

# Council and Committee Delegations 2010/2013

**Council:**

Council .....	2
---------------	---

**Committees:**

Strategy and Policy .....	5
Regulatory Processes .....	9
Performance Review .....	12

**Subcommittees:**

Council Controlled Organisation Performance .....	14
Grants .....	15
Audit and Risk Management .....	17
Development Contributions .....	20

**Community Boards**

Tawa and Makara/Ohariu .....	21
------------------------------	----

**Other:**

Appointments Group .....	24
Funding and Activity Review Working Party .....	25
Chair – Strategy and Policy Committee .....	27
Mayor .....	27
Other matters .....	27
Portfolio areas of responsibility .....	28

# APPENDIX ONE

## **Council:**

### **Voting Membership:**

The Mayor and all Councillors are members of Council.

### **External Membership (non-voting):**

Nil

### **Quorum:**

8

### **Frequency of Meetings:**

Meetings will be held monthly or as required.

### **Powers that cannot be delegated:**

These functions are either listed in the Local Government Act 2002 or other relevant legislation as unable to be delegated, or must by their nature be exercised by Council:

1. make a rate;
2. make a bylaw;
3. borrow money or purchase or dispose of assets, other than in accordance with the Long Term Council Community Plan (LTCCP);<sup>1</sup>
4. adopt a LTCCP, annual plan, or annual report;
5. appoint a Chief Executive;
6. adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the LTCCP or the preparation of the Local Governance Statement;
7. appoint and discharge the Deputy Mayor;
8. approve or amend the Council's Standing Orders;
9. approve or amend the Code of Conduct for elected members;
10. establish and determine the structure, terms of reference, and delegated authorities of committees and appoint and discharge members of committees;
11. establish a joint committee with another local authority or other public body;

---

<sup>1</sup> Note, by law, such provision must be in the LTCCP. Provision in the Annual Plan without amendment of the LTCCP is not sufficient.

# APPENDIX ONE

12. make any resolution where in a bylaw the Council has reserved any matter to be regulated, controlled, or prohibited by the Council by resolution either generally, for any specified case, or in a particular case;<sup>2</sup>
13. make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation;
14. any other matters which from time to time may not legally be delegated by the Council.

## **Powers retained by Council:**

Council retains the power to:

15. approve or alter Council strategy and policy, except as otherwise specifically delegated to a committee, subcommittee or officer;
16. establish and determine the structure, terms of reference and delegated authority of subcommittees and appoint and discharge members of subcommittees;<sup>3</sup>
17. appoint and discharge chairpersons of committees and subcommittees and portfolio leaders;
18. approve Council's recommendation to the Remuneration Authority for the remuneration of elected members;
19. approve or amend the Triennial Agreement;
20. approve the Local Governance Statement produced following the triennial election of members;
21. determine whether or how to fill any extraordinary Council vacancies;
22. review and make decisions on representation reviews;
23. appoint and discharge trustees, directors or office holders to Council's Council-Controlled Organisations (CCOs) and Council Organisations (CO's) and to other external bodies except where specifically delegated to a committee or officer, and determine the remuneration for trustees, directors or office holders;
24. in respect of District Plan decisions:
  - 24.1 approve the recommendation of hearings commissioners on a proposed plan, plan change or variation (including private plan change);
  - 24.2 approve a proposed plan or a change to a district plan under clause 17 of the First Schedule;

---

<sup>2</sup> Includes matters such as: 1) any new or amended traffic resolutions under the Traffic Bylaw; 2) setting fees if a bylaw provides for fees to be set by resolution of Council; 3) the extension of the Liquor ban for a special event

<sup>3</sup> The retention of this power excludes the delegation to SPC to establish a Hearings Subcommittee

## APPENDIX ONE

25. promote legislation, or significant amendments to legislation, unless specifically delegated to a committee or officer;
26. approve the provision of any financial guarantee or indemnity over \$1,000,000, unless the guarantee or indemnity (or the matter to which it relates) is in the LTCCP or Annual Plan, has been separately approved by Council, or it arises in the normal management of employment relations or assets;
27. consider and approve the attendance of elected members at International Conferences and Seminars;
28. exercise any authority which it has delegated to a committee, subcommittee or officer.

## Strategy and Policy Committee

### **Voting Membership:**

The Mayor and all Councillors are members of the Committee.

