District.

The Mayor is elected by the District at large and represents the whole of Franklin. When the Mayor is away or unable to attend to his or her functions, the Deputy Mayor takes over those functions.

Councillors are elected by wards and represent the interests of that ward. However, they have an overarching responsibility to make decisions which will promote the wellbeing of the whole community.

To fulfil its purpose, Council has a number of roles. Roles carried out by the elected body of Council are:

- Setting policy for the governance of the District
- Representing the interests of the community to other agencies, for example through submissions to government, other Councils or agencies
- Monitoring and reviewing its existing policies and practices to ensure that they are democratic and effective
- The employment of the Chief Executive
- Performance monitoring of the Chief Executive
- Monitoring the provision of services delivered by Council and other strategic partners it employs for the delivery of services
- Compliance with relevant legislation.

#### **3.3 Responsibilities of Council**

Under the LGA, several powers are set out which Council must undertake while acting as full Council and which it cannot delegate to a Committee or an individual. These are:

- The power to make a rate
- The power to make a bylaw
- The power to borrow money, or purchase or dispose of assets (unless these are set out in the Long Term Council Community Plan)
- The power to adopt a Long Term Council Community Plan (LTCCP), Annual Plan, or Annual Report
- The power to appoint a Chief Executive

- The power to adopt policies required to be adopted and consulted on under the Local Government Act in association with the Long Term Council Community Plan (LTCCP) or developed for the purpose of the Local Governance Statement
- The power to warrant enforcement officers.

### **3.4 Regional Governance Issues**

The LGA has a strong emphasis on collaboration and cooperation between local authorities within a region.

#### ***Triennial Agreement***

Under section 15 of the LGA, local authorities within a region must agree on protocols for communication and coordination within the region. This agreement needs to be renewed after each triennial election and is known as the Triennial Agreement.

Council has entered into Triennial Agreements with councils in both the Auckland and Waikato Regions, as the District has territory in both regions. These agreements recognise the diversity within the region, and the need for local councils to be able to respond to the needs of their communities. These agreements also acknowledge that some issues will affect more than one council and for reasons of efficiency and effectiveness would benefit from some regional collaboration. Both the Auckland and Waikato Triennial Agreements emphasise the need for local authorities to work together to promote communication and cooperation within these regions, to further the well-being of their communities.

#### ***Regional Activities***

In situations where a regional council (or an organisation controlled by the regional council) is proposing to undertake a significant new activity, and this is already being undertaken by at least one other council in the region, the regional council is required to gain the agreement of the other council(s) involved before undertaking this activity. If agreement cannot be reached through mediation, then the Minister for Local Government can be requested to make a binding decision.

#### ***Transfer of Responsibilities***

In addition to this, regional councils may transfer some of their functions to territorial authorities (city and district councils) if this is agreed to by both parties. Territorial authorities can also transfer their responsibilities to regional councils, but must include this proposal in either an Annual Plan or Long Term Council Community Plan for consultation, and advise the Minister for Local Government prior to this proposal being implemented.

#### ***Emergency Management***

Council's regional emergency management responsibilities are carried out by the Auckland Region Civil Defence Emergency Management Group, which is funded by all the local authorities in the Auckland Region. The group is governed by the representatives of member councils, which is a requirement of the Civil Defence Emergency Management Act 2002.

## **4. The Electoral System and Representation Arrangements**

The electoral system and representation arrangements provide a framework which establishes how Council is required to elect its representatives and represent the community, and therefore forms part of Council's governance structure.

### **4.1 The Electoral System**

Council currently uses the "First Past the Post" (FPP) electoral system. Under this system, the candidate or candidates with the largest number of votes wins. Under an FPP system, people are allowed to vote for the number of candidates that are required to fill vacancies. So, if there are 3 vacancies, then people are entitled to three votes for one vacancy.

Under the Local Electoral Act 2001, Franklin has the opportunity to change its electoral system if it wishes to. Another system that could be used is the Single Transferable Vote (STV) system. The STV system is a form of preferential voting where candidates are ranked by voters in order of personal preference. It is based on the principle of a 'quota' (the minimum number of votes required by a candidate to be elected) rather than a majority.

Once a candidate has reached the 'quota' to be elected, additional votes cast for them are transferred to the elector's next preference. In this way, each vote cast by an elector has significance and some people believe that the STV system reflects voters wishes better than the FPP system.

Other claims for STV in comparison to FPP include:

- Gives effective representation to all significant points of view
- Voters can vote for their preferred candidate without fear of 'wasting' their vote
- Treats all candidates fairly in the voting process
- Has been shown over time to be one of the fairest ways to elect candidates democratically.

Points against the STV include:

- It is a complex system involving mathematical calculations and is difficult to explain
- The vote counting is achieved via an STV calculator and counting cannot start until all votes have been captured and verified, including special votes, although provisional results can be provided prior to the final count being achieved
- Data capture and processing time can be longer than the FPP system
- Election results are not displayed on 'per votes' cast, as is the current basis of FPP.

### **4.2 Enrolment to Vote in Elections**

Anyone is entitled to vote in Franklin local body elections who:

- Is a Franklin District resident and is registered on the Parliamentary Electoral Roll
- Is a non-resident Franklin District property owner who is enrolled on the Franklin District Ratepayer Electoral Roll.

To be registered on a Parliamentary Roll you must be aged 18 or over and have lived in New Zealand for one year continuously, and at your current residential address for one month or more. Enrolment can be undertaken at a local post office or by contacting the Electoral Enrolment Centre (see contact details in section 16). Electors are not to be enrolled more than once.

### **4.3 Standing for a Local Body Election**

To become a candidate for a Council or Community Board election, the candidate must be nominated by two people. The individuals who nominate the candidate must be named on the electoral roll for the area in which the candidate is standing. So, if a candidate is standing for the Awhitu ward, then he or she must be nominated by two people on the Awhitu ward roll. Prior to a local election, Council will advertise for nominations and will set out how to make a nomination.

Anyone is entitled to stand as a candidate for a regional or territorial (city or district) Council or Community Board who:

- is a Parliamentary elector (is registered as an elector through the process described above)
- is a New Zealand citizen.

A candidate need not live in Franklin to stand for election as a Councillor, Mayor or Community Board member. Candidates must be a New Zealand citizen, and on the Parliamentary Electoral Roll. Candidates must put forward a deposit (currently \$200 inc. GST) to stand for election. This deposit is refunded if the candidate polls greater than 25% of the lowest successful candidate.

A person cannot be a candidate for more than one ward of a local authority in the same election, or stand for Council or a Community Board while standing for a regional council. Any eligible person may stand for Council and the Community Board, but if elected to both must stand down from the Community Board.

No person who has an interest or concern in contracts over \$25,000 with Council may stand for election to Council or a Community Board without the prior approval of the Office of the Auditor General.

#### **4.4 Changing the Electoral System**

Council's electoral system can be changed in a number of ways. These are set out below:

- Council could resolve that it wanted to change its electoral system
- Council may resolve to hold a poll on the electoral system
- Electors may demand a poll on the electoral system.

Council is required to publicly notify, two years before the next local election, that the community can demand a poll on the electoral system. At any time, electors may demand that a poll be held. For a poll to be valid, it must be signed by 5% of the electors enrolled to vote at the last elections (in the 2007, elections 5% of electors was 2,006 people). The petition must be delivered to Council and include the names and addresses of the people who signed.

Any poll of the electoral system initiated either by the public or by Council, must be publicly notified. The public will then have the opportunity to vote on their preferred electoral system using the voting system that is currently in place.

Council is required to change its electoral system based on the outcome of a poll. However, under any of the methods described above, the introduction of a new electoral system may not necessarily take effect from the next election. Whether a decision to change the electoral system takes effect from the next elections depends on the timing of the poll and when the next local elections are.

#### **4.5 Establishing Maori Wards**

Currently there are no Maori wards within the Franklin District. Under the Local Electoral Act 2001, a Maori ward or wards could be established in the District. Wards could be established by the methods outlined above to change the electoral system: that is, by Council resolution, or through a poll initiated either by electors or Council. The processes for establishing a Maori ward or wards follow the same process as outlined above for a change of electoral system.

#### 4.6 Representation Arrangements

Franklin District is currently divided into 4 wards: Northern, Pukekohe, Southern and Waiuku-Awhitu. Each ward has the following number of constituents and councillors:

Ward	Ward Population	Population per Councillor	Number of Councillors per Ward
Northern	14,766*	4,922	3
Pukekohe	15,741*	5,247	3
Southern	13,845*	4,615	3
Waiuku-Awhitu	14,571*	4,857	3
Total	58,923*	-	12

\*Stats NZ 2006 Census Information

Under the existing system, the Mayor is elected by the whole of the Franklin District, and councillors are elected by the electors of each ward. Council must elect a deputy Mayor. Information on elected members, including ward representation, is shown below.

#### 4.7 Contact Details of Council and Community Boards

##### Elected Members

Elected Member	Ward	Contact Number	Email
Mayor Mark Ball	Elected at large	09 238 2995	markball@xtra.co.nz
Cllr Des Morrison	Pukekohe	09 238 7883	des.lorraine@xtra.co.nz
Cllr Murray Kay (Deputy Mayor)	Pukekohe	09 238 7013	murraykay@xtra.co.nz
Cllr Magan Ranchhod	Pukekohe	09 236 0777	magan.bombay@xtra.co.nz
Cllr Jennie Hayman	Southern	09 233 4225	jenniehayman@xtra.co.nz
Cllr Lionel Petersen	Southern	09 236 9189	lpetersen@slingshot.co.nz
Cllr Dennis Robertson	Southern	09 236 9612	dcde@xtra.co.nz
Cllr Brendon Compton	Waiuku-Awhitu	09 235 3773	brendon@bluelight.co.nz
Cllr Dan Lynch	Waiuku-Awhitu	09 235 8587	danmar@value.net.nz
Cllr Peter Sands	Waiuku-Awhitu	09 235 9373	none
Cllr Sue Jackson	Northern	09 238 8311	panzerrott@xtra.co.nz
Cllr John Rennie	Northern	09 292 4360	jandarennie@xtra.co.nz
Cllr Jill Morris	Northern	09 963 0046	gb.jm.morris@ihug.co.nz

Currently, there are two community boards in the District: the Waiuku/Awhitu Community Board and the Onewhero/Tuakau Community Board.

