

# Whanganui District Council

## Local Governance Statement 2022-2025

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## Introduction

[Section 40](#) of the Local Government Act 2002 requires all local authorities to prepare a local governance statement.

The Local Governance Statement is intended to provide information about how Council engages with the community, how citizens can influence Council decisions and how decisions are made. It must be published within 6 months of every triennial election.<sup>1</sup>

It contains a wide range of information, including but not limited to:

- The functions, responsibilities and activities of Council<sup>2</sup>
- Electoral, governance and representation arrangements<sup>3</sup>
- The role of elected members<sup>4</sup>
- Consultation policies<sup>5</sup>
- Policies for liaising with and consulting Māori, including relationship agreements<sup>6</sup>
- The relationship between management and elected members<sup>7</sup>
- How to request official information and access elected members<sup>8</sup>

### 1. Functions, responsibilities and activities of the local authority

The role of the local authority is to give effect to the purpose of local government and to perform any function conferred on it by the Local Government Act or any other enactment.<sup>9</sup> The purpose of local government is to enable democratic local decision-making and promote general wellbeing for today's and tomorrow's communities.<sup>10</sup>

The Council's key responsibilities include:

- Formulating Whanganui's strategic direction
- Ensuring activities are carried out in line with the Annual and Long-Term Plans
- Prudently managing ratepayer funds and Council investments
- Prudently managing assets and infrastructure, including but not limited to: recreational facilities, roading, three waters infrastructure, libraries, museums
- Administration of relevant legislation and regulations, and upholding the law
- Promoting and encouraging community and economic development in the Whanganui District
- Representing local and community interests as appropriate
- Reporting to ratepayers on the above

Council is also required to act in accordance with the following principles when carrying out its functions:

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<sup>1</sup> Section 40(2) Local Government Act 2002

<sup>2</sup> Section 40(a) Local Government Act 2002

<sup>3</sup> Section 40(c),(d) and (f) Local Government Act 2002

<sup>4</sup> Section 40(e) Local Government Act 2002

<sup>5</sup> Section 40(h) Local Government Act 2002

<sup>6</sup> Section 40(i) Local Government Act 2002

<sup>7</sup> Section 40(j) Local Government Act 2002

<sup>8</sup> Section 40(m) and (n) Local Government Act 2002

<sup>9</sup> Section 11(a) and (b), Local Government Act 2002

<sup>10</sup> Section 10(1)(a) and (b) Local Government Act 2002

- Conduct its business in a transparent and democratic manner<sup>11</sup>
- Give effect to its identified priorities and desired outcomes in an efficient and effective manner<sup>12</sup>
- Take account of the views and interests of its current and future community<sup>13</sup>
- Provide opportunities for Māori to contribute to decision-making processes<sup>14</sup>
- Manage Council finances in line with sound business practices<sup>15</sup>
- Collaborate with other local bodies to improve identified priorities and outcomes<sup>16</sup>
- Manage resources prudently and take a sustainable development approach in line with the purpose of local government, the interests of the environment and the needs of future generations<sup>17</sup>

## 2. Local legislation that confers powers on the local authority

- [Wanganui City Council Vesting and Empowering Act 1983](#)
- [Wanganui Harbour Act 1988](#)
- [Wanganui District Council \(Prohibition of Gang Insignia\) Act 2009](#)

## 3. Whanganui District Council bylaws

A list of current Council bylaws and an explanation of their purposes can be found at the following link: [Bylaws Whanganui District Council](#).

## 4. Whanganui's electoral system, and how to change it

Electors voted to retain the First Past the Post electoral system in 2019. Electors could choose from either the First Past the Post system or the Single Transferable Vote system. A guide to both systems is here: [Link](#). On 27 October 2020 Council confirmed that the 'First Past the Post' electoral system would be used for the 2022 and 2025 elections.

If Council wishes to change the electoral system from the last triennial election, then Council must resolve to do so before 12 September 2023.<sup>18</sup> Council is required to notify voters before 19 September 2023<sup>19</sup> of their right to demand a poll on the electoral system to be used for local authority elections.<sup>20</sup>

## 5. Representation arrangements

### General representation arrangements

In late 2020 Council chose to retain the at-large approach with 12 elected members. This means that Whanganui District is not divided into wards and the Mayor and 12 Councillors are elected by the electors of the district as a whole.

### Rural Community Boards

Whanganui has one community board, called the Whanganui Rural Community Board.

Members of the Community Boards represent three subdivisions: Whanganui, Kai Iwi and

<sup>11</sup> Section 14(1)(a)(i) Local Government Act 2002

<sup>12</sup> Section 14(1)(a)(ii) Local Government Act 2002

<sup>13</sup> Section 14(1)(c) Local Government Act 2002

<sup>14</sup> Section 14(1)(d) Local Government Act 2002

<sup>15</sup> Section 14(1)(f) Local Government Act 2002

<sup>16</sup> Section 14(1)(e) Local Government Act 2002

<sup>17</sup> Section 14(h) Local Government Act 2002

<sup>18</sup> Section 27(1) Local Electoral Act 2001

<sup>19</sup> Section 28(1) Local Electoral Act 2001

<sup>20</sup> Section 28(1) Local Electoral Act 2001

Kaitoke. There are three members representing the Kai Iwi subdivision, and two members represent the Whanganui and Kaitoke subdivisions each. A further two Councillors are appointed as members. The Community Board appoints its own chairperson and deputy chairperson at the start of the triennium.

A map of the community board subdivisions, with population numbers as at 2020, is at Appendix 1.

