

# SOUTH WAIRARAPA DISTRICT COUNCIL

19 SEPTEMBER 2018

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## AGENDA ITEM E2

### GOVERNANCE REVIEW

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#### **Purpose of Report**

To provide council with the Governance Review Report. To note the recommendations in the report and approve of a plan to implement the recommendations

#### **Recommendations**

Recommend that Council:

1. *Receives the Governance Review Report.*
2. *Notes the South Wairarapa 'Fit for Purpose' report recommendations (as attached in Appendix 1).*
3. *Agree that a workshop is arranged, within a month, for all councillors to discuss and suggest changes to governance structure, processes, and shaping Council culture. This includes discussing an "all of council" approach to Featherston.*
4. *Develop and adopt a work plan to deliver the LTP.*
5. *Revise the Community Boards Terms of Reference and delegations through the Community Board Working Party (to be formally constituted at the next meeting).*

#### **1. Background**

The Governance Review arose from concerns raised regarding the culture of South Wairarapa District Council at the time of the resignation of councillor Harwood. The Mayor commissioned a review to be undertaken by EQUIP.

The current structure and processes are basically rolled over from the previous triennium. The reasoning for this approach was that the election saw six new councillors and mayor elected and the possibility that the council term could possibly be two years due to the amalgamation proposal.

The amalgamation did not proceed so it is now timely to review the council governance framework including structures and processes to ensure council delivers highly functioning governance leadership.

## **2. Discussion**

The Mayor has held discussions with most councillors individually to ascertain their thoughts regarding the most appropriate structure and how council can strengthen the culture of the organisation. This discussion resulted in a number of options that could be used in the future.

A workshop discussing possible structural changes, amended processes and adoption of a Values booklet is recommended to progress. The workshop will take place within a month of this meeting. The workshop will include discussions of an "all of council approach" to Featherston.

The Community Board Working Party was informally established to make recommendations to the Local Government Commission regarding how Community Boards would operate in an amalgamated council. It is now time for the Working Party to meet again and to review the Community Board Terms of Reference and delegations.

A LTP workplan will be developed, implemented and monitored over the next year.

## **3. Conclusion**

This Review lays a foundation for council to improve its governance structure and processes. The recommendations from the review will be discussed and implemented over the next few months.

## **4. Appendices**

Appendix 1 - South Wairarapa - Fit for Purpose: A Review of South Wairarapa District Council's Governance Processes August 2018

Prepared By: Her Worship the Mayor, Viv Napier

**Appendix 1 – South  
Wairarapa - Fit for Purpose:  
A Review of South  
Wairarapa District Council's  
Governance Processes  
August 2018**



WatsonPeters

We are.  
LGNZ.  
EquiP

# South Wairarapa

**FIT FOR PURPOSE: A REVIEW OF SOUTH WAIRARAPA  
DISTRICT COUNCIL'S GOVERNANCE PROCESSES**

**August 2018**

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## Key Findings

While South Wairarapa District Council (SWDC) continues to make improvements, there are opportunities for further efficiency in working party structures, effectiveness in time management, and respectful internal and external facing communications that can be further improved to keep building a positive culture of governance and management.

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A fit for purpose Council is right-sized, with the right workload, messages and culture to deliver the community's expectations.

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### 1. Governance Structures and Processes

There is an opportunity to ensure SWDC is optimising Councillor and staff time to provide the best outcomes for South Wairarapa decision-making, for desired community outcomes, accountability and transparency.

Governance Structure Recommendations

- We recommend the governance structures, processes, terms of reference and reporting mechanisms be reviewed over the next few months, to more closely align with the Strategic Pillars (over).

### 2. Shaping Council Culture

The Council, elected members, and staff have all spent time and effort in this term understanding their values and establishing a strategic framework on Council direction and priorities. Our review provided an opportunity to learn and discuss how this works, and how different parties work together.

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There are opportunities for strengthening the governance structure and culture of the organisation.

