

**TERMS OF REFERENCE AND
DELEGATIONS
OF
WELLINGTON CITY COUNCIL
2019-2022**

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RECORD OF AMENDMENTS

Version	Date	Resolution Number	Summary of Amendment(s)
1	10/12/2019	Item 2.2 of Council meeting minutes on 20 November 2019	<p>Membership of Regulatory Processes Committee, Grants Subcommittee, Council-Controlled Subcommittee and Revenue and Finance Working Group</p> <p>Editorial changes:</p> <ul style="list-style-type: none"> - Name of Annual Plan / Long-term Plan Committee - Name of Finance, Audit and Risk Subcommittee - Quorum of Finance, Audit and Risk Subcommittee - Membership of Mākara/Ohariu Community Board - Paragraph 4 in section 4.3 Council-Controlled Organisations Subcommittee
2	13/03/2020	Item 2.2 of Strategy and Policy Committee meeting minutes on 13 February 2020	<p>Addition of Safer Speeds Hearing Subcommittee Terms of Reference</p> <p>Editorial changes:</p> <ul style="list-style-type: none"> - lettering of bullets in CCO delegations
3	25/05/2020	Item 2.4 of Strategy and Policy Committee meeting minutes on 21 May 2020	Membership and delegations of Safer Speeds Hearing Subcommittee
4	08/09/2020	Item 2.2 of Strategy and Policy Committee meeting minutes on 3 September 2020	Membership and quorum of the Safer Speeds Hearing Subcommittee
		Item 4.1 of Council Meeting minutes on 26 February 2020, and item 3.1 of Council meeting minutes on 16 April 2020	External membership of the Finance, Audit and Risk Subcommittee

1 INTRODUCTION

General

1. This document sets out the terms of reference and delegations for the Wellington City Council, and its committees and subcommittees. It also sets out the responsibilities of and delegations associated with certain roles, including the Mayor, Deputy Mayor, Chief Executive, Committee and Subcommittee Chairs, and Portfolio Leaders.
2. The Council's business is wide-ranging, and it has obligations and powers under many statutes and regulations. It would be impossible for the full Council to deal with everything itself. Delegation to officers is necessary for the operation of the Council to be efficient and effective and achieve its objectives and for its service delivery to be timely and successful.
3. These terms of reference are intended to allow the Council to ensure that its powers and functions are exercised at a level commensurate with efficiency and effectiveness and the significance of the power or function.
4. A delegate is not obliged to exercise a power or function delegated to it. If a matter has become publicly or politically contentious, it may be appropriate for the delegate not to exercise the particular power or function and to refer the power or function back to the delegator. Provision is made for this in the Council delegations and the delegations for the Strategy and Policy Committee. Delegates should consult with the Mayor in respect of any decision to refer matters back to a delegator.

Committees

5. Committee includes, in relation to the Council:
 - (a) A committee comprising all the members of the Council;
 - (b) A standing committee or special committee appointed by the Council;
 - (c) A standing committee or special committee appointed by the Mayor;
 - (d) A joint committee appointed under clause 30 of Schedule 7 of the Local Government Act 2002;
 - (e) Any subcommittee of a committee described in items (a) (b), (c) or (d) of this definition; and
 - (f) A subordinate decision-making body, including Subcommittees and Forums.
6. The terms of reference and delegations to Committees and Subcommittees are set out in full in this document. In respect of committees and subcommittees:
 - (a) The committees have no decision making powers other than those set out in these terms of reference
 - (b) Any committee may request expert advice through the Chief Executive where necessary.
 - (c) The committees may make recommendations to their governing committee or Council, or Chief Executive as appropriate.

Iwi

7. The Council has statutory obligations to iwi and Māori, by virtue of the Treaty of Waitangi, in particular in relation to the Resource Management Act 1991 and Local Government Act 2002.
8. To recognise this critical relationship with iwi, Wellington City Council has Memoranda of Understanding (MOU) with two mandated iwi organisations – Port Nicholson Block Settlement Trust (PNBST) and Te Rūnanga o Toa Rangatira Incorporated (TOA).
9. Each MOU provides:

“...for the strategic relationship between the parties and the opportunity for the Trust to contribute to Council decision making and to be a provider of leadership with Council for the City.”
10. Iwi are non-voting members of the Strategy and Policy Committee and the Annual Plan/ Long-term Plan Committee. Iwi are to receive all papers. Wellington City Council Code of Conduct will apply to members attending these meetings.
11. An agreed iwi representative may attend these Committee meetings and may sit at the table and discuss and debate matters as a non-voting participating member of that Committee.

Quorum

12. The terms of reference for each committee or subcommittee contain the quorum required. Appointed members and ex officio members are only counted towards the quorum when present.

Advisory and Reference Groups

13. Advisory and reference groups operate under separate terms of reference as approved by the Strategy and Policy Committee (or its predecessor in an earlier triennium). Their role is to give advice and feedback to Council and provide a conduit to wider community views. The groups contribute to Council's established decision-making processes and do not have any delegated powers of decision making.

Ambiguity and Conflict

14. In the event of ambiguity or conflict between any of the provisions contained in these terms of reference, Democracy Services can provide advice. If the ambiguity or conflict results in uncertainty or dispute as to which chairperson, committee or subcommittee has the delegation to act in respect of a particular matter, then the Mayor will decide in consultation with the Deputy Mayor and having received advice from the Chief Executive. The decision of the Mayor will be final and binding.