### **External Membership (non voting):**

- One representative of Ngati Toa appointed by Ngati Toa Rangatira
- One representative of the Port Nicholson Block Settlement Trust appointed by the Port Nicholson Block Settlement Trust

### **Quorum:**

8

### **Chair:**

The chair will be elected by Council.

### **Frequency of Meetings:**

Meetings will be held on a weekly basis for three or four weeks in a month, or as required.

### **General Purpose and Objectives:**

The Strategy and Policy Committee has primary responsibility for:

- developing policy and strategy in relation to economic development, the environment, social and recreation matters, cultural wellbeing, urban development and transport, governance, and cross-strategy matters;
- considering recommendations from Council's Subcommittees and make decisions where it has authority from Council to do so, or recommendations to Council where a Council decision is required;
- developing the Council's Long Term Council Community Plan (LTCCP) and Annual Plan (AP).

### **Terms of Reference:**

The Strategy and Policy Committee has responsibility and authority to:

1. delegate to any subcommittee of the Strategy and Policy Committee any authorities which have been delegated by Council to the committee (note with the exception of 5. below, the authority to establish any subcommittee is retained by the Council);
2. undertake the administration of all statutory functions, powers and duties within its terms of reference, other than those specifically delegated to any other Committee or Subcommittee, or retained by Council;
3. develop the Council's draft and final LTCCP, Annual Plan, and all other policies required under the Local Government Act 2002 to be included in

# APPENDIX ONE

the LTCCP (including but not limited to the funding and financial policies and the Significance Policy) for recommendation to Council;<sup>4</sup>

4. determine the form and extent of public consultation methods to be employed for the draft Annual Plan and LTCCP, and any other matter within the committees terms of reference (this is subject to the requirements as set out in the Local Government Act 2002);
5. establish a Hearings Subcommittee and agree on quorum, membership and terms of reference;
6. hear submissions under the special consultative procedure, or submissions received as part of any consultative process undertaken by Council in relation to any decision or power of recommendation within the committee's terms of reference, unless delegated to a Hearings Subcommittee;
7. approve the exceeding of the budget level for a Strategy Area with no commensurate savings elsewhere, up to \$500,000 and recommend to Council amounts exceeding \$500,000, if required after the Annual Plan or Long Term Council Community Plan is approved;
8. approve submissions on behalf of the Council in relation to proposed legislation or policy by Government, Local Government or other regulatory authorities (except that in cases where the submission is unable to be considered by SPC due to the submission deadline, or is of a technical nature and the nature of the Council's submission is consistent with Council policy, a submission may be approved by the Chief Executive);
9. develop, monitor and review policy and strategy, and recommend to Council the adoption of a new or amended policy, strategy;
10. receive and consider reports on the Council's performance against the LTCCP and Annual Plan;
11. review and recommend to Council that it make any resolution where in a bylaw the Council has reserved any matter to be regulated, controlled, or prohibited by the Council by resolution either generally, for any specified case, or in a particular case;<sup>5</sup>
12. approve the Statements of Intent and Business Plans of Council's CCOs;
13. oversee, develop and approve an appropriate Council response on the Treaty of Waitangi and relationship with Maori;
14. review, develop and recommend to Council policy and practices in respect of governance (including representation reviews and related issues);
15. in respect of the district plan:

---

<sup>4</sup> This will include projects/new initiatives, service levels, income and expenditure, and includes recommending the draft for notification, and the final for adoption.

<sup>5</sup> Includes matters such as: 1) any new or amended traffic resolutions under the Traffic Bylaw; 2) setting fees if a bylaw provides for fees to be set by resolution of Council; 3) the extension of the Liquor ban for a special event

