



# Southland District Council

Local Governance Statement for the 2022-2025 triennium

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**Document Revision**

Date	Amendment	Amended by	Approved by	Approval date

## Introduction

A requirement exists under Section 40 of the Local Government Act 2002 for Southland District Council (Council) to prepare and make publicly available a local governance statement.

This document contains information about the governance arrangements of Council to enable the public to participate fully in local governance.

A local governance statement is to be prepared and made publicly available within six months after each triennial general election of Council and the statement can be updated from time to time by Council as necessary.

## Council functions, responsibilities and activities

The purpose of Council as set out in section 10 of the Local Government Act 2002 is:

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

To give effect to that stated purpose Council has overall responsibility and accountability in a variety of roles including:

- planning the District's strategic direction alongside local communities within the District as part of developing the Long Term Plan (LTP) to take a sustainable development approach and promote community wellbeing
- facilitating solutions to local issues and needs
- advocacy on behalf of the local community with central government, other local authorities and other agencies
- providing prudent stewardship and the efficient and effective use of resources within the District in a sustainable way
- risk management
- management of local infrastructure including network infrastructure (eg roads, sewage disposal, water, stormwater) and community infrastructure (eg libraries, reserves and recreational facilities)
- administering various legal and regulatory requirements
- ensuring the integrity of management control systems
- engaging with, informing and reporting to communities, ratepayers and residents.

As identified in Council's 10 Year Plan 2021-2031- Council is guided by its vision: "One community offering endless opportunities". Our mission is "Working together for a better Southland". These are underpinned by a guiding principle of "People first" and supported by our community outcomes, which are:

- proud, connected communities that have an attractive and affordable lifestyle
- resilient communities that leave a legacy for tomorrow.

Our approach in achieving this is that we will:

- work in partnership with communities
- constantly look for better ways
- work as one team.

Council activities are:

- environmental services
- emergency management

- community leadership (including representation and advocacy, community and futures and community assistance)
- roading, footpaths, airport and cycle trails
- water facilities
- wastewater (sewerage)
- stormwater
- water supply
- community facilities (including toilets, halls and libraries)
- community services (including cemeteries, community housing, library services and heritage and culture)
- open spaces (including parks, reserves and streetscapes)
- waste services
- Stewart Island Electrical Supply Authority.

## Legislation relevant to Council

Council exercises powers and fulfils responsibilities conferred upon it by various statutes. Important legislation includes the Local Government Acts of 1974 and 2002, the Local Government (Rating) Act 2002, the Resource Management Act 1991, the Building Act 1991, the Building Act 2004, the Local Government Official Information and Meetings Act 1987 and the Local Electoral Act 2001. Other legislation that confers powers, obligations or responsibilities on Council and otherwise regulates the functions and operations of Council includes:

Accident Compensation Act 2001
Airport Authorities Act 1966
Animal Welfare Act 1999
Animals Law Reform Act 1999
Animal Products Act 1999
Anti-Money Laundering and Countering Financing Terrorism Act 2009
Arts Council of New Zealand Toi Aotearoa Act 2014
Auctioneers Act 2013
Bill of Rights Act 1990
Biosecurity Act 1993
Building Research Levy Act 1969
Burial and Cremation Act 1964
Bylaws Act 1910
Cadastral Survey Act 2002
Citizenship Act 1977
Civil Aviation Act 1990
Civil Defence Emergency Management Act 2002
Charitable Trusts Act 1957
Charities Act 2005

Children's Act 2014
Climate Change Response Act 2002
Commerce Act 1986
Companies Act 1993
Conservation Act 1987
Consumer Guarantees Act 1993
Contract and Commercial Law Act 2017
Construction Contracts Act 2002
Copyright Act 1994
Credit Contracts Act and Consumer Finance Act 2003
Credit (Repossession) Act 1997
Criminal Disclosure Act 2008
Criminal Procedure Act 2011
Crimes Act 1961
Crown Minerals Act 1991
Disabled Persons Community Welfare Act 1975
District Court Act 2016
Dog Control Act 1996
Earthquake Commissions Act 1993
Electricity Act 1992
Electoral Act 1993
Electronic Transactions Act 2002
Electronic Courts and Tribunals Act 2016
Employment Relations Act 2000
Energy Companies Act 1992
Engineering Associates Act 1961
Environment Act 1986
Epidemic Preparedness Act 2006
Estate and Gift Duties Act 1968
Equal Pay Act 1972
Evidence Act 2006
Fair Trading Act 1986
Fees and Travelling Allowances Act 1951
Fencing Act 1978

Financial Markets Conduct Act 2013
Financial Reporting Act 1993
Fire and Emergency New Zealand Act 2017
Food Act 2014
Foreshore and Seabed Act 2004
Financial Advisors Act 2008
Financial Service Providers (Registration and Dispute Resolution) Act 2008
Financial Transactions Reporting Act 1996
Fire and Emergency New Zealand Act 2017
Freedom Camping Act 2011
Gambling Act 2003
Gas Act 1992
Goods and Services Tax Act 1985
Government Rounding Powers Act 1989
Hazardous Substances and New Organisms Act 1996
Harmful Digital Communications Act 2015
Health Act 1956
Health and Safety at Work Act 2015
Heritage New Zealand Pouhere Taonga Act 2014
Holidays Act 2003
Housing Act 1955
Housing Assets Transfer Act 1993
Human Rights Act 1993
Immigration Act 2009
Impounding Act 1955
Income Tax Act 2007
Insolvency Act 2006
Joint Family Homes Act 1964
Judicial Review Procedure Act 2016
Kāinga Ora—Homes and Communities Act 2019
KiwiSaver Act 2006
Land Act 1948
Land Drainage Act 1908
Land Transfer Act 2017

Land Transport Act 1998
Land Transport Management Act 2003
Lawyers and Conveyancers Act 2006
Legislation Act 2019
Libraries and Mechanics' Institute Act 1908
Limitation Act 2010
Litter Act 1979
Local Authorities (Members' Interests) Act 1968
Major Events Management Act 2007
Minimum Wage Act 1983
National Parks Act 1980
National Provident Fund Restructuring Act 1990
New Zealand Bill of Rights Act 1990
New Zealand Geographic Board Act (Nga Pou Taunaha o Aotearoa) 2004
New Zealand Library Association Act 1939
New Zealand Public Health and Disability Act 2000
Ngāi Tahu Claims Settlement Act 1998
Oaths and Declarations Act 1957
Occupiers Liability Act 1962
Ombudsmen Act 1975
Parental Leave and Protection Act 1987
Personal Property Securities Act 1999
Plumbers and Gasfitters and Drainlayers Act 2006
Privacy Act 2020
Property Law Act 2007
Prostitution Reform Act 2003
Protected Disclosures (Protection of Whistleblowers) Act 2022
Psychoactive Substances Act 2013
Public Audit Act 2001
Public Bodies Contracts Act 1959
Public Bodies Leases Act 1969
Public Works Act 1981
Queen Elizabeth the Second National Trust Act 1977
Racing Act 2003

Rating Valuations Act 1998
Rates Rebate Act 1973
Receiverships Act 1993
Remuneration Authority Act 1977
Reserves Act 1977
Residential Tenancies Act 1986
Sale and Supply of Alcohol Act 2012
Search and Surveillance Act 2012
Secondhand Dealers and Pawnbrokers Act 2004
Secret Commissions Act 1910
Serious Fraud Office Act 1990
Smokefree Environments and Regulated Products Act 1990
Soil; Conservation and Rivers Control Act 1941
Sovereign's Birthday Observance Act 1952
Standards and Accreditation Act 2015
State-Owned Enterprises Act 1986
Southland District Council (Stewart Island/Rakiura Visitor Levy) Empowering Act 2012
Summary Offences Act 1981
Summary Proceedings Act 1957
Survey Act 1986
Tax Administration Act 1994
Te Ture Whenua Māori Act 1993
Telecommunications Act 2001
Trade Marks Act 2002
Transit New Zealand Act 1989
Treaty of Waitangi Act 1975
Trespass Act 1980
Trusts Act 2019
Unit Titles Act 2010
Unsolicited Electronic Messages Act 2007
Wages Protection Act 1983
Walking Access Act 2008
Water Services Entities Act 2022
Waste Minimisation Act 2008

Weathertight Homes Resolution Services Act 2006
Wild Animal Control Act 1977
Wildlife Act 1953

## Local legislation

In addition to the statutes referred to above, Council is also bound by local legislation that applies specifically to it. In some cases the former local authorities no longer exist but the local acts continue to apply to Council as successor.