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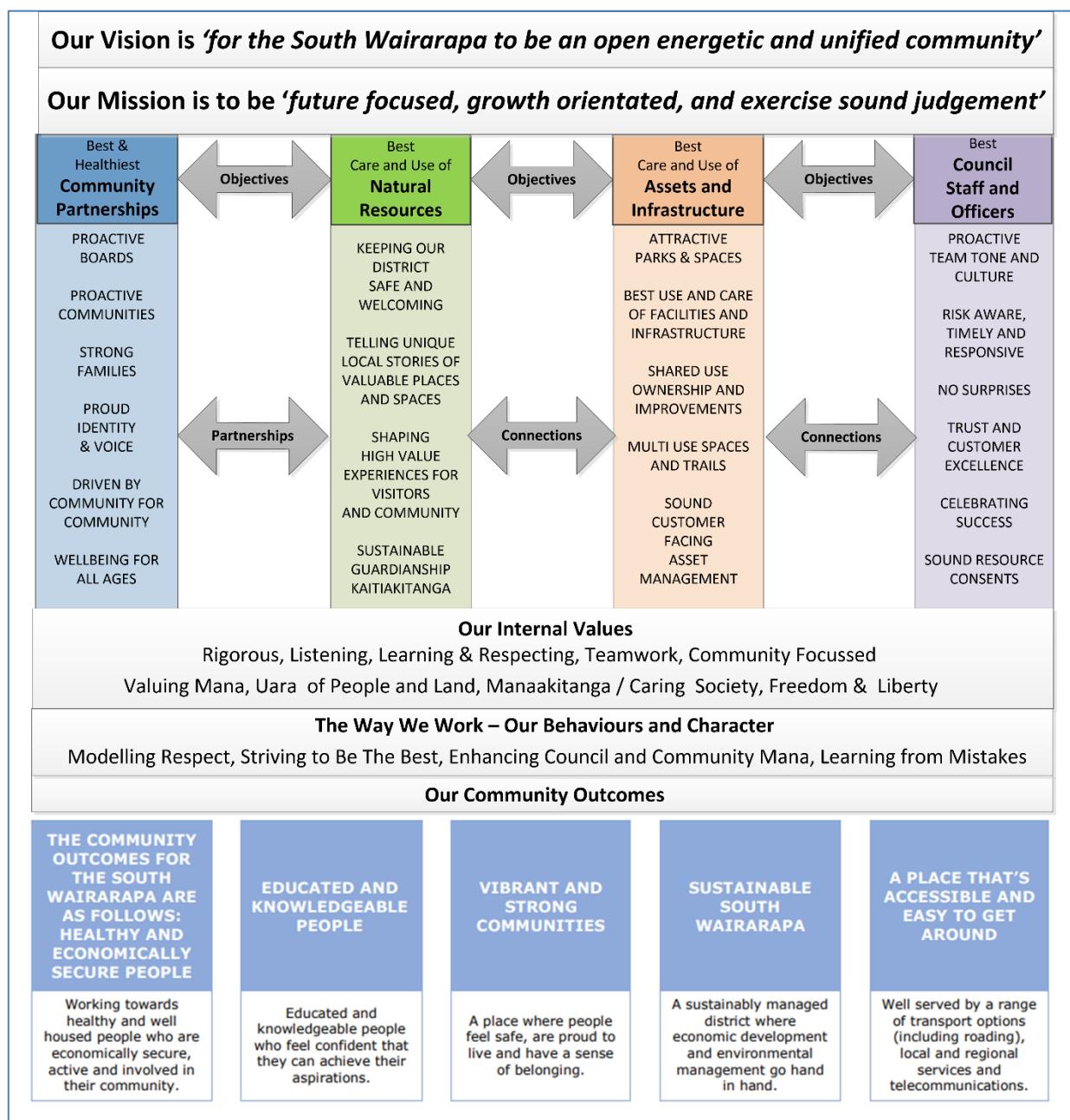
Improvements will allow for more efficiency, improve relationships and proceed in an inclusive manner that aligns with values and decisions with the vision.

Culture Recommendations:

- That Council consider and adopt the Values, Behaviours and Character activity (over) and booklet (attached in Appendix);
- All communication is couched in a respectful manner between elected members and staff in all forums;
- To recognise the role of a Councillor involves much reading and Councillors are encouraged to clarify information and prepare before formal meetings, where practicable;
- To expect constructive challenge and questions of staff reports in Council meetings;
- Facebook posts and social media are not the places for negative remarks about Council staff or other elected members;
- The Mayor and Councillors have a leadership role in setting organisational culture - their manner and behaviour is an essential influence on the tone of the organisation; and
- To recognise with each other, both Councillors and staff are both wanting to serve the South Wairarapa community well, and this statement becomes the foundation stone to conversations and communication.

### 3. Strategic Leadership - the year ahead and opportunities now

The Council have just adopted a Long Term Plan. There will be a clear expectation by Council, staff and the community, therefore, to implement Year 1 of the Plan and make progress towards the desired community outcomes. As part of this Plan, the Council has set out its direction, Values and Vision, and how it expects to work according to its 'Four Pillars'. This Strategy has been updated with Values, Behaviours and Character (below) to deliver community outcomes.



Strategic Leadership Recommendations:

- That Council prioritise activities to deliver against the Plan, but that
- Council de-risk community division, starting with an 'all of council' approach to Featherston; and
- Council Values (above) be communicated and modelled to rebuild a community partnership.

We recommend the Councillors, staff and Community Board meet soon to provide an integrated approach for resetting a Featherston 'community engagement and work programme' that works in a complementary way with development across the wider District. This recommendation comes from views and concerns expressed in interviews with Councillors and staff.

