



Whangarei
District Council

Committee Terms of Reference

Adopted: 27 November 2019



Table of contents

Amendments	3
Introduction	4
General principles of delegation	
Establishment of Committees	
Quorum	
Ambiguity and conflict	
Committees of the whole	6
Community Development Committee	
Infrastructure Committee	
Strategy, Planning and Development Committee	
Risk and Audit Committee	
Te Kārearea Strategic Partnership Standing Committee	
Other Committees	16
Airport Noise Management Committee	
Chief Executive Review Committee	
Civic Honours Selection Committee	
Commercial Property Committee	
District Licencing Committee	
Exemptions and Objections Committee	
Housing Strategy Council Co-governance Subcommittee	

Amendments

Date	Amendment	Committee
18 December 2019	Terms of Reference	Exemptions and Objections
19 December 2019	Appointment of Commissioner	District Licensing Committee
27 February 2020	Appointment of Independent Chair	Risk and Audit Committee
30 April 2020	Terms of Reference	Commercial Property Committee
4 August 2020	Appointment 2 Advisors	Commercial Property Committee
24 September 2020	Establishment Committee Adoption Terms of Reference & Members	Te Kārearea Strategic Partnership Standing Committee
16 December 2021	Resignation Jade Kake Appointment Sandra Hawken	Te Kārearea Strategic Partnership Standing Committee
16 December 2021	Resignation Mark Vincent	District Licensing Committee
16 December 2021	Establishment of Sub Committee	Housing Strategy Co-governance Committee
24 February 2022	Terms of Reference – change membership	Te Karearea Strategic Partnership Committee
24 February 2022	Adopt Terms of Reference	Housing Strategy Co-governance Sub Committee
24 March 2022	Establishment Committee	Airport Noise Management Committee
26 May 2022	Appoint Community Representatives	Whangarei District Council
23 June 2022	Appoint Airline representatives	Whangarei District Council

1 Introduction

1.1 General principles of delegation

This document sets out the terms of reference for committees of Council. The Mayor is responsible for establishing committees and appointing chairpersons. Council, through this document, delegates to committees those powers necessary for them to carry out their responsibilities.

The business to be transacted by Council and its administration is large and wide-ranging, dealing with the details of many Acts and Regulations, the Council's plans, bylaws, and a range of council activities and services. The terms of reference and delegations in this document are intended to reflect the principles of subsidiarity to allow the Council to delegate its powers and functions to the most efficient and effective levels.

The committee to whom the powers are delegated will usually exercise the delegated power but is not obliged to do so. The most common circumstances where the Council or person with the delegation might choose not to exercise it are when the matter has become a matter of public notoriety, or the issues are contentious and finely balanced.

A decision made by a committee under delegation from council has the same effect as if it were made by the Council itself.

1.2 Establishment of Committees

Procedures, responsibilities and accountabilities

Subject to the following limitations, the committees of the whole shall have power to act in all matters concerning the functions listed in their respective delegations, provided they do not conflict with stated policy of Council.

In respect of matters requiring financial input the committee's power is limited to the extent that provision has been made in the annual budgets and in the Long-Term Plan.

All Committees of the Whole:

- a. Shall be responsible for planning, reviewing and implementation of functions, duties, and powers in respect of their delegations.
- b. Shall be responsible for monitoring performance (including budget and performance targets) for their areas of responsibility.
- c. Have delegated power to appoint subcommittees and to delegate their powers to that subcommittee.
- d. May delegate their powers to an officer of the Council.
- e. Can delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002 (LGA).
- f. Any committee of the whole has the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction. (This allows for setting of fees and bylaw making processes up to but not including adoption).

