

# Governance Statement

Prepared in terms of Sections 40 and 274 of the Local Government Act 2002

**Adopted by Council: 7 March 2023**

**Governance | 2023**



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# Contents

Governance Statement – Waimakariri District Council .....	
<b>1. What is a Governance Statement</b>	<b>4</b>
<b>2. Functions, Responsibilities and Activities</b>	<b>4</b>
<b>3. Statutes Pertaining to Local Government</b>	<b>5</b>
<b>4. Local Legislation</b>	<b>5</b>
<b>5. Bylaws</b>	<b>5</b>
<b>6. The Electoral System and the opportunity to change it</b>	<b>7</b>
<b>7. Representation Arrangements</b>	<b>8</b>
7.1 Wards.....	9
7.2 Ward Boundaries.....	10
7.3 Elected Members.....	13
7.4 Community Boards.....	13
7.5 Maori Wards.....	14
7.6 Review Of Representation Arrangements.....	14
<b>8. The Reorganisation Process</b>	<b>15</b>
<b>9. Members’ Roles and Conduct</b>	<b>15</b>
9.1 Division of Responsibility Between the Council and Management .....	15
9.2 Role of the Council .....	15
9.3 Role of the Community Boards .....	16
9.4 Code of Conduct.....	18
9.5 Applicable Statutory Requirements.....	19
<b>10. Governance, Membership and Delegations</b>	<b>21</b>
10.1 Council Meetings .....	21
10.2 Council Committees.....	21
10.3 Other Committees .....	21
10.4 Joint Standing Committees .....	22
Structure Of Council And Committees – As At January 2023	<b>23</b>
10.5 Committee Membership (as at January 2023) .....	24
10.6 Portfolio Listing .....	25
10.7 Subcommittees.....	26
10.9 Strategic Partnerships .....	26
10.10 Legislative Compliance.....	26

<b>11.</b>	<b>Council Controlled Organisations</b>	<b>27</b>
<b>12.</b>	<b>Meeting Procedures / Standing Orders</b>	<b>28</b>
<b>13.</b>	<b>Consultation Policy</b>	<b>29</b>
13.1	The Special Consultative Procedure.....	29
13.2	Significance and Engagement Policy.....	30
13.3	Customer Satisfaction Survey.....	30
<b>14.</b>	<b>Policies For Liaising With, And Memoranda Or Agreements With, Maori</b>	<b>30</b>
<b>15.</b>	<b>Management Structures and Relationships</b>	<b>31</b>
	Chief Executive.....	31
<b>16.</b>	<b>Equal Employment Opportunities Policy</b>	<b>31</b>
<b>17.</b>	<b>Key Approved Planning and Policy Documents</b>	<b>33</b>
17.1	Community Outcomes .....	33
17.2	Long Term Plan (LTP) and Infrastructure Strategy .....	33
17.3	Annual Plan .....	33
17.4	Waimakariri District Plan.....	33
17.5	Waimakariri Residential Red Zone Recovery Plan.....	33
17.6	Key Policies .....	34
17.7	Triennial Agreement .....	35
<b>18.</b>	<b>Requests for Official Information</b>	<b>35</b>
<b>19.</b>	<b>Council and its Elected Members</b>	<b>36</b>
19.1	Your Councillors .....	36
19.2	Kaiapoi-Tuahiwi Community Board.....	38
19.3	Rangiora-Ashley Community Board.....	39
19.4	Woodend-Sefton Community Board .....	41
19.5	Oxford-Ohoka Community Board.....	42
<b>20.</b>	<b>Appendix 1</b>	<b>43</b>
	Acts of Parliament – Primary Legislation.....	43
<b>21.</b>	<b>Appendix 2</b>	<b>46</b>
	Organisations with Council and Community Board appointed representation .....	46

# 1. What is a Governance Statement

Waimakariri District Council's Governance Statement is a collection of information about how the Council works.

It outlines how the Council makes decisions and shows how residents can influence those processes. It also promotes local democracy by providing the public with information on ways they can influence local democratic processes.

The Governance Statement describes the effective, open and transparent processes used by Council, ensures separation of regulatory and non-regulatory responsibilities, and explains the good employer requirements.

The Council's Governance Statement is a requirement of Section 40 of the Local Government Act 2002.

The Council is required to produce a new Governance Statement within six months after each triennial election.

## 2. Functions, Responsibilities and Activities

The purpose of the Waimakariri District Council is to enable democratic local decision-making and action by, and on behalf of, communities, and to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses. The Council also has a responsibility to promote the social, economic, environmental and cultural well-being of communities in the present and for the future.

Under legislation the Council, as a territorial authority, has a responsibility to conduct its business in an open, transparent and democratically accountable manner and give effect to its identified priorities and desired outcomes in an efficient and effective manner. A local authority should make itself aware of, and should have regard to, the views of all its communities, and when making a decision should take account of the diversity of the community and the community interests, within its district or region.

Waimakariri District Council has a current population of 69,200 with anticipated growth between 95,500 and 100,000 by 2050 and is governed by a Mayor and ten elected Councillors. The Council provides services for residents and ratepayers, businesses, organisations and visitors to the Waimakariri District. Total operating expenditure on these services is approximately \$115million (2022-2023). The community assets needed to provide these services have an estimated net value of \$2.2billion (2022-2023).

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

- Formulating the District's strategic direction and priorities in conjunction with the community via the the Long Term Plan (LTP) and Annual Plan
- Determining the services and activities to be undertaken; including the level of service for each activity
- Managing principal risks
- Administering various regulations and upholding the law
- Monitoring the delivery of the LTP and Annual Plan
- Ensuring the integrity of management control systems
- Safeguarding the public interest
- Reporting to ratepayers.



### 3. Statutes Pertaining to Local Government

The nature of the Local Government Act 2002 means that the Council must work with neighbouring local authorities (ie Christchurch, Selwyn and Hurunui), the regional council (Environment Canterbury) and other bodies engaged in community services (eg Police and Fire).

*In fulfilling its purpose, the Waimakariri District Council exercises powers and fulfils responsibilities conferred on it by various Statutes.*

*Chief among these are: the Local Government Acts of 1974 and 2002; Local Government Act 2002 Amendment Bill (no.2); the Local Electoral Act 2001; Local Government Borrowing Act 2011; the Local Government (Rating) Act 2002; the Local Government Official Information and Meetings Act 1987, and the Resource Management Act 1991. Following earthquakes in 2010 and 2011, the Canterbury Earthquake Recovery Act 2011 was a significant piece of legislation that the Council must take account of, however this has been superseded by the Greater Christchurch Regeneration Act 2016.*

Other general Acts of Parliament that confer powers on the Waimakariri District Council and regulate its functions are listed in Appendix 1.

### 4. Local Legislation

The Waimakariri District Council is bound by the following local legislation that applies specifically to it:

- Waimakariri Harbour Act 1946,
- Kaiapoi (Maori) Reserves Act 1905
- Ngāi Tahu (Tutaepatu Lagoon Vesting) Act 1998
- Canterbury Museum Trust Board Act 1993
- Waimakariri River Improvement Act 1922
- Ngai Tahu Claims Settlement Act 1998
- Borough of Rangiora Water-supply Act 1900
- Local Legislation Act
- Oxford Road District Act 1905
- Ashley River Improvement Act 1925

### 5. Bylaws

Bylaws are generally reviewed five years after adoption and implementation of the bylaw, and then reviewed on a ten-yearly basis thereafter. The Council has the discretion, by resolution, to bring forward a review if deemed necessary.

	<b>Title</b>	<b>Description</b>	<b>When Adopted</b>	<b>Next Review</b>
1	Fire Control Bylaw 2014	To cover gaps in existing legislation in relation to fire safety that regulates activities for the light of open-air fires during open, restricted, and prohibited fires seasons in the district.	November 2014	Subject to FENZ regulations

	<b>Title</b>	<b>Description</b>	<b>When Adopted</b>	<b>Next Review</b>
2	Wastewater Bylaw 2015	Relates to discharge of domestic wastewater and trade waste into the wastewater reticulation system of the district.	August 2015	10 years
3	Northern Pegasus Bay Bylaw 2016	To control activities and the use of land, including camping, the use of horses and the use of vehicles, on the foreshore, beaches, and adjacent areas of Northern Pegasus Bay.	July 2016	5 years
4	Solid Waste and Waste Handling Licensing Bylaw 2016	To prevent the contamination of recoverable resources and maximise the recovery of recyclable resources. It is also to ensure that waste is collected in a safe and efficient manner, and that waste does not cause a nuisance.	September 2016	10 years
5	Commercial Charity Bylaw 2017	To regulate and licence commercial charity collectors operating in business zones.	March 2017	10 years
6	Stormwater Drainage and Watercourse Protection Bylaw 2018	To provide a mechanism to control the discharge of contaminants into public drains.	May 2018	10 years
7	Alcohol Control Bylaw 2018	To stop people taking liquor into public places.	October 2018	5 years
8	Water Supply Bylaw 2018	To protect, promote and maintain public health and safety through the provision of water services in the Waimakariri District.	November 2018	10 years
9	Vehicle Crossing Bylaw 2019	To ensure that vehicle crossings (entranceways) provide safe and convenient access to property, allowing for other traffic and pedestrians, allowing for good drainage without damaging the roading asset, and are constructed and maintained to Councils specifications.	June 2019	10 years
10	Dog Control Bylaw 2019	To encourage the responsible ownership of dogs and to promote the control of dogs in public places.	December 2019	10 years
11	Parking Bylaw 2019	To ensure compliance with parking conditions.	December 2019	10 years

	<b>Title</b>	<b>Description</b>	<b>When Adopted</b>	<b>Next Review</b>
12	Signage Bylaw 2019	To enhance road safety in the Waimakariri District by avoiding dangerous placement of signs that could impair visibility or access for road users or pedestrians and to seek to avoid public nuisance by ensuring advertising displays and signage on footpaths does not obstruct the passage of pedestrians and/or disabled people.	December 2019	5 years
13	Stock Movement Bylaw 2020	To control the movement of stock along and across roads.	May 2020	10 years
14	Property Maintenance Bylaw 2020	To encourage appropriate maintenance of undeveloped residential zone sections, and to generally protect the public from dangers to public health and safety.	November 2020	5 years
15	Stock Water Race Bylaw 2021	Sets the conditions and defines responsibilities in the supply of water for stock consumption from the water race system.	February 2022	10 years
16	Speed Limits Bylaw 2022	To contribute to a safe and efficient road network by imposing reasonable, appropriate, and enforceable speeds limits. - <b>REVOKED</b>	July 2022	10 years

## 6. The Electoral System and the opportunity to change it

The Waimakariri District Council currently conducts its elections under the “First Past the Post” electoral system as determined following its review in 2015. By this method electors vote for their preferred candidates and those with the most votes are elected.

Under the Local Electoral Act 2001 there are three ways a District Council’s voting system can be changed: by Council resolution, by a binding poll, or by the electors petitioning for a poll. Once changed, that system is to be used for the next two elections.

The next electoral representation review for the District will take place in 2023.



## 7. Representation Arrangements

Every six years the Council is required to review its representation arrangements which includes consulting the public on the number of elected members and wards the Council has, along with names, boundaries and number of community boards it may choose to have. Representation considers areas of community and uses population statistics to ensure fair representation is in proportion with each ward or elected member numbers.

The next electoral representation review for the District will take place in 2023 and be in place for the October 2025 local body elections. The outcome of decisions authorised by the Local Government Commission will be binding on the Council for the next two triennium elections, although if there was a major change in district circumstances such as unprecedented growth, a review can occur three years following the previous review.