# APPENDIX ONE

- 15.1 review and approve for notification a proposed district plan, a proposed change to the District Plan, or a variation to a proposed plan or proposed plan change (excluding any plan change notified under clause 25(2)(a), First Schedule of the Resource Management Act 1991);
- 15.2 withdraw a proposed plan or plan change under clause 8D, First Schedule of the Resource Management Act 1991;
16. receive reports from Council's Advisory Groups;
17. review and recommend to Council the adoption of the Annual Report;
18. in relation to the waterfront:
  - 18.1 develop and approve the Waterfront Development Plan that includes broad priorities for work and projected activities for the year;
  - 18.2 conduct public engagement/consultation processes as required;
  - 18.3 develop and approve performance briefs for individual areas or sections of work;
  - 18.4 approve detailed designs;
  - 18.5 monitor implementation including approval of variations from approved designs;
19. approve the criteria applicable to grants in general and each grant type every three years in line with the LTCCP;
20. approve three year funding contracts in line with the Council's grants' criteria, grants priorities and strategic fit;
21. approve the priorities for allocating grants within the grant pools (annually);
22. approve grants in excess of \$50,000 in total, for partnerships to upgrade aquatic facilities in school through the School Pools Partnership Fund;
23. set fees in accordance with legislative requirements unless the fees are set under a bylaw or set as part of the LTCCP or Annual Plan (in which case the decision is retained by Council and the committee has the power of recommendation);
24. approve the attendance of Elected Members at domestic conferences and seminars ;<sup>6</sup>
25. consider the report back from Elected Members following a domestic or international conference or seminar;
26. make recommendations to Council on the acquisition and disposal of Council's property assets<sup>7</sup>;

---

<sup>6</sup> Where there is insufficient time to seek approval for elected member participation, the Mayor, Governance Portfolio Leader and the CEO may approve attendance.



# APPENDIX ONE

27. in respect of land held or managed under the Reserves Act 1977 and council owned open space land:
- 27.1 to approve leases, licenses and concessions, except for decisions to approve leases, licences and concessions to recreation and community groups (of land and/or buildings), and renewals of leases or licences, which are made by the Regulatory Processes Committee;
  - 27.2 to approve easements;
  - 27.3 to approve covenants for carbon credit purposes;
  - 27.4 to review, notify and recommend to Council the adoption of reserve management plans;
  - 27.5 to review and recommend to Council for approval, reserve:
    - declarations
    - revocation
    - classification
    - naming;
  - 27.6 to conduct the consultation processes required to make the above recommendations or decisions;
28. to consider and make recommendations under the Public Works Act 1981 regarding:
- 28.1 the transfer to another party of land for a public work under section 50;
  - 28.2 to exercise the Council's powers of compulsory acquisition under section 2;
29. consider and make decisions which are within the Chief Executive's delegations, and which the Chief Executive has referred to Strategy and Policy Committee for decision making.

## ***Delegated Authority***

The Strategy and Policy Committee will have delegated authority to carry out activities within its terms of reference.

---

<sup>7</sup> Council has statutory responsibility for final decision making on the purchase or disposal of assets, other than in accordance with the LTCCP.

## Regulatory Processes Committee

### **Voting Membership:**

The Regulatory Processes Committee will have up to six Councillors as members.

### **External Membership (non-voting):**

Nil.

### **Quorum:**

3

### **Chair:**

The Chair will be elected by Council.

### **Frequency of Meetings:**

The Regulatory Processes Committee will meet on an as required basis.

### **General Purpose and Objectives:**

The Regulatory Processes Committee has primary responsibilities for overseeing Council's regulatory matters.

### **Terms of Reference:**

The Chair of the Regulatory Processes Committee, in consultation with the Mayor, will have authority to:

1. appoint councillors (sitting as hearings commissioners) and/or independent commissioners to hearings panels required under council's various statutory requirements;
2. appoint councillors for the purposes of activity 4 (below);

The Chair of the Regulatory Processes Committee, in consultation with the relevant ward councillors, will have authority to:

3. approve road namings.<sup>8</sup>

The Committee will have responsibility and authority:

4. to approve and monitor Council's list of hearings commissioners under the Resource Management Act 1991 (comprising Councillors sitting as hearings commissioners, and independent commissioners);
5. to supervise the conduct of statutory hearings on regulatory matters and undertake and make decisions on those hearings;<sup>9</sup>

---

<sup>8</sup> The Road Naming Policy provides: Where the ward councillors are unable to make a decision, it will be referred to the Regulatory Processes Committee for a decision

<sup>9</sup> This relates to any statutory hearings other than under the Resource Management Act 1991. E.G. hearings required under the Dog Control Act and the Fencing of Swimming Pools Act. When a hearing is required it may be carried out by a quorum of the committee, with the membership of the quorum to be determined by the chair of the Regulatory Processes Committee in consultation with the Mayor.