- g. All committees of the whole shall undertake such other functions as may be delegated by Council from time to time and are able to provide recommendations to council where appropriate.
- h. When an Act or Regulation empowers 'the Council' to carry out a decision-making function, that decision must be made by way of resolution of the full council unless the Act or Regulation permits delegation to a committee, subcommittee or officer.
- i. Council cannot delegate any of the following matters to committees, subcommittees or any other subordinate decision-making body (Clause 32(1)(a)-(h) of Schedule 7 of the Act):
 - (a) the power to make a rate
 - (b) the power to make a bylaw
 - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
 - (d) the power to adopt a long-term plan, annual plan or annual report
 - (e) the power to appoint a chief executive
 - (f) the power to adopt policies required to be adopted and consulted on under the Local Government 2002 in association with the long-term plan or developed for the purpose of the local governance statement
 - (g) *(Repealed)*
 - (h) the power to adopt a remuneration and employment policy.
- j. The power to make or alter any council policy is limited to those instances where that power has been specifically delegated to the committee.
- k. Any committee of the whole can approve submissions on legislation.

1.3 Quorum

Unless otherwise specified, a quorum is defined as a half, if the total number of members is even or a majority, if the total number of members is odd.

The quorum for committees and subcommittees are stated in the relevant terms of reference.

The Mayor is included in calculating the quorum and is counted towards the quorum when present.

Appointed members are included in calculating the quorum and are counted towards the quorum when present.

1.4 Ambiguity and Conflict

In the event of ambiguity or conflict between the Terms of Reference, which results in uncertainty or dispute as to which committee has the allocated or delegated authority to act in respect of a particular matter, the Chief Executive and the Mayor (or Deputy Mayor in the absence of the Mayor) will make the determination which will be final and binding.

Committees of the Whole

Community Development Committee – Terms of Reference

Membership

Chairperson Councillor Gavin Benney

Members Her Worship the Mayor Sheryl Mai
Councillors Vince Cocurullo, Nicholas Connop, Ken Couper, Tricia Cutforth, Shelley Deeming, Jayne Golightly, Phil Halse, Greg Innes, Greg Martin, Anna Murphy, Carol Peters, Simon Reid

Meetings Monthly

Quorum 7

Purpose

To oversee functions of Council that interact, support and provide services for the community, including to disburse funds as determined by the Whangarei District Council Grants, Concessions and Loans Policy.

Key responsibilities

- Policy and planning for the provision of community development, culture, arts and heritage and events.
- District venues and community events
- Libraries
- Community services
 - Community sector liaison and support (Advisory Groups)
 - Community safety (City Safe, CCTV)
- Pensioner housing
- Property asset management
 - Pensioner housing
 - Forum North
 - Community halls
- Civil Defence Emergency Management
- Heritage, culture, arts and creative industries sector liaison

- Community development led programme
- Reporting on service delivery, including operational financial performance.
- Reporting on capital projects.
- Operational reporting for the Community group within Council.
- Procurement – general procurement relating to the areas of business of this committee, within delegations.
- Shared services – investigate opportunities for shared services for recommendation to council.
- Council Controlled Organisations (CCOs) – monitoring the financial and non-financial performance of CCOs whose functions would otherwise fall under the scope of this committee. Includes trading CCOs (CCTOs) and those CCOs exempted under the LGA. Responsibilities include:
 - advising on the content of annual Statement of Expectations to CCOs
 - agreement of the Statement of Intent
 - monitoring against the Statement of Intent
 - for exempted CCOs, monitoring and reporting as agreed between Council and the organisation

CCOs accountable to this committee:

- Whangarei Art Museum Trust (WAMT) – CCO
- Northland Events Centre Trust (NECT) – exempted CCO
- To carry out the funding process in accordance with the Whangarei District Council Grants, Concessions and Loans Policy in an objective, fair and transparent way.

Delegations

- (i) All powers necessary to perform the committee’s responsibilities, including, but not limited to:
 - a) approval of a submission to an external body.
 - b) establishment of working parties or steering groups.
 - c) adoption of strategies and policies relating to the key responsibilities of this committee (except for those that cannot be delegated by Council under Clause 32(1)(f) of Schedule 7 of the LGA).
 - d) the approval of expenditure of less than \$5 million plus GST.
 - e) power to establish subcommittees and to delegate their powers to that subcommittee.

