



Tauranga City

TAURANGA CITY COUNCIL

LOCAL GOVERNANCE STATEMENT

2016-2019

Dated 30 March 2017

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TAURANGA CITY COUNCIL LOCAL GOVERNANCE STATEMENT 2016-2019

The Local Governance Statement is prepared in accordance with section 40 of the Local Government Act 2002 ("the Act"). It contains information relating to Tauranga City Council's democratic processes, how we engage with our community, how we make decisions, and how citizens can influence Council's decisions, and includes:

- Functions, responsibilities and activities of Tauranga City Council,
- Local legislation,
- Bylaws,
- Electoral system and the opportunity for change,
- Representation arrangements (wards, boundaries, reviews),
- Roles and conduct of elected members,
- Governance structures and processes,
- Membership of Council committees and delegations,
- Meeting processes (with reference to the Local Government Official Information and Meetings Act 1987 and Standing Orders),
- Policies for liaising with, and memoranda or agreements with Māori,
- Consultation Policies,
- The management structure and relationship between management and elected members,
- Equal Employment Opportunities Policy,
- Key approved planning and policy documents and the process for their development and review,
- Systems for public access to the Council and its elected members,
- Processes for requests for official information.

Functions, Responsibilities and Activities of Tauranga City Council

The purpose of Tauranga City Council ("Council") is to enable democratic local decision-making and action by, and on behalf of, communities; and to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

In meeting its purpose, Council's roles are to:

- Ø Facilitate solutions to local needs,
- Ø Advocate on behalf of the local community with central government, other local authorities and other agencies,
- Ø Sustainably develop and manage the community's assets,
- Ø Plan for the future needs of the city,
- Ø Regulate various activities within the city,

- Ø Fund activities that provide benefit to the city's communities,
- Ø Ensure the reliable provision of those services that the community needs,
- Ø Monitor progress towards the achievement of the community's outcomes and the performance of Council's activities,
- Ø Ensure the community is well informed of issues affecting it,
- Ø Ensure that people have the opportunity to meaningfully participate in local decision making processes.

Local Legislation

Council exercises powers, functions and duties as described and conferred by local and other key legislation listed in Appendix A.

Bylaws

Council's bylaws, including a general description of them, when they were made and, if applicable, the date of their last review under s 158 or 159 of the Act are listed in Appendix B.

Electoral Systems

First Past the Post System

Council currently operates its elections under the first past the post (FPP) electoral system. Electors vote by indicating their preferred candidate(s), and the candidate(s) that receives the most votes is declared the winner regardless of the proportion of votes that candidate(s) obtained.

Single Transferable Vote System

The other option permitted under the Local Electoral Act 2001 is the single transferable vote (STV) system. This system is used in District Health Board elections (since 2004) and by some local authorities. Electors rank candidates in order of preference (1, 2, 3, 4 etc.). 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. The necessary number of candidates 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, and then by the exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters' second preferences.

Choice of Electoral System and Options for Change

Under the Local Electoral Act 2001, Council can resolve to change the electoral system to be used two years before a triennial election or conduct a binding poll on the question. Alternatively, electors can initiate a binding poll so long as at least five percent of electors have signed a petition for a poll. Once changed, an electoral system must be used for at least the next two triennial general elections.

Council last reviewed the electoral system in 2014. No change was made to Council's electoral system for the 2016 elections.

Representation Arrangements

Tauranga City is made up of three wards of approximately the same size population:

- Ø Te Papa / Welcome Bay,
- Ø Otumoetai / Pyes Pa,
- Ø Mount Maunganui / Papamoa.

Council has 11 elected representatives, with two councillors representing each ward, four councillors elected 'At Large' (city wide) and the Mayor. This remained unchanged following a review in 2015.

Further information about the Mayor and Councillors is available on Council's website: www.tauranga.govt.nz

Māori Wards

The Local Electoral Act 2001 gives Council the ability to establish separate wards for Māori electors. Council may resolve to create separate Māori 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 five percent of electors within the city.

Council last considered whether or not to have separate Māori wards in July 2016 as part of its Representation Review. Council decided not to have separate Māori wards for the 2016 elections.

Community Boards

Council currently has no Community Boards.

Representation Review

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

- Ø the number of elected members (within the legal requirement to have a minimum of six and a maximum of 30 members, including the Mayor),
- Ø whether the elected members (other than the Mayor) shall be elected by the entire city ("at large"), or whether the city will be divided into wards for electoral purposes, or whether there will be a mix of 'at large' and 'ward' representation,
- Ø if election by wards is preferred, then the boundaries and names of those wards and the number of members that will represent each ward,

- Ø whether or not to have separate wards for electors on the Māori roll, if Council has previously decided to have Māori wards, or a poll of electors found in favour of Māori wards,
- Ø 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 persons interested in the proposal the right to make a written submission to Council, and the right to be heard if they wish.

Any person who or organisation that has made a submission on the proposal has the right to appeal/object to any decisions on the above to the Local Government Commission, who 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, which was amended by the Local Electoral Amendment Act 2002 to provide for regular review of local authority representation arrangements.

Council last conducted a representation review in 2016. As a result of the review, the Local Government Commission determined the representation arrangements for Tauranga City Council which applied to the 2013 still stand and this applied to the 2016 elections.

The next Representation Review will be undertaken in 2021.

Local Government Reorganisation

The Local Government Act 2002 sets out the procedure to be followed for reorganisation of local authorities. Part 3 of the Act (sections 20 – 37) sets out the structure of local government and provides for the reorganisation of local authorities. Schedule 3 of the Act outlines the process for dealing with reorganisation proposals.

Purpose of Local Government Reorganisation

The purpose of the local government reorganisation provisions are twofold. First, they are intended to improve the effectiveness and efficiency of local government by providing communities with the opportunity to initiate, and participate in considering alternative local government arrangements for their area. Secondly, they require the Local Government Commission, in consultation with communities, to identify, develop and implement in a timely manner the option that best promotes good local government.

Scope of Local Government Reorganisation

Reorganisation applications may be made for:

- Ø altering the boundaries of a local authority district or region,
- Ø transferring responsibilities from one local authority to another,
- Ø uniting districts or regions,
- Ø creating a new district or region,
- Ø abolishing any district or region,

- Ø a territorial authority becoming a unitary authority (a territorial authority with the responsibilities of a regional council).

