

Committee Terms of Reference

Adopted: 27 November 2025



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Amendments

Date	Amendment	Committee
27 November 2025	Appointment of hapū representatives: Delaraine Armstrong, Mylie George, Andre Hemara, Neta Kerepeti, Ashleigh Latimer, Kris MacDonald, Sheila Taylor, Tame Te Rangi	Te Kārearea Strategic Partnership Standing Committee

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 committee 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 Act 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. Members attending a meeting remotely are included in the quorum numbers.

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

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

Appointed members are included in calculating the quorum and are counted towards the quorum when present. Appointed members attending a meeting remotely are included in the quorum numbers.

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 Deb Harding
Deputy Chairperson	Councillor Marie Olsen
Members	Mayor Ken Couper Councillors Tangiwai Baker, David Baldwin, Crichton Christie, Nicholas Connop, Brad Flower, Stephen Martin, Scott McKenzie, Simon Reid, Phoenix Ruka, Matthew Yovich and Paul Yovich
Meetings	Monthly
Quorum	7

Purpose

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

Key responsibilities

- Policy and planning for the provision of community development, culture, arts and heritage and events.
- District venues and community events (including the Forum North Entertainment Centre).
- Libraries services (Central Library, Branch Libraries, Mobile Library services).
- Community services
 - Community sector liaison and support (Accessibility and Youth 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 – strategy and policy.
- Civil Defence Emergency Management.
- Heritage, culture, arts and creative industries sector liaison.

- Community development led programmes (Community Impact Partnership Programme).
- Operational accountability of performance including:
 - Priority projects
 - 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. This includes trading CCOs (CCTOs) and those CCOs exempted under the LGA. Responsibilities include:
 - Advising on the content of annual Statement of Expectations to CCO's.
 - Approval of the annual Statement of Intent.
 - Monitoring against the Statement of Intent.
 - For exempted CCOs, monitoring and reporting as agreed between Council and the organisation.
 - Approval of half yearly reports and the annual reports.
 - Monthly operational reporting.

CCO accountable to this committee:

- Whangarei Art Trust (WAT)
- 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 pass a resolution under Council bylaws.
- 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.

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.

Finance Committee – Terms of Reference

Membership

Chairperson Councillor Paul Yovich

Deputy Chairperson Councillor Crichton Christie

Members Mayor Ken Couper
Councillors Tangiwai Baker, David Baldwin, Nicholas Connop, Brad Flower, Deb Harding, Stephen Martin, Scott McKenzie, Marie Olsen, Simon Reid, Phoenix Ruka and Matthew Yovich.

Meetings Monthly

Quorum 7

Purpose

To ensure that Council finances and other corporate support functions are well managed and to provide appropriate levels of support to the community and the rest of council.

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:
 - Finance
 - Revenue
 - Business Support
 - Communications
 - Property
 - ICT
- Operational accountability of performance including:
 - Health and Safety
 - Regular reporting on service delivery
- Procurement – policy and monitoring for all of council, as well as general procurement relating to the areas of business of this committee, within delegations.
- Shared Services – investigate opportunities for shared services for recommendation to Council.

- Property – provide support services, asset management and maintenance for Council's various property portfolios, including:
 - Direct responsibility for:
 - Commercial Property portfolio
 - Marinas
 - Forestry
 - Pensioner housing
 - Forum North
 - Community halls and council community buildings
 - Support the rest of the organisation in the management of their property portfolios.
 - Liaising with Whangarei District Holdings Limited as required.
 - Making recommendations to Council regarding the purchase and/or disposal of properties as required.
- Council Controlled Organisations (CCOs) – monitoring the financial and non-financial performance of CCOs whose functions would otherwise fall under the scope of this committee. This 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:

- Whangarei District Airport
- Local Government Funding Agency (LGFA)
**Statement of Intent agreement to Council*
- Whangarei District Holdings Limited
**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.

Infrastructure Committee – Terms of Reference

Membership

Chairperson Councillor Brad Flower

Deputy Chairperson Councillor Simon Reid

Members Mayor Ken Couper
Councillors Tangiwai Baker, David Baldwin, Crichton Christie,
Nicholas Connop, Deb Harding, Stephen Martin, Scott McKenzie,
Marie Olsen, Phoenix Ruka, Matthew Yovich and Paul Yovich

Meetings Monthly

Quorum 7

Purpose

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

Key responsibilities

- Oversight of services including:
 - Transportation
 - Waters
 - Wastewater
 - Stormwater
 - Flood Management
 - Drinking Water
 - Laboratory services
 - Waste
 - Solid waste
 - Waste minimisation
 - 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.
 - Reporting to the committee on:
 - Capital Programme progress – finances reported to the Finance Committee
 - Health and Safety
 - 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 pass a resolution under Council bylaws.
- 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.

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 Crichton Christie
Deputy Chairperson	Councillor Tangiwai Baker
Members	Mayor Ken Couper Councillors David Baldwin, Nicholas Connop, Brad Flower, Deb Harding, Stephen Martin, Scott McKenzie, Marie Olsen, Simon Reid, Phoenix Ruka, Matthew Yovich 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
- 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.

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 pass a resolution under Council bylaws.
- 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.

