



Whangarei
District Council

Committee Terms of Reference

Adopted: 2 November 2022



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Amendments

Date	Amendment	Meeting
24 November 2022	Te Karearea Strategic Partnership Committee - Terms of Reference	Council
23 February 2023	Community Development Committee - Addition of Northland Events Centre Trust CCO	Council
	Te Karearea Strategic Partnership Committee - Appointment 8 hapu members	Council
	Appointment Chairperson Risk and Audit Committee	Council
23 November 2023	Community Development Committee - Updated to include Customer Services & CCO's	Council
22 February 2024	Airport Noise Management Committee - Membership Amended & Meeting timeframe amended	Council
28 March 2024	Meetings changed to Bi-monthly	Te Karearea Strategic Partnership Standing Committee
25 July 2024	Airport Noise Management Committee – Community Representative appointed	Council
29 August 2024	Risk and Audit Committee – Independent Chair appointed	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

Deputy Chairperson Councillor Carol Peters

Members His Worship the Mayor Vince Cocurullo
Councillors Nicholas Connop, Ken Couper, Jayne Golightly, Phil Halse, Deborah Harding, Patrick Holmes, Marie Olsen, Scott McKenzie, Simon Reid, Phoenix Ruka and Paul Yovich

Meetings Monthly

Quorum 7

Purpose

To oversee functions of Council that interact, support and provide services for the community.

Key responsibilities

- Policy and planning for the provision of community development, culture, arts and heritage and events
- District venues and community events
- Libraries services (Central Library, Branch Libraries, Mobile Library services)
- Community services
 - Community sector liaison and support (Advisory Groups)
 - Community safety (City Safe, CCTV)
- Customer Services
 - Customer Services Civic Centre and Ruakaka Service Centre
 - Contact Centre Services
 - Isite services
 - National Claphams Clock Museum
 - Request system
- 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 programmes
- Operational accountability of performance including:
 - Health and Safety
 - Regular reporting on service delivery
 - Compliance
 - Sustainability
 - Finance
- Reporting on capital projects
- 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
- To carry out the funding process in accordance with the Whangarei District Council Community Funding Policy in an objective, fair and transparent way.
- 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
 - quarterly reporting on performance

CCO accountable to this committee:

- Hatea Art Trust (HAT)
- Hundertwasser Art Centre (HAC)
- Whangarei Art Museum (WAM)
- Northland Events Centre Trust 2021 (NECT2021)

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 Local Government Act (LGA).
- d) the approval of expenditure of less than \$5 million plus GST.
- e) 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).
- f) 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.

The Committee does not have:

- I. The power to establish sub-committees.
- II. The powers Council is expressly prohibited from delegating as outlined in Clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002; being:
 - the power to make a rate
 - the power to make a bylaw
 - the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
 - the power to adopt a long-term plan, annual plan or annual report
 - the power to appoint a chief executive
 - 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
 - the power to adopt a remuneration and employment policy.

Infrastructure Committee – Terms of Reference

Membership

Chairperson Councillor Simon Reid

Deputy Chairperson Councillor Phil Halse

Members His Worship the Mayor Vince Cocurullo
Councillors Gavin Benney, Nicholas Connop, Ken Couper, Jayne Golightly, Deborah Harding, Patrick Holmes, Marie Olsen, Scott McKenzie, Carol Peters Phoenix Ruka and Paul Yovich

Meetings Monthly

Quorum 7

Purpose

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

Key responsibilities

- Oversight of services including:
 - Transportation
 - Three Waters
 - Wastewater
 - Stormwater
 - Flood Management
 - Drinking Water
 - Laboratory services
 - Solid waste, waste minimisation and recycling services
 - Parks and reserves
 - Cemetery
- Accountable for the development and implementation of the Infrastructure Strategy, Activity Management Plans (AMP's) and Development Contributions Policy.
- Operational accountability of performance including:
 - Health and Safety
 - Regular reporting on service delivery
 - Compliance
 - Sustainability
 - Finance

- Trends
 - Benefits (positive outcomes achieved)
 - Customer feedback
 - Risk
- **Accountability for the delivery of the Capital Programme.**
Committee will receive:
 - Capital Programme financial reporting over a three year horizon
 - Health and Safety reporting
 - Programme reporting
 - Procurement activities and strategies
 - Resourcing issues and requirements
 - Project Management Office gateway reviews and activities
 - **Procurement oversight - 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
 - quarterly reporting on performance

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) 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).

- f) 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.

The Committee does not have:

- i. The power to establish sub-committees.
- ii. The powers Council is expressly prohibited from delegating as outlined in Clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002; being:
 - the power to make a rate
 - the power to make a bylaw
 - the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
 - the power to adopt a long-term plan, annual plan or annual report
 - the power to appoint a chief executive
 - 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
 - the power to adopt a remuneration and employment policy.

