



horizons
REGIONAL COUNCIL

Local Governance Statement

Prepared in terms of Section 40 of the Local Government Act 2002

Eighth Edition

Horizons Regional Council is the trading name of the
Manawatū-Whanganui Regional Council

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FOREWORD

This Local Governance Statement was prepared by Horizons Regional Council under Section 40 of the Local Government Act 2002. It is a collection of information about what this Regional Council does and the processes through which it engages with its community, how it makes decisions and how citizens can influence those processes. This statement will help support the purpose of local government by promoting local democracy. It does this by providing the public with information on the ways to influence local democratic processes.

Horizons Regional Council already discloses much of the information within this Statement in the Annual Plan and Long-term Plan.

A significant benefit of the Governance Statement is that it draws the material together into a single document. Council is obliged to produce a new governance statement six months after each triennial election.



Michael McCartney
CHIEF EXECUTIVE



Rachel Keedwell
CHAIR

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GOVERNANCE STATEMENT

1. What is a Governance Statement?

Horizons Regional Council's Governance Statement is a collection of information about what the Regional Council's role is and the processes that Council uses to engage with its community. All councils must prepare this statement as a requirement of the Local Government Act 2002.

It outlines how 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.

Horizons Regional Council already discloses much of the information required in a local governance statement either in the Annual Plan or Long-term Plan (LTP). A significant benefit of the Governance Statement is that it draws the material together into a single document. Council is obliged to produce a new governance statement six months after each triennial election.

2. Functions, Responsibilities and Activities

The purpose of Horizons Regional Council is:

- to enable democratic local decision-making and action by, and on behalf of, local communities, and
- to meet the current and future needs of the Manawatū-Whanganui Region's 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 has overall responsibility and accountability for the proper direction and control of the Council's activities in pursuit of its purpose. This responsibility includes:

- Formulating the Region's strategic direction in consultation with the community through various plans and strategies.
- Determining the services and activities to be undertaken in consultation with the community.
- Managing principle 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.
- Ensuring effective succession of Elected Members.
- Reporting to ratepayers.

The following are what the Council has determined to be the high level outcomes that it pursues. They are:

- Our region's ecosystems are healthy
- Our region has effective transport networks
- Our region's communities are resilient to the impacts of natural hazards and climate change
- Our region's economy is thriving

- Our region's communities are vibrant and empowered

To achieve these outcomes the Council has the following group activities:

- Land and Water Management
- Flood Protection and Control Works
- Biosecurity and Biodiversity Protection
- Regional Leadership and Governance
- Transport
- Investment

3. Regional Council/District and City Councils – What's the Difference?

The boundaries of the Region are based on river catchments, while district and city council territories are based on population and communities of interest.

The regional council concentrates on the 'natural environment'. In particular, the focus is on flood and erosion control, pest management, land management and water management (quantity and quality).

The Resource Management Act 1991 is one of the principle Acts driving the work of regional councils and many of our activities are aimed primarily at managing effects on the environment. Regional councils have also taken on responsibility for local government functions that have overall regional benefits – such as public transport, drainage, flood protection, and plant and animal pest control.

4. Statutes Pertaining to Local Government

In fulfilling its purpose, Horizons Regional Council exercises powers and fulfils responsibilities conferred on it by various Statutes and their amendments. Chief among these are: the Local Government Acts of 1974 and 2002; the Soil Conservation and Rivers Control Act 1941; the Local Electoral Act 2001; the Local Government (Rating) Act 2002; the Local Government Official Information and Meetings Act 1987 and the Resource Management Act 1991. Other general Acts of Parliament that confer powers on Horizons Regional Council and regulate its functions include:

- | | |
|---|--|
| • Biosecurity Act 1993 | • Maritime Transport Act 1994 |
| • Building Act 2004 | • New Zealand Bill of Rights Act 1990 |
| • Civil Defence Emergency Management Act 2002 | • Oaths and Declarations Act 1957 |
| • Copyright Act 1994 | • Privacy Act 1993 |
| • Employment Relations Act 2000 | • Public Finance Act 1989 |
| • Financial Reporting Act 1993 | • Public Records Act 2005 |
| • Goods and Services Tax Act 1985 | • Remuneration Authority Act 1977 |
| • Health and Safety in Employment Act 1992 | • Smoke-free Environments Act 1990 |
| • Human Rights Act 1993 | • Sovereign's Birthday Observance Act 1952 |
| • Income Tax Act 2007 | • Transit New Zealand Act 1989 |
| • Land Drainage Act 1908 | • Transport (Vehicle and Driver Registration and Licensing) Act 1986 |
| • Land Transport Act 1998 | • Treaty of Waitangi Act 1975 |
| • Land Transport Management Act 2003 | |

5. Bylaws

Horizons has one Bylaw, the Manawatū River and Tributaries Navigation and Safety Bylaw (2022). Its purpose is to provide for navigation and safety on the Manawatū River and its tributaries. The bylaw regulates the use of boats and jet skis in specified areas, including imposing speed limits.

