



**chatham islands council**

*“Working towards a **sustainable future**”*

## Local Governance Statement 2022

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# **Chatham Islands Council – Local Governance Statement 2022**

## **1 PURPOSE**

The purpose of the Governance Statement is to outline information on the responsibilities, structure and governance processes of the Council as required by Section 40 of the Local Government Act 2002.

The Governance Statement must be updated within six months of each triennial general election of members of the local authority and whenever the local authority considers it appropriate.

The Governance Statement is available to the public either from the Council offices or via the Council website [www.cic.govt.nz](http://www.cic.govt.nz)

## **2 FUNCTIONS, RESPONSIBILITIES AND ACTIVITIES**

The purpose of the Chatham Islands Council is to enable democratic local decision-making to promote the social, economic, environmental and cultural well-being of the Chatham Islands Territory in the present and for the future.

In meeting its purpose, the Chatham Islands Council has a variety of roles, including but not limited to:

- Formulating the Territory's strategic direction in partnership with the Community through the Long-Term Plan (LTP) and reporting on progress made to achieving identified Community Outcomes.
- Determining the services and activities to be undertaken by the Council.
- Administering various regulations and upholding the law, including the formulation and enforcement of bylaws.
- Managing local infrastructure including network infrastructure (e.g. roads, sewage disposal, water, stormwater) and community infrastructure (public library, parks and recreational facilities) where provided.
- Facilitating solutions to meet local needs.
- Advocating on behalf of the local community with central government, other local authorities and other agencies.
- Environmental management through the Chatham Islands Resource Management Document.
- Ensuring local communities are encouraged to be part of the decision-making processes of local government.
- Ensuring effective succession of Elected Members.

## **3 LOCAL LEGISLATION**

### The Chatham Islands Council Act 1995

This Act established the Chatham Islands Council and allows for the Council to:

- Charge and Collect Dues;

- Combine Coastal, Regional and District Planning into one document;
- Provide for public notification processes unique to the Chatham Islands.

## **4 ELECTORAL SYSTEMS**

The Chatham Islands Council operates its elections under the First Past the Post electoral system. This form of voting is used in parliamentary elections to elect Members of Parliament to constituency seats. 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 the candidate(s) obtained.

The other option permitted under the Local Electoral Act 2001 is the Single Transferable Vote System (STV). Electors rank candidates in order of preference. 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 vacancies is achieved first by counting of first preferences then by 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 exclusion of the lowest polling candidates and the transfer of these votes in accordance with voters second preferences.

Under the Local Electoral Act 2001 the Council can resolve to change the electoral system to be used at the next elections or conduct a binding poll on the question, or electors can demand a binding poll. A poll can be initiated by at least 5 per cent of electors signing a petition demanding that a poll be held. Once changed, an electoral system must be used for at least the next two triennial general elections;  
i.e. we cannot change our electoral system for one election and then change back for the next election.

At its meeting held 1 November 2018 Council resolved to retain First Past the Post (FPP) as its electoral system for the 2022 election. The decision was the subject of a public consultation process (the right of the public to demand a poll to countermand the Council decision), and as no submissions were received the Council decision is upheld. The next review of these matters will be in 2023 ahead of the 2025 election.

## **5 REPRESENTATION ARRANGEMENTS**

The Chatham Islands Council is represented by:

- 1 Mayor
- 8 Councillors

The Mayor and Councillors are elected by all voters eligible on the Chatham Islands. The alternative is to divide the Islands into wards or constituencies and have a representation arrangement for each ward or constituency.

## **6 MAORI WARDS OR CONSTITUENCIES**

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

At its meeting held 1 November 2018 Council resolved there was no need or demand for Maori wards. The decision was the subject of a public consultation process (the right of the public to demand a poll to countermand the Council decision), and as no poll was received the Council decision was upheld. Council considered this again in June 2021, with the decision to undertake a review of Maori Wards in 2023.

## **7 POLICIES FOR LIAISING WITH MAORI / MORIORI**

The Chatham Islands Council is committed to developing and maintaining positive working relationships with local tangata whenua. These relationships will recognise the spirit of the Treaty of Waitangi. Chatham Islands Council will promote the negotiation of Memorandums of Understanding with Hokotehi Moriori Trust and Ngati Mutunga O Wharekauri Iwi Trust. These Memorandums will be included in the Governance Statement when completed and ratified by all parties.