Community Board Members are listed below:

##### Waiuku/Awhitu Community Board

Elected Member	Contact Number
Bill Deed (Chairperson)	09 235 9385
Bruce Russell	09 235 1244
Jo Naysmith	09 235 8803
Jeda Wyatt	09 238 1650
Cllr D Lynch (Appointed)	09 235 8587

## Onewhero/Tuakau Community Board

Elected Member	Contact Number	Email
Archie Clark (Chair)	09 236 9988	none
Brian Fyfe	09 236 9999	none
Ann Anderson	09 232 8758	jandaa@clear.net.nz
Bronwyn Watson	0274 612 095	none
Cllr L Petersen (Appointed)	09 236 9189	lpetersen@slingshot.co.nz

### 4.8 Council's contact details

Address: 82 Manukau Road, Pukekohe, Auckland

Phone: 09 237 1300

Fax: 09 237 1301

Email: FDC\_Info@franklin.govt.nz

Web: www.franklin.govt.nz

### 4.9 Service Centre Hours and Bill Payment.

Property and water rate payments can be made through any local branch of the National Bank. With branches in Tuakau, Waiuku and Pukekohe, this payment option gives customers flexibility to pay rates from 9.00am – 4.30pm Monday to Friday.

Your remittance slip will be required by the Bank to enable them to process payments. The Council accepts payment by EFTPOS, cash or cheque. The Council does not accept ANY payments made by Credit Card.

Alternatively there is:

- a secure box at each service centre where mail (including payments) can be left for collection; and
- a direct telephone line to the Pukekohe Office (09 237 1300) is available for enquiries outside of the service centres opening hours.

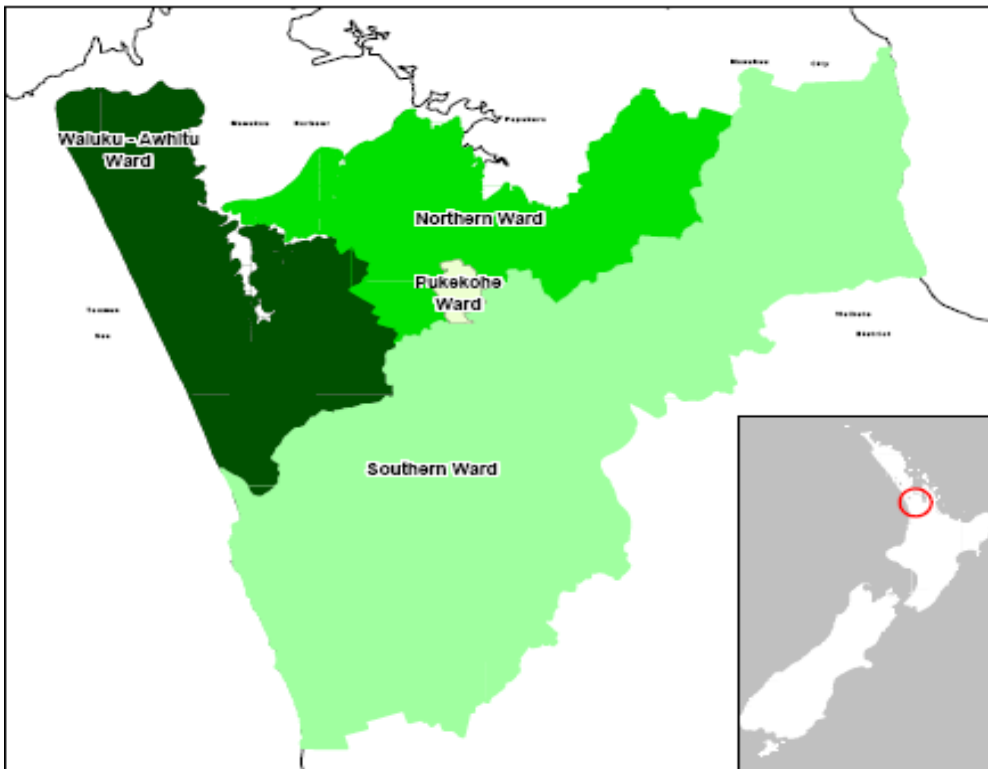
### Opening hours for Council's Service Centres:

TUAKAU		
Monday	Open	8.30am to 12 noon
Tuesday	Closed	
Wednesday	Open	8.30am to 12 noon
Thursday	Closed	
Friday	Open	8.30am to 12 noon

WAIUKU		
Monday – Friday*	Open	9.00am to 1.00pm
*With the exception of the first and third Thursday of each month when opening hours are from 10.30am to 2pm		

PUKEKOHE		
Monday – Friday	Open	8.00am to 5.00pm

#### 4.10 Franklin District Ward Boundaries



#### 4.11 Review of Representation Arrangements

In undertaking a review of representation arrangements, Council must follow the procedure set out in the Local Electoral Act 2001. In deciding its representation arrangements, consideration must be given to three key factors:

- identified communities of interest;
- effective representation for those communities of interest;
- fair representation.

The procedure requires Council to publicly notify its initial decision on its representation arrangements and call for submissions. Any person or organisation (including a community board) can make a written submission to Council on the initial decision and has a right to speak to that submission at a Council meeting. Once Council has considered all submissions, the final decision is made.

Any person or organisation (including a community board) who has made a submission to the initial determination has the right to appeal the final decision. If Council has amended the initial decision, any person or organisation has the right to object to the final determination. Where appeals or objections are received, Council must forward all appeals, objections, submissions and other appropriate information to the Local Government Commission. The Commission then makes a binding decision on the representation arrangements for Franklin District Council. 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.

## **5. Governance Structures**

This section contains information on the governance structures Council has established to ensure that Council operates efficiently and that the interests of the community are taken into account when making decisions.

### **5.1 Relationship of Committees to Council/ Reporting Structure**

Council has established the following six committees:

- Strategy and Policy Committee
- Activity and Monitoring Committee
- Regulatory Committee
- Audit Committee
- Te Roopu Paehere
- Plan Change Hearings Committee.

The decisions of Council's Strategy and Policy, Activity and Monitoring, Regulatory, Audit and Te Roopu Paehere Committees are reported to and received by Council. Any resolutions of these Committees that are outside their delegations are formally recommended to Council for adoption. The minutes of the Audit Committee and the Plan Change Hearings Committee are received and adopted by Council. If necessary, the Audit Committee makes separate reports to Council.

All Council committees are guided by Council's Vision, Mission Statement and Guiding Principles. In their decision making, Committees give due recognition to major existing plans – the Franklin District Council Long Term Council Community Plan and its subsequent Annual Plans, strategic documents, Asset Management Plans, District Plan and District Growth Strategy.

Pursuant to section 30 (1), Schedule 7 of the LGA 2002, Council has established the following six committees:

## 5.2

## **STRATEGY AND POLICY COMMITTEE**

### **Purpose**

To decide, on behalf of Council, matters of strategic intent and policy covering all activities of Council.

The Committee is required to consider matters of strategy and policy directed to it by Council, by the Activity and Monitoring Committee and by the Regulatory Committee, including the hearing of submissions on matters of policy under the requirements of the LGA 2002, inclusive of hearings associated with the making of bylaws.

Except for the management of appeals to Plan Changes and its amendments, the Committee is delegated to consider policy matters under the Resource Management Act 1991.

The Committee is also charged with developing and approving strategic and policy initiatives on behalf of Council, including, but not limited to:

- Council's Strategic Framework and any associated strategies and plans;
- Activity and Asset Management Plans;
- Levels of Service and Performance Evaluation and Monitoring frameworks;
- District Plan Change development;
- Town Plans and Structure Plans;
- Plans associated with specific areas of Council activity (e.g. Recreation Plan, Reserve Acquisition Strategy, Waste Management Plans, Water and Sanitary Services Assessments, etc); and
- Council Bylaws.

The Committee will also guide Council's Community Outcomes process and consider Council's strategic response to the identified Community Outcomes through development of Council's strategies and plans.

The Committee will review and develop draft bylaws for presentation to Council for decision on public notification and hearing of submissions. The Committee will also hear, on behalf of Council, submissions on specified bylaws and report its recommendations on the final form of bylaw to Council. Such work will be carried out within Council's stated strategic intent, and support the development of Long Term Council Community Plans and Annual Plans for Council's subsequent consideration and adoption.

The Committee may initiate new work within its scope, subject to resourcing as set by Council.

Council reserves to itself the setting of its strategic intent.

## **Delegated Authority**

The Committee is delegated authority to determine matters of strategy and policy (including Resource Management Policy), including hearing and consideration of any public submissions generated by the decision-making requirements of the LGA 2002 (other than those reserved to Council by the LGA 2002) and policy matters under the RMA 1991 or any other Act.

The Committee is delegated the authority to process matters of strategic intent through to final adoption, which is reserved to Council.

Except as provided in section 32(1), Schedule 7 of the Local Government Act 2002 and any other Acts, the Strategy and Policy Committee is delegated power to decide any matter relevant to the activities included under the 'Purpose' section of this brief with the exception of LTCCP and Annual Plan setting, and alterations to Council's strategic intent.

Pursuant to section 30(2) Schedule 7 of the Local Government Act 2002, Council prohibits the appointment of subcommittees.

## **Membership**

The Mayor and all Councillors.

Quorum: 7

Committee Chairperson: Councillor Morrison.

Deputy Chairperson: Councillor Rennie.

## **Resources**

Financial:	As decided by Council in the LTCCP.
Staff:	The Chief Executive, Group Manager, Committee Secretary and staff to advise the Committee as required.
Direct Support Officer(s)	Group Manager Planning and Policy Policy and Planning Manager (Matters under the decision-making requirements of the LGA) District Planning Manager (Matters under the decision-making requirements of the RMA)
Meeting Protocol	Conducted under Standing Orders Standing orders may be suspended at Chair's discretion to facilitate open discussion. Decision by resolution

### 5.3

## ACTIVITY AND MONITORING COMMITTEE

### Purpose

On behalf of Council, to provide oversight of, and decide on, matters of operational performance, and capital and operational expenditures, as set in the LTCCP and supporting annual plans, including the monitoring of expenditure and the overall performance of the activities listed below, by way of receipt of activity reports, monthly financial reports and quarterly Financial and Performance Reports.

The Committee is required to consider matters directed to it by Council, the Strategy and Policy Committee, or management, covering the following activities:

- Leading The Franklin District
  - Strategic Planning and Policy
- Moving around Franklin
  - Transport
- Protecting the Franklin Environment
  - Building
  - Emergency Management
  - Land Drainage
  - Regulatory
  - Solid Waste Management
  - Stormwater
  - Wastewater
  - Water
- Living and Playing in Franklin
  - Open space amenities
  - Arts and Culture and Community Partnerships
  - Economic development
  - Community Facilities
  - Open Spaces and Amenities
- Organisational Support
  - Customer Services
  - Finance
  - Information systems and records management
  - Committee Support
  - Property
  - Communications
  - Legal
  - Executive, Human Resources
- Auckland War Memorial Museum (Reports) and Museum of Transport and Technology (Reports) (with the exception of matters of policy which will be dealt with by the Strategy and Policy Committee);
- Receipt of reports and monitoring of performance of any Council Organisations, Council Controlled Organisations, and Council Controlled Trading Organisations (E.g. Franklin District Library Trust, Franklin Arts and Culture Trust) (with the exception of the appointment of Board members or Trustees [to remain with Council]),
- Receipt of reports and monitoring of performance of any public/private partnerships between Council and third parties; and

- Consideration and awarding of Community Partnership Loans and the monitoring of performance against agreed parameters.