More information about this bylaw, including a copy of the full document, is available on the Horizons Regional Council's website or by freephoning 0508 800 800.

6. The Electoral System and the Opportunity to Change It

Horizons Regional Council currently operates its elections under the First Past the Post electoral system. Electors vote for their preferred candidate(s), and those with the most votes win.

The other option permitted under the Local Electoral Act 2001 (LEA) is the single transferable vote system (STV). This is currently used by some District and City Councils. Electors rank candidates in order of preference: Jim Bloggs, 1; Mary Smith, 2; Wiremu Ngatai, 3, etc. Successful candidates must receive a quota of the votes cast and when there are enough candidates with a quota to fill all the seats, they are the winners. The quota (share of votes) that is needed for a candidate to be elected is determined by the number of seats, and the number of votes cast are achieved by redistributing votes. In the first round of counting, the candidates with the highest and lowest number of votes are identified. The lowest-polling candidates are then excluded. When the top polling candidates have received their quota, the second votes are redistributed. Thus, if Jim Bloggs, has a quota, the number 2 votes that his supporters have made, are allocated to their second choice. If this gives Mary Smith a quota, she is elected. This process is repeated until there are enough candidates with a quota.

Under the LEA the Council can resolve to change the electoral system to be used at the next two elections or conduct a binding poll on the question, or electors can demand a binding poll. A poll can be initiated by at least 5% of electors signing a petition demanding that a poll be held. Once changed, an electoral system must be used for at least the next two triennial general elections; that is, we cannot change our electoral system for one election and then change back for the next election.

Horizons Regional Council reviewed its electoral system in July 2020 and the decision was made to retain the first past the post voting system for the 2022 elections. Accordingly, the Council may resolve in 2023 to change the system for the 2025 elections or to conduct a poll, or its electors could demand a poll.

7. Representation Arrangements

7.1 Constituencies

The Manawatū-Whanganui Region is divided into eight constituencies and their layout is shown on the map.

Horowhenua constituency (population 31,400)	Two Councillors
Manawatū-Rangitīkei constituency (population 43,400)	Two Councillors
Palmerston North constituency (population 80,700)	Four Councillors
Ruapehu constituency (population 9,310)	One Councillor
Tararua Constituency (population 16,050)	One Councillor
Whanganui constituency (population 39,800)	Two Councillors
Raki Māori constituency (population 19,450)	One Councillor
Tonga Māori constituency (population 18,250)	One Councillor

(Statistics NZ population estimates as at 30 June 2022)

7.2 Māori Constituencies

The LEA also gives the Council the ability to establish separate constituencies for Māori electors. The Council may resolve to create separate Māori constituencies or conduct a poll on the matter, or the community may demand a poll. A petition of 5% (or more) of electors can require the Council to conduct a poll.

In May 2021 the Council resolved to introduce Māori constituency/ies in the Manawatū-Whanganui Region. In accordance with section 19Z of the LEA, this continues in effect for two triennial elections of the regional council (2022 and 2025) and any associated election and continues in effect after that until either:

1. a further resolution takes effect; or
2. a poll of electors of the regional council held under section 19ZF takes effect.

7.3 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 constituencies;
- the number of Elected Members (between 6 and 14); and
- whether or not to have a separate Māori constituency.

The Council must follow the procedure set out in the LEA when conducting this review and should also follow guidelines published by the Local Government Commission. The LEA gives the community the right to make a written submission to the Council, and the right to be heard.

You also have the right to appeal any decisions on the above to the Local Government Commission, which will make a binding decision on the appeal. Further details on the matters that the Council must consider in reviewing its membership and basis of election can be found in the LEA.

The Council last conducted a review which commenced in June 2021. It is not legally required to review representation again until 2027.

8. The Reorganisation Process

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

- the union of districts or regions
- the constitution of new districts or regions
- the abolition of districts or regions
- the alteration of boundaries of a district or region
- the transfer of a statutory obligation from one local authority to another
- establishing a territorial authority as a unitary authority¹ (that is, transferring the functions of Horizons Regional Council to the City or District Council in a particular area).