- f) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
- g) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002 (LGA).

Infrastructure Committee – Terms of Reference

Membership

Chairperson Councillor Greg Martin

Members Her Worship the Mayor Sheryl Mai
Councillors Gavin Benney, Vince Cocurullo, Nicholas Connop, Ken Couper, Tricia Cutforth, Shelley Deeming, Jayne Golightly, Phil Halse, Greg Innes, Anna Murphy, Carol Peters, Simon Reid

Meetings Monthly

Quorum 7

Purpose

To oversee the management of council's infrastructural assets, utility services and public facilities.

Key responsibilities

- Services including the provision, maintenance and capital investment for:
 - Infrastructure asset management, projects and support
 - Infrastructure project co ordination
 - Transportation
 - Waste and drainage
 - Solid waste, waste minimisation and recycling services
 - Water
 - Parks and reserves
 - Cemetery
 - Laboratory services
 - Flood alleviation schemes
- Reporting on service delivery, including operational financial performance.
- Reporting on capital projects.
- Operational reporting for the Infrastructure group within Council.

- Procurement – general procurement relating to the areas of business of this committee, within delegations.
- Shared Services – investigate opportunities for Shared Services for recommendation to council.
- Council Controlled Organisations (CCOs) – monitoring the financial and non-financial performance of CCOs whose functions would otherwise fall under the scope of this committee. Includes trading CCOs (CCTOs) and those CCOs exempted under the LGA. Responsibilities include:
 - advising on the content of annual Statement of Expectations to CCOs
 - agreement of the Statement of Intent
 - monitoring against the Statement of Intent
 - for exempted CCOs, monitoring and reporting as agreed between Council and the organisation

CCOs accountable to this committee:

- Northland Regional Landfill Limited Partnership (NRLLP) – CCTO
- Whangarei Waste Limited (WWL) – exempted CCO

Delegations

- (i) All powers necessary to perform the committee’s responsibilities, including, but not limited to:
 - a) the approval of expenditure of less than \$20 million plus GST
 - b) approval of a submission to an external body.
 - c) establishment of working parties or steering groups
 - d) adoption of strategies and policies relating to the key responsibilities of this committee (except for those that cannot be delegated by Council under Clause 32(1)(f) of Schedule 7 of the LGA).
 - e) power to establish subcommittees and to delegate their powers to that subcommittee.
 - f) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
 - g) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002.

Strategy, Planning and Development Committee – Terms of Reference

Membership

Chairperson Councillor Shelley Deeming

Members Her Worship the Mayor Sheryl Mai
Councillors Gavin Benney, Vince Cocurullo, Nicholas Connop, Ken Couper, Tricia Cutforth, Jayne Golightly, Phil Halse, Greg Innes, Greg Martin, Anna Murphy, Carol Peters, Simon Reid

Meetings Monthly

Quorum 7

Purpose

To oversee planning, monitoring and enforcement activities, and guide the economic and physical development and growth of Whangarei District.

Key responsibilities

- Regulatory and compliance
 - Environmental health
 - General bylaw administration
 - Animal (dog and stock control)
 - Hazardous substances and new organism control
 - Parking enforcement (vehicles registrations and warrant of fitness)
 - Noise control
 - Food Act
 - Land use consents
 - Building Act
- Building Control
 - Property Information and Land Information Memoranda
 - Consents and inspections
- Resource Consents
 - Subdivision, land use and development control
 - Development contributions
- District Plan
 - Plan changes
 - District Plan administration
- Strategic Planning
 - Place based strategies (city centre), functional strategies (climate change)
 - Growth planning