## APPENDIX ONE

6. to undertake hearings on road stopping under the Local Government Act 1974;
7. to make recommendations to Council whether to proceed with a road stopping and the disposal of stopped road; including (where the proposal includes or involves a related acquisition, disposal or land exchange) a recommendation to Council on the acquisition, disposal or exchange;
8. to consider and recommend to Council any request to the Crown that a road is stopped under section 116 of the Public Works Act 1981, and the disposal of the stopped road;
9. to provide feedback to the Strategy and Policy Committee on policy matters which have arisen during the Committee's work;
10. to make the following decisions to facilitate the administration of proposed plan, plan changes, variations, designation and heritage order processes:
  - 10.1 to authorise the resolution of appeals on a proposed plan, plan change or variation that are in accordance with Council policy;<sup>10</sup>
  - 10.2 to decide whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by council and authorise the resolution of any such appeal;
  - 10.3 to consider and approve council submissions on a proposed plan, plan changes, and variations;
  - 10.4 to manage the private plan change process;
  - 10.5 to accept, adopt or reject private plan change applications under clause 25 First Schedule RMA;
11. to perform any of its delegated functions jointly with another committee when issues arise which are also within the terms of reference/delegated authority of that other committee. In such cases, a joint meeting of two or more committees can be called in the following circumstances:
  - 11.1 the chairs of the committee agree to such a meeting;
  - 11.2 Council directs a joint meeting;
  - 11.3 at least one third of the members of each committee so request;
12. to approve leases to recreation and community groups (of land and/or buildings) on public land;
13. to hear appeals on officer's decisions to decline permission for an activity that would breach the Wellington Consolidated Bylaw 2008 Part 4 Liquor Control;
14. approve any resolution required under section 319A of the Local Government Act 1974 (naming of road) where referred to it by the Chair and the relevant Ward Councillors;

---

<sup>10</sup> Resolutions that are inconsistent with Council Policy must be referred to Council for decision.

## APPENDIX ONE

15. Make decisions under Clause 11(e), Schedule 10 of the Local Government Act 1974 and the Transport (Vehicular Traffic Road Closure) Regulations 1965.

### ***Delegated Authority***

The Regulatory Processes Committee will have delegated authority to carry out activities within its terms of reference.

The Chair of the Regulatory Processes Committee will have delegated authority to carry out activities 1 and 2 and 3 in these terms of reference.

## Performance Review Committee

**Voting Membership:**

The Committee will have up to four Councillors as members.

**External Membership (non-voting):**

Nil.

**Quorum:**

3

**Chair:**

The Deputy Mayor is the Chair of the Performance Review Committee.

**Frequency of Meetings:**

The Committee will meet on an as required basis.

**Parent Committee:**

The Committee shall report to Council any issues as may be required.

**General Purpose and Objective:**

The Performance Review Committee has primary responsibility for the effective monitoring of the Chief Executive Officer's performance and performance agreement.

**Terms of Reference:**

The Committee will have responsibility and authority to:

1. work as required with the Chief Executive on the implementation of the performance agreement entered into between the Council and the Chief Executive;
2. conduct the performance review required in the contract between the Council and the Chief Executive;
3. re-negotiate new performance agreements to cover subsequent periods as required;
4. make decisions regarding remuneration for the Chief Executive, including payment of any performance bonus;
5. represent the Council in regard to any issues which may arise in respect to the Chief Executive's job description, contract, performance agreement or other similar matters;

## APPENDIX ONE

6. oversee any recruitment and selection process for a Chief Executive (noting that the decision on appointment must by law be made by the Council);
7. report to Council any issues as may be required.

### ***Delegated Authority***

The Performance Review Committee will have delegated authority to carry out activities within its terms of reference.

## Council Controlled Organisation Performance Subcommittee

### **Voting Membership:**

The Subcommittee will have up to three Councillors and up to two external persons as members.

### **Quorum:**

3 (at least one elected member must be present for a quorum to exist)

### **Chair:**

The Chair is to be appointed by Council and selected from one of the external members.

### **Frequency of Meetings:**

The Subcommittee will meet on an as required basis.

### **Parent Body:**

The Subcommittee reports to the Strategy and Policy Committee.

### **General Purpose and Objectives:**

The Subcommittee's principle function is to monitor the financial performance and delivery on strategic outcomes of Council's CCOs and COs.