The process begins when an application is lodged with the Local Government Commission. This can be done by any person, body or group, including a local authority or the Minister of Local Government. Once the application has been lodged:

- the Commission decides whether the application has the required information to allow it to be assessed
- as part of the process, the Commission determines whether there is community support for the application
- if the application meets these requirements, it will be assessed by the Commission but first the Commission must be satisfied there is community support for local government reorganisation in the affected areas
- if the Commission is satisfied this is the case, the application is publicly notified and alternative applications are called for
- the Commission identifies the reasonably practicable options for local government in the affected area which must include current local government arrangements
- if the Commission decides there should be changes to current arrangements, in order to promote good local government in the area, it identifies its preferred option and a draft proposal is developed and publicly notified
- submissions on the draft proposal are made to the Commission
- the Commission considers the submissions and may hold hearings on submissions
- the Commission decides whether a final proposal is to be issued
- if a final proposal is issued, a poll on the proposal may be requested by 10% of the electors in one of the affected districts
- if a proposal is supported by a poll or there is no poll, a reorganisation scheme is prepared and implemented by Order in Council¹

Further information on these requirements can be found in the Local Government Act 2002, Schedule 3. The Local Government Commission has also prepared guidelines on procedures for local government reorganisation, which are available on its website www.lgc.govt.nz.

9. Members' Roles and Conduct

9.1 Chair of a Regional Council

The Chair is elected by the members of the Council at the first meeting after local body elections. The Chair has the following roles as:

- A presiding member at Council meetings. The Chair is responsible for ensuring the orderly conduct of business during meetings (as determined in standing orders and the Code of Conduct.)
- An advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council.

¹ Reproduced from the Local Government Commission website, http://www.lgc.govt.nz/lgcwebsite.nsf/wpg_URL/Reorganisation-Index

- A ceremonial head of Council.
- A provider of leadership and feedback to other elected members.
- A member to exercise any delegations and report back, as appropriate, at Council meetings.

9.2 Division of responsibility between the Council and Management

A key to the efficient running of any council is that there is a clear division between the role of elected members and that of management. The Local Government Act 2002 sets out a series of governance policies that support the principles of local government. The Council will adopt a Local Governance Statement, of which this is the seventh edition. This statement clarifies the difference between governance and management responsibilities, the governance role, and expected conduct of elected members, describes the effective, open and transparent processes used by Council and how separation of regulatory and non-regulatory decision-making responsibilities is achieved, and explains the good employer requirements.

Elected members, acting as the Council, are responsible for:

- Representing the interests of the residents and ratepayers of the Horizons Region in decision-making;
- The development and adoption of Council policy and strategy;
- Monitoring the performance of the Council against its stated objectives and policies;
- The appropriate and efficient allocation and use of council resources; and
- Employment of the Chief Executive.

The over-riding duty of an elected member is to the whole community covered by Horizons Regional Council. However, each member also has a special duty to their own constituents, including those who did not vote for them.

The Chief Executive is appointed by the Council in accordance with section 42 of the Local Government Act 2002. The Chief Executive is responsible for implementing and managing the Council's policies and objectives within the budgetary constraints established by the Council.

Local Governance Statements ensure the community has information on the processes the Council follows when making decisions and taking action, and how the community can influence these processes.

9.3 Role of the Regional Council

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

- Formulating the Region's strategic direction in consultation with the community through various plans and strategies;
- Meeting 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;
- Determining the services and activities to be undertaken;
- Managing principle 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;
- Ensuring effective succession of Elected Members; and
- Reporting to ratepayers.

9.4 Codes 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 Councillors).

Horizons Regional 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.

Codes of conduct are an important part of building community confidence in our system and processes, and contribute to:

- good governance of the region,
- effective decision-making and community engagement,
- the credibility and accountability of the local authority to its communities, and
- a culture of mutual trust and respect between members of the local authority and with management.

The Code of Conduct is based on the following principles of good governance:

- **Public interest:** members should act solely in the public interest.
- **Integrity:** members should not act or take decisions to gain financial or other benefits for themselves, their family, or their friends, or place themselves under any obligation to people or organisations that might inappropriately influence them in their work.
- **Tāria te wā and kaitiakitanga/stewardship:** members should use long-term perspective when making decisions. Decisions, which impact on past, current and future generations, also affect collective well-being.
- **Objectivity:** members should act and take decisions impartially, fairly, and on merit, using the best evidence and without discrimination or bias.
- **Accountability:** members will be accountable to the public for their decisions and actions and will submit themselves to the scrutiny necessary to ensure this.
- **Openness:** members should act and take decisions in an open and transparent manner and not withhold information from the public unless there are clear and lawful reasons for so doing.
- **Honesty:** members should be truthful and not misleading.
- **Leadership:** members should not only exhibit these principles in their own behaviour but also be willing to challenge poor behaviour in others, wherever it occurs.