### Local acts

#### Southland Land Drainage Act 1935

Authorised by the former Wallace and Southland Counties and by succession Southland District Council to make better provision for land drainage within the District.

#### Southland District Council (Stewart Island/Rakiura Visitor Levy) Empowering Act 2012

Provides a mechanism for Council to set and collect levies and obtain revenue from passengers travelling to Stewart Island/Rakiura, in order to better provide services, facilities, and amenities for those persons while they are on the island.

### Private acts

#### Southland Flood Relief Committee Empowering Act 1980

Provides for the administration of funds held in trust for the relief of persons suffering loss or damage from floods in Otago and Southland in 1980.

### Bylaws

The following bylaws have been made by Council and apply within the District:

<b>Alcohol Control Bylaw 2022</b>
Adopted 30 November 2022, the purpose of this bylaw is to address the problem of crime and disorder caused or made worse by the consumption of alcohol in public places. To achieve this, the bylaw prohibits the consumption and possession of alcohol in specified public places in Southland District.
<b>Ashton Flats Roading Bylaw 2016</b>
Adopted on 1 October 2016, this bylaw regulates vehicle access to Ashton Flats Road to help prevent damage to the road and the surrounding Eyre Mountains Conservation Park.
<b>Cemetery Bylaw 2016</b>
Adopted on 7 September 2016, this bylaw regulates the use of, and permitted activities undertaken at, cemeteries within the District in accordance with the Burial and Cremation Act 1964.
<b>Dog Control Bylaw 2015</b>
Adopted on 26 August 2015, this bylaw establishes responsibilities of dog owners to regulate and control dogs within the District in accordance with the Dog Control Act 1996.

<b>Freedom Camping Bylaw 2015</b>
Adopted on 9 December 2015, this bylaw regulates freedom camping within Southland District in order to protect specified areas, the health and safety of people who access those specified areas and access to those specified areas and in accordance with the Freedom Camping Act 2011.
<b>Keeping of Animals Poultry and Bees Bylaw</b>
Adopted on 29 September 2020, this bylaw regulates the keeping of cats and other domesticated animals (excluding dogs) within Southland District for the purpose of minimising associated nuisance and maintaining public health and safety.
<b>Roading Bylaw 2008 (Revision 2, 2018)</b>
Adopted on 30 April 2008 and last reviewed on 18 February 2015, this bylaw regulates activities that are of a nuisance to the general public in use of or within the roading environment, this bylaw focusses on stock on roads, parking restrictions, one-way roads, vehicular accessways, and heavy traffic prohibitions within Southland District.
<b>Signs and Objects on Roads and Footpaths Bylaw 2016</b>
Adopted on 7 September 2016, this bylaw sets out standard criteria for the placement of signs and objects on roads and footpaths, establishes a permit system for more than two signs and provides a mechanism for Council to address objects which cause obstruction, hazard or safety issues.
<b>Speed Limits Bylaw</b>
Adopted on 23 June 2020, this bylaw set speed limits to roads set out in the schedule. This bylaw is shortly to be revoked as the legal instrument for setting speed limits is now the National Speed Limit Register which was established in accordance with the Land Transport Rule: Setting of Speed Limits 2022.
<b>Stewart Island Rakiura Visitor Levy Bylaw (Revision 2, 2022)</b>
Adopted on 12 December 2012 and last reviewed on 3 February 2022, this bylaw is established in accordance with the Southland District Council (Stewart Island/Rakiura Visitor Levy) Empowering Act 2012. The bylaw sets, and establishes mechanisms to collect, levies from passengers travelling to Stewart Island/Rakiura, in order to better provide services, facilities, and amenities for those persons while they are on the Island.
<b>Stormwater Drainage Bylaw 2017</b>
Adopted on 13 December 2017, this bylaw enables Council to manage and protect stormwater drainage by regulating connections, hazardous substances, discharges, building and works on/near infrastructure, as well as specifying conditions of a stormwater connection.
<b>Subdivision Land Use and Development Bylaw 2012</b>
Adopted on 22 March 2013, this bylaw ensures that subdivision, land use and development is completed to an acceptable standard and is technically compliant.
<b>Trade Waste Bylaw</b>
Adopted on 18 June 2018, this bylaw enables Council to regulate and manage all trade waste that is discharged into Council's sewerage system.
<b>Trading in Public Places Bylaw 2013</b>
Adopted on 28 May 2008 and last reviewed on 31 October 2012, the bylaw regulates the selling of goods on streets, roads, footpaths and other public places; and the use of vehicles to sell goods and services to the public within Southland District.
<b>Wastewater Drainage Bylaw</b>
Adopted on 13 December 2017, the bylaw enables Council to manage and protect wastewater drainage by controlling connections, hazardous substances, discharges, building and works on/near infrastructure, as well as specifying conditions of a wastewater connection
<b>Water Supply Bylaw 2017</b>
Adopted on 13 December 2017, this bylaw enables Council to manage and protect the water supply by controlling connections, potential contamination, and works undertaken on/near infrastructure as well as specifying conditions of supply.

Council's bylaws can be viewed on its website at <https://www.southlanddc.govt.nz/council/bylaws-and-policies/bylaws/>

## The electoral system

### First past the post (FPP)

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Elections of Council are currently conducted using the first past the post electoral system (FPP). Under this system voters tick the name of the candidates they prefer up to the number of vacancies. If there is one vacancy, for example for the mayor, you can vote for one candidate. If there are three vacancies, you can vote for up to three candidates. Those receiving the most votes win.

### Single transferable vote (STV)

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The other option available under the Local Electoral Act 2001 is the single transferable vote electoral system (STV). Voters rank candidates in order of preference (1 to 5 etc), rather than picking their most preferred candidate for each vacancy eg Jim Brown 1, Joan Smith 2, Bill Jones 3 and so on. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes.

Under STV voters have one vote but can indicate their preference for as many or as few of the candidates as they wish.

The number of candidates required to fill all vacancies is achieved:

- first by the counting of first preferences
- then by a transfer of a proportion of votes received by any candidate where the number of votes for that candidate is in excess of the quota
- then by the exclusion of the lowest polling candidate and the transfer of these votes in accordance with the voters second preferences.

### Changing electoral systems

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Under the Local Electoral Act 2001 there are three ways in which Council's electoral system can be changed. They are:

- Council can resolve to change the electoral system to be used at the next two elections or
- Council can conduct a binding poll of electors or
- electors can demand that a binding poll be undertaken. That demand requires 5% or more of the electors to sign a petition demanding that a poll be held.

Once changed, an electoral system must be used for at least the next two triennial Council elections.

## Representation arrangements

### Mayoral office

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A mayor is elected at large (across the whole of the District) by all eligible electors who choose to vote.

## Wards

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Southland District Council is divided into five wards:

- Mararoa Waimea Ward - three councillors
- Stewart Island Rakiura Ward - one councillor
- Waiau Aparima Ward - three councillors
- Oreti Ward - three councillors
- Waihopai Toetoe Ward - two councillors.

The ward representation structure of Council recognises the need to provide fair and effective representation of communities of interest within the District, while meeting legislative requirements.