### **Terms of Reference:**

The Subcommittee will have responsibility and authority for:

1. making recommendations to the Strategy and Policy Committee regarding the approval of business plans, strategic plans and (where applicable) adoption of statements of corporate intent;
2. monitoring Council's interests in its CCOs and COs through the review of their quarterly reports, annual reports, business plans, strategic plans and (where applicable) statements of intent;
3. bringing to the attention of the Strategy and Policy Committee any matters that it believes are of relevance to the Committee's consideration of the financial performance or the delivery of strategic outcomes of Council's CCOs and COs;
4. monitor the performance of Council appointed Board members on Council's CCOs.

### ***Delegated Authority***

The Council Controlled Organisation Performance Subcommittee will have delegated authority to carry out activities within its terms of reference.

## Grants Subcommittee

**Voting Membership:**

The Subcommittee will have up to five Councillors as members.

**External Membership (non-voting):**

Nil.

**Quorum:**

3

**Chair:**

The Chair will be elected by Council.

**Frequency of Meetings:**

The Subcommittee will meet on an as required basis.

**Parent Body:**

The Subcommittee reports to the Strategy and Policy Committee.

**General Purpose:**

The Grants Subcommittee has primary responsibility for the effective allocation and monitoring of Council's grants.

**Objective:**

To achieve an equitable distribution of grants funding in line with the criteria applicable to each grant type and the characteristics and merits inherent in individual grants claims.

**Terms of Reference:**

The Subcommittee will have responsibility and authority to:

1. consider and approve annual grants in line with the Council's grants criteria and strategic fit. These grant pools are: Cultural, Economic, Environmental and Social Grants, Built Heritage Incentive Fund, Sports Development Grants and the Community Facilities Fund;
2. consider and recommend to the Strategy and Policy Committee for approval of the three year funding contracts from the general grants funding in line with the Council's grants criteria, priorities and strategic fit;
3. consider and recommend to the Strategy and Policy Committee for approval of the priorities for allocating grants within the grant pools (annually);
4. consider and approve the criteria applicable to grants in general and each grant pool every three years in line with the LTCCP;



## APPENDIX ONE

5. consider and make recommendations to the Strategy & Policy Committee, on all grants for the School Pools Partnership Fund that are in excess of \$50,000.

### ***Delegated Authority***

The Grants Subcommittee will have delegated authority to carry out activities within its terms of reference.

## **Audit and Risk Management Subcommittee**

### **Voting Membership**

The Audit and Risk Management Subcommittee will have up to three Councillors and up to two external persons as members.

### **Quorum**

3 (at least one external member must be present for a quorum to exist).

### **Chair**

The Chair will be elected by Council.

### **Frequency of Meetings**

The Audit and Risk Management Subcommittee will meet on a quarterly basis or as required.

### **Parent Body**

The Subcommittee reports to the Strategy and Policy Committee.

### **Objectives of the Subcommittee**

The objectives of the Audit and Risk Management Subcommittee are to assist the Council to discharge its responsibilities for:

- (a) the robustness of the internal control framework and financial management practices;
- (b) the integrity and appropriateness of internal and external reporting and accountability arrangements;
- (c) the robustness of risk management systems, processes and practices;
- (d) the independence and adequacy of internal and external audit functions;
- (e) compliance with applicable laws, regulations, standards and best practice guidelines; and
- (f) the establishment and maintenance of controls to safeguard the Council's financial and non-financial assets.

In fulfilling their role on the Audit and Risk Management Subcommittee, members shall be impartial and independent at all times.

### **Terms of Reference**

The Subcommittee will have responsibility and authority to:

#### **1. *Internal Control Framework***

- 1.1 review whether management's approach to maintaining an effective internal control framework is sound and effective;

# APPENDIX ONE

- 1.2 review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour;
- 1.3 review whether there are appropriate systems, processes and controls in place prevent, detect and effectively investigate fraud;
2. *Internal Reporting*
  - 2.1 consider the processes for ensuring the completeness and quality of financial and operational information being provided to the Council;
  - 2.2 seek advice periodically from internal and external auditors regarding the completeness and quality of financial and operational information that is provided to the Council;
3. *External Reporting and Accountability*
  - 3.1 agree the appropriateness of the Council's existing accounting policies and principles and any proposed change;
  - 3.2 enquire of internal and external auditors for any information that affects the quality and clarity of the Council's financial statements and statements of service performance, and assess whether appropriate action has been taken by management in response to the above;
  - 3.3 satisfy itself that the financial statements and statements of service performance are supported by appropriate management signoff on the statements and on the adequacy of the systems of internal control (i.e. letters of representation), and recommend signing of the financial statements by the Chief Executive/Mayor and adoption of the Annual Report;
  - 3.4 confirm that processes are in place to ensure that financial information included in the entity's Annual Report is consistent with the signed financial statements;
4. *Risk Management*
  - 4.1 review whether management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of the Council's significant risks;
  - 4.2 consider whether appropriate action is being taken by Management to mitigate Council's significant risks;
5. *Internal Audit*
  - 5.1 review and approve the internal audit coverage and annual work plans, ensuring these plans are based on the Council's risk profile;
  - 5.2 review the adequacy of management's implementation of internal audit recommendations;