Reorganisation Applications

Any person, body or group may make a reorganisation application to the Local Government Commission ('the Commission'). This includes any affected local authority and the Minister of Local Government. The Local Government Act 2002 specifies what a reorganisation application must contain, which includes a demonstration of community support (Part 1 of Schedule 3).

The Commission must decide whether to assess a reorganisation application and be satisfied that an application has demonstrable public support. If it has, the Commission is required to give public notice inviting alternative applications. The Commission must identify the reasonably practicable options for local government in the affected area and select the option that best promotes good local government ('the preferred option').

Reorganisation Proposals

The Commission must develop the preferred option into a draft proposal, consult on the draft proposal, and then either (i) issue and notify a final proposal or (ii) identify another preferred option or (iii) decide not to issue a final proposal (and give notice of that decision and reasons for it).

Before deciding to issue a final proposal, the Commission must be satisfied that the final proposal is likely to have demonstrable community support in the district of each affected territorial authority.

Once a final proposal is notified, a poll may be demanded by a petition of 10% or more of affected electors enrolled in the district of a territorial authority. A poll of electors must be held in the affected area if the Commission is satisfied the petition meets the statutory requirements. If more than 50% of the valid votes cast in the poll support a final proposal then the Commission will prepare a Reorganisation Scheme. If not, the final proposal cannot proceed (Part 2 of Schedule 3 Local Government Act 2002).

Order in Council to give Effect to Final Proposals and Reorganisation Schemes:

A final proposal is given effect to by an Order in Council. The order must establish and provide for one or more transition bodies and transitional matters. It may also suspend any statutory requirement concerning a local authority.

A reorganisation scheme is given effect to by an Order in Council.

Local authorities must co-operate with, assist and provide information to the Local Government Commission concerning reorganisations.

Further information on these requirements can be found in the Local Government Act 2002. The Local Government Commission has also prepared guidelines on procedures for local government reorganisation: <http://www.lgc.govt.nz/lgcwebsite.nsf>

Roles and Code of Conduct of Elected Members

The **Mayor and Councillors** of Council have the following roles:

- Ø setting the policy direction of Council,
- Ø monitoring the performance of the Council,
- Ø representing the interests of the city (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 city),
- Ø employing the Chief Executive (under the Local Government Act 2002 the Council employs the Chief Executive, who in turn employs all other staff on its behalf).

The Mayor is elected by the city as a whole and, as one of the elected members, shares the same responsibilities as other members of Council. The role of the Mayor is to provide leadership to the other elected members and people in Tauranga City.

The Mayor has the power to appoint the Deputy Mayor, establish committees of the Council, and appoint the chairperson of each committee.

In addition, the Mayor has the following roles:

- Ø Presiding member (Chairperson) at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during Council meetings, as determined in Standing Orders,
- Ø Lead the development of the Long Term Plan, Annual Plan, policies and budgets for consideration by the elected members,
- Ø Advocate on behalf of the community. This role may involve promoting the community and representing its interest. Advocacy will be most effective where it is carried out with the knowledge and support of the Council,
- Ø Ceremonial head of Council,
- Ø Providing leadership and feedback to other elected members on their role and responsibilities,
- Ø Carrying out civic and ceremonial responsibilities associated with the position of Mayor,
- Ø Representing the Council at local, regional and national level, including Local Government New Zealand activities.

The Deputy Mayor may be appointed by the Mayor or (if the Mayor declines to exercise the power of appointment) by the Council, at the first meeting of the Council. The Deputy Mayor exercises the same roles as other elected members. In addition, the Deputy Mayor may perform all the responsibilities and duties of the Mayor with consent of the Mayor during temporary absence, or without consent where the Mayor is prevented by illness or other cause from performing duties, and when there is a vacancy in the office of Mayor. The Deputy Mayor may be removed from office by resolution of Council.

Council may create one or more committees of Council. **The Committee Chairperson** is responsible for presiding over meetings of the committee and ensuring that the committee acts within the powers delegated by Council, as set out in the committee's Terms of Reference. A committee chairperson may be removed from office by resolution of Council.

Elected members have specific duties and obligations relating to their conduct in the following legislation:

- Ø Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer in respect of the Chief Executive and to abide by the Council's Code of Conduct and Standing Orders,
- Ø 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),
- Ø The Secret Commissions Act 1910, which prohibits elected members from using their office for improper gain, such as accepting gifts or rewards which could be seen to influence them to perform their duties in a particular way,
- Ø The Crimes Act 1961 includes offences relating to accepting or obtaining gifts or bribes to act in a certain way and the use of official information for advantage or pecuniary gain when acting in an official capacity,
- Ø The Securities Act 1978 and the Financial Markets Conduct Act 2013 which includes penalties for making untrue statements relating to investment statements issued to the public.