Council reviewed the ward boundaries during the representation review in 2018 and made changes to the boundaries of the Oreti and Waihopai Toetoe wards.

A plan identifying each ward is attached as Appendix 1 to this statement.

## Community boards

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A community governance review recognised that there are two key pillars that support the community governance concept as implemented in Southland District. These are:

- a community led development pillar which is about each place being at the centre with Council being one of a number of agencies supporting the development of each place or local community
- a representative leadership pillar that is about the more traditional role of elected representatives being the identified political leaders within their community.

Over four years Council conducted a community governance review project, and in 2017-2018, it conducted the representation review. This was in accordance with the Electoral Act 2001.

In addition to the process under the representation review, Council adhered to the required process for the constitution of any new community board within the District as prescribed in Schedule 6 to the Local Government Act 2002.

The community boards are part of the representative leadership pillar.

Following the representation review, Council has District-wide coverage of community boards with a network of nine community boards. They are:

- Ardlussa community board
- Fiordland community board
- Northern community board
- Oraka Aparima community board
- Oreti community board
- Stewart Island/Rakiura community board
- Tuatapere Te Waewae community board
- Waihopai Toetoe community board
- Wallace Takitimu community board.

A plan identifying each community board is included as Appendix 1.

Seven of the community boards have six members elected by the community plus one councillor appointed by Council from the ward in which the board is situated. Two community boards being the Oreti and the Waihopai Toetoe Community Boards have seven members elected plus one appointed councillor.

Key functions of the community boards include:

- promoting the social, economic, environmental and cultural well-being of local communities
- monitoring the overall well-being of local communities
- providing leadership to local communities on the strategic issues and opportunities that they face
- developing relationships and communicating with key community organisations, special interest groups, residents and businesses within the community.
- as part of the long term plan or annual plan process, preparing a submission to Council on the proposed levels of service, income and expenditure within the community of interest
- as part of the long term plan or annual plan process, outlining the relative priorities for the delivery of District services and levels of service within the board area.

In addition, Section 52 of the Local Government Act 2002 sets out the role of community boards.

Council has a practice of decentralising responsibilities as necessary to provide an effective means of ensuring local input into decision-making. The delegated powers given to community boards within the District by Council allows for and encourages decision-making at the local level. Some of the changes to the delegations for community boards for the 2022-2025 term include:

- making it clear the roles Council would like boards to undertake in addition to the roles outlined in legislation
- updating the wording around community board plans
- raising the value of donations that can be accepted and updating
- providing more clarity on district and local activities.

The delegations also recognise that community boards have a relationship with other parts of the governance structure. In exercising delegations, community boards must act within the policies or standards or resolutions adopted by Council.

Each community board elects its own chairperson at its first meeting after the triennial election.

## Maori wards

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The Local Electoral Act 2001 also gives Council the ability to establish separate wards for Maori electors. Council may resolve to create separate Maori wards or conduct a poll on the matter or the community may demand a poll. The demand for a poll can be initiated by a petition signed by 5% of electors within the District.

## Changing representation arrangements

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Council is required to review its representation arrangements at least once every six years.

As noted above, Council reviewed its representation in 2018. A representation review is scheduled to be undertaken in 2023-2024.

This review must include the following:

- the number of elected members (within the legal requirement to have a minimum of six and a maximum of 30 members, including the mayor)
- whether the elected members (other than the mayor) shall be elected by the entire District, or whether the District will be divided into wards for electoral purposes, or whether there will be a mix of ‘at large’ and ‘ward’ representation
- if election by wards is preferred, then the boundaries and names of those wards and the number of members that will represent each ward
- whether or not to have separate wards for electors on the Maori roll
- whether to have community boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

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 the public the right to make a written submission to Council, and the right to be heard if you wish.

The public also has 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 Council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

## Elected members and chief executive

The mayor and the councillors of Council have the following roles:

- setting the policy direction of Council
- monitoring the performance of Council
- giving effect to the purpose of the Local Government Act 2002 which is:
  - a) to enable democratic local decision-making and action by, and on behalf of, communities; and
  - (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.
- representing the interests of the District (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgement in the best interests of the District)
- employing the chief executive (under the Local Government Act the local authority employs the chief executive, who in turn employs all other staff on its behalf)

## Mayor

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

- providing leadership to the other members of the territorial authority and the people in the District
- leading the development of Council's plans (including the LTP and the Annual Plan), policies and budgets for consideration by the members of Council
- in exercising his leadership role the mayor has the power to:
  - appoint the deputy mayor
  - determine committees and to appoint their chairperson.

In addition the mayor has the following roles:

- ensuring Council is effective in its governance role and in providing leadership and a vision for the organisation
- presiding member at Council meetings - the mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in Standing Orders)
- advocate on behalf of the community - this role may involve promoting the community and representing its interests
- primary spokesperson for Council
- ceremonial head of Council
- providing leadership and feedback to other elected members on teamwork and chairing committees.

## Deputy mayor

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The deputy mayor can be appointed by the mayor or appointed by Council. Typically, the deputy mayor exercises the same roles as other councillors. In addition, if the mayor is absent or incapacitated, or if the

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

## Elected members

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

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer and to abide by the current Code of Conduct and Standing Orders
- The Local Authorities (Members' Interests) Act 1968 which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect)
- The Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way
- The Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit
- The Local Government Official Information and Meetings Act 1987 is of importance for the roles and conduct of elected members where a chair has the responsibility to maintain order at meetings. All elected members should accept a personal responsibility to maintain acceptable standards of address and debate.

## Code of conduct

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All councillors are required to adhere to a Code of Conduct. Adopting such a code is a requirement of the Local Government Act 2002. Council adopted its first code in August 2003. Once adopted, the code may only be amended by a 75% or more vote of Council. The code sets out Council's understanding and expectations of how the mayor and councillors will relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by or is in the possession of elected members, and contains details of the sanctions that Council may impose if an individual breaches the code.

The current Code of Conduct was adopted by Council on 2 November 2022.

## Governance, membership and delegations

### Council

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Council has 12 councillors elected in five wards and a mayor who is elected by the District at large.

<b>Mayor:</b> Rob Scott	Mayoral: 0800 732 732 Mobile: 021 609 567 Email: <a href="mailto:Rob.Scott@southlanddc.govt.nz">Rob.Scott@southlanddc.govt.nz</a>
<b>Deputy Mayor:</b> Christine Menzies	Mobile: 027 950 2760 Email: <a href="mailto:Christine.Menzies@southlanddc.govt.nz">Christine.Menzies@southlanddc.govt.nz</a>
<b>Councillors:</b>	