## APPENDIX ONE

- 5.3 review the internal audit charter to ensure appropriate organisational structures, authority, access, independence, resourcing and reporting arrangements are in place;
6. *External Audit*
  - 6.1 at the start of each audit, confirm the terms of the engagement, including the nature and scope of the audit, timetable and fees, with the external auditor;
  - 6.2 receive the external audit report(s) and review action to be taken by management on significant issues and audit recommendations raised within;
  - 6.3 conduct a members only session (i.e. without any management present) with external audit to discuss any matters that the auditors wish to bring to the Subcommittee's attention and/or any issues of independence;
  - 6.4 ensure any recommendation by management that the Office of the Auditor-General replace the external auditor is referred to and examined by the Audit and Risk Management Subcommittee;
7. *Compliance with Legislation, Standards and Best Practice Guidelines*
  - 7.1 review the effectiveness of the system for monitoring the Council's compliance with laws (including governance legislation, regulations and associated government policies), with Council's own standards, and Best Practice Guidelines as applicable.

### ***Delegated Authority***

The Audit and Risk Management Subcommittee will have delegated authority to carry out activities within its terms of reference.

## **Development Contributions Subcommittee**

### **Voting Membership**

The Subcommittee will have up to four Councillors as members

### **External membership (non voting)**

Nil

### **Quorum**

3

### **Chair**

The Chair will be the Portfolio Leader – Built Environment.

### **Frequency of Meetings**

The Subcommittee will meet on an as required basis.

### **Parent Body**

The Subcommittee will report to the Strategy and Policy Committee on any issues as may be required.

### **General Purpose and Objective**

The Subcommittee is established to make decisions on applications for remissions.

### **Terms of Reference:**

The Subcommittee will have responsibility and authority to:

1. Request specific work to be undertaken by officers if required on any aspect of the Development Contribution Policy to be reported to the Strategy & Policy Committee to assist the deliberations on the draft policy or any amendments to it;
2. Make decisions on applications required under the Policy for remission or postponement;
3. Make recommendations to the Strategy & Policy Committee on matters arising from the operation of the Policy at the time of any review of the Policy undertaken by the Strategy & Policy Committee.

## **Tawa Community Board Makara/Ohariu Community Board**

### **Voting Membership:**

The Board will have six elected members.

Tawa Community Board will also have two members from the Northern Ward, appointed by Council. <sup>11</sup>

### **External Membership (non-voting):**

Nil

### **Quorum:**

A quorum of the Board shall consist of half the total number of members of the board (including vacancies) when that number is even and a majority of such members (including vacancies) when the number is odd.

### **Chair:**

The Chair will be elected by the Board's members and remunerated at a level determined by the Remuneration Authority.

### **Frequency of Meetings:**

The Community Board will meet on a monthly basis, or as required.

### **Parent Body:**

The Community Board reports to Council.

### **General Purpose:**

To assist Council in fulfilling the purpose of local government as expressed in Part 2, Section 10 of the Local Government Act 2002, being:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.

### **Objective:**

To achieve the role of a Community Board under Section 52 of the Local Government Act 2002; that is:

- (a) Represent and act as an advocate for the interests of its community; and
- (b) Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board; and
- (c) Maintain an overview of services provided by the territorial authority within the community; and
- (d) Prepare an annual submission to the territorial authority for expenditure within the community; and

<sup>11</sup> Section 50 LGA 2002, membership consists of members elected and members appointed (if any) in whose district the community is situated. The 2007 Local Government Commission decision states that the Tawa Community Board shall include 2 ward councillors.

# APPENDIX ONE

- (e) Communicate with community organisations and special interest groups within the community; and
- (f) Undertake any other responsibilities that are delegated to it by the territorial authority.