Strategy, Planning and Development Committee – Terms of Reference

Membership

Chairperson	Councillor Ken Couper
Deputy Chairperson	Councillor Scott McKenzie
Members	His Worship the Mayor Vince Cocurullo Councillors Gavin Benney, Nicholas Connop, Jayne Golightly, Phil Halse, Deborah Harding, Patrick Holmes, Marie Olsen, Carol Peters, Simon Reid, Phoenix Ruka and Paul Yovich

Meetings Monthly

Quorum 7

Purpose

To oversee planning, monitoring, education 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
- Building Control
 - Property Information and Land Information Memoranda
 - Consents and inspections
 - Monitoring and compliance
- Resource Consents
 - Subdivision, land use and development control
 - Development contributions
 - Monitoring and compliance
- District Plan
 - Plan changes
 - District Plan administration

- Strategic Planning
 - Place based strategies (city centre), functional strategies (climate change)
 - Climate Adaptation
 - Growth planning
 - Urban design
 - Strategic alignment of infrastructure
 - Reporting strategic trends and analysis
 - Economic Development
 - District marketing and promotions
 - Developer engagement
 - Marinas
 - Airport
 - Forestry
 - Operational accountability of performance including:
 - Health and Safety
 - Regular reporting on service delivery
 - Compliance
 - Sustainability
 - Finance
 - Reporting on capital projects.
 - Operational reporting for the Strategy and Democracy and Planning and Development groups within Council where their functions are not covered by other Committees.
 - 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
 - quarterly reporting on performance
- CCO accountable to this committee:**
- Whangarei District Airport – 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 \$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) 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).
 - f) 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.

The Committee does not have:

- i. The power to establish sub-committees.
- ii. The powers Council is expressly prohibited from delegating as outlined in Clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002; being:
 - the power to make a rate
 - the power to make a bylaw
 - the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
 - the power to adopt a long-term plan, annual plan or annual report
 - the power to appoint a chief executive
 - 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
 - the power to adopt a remuneration and employment policy.

Other Committees

Airport Noise Management Committee – Terms of Reference

Membership

Chairperson: Councillor Phil Halse

Members: Councillors Nicholas Connop and Marie Olsen
Community representatives: Marjorie Abraham-Quinn, Gary Stables, Warwick Taylor and Paul Carrington
Mike Chubb - Airport Authority representative
Bernard Russell - Airport / Tenant representative
Ken Walker - Airline Representative

Meetings: As required, but no less than every six months
For a period of at least 5 years after Northland Emergency Services Trust relocate to the Airport (as agreed between Council and SOUND)

Quorum: 6

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

The Committee does not have:

- i. The power to establish sub-committees.

Chief Executive Review Committee – Terms of Reference

Membership

Chairperson	His Worship the Mayor Vince Cocurullo
Members	Councillors Jayne Golightly, Phil Halse, Marie Olsen and Paul Yovich
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.

The Committee does not have:

The power to establish sub-committees.

Civic Honours Selection Committee – Terms of Reference

Membership

Chairperson	Councillor Jayne Golightly
Members	His Worship the Mayor Vince Cocurullo Councillors Ken Couper, Patrick Holmes, Marie Olsen, Scott McKenzie, Simon Reid and Phoenix Ruka
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.

The Committee does not have:

The power to establish sub-committees.

District Licensing Committee – Terms of Reference

Membership

Chairperson	Commissioner Murray Clearwater
Deputy Chairperson	Councillor Ken Couper
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: Lee Andrewes, Paul Dimery and Merv Williams

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)
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Meetings	Weekly and as required
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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 Committee - Terms of Reference

Membership

Chairperson	Councillor Ken Couper
Members	His Worship the Mayor Vince Cocurullo Councillors Deborah Harding, Patrick Holmes and Scott McKenzie
Quorum	3
Meetings	As required The relevant legislative requirements should be taken into account when setting meeting dates

Purpose

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

Delegations

- Hear and decide s357, s357A 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).
- Power to consider an objection under s33B in relation to classification as a menacing dog under s33A of the Dog Control Act 1996 or an objection under s33D in relation to classification as a menacing dog under s33C of 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.
- To determine the outcome of a request for reconsideration made under sections 199A and 199B of the Local Government Act 2002 in accordance with 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.

Finance Committee – Terms of Reference

Membership

Chairperson	Councillor Paul Yovich
Deputy Chairperson	Councillor Phil Halse
Members	His Worship the Mayor Vince Cocurullo Councillors Ken Couper, Deborah Harding, Patrick Holmes and Simon Reid
Meetings	Monthly
Quorum	4

Purpose

To ensure that Council finances and other corporate support functions are well managed. Management of disposal and purchase of individual properties within Council's commercial property portfolio.