The Council consists of the Mayor and ten district councillors responsible for decisions on behalf of the whole district. The district is divided into three wards of which four councillors represent the Kaiapoi-Woodend Ward, four councillors represent the Rangiora-Ashley Ward and two councillors represent the Oxford-Ohoka Ward.

The Council also has four Community Boards, which are a separate entity to the Council. The three wards are further divided based on proportional population for fair Community Board representation. The Oxford-Ohoka and Rangiora-Ashley Wards are divided into two subdivisions whilst the Kaiapoi-Woodend Ward is divided into two communities, each represented by a separate Community Board.

Community Board members are democratically elected by the community within their subdivision. At the first meeting of the Council following the triennium election (27 October 2022), the Council appoints Ward councillors to each Community Board, in addition to the elected Community Board members.

Rangiora-Ashley Community Board consists of:

- Two Community Board members from the Ashley subdivision
- Six Community Board members from the Rangiora subdivision
- Four appointed Councillors from the Rangiora-Ashley Ward

Oxford-Ohoka Community Board consists of:

- Three Community Board members from the Swannanoa-Ohoka subdivision
- Three Community Board members from the Oxford subdivision
- Two Oxford-Ohoka Ward Councillors

Woodend-Sefton Community Board consists of:

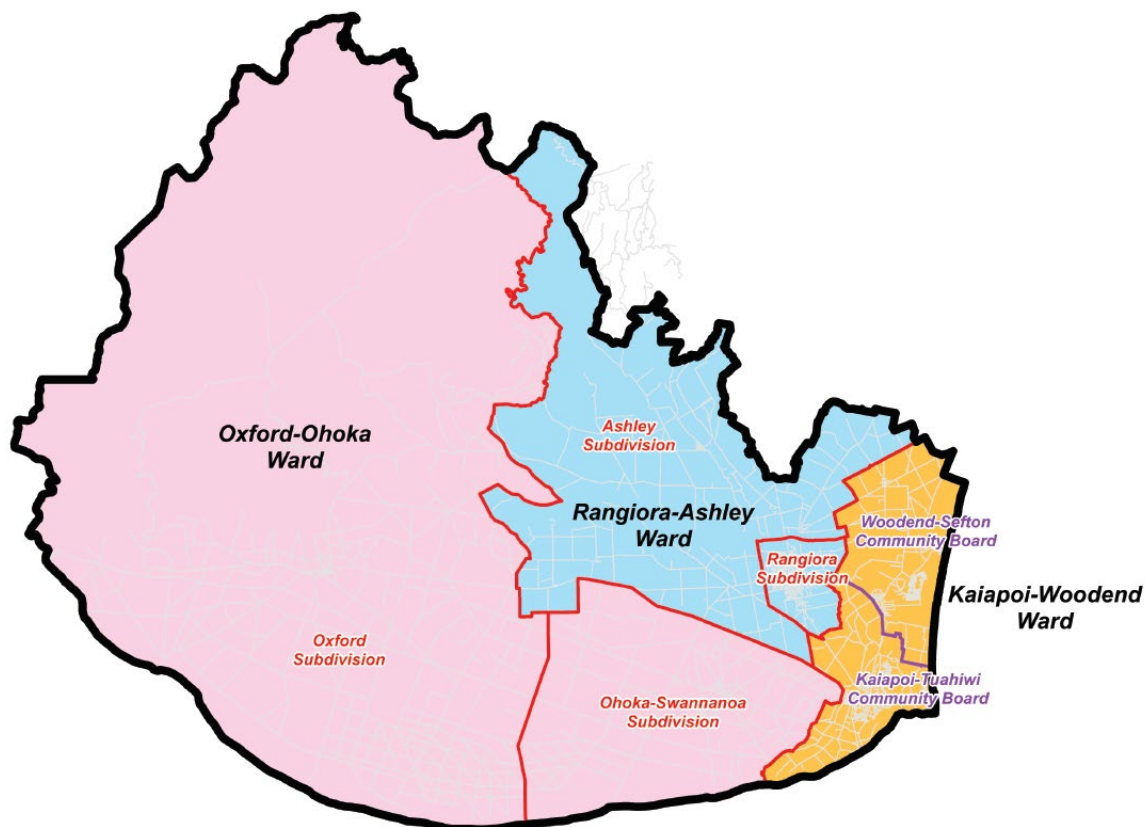
- Five Community Board members from the Woodend-Sefton community area
- Two Kaiapoi-Woodend Ward Councillors

Kaiapoi-Tuahiwi Community Board consists of:

- Five Community Board members from the Kaiapoi-Tuahiwi community area
- Two Kaiapoi-Woodend Ward Councillors.

## 7.1 Wards

Waimakariri District is divided into three wards and their locations are as shown on the map below. The district is supported by four community areas, represented through the four Community Boards.



### POPULATION (approximate)

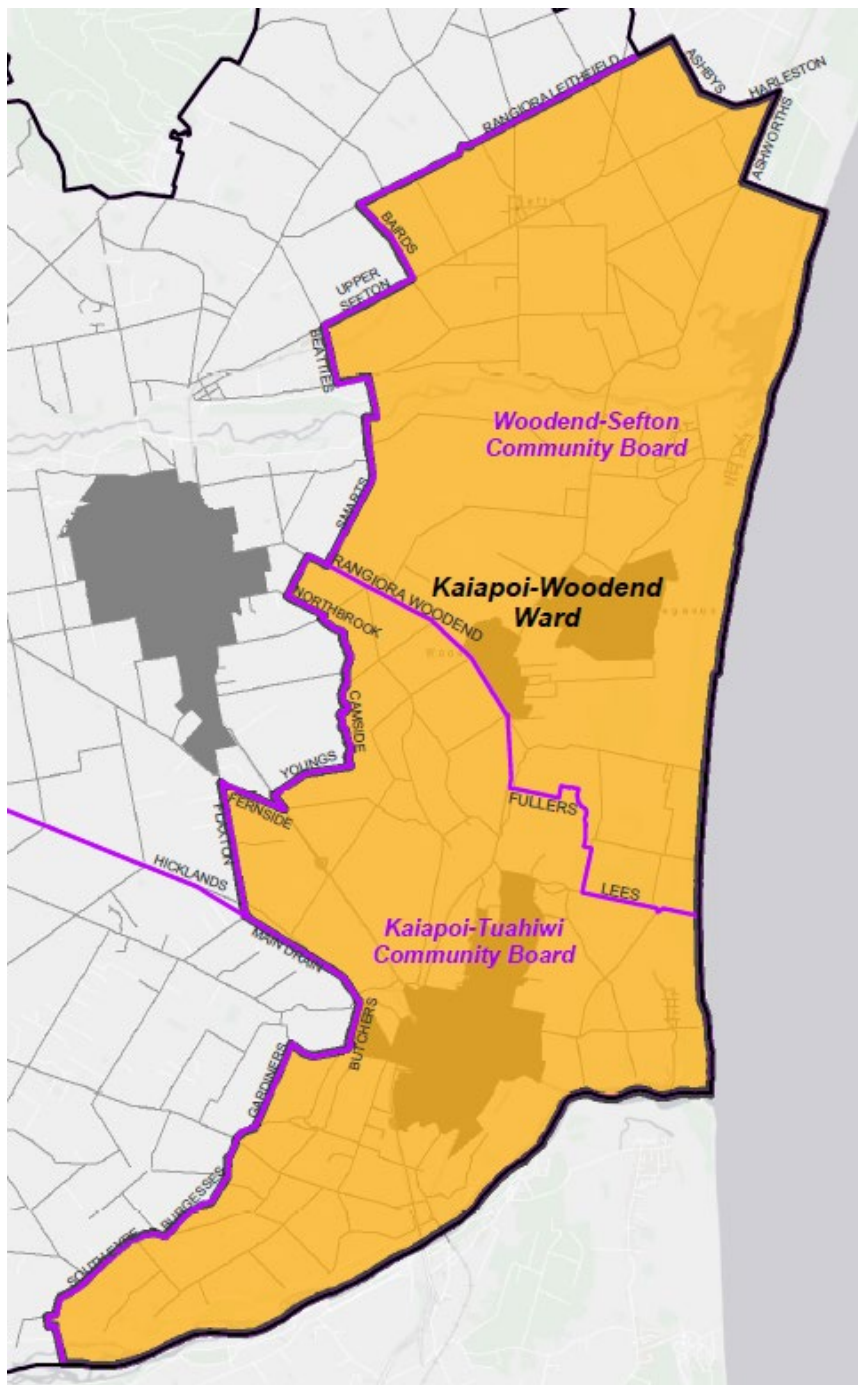
<b>Oxford-Ohoka Ward</b>	(population 13,200)
<b>Kaipoi-Woodend Ward</b>	(population 26,100)
<b>Rangiora-Ashley Ward</b>	(population 26,900)
<b>District Total</b>	<b>66,200</b>

(Source (January 2022): Statistics NZ population estimates as at 30 June 2021)

