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DISTRICT

# GOVERNANCE

**NEW ZEALAND IS A DEMOCRACY, WITH A DEMOCRATICALLY ELECTED HOUSE OF REPRESENTATIVES. THERE ARE THREE BRANCHES OF GOVERNMENT - PARLIAMENT, THE EXECUTIVE AND THE JUDICIARY.**

## GOVERNMENT - CENTRAL, LOCAL AND REGIONAL

### CENTRAL GOVERNMENT

New Zealand's Government is formed from a democratically elected House of Representatives. The Government advises the Sovereign (the head of State). By convention, the Sovereign acts on the advice of the Government in all but the most exceptional circumstances. This system is known as a constitutional monarchy.

New Zealand's system distributes power across three branches of government - Parliament, the Executive and the Judiciary. Parliament makes the law and the Executive administers the law. The Judiciary interprets the law through the courts.

### HOW LAWS ARE MADE

New laws begin as documents called Bills. Bills are drafts of proposed new laws. Parliament considers several different types of Bill in formal stages. If they pass through all those stages they become new laws called Acts of Parliament.

### HOW A BILL BECOMES A LAW

A Bill passes through several stages before becoming an Act of Parliament. These stages ensure that the Bill is subject to public debate and scrutiny and also provide an opportunity for the Bill to be changed.

### TYPES OF BILL

The House considers several types of bill - Government Bills, Members' Bills, Local Bills and Private Bills.

For more see: [www.parliament.nz](http://www.parliament.nz) or [www.newzealand.govt.nz](http://www.newzealand.govt.nz)

## LOCAL AUTHORITIES

**78** LOCAL  
AUTHORITIES  
REPRESENT ALL AREAS  
OF NEW ZEALAND

## REGIONAL AND LOCAL GOVERNMENT

Parliament is elected to deal with issues relevant to New Zealand and its people. Local and regional government enables democratic decision-making by and for local communities.

Regional and local authorities make decisions about local issues and services, having regard to local needs and priorities. This recognises that not all communities are the same, nor do they have the same issues.

**11** REGIONAL  
COUNCILS  
SUCH AS WAIKATO REGIONAL COUNCIL

**12** CITY  
COUNCILS  
WHICH ARE  
LARGELY URBAN

**54** DISTRICT  
COUNCILS  
SUCH AS WAIKATO  
DISTRICT COUNCIL

**1** AUCKLAND COUNCIL  
WHICH AMALGAMATED EIGHT FORMER  
COUNCILS INTO ONE LARGE COUNCIL

### UNITARY AUTHORITIES

There are also five unitary authorities in New Zealand, the largest of which is Auckland Council. Unitary councils combine the functions, duties and powers of a city or district council with those of a regional council.

## REGIONAL COUNCILS

Regional councils' responsibilities include:

- Managing the effects of using freshwater, land, air and coastal waters
- Developing regional policy statements and the issuing of consents
- Managing rivers, mitigating soil erosion and flood control
- Regional emergency management and civil defence preparedness
- Regional land transport planning and contracting passenger services
- Harbour navigation and safety, oil spills and other marine pollution

For more see [www.localcouncils.govt.nz](http://www.localcouncils.govt.nz) and [www.lgnz.co.nz](http://www.lgnz.co.nz)

## LOCAL (DISTRICT AND CITY) COUNCILS

There are no differences in the way that city or district councils operate. Their responsibilities include:

- the provision of local infrastructure, including water, sewerage, storm water, roads
- environmental safety and health
- district emergency management and civil defence preparedness,
- building control, public health inspections and other environmental health matters
- controlling the effects of land use (including hazardous substances, natural hazards and indigenous biodiversity)
- noise
- the effects of activities on the surface of lakes and rivers.

## WAIKATO TAINUI

Waikato-Tainui comprises 64,500 Māori tribal members, 68 marāe and 33 hapū and has its own governance structure. The current structure was put in place in 1999 following the tribe's 1995 land settlement with the New Zealand government.

### HISTORY

The Waikato-Tainui iwi traces its roots back to the migration of the Tainui waka (canoe), captained by Hoturoa, that voyaged from Hawaiki across the Pacific Ocean to Aotearoa around 1350AD.

### TRIBAL STRUCTURE

Tribal members elect three members from their marāe to represent them for three years in Waikato-Tainui Te Kauhanganui Incorporated - the tribe's parliament, commonly referred to as 'Te Kauhanganui'.

### TE ARATAURA

Te Arataura is the executive board of Waikato-Tainui Te Kauhanganui Incorporated. Its membership is comprised of 10 members elected from Te Kauhanganui (the tribe's parliament) for terms of three years and one Kaahui Ariki representative appointed by the King.