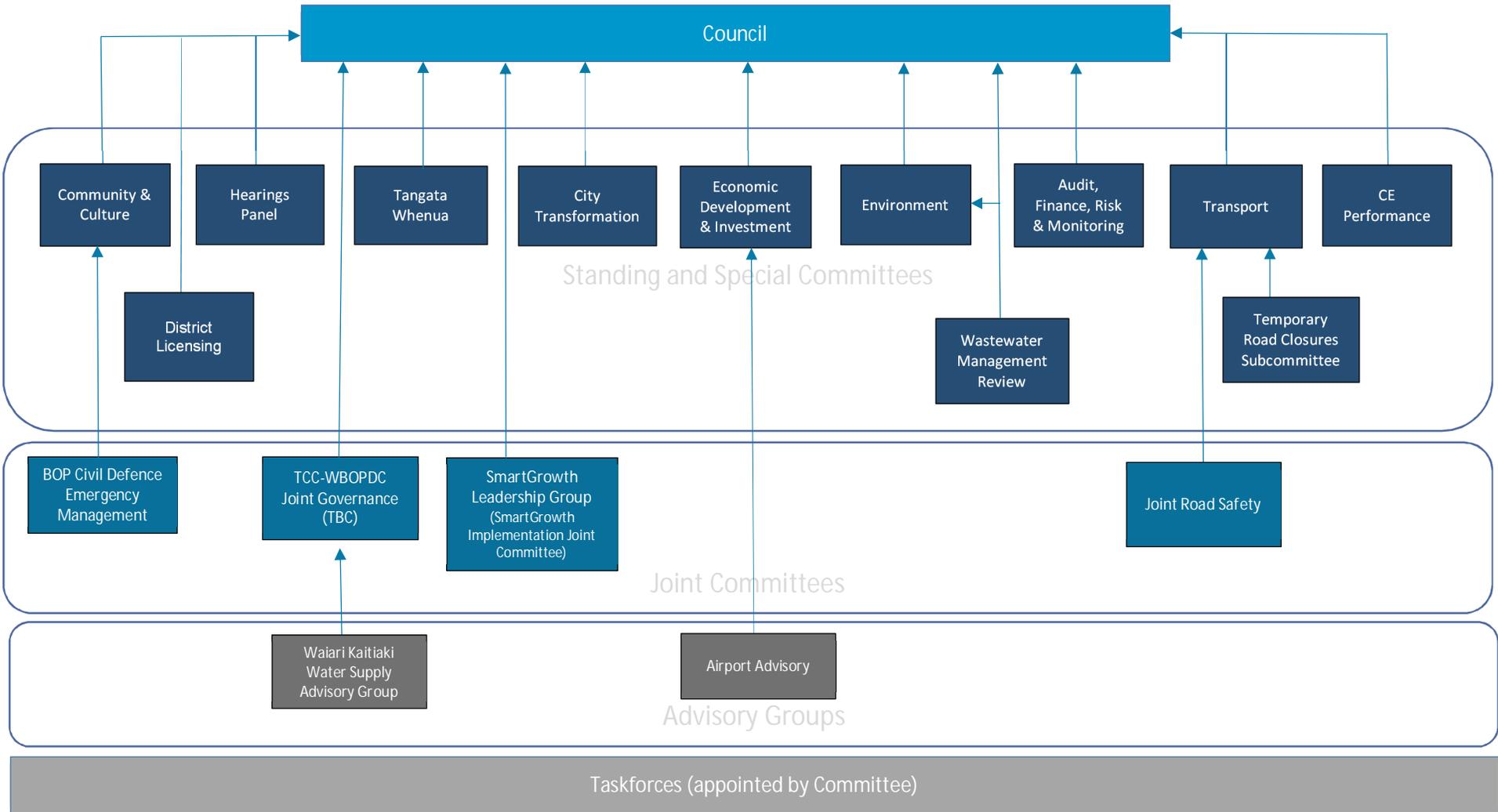
All elected members are required to adhere to a **Code of Conduct**. Adopting such a code is a requirement of the Act. Once adopted, the Code of Conduct may be amended by a 75 per cent or more vote of the Council. The Code sets out the Council's understanding and expectations of how the Mayor and Councillors 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 in the possession of, elected members and contains details of the sanctions that the Council may impose if an individual breaches the Code.

Copies of the Code of Conduct may be obtained from the Team Leader: Governance Services or the Council's website www.tauranga.govt.nz

Governance Structures

Council reviews its committee structure after each triennial election. At the last review in 2016, Council agreed the following committee structure:

Committee Structure 2016-2019



Further details on these committees, including their scope of activities, membership and meeting schedule and the delegations to those committees can be obtained from the Team Leader: Governance Services or from Council's website.

Council may also, from time to time, establish committees or sub committees to consider a particular issue or issues.

Council Controlled Organisations

The following organisations as defined under Part 1 Section 6 of the Local Government Act 2002 ("the Act") have been identified as "Council Controlled Organisations" (CCO).

Organisation	Council Appointed Member
Western Bay of Plenty Visitor and Tourism Trust trading as Tourism Bay of Plenty	Des Hammond (Chair), Tania Bui (deputy Chair), Oliver Moorcroft, Will Wilson, Peter Moran, Michelle Malcolm, Janine Hellyer, Anne Blakeway
Tauranga Art Gallery Trust	Peter Anderson (Chair), Judith Stanaway, Mary Stewart, Simon Clarke, Sonya Korohina, Rebecca Graham
Bay Venues Limited	Peter Farmer (Chair), Murray Gutry, Keith Tempest, Shirley Baker, Graeme Elvin, Dean Waddell
Bay of Plenty Local Authorities Shared Services (BOPLASS Limited)	Director - Chief Executive, Tauranga City Council (along with 8 other representative CE directors, and 1 independent Director and Chair, Craig O'Connell
New Zealand Local Government Funding Agency Limited	TCC may nominate a potential director, however does not have the power to appoint as it does not have a controlling share.

Monitoring Requirements

Under Section 65(1) of the Act, Council is required to regularly monitor the performance of Council Organisations and Council Controlled Organisations to evaluate their contribution to the achievement of –

- (a) the local authority's objectives for the organisation;
- (b) (if applicable) the desired results, as set out in the organisation's Statement of Intent; and
- (c) the overall aims and outcomes of the local authority.

This monitoring occurs on an annual basis.

Meeting Processes

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

All Council and committee meetings must be open to the public unless there is reason to consider items 'in committee' (sometimes also called "public excluded").

Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with the Chairperson of the Committee. The Committee Adviser should be contacted on ph 07 577 7000 before the meeting to arrange this.

LGOIMA contains a list of circumstances where a Council may consider items with the public excluded. These circumstances generally relate to protection of personal privacy, legal privilege 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 circumstances listed in LGOIMA apply.

The Mayor or Committee Chairperson is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly conduct, or remove any member of Council who does not comply with Standing Orders.

Minutes of Council and Committee 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.

For an ordinary meeting of Council, at least 14 days' notice of the time and place of the meeting must be given. Extraordinary meetings generally can be called on three working days' notice, or less in special circumstances.

During meetings the Mayor and Councillors must follow Standing Orders (a set of procedures for conduct of meetings). The Council may suspend Standing Orders by a vote of 75 per cent of the members present. Standing Orders may be viewed on Council's website www.tauranga.govt.nz. Queries regarding Standing Orders should be directed to the Team Leader: Governance Services on ph 07 577 7000.