## 7.2 Ward Boundaries

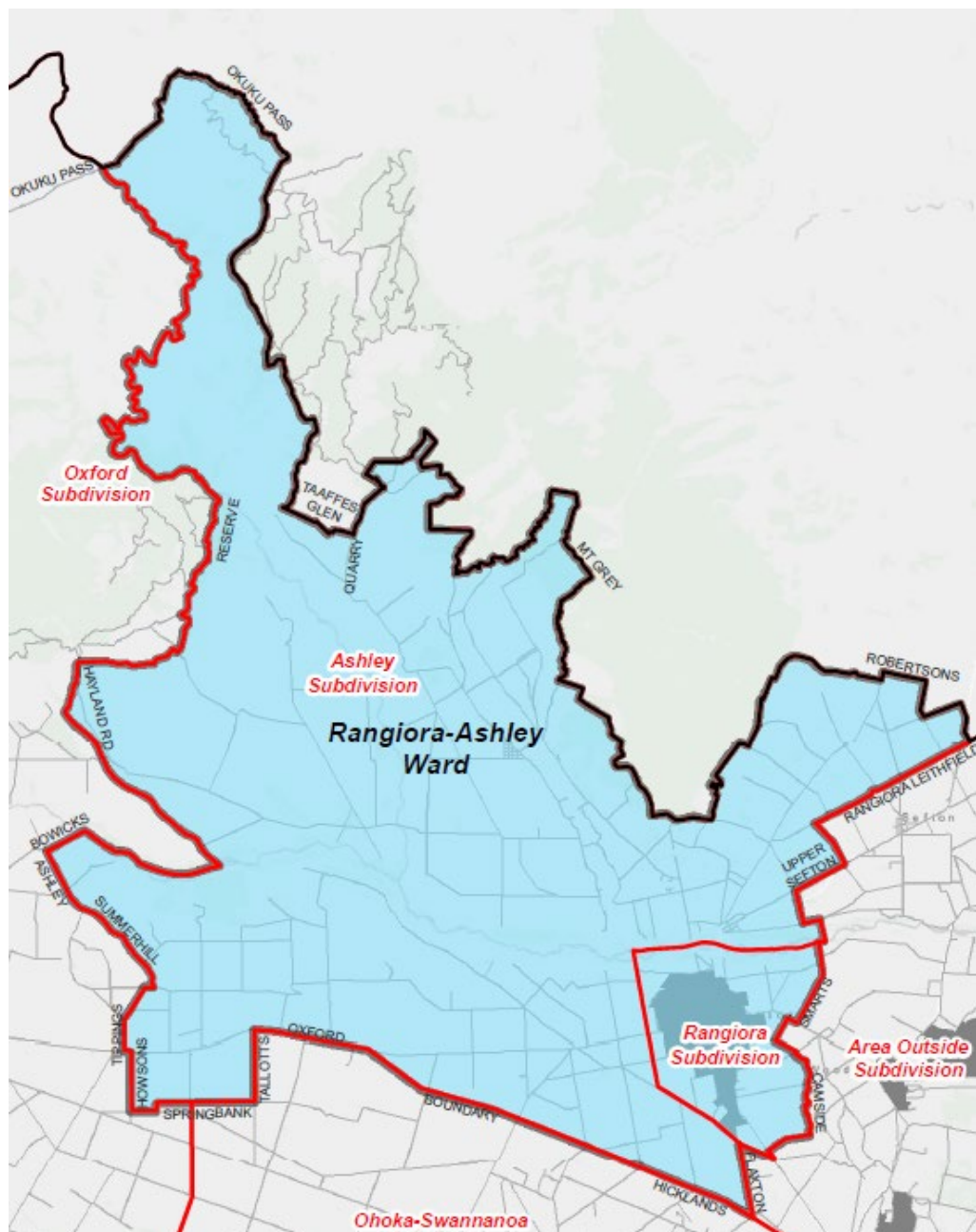
### **Kaiapoi-Woodend Ward**

To the district's northern boundary the Kaiapoi-Woodend Ward follows the Rangiora Leithfield Road, to Bairds Road, Upper Sefton Road, Beatties Road, Lower Sefton Road and between MB 2440301 and 2440302 to the Ashley River/Rakahuri. To the south of the Ashley River/Rakahuri the Kaiapoi-Woodend Ward follows Smarts Road, Rangiora Woodend Road, the boundary between Lot 2 DP80275 and Lot 2 DP306045 to Northbrook Road, Boys Road to the Cam River. It then follows the Cam River to Youngs Road, Lineside Road to Fernside Road, and along Flaxton Road, Skewbridge Road, Island Road, (incorporating MB2454800), Butchers Road, part MB2456302 along the Kaiapoi River and Gardiners Road (part MB2456302) to Burgess Road, South Eyre Road and Harpers Road to the Waimakariri River.



## Rangiora-Ashley Ward

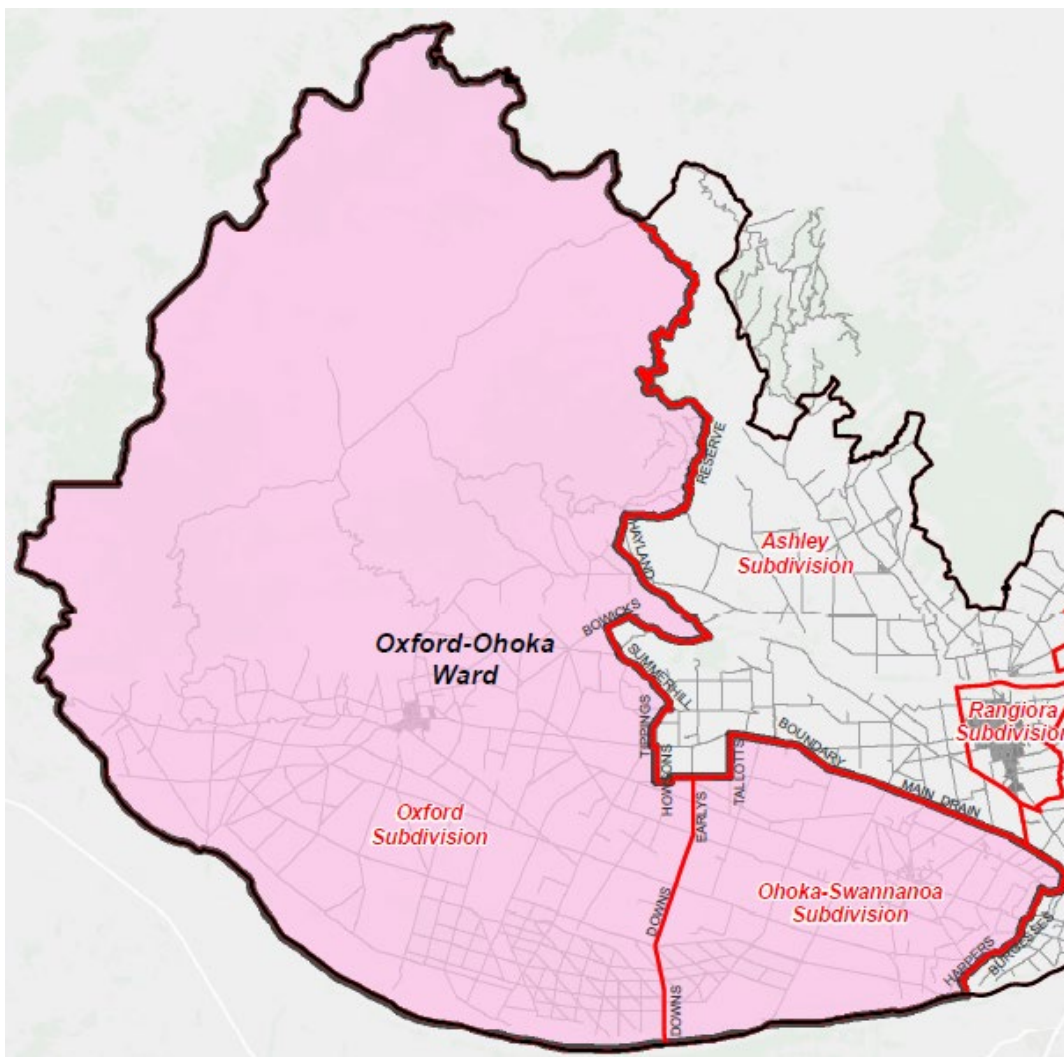
From the south of the Ashley River/Rakahuri in the west along Bowicks Road, Ashley Road, Summerhill Road, Reids Road, Tippings Road, Howsons Road, Springbank Road, Tallotts Road, Oxford Road, Boundary Road, the Main Drain, Flaxton Road, Fernside Road, Lineside Road and Youngs Road. Follow the Cam River to Boys Road then Northbrook Road and along the boundary between Lot 2 DP80275 and Lot 2 DP306045 to Rangiora Woodend Road, and along Rangiora Woodend Road to Smarts Road to the Ashley River/Rakahuri. North of the Ashley River/Rakahuri in the west the Rangiora-Ashley Ward commences on the northern boundary at the Okuku River; thence across Mt Thomas to the Garry River at the boundary of mesh block 2438500 and to the confluence of the Ashley River/Rakahuri and the Garry River. The eastern boundary to the north of the Ashley River/Rakahuri follows between MB 2440301 and 2440302 to the Lower Sefton Road, Beatties Road, Upper Sefton Road, Bairds Road and Rangiora Leithfield Road to the district boundary.





## Oxford-Ohoka Ward

North of the Ashley River/Rakahuri in the east the Oxford-Eyre Ward commences on the northern boundary at the Okuku River; thence across Mt Thomas to the Garry River at the boundary of mesh block 2438500 and to the confluence of the Ashley River/Rakahuri and the Garry River. In the south-east from the Waimakariri River the Oxford-Eyre Ward follows Harpers Road, Burgess Road to Gardiners Road, part MB2456302 along the Kaiapoi River, Butchers Road, Island Road, Skewbridge Road, the Main Drain, Boundary Road, Oxford Road, Tallotts Road, Springbank Road, Howsons Road, Tippings Road, Reids Road, Summerhill Road, Ashley Road and Bowicks Road to the Ashley River/Rakahuri. From this point to the confluence with the Garry River the Ashley River/Rakahuri forms the boundary between the Oxford-Eyre Ward and the Rangiora-Ashley Ward. The Waimakariri River provides the southern boundary for the Oxford-Eyre Ward and the District Boundary the western and north-western boundary of this ward.



## **Subdivision Boundaries**

Kaiapoi-Woodend Ward subdivision boundary being east to west; Rangiora-Woodend Road, Main North Road (SH1), Fullers Road, Jeffs Road, Lees Road to the coast.

Rangiora-Ashley Ward subdivision boundary being the north side of the Ashley River to the ward boundaries then south on Lehmans Road, Fernside Road to the junction of Flaxton Road with Rangiora being the urban development strategy boundary.

Oxford Subdivision to the West of the subdivision line and Ohoka-Swannanoa Subdivision to the East of the subdivision line in Oxford-Ohoka Ward north to south from the Rangiora-Ashley ward boundary; Earlys Road and Downs Road to the Waimakariri River.

NOTE – Detailed maps are available at any of the Council’s service centres and on the website ([waimakariri.govt.nz](http://waimakariri.govt.nz)).

### **7.3 Elected Members**

For the purposes of the election (voting), only those eligible residents in that particular subdivision will be able to vote for candidates (Board members) standing in that particular subdivision. Once elected they will be working for the whole Community Board area, ie. Rangiora-Ashley Community Board – six member vacancies for the Rangiora urban boundary and two member vacancies for the rural areas (Fernside, Cust, Okuku, Loburn).

Councillors are elected by all eligible residents of the whole ward.

The Mayor is elected ‘at large’ across the district.

Waimakariri District has a total of 35 elected members consisting of one Mayor, ten Councillors, and 24 Community Board members.

### **7.4 Community Boards**

The Local Electoral Act 2001 requires the Council to review the Community Board structures. This review was carried out during 2021 and will next take place in 2023 due to further Census data becoming available which will better reflect the growth patterns in the district particularly in the east and north of the district.

The review in 2015 resulted in the establishment of four new community boards, as follows:

**Kaiapoi-Woodend Ward** comprises two Community Boards in two community areas; the Kaiapoi-Tuahivi Community Board and Woodend-Sefton Community Board, each with five members elected to the Board and two appointed Councillors.

**Rangiora-Ashley Ward** has one Community Board, comprising of a Rangiora Subdivision (six board members) and Ashley Subdivision (two board members) plus four appointed Councillors.

**Oxford-Ohoka Ward** has one Community Board, comprising of Oxford Subdivision (three board members) and Ohoka-Swannanoa Subdivision (three board members) represented on the Oxford-Ohoka Community Board plus two appointed Councillors.



The Council appoints Councillors to each Community Board at their first meeting and the Community Boards elect their own chairperson at their first meeting after election.

Elected members are paid in accordance with the Remuneration Authority determination set in July 2022. For areas where there are no community boards, electors can demand the formation of a new Community Board. This is done by a process, similar to the reorganisation process, described in Section 7.

## **7.5 Māori Wards**

The Local Electoral Act 2001 also gives the Council the ability to establish separate wards for Māori electors. The Council may resolve to create separate Māori wards or conduct a poll on the matter, or the community may demand a poll. A petition of five percent (or more) of electors can require the Council to conduct a poll.

The Council considered and consulted on the introduction of separate Māori wards for the 2016 elections in 2015 and did not establish a Māori ward at that time. The formula for calculating Māori membership is contained in the Local Electoral Act, clause 4 of Schedule 1A. The January 2020 current calculation has insufficient Māori registered on the Māori electoral roll to establish a separate Māori seat.

## **7.6 Review Of Representation Arrangements**

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

- The number of Elected Members (between six and 30 including the Mayor);
- Whether the Elected Members (other than the Mayor) shall be elected by the entire District, or continue to be elected by their Ward, or a mix of both systems;
- The boundaries and names of those wards and the number of members that will represent each ward (if election by wards is preferred);
- Whether or not to have separate Māori wards;
- Whether to have Community Boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

The Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review and should also follow guidelines published by the Local Government Commission. The Act gives residents the right to make a written submission to the Council, and the right to be heard if they wish.

Submitters have the right to appeal any decisions on the above to the Local Government Commission, which will make a binding decision on the appeal. Where the Council amends the original proposal, there is a further objection process available for all persons, to the Local Government Commission. 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.

The Council last conducted a review in 2021 for the elections held in October 2022. The Council will review representation in 2023 for the October 2025 elections.