Horizons Regional Council, at its meeting held in November 2022, adopted a Code of Conduct. A copy can be made available upon request to Horizons Regional Council (Phone 06 9522 800 or 0508 800 800).

9.5 Applicable Statutory Requirements

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 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. 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. 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. Sections 6 and 7 of the Act give 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.

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 **Local Government (Pecuniary Interests Register) Amendment Act 2022**. The purpose of the new provisions which came into force on 20 November 2022, is to increase transparency, trust and confidence in local government by keeping and making publicly available, information about members' pecuniary interests. It is largely modelled on the regime that applies to members of Parliament, but has been tailored to reflect particular aspects of local government.

The **Financial Markets Conduct Act 2013**. Under this Act elected members are essentially placed in the same position as company directors whenever the Council offers financial products (such as an issue of debt or equality securities). Elected members may be personally liable if documents that are registered under the Act, such as a produce disclosure statement, contain false or misleading statements. Elected members may also be liable if the requirements of the Act are not met in relation of offers of financial products and prohibits insider trading in relation to listed securities (eg. shares or bonds).

The **Protected Disclosures (Protection of Whistleblowers) Act 2022** provides protection to elected members. Under the Act the definition of an employee of a Public sector Organisation (PSO) includes elected members of a local authority.

Personal Liability of Elected Members. Elected Members are indemnified in respect of their actions as a member of the Council. Section 43 of the Local government Act 2022 provides for this indemnity (by the Council) in relation to:

- (a) Civil liability (both for costs and damages) if the Member is acting in good faith and in pursuance of the responsibilities or powers of the Council;
- (b) Costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as an elected member.

The **Health and Safety at Work Act (HSWA) 2015** provides a significant change to New Zealand's current health and safety legislation and is a response to the scrutiny placed on New Zealand's health and safety practices following the Pike River tragedy.

One of the significant changes is the introduction of "Officers", who is any person occupying a position in relation to the business or undertaking, that allows the person to exercise significant influence over the management of the business or undertaking.

For the purpose of the HSWA, elected members (which include the Chair and Councillors) and the Chief Executive are by default identified as "Officers".

10. Governance, Membership and Delegations

Please see Committee Membership at paragraph 18.

10.1 Independent Election

The Council believes that its democratic election by citizens of the Manawatū-Whanganui Region ensures that it is able to operate in the best interests of the region.

10.2 Council Meetings

Council meetings generally take place each month (excluding January and July). These meetings are used to monitor management activities and to ensure that the affairs of the Council are being conducted in accordance with legislative mandate and Council objectives. The Council also monitors the performance of Council Organisations and its Council Controlled Organisation (CCO).

10.3 Council Committees

The Council has set up several Standing Committees made up of Elected Members to monitor and assist in the effective discharging of specific responsibilities. Each Committee meets on a regular basis, with additional meetings held as required.

These Standing Committees are:

- Strategy and Policy Committee (meets bi-monthly)
- Integrated Catchment Committee (meets 4 times per year)
- Regional Transport Committee (meets 4 times per year)
- Audit, Risk and Investment Committee (meets every month. Some are meetings/some are workshops)
- Passenger Transport Committee (meets 3 times per year)
- Climate Action Joint Committee (meets twice a year)
- Manawatū-Whanganui Civil Defence Emergency Management (meets 4 times per year)
- Manawatu River Users' Advisory Group (meets twice a year)

10.4 Subcommittees

The Council has also set up the Linklater Bursary Subcommittee which reports to Council.

10.5 Partnerships

An essential element of Horizons Regional Council's operations is input from the community. By establishing close working relationships with various sectors within the community, the Council is in a better position to accommodate community needs in its decisions.

10.6 Council Organisations

The Regional Council either owns or has an interest in several Council organisations, as follows:

- Council has set up MWRC Holdings Limited, being a Council Controlled Organisation to manage Council's investments.
- MWRC Holdings Limited owns 23.08% of the issued equity in CentrePort Ltd.
- Council is a shareholder of MW LASS Limited, being a Council Organisation to facilitate shared services between the Region's councils.
- Council is a shareholder in Regional Software Holdings Limited (RSHL) being a Council Organisation, facilitating a collaborative framework supporting procurement or development of shared software resource products and services in a manner that provides a more cost effective alternative than individual councils can achieve on their own.