Key responsibilities

- Manage the budget process including the co-ordination and preparation of budgets and financial statements for the Annual Plan and Long-Term Plan.
- Preparation of the financial component of Council's Annual Report.
- Operational reporting for the Corporate Group within Council.
- Operational accountability of performance including:
 - Health and Safety
 - Regular reporting on service delivery
 - Compliance
 - Sustainability
 - Finance
- 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's commercial property portfolio, including:
 - The purchase and disposal of commercial properties specifically identified in the Long Term Plan

- The purchase and disposal of commercial properties as authorised by Council, where these are not specifically identified in the Long Term Plan.
- Recommendations to Council for the purchase and disposal of any other commercial properties.
- 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
 - monitoring against the Statement of Intent
 - for exempted CCOs, monitoring and reporting as agreed between Council and the organisation
 - quarterly reporting on performance

CCO accountable to this committee:

- Local Government Funding Agency (LGFA)
**Statement of Intent agreement to council*

Delegations

- (i) All powers necessary to perform the committee's responsibilities, including:
 - (a) Approval of expenditure of less than \$5 million plus GST.
 - (b) Purchase and disposal of commercial properties as identified above and within the budget limits identified in the Long Term Plan.
 - (c) Establishment of working parties or steering groups.

The Committee does not have:

- I. The power to establish sub-committees.
- II. The powers Council is expressly prohibited from delegating as outlined in Clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002; being:
 - the power to make a rate
 - the power to make a bylaw
 - the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
 - the power to adopt a long-term plan, annual plan or annual report
 - the power to appoint a chief executive
 - 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
 - the power to adopt a remuneration and employment policy.

Risk and Audit Committee – Terms of Reference

Membership

Chairperson	Independent Chair Rachel Dean
Deputy Chairperson	Councillor Patrick Holmes
Members	His Worship the Mayor Vince Cocurullo Councillors Ken Couper, Phil Halse, Deborah Harding, Simon Reid and Paul Yovich
Meetings	Quarterly
Quorum	4

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 Council's 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 funding 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

All powers necessary to perform the committee's responsibilities including:

- (a) establishment of working parties or steering groups.

The Committee does not have:

- i. The power to establish sub-committees.
- ii. The powers Council is expressly prohibited from delegating as outlined in Clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002; being:
 - the power to make a rate
 - the power to make a bylaw
 - the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
 - the power to adopt a long-term plan, annual plan or annual report
 - the power to appoint a chief executive
 - 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
 - the power to adopt a remuneration and employment policy.

Te Kārearea Strategic Partnership Standing Committee – Terms of Reference

Membership

Chairperson	Council based meetings: Deb Harding Marae based hui: to be determined from mandated hapū members*
Deputy Chairperson	Councillor Phil Halse
Members	His Worship the Mayor Vince Cocurullo Councillors, Nicholas Connop, Patrick Holmes, Carol Peters Simon Reid and Phoenix Ruka Eight mandated hapū representatives: Delariane Armstrong, Len Bristowe, Sandra Hawken, Simon Mitchell, Tame Te Rangi, Sean Walters, Nicki Wakefield and Hohipere William
Meetings	Monthly
Quorum	8 comprised of 4 councillor and 4 hapū members

Note: Marae based hui will be held bimonthly and held in accordance with Tikanga and as such are outside of Standing Orders adopted under the Local Government Act 2002.

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

Agreed 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.

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 and the community in the Whangarei District. (Participation)
- Ensuring Council complies with statutory provisions that refer to Te Tiriti o Waitangi (the Treaty of Waitangi).
- To agree mutual strategic priorities as and when required (Direction)

Key responsibilities – advice and recommendations

- Participation
 - Develop pathways (and processes) that will achieve lasting and meaningful relationships between Māori and Council.

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

- Ensure the views of Māori and the community are equally considered
- Governance oversight of initiatives - Te Karearea budget and resourcing to build capacity (both Council and Māori) and deliver on the Terms of Reference
- Ensure equitable participation, by adequately resourcing hapu to engage, e.g., paid hapu reps for all Council related mahi, hui, etc
- Ensure that Marae hui are open to the public
- **Direction**
 - Identify strategic priorities to address the Climate Change Adaptation Plan.
 - Provide guidance and advocacy on protection of “nga taonga tuku iho” (special and natural indigenous resources) impacted by the Wildlife Act and Conservation Act.
 - Prepare and provide agenda items in a timely manner on topics referred by Council and Māori
 - Provide recommendations on harbour and waterway matters (within the jurisdiction of WDC)
 - Provide advice and recommendations on Three Waters and flood protection infrastructure
 - Provide oversight and advice on central government reform initiatives relating to strategic priorities of the partnership
 - Provide advice to council to manage the allocation of the “Better Off funding”.
 - 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 Annual and District Plan
 - Information sharing / discussions on Treaty Settlement processes and potential partnership opportunities (where appropriate)
 - Identify matters of significance to Māori that may require joint positions/advocacy with external agencies (i.e. partnerships) or recommendations to Council.
- **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 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

- 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) Developing collaborative relationships on strategic priorities/areas of focus.

Delegations

The approval of financial expenditure of less than \$1 million, plus GST.

The Committee does not have:

- III. The power to appoint members (including external members).
- IV. The power to establish sub-committees.
- V. The powers Council is expressly prohibited from delegating as outlined in Clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002; being:
 - the power to make a rate
 - the power to make a bylaw
 - the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
 - the power to adopt a long-term plan, annual plan or annual report
 - the power to appoint a chief executive
 - 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
 - the power to adopt a remuneration and employment policy.