## 8. The Reorganisation Process

The Local Government Act 2002 sets out the procedures, which must be followed during proposals to:

- Make changes to the boundaries of the District;
- Create one or more new Local Authorities (City or District Councils);
- Create a Unitary Authority, (i.e. incorporate the functions of the Canterbury Regional Council (Environment Canterbury) in the Waimakariri District Council);
- Transfer a particular function or functions to another council.

The procedures for resolving each type of proposal are slightly different. In general, they begin with a proposal from the local authority, the Minister of Local Government, or by a petition signed by 10 percent of electors.

Proposals for a boundary alteration or the transfer of functions from one local authority to another will be considered by one of the affected local authorities or by the Local Government Commission if the local authorities refer the proposal to the Commission. The Commission will deal with proposals for the establishment of a new District or for the creation of a Unitary Authority. These proposals cannot be implemented without a poll of electors.

Further information on these requirements can be found in the Local Government Act 2002. The Local Government Commission has also prepared guidelines on procedures for local government reorganisation.

## 9. Members' Roles and Conduct

### 9.1 Division of Responsibility Between the Council and Management

Key to the effective running of any council is that there is clarity over the role of Elected Members and that of management. This Governance Statement clarifies the governance and the management responsibilities, the governance role and expected conduct of Elected Members, and describes the division of responsibility between the Council and Management. Simply put staff advise, elected members decide and staff implement those decisions.

There is an important difference between the Council (ie the Mayor and Councillors) as a governing body and the Council as an organisation. The former has overall and ultimate responsibility and accountability for the proper direction and control of the Council's activities. The organisation is there to implement decisions on behalf of the Mayor and Councillors and provide them with advice. To do this the Council must appoint a Chief Executive who in turn employs all other staff. Section 14 outlines the current management structure.

### 9.2 Role of the Council

The Council has overall responsibility and accountability for the proper direction and control of the Council's activities. This responsibility includes, but is not limited to:

- Formulating the District's strategic direction in conjunction with the community - the Long Term Plan (LTP) and Annual Plan;
- Determining the services and activities to be undertaken and the levels of service for those activities and how service performance will be measured;

- Managing principal risks;
- Administering various regulations and up-holding the law;
- Monitoring the delivery of the LTP and Annual Plan;
- Ensuring the integrity of management control systems;
- Safeguarding the public interest;
- Reporting to ratepayers;
- Appointing the Chief Executive;
- Acting as a good employer.

### 9.3 Role of the Community Boards

Community Boards are constituted under section 52 of the Local Government Act 2002 to:

- Represent and act as an advocate for the interests of its community;
- Consider and report on all matters referred to it by the Council and any issues of interest or concern to the Community Board;
- Prepare an annual submission to the Council for expenditure within the community;
- Maintain an overview of services provided by the Council within the community;
- Communicate with community organisations and special interest groups within the community; and
- Undertake any other responsibilities delegated by the Council.

The Community Boards shall be responsible for:

1. Maintaining an overview of road works, water supply, sewerage, stormwater drainage, parks, recreational facilities, community activities, and traffic management projects within the community.
2. After consultation with the community preparation of an annual submission to the budgetary process of the Council for expenditure within the community.
3. Communication with community organisations and special interest groups within the community.
4. Performing such other functions as the Waimakariri District Council may delegate to the Board.

The Waimakariri District Council has made the following delegations to the four Community Boards:

#### **Specific Jurisdiction**

- (a) To prepare and adopt an Annual Community Board Plan that highlights the key issues, priorities and actions that the Board proposes to advance during the year.
- (b) To advise the Council and Standing Committees on local implications of such policies, projects and plans, which have district-wide impacts and are referred to the Board for comment.
- (c) To make a submission, prior to the Council adopting a draft Long Term Plan or Annual Plan, on the proposed Plan, as it relates to the Community area.

- (d) To make recommendations on policy matters to the Chief Executive and Management Team in respect of matters which affect the Community area.
- (e) To lead public meetings/discussion, as part of consultation on projects within the Board area and where delegated make budgetary decisions.
- (f) To determine matters relative to the discretionary sum approved by the Council for the community area. The discretionary sum is limited to projects within the Board area. The apportioned rate to be at least \$0.50 per person and to be reviewed three yearly.
- (g) To receive a copy of the notification of notified applications for Resource Consents within the Board area and submit where appropriate.
- (h) To recommend to the Council:
  - Purchase of land within approved budgets for parks, reserves, waterways or other local purposes
  - Sale of land where appropriate
- (i) Delegated authority on matters in the Community area in accordance with Council policies and guidelines in respect of the following matters:
  - Granting of leases or licences on reserves, excluding the airfield;
  - Approving, on behalf of the Council as landowner, proposed developments or activities on parks, reserves and waterways and within existing budgets. Approving consultation plans for new developments on parks, reserves or waterways which may include planting plans and play equipment.
  - To consider a submission to an application for a liquor licence in the Board Community area;
  - To consider a submission on any Gambling Venue Licence application in the Board Community area;
  - Where referred to the Community Board granting of rights of way and other easements (over Council owned property);
  - Where specifically delegated by the Council or a standing committee, assuming responsibility for implementing a project(s), within the approved Council budget and Council's policies and purchasing procedures;
  - Allocating discretionary and unspecified funding that the Council has budgeted for the Community area relating to the improvement, enhancement or replacement of amenity, recreation and roading assets;
  - Making, within approved budget limits, operational and funding decisions relating to Community Facility Groups, Reserve and Domain Advisory Groups in the Community area where the Group has made a recommendation to the Community Board;
  - Authorising, within approved budgets, Board member attendance at relevant conferences and/or training courses;
  - Approving traffic control signs on streets (eg, stop, give way, etc);
  - Approving traffic control and constraint measures on streets, and recommending to Resource Management & Regulations Committee; matters relating to Council parking by-laws;
  - Approving design and location of neighbourhood improvements;
  - Approving design and location of neighbourhood improvements;
  - Naming and re-naming of roads, streets and parks;
  - Where referred to the Board, the authority to approve the removal of street and recreation reserve trees;

- (j) Appointment of member(s), after appropriate training, to the Council's Hearings Committee. Where a resource consent application relates to the Community Board Ward and the Council decides to have Council/Community Board membership of the hearing Panel, an RMA accredited Community Board member will be invited to participate in the hearing and deliberation process.

### **Additional Community Board Specific Delegations**

#### **Kaiapoi-Tuahiwi Community Board**

1. Responsibility for all residual matters relating to the Waimakariri Harbour within the authority of the Waimakariri Harbour Act 1946 and in consultation with Environment Canterbury as the Regional Authority and Harbourmaster.

## **9.4 Code of Conduct**

Schedule 7 clause 15 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). The current code was adopted by the new Council on 27 October 2022, following a review during the previous term in May 2019. The Code will be further reviewed in 2023. This code also applies to all people appointed to Committees or Sub-Committees of the Council.

The Kaiapoi-Tuahiwi Community Board, Woodend-Sefton Community Board, Rangiora-Ashley Community Board and the Oxford-Ohoka Community Board adopted the Code on 27 October 2022.

Waimakariri District Council's 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
- the general public.

The objectives of the code are to enhance:

- the effectiveness of the Council;
- the credibility of the Council;
- mutual trust, respect and tolerance among members as a group and between members and those people they deal with in the course of their duties.

The code of conduct is based on the following principles:

- **Public interest:** Members should serve only the interests of the District as a whole and should never improperly confer an advantage or disadvantage on any one person.
- **Honesty and integrity:** Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behavior.
- **Objectivity:** Members should make decisions on merit including making appointments, awarding contracts, or recommending individuals for rewards or benefits. Elected members should also note that, once elected, their

primary duty is to the interests of the entire district, not the ward that elected them.

- **Accountability:** Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities and should cooperate fully and honestly with the scrutiny appropriate to their particular office.
- **Openness:** Members should be as open as possible about their actions and those of the council and should be prepared to justify their actions.
- **Personal judgment:** Members can and will take account of the views of others, however should reach their own conclusions on the issues before them and act in accordance with those conclusions.
- **Respect for others:** Members should promote equality by not discriminating unlawfully against any person and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation, or disability. They should respect the impartiality and integrity of the council staff.
- **Duty to uphold the law:** Members should uphold the law and on all occasions, act in accordance with the trust the public places in them.
- **Stewardship:** Members must ensure that the council uses resources prudently and for lawful purposes and that the council maintains sufficient resources to meet its statutory obligations.
- **Leadership:** Members should promote and support these proposals by example and should always endeavour to act in the best interests of the community.

The code provides a mechanism for dealing with alleged breaches.

## 9.5 Applicable Statutory Requirements

The following are applicable statutory requirements relating to members.

Under **Section 46(1) Local Government Act 2002**, Councillors can be held liable for losses reported by the Auditor-General under section 44 of the same Act, resulting from negligence or unlawful action by the elected Council.

Under **Schedule 7 clause 1 Local Government Act 2002**, any Elected Member (the Mayor, a Councillor or a Community Board Member) will be disqualified if they cease to be an elector or become disqualified for registration as an elector under the Electoral Act 1993 or are convicted of an offence punishable by a term of imprisonment of two years or more.

The **Local Authority (Members' Interests) Act 1968** regulates the circumstances under which a member has a pecuniary interest in a matter before the Council. Without prior approval of the Controller and Auditor-General, nobody may be elected to a Council, or once elected, remain a member, if the value of contracts between the Council and that member exceed \$25,000 in any financial year. Nor may a member participate in the discussion or voting on a matter in which the member has a direct or indirect pecuniary interest, except an interest in common with the public. If members are convicted of a breach of this requirement they will be automatically disqualified from office. They may also be fined up to \$100. A disqualified member may, however, stand for election at a by-election.



The **Local Government Official Information And Meetings Act 1987** (“**LGOIMA**”) The obligations of LGOIMA are binding on members and apply to the disclosure of information by a member in respect of any information held by that member (in his or her capacity as member) to a member of the public. The underlying principle is that unless there is good reason to withhold it, information should be made available. Section 7 of the Act gives a number of grounds for withholding disclosure.

The LGOIMA also sets out the procedural requirements for meetings of local authorities, the publication of agenda, procedures for discussion with the public excluded and access by the public to the minutes of meetings.

**Local Government (Pecuniary Interests Register) Amendment Act 2022**

The Act will come into force on 20 November 2022. It inserts a new set of requirements and obligations into the Local Government Act. The Council will be required to keep a register of elected members' pecuniary interests and make a summary of it publicly available. Members are obliged to provide annual returns, which are to be included on the registers. Any failure to comply with the new obligations amounts to an offence. If a member does not comply with these obligations, they will commit an offence, which is punishable by a fine of up to \$5,000 and prosecutions.

The **Secret Commissions Act 1910** makes it unlawful for a Member (or officer) to advise anyone in respect of entering or not entering into a contract with a third person in relation to the business of the Council and/or receive a gift or reward from anyone outside the Council in return for advice or services in relation to the business of the Council, or to present false receipts to the Council.

The **Crimes Act 1961** makes it unlawful for Members to accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of the Council, or use information gained in the course of the member's duties for monetary gain or advantage by the Member, or anyone else.

The **Securities Act 1978**, places Members in the same position as company directors whenever the Council offers shares in a company to the public. Members may be personally liable if investment documents, such as a prospectus, contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

The **Health and Safety at Work Act 2015** requires Officers (Councillors and the Chief Executive) to undertake due diligence activities to discharge their responsibilities under the Act and to ensure the Council has effective health and safety processes, procedures and culture in place.