Part of the LTP that will assist with Council at this time – and according to this review and interviews are:

- Improving the website, with up-to-date documents (including governance documents) and providing a modern, friendly customer interface;
- Employment of a staff member dedicated to Council communications; and
- Developing a spatial plan for the District - to include all townships and countryside.

## Our Approach

Pamela Peters and Steven Finlay from EquiP were asked to review the SWDC governance framework and processes, to identify whether or not there are areas that may be improved, to enable the Council to provide good governance on behalf of residents. We approached this study with two complementary objectives:

1. Creating an environment that enables elected members to understand and deliver on their role in the decision-making and accountability processes required of their Council; and
2. Building an inclusive and focused governance body, working positively with staff and the local community.

We undertook desktop research, interviews, document reviews and then a Council workshop. The Council workshop included time with elected members alone and time with both Councillors and senior staff.

The subject areas covered were:

- Governance Structures and Processes;
- Accountability and transparency;
- Conduct and behaviour (including Code of Conduct);
- Clarity of roles;
- Building a team/Group dynamic;
- Understanding current issues or concerns; and
- Focusing on the strategic picture of Council plans and direction.

## Limitations

This Review does not include a study of structure, processes, Terms of Reference and operation of Community Boards. This topic may be valuable and important. The Community Boards are said to have more prominence in this term. The Review does not take into account the Representation Review currently underway and this may bring changes to Council table.

The Review does not measure in detail your delegations, Terms of Reference of each Committee and Working Party. There are several Working Parties and Committees. Some of the Terms of Reference were out of date or incorrect.

It does not include your Governance Statement – this document is currently been updated. Your Working Party agendas are not on the website, so we were unable to compare with full Council agenda items – within the time and scope of this project.



## 1. Governance Structures and Processes

There is an opportunity to ensure SWDC is optimising Councillor and staff time to provide the best outcomes for South Wairarapa decision-making, for desired community outcomes, accountability and transparency.

### Governance Structure Recommendations

- We recommend the governance structures, processes, Terms of Reference and reporting mechanisms be reviewed over the next few months, to more closely align with the Strategic Pillars.

From our desktop and initial study, it seems to be some structures and reporting systems need reviewing by Councillors over the next few months.

We recognise reporting regularly to full Council is an efficient process – for a small Council compared to the additional formal standing committees in big centres.

The Council becomes the clear decision-making forum for the broad range of local government functions and SWDC community issues. The Maori Standing Committee, Hearings Committee and Liquor Licensing Committee and Community Boards have specialised or localised decision-making roles.

Also, South Wairarapa expects elected members to report to Council – on what Council work they are involved with or subject matters they want to raise from this work. These written reports are unusual but considered valuable by all Councillors, and they saw this as 'part of their accountability'.

### Working Parties, Workshops and Briefings

We note a large number of Working Parties and working groups in the SWDC documents, and it is unclear how these exactly work? We do not have the scope to review each Working Party, and the Terms of Reference were not updated at the time of the study. The agenda papers are not available on the website. From the documents we were sent, it was not easy to understand the flow of information or reports to these working groups or parties.

We understand SWDC has a very similar governance structure as previously.

Local government work and decision-making require broad subject knowledge for both senior managers and Councillors. As part of their role a group of Councillors may be asked to work closely and informally on a project together with a community group.

Councils then have a variety of mechanisms – firstly and importantly to conduct the formal processes of decision-making, records and agendas, and secondly to provide for an appropriate and timely exchange of information.

## **Workshops and Briefings**

Many councils use workshops and briefings where Councillors may discuss specific or complex issues in depth before items come to Council. For example, Health and Safety Act implications or new requirements for NZ Drinking Water standards.

Such in-depth topics need to be discussed and understood with time allowed for understanding by all parties including asking and responding to questions. Work structures therefore need to allow mechanisms for briefings and working on subject matter together.

Similarly, councils need their doors to be open to business initiatives and proposed employment development in their districts, with processes that are respected and fair to all.

## **Working Parties**

The Working Parties at SWDC are seemingly set up into functional local government areas: Infrastructure and Planning; Audit and Risk; Community Safety; Risk and Resilience; and then some with specialised roles, for example, the CE Review Working Party and Long- Term/Annual Plan Working Party.

We understand this structure is the same as the last term of Council. These working parties were not reviewed immediately after the 2016 local government elections. We were advised a significant number of new Councillors had just been elected, which made discussions and decisions such as these, more difficult in the first weeks of term. The possibility of SWDC Council amalgamation was also prevalent at that time.

We received copies of some agendas and papers prepared but these are not on the website, and Working Parties are not open to the public. It is not clear if minutes are taken. It seems governance support is available. From the documents available from staff, it appeared an agenda is like a cover page with subject areas. We have attached two documents to this report to illustrate this point.

There needs to be confidence in privacy, for example, if sensitive commercial information on a property was to be discussed, that it is treated carefully, not only for those immediately involved in the property but also that the governance processes provide for this protection. This protection ensures that there are no questions of any conflict of interest for staff or Councillors in any discussions. This type of assurance is usually enshrined within the formal meeting procedures and minutes.