These investments are managed in line with policies outlined in Council's Investment Policy.

10.7 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 takes advice from both senior management and external legal advice.

10.8 Meeting Processes

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

All Council and Committee meetings must be open to the public unless there is reason to consider some item in "Public Excluded". 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 Council agenda is a public document, although parts may be withheld if the above circumstances apply.

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

Minutes of meetings must be kept and made publicly available, subject to the provisions of the LGOIMA.

LGOIMA requires all meetings of Council to be publicly notified in a monthly meeting schedule. Extraordinary meetings require public notification as soon as practicable before the meeting date. Where extraordinary meetings are held at short notice these require public notice as is reasonable in the circumstances.

During meetings of the Council or Committees, all council participants (the Chair, or Chair, Councillors or Members) must follow Standing Orders unless Standing Orders are suspended by a vote of 75% (or more) of the members present.

11. Consultation Policies

11.1 The Special Consultative Procedure

The Local Government Act sets out the Special Consultative Procedure – consultation principles and a procedure that local authorities must follow when making certain decisions, including the adoption of the LTP and annual plan, and decisions in relation to bylaws.

This procedure is regarded as a minimum for these specific decision-making processes, and Horizons Regional Council carries out more than is required by the procedure. When it is adopting its LTP or Annual Plan the Council will hold formal meetings with community groups and other interested parties. At these meetings, the Council will seek views on the matters it considers important and identify issues it believes are of concern to the community.

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 available for distribution throughout the community and inspection at Regional Council offices and may be made available elsewhere. The Council must also prepare a fair summary of the major matters in the proposal, which must be distributed as widely as Council considers to be reasonably practicable. That statement must be included on an agenda for a Council meeting.
- **Step Two: *Public notice***
The Council must publicly notify the proposal and the consultation being undertaken.
- **Step Three: *Receive submissions***
The Council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission. 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 available unless there is reason to withhold them under LGOIMA.
- **Step Five: *Follow up***
A copy of the decision and a summary of the reasons must be provided to submitters. There is no prescribed format for such a summary.

The Council must, legally, follow the Special Consultative Procedure before it:

- Adopts an LTP
- Amends an LTP; or
- 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 (CCO) or from a CCO to a private sector organisation).

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.

11.2 Community Consultation Policy

Horizons Regional Council is committed to ongoing and effective consultation with the community. We recognise that we need the views and information held in the community to guide the decisions we make on behalf of the community and will use appropriate methods, tailored to participants' needs, to do this.

Elected members of Council have been voted into office to make decisions on behalf of the community. Both the law and the community hold the Council accountable for making responsible decisions that reflect the best interests of this community. While it is the role of elected members to represent community interests, consultation provides additional decision-making guidance.

Horizons Regional Council's vision is: *Tō tātou rohe – taiao ora, tangata ora, mauri ora. Our place – a healthy environment where people are thriving.* We have identified *active community engagement* as a key success factor for the future and have adopted organisational values such as *accountability* and *responsiveness*. We cannot fulfil these without ongoing two-way communication with the community.

It is not possible to cover all the situations when consultation is either required or advisable, however in general we will undertake formal consultation when:

- We are required to do so by statute;
- The decision is one identified as "significant" under our Significance Policy (included in the LTP); or
- We need community views and information to guide decision-making; and
- There is evidence of widespread community views or interest in a matter for decision.

Horizons Regional Council defines consultation as:

Exchanging information and ideas to ensure that the widest range of views are considered in making decisions.

12. Policies for Liaising With, and Memoranda or Agreements with, Māori

12.1 Iwi within the Manawatū-Whanganui Region

The Local Government Act 2002 includes specific provisions requiring local authorities to engage Māori in decision-making and consultation processes, and foster Māori capacity to participate in these processes. Horizons intends to reflect its commitment to the Māori engagement activity as a whole across varying levels of Council processes including its governance structure, development of iwi management plans and memoranda of partnerships, and through its resource management processes.

Under the Resource Management Act 1991, Horizons is obligated to notify, consult and provide for Māori participation in its resource consents and planning decisions. However, Horizons considers it best practice to engage with Māori in a meaningful manner when developing its plans or strategies. Māori Hearing Commissioners are also appointed to resource consent hearings to consider issues of significant importance to Māori that are raised through the resource consent submissions process.