<b>Mararoa Waimea Ward:</b> Sarah Greaney	Mobile: 027 222 6634 Email: <a href="mailto:Sarah.Greaney@southlanddc.govt.nz">Sarah.Greaney@southlanddc.govt.nz</a>
Tom O'Brien	Mobile: 027 406 7334 Email: <a href="mailto:Tom.Obrien@southlanddc.govt.nz">Tom.Obrien@southlanddc.govt.nz</a>
Matt Wilson	Mobile 027 817 0033 Email: <a href="mailto:Matt.Wilson@southlanddc.govt.nz">Matt.Wilson@southlanddc.govt.nz</a>
<b>Stewart Island</b> Jon Spraggon	Email: <a href="mailto:Jon.Spraggon@southlanddc.govt.nz">Jon.Spraggon@southlanddc.govt.nz</a>
<b>Waiau Aparima Ward:</b> Don Byars	Mobile: 027 488 8858 Email: <a href="mailto:don.byars@southlanddc.govt.nz">don.byars@southlanddc.govt.nz</a>
Jaspreet Boparai	Mobile: 027 287 0978 Email: <a href="mailto:Jaspreet.Boparai@southlanddc.govt.nz">Jaspreet.Boparai@southlanddc.govt.nz</a>
Derek Chamberlain	Mobile: 027 487 2199 Email <a href="mailto:Derek.Chamberlain@southlanddc.govt.nz">Derek.Chamberlain@southlanddc.govt.nz</a>
<b>Oreti Ward:</b> Christine Menzies	Mobile: 027 950 2760 Email: <a href="mailto:Christine.Menzies@southlanddc.govt.nz">Christine.Menzies@southlanddc.govt.nz</a>
Darren Frazer	Mobile: 021 415 840 Email: <a href="mailto:Darren.Frazer@southlanddc.govt.nz">Darren.Frazer@southlanddc.govt.nz</a>
Margie Ruddenklau	Mobile: 027 266 7421 Email: <a href="mailto:Margaret.Ruddenklau@southlanddc.govt.nz">Margaret.Ruddenklau@southlanddc.govt.nz</a>
<b>Waihopai Toetoe Ward:</b> Julie Keast	Mobile: 027 220 6404 Email: <a href="mailto:Julie.Keast@southlanddc.govt.nz">Julie.Keast@southlanddc.govt.nz</a>
Paul Duffy	Mobile: 027 288 5865 Email: <a href="mailto:Paul.Duffy@southlanddc.govt.nz">Paul.Duffy@southlanddc.govt.nz</a>

**Council is responsible for:**

- developing and approving Council policy
- determining the expenditure and funding requirements of Council through the planning process
- monitoring the performance of Council against its stated objectives and policies
- employing, overseeing and monitoring the chief executive's performance.

Generally, the legislation, that Council uses on a day-to-day basis, provides for delegations. When an act or regulation empowering "Council" to carry out a decision-making function, that decision must be made by way of a resolution of the full Council unless the act or regulation, permits delegation to a committee, subcommittee or officer.

Council may delegate specific functions to a committee (subject to any conditions or limitations imposed).

**Council cannot delegate:**

- the power to make a rate
- the power to make a by-law

- the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan or otherwise expressly covered in the policy
- the power to adopt a Long Term Plan, Annual Plan, or Annual Report
- the power to appoint a chief executive
- the power to adopt policies required to be adopted and consulted on under this act in association with the Long Term Plan or developed for the purpose of the local governance statement
- the power to adopt a remuneration and employment policy
- the power to approve or change a plan (RMA)
- the power to approve or amend Council's Standing Orders
- the power to approve or amend the Code of Conduct for elected members
- the power to appoint and discharge members of committees
- the power to establish a joint committee with another local authority or other public body
- the power to make the final decision on a recommendation from the ombudsman where it is proposed that Council not accept the recommendation.

Note: For (a) - (g) see clause 32(1) Schedule 7 Local Government Act 2002 and for (h) - (m) see clauses 15, 27, 30 Schedule 7 of Local Government Act 2002 and Section 34A of Resource Management Act 1991.

In addition, Council has also decided to retain the following powers:

- the powers and duties conferred or imposed on Council under Part 2 of the Public Works Act 1981 to allow for the compulsory acquisition of land
- approval of a draft Long Term Plan or draft Annual Plan prior to community consultation
- approval of a draft bylaw prior to community consultation
- resolutions required to be made by Council under the Local Electoral Act 2001, including the appointment of an electoral officer
- the power to institute any proceedings in the high court that are not injunctive proceedings
- the power to sell, dispose or purchase land, including parks, reserves and endowment properties where they are not being acquired as part of the approval of a resource consent for developments such as subdivisions or where the land is being acquired as part of a project included in the Long Term Plan where the value is less than \$50,000
- the power to cease any existing function or commence any new significant activity
- formulation or amendment of Council's corporate goals and objectives
- adoption of the local governance statement
- adoption of the triennial agreement
- preparation of Long Term Plan and Annual Plan documents
- power to set fees and charges
- adoption of the assessment of water and sanitary services
- approve, adopt and review policies including any revisions and amendments
- approve by resolution all external Council borrowing outside of that noted in the Long Term Plan
- approve the external managed fund and the appointment of any fund managers
- approve amount of funds to be placed with external managed fund
- approve membership to Local Government Funding Agency (LGFA) including CCO/CCTOs.

## **Council committees and subcommittees**

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In order to be efficient, effective and timely in delivering its services, Council has established committees to assist with the conduct of the business of Council. A committee chairperson is responsible for presiding over meetings of the committee and ensuring that the committee acts within the delegated jurisdiction conferred by the Council.

## Finance and Assurance Committee

The members of the finance and assurance Committee are:

- Chairperson – Bruce Robertson
- Mayor Rob Scott
- Cr Don Byars
- Cr Sarah Greaney
- Cr Tom O'Brien
- Cr Julie Keast
- Cr Matt Wilson
- Cr Jaspreet Boparai
- Cr Derek Chamberlain
- Cr Darren Frazer
- Cr Christine Menzies
- Cr Margie Ruddenklau
- Cr Paul Duffy
- Cr Jon Spraggon

The Finance and Assurance Committee is responsible for:

- ensuring that Council has appropriate financial, risk management and internal control systems in place that provide:
- an overview of the financial performance of the organisation
- effective management of potential opportunities and adverse effects
- reasonable assurance as to the integrity and reliability of Council's financial and non-financial reporting.
- exercising active oversight of information technology systems.
- exercising active oversight of "Council's health and safety policies, processes, compliance, results and frameworks"
- relationships with external, internal auditors, banking institutions and insurance brokers.

The Finance and Assurance Committee will monitor and assess the following:

- the financial and non-financial performance of Council against budgeted and forecasted outcomes
- consideration of forecasted changes to financial outcomes
- Council's compliance with legislative requirements
- Council's risk management framework
- Council's control framework
- Council's compliance with its treasury responsibilities
- Council's compliance with its Fraud Policy.

## Ohai Railway Fund Committee

Chairperson – Yet to be appointed

Council appointees:

- Mayor Rob Scott
- Cr Jaspreet Boparai
- Cr Derek Chamberlain

Community appointees:

- Alanna Barrett
- Kevin Curtin
- Kevin Dixon
- Shane Robertson

This committee is responsible for and has the delegation to make all grants or loans or both from the Ohai Railway Fund for the benefit of the residents of the District of the former board or to any resident of the District of the former board.

### Riverton Harbour Subcommittee

The Riverton Harbour Subcommittee comprises as follows:

- Cr Don Byars
- Deputy Chair Neil Linscott
- Nick White
- Hayley Nelson
- Ian Coard
- one member nominated by the local Iwi Aparima Oraka Runanga
- one representative from Environment Southland (with no voting rights)

The Riverton Harbour Subcommittee is delegated the management and control of all Riverton Harbour assets vested in Council. It also has delegation for the administration, management and control of all Riverton Harbour endowment lands now vested in Southland District Council in consultation with and subject to approval by Southland District Council being those lands comprised in Certificates of Title 5C/914, 5C/917, 5C/918, 5C/919, 5C/920, 5C/921, 5B/825, 9D/859, 10C/615, 10C/616 and all such other Riverton harbour endowment lands so vested.

### Stewart Island/Rakiura Visitor Levy Allocation Subcommittee

The membership of the Stewart Island/Rakiura Visitor Levy Allocation comprises as follows:

- Chairperson – Cr Julie Keast
- Cr Jon Spraggon
- Bruce Robertson - (Chair of Finance and Assurance Committee)
- a member from the Stewart Island/Rakiura Community Board - to be determined
- community appointee – to be determined
- a representative from or recommended by each of the three approved operators named under the Stewart Island/Rakiura Visitor Levy Policy
- a member to represent iwi – to be determined.

The Stewart Island/Rakiura Visitor Levy Allocation Subcommittee is responsible for and has delegation to give funding allocations from the Stewart Island/Rakiura Visitor Levy Fund, and setting strategic objectives to act as the basis for assessing applications for funding.