## **The Workload for Councillors and Staff**

We then raise the issue of workload in general and getting the most efficient mechanisms to provide for well- informed, timely and transparent decision-making. The heavy workload on Councillors around the country is mostly because the functions of local government are broad, but we consider the structure of SWDC reporting processes and meetings in South Wairarapa may cause further workload to Councillors and staff.

We are aware several Councillors hold full-time positions elsewhere and juggle this with Councillor duties and family life. The Council/ Working Party/ Working Group structure may duplicate agenda preparation and time required at meetings for Councillors. Councillors are also appointed on national, regional and local community-based organisations.

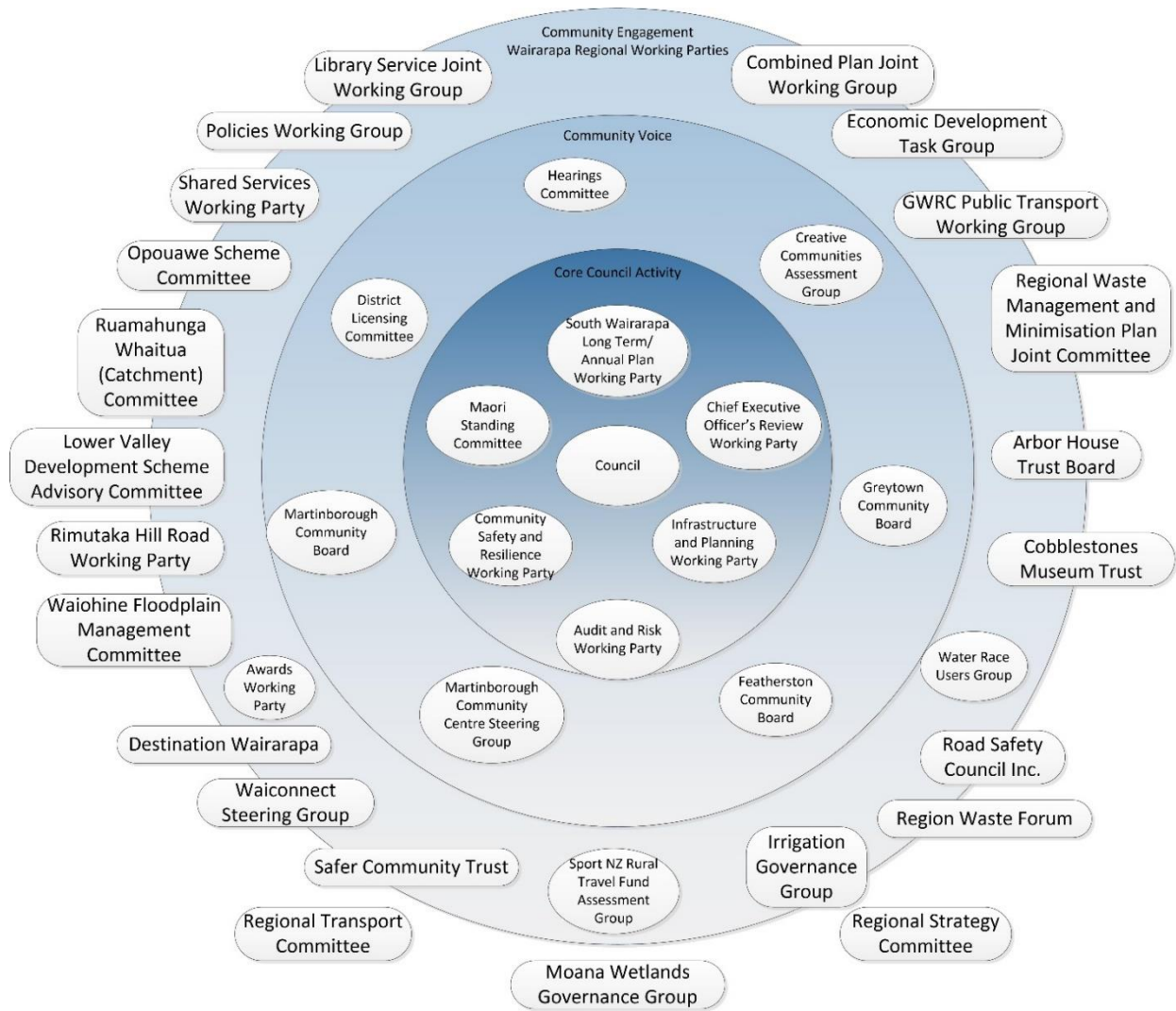
Therefore, while these Working Parties maybe simply helpful briefings, with no legal decision-making ability - there is some risk without seeing the agendas that they may not provide adequate protection or that they may replicate Council meetings in some form, and that subsequent debate in Council meetings may not be the first debate by Councillors on an item, making unnecessary extra work. To clarify this, we recommend SWDC undertake a review to ensure Councillor time is most effectively and efficiently used.