The role of a community board is as follows:

- Represent, and advocate for the interests of, its community
- Consider and report on all matters referred to it by the territorial authority and/or any matter of interest to the community board
- Maintain an overview of services provided by the territorial authority within the community
- Prepare an annual submission to the territorial authority for expenditure within the community
- Communicate with community organisations and special interest groups within the community
- Undertake any other responsibilities delegated to it by the territorial authority.<sup>21</sup>

The Whanganui District Council has also delegated the following powers to the Community Board:

- Assist Council with engaging with the rural community
- Engage with Council staff and provide input on matters affecting the rural community, including but not limited to the Annual and Long-Term Plans
- Make submissions as a community board to any organisation on matters of interest
- Develop and adopt a strategic community plan
- Assess requests for funding allocated by Council to the Board for specific purposes
- Appoint members to represent the Board on specified Council committees

### Māori wards

Māori wards exist in addition to general wards. Representatives of Māori wards become councillors and are obliged to represent their Māori community. They are intended to provide fair representation to local Māori.

Electors enrolled on the Māori electoral roll vote for candidates standing for Māori wards, in the same way electors enrolled on the general roll vote for general ward candidates.

Whanganui does not currently have Māori wards as at February 2023.

Council may decide to introduce Māori wards as part of the representation review due to take place in 2024, though their inclusion is not mandatory at the date of publication. The public can provide their feedback at the time the representation review takes place. However, at the time of writing legislative changes are in progress that, if passed, will require Council to make a decision about Māori wards with consultation from the community by the end of 2023<sup>22</sup>.

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<sup>21</sup> Section 52, Local Government Act 2002

<sup>22</sup> [Local Government Electoral Legislation Bill 151-2 \(2022\), Government Bill – New Zealand Legislation](#)

### Procedure for reviewing representative arrangements

The Local Electoral Act requires Council to review representation arrangements every six years. The last review took place in 2018 and the next review is due to take place in 2024. When the review takes place, Council will present a proposal setting out the proposed representation arrangements for the next six years.

The public is entitled to provide feedback on Council's proposal.<sup>23</sup> Council is required to consider the public's feedback and may amend the original determination if appropriate.<sup>24</sup> The public can also appeal or object to the proposal made by Council.<sup>25</sup> If this happens, the Local Electoral Commission will consider the appeal/objection and make a binding decision.<sup>26</sup>

The representation review must include the following list of considerations:

- Whether the members of the territorial authority (apart from the mayor) are to be divided into wards or elected as a whole by the electors as a district
- The number of members to be elected
- If electoral wards are proposed, then the proposed name and boundaries of each ward, plus the number of members to be elected from each ward<sup>27</sup>
- Whether there should be community boards, and if so what the structure, membership and area boundaries of community boards should be<sup>28</sup>

Further details of the considerations required are listed [here](#).

### Reorganisation process

Reorganisation is where territorial authority boundaries can be modified or created. It allows for local governance arrangements to evolve as districts' or regions' circumstances change. Reorganisation may provide for the following<sup>29</sup>:

- The union or abolition of a district or region
- The constitution of a new district or region
- The alteration of the boundaries of a district or region

A full list of reasons for reorganisation can be found at section 24(1) of the Local Government Act 2002.

A full description of the reorganisation process can be found in [sections 24AA to 27A](#) and [Schedule 3](#) of the Local Government Act 2002.

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<sup>23</sup> Section 19M Local Electoral Act 2001

<sup>24</sup> Section 19N(1) Local Electoral Act 2001

<sup>25</sup> Section 19N-R, Local Electoral Act 2001

<sup>26</sup> Section 19N-R Local Electoral Act 2001

<sup>27</sup> Section 19H(b) and (d) Local Electoral Act 2001

<sup>28</sup> Section 19J Local Electoral Act 2001

<sup>29</sup> Section 24(1) Local Government Act 2002

## Members' roles and conduct

### *Code of Conduct*

Local authorities are required to adopt a code of conduct, which sets out the standards of behaviour expected of elected members.<sup>30</sup> Members are required to comply with the Code of Conduct.<sup>31</sup>

The last Code of Conduct was adopted in 2017. Local authorities cannot revoke a code of conduct without replacing it.<sup>32</sup> Any amendments to the Code of Conduct require 75% of members present to consent.<sup>33</sup>

A link to the Code of Conduct is provided here: [Link to Code of Conduct](#)

### *Role of members*

#### *The Mayor*

The Mayor's powers are additional to those given to elected members.

The Mayor provides leadership to the elected members and to the community, including but not limited to matters such as the development of the Long-Term Plan, policies and budgets.<sup>34</sup>

The Mayor has the following powers as set out by statute:<sup>35</sup>

- Appointment of the Deputy Mayor
- Establish committees of Council
- Appoint the chairpersons of any committees. They can appoint themselves as Chairperson if desired

The Mayor also has the following roles:

- Ceremonial head of Council
- Presiding member at full Council meetings; the Mayor is responsible for ensuring the orderly conduct of business during meetings as determined by [Standing Orders](#)
- Providing leadership and feedback to other elected members
- Primary spokesperson of Council
- Advocate on behalf of the community and identify issues that require advocacy skills

#### *Deputy Mayor*

A territorial authority is required to elect one of its members to be deputy mayor.

If the mayor is absent or incapacitated, or if the office of mayor is vacant, then the deputy mayor must perform the responsibilities and duties of the mayor, and may exercise the powers of the mayor in specific circumstances. The deputy mayor's roles are in addition to their duties as an elected member.

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<sup>30</sup> Clause 15(1) Schedule 7 Local Government Act 2002

<sup>31</sup> Clause 15(2) Schedule 7 Local Government Act 2002

<sup>32</sup> Clause 15(3) Schedule 7 Local Government Act 2002

<sup>33</sup> Clause 15(6) Schedule 7 Local Government Act 2002

<sup>34</sup> Section 41A(1) and (2) Local Government Act 2002

<sup>35</sup> Section 41A(3) Local Government Act 2002

### Elected members

The Mayor and elected members are responsible for the decision-making of the local authority.<sup>36</sup> This includes, but is not limited to:

- Setting the policy direction of Council
- Monitoring the performance of the Council
- Representing the interests of the Whanganui District
- Employing the Chief Executive and monitoring their performance

If an elected member is the chairperson of a committee, they are responsible for presiding over the committee and ensuring the committee acts within the delegations set by Council.