Matters of strategy and policy will be considered and set by Council or the Strategy and Policy Committee (in accordance with its delegations). District Plan Changes will be developed by the Strategy and Policy Committee and heard by the Plan Change Hearing Committee.

The Activity and Monitoring Committee may authorise the purchase or disposal of land where such transactions are a usual part of a capital works project adopted by Council through an LTCCP, and where the purchase or disposal of land has been contemplated, whether or not the actual parcels or area of land are stipulated, or where such purchase or disposal is part of a strategic plan (e.g. Reserves Acquisition Strategy) adopted by Council, and funding has been placed in a dedicated reserve account or provided for in the LTCCP.

The Committee may also carry out on Council's behalf the stopping, taking and vesting of road. The Committee is also responsible for approving Road Closures.

The Committee may initiate new work within its scope, subject to resourcing as set by Council.

### **Delegated Authority**

Except as provided in section 32(1), Schedule 7 of the LGA 2002 and any other Acts, the Activity and Monitoring Committee is delegated power to decide any matter relevant to the activities listed under the 'Purpose' section of this brief with the exception of the power of delegation, LTCCP and Annual Plan setting, and alterations to strategic intent.

Pursuant to section 30(2) Schedule 7 of the LGA 2002, Council prohibits the appointment of subcommittees.

### **Membership:**

7 Councillors (not being members of the Regulatory Committee).

The Mayor is an ex officio member.

Quorum: 4

Chairperson: Councillor Lynch.

Deputy Chairperson: Councillor Morris.

### **Resources**

Financial	As decided by Council in the LTCCP
Staff:	The Chief Executive, Group Managers, Committee Secretary and staff to advise the Committee as required.
Direct Support Officer(s)	Group Manager, Works and Services Group Manager, Community Facilities
Meeting Protocol	Conducted under Standing Orders Decision by resolution

## 5.4

## REGULATORY COMMITTEE

### Purpose

On behalf of Council, to decide on all regulatory matters including the conduct of Hearings in relation to:

- Any Government Act or Regulation
- The District Plan
- The resolution of Environment Court references to Plan Changes and variations to the Operative District Plan or proposed Plan.

(Responsibilities for burials, while a regulatory function, are directly related to an asset management function and will be administered through the Activity and Monitoring Committee.)

The function of the committee shall be:

- To hear and make determination on all matters subject to a hearing and /or delegated to the Committee under any Act or Regulation;
- To administer the provisions of Council's District Plan with consistency and with regard to Council's strategic and policy position;
- To recommend review of the District Plan's provisions where required for reasons of consistency with Council policy or for clarity or better administration of the Plan;
- To provide direction to the resolution of Environment Court appeals to any Plan Changes or variation to Plan Changes, to the Operative District Plan or proposed Plan Changes, consistent with Council's policy and strategic intent;
- Where agreement to negotiate and settle appeals lodged with the Environment Court to the Decision Version of a Plan Change is within the bounds of Council's stated policy and strategic positions or as specifically resolved by Council, the committee has the authority to settle the appeals on Council's behalf; and
- Decision to prosecute or appeal a matter to the District Court or Environment Court.

This shall include but not be limited to decisions on:

- Resource Consents (including land use)
- Requirements and Enforcement,

under, but not limited to:

- Resource Management Act 1991
- Building Act 2004
- Health Act 1955
- Dog Control Act 1996
- Regulatory matters under the LGA 2002 and
- Sale of Liquor Act 1989.

### **Delegation**

As decided from time to time by Council and recorded in Council's Delegation and Policy Manuals.

Pursuant to section 30(2), Schedule 7 of the LGA 2002, Council prohibits the appointment of subcommittees.

### **Membership**

Five Councillors

Quorum: 2

The Mayor is an ex officio member.

Chairperson: Councillor Ranchhod

Deputy Chairperson: Councillor Kay

External appointees as required

### **Resources**

Financial:	As decided by Council in the LTCCP
Staff:	The Chief Executive, Group Managers, Committee Secretary and staff to advise the Committee as required.
Direct Support Officer(s)	Group Manager: Environmental Services; Group Manager: Strategic. Regulatory Planning Co-ordinator: Subdivisions Regulatory Planning Co-ordinator: Landuse District Planning Manager
Meeting Protocol	Conducted under Standing Orders and the hearings requirements of the Resource Management Act 1991 Decision by resolution

## 5.5

## **AUDIT COMMITTEE**

### **Purpose**

To manage Council's relationship with its external auditors and to report and make recommendations to Council on matters related to the responsibilities set out below.

The Committee is responsible for:

- Reviewing and recommending for adoption the accounting policies of the Council;
- Reviewing the timetable for preparing the annual financial statements;
- Considering the adequacy of the form and content of published financial and performance statements;
- Reviewing the completed financial statements and recommending their adoption to Council;
- Considering arrangements for annual external audit, including discussing the use (if any) the external auditor is making of internal audit work, and any additional services to be provided by external auditors;
- Reviewing the reports issued by the external auditors and the responses from management to the matters raised, and confirming timely and relevant action is taken on those matters;
- Reviewing the Council's exposure to risk and fraud;
- Considering accounting treatments, changes in generally accepted accounting practice and new accounting and reporting requirements;
- Satisfying itself as to the existence, quality and operation of cost-effective internal control systems, and the proper application of procedures;
- Ensuring there are effective systems to monitor compliance with the appropriate legislation;
- Ensuring there is an appropriate system to deal with ratepayer enquiries and complaints received by Council; and
- Formulating the appropriate response to any ratepayer enquiries investigated by the Office of the Auditor-General.

The Committee may initiate new work within its scope, subject to resourcing as set by Council.

### **Delegated Authority**

Pursuant to section 30(3), Schedule 7 of the Local Government Act 2002, the Committee shall appoint its Chairperson and Deputy Chairperson from among its elected membership.

The Committee has no other delegated authority.

Pursuant to section 30(2), Schedule 7 of the Local Government Act 2002, Council prohibits the appointment of subcommittees.

**Membership:**

The Mayor, Deputy Mayor, Chair of the Activity and Monitoring Committee, Chair of the Strategy and Policy Committee and one external appointee.

Quorum: 4

Chairperson: Councillor Kay

Deputy Chairperson: to be appointed.

**Resources**

Financial:	As decided by Council in the LTCCP.
Staff:	The Chief Executive, Group Manager: Corporate Services, Finance Manager, Committee Secretary and staff to advise the Committee as required.
Direct Support Officer	Finance Manager Group Manager: Corporate Services Group Manager: Strategic
Meeting protocol	Conducted under Standing Orders Decision by resolution

## 5.6

## **PLAN CHANGE HEARINGS COMMITTEE**

### **Purpose**

The purpose of this Committee is to hear and determine on behalf of Council, pursuant to the First Schedule of the Resource Management Act 1991, submissions on proposed changes and variations to proposed changes to the Operative District Plan, and to approve any Plan Change or Plan.

### **Scope**

The Committee is required to hear and determine all submissions to any proposed plan change or variation to a proposed plan, and approve and adopt, in whole or with amendment, the plan change or change to a plan, or to withdraw in whole or in part proposed plan change.

### **Delegated Authority**

Except as provided in Section 32(1), Schedule 7 of the Local Government Act 2002 and any other Acts, the Committee is delegated power to decide any matter relevant to the activities listed under the 'Purpose' section of this brief.

The Committee has no other delegated authority.

### **Membership**

Pursuant to section 30(1), Schedule 7 of the Local Government Act 2002, Council will appoint membership of this Committee when required.

The membership of this Committee will ordinarily comprise four members being a Chairperson plus three members. However the number of members may vary depending on the topic of the Hearing.

Council may appoint one or more non-elected members to the Committee, such appointees to have the power of Commissioners pursuant to section 34 A (5) of the Resource Management Act 1991.

Quorum: 75% of the appointed Committee.

### **Resources**

Financial:	As decided by Council in the LTCCP.
Staff:	The Chief Executive, Group Managers, Committee Secretary and staff to advise the Committee as required.
Direct Support Officer(s)	District Planning Manager, Group Manager: Strategic
Meeting protocols	Conducted under Standing Orders and Policy 10.1.1(3) Hearings – Principles of Natural Justice, and the requirements of the Resource Management Act 1991, where appropriate. Decision by resolution.

**Purpose**

Members of Te Roopu Paehere are appointed by Iwi to represent them on this Standing Committee of Franklin District Council.

The role is a governance role with two primary objectives from Council's perspective:

Te Roopu Paehere is a standing committee of the Franklin District Council that has been established to provide a strategic forum for the Maori community to participate in the decision-making process of Council and to build capacity within the Maori community for involvement in the overall governance of the Franklin District as it impacts on or affects Maori community development.

The function of the Committee shall be to:

- Provide strategic advice to Council on matters affecting the social, economic, environmental and cultural wellbeing of Maori in Franklin District.
- Ensure Maori values are considered in Council's decision-making processes and service delivery.
- Provide leadership and advice to Council on Treaty of Waitangi relationships, development and issues
- Lead in the education of the Maori community on civic processes.

Matters will be referred to this Committee from Council, other committees of Council, officers and the Maori community.

It is specifically noted that this Committee is not expected to provide recommendations on environmental issues relating to land and physical and natural resources and the effects of these, particular to any Iwi, Hapu, individual or multiple Maori owners.

Te Roopu Paehere will appoint from its membership, representatives to attend meetings of Council, the Strategy and Policy Committee and the Activity and Monitoring Committee. Appointees will have speaking rights at Council and on those committees.

**KAWA/TIKANGA**

For the purposes of Te Roopu Paehere it is noted that the observance of Tainui and Wai o Hua tikanga and kawa are paramount and provide for the roopu a base korowai for operations, which will include the reverence of karakia and mihi mihi to start and conclude all Committee meetings.

**Delegated Authority**

In relation to its areas of activity, the power to:

- a) Recommend to Council responses to Te Tiriti o Waitangi issues and a strategy and work programme for relationship development with Maori in Franklin.
- b) Receive and comment on draft submissions to Government from other Committees on legislation having implications for Maori, with a view to ensuring that matters affecting the social, cultural, economic and environmental well being of Maori in Franklin are addressed and to make recommendations to Council.
- c) Identify and make recommendations to Council on policy development priorities for Maori communities in Franklin.