## **Terms of Reference:**

The Community Board shall:

- facilitate the Council's consultation with local residents and community groups on local issues and local aspects of citywide issues including input into the Long Term Council Community Plan, Annual Plan, and policies that impact on the Board's area; and
- engage with council officers on local issues and levels of service, including infrastructural, recreational, community services and parks and gardens matters.

Council shall consult with the Board on issues that impact on the Board's area and allow sufficient time for the Board's comments to be considered before a decision is made.

The Community Board is able to:

1. make submissions (as a Community Board) to any organisation (including submissions on resource consents notified by the Greater Wellington Regional Council and Wellington City Council) relating to matters of interest to the Board in respect of the Board's area (a copy of any such submission is to be given to the Council's Chief Executive);
2. represent the interests of the community at Council, Committee or Subcommittee meetings when a motion under debate relates to a matter that the Board considers to be of particular interest to the residents within its community;
3. determine expenditure of funds allocated by Council to the Board for specific purposes;
4. consider matters referred to it by officers, the Council, its committees or subcommittees, including reports relating to the provision of council services within the Board's area, and make submissions or recommendations in response to those matters as appropriate. This will include:
  - monitoring and keeping the Council informed of community aspirations and the level of satisfaction with services provided;
  - providing input to the Council's Long Term Council Community Plan and Annual Plan;
  - providing input to proposed District Plan changes;
  - providing input to strategies, policies and plans that impact on the Board's area;
  - providing input to bylaw changes that impact on the Board's area;

## APPENDIX ONE

5. Provide input (whether from the full Board, a subcommittee of the Board, or a nominated board member/s) to officers on the following matters:
- local road work priorities;
  - traffic management issues (such as traffic calming measures, pedestrian crossing, street lighting, etc);
  - street facilities management (such as taxi-stands, bus stops, bicycle stands, etc);
  - liquor licence applications;
  - application of the Resource Management Act (including notification decisions) within the Board's area;
  - the emergency management needs of the area, including the appointment of emergency centre coordinators.

The final decision on matters set out in activity 5 will be made by council officers acting under their delegated authority.

### ***Resource Management Hearings***

The Community Board will have up to two suitably-trained members available for selection to sit on hearings panels on resource management issues in the Board's area. Such selection will be in accordance with the "Guidelines for Appointment of Hearings Panels" approved by Council on 30 March 2005 (and as may be amended from time to time). No Board member shall be eligible for selection if the Board has made a submission on the matter to be decided.

### ***Delegated Authority***

The Tawa and Makara/Ohariu Community Boards will have delegated authority to carry out activities within their terms of reference.



## Appointments Group

### **Membership:**

The Appointments Group will comprise the Mayor, the Chair of the CCO Performance Subcommittee, the Governance Portfolio Leader, and the Chief Executive Officer.<sup>12</sup>

### **Chair:**

The Chair will be the Mayor

### **Frequency of Meetings:**

The Appointments Group will meet on an as required basis.

### **Quorum:**

2

### **Parent Body:**

The Appointments Group reports to Council.

### **General Purpose and Objectives:**

The Appointments Group's principal functions are to select the preferred external candidates to fill vacancies on the Boards of Council's CCOs and on those of its subcommittees to which external appointments are required, and to monitor the performance of external members on the boards of Council's CCOs and subcommittees.

### **Terms of Reference:**

The Appointments Group has authority to:

1. Select the preferred external candidates to fill vacancies on the boards of Council's CCOs and on those of its subcommittees to which external appointments are required;
2. Interview the preferred external candidates to confirm their suitability for the vacant position. Where the preferred candidate is being re-appointed or has previously served on one of the Boards of Council's CCOs or its subcommittees then there is no requirement to interview the candidates;
3. Make recommendations to Council regarding the appointment of external appointments to the boards of Council's CCOs and to Council's subcommittees, noting that any recommendation of the Group must be unanimous;
4. Provide advice as and when required to the Council on the performance of external members on its CCOs and Council's subcommittees.

---

<sup>12</sup> The Appointments Group has no decision making authority. Accordingly, any meeting of the Appointments Group is not a meeting for the purposes of Part VII of the Local Government, Official Information & Meetings Act 1987 (See s45(2) LGOIMA)

## Funding and Activity Review Working Party

### Membership

Up to five elected members will be members of the working party. The Mayor is also an ex officio member.

### Chair

The Chairperson shall be appointed by the Council.