Elected members are required to comply with the [Standing Orders](#) and [the Code of Conduct](#).<sup>37</sup> The Standing Orders govern meeting procedures and conduct during meetings.

They are also bound by the following legislation:

- Local Government Act 2002
- Local Authorities (Members' Interests) Act 1968
- Local Government Official Information and Meetings Act 1987
- Secret Commissions Act 1910
- Crimes Act 1961
- Securities Act 1978
- New Zealand Bill of Rights Act 1990

## 6. Governance structures and processes, membership and delegations

### Governance structures and membership

At the end of each triennium committees, sub-committees and joint committees constituted under the Local Government Act 2002 are automatically dissolved unless Council resolves otherwise at a formal meeting. As soon as possible after the election, new structures and delegations are established at a formal meeting.

At Council's meeting on 14 February 2023 it resolved to adopt the structure set out in [Appendix 2: Committee structure 2022-2025](#). An updated terms of reference to accompany the committee structure is to be adopted in March 2023.

Further details about the role of these committees and their delegations can be found in Council's Governance Manual.

Council has also established a number of advisory groups and iwi working parties:

- Tūpoho Working Party
- Tamaūpoko Link

### Delegations

Council is assigned powers to act by a wide range of legislation. In order to promote efficiency Council may delegate some of these powers to Council committees or the Whanganui Rural Community Board.

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<sup>36</sup> Section 41(3) Local Government Act 2002

<sup>37</sup> Clause 16(1) and 15(4), Schedule 7, Local Government Act 2002

Please refer to Council's Governance Manual for further information on the powers delegated to Council, Council committees and the Whanganui Rural Community Board.

## 7. Consultation policies

The prime purpose of consultation is to enable the effective participation of individuals and communities in the decision-making of their local authorities.

Local authorities have discretion<sup>38</sup> to determine how to consult in a way that is proportionate to the significance of the matter as determined by the [Significance and Engagement Policy 2021](#). Council also have discretion to determine how closely to follow the [principles of consultation](#).<sup>39</sup>

All local authorities are required to adopt a Significance and Engagement Policy.<sup>40</sup> The Significance and Engagement Policy sets out how local authorities determine the significance of proposals and decisions, the criteria to be used to determine significance, and how the local authority will engage with the community on matters important to it.

Council are required to provide those who will be affected by a decision with an opportunity to have their views heard and Council needs to receive those views with an open mind.

Consultation can be carried out in a variety of formal and informal ways, such as but not restricted to: community surveys, non-binding referenda, focus groups and through online media. The method and extent of consultation will vary from issue to issue.

Council is also legally required to establish and maintain processes to enable Māori to contribute to decision-making processes.<sup>41</sup> Council has partnership agreements with Te Rūnanga o Tamaūpoko, Te Rūnanga o Tūpoho, and regular meetings are held as part of the relationship.

Council regularly provide opportunities for the community to have input into key strategic decision-making processes through the Long-Term Plan (conducted three-yearly), Annual Plan (conducted annually), Representation Review (due 2024) and the District Plan review process. Council may also request community feedback in other circumstances, such as when policies, strategies and bylaws are created and updated.

## 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). In addition, Council are required to adopt Standing Orders. Standing Orders provide further detail as to the application of the above Acts, as well as codifying other meeting practices ([link](#)).

Public notice of all ordinary meetings of Council or Committee, providing the time and place of the meeting, must be given at least 14 days before the meeting is to take place. Notice may be issued much sooner if an extraordinary meeting is required.

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<sup>38</sup> Section 79 Local Government Act 2002

<sup>39</sup> See section 82 Local Government Act 2002

<sup>40</sup> Section 76AA, Local Government Act 2002

<sup>41</sup> Section 81, Local Government Act 2002



All public meeting agendas are made available at least two clear working days before a meeting. When an item is to be discussed in the public excluded section of the meeting, the reasons for excluding the public will be provided in the public agenda. Public excluded agendas and minutes are not published, although Council may choose to release public excluded items after a meeting.

All Council and Committee meetings are open to the public by default, although meetings may be conducted without the public in specific circumstances. A full list of reasons for withholding information from the public in meetings and conducting a meeting in public excluded is provided [here](#) and [here](#). The most commonly used reasons for exclusion are related to protecting commercially sensitive information, negotiations, and privacy of natural persons.

The Mayor or committee chairperson is responsible for maintaining order at meetings and ensuring the meeting runs according to [Standing Orders](#).

In addition, the Code of Conduct sets out standards of behaviour expected of elected members including while in meetings. (Links to Code of Conduct for [Council](#) and the [Whanganui Rural Community Board](#))

At the start of all meetings, time is allotted for a public forum. Public forums allow the public to present matters for consideration by Councillors. Public forums are the only opportunity for the public to directly speak to elected members at meetings. If you wish to speak at a public forum, please get in touch with the Democracy Services and Advice team as early as possible in order to ensure your petition or deputation goes smoothly.

Council is required to keep minutes for all meetings as evidence of meeting proceedings. All minutes must be made publicly available, subject to the provisions of the Local Government Official Information and Meetings Act 1987. Minutes are published online as soon as possible after all meetings.