- d) Monitor and make recommendations to Council on existing and proposed policies that affect or have the potential to affect Maori communities in Franklin.
- e) Make recommendations to Council on LTCCP and Annual Plan priorities for Maori communities.
- f) Monitor progress in achieving LTCCP and Annual Plan priorities and outcomes for Maori communities in Franklin and make recommendations to Council.
- g) Approve all Maori consultation action plans for significant proposals by Council or other Committees and monitor compliance.
- h) Monitor Council's compliance with LGA 2002 requirements for consultation with Maori, and make provision for Maori participation in decision-making processes.
- i) Consider regional and national political issues affecting Maori communities in Franklin and make recommendations to Council as appropriate.
- j) Receive presentations as approved by the Committee.
- k) Receive deputations and any other communications on matters affecting the Maori communities of Franklin as approved by the Committee and make recommendations to Council.
- l) Make recommendations to Council on Standing Committee representation on outside organisations/other bodies.
- m) Make recommendations on matters referred to it by Council
- n) Provide strategic advice to staff of Franklin District Council in their relationships and dealings with the Maori communities of Franklin District.

### **Membership**

Mayor/Councillor Morrison (alternate) ex officio

Two Appointed Councillors: Cllrs Robertson and Hayman

Representatives appointed by the following Maori groups:

Ngaati Te Ata

Ngati Paoa

Ngati Tamaoho

Ngati Naho

Ngati Karewa/Ngati Tahinga

Ngai Tai Umupuia

Huakina Development Trust

**Quorum:** Two Elected Members of Council and a minimum of four appointed Maori representatives.

## **Resources**

Financial:	As decided by Council in the LTCCP.
Staff:	The Chief Executive, Group Managers, Committee Secretary and staff to advise the Committee as required.
Direct Support Officer(s)	Group Manager: Strategic Maori Committee Support Officer
Meeting Protocols	Kawa Tikanga as approved by the Committee Conducted under Standing Orders Standing orders may be suspended at Chair's discretion to facilitate open discussion. Decision by resolution.

## 5.8

### **COMMUNITY BOARDS**

Franklin District is served by two community boards:

- Waiuku/Awhitu Community Board; and
- Onewhero/Tuakau Community Board.

#### **Delegations to Community Boards**

Community Boards have responsibility for the following:

- Board issues/recommendations to be included on Council agendas for consideration;
- Attending ratepayer and other community meetings;
- Providing feedback to Council on issues raised and meeting agenda items;
- A list of Community Board issues/priorities to be recommended to Council and action taken monitored by the Board;
- A facilitation role in progressing Town Plans;
- Meetings to consult with their communities, in conjunction with Councillors, on the Community Outcomes;
- Analysis and provision of formal feedback to Council on the Franklin Community Plan and for submissions as required under the legislation; and
- Providing feedback to the community on Council decisions.

Community Boards have a formal role in monitoring services in their areas and report issues and achievements to the Activity and Monitoring Committee. To help facilitate this, the Community Boards are to be provided with a list of service contracts for their areas.

#### **5.9 Delegations to Waiuku/Awhitu Community Board**

*Functions delegated to the Waiuku/Awhitu Community Board:*

Administrative responsibilities for the Waiuku War Memorial Hall:

- Making recommendations to Council on fees, charges, conditions of hire and the community centre levy.
- To establish maintenance programmes and make provision for these in the Annual Plan.
- To develop capital improvement programmes and make provision for these in the Annual Plan.
- To liaise with the Waiuku community on all matters relating to the Waiuku War Memorial Hall.
- To make recommendations to the Customer Services Team Leader with respect to the handling of bookings, bonds, keys etc.

## Administrative Responsibilities for the Waiuku Community Hall

- To make recommendations to Council on fees, charges, conditions of hire and the community centre levy.
- To establish maintenance programmes and make provision for these in the Annual Plan.
- To develop capital improvement programmes and make provision for these in the Annual Plan.
- To make recommendations to the Customer Services Team Leader with respect to the handling of bookings, bonds, keys etc
- Management of the Waiuku Botanical Reserve

### 5.10 Delegations to Onewhero/Tuakau Community Board

*Functions delegated to the Onewhero/Tuakau Community Board:*

- Administration of the Tuakau War Memorial Town Hall:
- To make recommendations to Council on fees, charges, conditions of hire and the community centre levy.
- To establish maintenance programmes and make provision for these in the Annual Plan.
- To develop capital improvement programmes and make provision for these in the Annual Plan.
- To make recommendations to the Customer Services Team Leader with respect to the handling of bookings, bonds, keys etc.
- Management of the Onewhero Domain.
- Allocation of pensioner flats in Tuakau, in conjunction with the Customer Services Team Leader and Property Manager

### 5.11 Membership of Councillors on External Organisations

One of the major roles Council plays is to represent the interests of the Franklin Community when meeting with other bodies or groups. Council has appointed representatives to a number of bodies for this reason. These representatives have particular interest in these areas and are happy to be approached by members of the community on issues related to the groups listed below.

<b>Organisation</b>	<b>Representation Required</b>
Auckland Emergency Management Group, Governance Group	Representative: Councillor Crompton Alternate: Councillor Petersen
Auckland Institute and Museum and MOTAT College	Representative: Councillor Petersen
Auckland Regional Transport Authority (ARTA) Board Appointments Panel	Representative: The Mayor Alternate: Councillor Kay
Auckland Territorial Authority Economic Network	Representative: Councillor Morrison Alternate: Councillor Rennie
Auckland Regional Strategic Development Forum	Representative: The Mayor Alternate: Councillor Morrison

(Auckland) Regional Land Transport Committee	Representative: Councillor Morris Alternate: Councillor Rennie
Auckland Regional Sport and Recreation Strategy Reference Group	Representative: Councillor Ranchhod Alternate: Councillor Lynch
Council of Social Services	Representative: Councillor Robertson
Counties Manukau District Health Board Reference Group (Franklin Integration Project for Older People and the Way Forward)	Representative: Councillor Morris
Counties Manukau Sports Foundation	Representative: Councillor Ranchhod Alternate: Councillor Lynch
Enterprise Franklin Development Trust	Representative: Councillor Morrison Alternate: The Mayor
Franklin Community Care Committee	Representative: Councillor Robertson
Franklin Safer Community Council	Representative: Councillor Crompton Alternate: Councillor Lynch
Hauraki Gulf Forum  (Appointees also to represent Council in any Coastal Compartment Fora convened for the Hauraki Gulf)	Representative: Councillor Hayman  Alternate: Councillor Robertson
Lower Waikato Liaison Sub-Committee	Representative: Councillor Petersen Alternate: Councillor Hayman
New Zealand Steel Environment Committee	Representatives (2): Councillor Sands Councillor Lynch
Project Watershed Liaison Sub-Committee for Lower Waikato	Representative: Councillor Petersen Alternate: Councillor Hayman
Southern Sector Agreement Working Party	Representatives (3): Councillor Hayman Councillor Morrison Councillor Morris
Wairoa Catchment Committee	Representative: Councillor Petersen  Alternate: Councillor Hayman

<b>Reserves Committees</b>	<b>Representation Required</b>
Bledisloe Park Management Committee	Representative: Councillor Kay
Colin Lawrie Playing Fields Management Committee	Representative: Councillor Morrison
Dr John Lightbody Reserve Management Committee	Representative: Councillor Petersen
Karaka Sportsground Reserve Committee	Representative: Councillor Morris
Massey Park Management Committee	Representative: Councillor Sands
Mercer Domain Advisory Board	Representative: Councillor Hayman
Rosa Birch Park Management Committee	Representative: Councillor Ranchhod
Tamakae Reserve Management Committee	Representative: Councillor Lynch

When representing Council at meetings not listed above, the Mayor or an elected member appointed by the Mayor will exercise any voting rights on behalf of Council.

## **6. Delegations of Authority**

Delegations of authority allow Council to allocate responsibilities or powers to individuals or bodies that are required for the governance of the District.

Under the Local Government Act 2002, functions which Council may not delegate but must perform itself are:

- the power to make a rate
- the power to make a bylaw
- the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Council Community Plan
- the power to adopt a Long Term Council Community Plan, Annual Plan or Annual Report
- the power to appoint a Chief Executive
- the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Council Community Plan or developed for the purpose of the local governance statement.

Any other duties or powers of Council may be delegated to elected members, committees, community boards or staff to carry out. Once a delegation is made, it may be re-delegated to another person or body, unless this was prohibited by Council or the body which originally delegated the function. Delegations can be made for reasons of efficiency and effectiveness.

Council may delegate to any other council, organisation, or individual the enforcement, inspection, licensing and administration of bylaws and other regulatory functions, with the consent of that party. Council also needs to consider whether or not to delegate a duty or power to a community board, if that delegation would enable the community board to perform its role to the best of its ability.

Council is also bound by other legislation that may limit its ability to delegate responsibilities. Council, elected members and Council staff are still legally responsible for the performance of functions or duties, even when they have been delegated to another person or body.

## **7. Information on Meetings**

Under the Local Government Act 2002, Council holds meetings for the good governance of the Franklin District.

### **7.1 Times and Venues for Meetings**

Ordinary Council meetings are held in the Chambers at Council's Manukau Road office in Pukekohe, on the fourth Thursday of the month usually beginning at 11am, but times may vary. Other meetings are held in the Chambers (unless otherwise stated) at the following times:

- Strategy and Policy Committee – second Thursday of the month at 10.00 am.
- Activity and Monitoring Committee – third Thursday of the month at 10.00 am.
- Regulatory Committee – meets in two cycles, the first cycle meets every Monday and for second cycle meets on the second and fourth Wednesdays of the month at 10.00 am.
- Te Roopu Committee - second Tuesday of the month at 10.00 am.
- Audit Committee - meets quarterly as notified.
- Plan Change Hearing Committee - as notified.
- Onewhero/Tuakau Community Board (OTCB) – second Monday of the month at 10.00 am (held in the Tuakau War Memorial Town Hall).
- Waiuku/Awhitu Community Board – third Monday of the month at 4.30 pm (held in the Waiuku Community Hall).

Please note that meeting times do vary sometimes, and you may wish to contact Council prior to a meeting to confirm these times.

### **7.2 Legislative Requirements**

Meetings are conducted in accordance with:

- Schedule 7 of the Local Government Act (LGA) 2002.
- Part 7 of the Local Government Official Information and Meetings Act 1987 (LGOIMA) with amendments, and
- Council's adopted Standing Orders.

A schedule of ordinary meetings is adopted for the year. However, extraordinary meetings can be called at short notice if necessary, but must be notified to elected members in a reasonable time period. Council publishes a schedule of meetings for the coming month. Extraordinary meetings are publicly notified as soon as practicable before the meeting.

After a general election, a meeting of Council is called as soon as is practicable. Council and committee meetings can only take place if a quorum is present. Council decisions are made by a majority vote.

Council has adopted a set of model standing orders, which it observes throughout meetings. Amendments to Standing Orders require a vote of not less than 75% of the members present. However, if 75% of Council are in favour, all or part of Standing Orders may be suspended during a meeting. Breaches of standing orders can be dealt with through raising a point of order.