- Urban design
- Reporting strategic trends and analysis
- Economic Development
 - District marketing and promotions
 - Developer engagement
- Commercial Property
- Marinas
- Airport
- Forestry
- Reporting on service delivery, including operational financial performance.
- Reporting on capital projects.
- Operational reporting for the Strategy and Democracy, Planning and Development, and Corporate groups within Council.
- Procurement – general procurement relating to the areas of business of this committee, within delegations.
- Shared Services – investigate opportunities for Shared Services for recommendation to council.
- Council Controlled Organisations (CCOs) – monitoring the financial and non-financial performance of CCOs whose functions would otherwise fall under the scope of this committee. Includes trading CCOs (CCTOs) and those CCOs exempted under the LGA. Responsibilities include:
 - advising on the content of annual Statement of Expectations to CCOs
 - agreement of the Statement of Intent
 - monitoring against the Statement of Intent
 - for exempted CCOs, monitoring and reporting as agreed between Council and the organisation

CCOs accountable to this committee:

- Whangarei District Airport – CCO
- Local Government Funding Agency (LGFA) - CCO

Delegations

- (i) All powers necessary to perform the committee’s responsibilities, including, but not limited to:
 - a) approval of expenditure of less than \$5 million plus GST.
 - b) approval of a submission to an external body.
 - c) establishment of working parties or steering groups.

- d) adoption of strategies and policies relating to the key responsibilities of this committee (except for those that cannot be delegated by Council under Clause 32(1)(f) of Schedule 7 of the LGA).
- e) power to establish subcommittees and to delegate their powers to that subcommittee.
- f) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
- g) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002.

Risk and Audit Committee – Terms of Reference

Membership

Chairperson	Independent Chair - John Isles
Members	Her Worship the Mayor Sheryl Mai Councillors Gavin Benney, Vince Cocurullo, Nicholas Connop, Ken Couper, Tricia Cutforth, Shelley Deeming, Jayne Golightly, Phil Halse, Greg Innes, Greg Martin, Anna Murphy, Carol Peters, Simon Reid
Meetings	Quarterly
Quorum	7

Purpose

To provide assurance to Council that robust, independent and operationally effective controls around operational and financial management practices are in place.

To provide oversight of the risk management of internal controls including but not limited to:

- Risk management framework
- Operational risk management
- Financial risk management
- Health and safety risk management
- Compliance with legislation

Key responsibilities

- Risk
 - Approve and review Councils risk management framework
 - Review and monitor Council critical risks
 - Receive and review Health and Safety reports
 - Oversight of the processes used to manage project risks
- Internal audit
 - Approve and review the internal audit programme
 - Receive and review the internal audit reports as they become available.
- External audit
 - Receive and consider audit management reports, monitor that appropriate action is being taken
 - Hold a confidential meeting with the external auditors at least once every year.
- Financial planning and control
 - Treasury – debt and interest risk management

- Procurement – major risks associated with procurement
- Overseeing and making decisions relating to an ongoing programme of service delivery reviews as required under section 17A of the Local Government Act 2002.
- Other assurance activities:
 - Receive and monitor Councils policy review program.
 - Receive and monitor Councils legislative compliance attestations
 - Receive renewal information to provide assurance that Council's assets are insured appropriately.

Delegations

- (i) All powers necessary to perform the committee's responsibilities, including:
 - (a) establishment of working parties or steering groups.

Te Kārearea Strategic Partnership Standing Committee – Terms of Reference

Membership

Chairpersons

Council based meetings: Councillor Phil Halse

Marae based hui: to be determined from mandated hapū members*

Members

Her Worship the Mayor Sheryl Mai

Councillors Gavin Benney, Ken Couper, Greg Innes, Anna Murphy, Carol Peters, Simon Reid and Phil Halse

Eight mandated hapū representatives: Delaraine Armstrong, Tame Te Rangi, Jared Pitman, Mira Norris, Aorangi Kawiti, Deborah Harding, Len Bristowe and Mike Kake

Meetings

Bi monthly for formal standing committee meetings, with hui on being held on a marae in accordance with Tikanga*

Quorum

8 comprised of 4 councillor and 4 hapū members

*note, marae based hui will be in accordance with Tikanga and as such are outside of standing orders adopted under the Local Government Act 2002