## 9. Partnering with Māori

Council works with Tangata Whenua/Hapū and Crown-legislated Iwi to build community in a mutually appropriate way. This approach is especially important in infrastructure planning, environmental management and development. Council's policy direction and planning processes takes into account effective engagement with hapū and iwi entities – as well as marae and whānau as required. The approach is based on partnership and participation at the strategic and operational levels.

A formal partnership agreement exists between the Council and Te Rūnanga o Tūpoho with a review of the document to commence in the next reporting period. A review of the existing partnership agreement with Te Rūnanga o Tamaūpoko was progressed during the year, and a revised relationship framework document has now been completed. Council meets separately with both Rūnanga on a six-weekly basis, scheduled throughout the year, with a focus on all levels – political, social, economic and environmental – for the benefit of the whole district.

Te Rūnanga o Tūpoho is the tikanga mandated Iwi authority within the Tūpuna Rohe o Tūpoho. This is recognised by Council distinct from other entities who engage with Council.

The enactment of the Te Awa Tupua (Whanganui River Claims Settlement) Act 2017 has provided legislative responsibilities for Council, including an appointment to the strategy group, Te Kōpuka. Council officers also attend regular hui of the Te Awa Tupua Technical Advisory Group (TAG) that contributes to the provision of support to Te Kōpuka.

Progress continues to be made both in terms of our organisational understanding of the Te Awa Tupua Act through the Te Pūwaha Project (Port Revitalisation Project), and the relationships being built with Iwi. Representatives from across the Executive Leadership Team and senior management (Roading, Property, Finance, Projects, Regulatory & Planning), have attended hui in order to provide advice, but more importantly to develop and build on relationships with Iwi.

Of equal significance, progress has been seen between the organisation and the Whanganui Land Settlement Negotiations Trust (WLSNT) with work having been advanced on matters of significance including finalising the relationship agreement, the exploration of Toitū te Whānau and the support of other meaningful connections between us both.

Council has endeavoured to strengthen and develop its strategic relationships with Māori through Māori statutory entities including Ngā Tāngata Tiaki o Whanganui; Te Kaahui o Rauru; Te Rūnanga o Ngā Wairiki Ngāti Apa, and Ngāti Rangī.

Operational engagement hui are conducted on a monthly basis with both Tūpoho and Tamaūpoko. The operational engagement team advises, enables and supports key projects within infrastructure and policy i.e. roading changes and Town Regeneration.

Council engages with iwi and hapū across the region within our ongoing relationships as part of normal business activities. This includes (but is not limited to) the following:

- A formal relationship with hapū and iwi through the Te Matapihi ki Tangaroa Accord with a focus on protecting the marine environment.
- The joint Council-Tūpoho Whānau Trust-Sustainable Whanganui partnership which continues to operate the Whanganui Resource Recovery Centre.

## 10. Management structure and relationship between management and elected members

Elected members provide oversight and governance, while the Chief Executive is responsible for the day-to-day operations of Council.

The Council is required to appoint a Chief Executive<sup>42</sup>. The Chief Executive is technically the only employee of the Council. The Chief Executive is responsible for a range of functions, including but not limited to: managing local authority functions including Council staff, advising elected members and implementing the local authority's decisions.

The Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about a staff member must be directed to the Chief Executive.

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<sup>42</sup> S42, Local Government Act 2002

The Chief Executive is assisted by the Executive Leadership Team. The Executive Leadership Team are comprised of:

- Chief Executive: David Langford
- Deputy Chief Executive: Lance Kennedy
- General Manager People and Transformation: Catherine Dutton
- General Manager Community and Customer Experience: Marianne Cavanagh
- Chief Financial Officer: Mike Fermor
- General Manager Community Property and Places: Sarah O'Hagan

A link to contact details for the Chief Executive and the Executive Leadership Team is here: [\(link\)](#).

#### 11. Remuneration and employment policy (if applicable)

Whanganui District Council does not currently have a remuneration and employment policy.

#### 12. Equal employment opportunities policy

Whanganui District Council has an equal employment opportunities policy. Please see the following link for more information: [Careers Whanganui District Council](#)

#### 13. Key planning and policy documents and process for reviewing

Key documents

- [Long-Term Plan 2021-2031](#)
- [Annual Plan 2022/23](#)
- [Annual Report 2021, 2020](#)
- [Leading Edge Strategy](#): The Leading Edge Strategy is the overarching document governing the strategic vision for Council and the Whanganui community
- [Significance and Engagement Policy 2021](#): Council is legally required to adopt a Significance and Engagement Policy under s76AA of the Local Government Act 2002. The Policy sets out how Council determines the significance of a proposal and how Council will engage with the community
- [Whanganui District Plan](#)
- [Economic Development Strategy](#)
- [Infrastructure Strategy 2021-2051](#)

Triennial Agreement

Council is required to adopt a Triennial Agreement setting out the protocols for communication and co-ordination of activities between more than one district.

A copy of the 2022-2025 Triennial Agreement can be found at Appendix Three.

Processes for reviewing

The above strategies are regularly reviewed at least every three years. The Annual Plan is consulted upon annually, while the Long-Term Plan is generally reviewed three-yearly. The Significance and Engagement Policy was last reviewed in 2021 and is up for review in 2024.

#### 14. Systems for public access to Council and elected members

Contact information for Council's elected members can be found on the Council [website](#).

The contact information for Council is as follows:

101 Guyton Street, Whanganui 4500  
06 349 0001  
[yourcouncil@whanganui.govt.nz](mailto:yourcouncil@whanganui.govt.nz)

Whanganui District Council  
PO Box 637  
Whanganui 4541

Members of the public can also request engagement with Elected Members in formal meetings. If you wish to do so, please contact the Democracy Services and Advice Team to learn more on 06 349 3152 or at [democracy@whanganui.govt.nz](mailto:democracy@whanganui.govt.nz).