Agendas listing the order of business are available to elected members not less than 2 days before the meeting day. Minutes are kept as evidence of proceedings. Agendas and minutes of Council and committee meetings can be inspected or requested from Council's main office, service centres and public libraries. Agendas of meetings are available for public inspection at least 2 working days before the meeting is held. When extraordinary meetings are called, Council makes a copy of the agenda and any associated reports available to the public as soon as reasonably practical

The public and news media are welcome to attend Council meetings and Council is required to allow the public entry to meetings unless matters are to be discussed for which there are good reasons for excluding the public.

The public may be excluded from the whole or a part of a Council meeting, pursuant to section 48 of the Local Government Information and Meetings Act (LOGOIMA). When Council resolves to exclude the public from a meeting, information will be given in its resolution on the general subject matter to be dealt with and the reason for public exclusion.

The Mayor presides at Council meetings and the Chairperson presides at Committee or Community Board meetings. Members direct any comments or questions they have through the chair. Council officers present information or advice to Council for discussion. Elected members can only speak once on a motion, but they can ask further questions. Council meetings are formal and Standing Orders must be observed. Members of the public can speak at meetings if they are named in the agenda, or if Council grants them speaking rights at the meeting.

Council's Regulatory Committee is subject to the provisions of the Resource Management Act 1991, in addition to many of the provisions relating to meeting processes in the LGOIMA, the LGA, and Council's Standing Orders.

## **8. Summary of Code of Conduct for Elected Members**

The Code of Conduct sets out the standards elected members are expected to maintain in their governance role.

### **8.1 Legislative Requirements**

Clause 15 of Schedule 7 of the Local Government Act 2002 requires every council to adopt a Code of Conduct for the Elected Members of the Council (the Mayor and Councillors) within six months of triennial Local Government elections occurring. The Code requires elected members to comply with their adopted Code of Conduct.

This Code of Conduct has been adopted by both Community Boards.

The Franklin District Council Code of Conduct provides guidance on the standards of behaviour expected from Elected Members in their dealings with:

- each other
- the Chief Executive
- staff
- the media; and
- the general public.

### **8.2 Guiding Principles**

Council's Code of Conduct is based on the following principles:

#### ***Acting in a fair, honest and proper manner***

Elected Members must:

- act in accordance with legislation;
- undertake work in accordance with natural justice principles;
- behave in a reasonable, just and non-discriminatory manner;
- undertake all actions in good faith and not for improper or ulterior motive;
- be impartial in reaching decisions and accepting and respecting the responsibilities of those decisions; and,
- not make improper use of information acquired or make improper use of their position in Council.

#### ***Care and diligence in performing their duties***

Elected members must:

- act with reasonable care and diligence in the performance of their duties by appropriately and properly using information available to them in the course of their employment.
- exercise their responsibilities and balance the interests of the community against the rights of individuals;
- ensure that they are informed on the matters requiring a decision and give these due consideration;
- be fair and equitable in the treatment of all matters under consideration;
- give careful and responsible consideration to the allocation of resources; and,
- monitor the effectiveness of Council policies.

#### ***Relationship with the public***

Elected Members must be honest and fair in their dealings with individuals and organisations and behave in a manner that facilitates constructive communication between Council and the community. This includes not discriminating against any person or misusing their position to gain personal advantage or inappropriate advantage for others.

### ***Relationship with staff***

Elected Members will seek to achieve a team approach in an environment of mutual respect, trust, and acceptance of their different roles in achieving Council's objectives by showing employees courtesy and respect.

### ***Representing the Council***

When representing Council in the community, Elected Members will provide an accurate and fair representation of Council decisions, respect Council decisions and policy directions and behave in a manner that maintains and enhances the image of Council.

### ***Relationship between Council members***

Elected Members will establish a working relationship with fellow Elected Members of Council that achieves the best possible outcomes for the community through demonstrating courtesy and respect to their fellow Elected Members whilst respecting the diversity of opinion that may exist.

### ***Use of Information***

Information obtained by elected members in the course of their duties must be respected and used in a careful and prudent manner. Elected members should:

- not withhold any information relating to legislative obligations but respect and maintain individual confidentiality when required.
- convey information on Council's position when authorised but not put forward personal views as those of Council.

## **8.3 Applicable Statutory Requirements**

The following statutes set out specific obligations or restrictions relating to the conduct of elected members:

- Section 46(1) LGA 2002
- Section 1 Schedule 7 LGA 2002
- The Local Authority (Members' Interests) LGA 1968
- The Local Government Official Information and Meetings Act 1987 (LGOIMA)
- The Secret Commissions Act 1910
- The Crimes Act 1961
- The Securities Act 1978.

## **9. Key Planning and Policy Documents**

Council has adopted a number of key planning and policy documents which contain guidance on Council's approach to the governance of the District.

### **9.1 District Plan**

Under the Resource Management Act 1991 (RMA), Council is responsible for the sustainable management of the local environment. To implement this, in 1999 Council adopted the Franklin District Plan, which became operative in 2000.

The District Plan sets out information on how Council will manage local activities to ensure that they are undertaken in a way which minimises or avoids environmental harm, while recognising the need to provide for the present and future needs of the local community.

The District Plan was developed over a four year period in a process which involved consultation on draft plans and the hearing of submissions. The RMA requires Council to commence a full review of its District Plan not later than 10 years after the Plan becomes operative.

### **9.2 Franklin District Growth Strategy (DGS)**

The Franklin District Growth Strategy is part of the Council's commitment to sustainable development. The long term vision for Franklin is of *"a country lifestyle in harmony with our environment."* It is a vision of *"a diverse people living within defined, planned and serviced country towns and villages, surrounded by countryside offering great living, working and recreational options, connected to cities by well developed transport links."*

As the precursor to future district plans, the DGS is designed to ensure that the strategic direction is consistent with national and regional policies and plans, while reflecting the particular needs and circumstances of the District. It lays out a blueprint for the next 50 years which:

- identifies where growth (residential, rural, commercial, industrial, and recreational) can be accommodated;
- Sets out a staging plan for the establishment of any new development areas;
- Guides infrastructure planning including transport, water supply and wastewater;
- identifies areas/features for preservation and protection;
- Provides certainty for the community and landowners, outlining what type of growth is needed and where; and
- Provides guidance to other infrastructure providers through identifying location and scale of future growth.

The strategy is proactive, recognising that there are economic, social, environmental and cultural benefits to be gained from managing growth, rather than adopting a *laissez faire* approach allowing *ad hoc* development across the District. Analysis of the community outcomes of different growth patterns undertaken in preparing the strategy clearly shows the merits of this approach.

In addition to the DGS, there are other documents including;

### **9.3 Plan Change 7: Plan variation 6 "Tutaenui-North Pukekohe Structure Area Plan"**

The Franklin District Plan became operative on 28 February 2000 except for an area of the Tutaenui (North Pukekohe Hill) Catchment Area, which was subject to appeals. As a result of these appeals, the Court directed the Council to prepare a structure plan and variation/plan change for the area. The Council decision on Proposed Plan Variation 6/Plan Change 7 "Tutaenui - North Pukekohe Structure Plan Area" was subsequently appealed. As a result of these appeals the Environment Court, on 1 June 2007, directed the Council to amend its District Plan in accordance with the Structure Plan that was the result of negotiations with the appellants.

**Status** As of March 27, 2008 all appeals to Plan Changes to Variation 6 have now been decided, and the Plan Change will become notified as operative on 27 May 2008.

#### **9.4 Rural Plan Change: 14**

This Plan Change was designed to address mounting concern over how rural and coastal development and growth should be directed outside the centres of Pukekohe, Waiuku and Tuakau. During the preceding years, the operative District Plan appeared to provide insufficient direction for those seeking to subdivide and develop and for Council in its decision making. Increasing numbers of resource consent applications, particularly for subdivision, together with a significant pressure to permit more growth meant Council itself started to question how to provide for growth fairly and consistently.

Better direction for growth in the rural and coastal areas and in the villages required a comprehensive re-examination of a range of environmental issues, from the infrastructural requirements of development through to consideration of incentives and disincentives to protect and conserve the District's environmental features and assets. The drafting of the resulting Plan Change 14 ("The Rural Plan Change") sought to address the full ranges of these matters while still taking into account the very diverse environments of Franklin: the two coastlines, the highly productive soils and the development pressure moving from Auckland.

**Status:** As of March 2008, Plan Change 14 is currently at appeals stage.

#### **9.5 Plan Change: 20 "Pursuant to Local Government Auckland Amendment Act 2004 (LGAAA) and Resource Management Act 1991"**

Plan Change 20 contains a shift in policy emphasis that highlights Land Use Planning and Transport Planning integration, and 'gives effect' to the Auckland Regional Growth Strategy 1999. The key features are: Desirable Communities, Accessibility, and Natural and Physical Resources. Plan Change 20 was brought about by the LGAAA. The LGAAA required all the local territorial authorities of the Auckland Region to notify changes to their District/City Plans or Regional Policy Statement by 31 March 2005 to integrate Land Use Planning and Transport Planning, and to 'give effect' to the Auckland Regional Growth Strategy's 1990.

Plan Change 20 amends the text of Parts 2 and 9 and consequential amendments to parts 26, 27, 29, 50, 53 and 54 of the Franklin District Plan (FDP). Part 2 is titled "Managing the District's Resources" and Part 9 is titled "Transport". The consequential changes to other parts of the FDP are to introduce provision for Integrated Transport Assessments. These changes give effect to the LGAAA and to the Auckland Regional Growth Strategy.

**Status:** As of March 2008, Plan Change 20 is currently at appeals stage.

#### **9.6 Plan Change 22: Whangarata. The Business Park**

The Auckland Region in general and Franklin in particular are experiencing pressures related to the demand for business land. To help ensure that there is enough business land in Franklin over the next 30 years, Council proposes to rezone land at Paerata, Pukekohe, Tuakau and Waiuku so that the land can be used for business development. The area that has been identified at Tuakau lies to the south-east of Tuakau, in the vicinity of Bollard and Whangarata Roads; the railway line is located to the north of the proposed business area. The land is currently zoned Rural.

**Status:** As of March 2008, further submissions have been received.

#### **9.7 Plan Change 23: Fernleigh Business Park (Waiuku)**

As discussed above, Council proposes to rezone land at Waiuku so that the land can be used for business development. The area that has been identified at Waiuku lies to the east of Waiuku, in the vicinity of Cornwall, Shakespeare, Waiuku and Collingwood Roads. The land is currently zoned Rural.

**Status:** As of March 2008, Plan Change 23 has received further submissions.

### **9.8 Long Term Council Community Plan (LTCCP)**

From the 2004/05 financial year, the Local Government Act 2002 (LGA) required Council to prepare an LTCCP that covers a period of at least ten years.

The LTCCP is required to provide detailed financial forecasts for the coming three years and an overview of expenditure for the following seven years. The LTCCP must be reviewed every three years. In years when the LTCCP is not produced, an Annual Plan is required to show financial and other relevant information for that year, and any variations to the LTCCP.