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
Deputy Chairperson	Councillor Paul Yovich
Members	Mayor Ken Couper Councillors Tangiwai Baker, David Baldwin, Crichton Christie, Nicholas Connop, Brad Flower, Deb Harding, Stephen Martin, Scott McKenzie, Marie Olsen, Simon Reid, Phoenix Ruka and Matthew Yovich
Meetings	Quarterly
Quorum	8

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.
 - Approve and review Council's Sensitive Expenditure Policy.
 - 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.

Standing Committees

Te Kārearea Strategic Partnership Standing Committee – Terms of Reference

Membership

Chairperson	Council Chambers based meetings: Councillor Phoenix Ruka Marae based hui: to be determined from mandated hapū members*
Deputy Chairperson	Councillor Deb Harding
Members	Mayor Ken Couper Councillors Tangiwai Baker, Brad Flower, Stephen Martin, Scott McKenzie, and Simon Reid Eight appointed hapū representatives: Delaraine Armstrong, Mylie George, Andre Hemara, Neta Kerepeti, Ashleigh Latimer, Kris MacDonald, Sheila Taylor, Tame Te Rangi
Meetings	Monthly
Quorum	8

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

Purpose

To oversee and enhance the strategic partnership between Council and Whangārei Hapū, ensuring tangata whenua have input into decision-making, reflecting that all matters within the Whangārei District are of significance to tangata whenua.

Key responsibilities

- **Strategic Partnership & Decision-Making**
 - Facilitate and strengthen the partnership between Whangārei District Council and Whangārei hapū, including through the appointment of hapū

representatives to working parties and steering groups, ensuring alignment with their areas of expertise and cultural insight.

- Ensure Māori perspectives, tikanga, and Te Tiriti o Waitangi principles are integrated into Council decision-making.
- Provide a platform for high-level, strategic input into the identification and setting of shared priorities between Council and Whangārei Hapū.

- **Statutory Compliance & Treaty Obligations**

- Ensure Council meets its obligations to Māori under the Local Government Act 2002 (LGA), the Resource Management Act 1991 (RMA), or any other Act.
- Maintain oversight of, and responsiveness to, ongoing Crown reforms that may impact Māori-Council relationships, statutory responsibilities, or the governance and operational environment of local government.
- Provide oversight and advise on Council's compliance with statutory responsibilities relating to Māori interests and Te Tiriti o Waitangi.

- **Policy & Planning**

- Provide guidance on policies, plans, and programs of work to ensure they reflect Māori values, aspirations, and interests.
- Provide governance oversight to ensure Council policies and planning processes uphold the principles of Te Tiriti o Waitangi (Treaty of Waitangi) and consider impacts on Māori communities, taonga, and whenua.
- Support the development of Te Ao Māori frameworks and cultural competency within Council processes.

- **Environmental Stewardship**

- Advocate for the protection and sustainable management of whenua, awa, moana, and taonga tuku iho.
- Support Council in upholding kaitiakitanga responsibilities alongside mana whenua, hapū and iwi.

- **Community Engagement & Capacity Building**

- Promote kanohi ki te kanohi (face-to-face) engagement between Council and mana whenua, hapū and iwi.
- Support initiatives that enhance Māori participation in local government.
- Advocate for resourcing to enable hapū to participate effectively in Council processes.

- **Reporting**

- Provide oversight and review Council's performance in relation to Māori outcomes and engagement.
- Provide recommendations on improving Council's responsiveness to Māori.
- Ensure transparency and accountability in the implementation of agreed strategic partnership priorities. The Whangārei Hapū Priorities Engagement Matrix will inform the strategic focus of the Te Karearea Strategic Partnership Standing Committee.

Delegations

All powers necessary to perform the committee's responsibilities, including, but not limited to:

- a) the approval of expenditure of less than \$2 million plus GST, to be considered through the 2027-2037 Long Term Plan process and approved by Council.
- 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).

The Committee does not have:

- i. The power to appoint members (including external members).
- ii. The power to establish sub-committees.
- iii. 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 Simon Reid

Members: Councillors Crichton Christie and Marie Olsen
Community representatives: Marjorie Abraham-Quinn, Gary Stables and Warwick Taylor¹
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: 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 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 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.

¹ Four community representatives to be appointed – Terms of Reference to be updated on appointment of fourth community representative.

- 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	Mayor Ken Couper
Members	Councillors Crichton Christie, Deb Harding, Scott McKenzie, Phoenix Ruka 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 regarding 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 Nicholas Connop
Members	Mayor Ken Couper Councillors David Baldwin, Stephen Martin, Scott McKenzie, Marie Olsen, Simon Reid and Matthew Yovich
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 honours 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 Tangiwai Baker
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 sitting alone (where no objection to an application has been filed and no matters of opposition have been raised in respect of an application for a licence or manager's certificate or renewal of a licence or manager's certificate).
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Meetings	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 alcohol licenses and manager's certificates.
- Consider and determine applications for renewal of licences and manager's certificates.
- Consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Sale and Supply of Alcohol Act 2012.
- 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 of the Sale and Supply of Alcohol Act 2012.
- 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 of the Sale and Supply of Alcohol Act 2012.

- Any other functions conferred on Licensing Committees by or under the Sale and Supply of Alcohol Act 2012, Act or any other enactment.

Exemptions and Objections Committee - Terms of Reference

Membership

Chairperson	Councillor Tangiwai Baker
Members	Mayor Ken Couper Councillors David Baldwin, Deborah Harding and Matthew Yovich
Quorum	3
Meetings	As required The relevant legislative requirements should be considered 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.