## 15. Processes for requests for local information

Members of the public can request information at any time. The majority of Council information is available on request or at the Council website.

Official information can be requested at the following link: [Request for information Whanganui District Council](#). Requests for information can also be emailed to [informationrequest@whanganui.govt.nz](mailto:informationrequest@whanganui.govt.nz).

The Council have 20 working days to respond to requests for information, although the timeframe can be extended in some circumstances. If this is required requesters will be informed.

Information requests should be as specific as possible so Council staff can locate the information quickly.

Requesting official information is generally free. However, if a request will take a lot of staff time to research and compile or a lot of information is required, the Council may charge. Requesters will be informed before a charge is incurred.

Sometimes the information requested cannot be released. If this is the case, the requester will be informed of the decision and the reasons for non-release. The most common reasons for withholding information are:

- Protecting the privacy of natural persons
- Enabling the Council to carry out its commercial activities
- Protecting commercially sensitive or confidential information
- Maintaining legal privilege

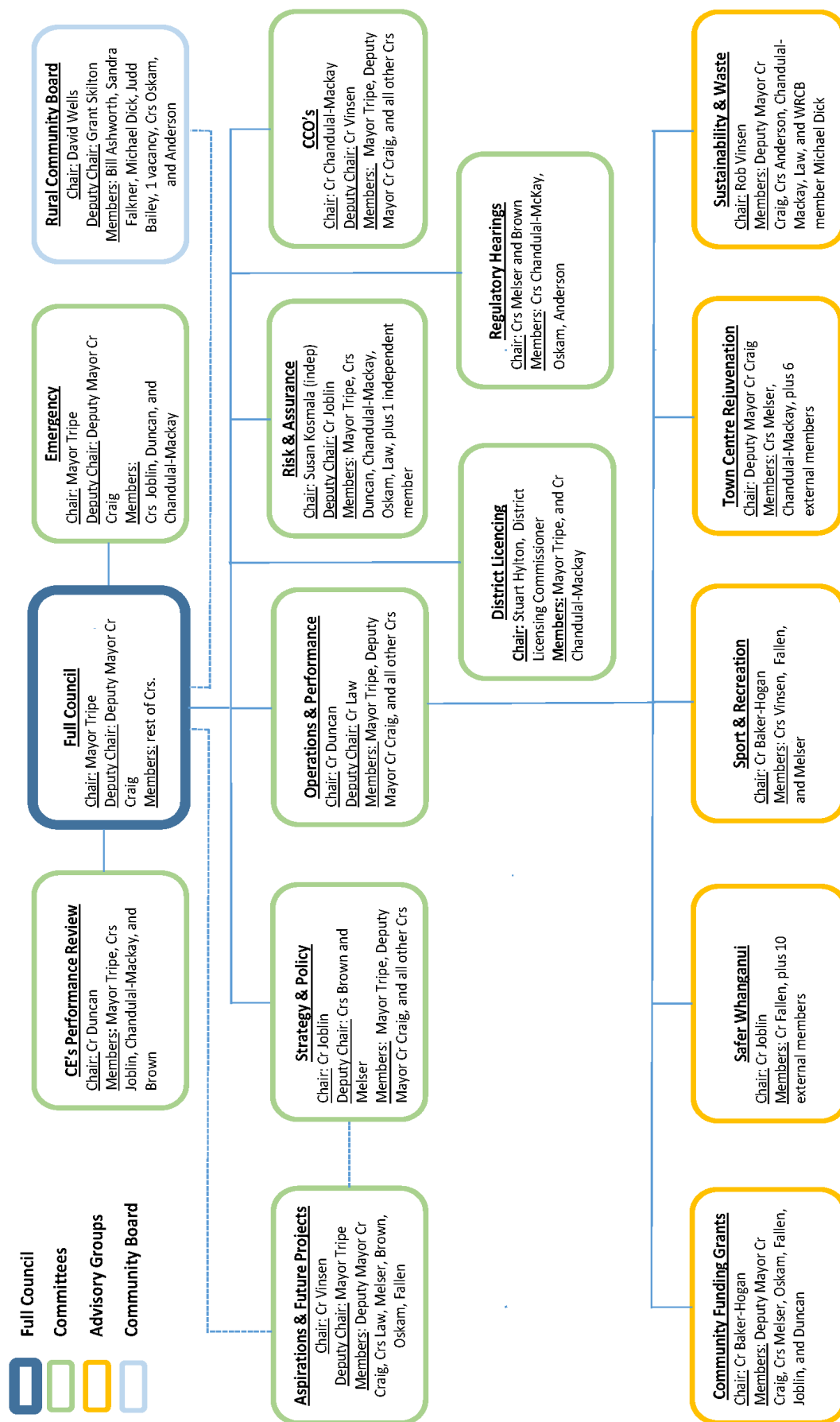
## Map of subdivisions

### Populations

|                       |      |
|-----------------------|------|
| Whanganui Subdivision | 1140 |
| Kai Iwi Subdivision   | 2650 |
| Kaitoke Subdivision   | 1940 |
| Total population      | 5730 |



## Appendix 2: Committee structure 2022-2025





# Triennial Agreement for the Manawatū-Whanganui Region 2022-25

## Purpose

The signatories are committed to working together to promote the social, economic, environmental, and cultural wellbeing of their communities—in accordance with principles of sustainable management for current and future generations, and of the Treaty of Waitangi.

The purpose of this Triennial Agreement (the Agreement) is to ensure appropriate communication, coordination and collaboration between local authorities within the Manawatū-Whanganui Region.

This Agreement is established under section 15 of the Local Government Act 2002 (LGA). It is effective until such time as it is either amended by the agreement of all parties or is renewed following the 2025 local authority elections (and no later than 1 March 2026).