### Water Supply Subcommittees

Council has constituted three water supply subcommittees that have a relationship with the community board in their respective areas. They are each responsible for the overall governance of the respective water supply scheme in accordance with the policies of Council. Delegations include the power to approve expenditure within budget, and the power to approve both new connections and expenditure for emergency works. These subcommittees are:

Five Rivers	Six local members plus ward councillor Tom O'Brien
Matuku	Six local members plus ward councillor Matt Wilson
Te Anau Basin	One member each from Duncraigen, Ramparts, Mt York, Takitimu, Kakapo, Homestead, Princhester plus two appointed by Landcorp.

## Joint committees of Council

### Civil Defence Emergency Management Group

Membership - Mayor Rob Scott, Cr Christine Menzies as alternate

Purpose of the group is to identify the hazards and risks to be managed by the group and the Civil Defence Emergency Management measures deemed necessary to manage those hazards and risks. Delegation includes recommending to Council any changes to the district civil emergency plan as a consequence of regional plans.

### WasteNet (Waste Advisory Group)

Membership - Mayor Rob Scott, Cr Christine Menzies

WasteNet has been developed to oversee waste management in Southland. Delegations include making decisions and recommendations to allow WasteNet to carry out the functions and responsibilities for each of their WasteNet Councils.

### Southland Regional Heritage Joint Committee

Membership - Cr Paul Duffy, Cr Christine Menzies

The purpose of the committee is to establish and preserve the regional heritage of Murihiku/Southland. Delegations include the committee having powers, functions and duties as necessary to carry out the objects and goals set out in the Heads of Agreement 2017-24.

### Regional Transport Subcommittee

Membership - Cr Christine Menzies Mayor Rob Scott as alternate

The purpose of the groups is to develop and oversee regional land transport in Southland. Delegations include reporting to Council on discussions and resolutions from the meetings and recommend changes to Council on matters arising from the Regional Transport Committee.

### Joint Shareholder Committee for Great South

Membership – Mayor Rob Scott

The functions of the joint committee include to selected the appointments panel to determine the directors of Great South, to develop and maintain a policy for remuneration for directors, and for the appointment of the chief executive officer, and to review the performance of the Great South and to report to the shareholders on a six-monthly basis.

## Council controlled organisations

Council controlled organisations (CCOs) are those organisations Council is involved by itself or with other local authorities and controls 50% or more of the voting rights or appoints 50% or more of the directors. The council controlled organisations Council is involved with are:

### Milford Community Trust

The purpose of the Milford Community Trust is to manage and carry out services and undertake leadership, planning and advocacy for the general benefit of the Milford community.

The Milford Community Trust is governed by a board of five Trustees with an independent Chair and the Trust reports to the Council.

## Southland Museum and Art Gallery Trust Board

This organisation has control and discretion as to the management of the collection and assets of the Southland Museum and Art Gallery and manages the affairs and control all the assets and funds of the Museum. The board also has control over the loan of collection items.

Initial board members are the chief executives of the three councils and a representative of the four rūnaka. The initial board establish an appointments committee (which can comprise of the initial board members).

The appointments committee appoint board members who have particular skills/experience (such as business acumen, governance skills, and expertise or knowledge in arts, heritage and culture).

Once all the board members have been appointed the initial board members will cease to hold office. The formal appointment process is not yet completed.

## Great South

Great South is Southland's regional development agency delivering a wide range of initiatives, services and events to promote and grow the region alongside Southland communities.

The board of directors' report to the Joint Shareholders Committee for Great South.

## Council organisations

Council organisations are those organisations that Council is involved with by itself or with other local authorities and has any voting rights or rights to appoint directors etc. The entities that are currently 'council organisations' are –

External Organisation	Representation	Nominated Appointee
Age Concern Southland	An staff member	Kelly Tagg
Around the Mountain Cycle Trail Trust	One councillor	Deputy Mayor Christine Menzies
Creative Communities	One councillor	Cr Margie Ruddenklau
Gore and Districts Community Counselling Centre Inc.	One councillor	Cr Julie Keast
Milford Sound Tourism Ltd	One staff member and one external appointee	Jane Parfitt and Roger Neil Wilson
Pioneer Women's Memorial Trust (Gore)	One councillor	Cr Julie Keast
Regional Community Road Safety Network	One staff member	Hartley Hare
Southland Indoor Leisure Centre Charitable Trust	One councillor	Cr Darren Frazer
Southland Medical Foundation	Mayor	Mayor Rob Scott
Southland Regional Heritage Building and Preservation Trust	Two councillors	Crs Paul Duffy, Margie Ruddenklau
Te Puka-Rakiura Trust	One staff member	Fran Mikulicic

Te Roopu Taiao	Mayor (and an alternate)	Mayor Rob Scott, Crs Paul Duffy and Christine Menzies as alternate
Tuatapere Amenities Trust	One councillor	Jaspreet Boparai
Waiau Working Party	One councillor	Cr Derek Chamberlain
Whakamana te Waituna Trust	Two councillors	Crs Paul Duffy and Julie Keast

## The reorganisation process

The Local Government Act 2002 sets out procedures that must be followed during proposals to:

- make changes to the boundaries of the District
- create a new District.
- create a Unitary Authority, a territorial authority which also has the responsibilities, duties and powers of a regional council
- transfer a particular function or functions to another council.

A reorganisation application to the Local Government Commission may be made by any person, body or group, including the local authority or the Minister of Local Government. Before supporting a reorganisation application, the Local Government Commission must be satisfied that there is demonstrable community support in the district of each affected territorial authority. The commission also has to be satisfied that the reorganisation will promote good local government. Where, by petition, 10% or more of affected electors with the district request a poll of electors, the poll may determine the final outcome.

Further information on these requirements can be found in the Local Government Act 2002 (in particular Schedule 3). The Local Government Commission has also prepared guidelines on procedures for local government reorganisation.

## Meeting requirements and processes

The legal requirements for conducting Council, community board and committee meetings are provided for in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Scheduled meetings are publicly notified not more than 14 days and not less than five days before the end of each month for the following month. Where this requirement cannot be satisfied (eg in the case of extraordinary meetings) then Council shall cause such public notice as is reasonable in the circumstances to be given. The place, dates and times of meetings are advertised in newspapers (Southland Express and Gore Ensign) circulating within the District.

All Council, community boards and committee meetings must be open to the public unless there is reason to consider some item 'in committee' (ie these items are considered to be confidential and members of the public will be asked to leave the room until discussion on the item has been completed). Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with the Council, community board or committee.

The LGOIMA specifies those circumstances where a Council, community board or committee 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. Minutes of all meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available subject to the provisions of the LGOIMA.

During meetings the mayor, councillors and community board members must follow standing orders. These are a set of procedures for conducting meetings agreed upon by Council. The application of standing orders can be suspended at any meeting by a vote of 75% of the members present. A copy of the standing orders can be viewed on Council's website or obtained by contacting Council.

## Consultation principles/policies

The Local Government Act 2002 establishes certain principles and requirements for consultation as part of the planning, decision-making and accountability role of Council.

In the course of making any decision Council is required to:

- identify all reasonably practicable options for the achievement of the objective of a decision and assess the options in terms of their advantages and disadvantages
- identify how important or significant a decision is
- quantify benefits and costs
- consider the records it keeps and the extent and detail of information it considers
- consider the views of the community at the various stages of the decision-making process and the views of Māori
- have regard to the present and future social, economic, environmental and cultural wellbeing of communities
- identify the reasons for a decision also for any decision which is inconsistent with any other Council policies or plans.

## Significance and engagement policy

The Local Government Act 2002 gives councils the opportunity to establish a Significance and Engagement Policy.