### Frequency of Meetings

A schedule of meetings will be agreed by the working party with the chairperson having the discretion to call additional meetings as required.

### Purpose of the Working Party

The working party's purpose is to:

- (a) Review the Revenue and Financing Policy at least annually as it applies to all activity components;
- (b) Review the performance measurement framework as part of the long-term plan process;
- (c) Review asset management plans as part of the long-term plan process;
- (d) Provide a governance perspective and strategic overview of Council's revenue, funding and financing.

### Parent Committee

The working party will report to the Strategy and Policy Committee.

### Portfolio Leaders

Portfolio Leaders are invited to participate in discussions with the working party on items directly related to their area of responsibility.

### Terms of Reference

The working party has specific responsibilities to:

1. At least annually, (in conjunction with the draft LTCCP/Annual Plan processes), or on occasions when the Council is required to consider recommendations that are inconsistent with the Revenue and Financing Policy, present a report to the Strategy and Policy Committee that recommends any amendments to the Revenue and Financing Policy. The working party will have specific responsibility to:
  - a. review the Revenue and Financing Policy – and where amendments are recommended – be guided by the requirements of the Local Government Act 2002 to set funding sources for each activity component from the most appropriate source after considering:
    - i. the outcomes to which the activity contributes;
    - ii. the distribution of benefits between the community as a whole, any identifiable part of the community, and individuals;
    - iii. the period over which those benefits are expected to occur;
    - iv. the extent to which the action or inaction of particular individuals or a group contribute to the need to undertake the activity;

# APPENDIX ONE

- v. the costs and benefits, including importance for transparency and accountability, of funding the activity distinctly from other activities;
    - vi. the overall impact of any allocation of liability for revenue needs on the current and future social, economic, environmental and cultural well-being of the community.
  - b. recommend the appropriate level for the commercial/residential rates differential;
  - c. recommend how capital funding should be reflected in the policy (including Development Contributions);
  - d. undertake an annual review of performance against current revenue and financing policy targets and recommend changes as appropriate;
  - e. review and recommend any changes to the Council's financial policies as required under the Local Government Act 2002 (s102);
  - f. make recommendations on other factors that may impact on the Council's rate funding or Revenue and Financing Policy.
2. Review the performance measurement framework as part of the long-term plan process, and prepare a report to the Strategy and Policy Committee that recommends any amendments to the performance measurement framework.
  - a. For the avoidance of doubt, the purpose of the working party is to ensure the performance measurement framework allows actual levels of service provision to be meaningfully assessed – not to set performance targets.
3. Review asset management plans as part of the long-term plan process to ensure they:
  - a. identify the relevant levels of service and policies, together with associated demand forecasts, and confirm that the listed assets are suitable to deliver on these; and
  - b. provide for maintenance and renewal programmes that incorporate lifecycle asset management strategies that are cost effective, industry standard and optimise the use of the assets;
  - c. for the avoidance of doubt, the Working Party does not have authority to review the policies or levels of service but may recommend that they be reviewed by the Strategy and Policy Committee where cost or other factors relating to asset management mean it is prudent to do so.

## **Delegation**

The working party has the authority to carry out its activities in line with its terms of reference.

## **Duration/Sunset**

The working party will cease at the end of the 2010/13 triennium.

## Chair, Strategy and Policy Committee

The Chair of the Strategy and Policy Committee will have responsibility for the following:

SPC Forward Programme

Land Acquisitions & Disposal

## Mayor

The Mayor will have responsibility for all matters that are cross portfolio. In addition, the Mayor will have responsibility for the following:

LTCCP and all related policies required to be included under the LGA 2002  
Annual Plan  
Annual Report  
Elected members remuneration  
Committee Structure  
Wellington 2040  
Wellington Regional Strategy  
Regional Amenities  
Civic Estate Asset Management Plan

## Other matters

- Reports that recommend attendance at conferences will be the responsibility of the Governance Portfolio Leader.
- The Quarterly Report will be the responsibility of the Governance Portfolio Leader
- Conference report backs will be introduced by the Elected Members who prepared the report.
- Reports from Committees and Subcommittees will be introduced by their Chair, or appointed nominee.
- Policy and related matters that relate to a particular committee or subcommittee (e.g. Grants and Grants Subcommittee) will be introduced by the Chair of the relevant committee/subcommittee.

## Portfolio areas of responsibility/Strategy trees