## Parties

The signatories to this agreement comprise *principal signatories* (those local authorities whose boundaries are completely or primarily encompassed within the Manawatū-Whanganui Region and who primarily identify with that region) and *non-primary signatories* (those local authorities whose boundaries bisect the Manawatū-Whanganui Region but whose principal identification is with another region).

### Principal Signatories:

- Manawatū-Whanganui Regional Council (Horizons)
- Horowhenua District Council
- Manawatū District Council
- Palmerston North City Council
- Rangitīkei District Council
- Ruapehu District Council
- Tararua District Council
- Whanganui District Council

### Non-primary Signatories:

- Taupō District Council
- Waitomo District Council
- Stratford District Council

This Agreement is binding on all local authorities of the Manawatū-Whanganui Region. It is recognised that non-primary signatories retain discretion over the extent of their involvement, in proportion to the extent to which issues and decisions under consideration affect them.

## Working Together

This Agreement focuses on responding to issues and opportunities facing our communities and local environment. The parties agree to work together in good faith for the good governance and sustainable development of their local areas and the region as a whole.

Signatories to this Agreement recognise that obligations to the Treaty of Waitangi, and to provide opportunities for Māori to contribute to local decision-making, extend to regional cooperation and joint decision-making. Central Government, too, has overlapping but distinct priority areas. The parties will seek to collaborate on matters of shared interest.

The wellbeing of our communities and health of our environment are best served by local authorities working together. We face increasingly complex governance issues, many of which cannot be resolved by any one organisation acting alone. Cooperation is necessary to tackle challenges such as:

- Delivering better social outcomes for communities, through affordable housing, well-functioning urban environments, infrastructure, and transport links;
- Improving the resilience of our environment and communities to the effects of climate change;
- Improving the health of our ecosystems and waterways;
- Supporting the development of a vibrant, sustainable regional economy.

The parties value and will maintain open communication, collaboration and trust, applying a 'no surprises' policy by ensuring other parties receive early notification of significant proposals that may affect them and their communities, and of divergent views on proposed decisions before critical public announcements are made.

Collaboration and cooperation between local authorities can yield administrative efficiencies, allowing for better use of available resources and more effective community participation. The parties undertake to work together toward common priorities and community outcomes, and making efficient use of resources, in accordance with LGA s14(1)(e).

While collaboration and cooperation are desirable, the region's communities and landscapes are diverse, and each local authority has the legislative mandate to govern its own area as appropriate.

## Governance

The primary mechanism to implement this Agreement is the Manawatū-Whanganui Mayoral Forum (the Mayoral Forum), comprised of the region's Mayors and the Chair of Horizons Regional Council. The Forum will meet quarterly and operate in accordance with its agreed terms of reference, which



are attached at Appendix One.

The Manawatū-Whanganui Mayoral Forum will:

- Provide governance oversight of our response to regionally significant challenges;
- Promote understanding and alignment of effort across councils, with central government, and with tangata whenua;
- Advocate for the interests of the region, its councils and communities.

The Mayoral Forum will be supported by the Manawatū-Whanganui Chief Executives Forum. The Chief Executives Forum will:

- Identify and escalate to the Mayoral Forum strategic issues and opportunities for collaboration;
- Report to the Mayoral Forum on the delivery of its agreed actions, work programmes or collaborative projects.

Other groups will support regional coordination:

- The Climate Action Joint Committee is to continue. Terms of Reference are attached at Appendix Two.
- Regional Transport Committee is to continue, as required by s105(2) of the Land Transport Management Act 2003.
- For the avoidance of doubt, Manawatū-Whanganui Civil Defence and Emergency Management Group will continue, as required by s12 of the Civil Defence Emergency Management Act 2002.
- The Accelerate 25 Lead Team will continue to progress regional economic development.
- The Regional Leadership Group, convened by the Ministry for Social Development, will bring together senior officials from central and local government, tangata whenua, and other community groups with a focus on social wellbeing, health, and education.

These arrangements complement other mechanisms for inter-council collaboration, such as Local Government New Zealand, Taituarā, the Association of Local Government Information Management, the Institute of Public Works Engineering Australasia, the Local Authorities Public Relations Network, and the Manawatū-Whanganui Local Area Shared Services CCO (MWLASS).

### Recognition of Resolutions by Joint Committees

Within the parameters set through legislation – and acknowledging each local authority's mandate to govern in its own area – the parties agree to:

- Have particular regard to resolutions made by joint committees in developing policies, determining priorities, and allocating resource;
- Progress to the fullest possible extent actions identified through joint planning and decision-making arrangements.

### Servicing and Support

Horizons will host a permanent secretariat to support the Manawatū-Whanganui Mayoral Forum. The secretariat will be funded jointly by participating councils.

### Significant New Activities

When a party is considering a major policy initiative or proposal that may have implications for other parties, and unless such disclosure is inconsistent with the Local Government Official Information and Meetings Act 1987 or commercial confidences precludes such disclosure, they will give early notification to the affected parties and share the information with the Mayoral Forum and the Chief Executives Forum.

Horizons Regional Council will provide early advice to the Chief Executives Forum and the Mayoral Forum of any significant new regional council activity, in addition to other requirements specified in LGA s16.

### Significant Facilities and Services

The Mayoral Forum and Chief Executives Forum may from time to time explore options for identifying, delivering and funding facilities and services of significance to more than one district. Any Party to this Agreement may raise these issues for consideration.

### Consultation in Relation to Resource Management Act 1991 (RMA) Policy and Plans

The following consultation process will apply to the preparation of a new, or change, variation, or review of an existing, regional policy statement, regional plan or district plan by a local authority in the Region:

- The Regional Council will seek the input of territorial authorities, and vice-versa, for the preparation or review of the regional policy statement, or regional or district plan.
- For the regional policy statement or a regional plan, the Regional Council will make the draft version available to all territorial authorities in the Region for discussion and development.
- The parties to this Agreement acknowledge their obligation to act in accordance with the principles of consultation set out in LGA s82.