## **8 COMMUNITY BOARDS**

There are no Community Boards on the Chatham Islands. Given the small population of the Chatham Islands Territory there is unlikely to be the need for a Community Board to be established.

Section 49 of the Local Government Act 2002 deals with the formation of Community Boards. Community boards have the following roles:

- Represent and act as an advocate for the interests of their community.
- Consider and report on any matter referred to it by the Council and any issues of interest or concern to the Community Board.
- Make an annual submission to the Council on expenditure in the community.
- Maintain an overview of services provided by the Council within the community.
- Communicate with community organisations and special interest groups in the community.
- Undertake any other responsibilities delegated by the Council (currently the Council has not delegated any such responsibilities).

Each Community Board has a chairperson and five other members. Five members are elected triennially by electors in the community, and the Council appoints a member from its ranks. The Board elects its own chairperson at its first meeting after the triennial election.

The Council last reviewed the Community Board requirements in July 2008. The Council decided not to make any changes. Accordingly, either the Council could resolve in 2022 to change these structures for the 2025 elections or to conduct a poll, or electors could demand a poll.

Electors can demand the formation of a new Community Board. This is done by a process similar to the reorganisation process described elsewhere.

## **9 REPRESENTATION ARRANGEMENTS**

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

- The number of elected members (within the legal requirement to have a minimum of six and a maximum of thirty members, including the Mayor).

- Whether the elected members (other than the Mayor) shall be elected by the entire Territory, or whether the Territory will be divided into wards for electoral purposes, or whether there will be mix of 'at large' and 'ward' representation.
- If election by wards is preferred, then the boundaries and names of those wards and the number of members that will represent each ward.
- Whether or not to have separate wards for electors on the Maori roll.
- Whether to have Community Boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

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

You also have the right to appeal any decisions on the above to the Local Government Commission which will make a binding decision on the appeal. Further details on the matters that the Council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

Council undertook a representation review in 2018. At its meeting held 9 August 2018 Council resolved to retain the status quo of 9 elected members (Mayor and 8 Councillors) and that this decision be the subject of a public consultation process. As no submissions were received Council resolved (at its meeting held 1 November 2018) to uphold its decision for 9 elected members (Mayor and 8 Councillors).

## **10 THE REORGANISATION PROCESS**

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

- Make changes to the boundaries of the Territory.
- Create a new Territory.
- Create a Unitary Authority.
- Transfer a particular function or functions to another Council.

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

Proposals for a boundary alteration or transfer of functions from one local authority to another will be considered by one of the affected local authorities or by the Local Government Commission if the local authorities refer the proposal to the Commission or if they cannot agree on which of them should deal with the matter. Proposals for the establishment of a new Territory or for the creation of a Unitary Authority will be dealt with by the Commission. These proposals cannot be implemented without a poll of electors.

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

**NOTE:** The Chatham Islands Council is a District Council with most regional functions.

## **11 MEMBERS' ROLES AND CONDUCT**

The Mayor and Councillors of the Chatham Islands Council have the following roles:

- Setting the policy direction of the Council.
- Monitoring the performance of the Council.
- Representing the interests of the Territory (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 Chatham Islands Territory).
- Employing the Chief Executive (under the Local Government Act the local authority employs the Chief Executive who in turn employs all other staff on its behalf).

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

- Presiding member at Council meetings. The Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in Standing Orders).
- Advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of the Council.
- Ceremonial head of Council.
- Providing leadership and feedback to other elected members on teamwork and chairing committees.

### **Role and powers of mayors**

1. The role of a mayor is to provide leadership to—
  - (a) the other members of the territorial authority; and
  - (b) the people in the district of the territorial authority.
- (2) Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
- (3) For the purposes of subsections (1) and (2), a mayor has the following powers:
  - (a) to appoint the deputy mayor;
  - (b) to establish committees of the territorial authority;
  - (c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor—
    - (i) may make the appointment before the other members of the committee are determined; and
    - (ii) may appoint himself or herself.