Preamble

Te Kārearea Strategic Partnership Forum was formed late in 2012 between Te Huinga (as advocates of the hapū of Whangarei) and Whangarei District Council. The desire to 'develop more robust partnership arrangements over time' was signaled in the 2014 revision of the Agreement. This partnership Committee Represents an important step in that process. While the Purpose, Key Responsibilities and Delegations form the basis for the Terms of Reference to determine what the Committee will do, it is important that the respective principles of each of the Partners continue to underpin the relationship, and that the relationship builds on the foundations outlined in the Agreement. The Statement of Principles for each of the Partners, as established in the foundation relationship agreement, is below.

Te Huinga Statement of Principles

He Whakaputanga o Te Rangatiranga o Nu Tirenī (Declaration of Independence – 1835) and Te Tiriti o Waitangi, 1840 provides the foundational doctrines of authority and partnership that are being sought after by the hapū of Whangārei as the relationship develops with the Whangārei District Council.

Te Huinga will work towards achieving the strategic intent.

Strategic Intent

- Vision/Te Pae Tawhiti: 'Ma nga hapū ano nga hapū e korero' - 'Hapū self reliance and prosperity'
- Mission/Te Kaupapa: 'Achieving hapū aspirations through effective and enduring relationships'
- Whangārei - Māori Community Outcomes:
 - a A rohe with a vibrant Māori culture
 - b A Māori community, which is healthy and highly educated

- c A society that protects and cares for all its members
- d A rohe with a flourishing Māori economy
- e A society that appreciates and cares for its natural environment
- Nga tikanga – Values
 - a Whanau – the extended family is the social unit that Māori identify with.
 - b Mana Hapū - Hapū are the cornerstone of the Māori community and identity.
 - c Mana Motuhake – self-determination, self-reliance and self-sustainability.
 - d Whakarite – Invest time and energy in building decision-making capacity and capability.
 - e Te Manawatoopu – Of one heart and mind. We are stronger working together.
 - f Kia maia – Providing leadership through courage.

Whangārei District Council Statement of Principles

In order to improve and enhance relationships with Māori, Council acknowledge a strategic platform is required upon which to continue to build strong relationships. Council is committed to collaboration with Māori organisations within the District.

Council has a contribution to make towards Māori wellbeing, be it environmental, social, cultural/spiritual or economic. Additionally, further collaboration and relationship building processes with Crown agencies and other local territorial authorities will continue as all such organisations make up part of the many services that impact on Māori wellbeing.

Whangārei District Council wishes to engage with Māori hapū and to recognize the Treaty of Waitangi. The Local Government Act 2002 outlines the obligations of local authorities around the Treaty of Waitangi.

Purpose

To enable the primary partners (Council and hapū of Whangārei) to work closely together to achieve the agreed vision 'He Whenua Rangatira - Whangārei, a district of prosperity, wellbeing and empowered communities' and mission 'Ka tūtuki te Kāwanatanga ā-rohe, ka puāwai hoki te kotahitanga me ōna tini kaupapa - Local Government that works through effective partnership and shared decisions to provide practical solutions'. Central to this is continued development of robust partnerships through learning conversations.

The Committee provides a platform for high level/strategic discussions and priority setting between the primary partners, with preference given to *kanohi ki te kanohi* (face-to-face) and preserving tikanga. Areas of focus include, but are not limited to;

- Identifying the cultural, economic, environmental, and social issues/decisions of Council that are significant for Māori¹ in the Whangarei District. (participation)
- Ensuring Council complies with statutory provisions that refer to Te Tiriti o Waitangi (the Treaty of Waitangi), including providing oversight of key processes and controls (assurance)
- To agree mutual strategic priorities (direction)

However, it is acknowledged that areas of focus/priorities may be beyond the direct control of the committee, meaning that in some areas it will be operating in an advisory capacity.