In addition, the parties agree to cooperate in implementing national policy statements, to ensure alignment of regional and district policies and plans, as well as efficiency of process. The parties undertake to report, through Chief Executives, to the Mayoral Forum on opportunities to share information, jointly commission advice, or otherwise pool effort in order to give effect to national direction within appropriate timeframes and in a practicable way.

### Other Agreements

This Agreement does not prevent the Parties from entering into other agreements among themselves or outside the Manawatū-Whanganui region. Any other such agreement should not, however, be contrary to this Agreement.

## Resolving Disagreement

All parties to this Agreement are committed to working strenuously, in good faith, to resolve any disagreements that may arise in relation to its application. Where a party has a significant disagreement with the position of the others, all parties will make every effort to accommodate, acknowledge or at least fairly represent the dissenting view.

In the event of a disagreement over the actions taken to give effect to this Agreement that cannot be successfully resolved by affected parties, the parties agree to refer the issue of disagreement to mediation. Should agreement on a mediator not be possible, a mediator will be appointed by the president of the Manawatū Branch of the Law Society. If mediation is unsuccessful, any of the local authorities affected may ask the Minister of Local Government to make a binding decision on the proposal. The cost of mediation will be met equally by the parties that have agreed to the mediation.

## Agreement to Review

This Agreement remains in force until local authorities ratify a new agreement.

Any party may request an amendment to this Agreement by writing to the Chair of the Mayoral Forum at least two weeks before a regular quarterly meeting of the Forum. The Mayoral Forum will review the Agreement no later than the final meeting before triennial local body elections and recommend any changes to the incoming councils.

Any agreed amendment will be referred to each local authority for ratification. No amendment to this Agreement has effect until signed by all parties.

## Statutory Requirements

This document is deemed to duly constitute fulfilment of section 14(1)(e), 15 and 16 of the LGA, and Schedule 1 Clause 3A(1) of the RMA.

## Authority

This Agreement is signed by the following on behalf of their respective authorities.

# Appendix One

## Manawatū-Whanganui Mayoral Forum

### Terms of Reference

#### Statement of Purpose

The purpose of the Manawatū-Whanganui Mayoral Forum is to support effective leadership on shared priorities and matters of importance to the region's communities.

#### Objectives

The Manawatū-Whanganui Mayoral Forum has the following objectives:

- To enable Manawatū-Whanganui councils to work more collaboratively in response to regionally significant challenges and opportunities;
- To provide a forum for engagement between councils, central government, tangata whenua, and other leaders in the region;
- To explore, with iwi and hapū, how governance relationships might be further progressed in future;
- To provide a collective voice to advocate for and raise the profile of these issues and opportunities;
- To increase the effectiveness of local government in meeting the needs of Manawatū-Whanganui communities;
- To develop and implement programmes (including joint plans where appropriate), which are responsive to the needs and expectations of the community; and
- To prepare for institutional changes, such as joint planning arrangements, and oversee preliminary work to inform joint strategies and plans.

#### Principles

In pursuit of these objectives the Manawatū-Whanganui Mayoral Forum will observe the following principles:

- Establish and maintain close liaison with other local government networks to ensure as far as possible the pursuit of common objectives and the minimisation of duplication;
- Establish and maintain close liaison with Ministers of the Crown and local Members of Parliament;
- Recognise that obligations to the Treaty of Waitangi, and opportunities for Māori to contribute to local decision-making, extend to regional cooperation and joint decision-

- making;
- Work towards shared positions on issues of mutual concern, formalising these through letters of support, submissions and/or public statements as appropriate;
  - Exercise its functions with due regard to the tangata whenua and cultural diversity of the community;
  - Establish processes for reporting back to its respective councils and communities.

## Powers

The Manawatū-Whanganui Mayoral Forum shall have the power to:

- Make submissions and undertake advocacy to external organisations on matters germane to the Committee's objectives;
- Engage with key agencies and neighbouring regions on matters relating to the Committee's objectives;
- Recommend to the parties actions that materially contribute to attainment of the Committee's objectives

## Membership

Membership shall be open to the eight councils wholly or primarily within the Manawatū-Whanganui Region (Horowhenua District Council, Palmerston North City Council, Manawatū District Council, Rangitīkei District Council, Whanganui District Council, Ruapehu District Council, Tararua District Council, Manawatū-Whanganui Regional Council (Horizons)).

Each member council shall be represented by its Mayor (or Chair in the case of the Regional Council) and supported by its Chief Executive. On occasions where the Mayor or Chair cannot attend, a council may be represented by its Deputy Mayor or Chair.

The Mayoral Forum will have the power to co-opt other members on a permanent and/or issues basis.

## Election of Chair

The Manawatū-Whanganui Mayoral Forum shall select a Chair and Deputy Chair at the first meeting immediately following the Triennial Elections. These appointments may be reviewed after a period of 18 months.

The Chair selected will preside at all meetings of the Mayoral Forum.

The Mayoral Forum may appoint spokespersons from its membership for issues being considered, in which case each member council agrees to refer all requests for information and documents to the duly appointed spokespersons.

## Meetings

Meetings will be held quarterly at Regional House in Palmerston North, unless otherwise advised. Special meetings may be called at the request of members.

The secretariat will prepare an agenda for Mayoral Forum meetings in consultation with the Chair and the Chief Executives Forum.

Agendas for meetings will be issued and minutes will be taken and circulated.

### Quorum

The quorum will consist of four members (half the number of members including vacancies).

Meetings may be held in person or by other means (such as audiovisual link) as the Committee agrees and where permissible under New Zealand law and the standing orders of the parties.