Consultation Policies

Community input into decision making is an essential part of ensuring that the communities' aspirations are reflected in the Council's decisions.

Council has a Significance and Engagement Policy (available on Council's website) which provides guidance on how Council will determine if consultation is necessary and what level of engagement should be undertaken. The degree of significance of a matter is the key determining factor; this is established through several key considerations, including financial implications, the consequences for the city, the level of public interest and how many people may be directly affected by the matter. Council may determine that consultation is not necessary.

Council may utilise a number of approaches, including: targeted engagement with affected groups, community meetings and events, requests for formal written submissions, online engagement, information made available through libraries and service centres, promotion through e-newsletter, local media and additional advertising.

Before making some decisions, Council is legislatively required to consult, including (but not limited to):

- Adopting or amending the Long Term Plan;
- Adopting an Annual Plan (where there is a significant or material change from the LTP proposed);
- Adopting or amending a bylaw;

- Establishing a Council Controlled Organisation;
- Adopting or Amending the Waste Management and Minimisation Plan; and
- Adopting or amending the City Plan.

Council also has a Referenda Policy (available on Council's website), that sets out when Council will hold a referendum, approve a proposal for a referendum and whether the referendum is considered binding or non-binding. Non-binding referenda are considered part of Council's consultation processes.

Policies for Liaising with and Memoranda of Agreements with Māori

Parts 2 and 6 of the Local Government Act 2002 provide principles and requirements for local authorities that facilitate participation by Māori in local authority decision making processes. In summary, the Act requires local authorities to:

- ∅ take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, valued flora and fauna, and other taonga where any significant decisions are to be made affecting land or a body of water;
- ∅ establish and maintain processes to provide opportunities for Māori to contribute to decision-making processes;
- ∅ consider ways to foster the development of Māori capacity to contribute to decision making processes;
- ∅ put in place processes to consult with Māori; and
- ∅ assist Māori to better participate generally in decision-making.

Engagement Forums

A number of formal engagement forums and committees have been established to facilitate better involvement and participation of Tangata Whenua. These include:

1. **The Kaumatua Forum** is a forum of Kuia and Koroua (Elders) of Tauranga Moana who are updated on two key projects, Mauao and the Taonga Māori (Museum) Collection. They also support and guide the Council's Takawaenga Māori Unit on tikanga and kawa of Tauranga Moana.
2. **The Tangata Whenua / Tauranga City Council Committee.** Six members are appointed by the Collective and six members by Council. The role of the Committee is to provide strategic leadership and advice to Tauranga City Council, Tangata Whenua and the wider community in respect of environmental, social, economic and cultural outcomes relating to Tangata Whenua.
3. **The SmartGrowth Combined Tangata Whenua Forum** is made up of Tauranga Moana Tangata Whenua Collective and Western Bay of Plenty District Council Māori Forum members who meet bi-monthly to deal with Tangata Whenua actions and related growth issues of the Western Bay of Plenty sub region.
4. **The Tauranga Moana Tangata Whenua Collective** is a representative group of all 15 iwi and hapū resident within the Tauranga City Council boundaries. Each iwi / hapū has the right to appoint a representative onto the Collective. The role of the Tauranga Moana Tangata Whenua Collective ('the Collective') is to work together to:

- Provide a Tangata Whenua forum for Tangata Whenua within the Tauranga City Council area to discuss and debate their local authority issues and concerns to advance and protect the interest of Tangata Whenua.
- Provide an opportunity for Tauranga City Council and the Collective to discuss and develop Council concepts, policies, projects and procedures that impact on Tangata Whenua.

The Collective addresses generic local government issues on behalf of its members. Council staff attend the monthly Collective workshops to update Iwi and Hapu representatives on Council strategies, policies and plans.

Protocol Agreements

Council has formed protocol agreements (16) with all but one Iwi in the Tauranga City rohe.

The protocols formalise the commitment between Council and Tangata Whenua setting out clearly:

- The basis of the relationship between Council and the iwi / hapū;
- Representation and mandates;
- Communication and consultation processes; and
- Specific issues relating to each iwi / hapū.

Regular reviews and evaluations occur with each of the iwi / hapū in regards to implementation of each protocol agreement.

Iwi / Hapū Management Plans

Council has a contestable fund of \$60k for the development of Iwi / Hapū Management Plans and Council continues to work with Iwi and Hapu groups to complete their management plans.

Cultural Awareness Training

Cultural awareness training is available for all staff, elected members and city strategic partners and provides a good vehicle for better understanding of issues and key Māori relationships. These include:

- Cultural Connections
- Te Kete Mahi Pai (best practice tool kit)
- Pronunciation

Post Treaty Settlement Environment

The settlement of the Treaty Claims for local iwi and hapū groups will determine a new regime of participation with local authorities focussing on co-governance and co-management structures over community assets like Mauao and Tauranga Harbour.

Papakainga Housing Development

Tauranga City Council currently supports papakainga housing development on Māori Land in the region through the Joint Agency Group (JAG). Set up under the SmartGrowth Strategic Partners (Tauranga City Council, Western Bay of Plenty District Council, Bay of Plenty Regional Council, tangata whenua), the JAG consists of a number of local and Government agencies who participate in workshops modelled on Te Keteparaha mo nga Papakainga Maori Housing Toolkit a step-by-step guide for tangata whenua considering undertaking a Papakainga development. There are several completed and ongoing Papakainga Developments around the district.

Documents for supporting the relationship:

- Tangata Whenua contacts for resource consents;
- Consultation with Tangata Whenua on Resource Consent Applications Policy;
- Generic Protocol for Monitoring of Earthworks;
- Cultural Impact Assessment;
- External Representatives Remuneration Policy; and
- TCC and Kaumatua / Tangata Whenua involvement in significant activities and events.

Management Structure and Relationships

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.

The Chief Executive, as head of administration for Council, is responsible for implementing Council's decisions within the budget set by Council. The Chief Executive is also responsible for employing, on behalf of Council, the staff, and negotiating terms of employment with staff.

Under section 42 of the Local Government Act 2002, the responsibilities of the Chief Executive are:

- Ø implementing the decisions of Council;
- Ø providing advice to Council;
- Ø 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 an Act, regulation or bylaw are properly performed or exercised;
- Ø ensuring the effective and efficient management of the activities of Council;
- Ø maintaining systems to enable effective planning and accurate reporting of the financial and service performance of Council;
- Ø providing leadership for the Council staff; and
- Ø employing staff and negotiating employment agreements.