¹ Māori in this context is defined as people that affiliate to a whanau, hapū, iwi, mana whenua groups

Recognising this, and to ensure clarity, the Working Group for Maori Participation in decision making (which was tasked with developing Terms of Reference) split the responsibilities of the Committee into those where it provides advice and recommendations, and those where decision making powers would be delegated.

Key responsibilities – advice and recommendations

- Participation
 - Develop pathways (and processes) that will achieve lasting and meaningful relationships between Māori and Council.
 - Ensure the views of Māori are taken into account.
 - Recommend ways to develop Council capacity
 - Recommend ways to develop Māori capacity to contribute to decision making processes
 - Governance oversight of initiatives, Te Karearea budget and resourcing to build capacity (both Council and Māori) and deliver on the Terms of Reference
 - Provide for equitable participation
- Direction
 - Identify strategic priorities for the partnership
 - Provide advice on topics referred by Council and Māori
 - Advice to, and relationships with, other committees of Council
 - Recommendations on harbour and waterway matters (within the jurisdiction of WDC)
 - Advice and recommendations on 3 Waters and flood protection infrastructure
 - Oversight and advice on central government reform initiatives relating to strategic priorities of the partnership and Te Ao Māori including, but not limited to, three waters reform
 - Provide advice and recommendations on key strategic policies, plans and projects of Council, including but not limited to growth strategies, the Long Term Plan and the District Plan
 - Information sharing / discussions on Treaty Settlement processes and potential co-governance opportunities (where appropriate)
 - Identify matters of significance to Māori that may require joint positions/advocacy with external agencies (i.e. co-governance) or recommendations to Council
 - Recommendations on Maori Representation (i.e. under the Local Electoral Act)
- Assurance
 - Develop a workplan and strategy log to monitor input to, and decision making/progress on, strategic priorities identified by the Committee
 - Monitor and advise on council's compliance with its legislative obligations to Māori, including under the Local Government Act 2002 and the Resource Management Act 1991.
 - Receive and consider audit reports on Council's compliance with its legislative obligations
 - Monitor and ensure that appropriate action is being taken

- Monitor and assess the primary partner relationship against its vision and mission
- Monitoring compliance with statutory provisions that refer to Te Tiriti o Waitangi (the Treaty of Waitangi), including providing oversight of key processes and controls

Key Responsibilities – under Delegated authority

- 1) Establishing Audit Processes for statutory provisions relating to Te Tiriti o Waitangi (the Treaty of Waitangi).
- 2) Establishing Council processes and templates for Mana whakahono ā rohe Agreements and Iwi/Hapu Environmental Management Plans
- 3) Developing a Te Ao Maori framework for decision making
- 4) Establishment of working parties or steering groups
- 5) Nominating hapū representatives to any Council committee, joint committee or working group (as required, noting that nominations to Council Committees or Joint Committees must then be appointed by full Council)
- 6) Developing collaborative relationships on strategic priorities/areas of focus

Other Committees

Airport Noise Management Committee

Membership

Chairperson: Councillor Phil Halse

Members: Her Worship the Mayor Sheryl Mai, Councillor Tricia Cutforth
Community representatives: Jim Fernie, Marjorie Abraham-Quinn, Gary Stables and Warwick Taylor
Mike Chubb - Airport Authority representative
Bernard Russell - Airport / Tenant representative
Ken Walker - Airline Representative

Meetings: As required

Quorum: 5

Purpose

To consider, and where appropriate make recommendations to council on aircraft noise and concerns that arise from the operation and activities at the Whangarei Airport.

Key responsibilities include:

- Identify community concerns regarding aircraft noise.
- Co-operatively formulate and propose methods and procedures to minimise noise impact on the surrounding community.
- Act as an advisory and complaints committee and make recommendations to the airport manager concerning noise complaints.
- Report any noise complaints with the Committee's recommendations to the Whangarei District Council.
- Assist and advise the Whangarei Airport Authority concerning the dissemination of relevant information to the community.
- Review current procedure for handling noise complaints and modify that procedure where necessary.
- Assist the Whangarei District Council in the management of the adopted Noise Management Plan which will address:
 - procedures for handling noise issues;
 - noise abatement procedures; and
 - timely provision of aircraft noise and flight path monitoring information.