The Franklin District Council Community Plan 2006 – 2016 (Our Blueprint for the Future), was adopted on 30 June 2006. Annual Plans scheduled for the next 2 years are as follows:

- Annual Plan 2008/09                      to be ready for adoption before 30 June 2008
- LTCCP 2009/19                              to be ready for adoption before 30 June 2009.

### **9.9 Annual Plan**

Each year Council prepares an Annual Plan which sets out key information for the coming financial year, such as proposed rating levels, financial performance, key activities Council plans to undertake and information on how these will be funded. The Annual Plan provides specific information on one year of the 10-year LTCCP.

Council approves the draft document, with any necessary changes and the public are able to comment on Council's proposed activities in the draft plan through the submission process, before final adoption of the Plan.

### **9.10 Asset Management Plans (AMPs)**

AMPs support the requirements of the LGA, particularly the need for assessing demand, levels of service and asset performance standards. The plans are key planning documents associated with the LTCCP and set out information on how Council will manage and fund its infrastructure assets over at least a ten year period.

AMPs clarify Council's goals and establish levels of service to assist planning and monitoring. The plans cover growth projections and maintenance and development strategies, as well as specifying capital works planned for the next three years. Information on projected expenditure, how this will be funded and debt levels are also included. AMPs are developed internally, with direction from Council.

### **9.11 Annual Report**

The Annual Report is an opportunity for Council to report on what it has done to achieve the goals set out in the Annual Plan, which should include an explanation of why expected goals may not have been realised. Annual Reports are submitted to the Office of the Auditor General, who audits them to ensure that Council has met its statutory responsibilities.

The Annual Report is developed internally, with direction from the Audit Committee.

### **9.12 Significance Policy**

Under the LGA 2002, all Council's were required to adopt a Significance Policy. This Policy outlines how Council will determine which issues, proposals, decisions and other matters are significant to the Franklin District. Significant decisions may have an impact on Council's ability to provide for the current and future social, economic, environmental, or cultural well-being of the District.

The Significance Policy enables significance to be determined through establishing a general approach to decision making, using criteria and specifying the assets that Council considers being strategic assets.

The Significance Policy also establishes a process for:

- ensuring that the views of the community of Franklin are fully considered and that all relevant information is considered when making decisions about significant issues, proposals, decisions or matters; and
- Ensuring that the community of Franklin is able to actively participate in the deliberation on significant issues, proposals, decisions or matters and/or decisions which involve the Council's strategic assets.

The degree of significance of a decision also influences the range and breadth of information required to be considered by Council.

### **9.13 Activities and Services (Intervention) Policy**

In carrying out its activities and delivering its services to the community consistent with its Vision and Mission Statement, the FDC holds eight overarching principles:

1. give primary concern for promoting community wellbeing;
2. encourage democratic local decision making;
3. build capacity of community and stakeholders (in particular, the Maori community) and active partnerships;
4. carry out governance and stewardship processes in an open, transparent and accountable manner, using quality information;
5. seek balance between efficiency and effectiveness and provide services at lowest economic cost to Council that will provide the required quality of service;
6. adopt sustainable development approaches and aim to make Franklin the community of choice;
7. adopt a design -ed approach to planning and development;
8. exercise powers of regulation and enforcement consistent with legislation, Council policy and its strategic intent.

A range of activity and service interventions fit into the following broad categories: regulation, advocacy/education, incentive, partnership and direct activity. In undertaking its activities and services, Council will be guided by the following:

- the Franklin environment and the community sense of place;
- the "Franklin Country" brand;
- The Council's Vision for the District and Mission to deliver that Vision over the long term;
- the Franklin District Growth Strategy; and
- the requirements of legislation and national, regional and district policy frameworks.

### **9.14 Revenue and Financing Policy**

The Revenue and Financing Policy is required to state Council's policies in respect of the sources of funding for both operating and capital expenditure. When assessing funding needs, Council must consider, at activity level, the community outcomes promoted by the activity, benefit distribution (including inter-generational benefit distribution), any reasons for needing to undertake the activity, and the costs and benefits of separately funding the activity. A local authority must also consider the overall impact of any allocation on the wellbeing of the community.

### **9.15 Liability Management and Investment Policies**

The overall objectives of the Liability Management and Investment Policies are to facilitate the achievement of Council's objectives; to comply with the LGA and other relevant legislation; to manage Council's overall financial resources in a prudent, efficient and effective manner; to promote the wellbeing of the residents and ratepayers of Franklin by preserving and enhancing their investment in the assets of the District and by minimising the financial burden on them arising out of Council's activities; and to ensure the application of a robust, effective system of internal controls and reporting.

These policies were developed internally and consulted on through the LTCCP and will be reviewed periodically as required.

### **9.16 Policy on Development or Financial Contributions**

Development Contributions are a method for collecting revenue enabled by the LGA. A development contribution may be charged if the effect of the development is to require new or additional assets and as a consequence Council incurs additional capital costs. The charges are directly linked to Council's LTCCP programme for extending community infrastructure, so that the costs of growth are charged to those who create the additional demand. The activities covered by the current policy are Community and Network Infrastructure and Reserves.

#### ***Community Infrastructure means:***

- Council assets to provide public amenities (including land) i.e. halls, libraries, community centres.

#### ***Network Infrastructure means:***

- Roading systems
- Water, Wastewater, Stormwater.

#### ***Reserves means:***

- Land owned by Council or Council-managed open-space parks, reserves and recreation facilities.
- Development associated with such reserves.

### **9.17 Policy on Partnerships with the Private Sector**

This policy enables Council to consider partnership arrangements with the private sector for the provision of infrastructure and services, where such a partnership is likely to deliver better value for money or enhanced community wellbeing based on cost, time and financial arrangements.

Without limiting the scope of Council's commitment and by way of example, commitment of council resources to partnerships will generally be in the form of grant, loan, investment, or loan guarantee.

The circumstance, in which Council will provide funding or other resources to any form of partnership with the private sector, will generally be the following:

- the core function or functions of the partnership are identified as satisfying a specific community need or a community need as identified in the LTCCP;
- the partnership is structured so as to efficiently and effectively deliver enhanced service levels;
- the partnership will be assessed against the public interest in terms of effectiveness, accountability, and transparency, together with the need to ensure equity for disadvantaged groups, public access, consumer law, and security and privacy rights.

This policy was developed internally and consulted on through the LTCCP. It will be monitored and reported on in accordance with Council's financial programme and reporting regime, and amended as appropriate.

### **9.18 Rates Remission and Postponement Policies**

Rates remission and postponement policies are optional and, if adopted, must state the objectives of the remission/postponement and the conditions and criteria to be met in order for rates to be remitted or postponed. Council has the following policies under this category:

- Sporting, Recreation and Other Community Organisations Rates Remission Policy;
- Protection of Natural Areas Rates Remission Policy;
- New Subdivisions Rate Remission Policy;
- Late Payment Penalty Remission Policy;
- Lump Sum Payment Policy;

- Extreme Financial Hardship Rates Postponement Policy; and
- Farmland Rates Postponement Policy.

#### **9.19 Rates Remission or Postponement of Rates on Maori Freehold Land**

Council is required to adopt a policy on remission and postponement of rates on Maori freehold land. However, such a policy need not provide for remission or postponement of rates. The Council when determining its policy must consider the matters contained in Schedule 11 of the LGA 2002.

Council has resolved not to provide for remission and/or postponement of rates on Maori freehold land other than that already provided for and specifically contained within the requirements of the Local Government (Rating) Act 2002 applying to certain types of Maori land.

## 10. Consultation Policy

In making decisions about the governance of the District, it is important that Council consults with the local community on matters of importance to them. Council's policy is consistent with the Principles of Consultation stated in the Local Government Act 2002 (Section 82).

### **10.1 Consultation Policy**

As an organisation responsible to the community it serves, FDC is committed to ongoing and effective consultation. The strength of effective consultation, particularly when developing the LTCCP is that it is *not a stand alone process* but part of current and on-going relationships with the various representative individuals, organisations and groups across the District. Council is committed to consultation as it enables the collection of fresh views on future decisions.

Council acknowledges the unique perspectives of local Māori and recognises they are more than an interest group. Council also recognises that within the Māori community, different levels of relationship exist which require consultation that appropriately reflects each level of relationship.

For the purpose of this policy, FDC has adopted the following definition of consultation: **Effective consultation is the exchange of ideas and dialogue that is conducted prior to decision-making. Consultation is an opportunity for Council to engage with and receive information from interested parties, to hear submissions and then make a judgement for the benefit of the district.**

### **10.2 General Approach to Consultation**

Council's general approach to these principles of consultation is:

- **be innovative:** Council will look to use new ways of communicating with its community to complement traditional methods of consultation. Council will endeavour to be flexible in receiving the different types of feedback from groups and individuals.
- **consult early:** Council recognises it is often more valuable to seek community views when developing options so that the community feel they have an opportunity in defining the issue and scoping the range of possible options well before the decision is made.
- **improve understanding:** Council is committed to improving the understanding of the local community on issues. It will provide more detailed information if required and encourage an interactive exchange of questions and further information.
- **foster participation:** There is a two-way active interaction between Council and its community. People contribute to and participate in the process and work directly with the Council to try to identify the best solution.
- **involve others:** Plans are made or changed after contact with the community. This does not stop Council developing plans while the initial consultation process is under way. Reasonable information is provided, people are given the opportunity to comment and stakeholders are involved from the start of the initial concept.
- **encourage feedback:** Information is given to, and views sought from, the community when a proposal is nearly complete. Community feedback will be one of the factors that influence any decision; however specialist or technical advice may carry more sway.

NB: When consulting, there will be occasions when Council discretion will be used.

## 11. Processes for Liaising with Māori, and Memoranda or Agreements with Māori

Maintaining processes and providing opportunity for Māori to participate in decision making is one of Council's responsibilities under the LGA 2002. Developing these organisational processes and practices assists Council to take into account the needs of Māori in its governance of the District.

### 11.1 Iwi within Franklin District

Historically through whakapapa (genealogy), the Tangata Whenua of Franklin are predominantly Waikato Tainui. It is one of the major Iwi groupings of Waikato, Maniapoto, Raukawa and Hauraki, all of which combined make up a strong, successful confederation of tribes.

### 11.2 Relationships and Memoranda

Council has a Memorandum of Understanding with Ngā Hapū o Waikato (represented by the Huakina Development Trust) and has implemented **Te Roopu Paehere (Māori Community Committee)**.

The Chief Executive has responsibility to facilitate the consultation process and relationship building with iwi, exercising Mana Whenua as well as the wider Māori community or Taurahere.

### 11.3 Council Policy and Processes

The Council establishes and maintains processes that provide opportunities for Maori to contribute to its decision-making processes for the purposes of the LGA 2002 and considers (and where appropriate implements) ways to foster the development of Māori capacity to contribute to its decision-making process. Council makes relevant information available to the wider Māori community or Taurahere, consulting with them where appropriate.