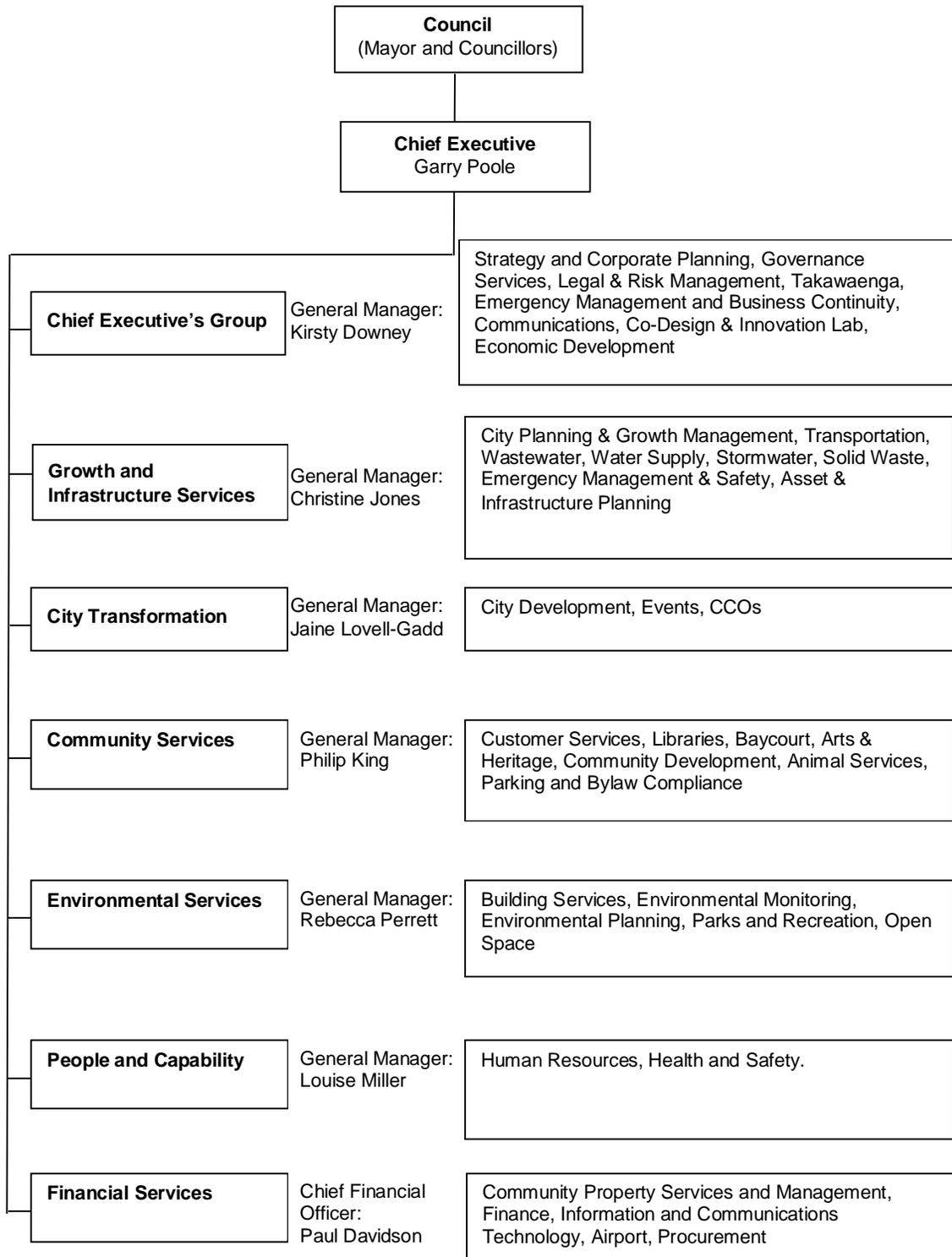
The Chief Executive is responsible for ensuring, so far as is practicable, that the management structure of the local authority:

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

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 of Tauranga City Council is Garry Poole. Mr Poole may be contacted on ph 07 577 7000 or by emailing: garry.poole@tauranga.govt.nz.

Council management is organised into seven groups, each lead by a General Manager, as follows:



Equal Employment Opportunities Policy

Council is committed to providing Equal Employment Opportunities as an employer and it takes positive action to remove all barriers to employment in respect of recruitment, selection, training, career development, promotion, conditions of employment and staff culture.

Council regularly reviews its processes and practices to ensure that all forms of discrimination are eliminated and that appointment and promotion are based on merit.

A copy of the Equal Employment Opportunities Policy and implementation plan may be obtained from Council's Manager: Business Partner Services on 07 577 7000.

Key Approved Planning and Policy Documents

Council has developed several policies, plans and strategies that influence its decision-making and the way in which it conducts its business.

A complete list of Council's lead documents, plans, policies and strategies is available on Council's website www.tauranga.govt.nz

The following are key approved policy and planning documents:

Long Term Plan

Every three years Council develops a Long Term Plan (LTP) in consultation with the community. This sets Council's vision, direction, budgets and work plans for the following ten years. The LTP 2015-2025 was finalised in June 2015, following substantial community input. The LTP is Council's lead document and provides detail on all its activities. It sets out Council's Financial Strategy, details its performance measures and provides the rationale for delivery of Council's activities, amongst other things. The next Long Term Plan will be adopted for the year beginning 2018/19.

Annual Plan

In the two years between adopting an LTP, Council develops Annual Plans. Essentially this is an update to what Council agreed through the LTP, highlighting the changes to its budgets and workplans for each specific year. Any significant or material changes are consulted on with the community. This process allows Council to make sure that its budgets and workplans are flexible enough to respond to the needs of the community and the demands of growth.

Annual Report

The Annual Report presents an account of the Council's performance over the financial year from 1 July to 30 June. The Annual Report lets the community know how Council performed against what was set through the LTP and Annual Plan, what key decisions were made, how Council performed financially and if Council met its levels of service measures. This is Council's key accountability document. Council also produces a quarterly report to track progress against targets and budgets.