### WHAKATUPURANGA 2050

Whakatupuranga Waikato-Tainui 2050 is the blueprint for the cultural, social and economic advancement of Waikato-Tainui people. It is a 50 year development approach to building the capacity of the tribe's iwi, hapū and marāe

For more see: [www.waikatotainui.com](http://www.waikatotainui.com)

## TREATY OF WAITANGI (TE TIRITI O WAITANGI)

The Treaty of Waitangi is New Zealand's founding document. It takes its name from the place in the Bay of Islands where it was first signed on February 6, 1840.

This day is now a public holiday in New Zealand. The Treaty is an agreement, in Māori and English, that was made between the British Crown and about 540 Māori rangatira (chiefs)."

For more see:

[www.nzhistory.net.nz/politics/treaty/the-treaty-in-brief](http://www.nzhistory.net.nz/politics/treaty/the-treaty-in-brief)

## JUDICIAL SYSTEM

New Zealand's judicial system is made up of courts, some of which have more power than others. Courts resolve conflicts between people, or between people and the state. Court judges base their rulings on written law (legislation) and common law (law that developed from previous judges' decisions).

### HISTORY OF COURTS IN NEW ZEALAND

New Zealand's first courts were established in 1840. The Supreme Court, which is what the High Court was known as until 1980, was founded in 1841. Various lower courts continued until 1980 when they were renamed 'district courts' and given wider responsibility.

### THE SUPREME COURT

The Supreme Court is the highest court in New Zealand. It is an appeal court, so rules on cases that have been first heard in a lower court. In the Supreme Court usually five judges will hear each case, and the chief justice presides (leads). Other lower courts must follow the Supreme Court's decisions.

### THE COURT OF APPEAL

The Court of Appeal is also an appeal court. Three to five judges sit on each case, depending on its importance to the public.

### THE HIGH COURT

The High Court can hear both original cases (cases in court for the first time) and appeals from lower courts.

### THE DISTRICT COURT AND SPECIALIST COURTS

DISTRICT COURTS HEAR  
MORE THAN

LOCATED THROUGHOUT  
NEW ZEALAND ARE

**95%** OF CRIMINAL TRIALS **63** DISTRICT COURTS

The Youth Court and the Family Court are both part of the District Court. Other specialist courts include:

- the Employment Court
- the Environment Court
- the Māori Land Court
- the Māori Appellate Court
- the Coroners Court
- military courts.

For more see: [www.teara.govt.nz/en/judicial-system](http://www.teara.govt.nz/en/judicial-system) and [www.justice.govt.nz](http://www.justice.govt.nz)



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## WAIKATO AND WAIPA RIVER SETTLEMENTS

In 2008 Waikato-Tainui and the government of New Zealand signed a Deed of Settlement to settle the tribe's claim to the Waikato River. A further refined version was signed in 2009 when the government changed from a Labour administration to a National one. The premise of the settlement was the Raupatu which dealt a double blow to Waikato-Tainui taking by the lands and the river.

The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act (the Act) was passed in 2010. The Act provides for the overarching purpose of the settlement which is "to restore and protect the health and wellbeing of the Waikato River for future generations." It enables the vision and strategy, jointly developed by the Guardians of the River, to be deemed as part of the Regional Policy Statement of Waikato Regional Council. The members of the Guardians of the River included the five iwi along the length of the river and relevant territorial authorities. Each territorial authority is required to enter into a Joint Management Agreement with Waikato-Tainui. This allows for co-management of the river by Waikato-Tainui and the territorial authority.

Waikato District Council and Waikato-Tainui entered into a Joint Management Agreement (JMA) on March 23, 2010. As the real beneficiary of the settlement is the river, the legislation provides financial redress "the clean-up fund" to achieve the restoration of the health and wellbeing of the river. This agreement affirms the commitment between Waikato-Tainui and the Council to:

- Enter into a new era of co-management over the Waikato River
- Achieve the overarching purpose of the settlement to restore and protect the health and wellbeing of the Waikato River for future generations, and
- To provide an enhanced relationship between Waikato-Tainui and the Waikato District Council on areas of common interest

Schedules to the JMA outline the process for engagement to achieve the purpose, principles and objectives of the agreement.

Staff of the Council work closely with staff of the Waikato Raupatu River Trust to implement the JMA.

For more information on the work of the Waikato Raupatu River Trust visit [www.wrrt.co.nz](http://www.wrrt.co.nz) or [www.waikatotainui.com](http://www.waikatotainui.com)

## WAIKATO AND WAIPA RIVERS

Collectively, the Waikato and Waipa Rivers are 540km in length. They converge in Ngaruawahia and were a common means of travel for early settlers.

# 425 KMS

LENGTH OF WAIKATO RIVER  
TRAVELS FROM MOUNT RUAPEHU/  
LAKE TAUPO TO PORT WAIKATO

# 115 KMS

LENGTH OF WAIPA RIVER  
TRAVELS FROM TE KUITI TO  
NGARUAWAHIA



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