13. Management Structures and Relationships

13.1 Chief Executive

The Local Government Act 2002 requires the Council to employ a Chief Executive, whose responsibilities are:

- to employ other staff on behalf of Council and negotiate their terms of employment;
- ensure that all responsibilities, duties and powers delegated to the Chief Executive or other staff by Council are carried out properly;
- implement Council decisions;
- provide leadership to staff and ensure the efficient and effective management of the Regional Council's activities;
- maintain systems for effective planning and accurate reporting of the financial performance and service provision of the Regional Council; and
- provide advice to the elected members.

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 Councillors.

13.2 Responsibilities: Communications and Promotions

- Media Relations
- Public Information / Publications
- Marketing Communications (promotion)
- Corporate Image and Identity (branding)
- Environmental Education
- Digital Content (including social media)
- Event Management
- Community Engagement

- Public Information Management (civil defence comms)

13.3 Responsibilities: Strategy, Regulation and Science Group

- Strategic Issues and Planning
- Regional Policy monitoring and development
- Response to national policy issues
- Treaty settlement and iwi/treaty related policy
- Resource Management Regulatory Functions
- Research / Environmental Science
- Pollution Incident Response
- Environmental Monitoring and Reporting
- Regulatory Investigations
- Development of Long-Term Plan

13.4 Responsibilities: Regional Services and Information Group

- Emergency Management (Regional Civil Defence Emergency Management, HRC Response, Marine Oil Spill response)
- District Advice (Subdivision/Land Use Advice, District Plan coordination/changes, Building Act – Dams)
- Information Management (Software development, Catchment Information, Flood Plain Modelling)
- Environmental Data (Hydrology site installations, Environmental Data Collection, Catchment Survey/Monitoring)
- Transport (Regional Land Transport, Strategic Planning, Passenger Services, Road Safety)
- Horizons' Information Coordination

13.5 Responsibilities: Catchment Operations Group

- River and Drainage Scheme Management
- Scheme Reviews and Rating Systems Development
- River and Drainage engineering advice
- Environmental Grant Works (Rivers)
- Engineering Investigations and Design
- Flood and Erosion Hazard Identification and Investigation ('Wider Rivers')
- Flood Management
- Emergency Works
- Environmental Management
- Sustainable Land Management and Soil Conservation
- Water Quality Management
- Biodiversity and Native Habitat Management
- Coastal Land Management
- Pest Plant and Pest Animal Biosecurity, Management and Regulation
- Biosecurity Response

13.6 Responsibilities: Corporate and Governance Group

- Governance Support
- Property Management

- Vehicle Management
- Business Risk Management
- Administration Support
- Electoral Support
- Human Resources
- Budgeting
- Financial Accounting and Reporting
- Long-term Plan
- Payments
- Purchasing
- Records and Information Management
- Library and Archive Services
- Infrastructure Technology Services
- Corporate Project Management
- Management of MW LASS

14. Equal Employment Opportunities

The Regional Council is committed to the principle of equal opportunity in the recruitment, selection, employment, training and promotion of its employees and potential employees. The organisation will provide a welcoming, positive environment and will implement a purposeful programme of action to ensure its activities and services are carried out with an awareness of, and an intent to eliminate discrimination in the areas of race, colour, ethnic or national origin, gender, religion, marital status, family responsibilities, sexual orientation, disability, or age.

An affirmative Equal Employment Opportunities Programme is a planned, result-orientated management programme designed to eliminate policies, procedures and other institutional barriers that cause or perpetrate inequality or unfairness within the organisation.

The Council will ensure that equal employment opportunities are promoted and provided within the organisation by:

- Fostering a positive climate in the workplace which allows for a diversity of backgrounds and individual contribution, and which encourages employees to develop their potential.
- Selecting the best person for the job on the basis of the job requirements and the ability of that person to perform the job.
- Ensuring that all personnel policies, procedures and activities reflect the fundamental principles of the Equal Employment Opportunities Programme in the recruitment, selection, employment, training and promotion of its employees.
- Identifying and providing appropriate training programmes to enable employees to best meet the requirements of their current jobs, develop additional skills with a view to future promotion opportunities, and active self-development.
- Promoting employees on the basis of skills, qualifications, and capacity to perform a job, and the willingness of the individual to accept greater responsibility.

Maintaining a workplace free of discrimination and harassment on the basis of race, colour, ethnic or national origin, gender, religion, marital status, family responsibilities, sexual orientation, disability, or age.

15. Key Approved Planning and Policy Documents

15.1 Long-term Plan (LTP)

15.1.1 Planning Processes

Under the Local Government Act 2002, the Council is required to develop a Long-term Plan (LTP) in consultation with the community. This covers the 10 years from the date of its publication and will be reviewed and updated every three years. The LTP contains detailed information for each of the first three years. In each of the following two years (of the three year review period), the Council will publish an Annual Plan, which updates any financial information in the LTP. In order to align ourselves with the rest of the nation, our first LTP was released in 2004, and every three years thereafter. It is due for release again in 2024.