Part of Council's Significance and Engagement Policy involves determining the significance attached to particular matters. Significance is a continuum – ranging from the day to day matters with a low impact, right up to those matters with a very high level of impact and significance. How Council assesses significance, and how it determines what matters are significant, is important because it will drive how Council makes decisions, and what analysis, written records and engagement is required by Council.

The policy also provides guidance to staff and the community on how and when community views will be sought. When Council takes steps to identify the views and preferences held by people in the community, this will often be through an engagement process. Engagement is a wider concept than consultation. Consultation is just one of a suite of tools for engaging with the community.

Council's Significance and Engagement Policy is available on its website at:

<https://www.southlanddc.govt.nz/council/bylaws-and-policies/policies/>

## Special consultative procedure

When making certain types of decision the Local Government Act 2002 (and sometimes other legislation) requires Council to use the 'special consultative procedure'. The special consultative procedure is a thorough consultation process.

The special consultative requires that Council make a formal statement of proposal (and if it is necessary to facilitate understanding, a summary of that proposal). The statement (and the summary, if completed)

must be included on an agenda for a Council meeting. Once Council has endorsed the statement, it must be made as widely available as is reasonably practical for consultation. There must be a consultation period of at least one month, where people are able to make a submission. People can write submissions and also request to be heard by Council in a public meeting. Council will then deliberate on the matter in public (unless there is a reason to hear the matter in ‘public excluded’ under LGOIMA). Council are then likely to make a decision on the matter, and staff will inform submitters about the outcome of the process.

Council must follow the special consultative procedure before it:

- adopts a Long Term Plan (LTP)
- amends the LTP
- adopts, revokes or reviews a bylaw.

Council may also decide to use the special consultative procedure, if it has a matter it wants to consult on widely/thoroughly.

## Other consultation and engagement processes

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In addition to the statutory requirements Council has long been committed to public involvement and engagement in the administration of the District. An extensive network of representation exists. The administration and provision of services and responsibilities has been decentralised as necessary thereby allowing an effective means of ensuring local input into decision-making. The range of delegations to community boards and water supply committees contributes to local decisions being made on local issues.

Consultation and engagement are often required on issues where there are no statutory processes or timeframes in legislation. Engagement is tailored to the complexity of an issue and its potential for controversy.

In exercising its discretion, Council has regard to the nature and significance of the decision and the extent to which Council is already aware of the views of the affected public.

## Iwi liaison

Council recognises Ngāi Tahu as the tāngata whenua within the Murihiku/Southland District.

Council values highly its relationship with Ngāi Tahu within Murihiku/Southland. To help promote and develop this relationship, Council (together with the other three local authorities in the Southland region namely Environment Southland, Invercargill City Council and Gore District Council) is an active participant and signatory to the ‘Charter of Understanding’ between the four councils and Te Ao Mārama Incorporated.

The ‘Charter of Understanding’ has been revised following discussions at Te Roopu Taiao (the councils/Tāngata Whenua Joint Management Committee) to incorporate the wider responsibilities under the Local Government Act 2002.

The ‘Charter of Understanding’ provides:

- the basis for an ongoing relationship between the four councils and the tāngata whenua of Murihiku to assist in developing the capacity of Māori to contribute to the decision-making processes
- a foundation for consultation on a wide range of local government issues
- for the recognition and willingness of Te Ao Mārama Inc to assist all councils in consultation with all ‘ngā matawaka’ living in Murihiku (ngā matawaka being Māori living in Murihiku/Southland who are not Ngāi Tahu).

**Te Roopu Taiao** - meets four times a year. This group considers the higher level political interface, budget setting, accessing resources, and commitments from members. Membership is councillor

representatives from each council plus officers, and representatives from each of the four Papatipu Rūnanga in Murihiku/Southland.

**Te Ao Mārama Inc** - the day-to-day management structure that is run and operated directly by tāngata whenua. Te Ao Mārama Consists of representatives from each of the four Papatipu Rūnanga in Murihiku/Southland, and some representation from Te Rūnanga o Ngāi Tahu as and when required.

**Kaupapa Taiao Manager** - has direct contact with the councils on an almost daily basis. This role deals directly with applicants for resource consents for affected party sign offs and is responsible for the daily running of the Te Ao Mārama Inc.

## Management structures and relationships

### Chief executive officer

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The Local Government Act 2002 requires Council to employ a chief executive officer whose responsibilities are to employ other staff on behalf of Council, implement Council decisions and provide advice to Council. The chief executive is appointed by Council in accordance with section 42 and clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. Under the Local Government 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.

The chief executive is: Cameron McIntosh  
 His contact details are: Southland District Council  
 PO Box 903  
 Invercargill 9840  
**Phone:** 0800 732 732  
**Email:** [cameron.mcintosh@southlanddc.govt.nz](mailto:cameron.mcintosh@southlanddc.govt.nz)

The chief executive implements and manages Council's policies and objectives within the budgetary constraints established by Council. Under Section 42 of the Local Government Act 2002, the responsibilities of the chief executive are:

- implementing the decisions of Council
- providing advice to Council and community boards
- ensuring that all responsibilities, duties and powers delegated to the chief executive or to any person employed by the chief executive, or imposed or conferred by any act, regulation or bylaw are properly performed or exercised
- managing the activities of Council effectively and efficiently
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of Council
- providing leadership for the staff of Council
- employing staff (including negotiation of the terms of employment for the staff).

### Executive leadership team

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The leadership team is made up of five group managers and the chief executive officer. Together they review all general organisation issues and provide a link between Council and the staff.

The group managers on the leadership team are:

Group manager democracy and community		
Fran Mikulicic	0800 732 732	fran.mikulicic@southlanddc.govt.nz
Responsible for:	Communications and engagement, governance, community leadership, customer support, contact call centre, district libraries, roving museum officer, strategy and policy, Emergency Management Southland.	

Group manager programme delivery		
Currently vacant		
Responsible for:	Project delivery, community facilities, strategic property and health and safety.	

Chief financial officer		
Anne Robson	0800 732 732	anne.robson@southlanddc.govt.nz
Responsible for:	Rates and Council finances.	

People and capability manager		
Joanne Davidson	0800 732 732	joanne.davidson@southlanddc.govt.nz
Responsible for:	Human resources.	

Group Manager infrastructure and environmental services		
Jane Parfitt (acting)	0800 732 732	jane.parfitt@southlanddc.govt.nz
Responsible for:	Water and waste, transport, commercial infrastructure, building control, environmental health, resource management, animal control, business solutions and knowledge management.	

## Remuneration policy

Council has a range of up-to-date employment policies and practices and strives to be a good employer with consistent and transparent remuneration policies. Council also offer a number of staff benefits in addition to remuneration.

Council uses at least two external reputable providers to benchmark staff remuneration against current market data. People are rewarded by progression through the remuneration range based on Council's performance development system. All salaries are reviewed annually.

## Equal employment opportunities policy

Council is committed to the principle of equal employment opportunities in recruiting, employing, training and promoting staff.

One of the responsibilities of the chief executive, upon appointment, is the promotion of equal employment opportunities within Council. There is also a requirement upon Council to act as a good employer by operating a personnel policy which includes having an equal employment opportunities policy.

Council has a policy of Equal Employment Opportunity for all staff where:

- the elimination of any discrimination and the provision of equal opportunities are regarded as essential in the management of staff resources; and
- no employee or potential employee shall gain advantage or suffer disadvantage by reason of race, colour, gender, employment status, marital status, personal disability, religion, sexual orientation, age or political beliefs.

The aim of Council is to incorporate the principles of equal employment opportunities as part of its human resources strategy.

## Approved planning and reporting documents

Council has adopted and approved a number of key planning and reporting documents to assist it in fulfilling the purpose of local government, performing its role as a local authority and exercising the powers, responsibilities and duties conferred on it.

### The long term plan (LTP)

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The Long Term Plan (LTP) is Council's primary organisational planning document, covering a period of 10 years and is reviewed every three years. It also forms the Annual Plan for the first year. The intent of the LTP is that it provides a vision and strategic framework within which Council operates.