The Deputy Mayor is elected by the Mayor (see Role and powers of mayors) at the first meeting of the Council. The Deputy Mayor exercises the same roles as other elected members. In addition, if the Mayor is absent or incapacitated, or if the office of Mayor is vacant, then the Deputy Mayor must perform all of the responsibilities and duties, and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of Council.

The Chief Executive is appointed by the Council in accordance with Section 42 and Clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. The Chief Executive implements and manages the Council's policies and objectives within the budgetary constraints established by the Council. Under Section 42 of the Local Government Act

2002, the responsibilities of the Chief Executive are:

- Implementing the decisions of the Council.
- Providing advice to the Council.
- Ensuring that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised.
- Managing the activities of the Council effectively and efficiently.
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the Council.
- Providing leadership for the staff of the Council.
- Employing staff (including negotiation of the terms of employment for the staff).

## **12 COUNCIL MEETINGS**

The Council meets approximately six-weekly. A schedule of meetings for the next year is as follows:

<b>Month</b>	<b>Agenda Closes</b>	<b>Meeting Date</b>
<b>January 2023</b>	18 January 2023 @ 5.00 pm	<b>26 January 2023 @ 1.30pm</b>
<b>February 2023</b>	15 February 2023 @ 5.00 pm	<b>23 February 2023 @ 1.30 pm</b>
<b>March 2023</b>	15 March 2023 @ 5.00 pm	<b>23 March 2023 @ 1.30 pm</b>
<b>April 2023</b>	19 April 2023 @ 5.00 pm	<b>27 April @ 1.30pm</b>
<b>May 2023</b>	31 May 2023 @ 5.00 pm	<b>1 June 2023 @ 1.30 pm</b>
<b>July 2023</b>	12 July 2023 @ 5.00pm	<b>20 July 2023 @ 1.30 pm</b>
<b>August 2023</b>	23 August 2023 @ 5.00 pm	<b>31 August 2023 @ 1.30 pm</b>
<b>September 2023</b>	27 September 2023 @ 5.00 pm	<b>5 October 2023 @ 1.30pm</b>
<b>November 2023</b>	8 November 2023 @ 5.00 pm	<b>16 November 2023 @ 1.30 pm</b>

The Council may, from time to time, establish ad hoc committees to consider a particular issue or issues.

The Council reviews its committee structure after each triennial election. At the last review the Council chose not to form committees. All matters are therefore dealt with by the full Council under the chairmanship of the Mayor, or in the Mayor's absence, the Deputy Mayor.

## **13 CONDUCT OF MEETINGS**

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 a reason to consider some item 'in committee'. Although meetings are open to the public, members of

the public do not have speaking rights unless prior arrangements are made with Council. The LGOIMA contains a list of the circumstances where Councils may consider items with the public excluded. (These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order.) The Council agenda is a public document, although parts may be withheld if the above circumstances apply.

The 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 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 time and place of the meeting must be given. Extraordinary meetings generally can be called on three working days' notice.

During meetings, the Mayor and Councillors must follow Standing Orders (a set of procedures for conducting meetings). The Council may suspend Standing Orders by a vote of 75 per cent of the members present. A copy of the Code of Conduct and Standing Orders can be obtained from the Chief Executive.

## **14 CONSULTATION POLICY**

The Local Government Act sets out certain consultation principles and a procedure that local authorities must follow when making certain decisions. This procedure, **the special consultative procedure**, is regarded as a minimum process.

The Council can and does consult outside of the special consultative procedure. When it is adopting its Long-Term Plan, Annual Plan or Resource Management Document, it will hold formal meetings with community groups and other interested parties. At these meetings the Council will seek views on the matters the Council considers to be important, and identify issues of concern to the community.

The special consultative procedure consists of the following steps:

**STEP ONE:** Preparation of a statement of proposal and a summary. The Council must prepare a description of the proposed decision or course of action. The statement must be available for distribution throughout the community and must be available for inspection at the Council office and may be made available elsewhere. The Council also has to prepare a full and fair summary of the proposal which must be distributed as widely as the Council considers to be reasonably practicable. The statement must be included on an agenda for a Council meeting.