### **Community Boards**

The role of Community Boards is said to be strong in this Term, and while the Council is more inclusive of their contribution, it would also seem helpful to discuss and develop their Terms of Reference and way of operating.

We have had some feedback that while more involvement is encouraged, one or two Community Board members have access to staff members and are involved in operational matters for their respective areas. This practice needs to be discussed between Council and Boards, on what is appropriate and efficient for all parties.

We illustrate the current Committee structure and Councillor Appointments in the diagram (below). What is apparent from this diagram was the complex and potentially onerous structure and work of staff and elected members.



## **Appointments to Outside Organisations**

While our commentary above has been on Councils' governance structures, what the Figure above illustrates is the plethora of Councillor Appointments to outside organisations: either locally; regionally; or nationally. When discussions sought efficiencies in our workshop, Councillors were keen to point out that these appointments are how they link with their community, and they valued them.

We respect and understand this. We know the Figure should include more of these appointments. It occurred to us with the observations above that the timing is right for an internal reflection and review of best structures for your Council.

The new Long-Term Plan and Vision have just been adopted at the end of June and it is worth considering the Committee Structures that will give the best chance to achieve the outcomes that SWDC desire and the structures that are most effective and efficient for the organisation and elected members.

EquiP has assisted Wairoa Council to adopt a fit for purpose Council Structure and key learnings and insights are available.

## **Accountability and Transparency**

There have been no issues raised in this Review - or by Councillors - on accountability and transparency other than is already mentioned above about Councils' Working Parties and working groups.

It is the view of both Councillors and senior staff that Council meetings, agendas and reports are well-written, and the sessions are run according to a high professional standard, by people well versed in local government requirements. We have also been advised, that Audit NZ have been complimentary about the high standards of SWDC reports and financial reporting.

## **Agendas, Reports, and Stella Document Storage**

There was confidence across Council with the quality and timing of Council agenda reports and the governance support staff.

Many of the Council agendas contain progress against the Annual Plan performance measures, and this is helpful to Councillors as they monitor how well Council is doing on key indicators. These performance measures can assist to check work is aligned with Vision, Values and Priorities.

Councillors indicated they greatly valued staff and the work they did.

Experienced Councillors reported the advice and agendas had significantly improved over recent years. There are times Councillors would like to hear more about successes or positive developments at Council or in the community in Council agendas. Others commented they would like to see recommendations with one or two options presented more frequently. Councillors indicated they expect to debate and question freely in the Council Chamber and this generally happens well. From the desktop review – the agendas prepared seem clear and informative.

SWDC use a document repository system called Stella – this has improved efficiency in the Council and from our observations this is an advanced use compared to similar sized Councils.

## 2. Council - Building a Positive Council Culture

### Culture Recommendations:

- That Council consider and adopt the Values, Behaviours and Character activity (over) and booklet (attached in Appendix);
- All communication is couched in a respectful manner between elected members and staff in all forums;
- To recognise the role of a Councillor involves much reading and Councillors are encouraged to clarify information and prepare before formal meetings, where practicable;
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- The Mayor and Councillors have a leadership role in setting organisational culture - their manner and behaviour is an essential influence on the tone of the organisation; and
- To recognise with each other, both Councillors and staff are both wanting to serve the South Wairarapa community well, and this statement becomes the foundation stone to conversations and communication.

### Councils that achieve good governance:

1. Focus on the purpose of the local authority, outcomes for the community and implementing a vision for their area;
2. Support members and officers working together to achieve a common objective with clearly defined functions and roles;
3. Promote their values and demonstrate the importance of good governance through high standards of conduct and behaviour;
4. Take informed and transparent decisions which are subject to effective scrutiny and understanding of risk;
5. Develop the capacity and capability of members and officers to be effective; and
6. Engage with local people and other stakeholders to ensure robust public accountability.

The above principles provide a basis for assessing the degree to which a council's governing arrangements encourage an inclusive culture, not only between elected members but also between elected members and staff.

Elected members need a professional framework within which to exercise their governance roles, whether asking questions, monitoring performance or making decisions. As the good governance principles highlight, this means being able to collectively demonstrate leadership, act transparently, have clarity of their roles and those of management, and operate as a team committed to fulfilling the council's vision. As part of this, elected members and staff must act courteously and constructively with their fellow elected members and management.

## Clarity of Roles

### **Governance Role**

The following list was presented to the workshop for discussion:

- Defining your purpose and vision;
- Decision-making to best of ability;
- Advocacy on behalf of the district to a wider context;
- Representation for citizens and ratepayers;
- Listening and reading;
- Leading by example with values agreed;
- Empathy with others around you;
- Collective Responsibility;
- Ensuring management can do their job; and
- Voicing opinion and advice.