- Monitor the results of noise level monitoring and compliance with the noise abatement procedures and the Noise Management Plan.
- Access appropriate technical expertise and guidance as required.

In the undertaking of their responsibilities the Committee will comply with and be consistent with relevant legislation and Council policies, including the District Plan and designations.

Reporting

The committee will:

- Provide updates through the Strategy, Planning and Development Committee Operational Report

Chief Executive Review Committee – Terms of Reference

Membership

Chairperson	Her Worship the Mayor Sheryl Mai
Members	Councillors Gavin Benney, Shelley Deeming, Greg Innes, Greg Martin
Meetings	Quarterly
Quorum	3

Purpose

To oversee the chief executive's performance and to recommend to council the terms and conditions of the chief executive's employment and annual remuneration.

Key responsibilities

- Agree with the chief executive the annual performance objectives.
- Conduct the performance review required in the employment agreement between the council and chief executive.
- Undertake the annual remuneration review and recommend to council any decisions regarding remuneration.
- Represent the Council in regard to any issues which may arise in respect to the chief executive's job description, agreement, performance objectives or other similar matters.
- Oversee any recruitment and selection process for a chief executive and make a recommendation on the appointment to council.

Delegations

- (i) All powers necessary to perform the committee's responsibilities, including:
 - (a) establishment of working parties or steering groups.

Civic Honours Selection Committee – Terms of Reference

Membership

Chairperson	Councillor Vince Cocurullo
Members	Councillors Nicholas Connop, Shelley Deeming, Jayne Golightly, Greg Martin, Carol Peters, Simon Reid

Meetings As required

Quorum 4

Purpose

To consider nominations for Civic Honours Awards.

Key responsibilities

- Assess nominations in accordance with the Civic Honours Policy and to provide a recommendation on honour recipients to council.

Commercial Property Committee – Terms of Reference

Membership

Chairperson	Deputy Mayor Greg Innes
Members	Councillors Gavin Benney, Ken Couper, Shelley Deeming, Phil Halse
Independent Advisors	Graeme Kerr, Stuart Bagley
Meetings	As required
Quorum	3

Purpose

- To manage disposal of individual properties within Council’s commercial property portfolio, and;
- To manage purchase of individual properties for Council’s commercial property portfolio

Key responsibilities

- The purchase and disposal of commercial properties specifically identified in Council’s Long Term Plan (LTP)
- The purchase and disposal of commercial properties as authorised by Council, where these are not specifically identified in the LTP

To undertake these responsibilities:

- in accordance with the delegations and parameters set by Council for each individual property transaction.
- in accordance with Council’s Policies including, but not limited to, the Property Policy, Procurement Policy, and the Significance and Engagement Policy.
- in accordance with Council’s strategies and plans, including but not limited to, the City Centre Plan, to achieve the desired outcomes.
- Ensuring the interests of Maori under the Treaty of Waitangi are considered in accordance with Parts 2 and 6 of the Local Government Act 2002.

Delegations

- (i) All powers necessary to perform the committee’s responsibilities, including:
 - (a) establishment of working parties or steering groups.

District Licensing Committee – Terms of Reference

Membership

Chairperson Commissioner Murray Clearwater

Deputy Chairperson Councillor Greg Innes

Members Two additional members appointed from the territorial authority list maintained under section 192 of the Sale and Supply of Alcohol Act 2012; list members:

Mervyn Williams, Paul Dimery, Pamela Peters and Lee Andrews

Quorum Chairperson plus 2 members (for a Hearing)
Chairperson (where no objection to an application has been filed and no matters of opposition raised in respect for an application for a licence or manager's certificate or renewal of a licence or manager's licence)

Meetings Weekly and as required

Purpose

To consider and determine all relevant applications under the Sale and Supply of Alcohol Act 2012.