The **Local Government Act 2002 Amendment Act 2014**, (Certain Members Indemnified) provides for members being indemnified as outlined in section 48 (F). This will include members who have been appointed to a committee, community board (Councillors appointed to the Community Boards), or other subordinate decision-making body of the Waimakariri District Council. This gives the effect that members will not be responsible for costs, providing they act in good faith and come within the provisions of the section outlined and it will be the responsibility of the Council to meet the costs, or to claim from the appropriate parties.

The **Financial Markets Conduct Act 2013** places elected members in the same position as company directors whenever the Council offers financial products (such as an issue of debt or equity securities). Elected members may be personally liable if documents that are registered under the Act, such as a product disclosure statement, contain false or misleading statements. Elected members may also be liable if the requirements of the Act are not met in relation to offers of financial products.

## 10. Governance, Membership and Delegations

Please refer to Committee Structure (pg 23).

### 10.1 Council Meetings

The Council holds monthly meetings (normally the first Tuesday of each month except January) to make decisions and set policies relating to the business of the Council, monitor service delivery, and ensure that the affairs of the Council are being conducted lawfully and according to Council objectives. The Council also monitors the performance of Council Organisations and Council Controlled Organisations (including Council Controlled Trading Organisations) – see section 11 for details.

### 10.2 Council Committees

The Council has set up several Standing Committees made up of Elected Members to recommend actions to the Council, and to make delegated decisions, to effectively discharge specific responsibilities, and monitor the performance of activities delegated to that Committee. Each Committee meets every two months, with additional meetings held as required.

These Standing Committees are:

- Audit and Risk
- District Planning and Regulation
- Utilities and Roading
- Community and Recreation

### 10.3 Other Committees

The Council has appointed other Committees which meet as required to deal with specific issues including:

- Mahi Tahi Joint Development Committee

Hearings Committee: to hear applications and make decisions on matters referred by staff relating to resource consents, district plan, gambling venues, bylaws, dog control and fencing of swimming pools.

District Licensing Committee – to consider liquor licencing applications, breaches and related matters.

CE Review Committee – to review the contract and performance reviews for the Chief Executive.

Code of Conduct Committee: - to consider any alleged breach of the Code of Conduct by an elected member referred by the Mayor or Chief Executive.

#### **10.4 Joint Standing Committees**

The Council has several Committees established with other Canterbury Councils:

Several transport focused groups include the Canterbury Regional Council – Regional Land Transport Committee and the Greater Christchurch Public Transport Joint Committee.

Canterbury Civil Defence Emergency Management Group – to establish a regional plan for civil defence.

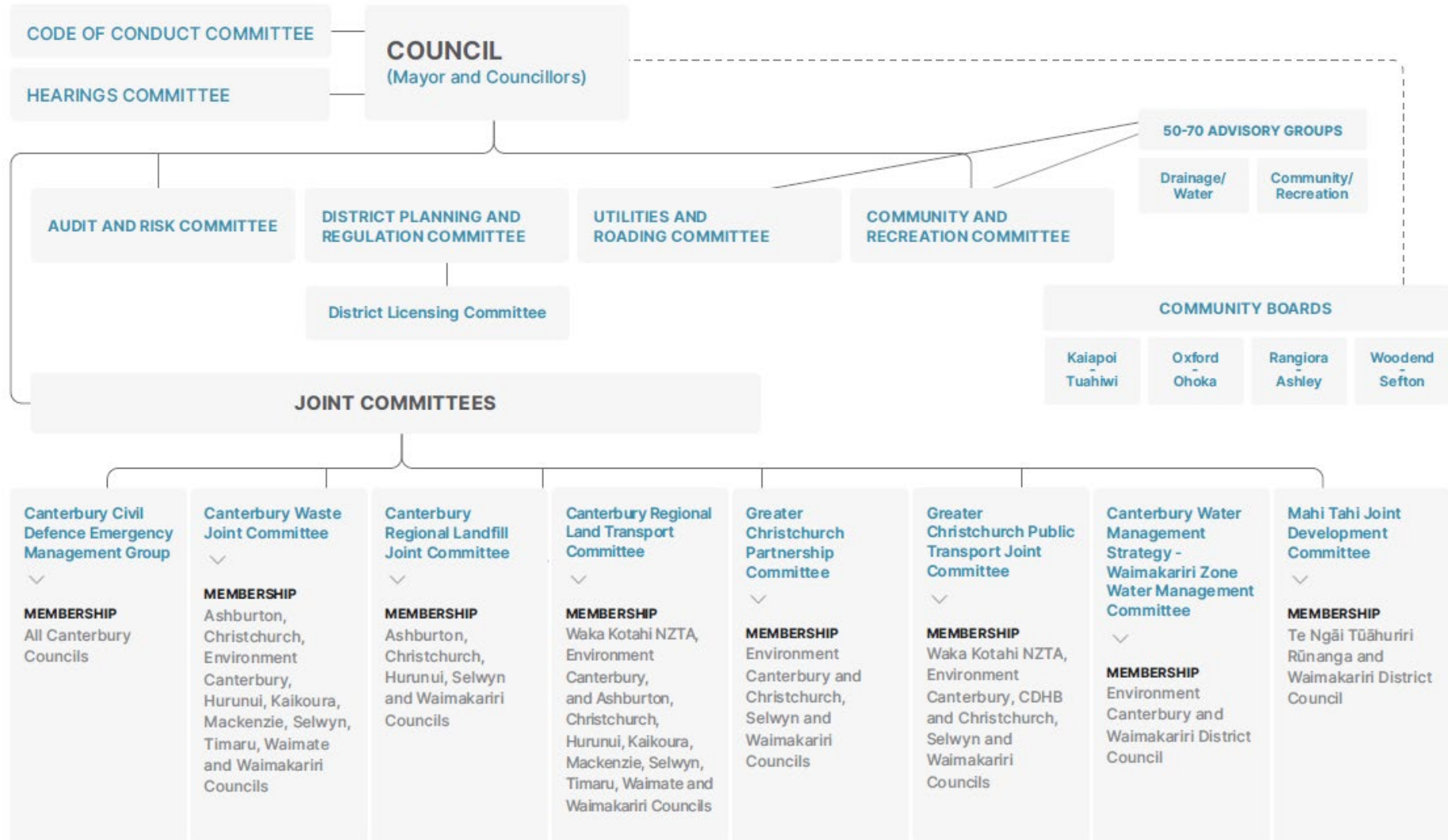
Canterbury Water Management Strategy Waimakariri Zone Committee has an action plan which outlines how they will work with the community to deliver their aspirations for freshwater as outlined in the Canterbury Water Management Strategy.

Canterbury Waste Joint Committee –dealing with regional waste minimisation initiatives.

Canterbury Regional Landfill Joint Committee – matters relating to the ownership and operation of the Canterbury Regional Landfill at Kate Valley.

Greater Christchurch Partnership – to oversee implementation of the “Greater Christchurch Urban Development Strategy.

## Council and Committees Structure



## 10.5 Committee Membership as at December 2022

### **Audit and Risk Committee**

- Cr Neville Atkinson (First Chairperson – to 30 April 2024)
- Cr Jason Goldsworthy (Second Chairperson – from 1 May 2024 to end of term)
- Cr Tim Fulton
- Cr Joan Ward
- Cr Paul Williams
- Mayor Dan Gordon (*ex officio*)

### **Community and Recreation Committee**

- Cr Philip Redmond (First Chairperson – to 31 October 2023)
- Cr Robbie Brine (Second Chairperson from 1 November 2023 to 31 October 2024)
- Cr Brent Cairns (Third Chairperson from 1 November 2024 to end of term)
- Cr Al Blackie
- Cr Niki Mealings
- Mayor Dan Gordon (*ex officio*)

### **District Planning and Regulation Committee**

- Cr Al Blackie (First Chairperson – to 30 April 2024)
- Cr Tim Fulton (Second Chairperson from 1 May 2021 to end of term)
- Cr Neville Atkinson
- Cr Brent Cairns
- Cr Jason Goldsworthy
- Mayor Dan Gordon (*ex officio*)

### **Utilities and Roading Committee**

- Cr Niki Mealings (First Chairperson – to 31 October 2023)
- Cr Paul Williams (Second Chairperson 1 November 2023 to 31 October 2024)
- Cr Joan Ward (Third Chairperson from 1 November 2024 to end of term)
- Cr Robbie Brine
- Cr Philip Redmond
- Mayor Dan Gordon (*ex officio*)

### **Mahi Tahi Joint Development Committee**

- Mayor Dan Gordon (Chair), Councillors Neville Atkinson and Niki Mealings.
- Te Maire Tau and Tania Wati.

### **District Licencing Committee**

- Commissioner Neville Atkinson (Chair), Wendy Doody, Jim Gerard, Philip Redmond and Paul Williams.

### **Greater Christchurch Partnership**

- Mayor Dan Gordon, Councillors Neville Atkinson and Niki Mealings.

The Mayor is *ex officio* to all Council committees and working groups.

## 10.6 Portfolio Listing

PORTFOLIO	PORTFOLIO HOLDER (FROM OCTOBER 2023)
<b>COUNCIL</b>	
Iwi Relationships	Mayor Dan Gordon
Greater Christchurch Partnership	Mayor Dan Gordon
International Relationships	Councillor Neville Atkinson Supported by Councillors Redmond and Ward
Property and Housing	Deputy Mayor Neville Atkinson
Climate Change and Sustainability	Councillor Niki Mealings
Government Reform (3 Waters, LG Futures, RMA etc)	Mayor Dan Gordon
<b>AUDIT AND RISK COMMITTEE</b>	
Audit, Risk, Long Term Plan and the Excellence Programme	Councillor Joan Ward
Communications and Customer Services	Councillor Joan Ward
<b>COMMUNITY AND RECREATION COMMITTEE</b>	
Greenspace (Parks, Reserves and Sports Grounds)	Councillor Al Blackie
Community Facilities (including Aquatic Centres, Multi-use Sports Stadium, Libraries/Service Centres, Town Halls, Museums and Community Housing)	Councillor Robbie Brine
Community Development and Wellbeing	Councillor Brent Cairns
Waimakariri Arts and Culture	Councillor Al Blackie
<b>DISTRICT PLANNING AND REGULATION COMMITTEE</b>	
District Planning Development	Councillor Tim Fulton
Regulation and Civil Defence	Councillor Jason Goldsworthy
Business, Promotion and Town Centres	Councillor Brent Cairns
<b>UTILITIES AND ROADING COMMITTEE</b>	
Drainage, Stockwater and Three Waters	Councillor Paul Williams
Roading	Councillor Philip Redmond
Transport	Mayor Dan Gordon
Solid Waste	Councillor Robbie Brine

*Portfolios and holders will be reviewed in November 2023 by the Mayor and Council*



## 10.7 Subcommittees

Committees have the power to set up subcommittees including the Prosecutions Subcommittee (District Plan and Regulation Committee).

The Community Boards can establish committees if the need arises. In previous terms the Community Boards have established a Road and Reserve Naming Committee however for the 2022-25 term the Boards have currently chosen to consider applications as a Board during the normal course of business.

## 10.8 Kaiapoi-Tuahiwi, Woodend-Sefton, Rangiora-Ashley and Oxford-Ohoka Community Boards

The Community Boards focus on local matters within the relevant Community area and are responsible for assessing the priorities of the Community area. The Boards exercise decision-making power on issues specifically delegated by Council (*see also Clause 9.3*).

These are not constrained to services delivered or responsibility of the Council as the Board is able to advocate to other agencies on behalf of its residents (ie to Environment Canterbury).

## 10.9 Strategic Partnerships

An essential element of Waimakariri District Council's operations is input, collaboration and consultation from the community. By establishing close working relationships with various sectors within the community, the Council is in a better position to consider and reflect community needs in its decisions.