### **Staff Role**

The following list was presented to the workshop for discussion:

- Advisory role in agenda, reports and communications;
- Implementation of policies, strategies and delivery of work;
- Providing professional and technical skills;
- Legal and Regulatory Role-enforcing;
- Provision of services;
- Financial stewardship;
- Customer friendly interface;
- Provide information; and
- Planning and Asset Management.

## Strengthening the Team

### Code of Conduct

The Code of Conduct was discussed with all those elected members interviewed. There was no call for a re-write or questioning its intent or status. The consensus was the spirit of the code was important. It has been used as a general guideline - not to limit discussion or shape Councils working environment.

If Councillors saw it transgressed, however, some Councillors wanted the assurance Standing Orders would be used accordingly, and that the Mayor addresses the issue with any Councillors involved.

### Standing Orders

The issue of using Standing Orders (SO) a little more was discussed with several experienced Councillors. SO was generally seen as helpful, when meetings get very long or when some people tend to dominate. SWDC has not used SO liberally in the past - but with this Council's aim to be inclusive and efficient, we support the Chair use SO at their discretion.

### 'One-team' Approach

It is not common in local government's political context for Councillors to be committed to a One-Team approach in the usual staff or Executive Team manner. Councillors are elected with a range of opinions on issues, philosophy and approach. Councillors are expected to have diverse views and skills – but also the ability to work together for the District.

When individuals in SWDC, both Councillors and staff, express they want work like 'one-team' - as several articulated - we have taken that to mean committed to working on the purpose of SWDC - for the benefit of the community, ratepayers and citizens, for their agreed Vision (LTP) and with a Values-set and Behaviours of mutual respect. This perspective 'of all working for the benefit of the District' became apparent in interviews with the staff, which they articulated in the workshop on the 4th of July. It is also reinforced by the Council Strategic Direction – according to the Four Pillars, and the Values work done early in this Term.

### 'Getting the Little Things Done'

**Assurances complaints and operational matters are actions or resolved. Councillors informed of progress regularly.**

We recommend the Chief Executive and Senior Managers address this. There seems to be frustration from Councillors when they do not know if actions and requests for work are done or responded to promptly. We are conscious some Community Board members are also making similar enquires.

From a staff perspective, Councillors and some Community Board members are quite involved with operational matters, even to the point of specific instructions in some instances. This practice needs to be addressed by both Councillors and the CE. Timely responsiveness is embedded in the 4 Pillars. Council can seek assurances that their Strategy is being delivered by measurable KPIs. The following questions can help.

What procedures do you have to raise operational matters if they come to the attention of elected members?



What level of contact do you expect or allow – Councillors to make contact with staff?

How can Councillors / Board Members be assured work is done / or issue addressed?

Some Councillors have access to staff members for questions or discussions others do not?

### **Use of Facebook and Other Social Media.**

Facebook Pages and social media are often used to good effect for public communication. For example, Council Facebook pages, Community initiatives, Emergency Management and so on. However, there have also been negative comments on personal or group Facebook posts about the work or personnel of Council, that were brought to our attention. These posts have a damaging effect on staff and fellow Councillors' morale and increase work stress. This practice is unfortunate when posted by members of the public, but if posted by elected members or staff then for all the reasons mentioned above, it undermines working constructively together and providing a mutually respectful environment.

For the Mayor and Councillors, it is also important in law. When elected members take the Oath of Office under the Local Government Act – they take the role as a Councillor as part of collective South Wairarapa District Council. As such, it means ensuring the Council is a 'Good Employer' – expecting the policies, procedures and organisation provides staff with fair and proper treatment. There is a Legal risk to Council if Councillors undermine staff publicly or through media outlets.

### **Recognise Councillors Want to be Active and to Build a Profile**

The public expect the Mayor and Councillors to be working in the community and therefore to maintain a profile allowing them to be recognised for either doing things or for their views on important local subjects. Councillors will do this in different ways, and those ways are changing with technology.

Councillors are required to read extensively for their roles and do the preparation required for their decision-making role at meetings. There were no concerns expressed in SWDC that this is not happening – Councillors generally considered all Councillors worked hard. There had been a recent example of a single Councillor who has been promoted to a very senior role at work and may no longer have the time expected to contribute fully.

### **Communications Staff**

This resource within Council is seen as essential by all. It is understood at the time of writing that an appointment was imminent. Councillors and staff are very keen to enhance their communication efforts and strategies, improve their customer interface and the publications and documents of all kinds.

### **Informal Communications**

Most of the elected members spoke highly of their relationship with staff – and the value they placed on their advice, efforts and skills. Councillors and staff should expect and welcome constructive and lively debate in the Chamber. There will need to be appropriate questions that respectfully challenge staff reports and outcomes - to test thinking and recommendations - along with the ability to move motions and amendments as part of their debate and decision-making.