Delegations

- Consider and determine applications for licenses and manager's certificates.
- Consider and determine applications for renewal of licences and manager's certificate.
- Consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136.
- Consider and determine applications for the variation, suspension, or cancellation of special licences.
- Consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280.
- With the leave of the chairperson for the licensing authority, to refer applications to the licensing authority.
- Conduct inquiries and to make reports as may be required of it by the Alcohol Regulatory Licensing Authority under section 175.
- Any other functions conferred on Licensing Committees by or under this Act or any other enactment.

Exemptions and Objections Sub Committee – Terms of Reference

Parent Committee: **Strategy, Planning and Development Committee**

Membership

Chairperson: Councillor Shelley Deeming

Members: Her Worship the Mayor Sheryl Mai
 Councillors Ken Couper and Greg Innes

Meetings: As required.
 The relevant legislative requirements shall be taken into consideration when setting meeting dates.

Quorum: **2**

Purpose

To hear and determine objections, appeals and applications in respect of the regulatory functions and responsibilities of Council.

Delegations

- Hear and decide s357, s356A and 357B objections under the Resource Management Act where staff recommend decline.
- Determine and grant of Territorial Authority consents under S100 of the Gambling Act 2003 (as it relates to Class 4 Gambling Venues) and s65C of the Racing Act 2003 (as it relates to Board Venues).
- Consider objections relating to the classification of any dog as a dangerous dog under the Dog Control Act 1996.
- Consider objections relating to the classification of a person disqualified from owning a dog under s26 of the Dog Control Act 1996.
- Power to consider an objection to classification as a menacing dog under s33A and s33C of the Dog Control Act 1996.
- Power to consider and determine an objection to any notice issued requiring abatement of a barking dog nuisance under s55 of the Dog Control Act 1996.
- Hear and determine appeals in respect of assessments under Council's Development Contribution Policy (no ability to waiver).
- Hear and determine statutory appeals or objections in respect to any matter where no specific delegation applies.

Housing Strategy Council Co-governance Subcommittee – Terms of Reference

Membership

Chairpersons:

Members: Councillors Gavin Benney, Ken Couper and Carol Peters

Hapū representatives Janelle Beazley, Aorangi Kawiti and Waimarie Bruce Kingi

Meetings: Monthly (and as required)

Quorum: 4 – two Councillor members and two Hapū members.

Purpose

To guide the strategic direction of the Whangarei Housing Strategy. The Co-governance Sub Committee will guide conversations on how the Whangarei Housing Strategy can support hapū and community housing outcomes through Council's regulatory and non-regulatory levers.

Key responsibilities

- The Co-governance Sub Committee will oversee the development of the Whangarei Housing Strategy.
- Provide quarterly updates to full Council and Te Karearea on the co-governance arrangement and the Whangarei Housing Strategy.
- Engage with hapū/Maori, communities, government agencies and the private/commercial sector to develop a Whangarei Housing Strategy.
- The Whangarei Housing Strategy seeks to be adopted by the end of the electoral term 2022.
- Ensure flexible co-governance to support the development of the Whangarei Housing Strategy.
- Manage risks to ensure positive and solution based outcomes.
- The Whangarei Housing Strategy takes all housing matters into consideration and a district wide response.

Reporting

The committee will:

- Provide monthly updates to Council and Te Karearea through the Operational Report and the Strategic Programme Update.

- Members of the Co-governance Subcommittee will provide quarterly updates to Council and Te Karearea on the learnings of the co-governance arrangements and progress on the Housing Strategy.

Delegations

The Co-governance Sub Committee will have delegated decision making responsibilities to:

- Adopt the Final Whangarei Housing Strategy. This does not include the implementation of the Whangarei Housing Strategy, including funding initiatives.

The role of the Co-governance Sub Committee, once the strategy is adopted, will move into the following:

- Monitor the progress of the Whangarei Housing Strategy.
- Make recommendations to Council on Annual Plan and Long Term Plan on funding decisions to support the implementation of the Whangarei Housing Strategy.