Partnerships are built into Council activities as follows:

### 1. Tangata Whenua

The Council has a Memorandum of Understanding with Ngāi Tūāhuriri Rūnanga:

- (a) Base the relationship on good fit, co-operation and understanding of agreed Principals and Core Values.
- (b) Work towards deliberate solutions in a reasonable manner and with honesty of purpose;
- (c) Respect and seek to accommodate different cultural values and ways of working;
- (d) Take into account, and incorporate in decision-making where appropriate, planning documents recognised by the Iwi authority and other statutory and non-statutory plans or documents.

### 2. Community Partnerships

The Council maintains a variety of partnering relationships with various community organisations to ensure that issues, views, proposals and values are built into Council decision making. These include Wellbeing North Canterbury, North Canterbury Sport and Recreation Trust, Enterprise North Canterbury, Waimakariri Irrigation Limited and a range of central government partnerships.

## 10.10 Legislative Compliance

The Council is a regulatory body administering various regulations and laws. It

must also comply with all relevant legislation. To help it comply with applicable legislation the Council seeks professional and legal advice externally when required.

## 11. Council Controlled Organisations

The Council has direct and indirect shareholdings in, or control over, a variety of Council Controlled Organisations (CCOs) and Council Controlled Trading Organisations (CCTOs). This control is either through ownership greater than 50%, or the ability to appoint more than half of the board. These Organisations all operate on a commercial basis at arm's length from the Council:

(a) **Enterprise North Canterbury**

Enterprise North Canterbury (ENC) was established by the Waimakariri and Hurunui District Councils in 2002 to promote economic development in North Canterbury and work alongside businesses to develop an innovative and prosperous region. The Council appoints the Trustees to Enterprise North Canterbury in conjunction with Hurunui District Council.

(b) **Te Kōhaka o Tūhaitara Trust**

The Trust (TKoT) was formed in 1998 following the outcome of a Waitangi Tribunal settlement between the Crown and Te Runanga o Ngai Tahu. TKoT is responsible for the restoration and ongoing management of approximately seven hundred hectares of native coastal wetland. This land, otherwise known as Tūhaitara Coastal Park, runs from the mouth of the Waimakariri River to the settlement of Waikuku Beach, and includes the culturally significant Tūtaepatu Lagoon. TKoT aims to retain and enhance indigenous biodiversity, and to preserve the values of Ngāi Tahu. The Council appoints 50% of the trustees with the balance appointed by Ngāi Tahu. The Trust administers and manages reserves in coastal areas of the District. The Council vested 593 hectares of reserves in the Trust.

(c) **Transwaste Canterbury Limited**

The Waimakariri District Council is one of six councils in the Canterbury region which between them own 50% of the shares in Transwaste Canterbury Limited. The organisation operates a regional landfill at Kate Valley and associated transport services in a joint venture with Canterbury Waste Services.

(e) **Waimakariri Public Arts Trust**

The Trust was formed in 2019 to ensure that the Art in Public Places Policy was adhered to and to provide the ability to resource funding for the purchase and installation of public art from other sources.

The Council also has non-controlling interests in numerous Council Organisations, by virtue of appointing one or more board members or trustees such as Canterbury Museum. These are generally “not for profit” bodies and are listed in Appendix 2.

## 12. Meeting Procedures / Standing Orders

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

All Council, Committee and Community Board meetings must be open to the public unless there is reason to consider some item ‘In Committee’. Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with the Council.

The LGOIMA contains a list of the circumstances where councils may consider items with the public excluded. (These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information and the maintenance of public health, safety and order).

The agenda for all formal meetings are public documents, although parts may be withheld if the above circumstances apply.

*Copies of the agenda for every meeting will be available for inspection by any member of the public not less than two clear working days before the meeting at any of the offices of the Council or public libraries, whenever those offices are open to the public. Copies of the agenda and any report are available free of charge. Copies are also available on the Council website.*

Any person or group may request to speak, make a deputation or present to the Council, any of its Committees or Community Boards providing written application has been made at least two working days before the meeting and the subject matter approved by the Chairperson of the relevant meeting.

The Mayor or meeting chairperson is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any elected member who does not comply with Standing Orders (a set of procedures for conducting meetings).

Minutes of meetings must be kept and made publicly available, subject to the provisions of the LGOIMA. Copies of meeting minutes are available on the Council website.

During meetings of the Council, Committees or Community Boards, all Council participants (the Mayor or Chair, Councillors or Members) must follow Standing Orders unless one or more reasons are given to suspend them. Standing Orders are suspended by a vote of 75 per cent (or more) of the members present. Copies of the Code of Conduct and of Standing Orders can be obtained from the Governance Manager or listed under public documents on the Council website ([www.waimakariri.govt.nz](http://www.waimakariri.govt.nz)).

# 13. Consultation Policy

## 13.1 The Special Consultative Procedure

The Council must follow the Special Consultative Procedure before it:

- Adopts a Long Term Plan (LTP) or Annual Plan
- Amends an LTP
- Adopts, revokes, reviews or amends a bylaw
- Changes the mode of delivery for a significant activity that is not provided for in an LTP, (for example, changes from Council delivery to delivery by a Council Controlled Organisation, from a Council Controlled Organisation to another organisation or person).

The Council may be required to use the Special Consultative Procedure under other legislation and it may use this procedure in other circumstances if it wishes to do so.

The Special Consultative Procedure consists of the following steps:

- **Step One: *Preparation of a statement of proposal and a summary***  
The Council must prepare a description of the proposed decision or course of action. The statement must be included on an agenda for a Council meeting. The statement must be available for access and inspection by the community at Council offices and may be made available elsewhere. The Council must also prepare a summary of the proposal which must be a fair representation of the major matters in the statement of proposal. This must be distributed as widely as the Council considers to be reasonably practicable.
- **Step Two *Public Notice***  
The Council must publish a notice in one or more daily newspapers, or in other newspapers of equivalent circulation, of the proposal and of the consultation being undertaken.
- **Step Three: *Receive submissions***  
The Council must acknowledge the receipt of all written submissions and offer submitters a reasonable opportunity to present their submissions in person to the Council. At least one month (from the date of the notice) must be allowed for submissions.
- **Step Four: *Deliberate in public***  
All meetings where the Council deliberates on the proposal or hears submissions, must be open to the public (unless there is a reason to exclude the public under the LGOIMA). All submissions must be made publicly available unless there is reason to withhold them under LGOIMA.
- **Step Five: *Decisions***  
Persons who present views to the Council should be given a copy of relevant decisions and the reasons for those decisions.

This procedure is regarded as a minimum and the Waimakariri District Council typically conducts consultation in excess of what is required by the procedure. When it is preparing its Long Term Plan, Annual Plan or other plans or strategies, the Council will use a range of consultation and communication techniques to engage with community groups, the public and other interested parties. These techniques will be used by the Council to invite views and the identification of issues that are of concern to the community.

### **13.2 Significance and Engagement Policy**

The Local Government Act 2002 sets the Purpose of the Significance and Engagement Policy (SEP) to:

- enable the Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities; and
- provide clarity about how and when communities can expect to be engaged in decisions about different issues, assets or other matters; and
- Inform the Council from the beginning of a decision-making process about:
  - the extent of any public engagement that is expected before a particular decision is made; and
  - the form or type of engagement required.

The SEP must list the assets considered by the Council to be strategic assets. Decisions regarding the transfer to or from the Council of strategic assets cannot be made unless provided for in its Long Term Plan.

### **13.3 Customer Satisfaction Survey**

The Council carries out a three yearly customer satisfaction survey so residents can give their views on the performance of the Council on service delivery and other issues.

## **14. Policies For Liaising With, And Memoranda Or Agreements With, Māori**

The Council acknowledges the hapu and whanau of Ngāi Tūāhuriri as tangata whenua for the Waimakariri District. Their collective concerns are facilitated by the Rūnanga structure and through the Rūnanga, links are made back to Te Rūnanga o Ngāi Tahu. The Council signed a Memorandum of Understanding with Ngāi Tūāhuriri Rūnanga in December 2003. (*Refer 10.7 above.*) and this was renewed in 2012. It responds to the spirit and intent of the provisions of the Local Government Act 2002.

*The purpose of the MOU is to develop a mutually beneficial relationship between the Waimakariri District Council and Te Ngāi Tūāhuriri Rūnanga based upon the core values of the parties.*

*The MOU seeks to establish and provide for a clear understanding of the basis and on-going conduct of the partnership relationship between the Waimakariri District Council and Te Ngāi Tūāhuriri Rūnanga.*

The District Plan, in Chapter 2, contains a number of policies relating to Māori relationships with ancestral lands, water, sites, waahi tapu and other taonga.

## 15. Management Structures and Relationships

### Chief Executive

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

Currently the Council is organised into six departments. In broad terms, three of these deliver services externally (Community and Recreation, District Plan and Regulation, and Utilities and Roading) and three provide (internal) support; Finance and Business Support; Strategy and Engagement, and Organisational Development and Human Resources. Each of the four standing committees has a manager working with it. From time to time the structure may change, depending on business needs.

Please see attached Organisational Structure Chart. (page 33)

## 16. Equal Employment Opportunities Policy

The Council affirms its commitment to the leading principles contained in Schedule 7, sections 33(g) and 36 of the Local Government Act 2002. Particularly, where an appointment to any position is made, preference will be given to the person who is best suited to the position.

The Council recognises its responsibility under the Local Government Act to be a "good employer" publish an equal employment opportunities programme as part of the Council's Annual Plan.



# STAFF STRUCTURE TO LEVEL THREE



# 17. Key Approved Planning and Policy Documents

## 17.1 Community Outcomes

Community Outcome statements describe what district community wants the district to be like in the future. They form a key reference point for and are included in the 2021-2031 LTP. They were previously prepared through extensive engagement with the community and will be reviewed and consulted on during 2022-23. The Council's role was to facilitate the preparation of the statements. They must be updated every six years.

## 17.2 Long Term Plan (LTP) and Infrastructure Strategy

The LTP is required by the Local Government Act 2002 to set out the scope, nature, cost and funding for Council activities for the next ten years. These priorities are the Council's contributions to community well-being as set out in statements of community outcomes. The LTP is more than a financial and funding statement. It represents a community expression of long term aspirations and the respective roles of key agencies, including the Council, in pursuit of sustainable development.

## 17.3 Annual Plan

The Annual Plan sets out the Council's planned expenditure and programme of works for areas of significant activity for each upcoming year. It contains objectives and performance measures for the budget year. The Annual Plan contains a funding impact statement which sets out the proposed rates. It is developed through annual Council workshops, and is available for public comment, submission and hearings.

## 17.4 Waimakariri District Plan

The District Plan is required by the Resource Management Act 1991 to promote the sustainable management of natural and physical resources. It is prepared under the First Schedule of the Act and involved extensive research, survey, public submissions and hearings. The operative District Plan was adopted in November 2005, and became operative from that date. The District Plan is under review with the proposed District Plan having been notified on 18 September 2021. Hearings on submissions and further submissions to the proposed District Plan will begin in 2023. The Plan can only be amended by the Council, or by Court decision, for a period extending out two years from the date it is made operative.

## 17.5 Waimakariri Residential Red Zone Recovery Plan

Approximately 100 hectares of mainly residential land in Kaiapoi, The Pines Beach and Kairaki sustained severe land damage in the 2010 and 2011 earthquakes. The Crown subsequently bought almost 1,000 properties in the district to allow people to move on with their lives.

After taking into account the public feedback received on the draft version– developed by the Waimakariri District Council – the then Minister for Earthquake Recovery, Mr Brownlee, finalised and approved the plan in December 2016.