LTPs are required by law and are required to:

- Describe the Regional Council's activities;
- Describe the community outcomes of the Horizons Region;
- Provide integrated decision-making and co-ordination of the Regional Council's resources;
- Provide a long-term focus of the Regional Council's decisions and activities;
- Provide a basis for the Regional Council's accountability to its communities; and
- Provide an opportunity for participation by the public in decisions made about the Regional Council's activities.

The LTP builds on what has been done already and sets out the next phases of work for the coming ten years.

The LTP enables the Council and the community to work together to build a sustainable region.

15.1.2 Community Outcomes

Community outcomes are the outcomes that Horizons Regional Council aims to achieve in order to meet the current and future needs of its communities, for good-quality local infrastructure, local public services, and the performance of regulatory functions. These outcomes are described in the LTP.

Through the consultation process for the 2021 LTP the following Community Outcomes were identified for the Region.

- Our region's ecosystems are healthy
- Our region has effective transport networks
- Our region's communities are resilient to the impacts of natural hazards and climate change
- Our region's economy is thriving
- Our region's communities are vibrant and empowered.

15.1.3 Policies

The Regional Council has a number of policies including those listed below.

- Rates Collection Policy
- Policies on Rate Remissions and Postponements (including Māori Land Rates Remission Policy)
- Revenue and Financing Policy
- Policy on Financial Contributions
- Liability Management Policy
- Investment Policy
- Significance and Engagement Policy
- Asset Management Policy

15.1.4 Long-term Plan (LTP) – Horizons Regional Council – The Next 10 Years

The LTP sets out what Council plans to do over the next 10 years, how these actions contribute to community outcomes and how we will know whether we are achieving the set objectives and following the chosen direction.

The financial management of the region and how Council's action plan will be financed are further key sections of the LTP.

15.2 Environmental Plans

The Regional Council Environmental Plans are operative. Under the Resource Management Act 1991 (RMA), regional councils must review their regional policy statement and regional plan provisions every ten years. To meet this requirement, the Proposed One Plan was notified in May 2007 and replaced the Region's operative regional policy statement and regional plans (listed below).

- Regional Coastal Plan
- Manawatū Catchment Water Quality Regional Plan
- Regional Plan for Beds of Rivers and Lakes and Associated Activities
- Oroua Catchment Water Allocation and River Flows Regional Plan
- Regional Air Plan
- Land and Water Regional Plan
- Regional Policy Statement

The One Plan has now been operative for several years. The focus is now on monitoring and evaluating policy effectiveness and planning for review and update of the One Plan. Work is underway to understand how the One Plan will need to be developed to give effect to significant national instruments, principally the National Policy Statement for Freshwater Management, various National Environment Standards, the National Policy Statement for Urban development and the National Policy Statement for Highly Productive Land.

All of the Horizons Regional Council's resource management plans and supporting information are available on its website www.horizons.govt.nz. You can also freephone 0508 800 800 for more information.

15.3 Other Plans and Strategies

The Regional Council has a number of other plans and strategies as listed below:

- Regional Land Transport Plan
- Regional Public Transport Plan
- Manawatū Whanganui Civil Defence and Emergency Management Group Plan
- Long-Term Plan 2021-2031
- Regional Pest Management Plan
- Annual Plan
- Triennial Agreement (with District and City Councils in the Manawatū-Whanganui Region)

16. Public Access to the Council and Its Elected Members

Chief Executive

Chief Executive:
Michael McCartney

Freephone 0508 800 800
michael.mccartney@horizons.govt.nz

Corporate Communications

Manager: Cara Hesselin

cara.hesselin@horizons.govt.nz

Strategy, Regulation & Science

Group Manager: Nic Peet

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Regional Services & Information

Group Manager: Ged Shirley

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Catchment Operations

Group Manager: Jon Roygard

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Corporate & Governance

Group Manager: Craig Grant

craig.grant@horizons.govt.nz

CHAIR

Palmerston North Constituency

Cr Rachel J Keedwell

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E rachel.keedwell@horizons.govt.nz

COUNCILLORS

Horowhenua Constituency

Cr Emma M Clarke

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Cr Sam D Ferguson

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Manawatū-Rangitikei Constituency

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Cr Gordon M McKellar

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Cr Wiremu K Te Awe Awe

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Tararua Constituency

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Whanganui Constituency

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Cr Alan R Taylor

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Raki Māori Constituency

Cr Jim T Edmonds

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Tonga Māori Constituency

Cr Te Kenehi Teira

M 027 262 8890
E tekenehi.teira@horizons.govt.nz

17. 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 a request made under LGOIMA because this is automatic.