City Plan

The City Plan is the primary document used to manage land use and development within Council's territorial boundaries. The City Plan provides the rules for how people can build or develop the land they own. This can be land that is residential, commercial or industrial. It also includes rules on other things that are covered by the Resource Management Act – including

land use, hazards, signage, reserves, noise and heritage, etc. Council is required to review the plan in full every 10 years, although it is updated through regular plan changes.

Infrastructure Strategy

The Infrastructure Strategy demonstrates how Council plans to manage its assets through future periods of growth and other pressures. The Infrastructure Strategy is for a period of at least 30 consecutive financial years. The Infrastructure Strategy focuses on providing the infrastructure required for resilience and growth, in a manner that aligns with Council's Financial Strategy, ensuring Council is able to maintain current levels of service through growth and other pressures and maintaining Council's assets in a prudent and sustainable manner.

Other policy and planning documents

In addition to the above, Council has a number of other strategies, plans and reports, policies and bylaws.

Council strategies, plans, policies and bylaws are developed through consultation with relevant stakeholders and then approved by Council. They are reviewed as and when appropriate: when required by legislation, in accordance with a timeframe within the document itself, or in response to a specific request from Council.

Other key policy and planning documents are provided below. A complete list of all Council lead documents, other strategies, plans and reports, regulatory documents, policies and bylaws are available on Council's website www.tauranga.govt.nz

Document
Age Friendly Strategy
Asset Management Plans (various)
Aquatics Strategy
City Centre Strategy
Development Contributions Policy
Digital Platform Strategy
Disability Strategy
Elders Strategy
Elected Members' Expenses & Resources Policy
Financial Strategy (included as part of the LTP)
Historic Village Strategy
Open Space Strategy
Our Community Places Strategy
Procurement Policy
Local Alcohol Policy
Rating Policies

Document
Referenda Policy
Bay of Plenty Regional Council Regional Land Transport Strategy
Reserves Management Plans (19)
Revenue & Financing Policy
Significance and Engagement Policy
SmartGrowth (Growth Management Strategy)
SmartArts Strategy
SmartEconomy
SmartTourism
Sport and Active Living Strategy
Sub-Regional Parks – Joint Policy
Tauranga Transport Strategy
Tauranga-Western Bay Digital Enablement Plan
Treasury Policy
Triennial Agreement for Local Government in the Bay of Plenty
Urban Design Strategy
Vegetation Strategy
Wairoa River Valley Strategy
Waste Management and Minimisation Plan
Western Bay of Plenty Events Strategy
Western Bay of Plenty International Strategy

Systems for Public Access

Contacting Council

Post	Hand deliver	Phone	e-mail	Web site
Tauranga City Council, Private Bag 12022, Tauranga.	Reception, 91 Willow St, Tauranga.	07 577 7000	info@tauranga.govt.nz	www.tauranga.govt.nz

The Customer Contact Centre (call centre) is staffed 24 hours a day 7 days a week.

Council Service Centres

Ø 91 Willow Street, Tauranga

Council Libraries

- Ø Greerton Library, Greerton Village Green, Greerton, Tauranga
- Ø Tauranga City Library, Corner of Wharf and Willow Streets, Tauranga
- Ø Mount Maunganui Library, 398 Maunganui Road, Mount Maunganui
- Ø Papamoa Library, 15 Gravatt Road, Papamoa

Complaints

Council treats and processes all complaints or expressions of dissatisfaction seriously and encourages members of the public to come forward if they are not happy with the service they have received or the process they are involved in. This provides feedback and opportunities for Council to improve its standards of service to the public.

All complaints received in verbal, written or digital form related to the service of Council staff or contractors are dealt with through a standard procedure and are referred to the appropriate Divisional / General Manager. This process includes reporting appropriate actions in response to the complaint, set timeframes for responses and escalation procedures and reports to the Chief Executive.

All complaints received in verbal, written or e-mail form related to the service of elected members are referred to the Mayor's Office.

Requests to Fix Issues

In addition to complaints, Council also receives service requests from the public advising of issues around the city that need fixing. These service requests are usually received either online or on the phone. The details are entered into our system with the appropriate workflow to ensure a timely response. Any matters not responded to in time, are escalated.

Contacting Elected Members

Elected Members contact details are on Council's website www.tauranga.govt.nz or you may phone Council on 07 577 7000 and ask for these details.

Appointments with the Mayor may be made by phoning the Mayor's Executive Assistant on 07 577 7011.

Requests for Official Information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information held by the Council. Any request for information is a request made under LGOIMA, however you do not have to say that you are making a request under LGOIMA.

Once a request is made the Council must supply the information unless there is a reason for withholding it. LGOIMA states that information may be withheld where there is a reason for doing so under section 6 or 7 of the Act.

Information may be withheld where its release would be likely to:

- Ø prejudice the maintenance of the law; or
- Ø endanger the safety of any person.

Information may also be withheld where there is a good reason to do so in order to:

- Ø protect the privacy of any person;
- Ø protect confidential or commercially sensitive information in certain circumstances;
- Ø prevent offence to tikanga Māori or disclosure of waahi tapu (for Resource Management Act processes);
- Ø avoid prejudice to measures that protect public health or safety;
- Ø avoid prejudice to measures that prevent or mitigate material loss to members of the public;
- Ø maintain the effective conduct of public affairs;
- Ø maintain legal professional privilege;
- Ø enable Council to carry out commercial activities and/or negotiations without disadvantage; or
- Ø prevent information being used for improper gain or advantage.

Council must respond to information requests within 20 working days (although there are certain circumstances where this timeframe may be extended). Council may charge for official information under the Council's Schedule of User Fees and Charges, which is in accordance with the Ministry of Justice guidelines.