Senior Staff interviewed generally had a warm regard for the hard work, effort and skills of the elected members. They spoke supportively of the Chief Executive of his work ethic, leadership and professional manner with other staff members. It is evident in a small rural Council – with slightly tight working conditions – informal communications and close work relationships are possible. Relaxed and informal conversations may be normal.

What Councillors and staff wanted to protect was this open and informal culture whenever possible and the mutual respect between each other in conversations, emails and more formal Council debate.

Staff would like the chance to meet with Councillors informally – at least occasionally and be introduced to Councillors at meetings, with potentially new staff to be part of their induction process. Similarly, Councillors wanted the chance to tour the offices and understand what different staff did in their roles.

### 3. Strategic Leadership - The Year Ahead

Strategic Leadership Recommendations:

- That Council prioritise activities to deliver against the Plan, but that
- Council de-risk community division, starting with an ‘all of council’ approach to Featherston; and
- Council values be communicated and modelled to rebuild a community partnership.

The timing of this review – so closely associated with the adoption of the SWDC Long Term Plan was relevant. Several of the issues addressed above are also in-track or planned for the year ahead. Within interviews Councillors and staff were keen to illustrate issues of their intent, current circumstances in SWDC and opportunities ahead. However, Councillors also spoke of their frustrations at what had recently occurred in Featherston and the wish to support each other and staff to improve and resolve issues. It is suggested that Council initiate an integrated approach for improved engagement and clarity of the work programme ahead.

SWDC agreed on a long-term vision in their LTP in June 2018 and the focus and path towards its achievement and monitoring progress in a collective way, should help build inclusiveness, buy-in and meet the expectations of elected members and staff.

Importantly we note the following from these discussions:

- New Councillor July 2018 - August 2018 will be elected through a by-election. It is an opportunity for inclusive and thorough induction process., including staff introductions.
- LTP Commitments- roll out the Year 1 works programme
- Spatial Plan- Establish a plan for whole district and townships that combines RMA, infrastructure issues and strengthening communities
- LGNZ Excellence Programme- do the preparatory work in 2018-19
- Communications person to be employed.
- Provision to improve the Council website.

It would be helpful to use the LTP vision documents to clearly understand how Council and all Councillors can follow and monitor progress towards the achievement of their goals and objectives. Some also asked for communications systems to hear from residents – on their approach and success, in managed independent surveys with a valid sample size and analytics.

## 4. Next Steps

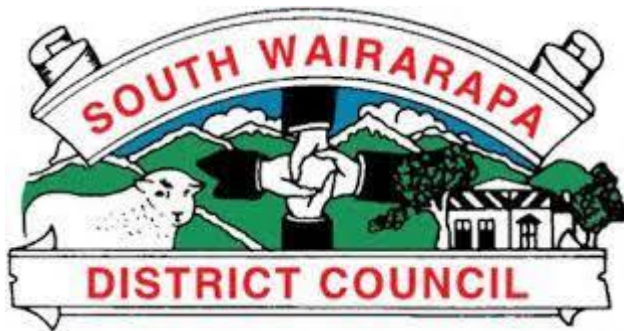
We recommend the next immediate step is reviewing and completing the Values Booklet and activity (below), ahead of the Featherston engagement, where these Values can be enacted.

From this Review it is clear SWDC continues to make strong progress. Taken together these recommendations support further progress in Working Party structures, effectiveness in time management, and respectful internal and external facing communications that will keep building a positive culture of governance and management, for the greater good of the people of South Wairarapa. They deserve nothing less.

Values Document (embedded, click to open, also provided as separate attachment).