Council consults with Iwi groups for the purposes of the RMA 1991, where there is a duty to consult with Tangata Whenua, and where there is mutual agreement between Council and Iwi exercising Mana Whenua.

### 11.4 Te Roopu Paehere (Māori Community Committee) -

Member	Contact Numbers	Email
Dennis Ngataki (Chairperson) <b>Ngaati Tamaoho Rep</b>	Mob: 027 2294377	dngataki@xtra.co.nz
Karl Flavell <b>Ngaati Te Ata Rep</b>	Mob: 021 216 2508	Karl_flavell@hotmail.com
(To be appointed) <b>Ngaati Naho Rep</b>	To be appointed	na
(To be appointed) <b>Ngai Tai Umupuia Rep</b>	To be appointed	na
Lucy Tukua <b>Ngaati Karewa Ngaati Taahinga Trust Representative</b>	Mob: 021 431 519	Lucy.T@xtra.co.nz
Sonny Parata <b>Huakina Development Trust Rep</b>	Email: sonny.parata@xtra.co.nz	sonny.parata@xtra.co.nz
Te Ao Marama Wilson <b>Ngaati Paoa</b>	Hm: 09 235 1382 Mob: 027 493 3027	kiaoratia@xtra.co.nz
Cllr Hayman and Cllr Robertson <b>Council Representatives</b>	Cllr Hayman: 09 233 4225 and Cllr Robertson: 09 236 9612	jenniehayman@xtra.co.nz and dcde@xtra.co.nz
Mark Ball	09 238 2995	markball@xtra.co.nz

<b>Ex Officio</b>		
Des Morrison <b>Alternate Ex Officio</b>	09 238 7883	des.lorraine@xtra.co.nz

## **Part Two: Council Management**

Council's management structure has been designed to ensure that the organisation operates efficiently as a Team with clear lines of accountability to the Chief Executive.

### **12.1 The Role of the Chief Executive**

The role of the Chief Executive is to:

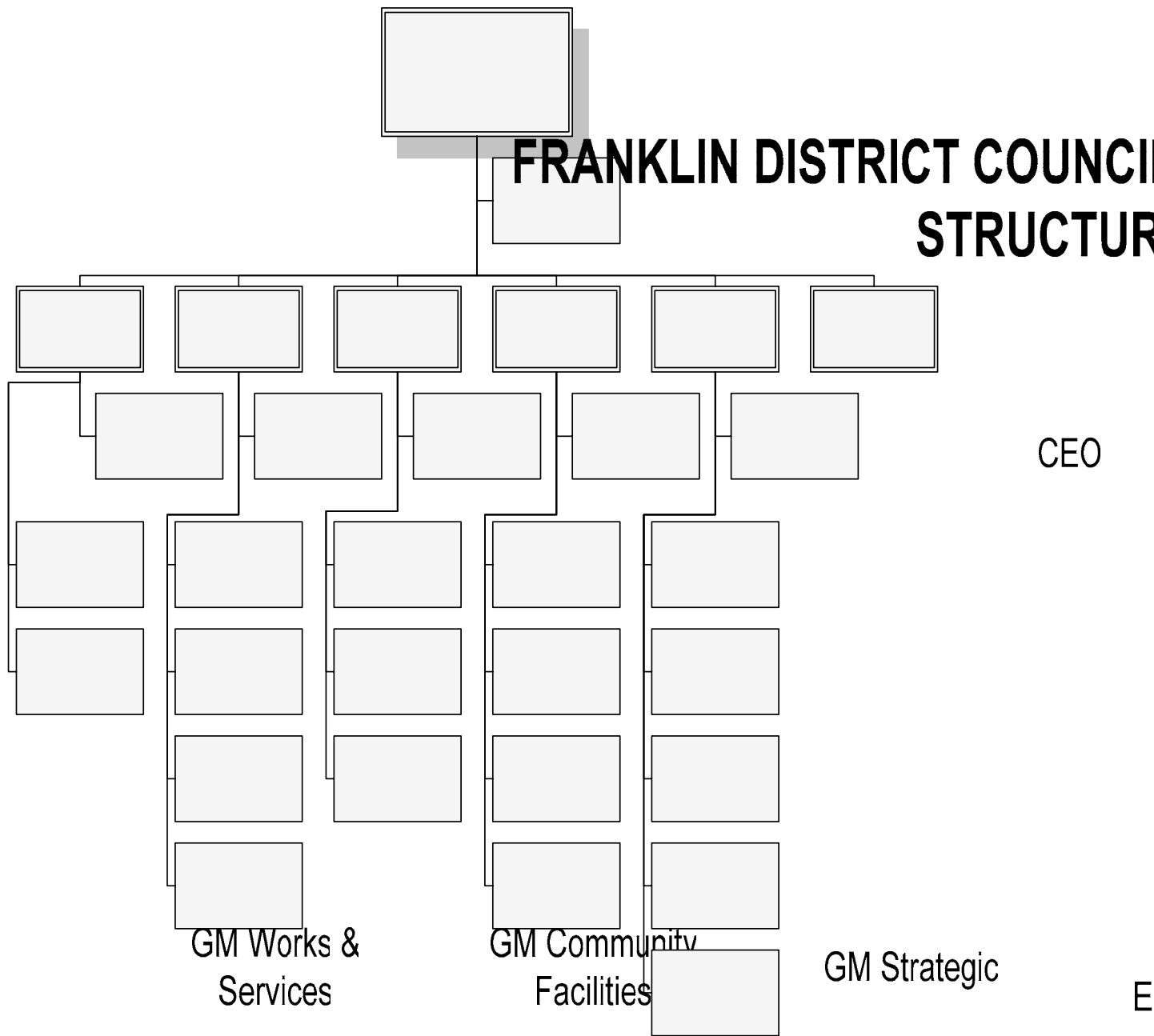
- Implement the decisions of Council;
- Provide advice to Council and Community Boards;
- Ensure that any duties and powers delegated to the Chief Executive or staff, by Council are properly carried out;
- Ensure the effective and efficient management of the activities of Council;
- Put in place systems which allow for the effective planning and accurate reporting of the financial and service performance of Council;
- Employ staff on behalf of Council and negotiate their terms of employment; and
- Provide leadership to Council staff.

The Chief Executive is responsible for ensuring that, so far as practical, the management structure:

- reflects and reinforces the separation of regulatory responsibilities and decision making processes from other responsibilities and processes, and
- is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.

**12.2 Management Structure**

The current management structure as of March 2008 is depicted in the diagram below.



Personal Assistant      Personal Assistant      Personal Assistant

Many of the functions the Chief Executive is responsible for are carried out by Council staff. Council currently has five Group Managers who report to the Chief Executive. Council staff are divided into units with different areas of responsibilities and expertise. Group Managers and Unit Managers are accountable to the Chief Executive.

### **12.3 Relationship between Management and Elected Members**

A number of provisions are included in the Code of Conduct which provides guidelines for how elected members should treat Council staff. These are:

- showing employees courtesy and respect;
- demonstrating respect for employees' professional opinion and expertise; and
- complying with the principles of the Council's Equal Employment Opportunity Policy.

In return, staff are expected to treat elected members with courtesy and show respect for elected members judgement and responsibility for making decisions on behalf of Council.

Council management have a professional working relationship with elected members based on mutual trust and respect. The Chief Executive has a role in facilitating the working relationship between elected members and management and serves as a liaison between both parties.

### **12.4 The Role of Council**

Roles associated with the delivery of services by the Council organisation are:

- Regulating certain activities (such as land use) so that these activities can be undertaken sustainably and with minimal adverse effect on the local community;
- Enforcing relevant laws (such as those set out in the following section);
- Providing services such as roading, water and sanitary services and the provision of parks, reserves and other community amenities;
- Planning for the future of the District;
- Planning and coordination with other agencies for the provision of local services;
- Supporting the development of the local community, for example through funding local services; and
- Reporting on the progress Council has made towards goals.

### **12.5 Legislation Governing the Operation of Council**

Council's responsibilities derive from legislation. Council's main empowering Act is the LGA 2002. Currently, there is no local legislation that confers power on Council, but many other statutes and regulations exist which control the activities of Council or empower Council to take action.

Some of the major Acts that Council has powers or duties under are:

- Building Act 2004
- Bylaws Act 1910
- Conservation Act 1987
- Civil Defence Emergency Management Act 2002
- Dog Control Act 1996
- Dog Control and Hydatids Act 1982
- Fencing Act 1978
- Fencing and Swimming Pools Act 1987
- Fire Services Act 1975
- Forest and Rural Fires Act 1977
- Health Act 1956
- Health and Safety in Employment Act 1992
- Human Rights Act 1993
- Land Transfer Act 1952
- Land Transport Act 1998
- Local Authorities (Members' Interests) Act 1968
- Local Electoral Act 2001
- Local Government (Rating) Act 2002
- Local Government Act 2002

- Local Government Auckland Amendment Act 2004
- Local Government Act 1974
- Local Government Official Information and Meetings Act 1987
- Privacy Act 1993
- Public Works Act 1981
- Rating Valuations Act 1998
- Reserves Act 1977
- Resource Management Act (RMA)1991
- Sale of Liquor Act 1989
- Swimming Pools Act 1987

## **12.6 Council Activities**

Council's activities have been grouped into six broad categories. These are:

- Leading the Franklin District
- Growing the Franklin Economy
- Moving around Franklin
- Protecting the Franklin Environment
- Living and Playing in Franklin
- Support.

### **LEADING THE FRANKLIN DISTRICT**

#### *Representation*

- Elected members (including salaries and expenses)
- Meetings of Council, all committees of Council and Community Boards.
- Representation of Franklin District on local and regional organisations.
- Advocacy for and on behalf of individuals and groups within the Franklin community.
- Civic events like Anzac Day and Citizenship ceremonies.
- Costs associated with the electoral process, including triennial elections and reviews of representation arrangements.

#### *Strategic Policy and Planning*

- Research, development, monitoring and review of strategic documents.
- Research, development, monitoring and review of Council policy and bylaws and associated advice.
- Development, management and review of the Franklin District Plan.
- Providing policy officer support to Council working groups and regional committees and groups as required.

### **GROWING THE FRANKLIN ECONOMY**

#### *Economic Development*

Council has provided for the Economic Development activity by way of a strategic partnership with the Enterprise Franklin Development Trust (the Trust). The Trust is working towards the following goals:

- To protect the values and identity of Franklin District.
- To facilitate the development of thriving town centres.
- To increase visitors to Franklin.
- To facilitate, encourage and celebrate innovation and excellence

#### *Town Centre Management*

Is a project based activity which is charged with keeping our town centres attractive and up to date.

## MOVING AROUND FRANKLIN

### *Transport*

The Transport Activity provides for an integrated transport network rather than a roading network. This means (without taking away the importance of our roads) recognition is given to passenger transport, walking and cycling as integral parts of the long-term transport requirements for the District.