In the first instance please address requests for official information to:

The Chief Executive, Tauranga City Council, Private Bag 12022, Tauranga 3143

APPENDIX A

Local Legislation

The following local Acts apply to Tauranga City Council:

Local Act Name	Purpose
Tauranga Foreshore Vesting and Endowment Act 1915	An Act to vest certain Lands in the Bay of Plenty Harbour Board.
Tauranga Borough Council and [Bay of Plenty Harbour Board] Empowering Act 1915	An Act to validate an Agreement made between the Mayor, Councillors, and Burgesses of the Borough of Tauranga and the Bay of Plenty Harbour Board for the Acquisition of the Wharves at Tauranga by the Bay of Plenty Harbour Board.
Tauranga Harbour Amendment and Foreshore Vesting Act 1917.	An Act to extend the Bay of Plenty Harbour District and vest Part of the Foreshore in the Bay of Plenty Harbour Board.
Tauranga County Empowering (Community Centres) Act 1965	An Act to empower the Tauranga County Council to establish and maintain community centres within the County of Tauranga, to raise and expend loans for such purpose, and to strike a rate or a levy to cover the costs incidental to such establishment and maintenance
Tauranga City Council and Maunganui Borough Council (Tauranga Harbour Bridge) Empowering Act 1972	An Act to empower the Mayor, Councillors, and Citizens of the City of Tauranga, and the Mayor, Councillors, and Citizens of the Borough of Mount Maunganui, to embark upon a joint scheme for the construction, maintenance, and control of a bridge across the Tauranga Harbour
Tauranga City Council and Mount Maunganui Borough Council (Tauranga Harbour Bridge) Empowering Amendment Act 1985	An Act to amend the Tauranga City Council and Mount Maunganui Borough Council (Tauranga Harbour Bridge) Empowering Act 1972
Tauranga District Council Waikareao Estuary Expressway Empowering Act 1989	An Act to authorise and empower the Tauranga City Council to reclaim land for the purpose of constructing a road generally along the eastern foreshore of the Waikareao Estuary in the Tauranga Harbour
Mauao Historic Reserve Vesting Act 2008	An Act that vests Mauao Historic Reserve, by way of gift, in the Trustees of the Mauao Trust.

Key Legislation

In fulfilling its purpose, Council exercises powers, functions and duties as described and conferred by the following legislation:

Accident Compensation Act 2001
Airport Authorities Act 1966
Animals Law Reform Act 1989
Animal Welfare Act 1999
Arts Council of New Zealand Toi Aotearoa Act 2014
Auctioneers Act 2013
Biosecurity Act 1993
Building Act 2004
Building Research Levy Act 1969
Burial and Cremation Act 1964
Bylaws Act 1910
Cadastral Survey Act 2002
Charities Act 2005
Citizenship Act 1977
Civil Aviation Act 1990
Civil Defence Emergency Management Act 2002
Climate Change Response Act 2002
Commerce Act 1986
Companies Act 1993
Conservation Act 1987
Consumer Guarantees Act 1993
Copyright Act 1994
Counties Insurance Empowering Act 1941
Crimes Act 1961
Disability Act 2008
Disabled Persons Community Welfare Act 1975
District Courts Act 2016
Dog Control Act 1996
Earthquake Commissions Act 1993
Electricity Act 1992
Electronic Transactions Act 2002
Employment Relations Act 2000
Energy Companies Act 1992
Environment Act 1986
Environment Protection Authority Act 2011

Epidemic Preparedness Act 2006
Equal Pay Act 1972
Equal Pay Amendment Act 1976
Estate and Gift Duties Act 1968
Fair Trading Act 1986
Fees and Travelling Allowances Act 1951
Fencing Act 1978
Finance Act (No 2) 1941
Financial Reporting Act 2013
Financial Markets Conduct Act 2013
Fire Service Act 1975
Food Act 1981
Food Act 2014
Forest and Rural Fires Act 1977
Freedom Camping Act 2011
Gambling Act 2003
Gas Act 1992
Goods and Services Tax Act 1985
Government Roothing Powers Act 1989
Harbour Boards Dry Land Endowment Revesting Act 1991
Harmful Digital Communications Act 2015
Hazardous Substances New Organisms Act 1996
Health Act 1956
Health and Safety At Work Act 2015
Heritage New Zealand Pouhere Taonga Act 2014
Historic Places Act 1993
Holidays Act 2003
Housing Accords and Special Housing Areas Act 2013
Housing Act 1955
Housing Assets Transfer Act 1993
Human Rights Act 1993
Impounding Act 1995
Income Tax Act 2007
Insolvency Act 2006

Interpretation Act 1999
Joint Family Homes Act 1964
Judicature Review Procedure Act 2016
Land Act 1948
Land Drainage Act 1908
Land Transfer Act 1952
Land Transport Act 1998
Land Transport Management Act 2003
Libraries and Mechanics' Institutes Act 1908
Litter Act 1979
Local Authorities (Members' Interests) Act 1968
Local Electoral Act 2001
Local Government Act 1974
Local Government Act 2002
Local Government Borrowing Act 2011
Local Government Official Information and Meetings Act 1987
Local Government (Rating) Act 2002
Machinery Act 1950
Major Events Management Act 2007
Marine and Coastal Area (Takutai Moana) Act 2011
Minimum Wage Act 1983
Municipal Insurance Act 1960
National Provident Fund Restructuring Act 1990
New Zealand Bill of Rights Act 1990
New Zealand Business Number Act 2016
New Zealand Geographic Board (Nga Pou Taunaha o Aotearoa) Act 2004
New Zealand Library Association Act 1939
New Zealand Public Health and Disability Act 2000
New Zealand Railways Corporation Act 1981
Oaths and Declarations Act 1957
Occupiers Liability Act 1962
Ombudsmen Act 1975
Parental Leave and Employment Protection Act 1987
Patents Act 2013
Plumbers and Gasfitters and Drainlayers Act 2006
Privacy Act 1993
Property Law Act 2007
Prostitution Reform Act 2003

Protected Disclosures Act 2000
Public Audit Act 2001
Public Bodies Contracts Act 1959
Public Finance Act 1989
Public Bodies Leases Act 1969
Public Records Act 2005
Public Works Act 1981
Queen Elizabeth the Second National Trust Act 1977
Railways Act 2005
Rates Rebate Act 1973
Rating Valuations Act 1998
Receiverships Act 1993
Reserves Act 1977
Residential Tenancies Act 1986
Resource Management Act 1991
Remuneration Authority Act 1977
River Boards Act 1908
Sale and Supply of Alcohol Act 2012
Secret Commissions Act 1910
Securities Act 1978
Securities Transfer Act 1991
Senior Courts Act 2016
Smoke-free Environments Act 1990
Soil Conservation and Rivers Control Act
Sovereign's Birthday Observance Act 1952
Standards and Accreditation Act 2015
Statistics Act 1975
Statutory Land Charges Registration Act 1928
Summary Offences Act 1981
Summary Proceedings Act 1979
Telecommunications Act 2001
Te Ture Whenua Māori Act 1993
Treaty of Waitangi Act 1975
Trespass Act 1980
Trustee Act 1956
Unit Titles Act 2010
Utilities Access Act 2010
Vulnerable Children Act 2014
Walking Access Act 2008