**STEP TWO:** Public Notice. The Council must advertise the proposal and the consultation being undertaken.

**STEP THREE:** Receive submissions. The Council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission. The Council must allow at least one month (from the date of the notice) for submissions.

**STEP FOUR:** Deliberate in public. All meetings where the Council deliberates on the proposal or hears submissions must be open to the public (unless there is some reason to exclude the public under the LGOIMA). All submissions must be made available unless there is reason to withhold them under the LGOIMA.

**STEP FIVE:** Follow up. A copy of the decision and a summary of the reasons must be provided to submitters. There is no prescribed format for such a summary.

By law, the Council must follow the special consultative procedure before it:

- Adopts a Long-Term Plan (LTP) or Annual Plan.
- Amends an LTP.
- Adopts, revokes, reviews or amends a bylaw.
- Changes the mode of delivery for a significant activity (for example from the Council to a Council-controlled organisation or from a Council-controlled organisation to a private sector organisation) if that is not provided for in an LTP.

The Council may be required to use the special consultative procedure under other legislation, and it may use this procedure in other circumstances if it wishes to do so.

## **15 MANAGEMENT STRUCTURES AND RELATIONSHIPS**

The Local Government Act 2002 requires the Council to employ a Chief Executive.

The Chief Executive's responsibilities are to employ other staff on behalf of the Council, implement Council decisions and provide advice to the Council.

Under the Local Government Act the Chief Executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the Chief Executive rather than the Mayor or Councillors.

## **16 EQUAL EMPLOYMENT OPPORTUNITY POLICY**

The Council aims to be good employer. To achieve this, the Council endeavours to provide:

- Good and safe working conditions.
- An equal employment opportunity programme which includes opportunities for the enhancement of employee's abilities, and recognition of the aims, aspirations and needs, and cultural differences, of each individual.

The Council aims to ensure that all employees maintain proper standards of integrity, conduct and concern for the public interest.

The Chatham Islands Council is committed to creating opportunities for inclusion in all aspects of its employment relationships. The Council aims to ensure fair treatment of all employees, regardless of gender, marital or family status, ethical or religious belief, colour, race ethnic or national origins, disability, age, political opinion, employment status or sexual orientation.

The Council, in making appointments to any position, will give preference to the person who is best suited to the position.

Section 42 of the Local Government Act 2002 designates the Chief Executive as being the employer of all staff on behalf of the Council.

## **17 KEY APPROVED PLANNING AND POLICY DOCUMENTS**

### **17.1 Resource Management Document**

The Chatham Islands Resource Management Document became operative on 22 December 2020.

The Chatham Islands Resource Management Document (hereafter called “the Document”) provides a framework for the integrated management of natural and physical resources of the Islands including the sea area out to the 12-mile territorial limit.

The Document is created by the Chatham Islands Council Act 1995. Section 26 of the Act states that Council shall have such a single Resource Management Document and that it shall contain all the information that the Resource Management Act 1991 (hereafter called “the Act”) requires to be contained in:

- A Regional Policy Statement
- A Regional Coastal Plan
- A District Plan

The Document may also contain provision for contents of Regional Plans as set out in Section 67 of the Act and also Regional Rules in accordance with Section 68 of the Act.

The Resource Management Act defines “natural and physical resources” to include land, air, water, soil, minerals and energy, all forms of plants, animals and structures. However, the management, ownership and allocation of the fisheries resource is not included within the Document or the Act and is a matter dealt with by separate statute – The Fisheries Acts 1996 and 1983. It is the purpose and function of that law to provide for all matters relating to the sustainable utilisation of fisheries resources.

The Council is therefore able to make provision in the Document for a range of matters as set out in Parts I and II of the Second Schedule of the Act, including the control of:

- The effects of any use of land
- Subdivision
- Natural hazards
- Hazardous substances
- Activities on the surface of the water
- Discharge of contaminants into or onto land, air or water
- Taking and diverting water
- Noise
- Activities and occupation in the Coastal Marine Area.

The level of control necessary to achieve the integrated management of natural and physical resources of the Islands is dependent on the particular circumstances which relate to the Islands.