The final Recovery Plan provides certainty about the proposed land uses of former red-zone land allows those land uses and activities to be implemented by Council. The majority of this land was divested back to the Council and some to Te Kōhaka o Tūhaitara Trust in mid-2018, with some conditions in place. These include ensuring land uses in the Recovery Plan are implemented and that any financial return is maximised wherever possible, with the Crown to receive a share of any future net financial returns.

Much work has occurred with road upgrades completed, sports fields, BMX track, dog park, food forest and recreation and ecological linkages established. Work is underway on heritage and mahinga kai reserve and the Kaiapoi Community Hub projects.

## 17.6 Key Policies

Other key policies include:

### **Revenue and Financing Policy**

This policy defines funding mechanisms (eg. rates, fees and charges, subsidised development contributions) that will be used to recover the costs of Council activities.

### **Rating Policy**

The policy defines the rating mechanisms the Council adopts to collect rates that partly fund Council activities.

### **Infrastructural Activity Management Plans**

The Council has prepared and consulted with the community on a number of plans (including water and sanitary assessments required under the Local Government Act 2002) which set out agreed levels of service and management requirements in relation to the community's investment in infrastructure. These include activity management plans for roading, water, waste water, land drainage and solid waste.

### **Parks and Recreation Activity Management Plan (PRAMP)**

The PRAMP, which was adopted in 2007, sets out agreed levels of service and management requirements for the physical recreation assets maintained by the Council including parks, reserves, playgrounds and community buildings. This has since been reviewed.

### **Solid and Hazardous Waste Management Plan**

The plan covers both solid and hazardous waste, however, does not presently deal with liquid waste. The plan provides a framework for ensuring a consistent pathway to maximizing diversion from disposal that has been agreed by our community and committed to by the Council.

### **Greater Christchurch Urban Development Strategy (UDS)**

The Greater Christchurch UDS is a growth management strategy adopted jointly by the Waimakariri and Selwyn District Councils, Christchurch City Council, Environment Canterbury and Transit New Zealand in 2007. It outlines a preferred settlement pattern for greater Christchurch for the 35 year period to 2041.

### **Bylaws**

A number of bylaws exist which protect the public from nuisance; protect, promote and maintain public health and safety; and minimise the potential for offensive behaviour in public places. These include dog control, fire prevention, parking, stock movement, speed limits and liquor bans.

### **Dog Policy**

The policy is implemented through the Dog Control Act 1996, the Dog Control Bylaw 2004 and the Council's internal operating procedures and outlines the following matters:

- Encouraging responsible dog ownership
- Providing for dog access to public areas
- Enforcing dog owner obligations
- Community awareness about dogs
- Funding for dog control

### **Gambling and Board (TAB) Venue Policy**

These policies outline the requirements to be met in applications for gambling or board (TAB) venues in the district. The gambling policy relates to gambling machines (pokie machines) and controls the growth of gambling machines in the district.

## Liquor Licensing Policy

The policy establishes criteria for the hours of operation and conditions of licenced premises; those holding off licences for the sale of liquor; club licence holders and special licences.

A full list of the Council's policies can be found on:

<https://www.waimakariri.govt.nz/your-council/council-documents/policy-manual>

## 17.7 Triennial Agreement

The Council has entered into an agreement with each of the local authorities in the Canterbury region. This contains protocols for communication and co-ordination with each other. The Waimakariri District Council adopted the Triennial Agreement for the 2022-25 term on 20 December 2022.

# 18. Requests for Official Information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from the Council. You do not have to say you are making a request under LGOIMA. Any request for information is an request automatically made under LGOIMA.

Once a request is made the Council must supply the information unless reason exists for withholding the required information. The LGOIMA says that information may be withheld if release of the information would:

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

The Council must answer requests within 20 working days (although there are certain circumstances where this timeframe may be extended). The Council may charge for official information under guidelines set down by the Ministry of Justice.

# 19. Council and its Elected Members

## 19.1 Your Mayor and Councillors (11)

### Mayor



Mayor Dan Gordon  
Phone 021 906 437  
Office: 0800 965 468  
Mayor@wmk.govt.nz

### Deputy Mayor



Cr Neville Atkinson  
Kaiapoi-Woodend Ward  
Phone 021 558 037  
neville.atkinson@wmk.govt.nz

### Councillor



Cr Al Blackie  
Kaiapoi-Woodend Ward  
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al.blackie@wmk.govt.nz

### Councillor



Cr Robbie Brine  
Rangiora-Ashley Ward  
Phone 021 0277 4188  
robbie.brine@wmk.govt.nz

### Councillor



Cr Brent Cairns  
Kaiapoi-Woodend Ward  
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**Councillor**



Cr Tim Fulton

Oxford-Ohoka Ward  
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**Councillor**



Cr Jason Goldsworthy

Rangiora-Ashley Ward  
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**Councillor**



Cr Niki Mealings

Oxford-Ohoka Ward  
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**Councillor**



Cr Philip Redmond

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**Councillor**



Cr Joan Ward

Rangiora-Ashley Ward  
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**Councillor**



Cr Paul Williams

Rangiora-Ashley Ward  
Phone 313 7243  
paul.williams@wmk.govt.nz



## 19.2 Kaiapoi-Tuahiwi Community Board

The Kaiapoi-Tuahiwi Community Board covers the township and surrounding areas of Kaiapoi, Tuahiwi, Clarkville, The Pines and Kairaki Beach. The area has a population of 15,650.

The Kaiapoi-Tuahiwi ward has a great mix of properties and people, ranging from urban settlements to beaches in the east and lifestyle blocks. The focus of economic activities within Kaiapoi are: residential accommodation, commercial businesses, light industry and tourism.

The Kaiapoi-Tuahiwi Community Board is not the Council nor is it a committee of the Council. The Board works collectively with the Council to achieve community goals. The Board is also responsible for any areas delegated to it by the Council.

If you are a resident or part of a local community group who wishes to raise any concerns or issues, please do not hesitate to contact a member of the Board for advice and help.

### Kaiapoi-Tuahiwi Community Board

#### Chairperson



**Jackie Watson**

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### Kaiapoi-Tuahiwi Community Board

#### Deputy Chairperson



**Sandra Stewart**

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**Neville Atkinson**

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**Al Blackie**

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**Tracey Blair**

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**Russell Keetley**

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### 19.3 Rangiora-Ashley Community Board

The Rangiora-Ashley Ward covers the township of Rangiora and surrounding rural areas, including Fernside, Cust, and Loburn. The area has a current population of approximately 26,700.

The Rangiora-Ashley Community Board was created in October 2016 with eight elected Board members. The four Rangiora-Ashley councillors are also appointed to the Board by the Council giving the Board a total membership of twelve. The purpose of a community board is to represent, and act as an advocate for the interests of its community on a local level.

The Rangiora-Ashley Community Board is not the Council nor is it a committee of the Council. The Board works collectively with the Council to achieve community goals. The Board is also responsible for any areas delegated to it by the Council.

#### Chairperson



**Jim Gerard QSO**

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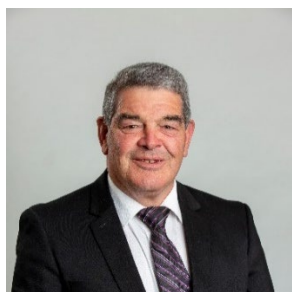
#### Deputy Chairperson



**Kirstyn Barnett**

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**Robbie Brine**

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**Ivan Campbell**

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**Murray Clarke**

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**Monique Fleming**

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**Liz McClure**

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**Jason Goldsworthy**

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**Bruce McLaaren**

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**Steve Wilkinson**

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**Joan Ward**

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**Paul Williams**

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## 19.4 Woodend-Sefton Community Board

The Woodend-Sefton Community Board covers the towns of Pegasus, Ravenswood, Sefton, Waikuku, Waikuku Beach, Woodend, and Woodend Beach. Population is 9,240 residents.

The Woodend-Sefton Community Board was formed in October 2016 with five elected Board Members. Two Woodend-Sefton ward councillors are also appointed to the Board by the Council giving a total of seven members.

The purpose of a community board is to represent and act as an advocate for the interests of its community on a local level.

The Board works closely with local community groups and residents to understand their priorities and concerns. The Board advocates for your interests through submissions, feedback and discussion with the Council and other decision making authorities.

### Chairperson



**Shona Powell**

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### Deputy Chairperson



**Mark Paterson**

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**Brent Cairns**

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**Rhonda Mather**

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**Andrew Thompson**

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**Philip Redmond**

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## 19.5 Oxford-Ohoka Community Board

The Oxford-Ohoka Community Board covers the township of Oxford and the surrounding areas of Ohoka, West Eyreton, Mandeville and Swannanoa. The area has a population of 13,050.

The Oxford-Ohoka Community Board was formed in October 2016 with six elected Board Members. Two Oxford-Ohoka ward councillors are also appointed to the Board by the Council giving a total of eight members.

The purpose of a community board is to represent and act as an advocate for the interests of its community on a local level.

The Board works closely with local community groups and residents to understand their priorities and concerns. The Board advocates for your interests through submissions, feedback and discussion with the Council and other decision making authorities.

### Chairperson



**Thomas Robson**

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### Deputy Chairperson



**Sarah Barkle**

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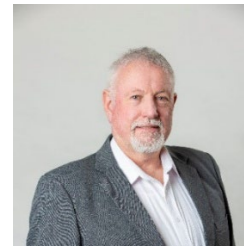
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**Michelle Wilson**

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## 20. Appendix 1

### Primary Legislation

- Airport Authorities Act 1966
- Animal Welfare Act 1999
- Animals Law Reform Act 1989
- Arts Council of New Zealand Tei Aotearoa Act 1994
- Auctioneers Act 1913
- Biosecurity Act 1993
- Building Act 1991 and 2004
- Building Regulations 1992
- Building (Earthquake-prone Buildings) Amendment Act 2016
- Building Research Levy Act 1969
- Burial and Cremation Act 1964
- Burial and Cremation Amendment Act 2016
- Bylaws Act 1910
- Cadastral Survey Act 2002
- Camping Ground Regulations 1985
- Canterbury Earthquake Recovery Act 2011
- Canterbury Earthquake (Earthquake Commission Act) Order 2012
- Canterbury Earthquake (Historic Places Act) Order 2011
- Canterbury Museum Trust Board Act 1993
- Canterbury Property Boundaries and Related Matters Act 2016
- Citizenship Act 1977
- Citizenship Amendment Act 2005
- Civil Aviation Act 1990
- Civil Defence Emergency Management Act 2002
- Civil Defence Emergency Management Amendment Acts 2012-2017
- Climate Change Response Act 2002
- Climate Change Response Amendment Acts 2006-2001
- Climate Change Response (Zero Carbon) Amendment Act 2019
- Commerce Act 1986
- Commence Amendment Acts 2001-2018
- Companies Act 1993
- Companies Amendment Acts 1998-2016
- Conservation Act 1987
- Conservation Amendment Acts including Conservation (Indigenous Freshwater Fish) Amendment Act 2019
- Consumer Guarantees Act 1993
- Consumer Guarantees Amendment Act 1999-2013
- Contract and Commercial Law Act 2017
- Copyright Act 1994 and subsequent Amendment Acts 1997-2016
- Crimes Act 1961 and subsequent amendments
- Dairy Industry Restructuring Act 2001
- Local Authorities (Members' Interests) Act 1968
- Local Elections and Polls Amendment Act 1946
- Local Electoral Act 2001 and subsequent amendment Acts
- Local Electoral Matters Act 2019
- Local Government Act 1974
- Local Government Act 2002 and subsequent amendment Acts
- Local Government (Alcohol Reform) Amendment Act 2012
- Local Government Borrowing Act 2011
- Local Government (Community Well-being) Amendment Act 2019
- Local Government Official Information and Meetings Act 1987 and subsequent amendment Acts
- Local Government (Rating) Act 2002 and subsequent amendment Acts
- Local Government Regulatory Systems Amendment Act 2019
- Local Government Elected Members (2019/20) (Certain Local Authorities) Determination 2019 and subsequent yearly Acts
- Local Government (Canterbury Museum Trust Board) Exemption Order 2006
- Local Legislation Act 1979 & 1980
- Maori Land Act 1993
- Maori Reserved Land Act 1955 and subsequent amendment Acts
- Marine and Coastal Area (Takutai Moana) Act 2011
- Marine Farming Act 1971
- Marine Mammals Protection Act 1978 and subsequent amendment Act 2015
- Marine Reserves Act 1971
- Maritime Transport Act 1994 and subsequent amendment Acts
- Minimum Wage Act 1983 and subsequent amendment Acts
- Museum of New Zealand Te Papa Tongarewa Act 1992
- National Parks Act 1980 and subsequent amendment Acts
- National Provident Fund Restructuring Act 1990
- New Zealand Bill of Rights Act 1990
- New Zealand Geographic Board Act (Nga Pou Taunaha o Aoterora) Act 2008 and subsequent amendment Acts
- New Zealand Library Association Act 1939
- New Zealand Maori Arts and Crafts Institute Act 1963
- New Zealand Public Health and Disability Act 2000 and subsequent amendment Acts