The LTP sets out Council's priorities over the medium to long-term. Under the Local Government Act 2002, the purpose of the LTP is to: describe the activities of Council, describe the community outcomes of the District (or region), provide integrated decision making and co-ordination of resources of the District, provide a long-term focus for Council's decisions and activities, and provide a basis for accountability of Council to the community.

Information to be included in the LTP is set out in Schedule 10 of the Local Government Act 2002, and includes: community outcomes; groups of activities; capital expenditure for groups of activities; statements of service provision; funding impact statement for groups of activities; details of variations between the LTP and assessment of water and sanitary services and waste management plans; information about council-controlled organisations; policy on development of Māori capacity to contribute to decision-making processes; financial strategy; infrastructure strategy, revenue and financing policy; significance and engagement policy; financial statements (forecast and previous year); statement concerning balancing of budget; funding impact statement; rating base information, information about reserve funds and significant forecasting assumptions.

Council uses a variety of information to prepare the LTP, including setting a strategic framework, information from surveys, other district, regional and national strategies as well as activity management plans (described below). In addition, Council's community boards and subcommittees provide input into plans regarding local services and are involved in the preparation of local budgets.

For an LTP, the preparation work will start at least 30 months ahead of the adoption date.

Council's LTP:

- describes the type of District the community wants (community outcomes)
- outlines the role Council will play in working towards achieving that vision

- identifies some of the key challenges facing Council over the next 10 years
- provides an overview of each activity Council will carry out and the services it will provide for the next 10 years
- determines how much the business of Council will cost, and how it will be funded.

Council must follow the special consultative process in preparing and adoption of the LTP. Once the preparatory work is complete, Council's adopts the draft LTP. A summary of the important issues and choices in the LTP, called a consultation document is prepared and distributed to all households in the District, as well as non-residential ratepayers. The public have at least one month to make a written submission. As well as making a written submission, submitters have the opportunity to address Council in person at its submission hearing. Once all submissions have been considered, Council then considers any changes it wishes to make to the LTP before adopting the final document.

<https://www.southlanddc.govt.nz/council/annual-and-long-term-plans/long-term-plan/>

## The annual plan

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Council is required to produce an Annual Plan in each of the two years when an LTP is not produced. The purpose of the Annual Plan is to support the LTP, extend the opportunity for public participation, contribute to Council's accountability to its community, detail the annual budget and identify any variances from the LTP funding and financial information for that year.

The Annual Plan has an operational function - to implement the strategy that has been developed and adopted through the LTP. The Annual Plan's primary purpose is to provide the accountability base for the setting and assessing of rates, which cannot be set until Council adopts the Annual Plan.

The intensive preparation work for the Annual Plan (include budget preparation and review by community boards, local committees and Council) generally occurs from November - March prior to adoption.

Council must consult with the community on the Annual Plan in a way that gives effect to principles of consultation set out in the Local Government Act 2002. If there are no significant or material differences to the proposed Annual Plan for the corresponding year in the LTP, Council is not required to run a formal consultation process with the community. <https://www.southlanddc.govt.nz/council/annual-and-long-term-plans/>

At the end of each financial year (1 July - 30 June) the Council publishes an Annual Report, which contains audited accounts for the previous financial year. Each annual report must be completed and adopted by resolution, within four months after the end of the financial year to which it relates.

The purposes of the annual report are:

- to promote Council's accountability to the community for the decisions made throughout the year by Council; and
- to compare the actual activities and the actual performance of the local authority in the year with the intended activities and the intended level of performance as set out in respect of the year in the long-term plan and the annual plan.

In addition to the full Annual Report, Council must also prepare a summary of the report. The summary must be a fair and consistent representation of the major matters in the Annual Report. Both the summary and the Annual Report must be made publicly available within one month of adoption by Council.

<https://www.southlanddc.govt.nz/council/annual-and-long-term-plans/annual-report/>

## The district plan

The Southland District Plan (the District Plan) enables Council to carry out its functions under the Resource Management Act 1991 (the act). The purpose of the act is to provide for the sustainable management of natural and physical resources. Section 73 of the act requires territorial authorities to have a District Plan.

The District Plan sets a framework for development and the management of the natural and physical resources in the District. It establishes objectives, policies and rules for managing the environmental effects of land use, subdivision and development.

The District Plan is a legally enforceable document and the act provides penalties for breaches of plan rules. The plan also represents both Council’s and the community’s aspirations for the Southland District.

The first Southland District Plan to become operative under the act took legal effect in July 2001. The current plan is a second-generation District Plan under the act and supersedes the 2001 plan following the outcomes of public notification and the formal submission hearing and appeal processes of the act.

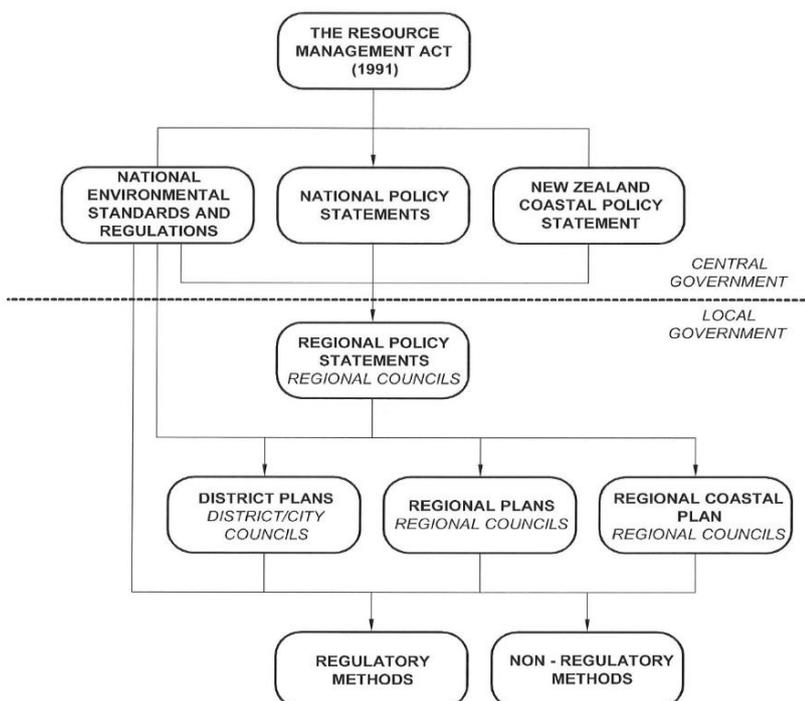
The act requires the District Plan to give effect to the Southland Regional Policy Statement which acts as the overarching Resource Management Policy document for the Southland region. In preparing the District Plan, Council must consider a range of other plans and policy documents of relevance to the District. In particular, Section 75 of the act requires that a District Plan must:

- give effect to any national policy statement, New Zealand coastal policy statement and any regional policy statement, and
- not be inconsistent with a water conservation order or any regional plan.

National park management plans and conservation management strategies are also relevant to consider in the development of plans and policies.

Council will undertake plan changes, where these plans or policy documents are prepared or altered during the life of the District Plan. Figure 1, illustrates the key linkages in the New Zealand legislative and policy framework.

**Figure 1: Legislative and Policy Framework in New Zealand**



National park management plans and conservation management strategies are also relevant to consider in the development of plans and policies.

## Activity management plans (AMP)

Council has a number of activity management plans (AMP) for its activities that support the data and forecasts included in the LTP and provide additional detail about the activities and assets of Council. AMP assist Council to ensure that information and assumptions underlying the forecast information provided in the LTP are reasonable, supportable and reliable.

These plans help to ensure that Council provides a desired level of service (as defined by the community of Southland District) through the management of assets and activities in the most cost effective and sustainable manner for present and future customers. Activity management planning provides direction for future management of assets and activities and a robust basis for long term financial forecasts.