Functions in this activity area include:

- Asset management
- Network administration
- Planning for the future
- Contract management
- Road safety management
- Passenger transport planning
- Developing a strategy for walking and cycling.

## PROTECTING THE FRANKLIN ENVIRONMENT

### *Building*

This activity is responsible for making sure that all buildings in Franklin are safe, built according to plan and comply with the law as it applies to the building of houses, commercial buildings, farm buildings and most other forms of construction.

The function is largely driven by legislation in the form of the Building Act 2004 and includes issuing Project Information Memoranda (PIM), managing the Building Consent process from issuing consents through the inspection process to completion, and enforcing the requirements of the Building Act 2004 and the Building Regulations 1992. Other functions are: issuing code compliance schedules, auditing building warrants of fitness, inspecting unauthorised building work, inspecting swimming pool fencing, and giving building control advice to the public.

### *Emergency Management*

This part of Councils' operation covers the provision of Civil Defence, Emergency Management and Rural Fire functions for the community. The Civil Defence Emergency Management portion involves planning and training so that Franklin is prepared to cope with an emergency in the District and is linked with both the regional and national CDEM networks. The Rural Fire component supports Rural Fire Parties based in Kaiaua, Onewhero, Hunua, Waiau Pa and Awhitu. Each force has a station and fire fighting appliances and equipment and manned by trained volunteers who are supported by a Principal Rural Fire Officer employed by Council.

### *Land Drainage*

This part of Councils' operation has responsibility for managing land drainage to low lying farming areas adjacent to the Waikato River and its tributaries. The two main objectives are to manage flooding caused by rain and to maintain water table levels to offset peat oxidation, consolidation and subsidence. The District has historically had 26 Land Drainage areas and today 17 of these are actively administered by Council. Each of the schemes is self funding and is charged with maintaining the drainage infrastructure (stop banks, pumps, etc) to the required standard. Council's involvement includes: asset planning and management, consent processing, contract management and organising and administering each Drainage District's Annual General Meeting.

### *Regulatory*

Regulatory functions are divided into the following three operational areas:

#### *1. Planning Control*

This part of the activity is primarily involved with processing Resource Consent applications; this includes both land use and subdivision consent applications. Applications are made under the terms and conditions of the Franklin District Plan and are considered under the terms of the plan

and the RMA 1991. Members of this team provide planning advice to the public, officer support to the Regulatory Committee and deal with appeals to the Environment Court made under the Act.

### *2. Animal Control*

The Dog Control Act 1996 with amendments and Council's bylaws regarding dogs and wandering stock are covered by this activity.

### *3. Enforcement and Monitoring*

This function takes care of Council's enforcement and monitoring responsibilities under a number of pieces of legislation eg. noise control.

### *Solid Waste Management*

This part of Council's operations manages the District's refuse. A refuse collection service is provided to 96% of the population of Franklin. Roadside refuse and kerbside recycling are provided in the three major towns; Pukekohe, Waiuku and Tuakau.

The operation of refuse transfer stations in Pukekohe and Waiuku, an inorganic refuse collection service which is provided fourteen days a year in Tuakau, the management of 14 closed landfill sites (old rubbish tips) throughout the District, organising recycling depots, providing education programmes about recycling to schools, cleaning up after illegal dumping, roadside litter collections, organising hazardous waste collections and dealing with graffiti are all provided and/or managed by the Council.

### *Stormwater*

This activity takes responsibility for managing stormwater runoff to protect the property, health and safety of the District's residents and ratepayers. It involves collecting, transporting, treating (where necessary) and disposing of runoff and includes the management of streams, watercourses, overland flow paths, ponds and a series of piped public stormwater networks.

### *Wastewater*

This activity has responsibility for providing wastewater disposal and treatment services to serviced communities throughout the District. Currently there are ten separate communities which are serviced by six sewer systems and five treatment plants.

### *Water Supply*

This activity has responsibility for providing safe drinkable water to homes and businesses in 13 different areas throughout the District. There is also the additional responsibility to ensure that water for fire fighting is available in the serviced areas. To achieve this, treatment plants are managed and maintained, pipes are maintained, metered connections are read and users are sent an account.

## LIVING AND PLAYING IN FRANKLIN

### *Arts and Culture*

Community partnerships are in place with community organisations, with the primary goal of providing library services, artistic, cultural and social opportunities.

### *Community Facilities*

This part of Council's operation is divided into four separate budget areas:

### *Cemeteries*

Council has responsibility for administration, maintenance of grounds, fixtures and paths for four urban cemeteries (Heights Park, Pukekohe Public, Tuakau Public and Waiuku Public) and 13 rural cemeteries.

### *Urban Halls*

Council manages four urban halls; the Pukekohe War Memorial Hall, Tuakau War Memorial Hall, Waiuku War Memorial Hall, and the Waiuku Community Hall. For each of these, Council manages enquiries and bookings, maintenance and asset planning for the future.

### *Rural Halls*

Rural halls are managed by a locally elected hall committee with support from Council. The majority of these are on Council-owned land and the buildings are in Council ownership. Others are owned by the local community, but levies are collected and administered by Council.

### *Pensioner Housing*

To assist the elderly of modest means to be able to live in the community in affordable housing, Council owns, maintains and manages 110 pensioner flats, based in our three largest townships; of Pukekohe, Waiuku and Tuakau.

### *Recreation Centre and Pools*

These facilities comprise the Recreation and Aquatic Centre and the outdoor Jubilee Pool in Pukekohe, the outdoor Centennial Pool in Waiuku and the Whiteside Pool (also an outdoor pool) in Tuakau.

### *Open Space and Amenities*

This activity has responsibility for operating and developing Council's parks, reserves, sports grounds and public toilets. Council promotes many outdoors activities through its Reserve and Acquisition Development Plan. Among the most important of these are football fields, cricket pitches, beachside reserves, children's playgrounds, roadside gardens and public conveniences that are provided by Council to enhance and enrich the life and health of the community.

### *Support*

Functions in this activity area include:

- Expenditure
- Corporate Property
- Customer Services
- Finance
- Information systems
- Communications and Consultation
- Legal and Governance Support
- Human Resources
- Network Infrastructure Administration

## **13. Equal Employment Opportunities Policy**

### **13.1 General Approach**

Council's Equal Employment Opportunities Policy is designed to ensure that the best management and staff are selected for employment and promotion within Council, and that staff are free from discrimination in the workplace.

Council is committed to the principles of equal employment opportunities, the elimination of any discrimination in the workplace and to the provision of equal opportunities in the recruitment and management of its staff.

Equal Employment Opportunities are designed to result in:

- A better quality of service to meet the diverse needs of all the people of the District;
- The creation of a workplace, in which every employee knows that he/she is valued, assessed and rewarded on the basis of skill, accomplishment and merit;
- The receipt of applications for employment from candidates, who represent the widest possible range of skills, attributes and backgrounds;
- The improved use, for the betterment of everyone, of the full range of human resources available within the organisation; and
- Training and development opportunities for all Franklin District Council Staff.

### **13.2 EEO Programme and Policy Statement**

Franklin District Council supports the principles and practices of equal employment opportunities (EEO), and is committed to:

- (a) the elimination of unfair discrimination on any grounds - including race, nationality, ethnic origin, sex, disability, religion, sexual orientation, age, marital status, family or parental status, and
- (b) ensuring that all employees have equal opportunity to achieve their potential.

Our personnel policies apply equally to salaried and waged employees, and no employee (or potential employee) shall gain any advantage or suffer any disadvantage by reason of unfair discrimination on any grounds.

## **14. Requests for Official Information**

Requests for official information should be directed to Council management. Our definition of openness and accountability to the community mean that Council will provide information to the community where possible and as required under the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Under the LGOIMA 1987, Council is required to make the information it holds available unless there is good reason to withhold it. Information may be withheld if the release of this information would:

- endanger the safety of any person;
- prejudice maintenance of the law;
- compromise the privacy of a person;
- reveal confidential or commercially sensitive information;
- cause offence to Tikanga Maori or would disclose the location of Waahi Tapu;
- prejudice public health and safety;
- compromise legal professional privilege;
- disadvantage the local authority while carrying out negotiations or commercial activities;
- allow information to be used for improper gain or advantage.

Requests for information can be made to Council in person, by phone, fax or email (see section 4 for contact details). These requests will be processed according to LGOIMA. As required by the Act, Council will respond to your request 'as soon as reasonably practicable' and will advise the applicant whether Council is able to respond to the request within 20 working days at the latest. To ensure that Council is able to meet requests, the information the applicant is interested in must be clearly specified.

People requesting official information will be advised if Council cannot supply the information requested and the reasons for this. Council is also bound by the Privacy Act 1993 when dealing with requests for information, which prohibits the release of information in cases where this would breach the privacy of another person or organisation.

When viewing information at Council offices, applicants should bear in mind that Council cannot allow files to leave the office. There may be a charge for supplying material, depending on the size and complexity of the request for information. Information about fees and charges are set out in Council's Fees and Charges Schedule and in the Long Term Council Community Plan.

## **Part Three: Other Information**

### **15. How to access the Local Governance Statement**

The Local Governance Statement is available to access as follows:

- through Council's website - [www.franklin.govt.nz](http://www.franklin.govt.nz)
- by email request to - [FDC\\_Info@franklin.govt.nz](mailto:FDC_Info@franklin.govt.nz)
- at Council's main office at 82 Manukau Rd, Pukekohe, and
- at the following service centres and libraries throughout the District:

Pukekohe Library at Franklin: The Centre, 12 Massey Street, Pukekohe.

Waiuku Service Centre and Library, corner King and Constable Streets, Waiuku.

Tuakau Service Centre and Library, 72 George Street, Tuakau.

### **16. Sources of further information**

The website addresses and other details listed below were correct as at November 2007, but are subject to change. These details will be updated when the document is re-published.

#### ***Auckland Regional Council***

<http://www.arc.govt.nz> or phone 09 366 2000

#### ***Elections, Representation Structure and Enrolment.***

See the Elections New Zealand website for more information:

<http://www.elections.org.nz> or phone 0800 ENROL NOW (0800 36 76 56) for enrolment enquiries and 04 474 0670 for electoral system enquiries.

#### ***Environment Waikato Regional Council***

<http://www.ew.govt.nz> or phone 0800 800 401

***Franklin District Council*** (Council, libraries, tourism, business, arts and culture, education).

<http://www.franklin.govt.nz> or phone 09 237 1300

#### ***New Zealand Legislation***

New Zealand legislation can be accessed through the Public Access to Legislation website at this address: <http://www.legislation.govt.nz>.

#### ***Statistical Information\* (on Franklin, the Auckland/Waikato regions and towns)***

See the Statistics New Zealand website: <http://www.stats.govt.nz> or phone 0508 525 525 (toll free within New Zealand).