- Decimal Currency Act 1964
- Disabled Persons Community Welfare Act 1975 and subsequent amendment Acts
- District Court Act 2016
- Dog Control Act 1996 and subsequent amendment Acts
- Earthquake Commission Act 1993 and subsequent amendment Acts
- Electricity Act 1992 and subsequent amendment Acts
- Electoral Act 1993 and subsequent amendment Acts
- Employment Relations Act 2000 and subsequent amendment Acts
- Energy Companies Act 1992 and subsequent amendment Acts
- Engineering Associates Act 1961
- Environment Act 1986
- Estate and Gift Duties Act 1968 and subsequent amendment Acts
- Fees and Traveling Allowances Act 1951
- Fencing Act 1978
- Financial Reporting Act 1993 and subsequent amendment Acts
- Fire and Emergency New Zealand Act 2017
- Fisheries Act 1996
- Food Act 2014 and Food Regulations 2015
- Freedom Camping Act 2011
- Gambling Act 2003 and subsequent amendment Acts
- Gas Act 1992 and subsequent amendment Acts
- Goods and Services Tax Act 1985 and subsequent amendment Acts
- Greater Christchurch Regeneration Act 2016
- Harmful Digital Communications Act 2015
- Hazardous Substances and New Organisms Act 1996 and subsequent amendment Acts
- Health Act 1956 and subsequent amendment Acts
- Health and Safety at Work Act 2015
- Health (Drinking Water Amendment Act 2019
- Healthy Homes Guarantee Act 2017
- Heritage New Zealand Pouhere Taonga Act 2014
- Higher Salaries Commission Act 1977
- Historic Places Act 1993
- Holidays Act 2003
- Housing Act 1955 and subsequent amendment Acts
- Housing Assets Transfer Act 1993
- Human Rights Act 1993 and subsequent amendments Acts
- Impounding Act 1955
- Income Tax Act 2007 and subsequent amendment Acts
- Incorporated Societies Amendment Act 2010
- New Zealand Railways Corporation Act 1981 and subsequent amendment Acts
- New Zealand Walkways Act 1990
- Ngāi Tahu Claims Settlement Act 1998 and 2005
- Ngāi Tahu Claims Settlement Act (Tutaepatu Lagoon Vesting)1998
- Oaths and Declarations Act 1957 and subsequent amendment Acts
- Ombudsmen Act 1975 and subsequent amendment Acts
- Parental Leave and Employment Protection Act 1987 and subsequent amendment Acts
- Personal Property Securities Act 1999
- Plumbers and Gasfitters and Drainlayers Act 2006
- Port Companies Act 1988
- Privacy Act 1993 and subsequent amendment Acts
- Property Law Act 2007
- Prostitution Reform Act 2003
- Protected Disclosures Act 2009
- Projected Objects Act 1975
- Public Audit Act 2001
- Public Bodies Contracts Act 1959
- Public Bodies Leases Act 1969
- Public Finance Act 1989 and subsequent amendment Acts
- Public Records Act 2005 and 2010
- Public Trust Act 2001
- Public Works Act 1981 and subsequent amendment Acts
- Queen Elizabeth the Second National Trust Act 1977 and subsequent amendment Acts
- Railway Act 2005
- Rates Rebate Act 1973 and subsequent amendment Acts
- Rating Valuations Act 1998
- Receiverships Act 1993
- Remuneration Authority Act 1977 and subsequent amendment Acts
- Reserves Act 1977 and subsequent amendment Acts
- Reserves and other Lands Disposal Acts 2015
- Residential Tenancies Act 1986 and subsequent Amendment Acts
- Resource Management Act 1991 and subsequent amendment Acts
- River Boards Act 1908
- Sale & Supply of Alcohol Act 2012 and subsequent amendment Acts
- Sale & Supply of Alcohol Regulations 2013
- Sale & Supply of Alcohol (fees) Regulations 2013
- Secret Commissions Act 1910
- Secret Commissions Amendment Act 2015
- Securities Act 1978
- Securities Transfer Act 1991
- Securities Trustees and Statutory Supervisors Act 2011
- Senior Courts Act 2016



- Infrastructure Acts 2010
- Infrastructure Funding and Financing Bill (2019)
- Injury Prevention, Rehabilitation and Compensation Act 2001 and subsequent amendment Acts
- Innkeepers Act 1962
- Insolvency Act 2006 and subsequent amendment Acts
- Intelligence and Security Act 2017
- Interpretation Act 1999
- Irrigation Schemes Act 1990
- Joint Family Homes Act 1964 and Joint Family Homes Amendment Act 1974
- Judicial Review Procedure Act 2016
- Justices of the Peace Act 1957 and subsequent amendment Acts
- Kaiapoi Maori Reserve Act 1905
- Land Act 1948 and subsequent amendment Acts
- Land Drainage Act 1908 and subsequent amendment Acts
- Land Transfer Act 2017
- Land Transport Act 1998 and subsequent amendment Acts
- Land Transport Management Act 2003 and subsequent amendment Acts
- Land Transport (Wheel Clamping) Amendment Act 2019
- Legislation Act 2012 and 2019
- Libraries and Mechanics' Institute Act 1908
- Limitations Act 2010
- Litter Act 1979 and subsequent amendment Acts
- Shop Trading Hours Act 1990 and Shop Trading Hours Amendment Act 2016
- Smoke-free Environments Act 1990 and subsequent amendment Acts
- Soil Conservation and Rivers Control Act 1941
- Sovereign's Birthday Observance Act 1952
- Stamp and Cheque Duties Act 1971 and subsequent amendment Acts
- Standards Act 1988
- State Owned Enterprises Act 1986 and subsequent amendment Acts
- Statistics Act 1975 and subsequent amendment Acts
- Statutes Amendment Acts 1936-20191
- Statutory Land Charges Registration Act 1928
- Summary Offences Act 1981 and subsequent amendment Acts
- Te Runanga o Ngai Tahu Act 1996
- Te Ture Whenua Maori Act 1993 (Maori Land Act 1993) and subsequent amendment Acts
- Telecommunications Act 1987 and subsequent amendment Acts
- Transit New Zealand Act 1989 and subsequent amendment Acts
- Transport Act 1962
- Transport Services Licensing Act 1989
- Treaty of Waitangi Act 1975 and subsequent amendment Acts
- Trespass Act 1980
- Trustee Act 1956 and subsequent amendment Acts
- Unit Titles Act 2010 and subsequent amendment Acts
- Unsolicited Electronic Messages Act 2007 and Amendment Act of 2013
- Utilities Access Act 2010
- Wages Protection Act 1983 and Amendment Act 2016
- Waimakariri Harbour Act 1946
- Waimakariri River Improvement Act 1922
- Walking Access Act 2008
- Waste Minimisation Act 2008
- Weathertight Homes Resolution Services Act 2006 and subsequent amendment Acts
- Wild Animal Control Act 1977 and subsequent amendment Acts
- Wildlife Act 1953 and subsequent amendment Acts
- WorkSafe New Zealand Act 2013
- Winston Churchill Memorial Trust Act 1965.

## 21. Appendix 2

### *Organisations with Council and Community Board appointed representation*

- Ashley Gorge Advisory Group
- Ashley River Rating Committee
- Biodiversity Champions Group
- Canterbury Museum Trust Board
- Central Rural Drainage Advisory Group
- Clarkville Rural Drainage Advisory Group
- Climate Change Action Planning Committee
- Coastal Rural Drainage Advisory Group
- Community Wellbeing North Canterbury Trust
- Creative Communities NZ Assessment Committee
- Cust and District Historical Records Society Inc.
- Cust Community Centre Advisory Group
- Cust Domain Advisory Group
- Darnley Club
- Eyre District Environmental Association Incorporated
- Facilities and Consents Fee Waiver Sub-committee
- Fernside Hall Advisory Group
- Friends of Rangiora Town Hall
- Gladestone Park Advisory Group
- Grey Power North Canterbury
- Heritage and Mahinga Kai Joint Working Group
- Hurunui District Council – Ashley Rural Water Scheme Management Committee
- Kaiapoi and Districts Historical Society
- Kaiapoi Landmarks Team
- Kaiapoi Marine Precinct Bookings Advisory Group
- Kaiapoi Promotions Association
- Keep Rangiora Beautiful
- Loburn Domain Advisory Group
- Mandeville Sports Club Committee
- North Canterbury Museums' Group
- North Canterbury Neighbourhood Support
- North Canterbury Sport and Recreation Trust
- Northern Bulldogs Rugby League Club
- Northern Pegasus Bay Advisory Group
- Ohoka Domain Advisory Group
- Ohoka Residents Association
- Ohoka-Mandeville Rural Drainage Advisory Group
- Ohoka Rural Drainage Advisory Group
- Oxford Historical Records Society Inc. Committee
- Oxford Promotions Action Committee
- Oxford Rural Drainage Advisory Group
- Pearson Park Advisory Group
- Pegasus Residents Group
- Pines-Kairaki Beach Association
- Rangiora Airfield Advisory Group

- Rangiora and Districts Early Records Society
- Rangiora Promotions Management Board
- Sefton/Ashley River Rating District Committee
- Sefton Domain Advisory Group
- Sefton Public Hall Society
- Sefton Township River and Drainage Ratepayer District
- Silverstream Advisory Group
- Social Services Waimakariri
- Southbrook Road Improvements Working Group
- Southbrook Road Reference Group
- Southbrook School Travel Plan Working Group
- Southbrook Sports Club
- Te Kōhaka o Tūhaitara Trust
- Waimakariri Access Group
- Waimakariri Age Friendly Advisory Group
- Waimakariri Art Collection Trust
- Waimakariri Arts Trust
- Waimakariri Community Arts Council
- Waimakariri Eyre/Cust River Rating Committee
- Waimakariri Health Advisory Group
- Waimakariri Youth Council
- Waimakariri Passchendaele Advisory Group
- Waimakariri Public Arts Trust
- Waimakariri Walking and Cycling Reference Group
- Waimakariri Water Race Advisory Group
- Waiteha Primary Health Care
- West Eyreton, Summerhill and Poyntzs Rural Water Supply Advisory Group
- Whakawhanake Kainga Committee – Urban Growth Partnership for Greater Christchurch
- Woodend Community Association
- Woodend Community Centre Advisory Group