Wages Protection Act 1983
Waste Minimisation Act 2008
Weathertight Homes Resolution Services Act 2006
Wild Animal Control Act 1977

APPENDIX B

Bylaws

Title	Description	Date of Initial Adoption	Date of Last Review
Airport Bylaw 2016	The purpose of this Bylaw is to protect the safety of airport users and property used in connection with the airport.	June 2016	No reviews on initial/current bylaw
Beaches Bylaw 2007	The purpose of this Bylaw is to control activities that are likely to affect public safety, minimise nuisance on the beach, and ensure the uses of the beach are primarily for recreational purposes.	November 2004 (previously part of the General Bylaw 1994)	1 September 2010
Dog Control Bylaw 2008	The purpose of this Bylaw is to promote the control of dogs so as to minimise danger, distress, or nuisance by dogs to the public. The Dog Control Bylaw gives legal powers to implement the Dog Control Policy 2008 and determine what is considered to be an offence.	November 2004 (previously part of the General Bylaw 1994 under Control of Animals)	Review of initial 2004 Bylaw in November 2007 in conjunction with the TCC dog policy
Freedom Camping Bylaw 2013	The purpose of this Bylaw is to define the areas within the city boundaries where freedom camping is prohibited or restricted to ensure that: <ul style="list-style-type: none"> i. areas are protected; ii. the health and safety of people who may visit areas is protected; iii. access to areas are protected. 	September 2013	No reviews on initial/current bylaw

Title	Description	Date of Initial Adoption	Date of Last Review
Keeping of Animals Bylaw 2008	To allow for the keeping of animals and poultry in a manner which has minimal impact on, or causes minimal nuisance to, the wider community.	November 2004 (previously part of the General Bylaw 1994)	Review of initial bylaw commenced April 2008 which led to current bylaw.
Liquor and Vehicle Free Zones in Public Places Bylaw 2013	To encourage responsible behaviour in identified public places within the city where groups of people gather frequently, and to limit the effects of liquor on those people and places.	June 2004	Review of initial bylaw commenced April 2008 which led to current bylaw
Outdoor Fire Safety Bylaw 2015 (Formerly Fire Prevention (Urban Fire District) Bylaw 2010)	The purpose of this Bylaw is to protect and maintain public health and safety from the start or spread of fire, by regulating the use of Outdoor Fires and other fire hazards.	August 2010	September 2015
Prostitution Bylaw 2008	To regulate the location of brothels. To regulate and control signage which advertises commercial sexual services located in, or visible from, a public place to ensure that it does not cause a nuisance or serious offence to ordinary members of the public using the area, and that it is compatible with the existing character or use of the area.	July 2004 – Prostitution Bylaw (made under the Prostitution reform Act 2003)	Review of initial bylaw commenced March 2008 which led to current bylaw.
Speed Limit Bylaw 2009	This bylaw allows Tauranga City Council to set speed limits by resolution, on all roads under its ownership and/or control, and in other designated locations as specified in the Bylaw.	2005	December 2012

Title	Description	Date of Initial Adoption	Date of Last Review
Stormwater (Pollution Prevention) Bylaw 2010	<p>The purpose of this Bylaw is to prevent the misuse of Council's public stormwater network by:</p> <ul style="list-style-type: none"> · Controlling the discharge of contaminants into the network; · Requiring the use of the network for the drainage of stormwater only; · Protecting the network from damage or alteration. 	November 2010	September 2015
Street Use and Public Places Bylaw 2013	<p>The purpose of this Bylaw is;</p> <ul style="list-style-type: none"> · To ensure public health and safety is maintained, protect the public from nuisances, minimise the potential for offensive behaviour and to manage public places for the well-being and enjoyment of the public. · It covers a diverse range of activities including commercial activity such as trading and the promotion of goods and services, busking and entertainment activities and events and the use of footpaths for tables and chairs and retail displays. 	2005 (previously part of the General Bylaw 1994)	No reviews on current bylaw
Supply of Water Bylaw 2007	<p>The purpose of this bylaw is to cover the terms and conditions for the sale and supply of water to its customers.</p>	2004 (previously part of the General Bylaw 1994)	Review of initial bylaw commenced June 2007 which led to current bylaw.

Title	Description	Date of Initial Adoption	Date of Last Review
Trade Waste Bylaw 2008	<p>The purpose of the trade waste bylaw is:</p> <ul style="list-style-type: none"> • To protect the health and safety of any person associated with the wastewater system by applying standards for trade waste discharges; • To protect public health and the environment from the effects of trade waste discharges; • To protect the integrity of the wastewater network from the effects of trade waste discharges; • To enable the Tauranga City Council to comply with the Resource Management Act particularly in respect of resource consents relating to the disposal of treated wastewater, biosolids and discharges to air; • To manage the allocation of wastewater capacity available to residential and trade waste customers; 	2004 (previously part of the General Bylaw 1994)	Review of initial bylaw from February-July 2007 which led to current bylaw.
Traffic and Parking Bylaw 2012	<p>The purpose of this Bylaw is to set the requirements for control of traffic and parking in respect of roads, public places, parking areas and transport stations owned or controlled by Council.</p>	2007	Review of initial bylaw commenced March 2012 which led to current bylaw.
Waste Management and Minimisation Bylaw 2012	<p>The purpose of this Bylaw is:</p> <ul style="list-style-type: none"> • To promote safe kerbside collection of waste, including 	July 2012	No reviews on initial/current bylaw.

Title	Description	Date of Initial Adoption	Date of Last Review
	recyclables, so that it does not accumulate and become offensive or harbour vermin.		