The Document is therefore a unique one in New Zealand context, containing aspects of a Regional Policy Statement, a District Plan, a Coastal Plan and Regional Plans in one document administered by the Chatham Islands Council rather than separate Plans administered by different authorities.

### **17.2 Long-Term Plan**

The Long-Term Plan outlines the community outcomes developed by the community vision

for the future of the Territory, the roles the Council sees itself undertaking to achieve the vision, and the activities Council plans to undertake to carry out these roles. It also outlines the Council's financial policies and proposed spending for a ten-year period and provides the underlying financial rationale for how rates are levied, who pays for what, and why.

The Long-Term Plan is reviewed every three years. It can, if necessary, be amended during the three-year document life-cycle, but any amendment must be undertaken using the special consultative procedure and is subject to external audit. The Chatham Islands Council adopted the 2021-2031 Long Term Plan in June 2021. This Plan can be viewed on the Chatham Islands Council website [www.cic.govt.nz](http://www.cic.govt.nz) or at the Council office.

### **17.3 Community Outcomes**

Under the Local Government Act 2002 Council is required to develop a set of Community Outcomes in partnership with the community. This is done through consultation with community groups and the community at large.

Community Outcomes outline the aspirations of the community and are owned by the community.

The purposes of the identification of community outcomes are –

- To provide opportunities for communities to discuss their desired outcomes in terms of the present and future social, economic, environmental, and cultural well-being of the community; and
- To allow communities to discuss the relative importance and priorities of identified outcomes to the present and future social, economic, environmental, and cultural wellbeing of the community; and
- To provide scope to measure progress towards the achievement of community outcomes; and
- To promote the better co-ordination and application of community resources; and
- To inform and guide the setting of priorities in relation to the activities of the local authority and other organisations.

The Council must develop a process to facilitate the identification of community outcomes, but must, before finally deciding on that process, take steps –

- To identify, so far as practicable, other organisations and groups capable of influencing either the identification or the promotion of community outcomes; and
- To secure, if practicable, the agreement of those organisations and groups to the process and to the relationship of the process to any existing and related plans, and must ensure that the process encourages the public to contribute to the identification of community outcomes.

Council must monitor and, not less than once every three years, report on the progress made by the community in achieving the community outcomes for the Territory.

The process for identifying Community Outcomes must be carried out at least every six years.

The Community Outcomes in the Long-Term Plan 2021-2031 are:

#### **Social well-being** **'A Resilient Community'**

- Ensure everyone has a sense of belonging and can access information to

- participate in decision making to help shape the future of the Chatham Islands.
- We will build and maintain relationships to strengthen active participation in the best interests of the community.
- Communities are prepared and can recover from the changes in the environment, including natural disasters.

### **Economic well-being**

'Building Growth'

- People and goods can move safely and efficiently while reducing impact on the environment.
- The economy is supported by appropriate infrastructure that protects people and assets.
- We will support growth on a skilled workforce, increased employment, and opportunities for everyone to contribute to and benefit from a vibrant and prosperous economy.

### **Environmental well-being**

'Sustainable Action'

- Unique ecosystems, landscapes and indigenous biodiversity are valued and stewardship / t'chiekitanga / kaitiakitanga exercised to safeguard our environment for future generations.
- The quality of freshwater and coastal water is protected and improved for community wellbeing and ecosystem health.
- Living and working environments are sustainable, contribute to healthy communities and minimize waste.

### **Cultural well-being**

'Embracing Diversity'

- We celebrate our unique identity through arts, culture, heritage, sport and recreation.
- We will work with imi and iwi to ensure that appropriate regard is made to miheke / taonga and culturally significant matters.
- We recognize and value the voices of all cultures and ages within the communities we serve.

## **17.4 Annual Plan**

The Annual Plan outlines the Council's proposed activities, spending and rate requirements for the coming year. Under the Local Government Act 2002 the Annual Plan is produced only in years when no Long-Term Plan is produced. The current Annual Plan can be viewed on the Chatham Islands Council website [www.cic.govt.nz](http://www.cic.govt.nz) or at the Council office.