### Decision making

The practice of the Forum will be to determine issues before it by consensus.

If the consensus is to determine issues by voting, the determination shall be determined by a majority of votes of members attending the meeting.

### Remuneration and expenses

Each party shall be responsible for remunerating its representative on the Committee.

### Secretariat

The Manawatū-Whanganui Mayoral Forum will appoint Manawatū-Whanganui Regional Council to carry out the secretariat function on such terms and conditions as it shall decide for the discharge of duties, including the taking of minutes and the keeping of any books and accounts and attending to any other business of the forum.

### Variations to this Agreement

Amendments to this agreement may be required from time to time. Changes will be approved by the parties, on the recommendation of the Mayoral Forum.

# Appendix Two

## Climate Action Joint Committee

### Manawatū-Whanganui Region

### Terms of Reference

#### Statement of Purpose

The purpose of the Climate Action Joint Committee is to support a coordinated response to climate change across the councils and communities of the Manawatū-Whanganui Region.

It is established in accordance with clauses 30 and 30A of Schedule 7 to the Local Government Act 2002.

#### Objectives

The Climate Action Joint Committee's operating objectives are to:

- Collaborate on action to build organisational, community, and regional resilience in the face of climate change;
- Make use of available environmental, social, cultural and economic research, skills and capabilities to leverage opportunities and mitigate the impacts of climate change;
- Develop a climate action plan, including recommended actions for councils to contribute to mitigation of greenhouse gas emissions and to support community resilience to the effects of climate change
- Work collectively as a region to engage with Central Government, including any actions to deliver on responsibilities under the National Adaptation Plan and Emissions Reduction Plan, and to support a Just Transition for our region;
- Promote consistent and effective leadership, advocacy, communication and engagement on climate change issues to enable individual and collaborative action;
- Champion the integration of partner strategies, programmes, and plans and encourage partnerships with iwi and others in central and local government, health, education, youth, NGOs and business;
- Oversee implementation of agreed joint projects;
- Share climate change evidence and guidance to inform council work programmes and support explicit consideration of climate change impacts in decisions; and
- Monitor and report annually on implementation of the joint action plan.

#### Powers

The Climate Action Joint Committee does not have the power to legally bind any council to any act or decision, unless that act or decision has been agreed to by decision of that council. Within that context, the parties agree to:

- Have particular regard to the recommendations of the Committee in developing policies, determining priorities, and allocating resource;
- Progress, to the fullest possible extent, actions identified through joint planning and decision-making arrangements.

The Climate Action Joint Committee shall have the power to:

- Receive regular monitoring reports and presentations on the matters relevant to the Committee's objectives;
- Develop, adopt, and progress a joint climate action plan;
- Make of submissions and undertake advocacy to external organisations on matters germane to the Committee's objectives;
- Engage with key agencies and neighbouring regions on matters relating to the Committee's objectives;
- Recommend to the parties actions that materially contribute to attainment of the Committee's objectives;
- Receive any grant or subsidy;
- Receive financial contributions from member authorities, as may be mutually determined and acceptable to individual local authorities; and
- Determine and make payments from its funds for any or all of the purposes of its objects.

### Council decisions on the Joint Committee's recommendations

Where a Council makes specific decisions on the Climate Action Joint Committee's recommendations, these will be reported to the Joint Committee by its delegate. Where the decision is materially different from the Joint Committee's recommendation the report will set out the reasons for that decision.

### Committee Membership

The Committee consists of the following members:

- The Mayor/Chair or designated delegate of each local authority within the Manawatū-Whanganui Region (total 8 members); and
- Up to eight non-Councillor members, to represent the views of Tangata Whenua. These appointments will be made by Horizons on the recommendation of iwi leaders, taking into consideration their skills, attributes or knowledge that will assist the work of the Committee.

This Committee may invite advisers to attend relevant portions of the Committee's business.

### Election of Co-Chairs

The committee will elect Co-Chairs by the system described in clause 25(4) Schedule 7 of the Local



Government Act 2002.

The governance group will have two Co-Chairs:

- A Councillor member of the group, and
- A Tangata Whenua member of the group.

Each Co-Chair shall preside on an alternate basis. If a Co-Chair is absent from a meeting at which they are scheduled to be the presiding member, the other Co-Chair shall preside at the meeting.

## Meetings

The Committee will sit at least twice each year.

Special meetings may be called at the request of members.

Agendas for meetings will be issued and minutes will be taken and circulated.

Approved minutes and approved final reports and papers will be made available via Horizons' website and a Microsoft Teams portal.

## Quorum

The quorum will consist of:

- Half of the members if the number of members (including vacancies) is an even number; or
- A majority of members if the number of members (including vacancies) is an odd number.

Non-elected positions to which no appointment has been made are not considered to be vacancies for the purposes of forming a quorum.

Meetings may be held in person or by other means (such as audiovisual link) as the Committee agrees where permissible under New Zealand law and the standing orders of the parties.

## Decision making

The practice of the Forum will be to determine issues before it by consensus.

If the consensus is to determine issues by voting, the determination shall be determined by a majority of votes of members attending the meeting.

## Remuneration and Expenses

Each party shall be responsible for remunerating its representative on the Committee.

Tangata whenua members shall be eligible for compensation for Joint Committee activity including travel and attendance at meetings.

## Standing Orders

The Committee shall apply the standing orders of Manawatū-Whanganui Regional Council.

## Duration

In accordance with clause 30(7) of Schedule 8 of the Local Government Act 2002, the Climate Action Joint Committee is not to be discharged following each triennial local government election.

## Variations to this Agreement

Amendments to this agreement may be made by resolution of the Manawatū-Whanganui Mayoral Forum, on the recommendation of the Climate Action Joint Committee.