Once a request is made, the Council must supply the information unless reason exists for withholding it. 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 Māori 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; and
- 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 time-frame may be extended). The Council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance, requests for official information should be addressed to:

Chief Executive
Horizons Regional Council
Private Bag 11025
Manawatu Mail Centre
Palmerston North 4442

18. Committee Membership

	Chair	Deputy Chair	Members
Council	All Councillors (14)		
Strategy & Policy (Committee of the Whole)	Chair of Council	Deputy Chair of Council	N/A
Integrated Catchment (Committee of the Whole)	Alan Taylor	Emma Clarke	N/A
Audit, Risk & Investment	Allan Benbow	Fiona Gordon	Te Kenehi Teira, Rachel Keedwell, Jono Naylor, Bruce Gordon, Nikki Riley, Jim Edmonds
Regional Transport	Chair of Council	Substitute – Deputy Chair of Council	Chair of PTC
Passenger Transport Committee	Sam Ferguson	Emma Clarke	Jono Naylor, Alan Taylor, Rachel Keedwell
Climate Action Joint Committee	Rachel Keedwell – Co-chair		
Manawatu River Users' Advisory Group	Te Kenehi Teira	N/A	
Linklater Bursary Subcommittee	N/A	N/A	Wiremu Te Awe Awe, Te Kenehi Teira, Allan Benbow

18.1 Council Appointments

- **Zone 3** – Chair of Council and Crs Benbow, Ferguson, and Te Awe Awe.
- **Te Kōpuka nā Te Awa Tupua strategy group** for the Whanganui River under the **Te Awa Tupua Settlement** - Councillor Rachel Keedwell.
- **Sustainable Land Use Initiative (SLUI) Advisory Group** - Councillor Alan Taylor as Chair.
- **Manawatū River Leaders' Forum** - Councillor Rachel Keedwell as Co-Chair and Councillors Te Kenehi Teira, Fiona Gordon, and Sam Ferguson as further Horizons representatives.
- **Manawatū Freshwater Improvement Fund Governance Group** - Councillor Wiremu Te Awe Awe as Chair and Councillor Allan Benbow as a further Horizons representative.
- **Lake Waipu/Rātana Freshwater Improvement Fund project** - Councillor Jono Naylor as Chair and Horizons representative.
- **Regional Riparian Fencing and Planting Jobs for Nature Project Governance Group** and the **Enhancing Fish Populations through Fish Passage Remediation Jobs for Nature project Governance Group** - Councillor Wiremu Te Awe Awe as Co-Chair and Councillor Fiona Gordon as a further Horizons representative.
- **Horowhenua Freshwater Management Unit Water Quality Interventions Jobs for Nature Project Governance Group** - Councillor Rachel Keedwell as Co-Chair and Councillor Sam Ferguson as further Horizons representatives.
- **Kanorau Koiora Taketake – Indigenous Biodiversity Community Grant fund decision-making committee** - Councillor Emma Clarke as Chair and Councillors Fiona Gordon and Te Kenehi Teira as further Councillors.
- **Manawatū Gorge Te Āpiti Governance Group** - Councillors Fiona Gordon as Chair and Councillor Te Kenehi Teira as further Horizons representatives; and **Manawatū Gorge Te Āpiti Governance Group** - Councillor Rachel Keedwell as Horizons' proxy member.
- **Tōtara Reserve Advisory Group** - Councillor Fiona Gordon as Chair and Councillor Allan Benbow as a further Horizons representative.
- **Bushy Park Tarapurahi Trust Board** - Councillor Alan Taylor as Horizons representative.
- **Pūtea Hapori Urupare Āhuarangi - Community Climate Response Fund decision-making committee** - Councillor Nikki Riley as Chair and Councillor Te Kenehi Teira as a further Councillor.
- **Te Pūwaha Governance Group** - Councillor Rachel Keedwell as Horizons representative.
- **Massey University Animal Ethics Committee** - Councillor Sam Ferguson as the community representative.

- **Foxton Futures Governance Group** - Councillor Emma Clarke as Horizons representative.
- **Horowhenua Landfill Closure project management group** - Councillor Sam Ferguson as Horizons representative.

19. Horizons Regional Council Organisational Chart