## **17.5 Chatham Islands Pest Management Strategy**

The purpose of this Strategy is to provide a framework for the efficient and effective management of specified animal and plant pests in the Chatham Islands Territory. This Strategy empowers the Chatham Islands Council to exercise the relevant advisory, enforcement and funding provisions available under the Act. During the five-year span of this Strategy, its implementation will enable the Council and the community to meet specific objectives identified in Part 3 of this Strategy. The Strategy is intended to be a coordinating document for all sectors on the Islands and complement any existing pest management programmes, including National Pest Management Strategies. The Pest Management Strategy was adopted in November 2007 and was last reviewed in May 2021.

## **18 PUBLIC ACCESS TO THE COUNCIL AND ELECTED MEMBERS**

The Chatham Islands Council office is situated at 13 Tuku Road in the township of Waitangi.

**Postal Address –** P O Box 24, Chatham Islands

**Telephone –** (03) 3050033 or (03) 3050034

**Email –** [info@cic.govt.nz](mailto:info@cic.govt.nz)

**Website –** [www.cic.govt.nz](http://www.cic.govt.nz)

### **Contact Details for Elected Members**

#### **Monique Croon (Mayor)**

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#### **Keri Lea Day (Deputy Mayor)**

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## **19 OFFICIAL INFORMATION**

### **19.1 Requests for Official Information**

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

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

- Endanger the safety of any person
- Prejudice maintenance of the law
- Compromise the privacy of any person
- Reveal confidential or commercially sensitive information
- Cause offence to tikanga Maori or would disclose the location of waahi tapuPrejudice public health or safety
- Compromise legal professional privilege
- Disadvantage the local authority while carrying out negotiations or commercial activities
- Allow information to be used for improper gain or advantage.

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

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

LGOIMA Request  
Chatham Islands Council  
P O Box 24  
Chatham Islands  
[info@cic.govt.nz](mailto:info@cic.govt.nz)

### **19.2 Personal Information Requests**

Where possible, requests should include specific details as to desired information. Personal information can only be requested by the person concerned or by a properly authorised agent.

### **19.3 Information Classified as Confidential**

Information which has previously been treated as confidential or handled by the Council or its predecessors ‘in committee’ can only be released by the Chief Executive following a written application and subject to it not being contrary to the public interest to release such information.

### **19.4 Charges for Provision of Official Information**

There may be a charge for providing official information when photocopies are required or extensive research involved. Council will, however, contact the person seeking information before any charges are incurred.

## **20 LEGISLATION COUNCIL WORKS UNDER**

Biosecurity Act 2002  
Building Act 2004  
Burial and Cremation Act 1964  
Bylaws Act 1910  
Civil Defence Emergency Management Act 2002  
Conservation Act 1987  
Crimes Act 1961  
Disabled Persons Community Welfare Act 1975  
Dog Control Act 1996 & Impounding Act 1955  
Environment Act 1986  
Fencing of Swimming Pools Act 1987  
Food Act 2014  
Forest and Rural Fires Act 1977  
Gambling Act 2003  
Government Roading Powers Act 1989  
Hazardous Substances and New Organisms Act 1996  
Health Act 1956  
Heritage NZ Pouhere Taonga Act 2014  
Historic Places Act 1993  
Housing Act 1955  
Impounding Act 1955  
Land Drainage Act 1908  
Land Transport Act 1998  
Land Transport Management Act 2003  
Litter Act 1979  
Local Authorities (Members' Interests) Act 1968  
Local Electoral Act 2001  
Local Government Act 1974  
Local Government Act 2002 and its amendments  
Local Government Official Information and Meetings Act 1987  
Local Government (Rating) Act 2002  
Maritime Transport Act 1994  
Privacy Act 1993  
Prostitution Reform Act 2003  
Psychoactive Substances Act 2013  
Public Works Act 1981  
Rates Rebate Act 1973  
Rating Valuations Act 1998  
Reserves Act 1977  
Residential Tenancies Act 1986  
Resource Management Act 1991  
Sale and Supply of Alcohol Act 2012  
Secret Commissions Act 1910  
Soil Conservation and Rivers Control Act 1941  
Takutai Moana Act 2011  
Transport Act 1962  
Walking Access Act 2008  
Waste Minimisation Act 2008

**Local legislation relevant to the Chatham Islands Council**  
Chatham Islands Council Act 1995