Council's AMP provide information about the following (by the community, where applicable):

- what the activity is and why Council provides it
- what service and performance standards are sought, why these standards have been adopted and how Council has been performing against those targets
- how demand is likely to change over the period of the plan, the impact of demand change on the assets and services and where the demand-sensitive areas are (eg, where significant investment is required to meet future demand, and/or where the consequence of not meeting demand is high)
- how Council operates, maintains, renews and upgrades the networks to ensure performance standards are met in a manner that maximises value for money (eg, how decisions are made on whether to continue maintenance or renew assets, how investment priorities are decided to provide greatest benefit for the cost)
- the strategies that are in place to ensure risks are understood and managed
- what all this will cost and the impact on user charges (rates, etc) over the plan period (minimum of 10 years).

## Systems for public access

Principal Council Office: Southland District Council  
 15 Forth Street  
 PO Box 903  
 Invercargill 9840  
**Phone:** 0800 732 732  
**Email:** [sdcsouthlandddc.govt.nz](mailto:sdcsouthlandddc.govt.nz)  
**Internet:** <http://www.southlandddc.govt.nz>  
 Opening hours 9am – 5pm Monday – Friday

Council chambers: Level 2  
 20 Don Street  
 Invercargill

Local Council Offices located at:

Location	Hours	Contact Details
<b>Lumsden:</b> 18 Diana Street	Monday, Wednesday and Friday 10am - 5pm Closes 12:30 – 1:30pm for lunch	<b>Phone:</b> 0800 732 732 <b>Email:</b> <a href="mailto:sdcsouthlandddc.govt.nz">sdcsouthlandddc.govt.nz</a>

**Otautau:**

176 Main Street      Monday - Friday      **Phone:** 0800 732 732  
 9am - 5pm      Email: [library@southlanddc.govt.nz](mailto:library@southlanddc.govt.nz)  
 Closes 12.30 – 1.30pm for lunch

**Riverton:**

117 Palmerston Street      Monday - Friday      **Phone:** 0800 732 732  
 9am – 5pm      Email: [library@southlanddc.govt.nz](mailto:library@southlanddc.govt.nz)

**Stewart Island:**

10 Ayr Street      Monday - Friday      **Phone:** 0800 732 732  
 8.30am - 12noon      Email: [sdcsouthlanddc.govt.nz](mailto:sdcsouthlanddc.govt.nz)  
 Wednesday 2pm – 4pm

**Te Anau office:**

116 Town Centre      Tuesday and Thursday      **Phone:** 0800 732 732  
 10am – 12noon      Email: [sdcsouthlanddc.govt.nz](mailto:sdcsouthlanddc.govt.nz)

**Te Anau Library:**

24 Milford Crescent      Monday – Friday      **Phone:** 0800 732 732  
 9am – 5pm      Email: [library@southlanddc.govt.nz](mailto:library@southlanddc.govt.nz)  
 Saturday 10am – 3pm

**Winton:**

1 Wemyss Street      Monday - Friday      **Phone:** 0800 732 732  
 9am - 5pm      Email: [library@southlanddc.govt.nz](mailto:library@southlanddc.govt.nz)  
 Saturday 10am – 3pm

**Wyndham:**

41 Balaclava Street      Tuesday 2pm - 5pm      **Phone:** 0800 732 732  
 Thursday 3pm - 6pm      Email: [sdcsouthlanddc.govt.nz](mailto:sdcsouthlanddc.govt.nz)

## Requests to Council

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Anyone can lodge a request for Council service by:

- visiting any Council office
- telephoning a Council office / local office
- writing to Council's chief executive or appropriate group manager
- contacting the mayor or a councillor
- emailing Council at [sdcsouthlanddc.govt.nz](mailto:sdcsouthlanddc.govt.nz)
- making a request through on-line services on [www.southlanddc.govt.nz](http://www.southlanddc.govt.nz).

Requests for information on particular topics should be made to the staff concerned. Council's customer support partners can direct you to the right person if you phone the 0800 732 732 number.

## Consultation and engagement

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Council prepares and publishes a quarterly newsletter entitled 'First Edition' which is delivered to all residents of the District, non-resident ratepayers and other councils. This newsletter is used by Council to inform ratepayers and residents of current issues and activities. From time to time Council will also invite

comments or submissions on certain issues to improve the decision-making process or assist in the development of proposals.

Throughout any year there are numerous opportunities for the public to participate in the decision-making process. This can be via special consultative procedures used for any proposal and also the Annual Plan and or LTP. Council encourages the involvement of all communities within its District through a system of nine community boards in addition to five wards of the District, represented by the 12 councillors.

## Requests for official information

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Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from Council. Any request for information is a request made under LGOIMA. You do not have to say you are making a request under LGOIMA. Individuals can also request their own 'personal information' under the Privacy Act 2020.

Once a request is made Council must advise on whether the request will be granted. The Council must reach a decision to grant or refuse a request, as soon as reasonably practicable, but no later than 20 working days after the request is received, although there are circumstances where this timeframe may be extended.

The information will be supplied if it is held by the Council unless good reason exists for withholding it and the good reason is not outweighed by the 'public interest' test under LOIMA. 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
- allow information to be used for improper gain or advantage.
- the LGOIMA also sets out the reasons for requests to be refused, these include:
- the information will soon be publicly available
- the information does not exist or cannot be found
- the information cannot be made available without substantial collation or research
- the request is frivolous or vexatious or the information requested is trivial.

Where a request is refused or information is withheld, the Council must give its reasons and advise the person making the request that there is a right to have the decision reviewed by an ombudsman.

Council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance you should address requests for official information to:

The strategic communications and engagement manager  
 Southland District Council  
 PO Box 903  
 Invercargill 9840



# Appendix 1



## Appendix 2



# COUNCIL

Executive Committee

Services and Assets

Finance and Assurance

Regulatory and Consents

Community and Strategy

<p><b>Local</b></p> <ul style="list-style-type: none"> <li>Community centres/halls</li> <li>Wharves and jetties</li> <li>Storm water</li> <li>Parks and reserves</li> <li>Te Anau Airport (F CB)</li> <li>SIESA (SIR CB)</li> </ul>	<p><b>District</b></p> <ul style="list-style-type: none"> <li>Transport</li> <li>Wastewater</li> <li>Solid waste</li> <li>Water supply</li> <li>Libraries</li> <li>Cemeteries</li> <li>Emergency management</li> </ul>	<p>Finance</p> <p>Health and safety</p> <p>Risk</p>	<p>Environmental Services</p> <ul style="list-style-type: none"> <li>- Building</li> <li>- Resource management</li> <li>- Environmental health</li> </ul>	<p>Community leadership</p> <p>Community partnership</p> <p>Strategy and policy</p> <p>Community assistance</p>
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<b>Council Report</b>								
<b>FIORDLAND</b>	<b>NORTHERN</b>	<b>ARDLUSSA</b>	<b>TUATAPERE TE WAEWAE</b>	<b>ORAKA APARIMA</b>	<b>WALLACE TAKITIMU</b>	<b>ORETI</b>	<b>WAIHOPAI TOETOE</b>	<b>STEWART ISLAND RAKURU</b>

Chairperson's Report

Operations Report

Community and Leadership Report

<p>Te Anau Basin Water Supply</p>	<p>Five Rivers Water Supply Matuku Water Supply</p>	<p>Riverton Harbour</p>	<p>Ohai Railway Fund</p>	<p>Stewart Island Visitor Levy</p>
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Venture Southland Joint Committee  
Emergency Management Group  
Southland Regional Heritage Joint Committee  
Southland Regional Land Transport Committee

Wastenet (Waste Management Advisory Group)  
Combined Local Approved Products Committee  
Combined Local Alcohol Policy Committee