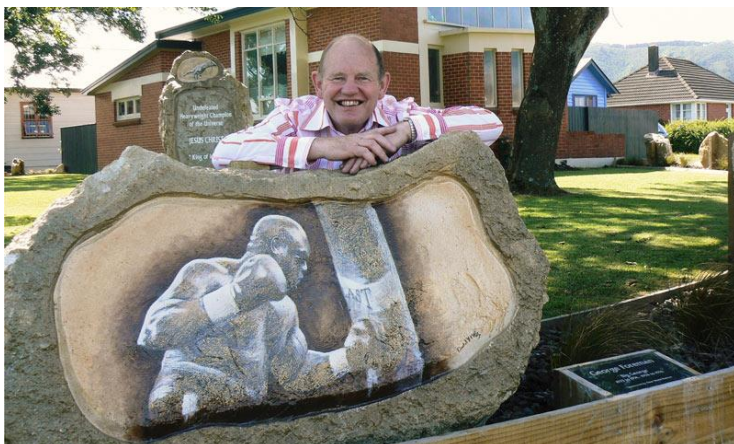
## South Wairarapa District Council

### Our Vision, Mission, Values, Behaviours & Outcomes



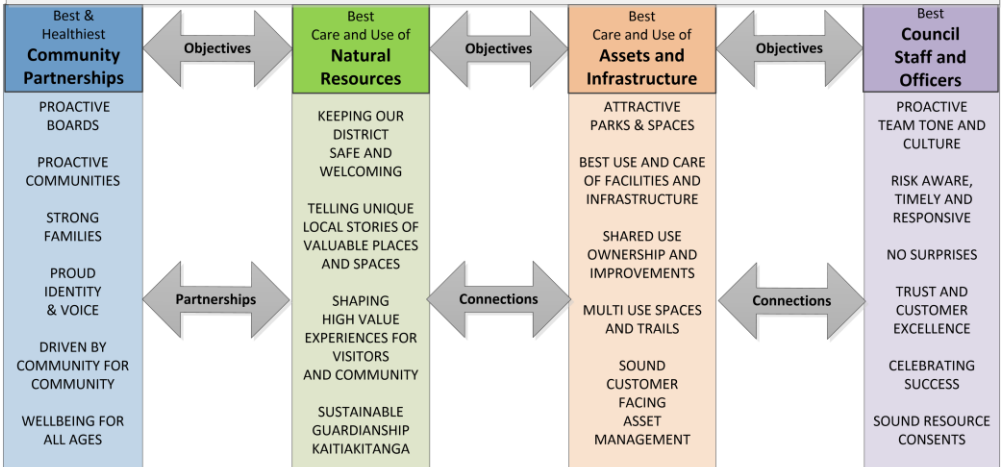
### Our Internal Values

Rigorous, Listening, Learning & Respecting, Teamwork, Community Focussed  
Valuing Mana, Uara of People and Land, Manaakitanga / Caring Society,  
Freedom & Liberty



**Our Vision is 'for the South Wairarapa to be an open energetic and unified community'**

**Our Mission is to be 'future focused, growth orientated, and exercise sound judgement'**



**Our Internal Values**

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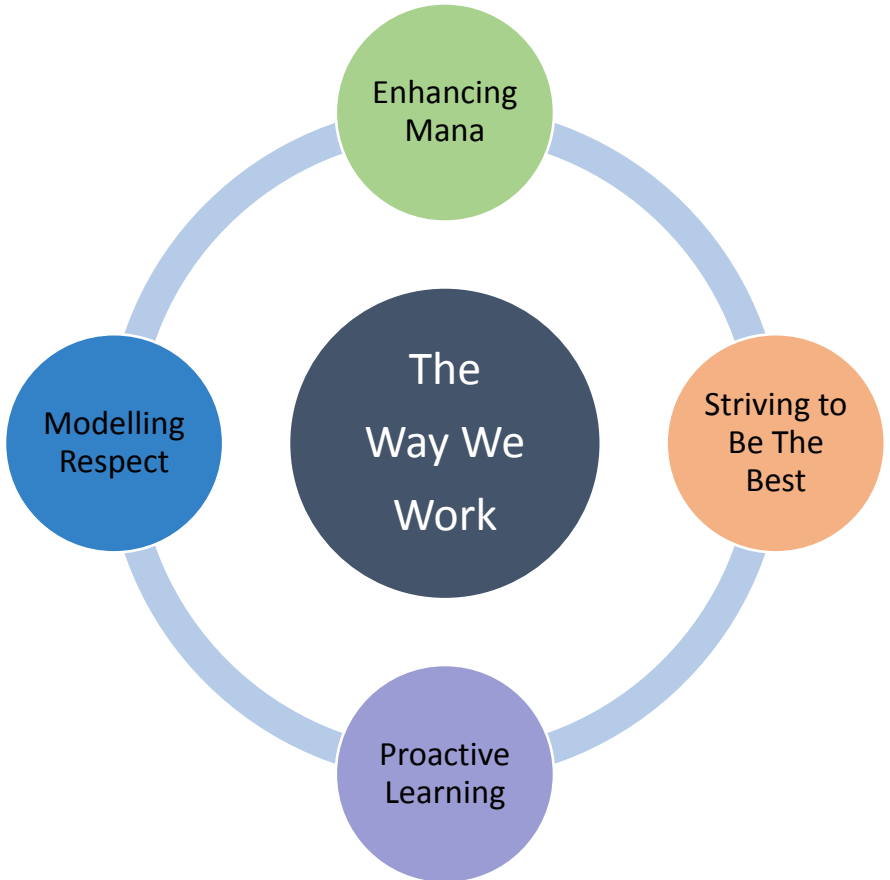
**The Way We Work – Our Behaviours and Character**

Modelling Respect, Striving to Be The Best, Enhancing Council and Community Mana, Learning from Mistakes

**Our Community Outcomes**



Enhancing Council and Community Mana  
Modelling Respect



Courageously Striving to Be the Best Council  
Learning from Mistakes

**The Way We Work – Our Behaviours and Character**

Modelling Respect

Courageously Striving to Be the Best Council

Enhancing Council and Community Mana

Learning from Mistakes