2 COUNCIL

Chair	Mayor Andy Foster
Deputy Chair	Deputy Mayor Sarah Free
Membership	Mayor and all Councillors
External Membership	None
Quorum	8
Frequency of meeting	Monthly or as required

Decision making powers

1. The Council's decision making powers include the following which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body:¹
 - (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, including adopting changes to fees and charges
 - (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) The power to adopt a remuneration and employment policy
 - (h) The power to approve or amend the Council's Standing Orders
 - (i) The power to approve or amend the Code of Conduct for elected members
 - (j) The power to appoint and discharge members of committees (when not appointed by the Mayor)
 - (k) The power to establish a joint committee with another local authority or other public body
 - (l) The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation
 - (m) The powers contained in section 15(1) of the Wellington Town Belt Act 2016

¹ For powers 1-13 see clause 32(1) Schedule 7 Local Government Act 2002. For powers 14-27 see clauses 15, 27, 30 Schedule 7 Local Government Act 2002 and section 34A of Resource Management Act 1991.

2. The Council has also decided to retain, and not delegate, the following powers:
- (a) To approve a proposed policy statement or plan under the Resource Management Act 1991
 - (b) To approve Council strategy, policy and reserve management plans
 - (c) To remove chairpersons of committees and subcommittees and to remove Portfolio Leaders
 - (d) To approve Council's recommendation to the Remuneration Authority for the remuneration of elected members
 - (e) To approve the Triennial Agreement under the Local Government Act 2002.
 - (f) To approve the Local Governance Statement
 - (g) To determine whether or how to fill any extraordinary Council vacancies
 - (h) To make decisions on representation reviews
 - (i) To appoint or remove trustees, directors or office holders to Council's Council-Controlled Organisations (CCOs) and Council Organisations (COs), external members to Committees and to other external bodies
 - (j) In respect of the Wellington District Plan:
 - (i) to approve the recommendation of hearings commissioners on a proposed plan, plan change or variation (including private plan change) and
 - (ii) to approve a proposed plan or a change to a district plan under clause 17 of the First Schedule of the Resource Management Act 1991
 - (k) To approve the final design and commercial terms for development proposals under the Waterfront Project as required by the Waterfront Framework
 - (l) To promote any legislation or significant amendments to legislation relating to Wellington (e.g. a Local Bill)
 - (m) To exercise any authority which it has delegated to a committee, subcommittee or officer, which is referred to it for decision

3 COMMITTEES

3.1 Strategy and Policy Committee

Chair	Councillor Jill Day
Deputy Chair	Councillor Diane Calvert
Membership	Mayor and all Councillors
External Membership (non-voting)	One representative of Ngāti Toa Rangatira appointed by Te Rūnanga o Toa Rangatira Incorporated One representative of the Port Nicholson Block Settlement Trust appointed by the Port Nicholson Block Settlement Trust
Quorum	8
Frequency of meeting	Three times per month or as required

Area of focus

1. The role of the Strategy and Policy Committee is to set the broad vision and direction of the city, determine specific outcomes that need to be met to deliver on that vision, and set in place the strategies and policies, bylaws and regulations, and work programmes to achieve those goals.
2. In determining and shaping the strategies, policies, regulations, and work programme of the Council, the Committee takes a holistic approach to ensure there is strong alignment between the objectives and work programmes of the seven strategic areas covered in the Long-term Plan (Governance, Environment, Economic Development, Cultural Wellbeing, Social and Recreation, Urban Development, and Transport) with particular focus on the priority areas of Council.
3. The Strategy and Policy Committee works closely with the Long-term and Annual Plan Committee to achieve its objective.

Delegations

General

4. The Committee has the powers necessary to perform its responsibilities, within the approved Long-term Plan and Annual Plan budgets.

Strategy and policy

5. Develop and agree strategy and policy for consultation/ engagement.
6. Recommend to Council strategy and policy for adoption.
7. Monitor and review strategy and policy.

Service levels

8. Recommend service level changes and new initiatives to the Long-term and Annual Plans Committee as part of the Long-term Plan and Annual Plan processes.

Significant Projects & Monitoring and reporting

9. Receive and consider reports on the Council's performance against the Long-term Plan and Annual Plan.
10. Review business cases and agree next steps on significant projects.
11. Monitor and oversight of significant projects.
12. Review and recommend to Council the adoption of the Annual Report.

Financial

13. Approve budget overspends (above the tolerance levels in the Chief Executive's delegations) and any reprogramming of capex for a project or programme provided that:
 - (a) The overall budget for the Activity Group (Strategy) is met from savings and efficiencies within the Activity Group (Strategy)
 - (b) The overall budget for capex is not exceeded
14. Where this is not the case the committee must either;
 - (a) Recommend to Council that additional funding is approved (outside the Annual Plan or Long-term Plan process) or
 - (b) Recommend to the Long-term and Annual Plan Committee that the funding is considered for inclusion in the next Long-term Plan or Annual Plan.

Consultation and engagement

15. Conduct any consultation processes required on issues before the Committee.
16. Act as a community interface for consultation on policies and as a forum for engaging effectively.
17. Receive reports from the Council's Advisory Groups and monitor engagement with the city's communities.
18. Review as necessary and agree the model for Council Advisory Groups and Forums.

Submissions and legislation

19. Approve submissions to external bodies/organisations and on legislation and regulatory proposals except :
 - (a) If there is insufficient time for the matter to be determined by the Committee before the submission 'close date', in which case the submission can be agreed by the relevant Portfolio Leader, Chair of Strategy and Policy Committee, Mayor and Chief Executive (and all Councillors must be advised of the submission and provided copies if requested).

- (b) If the submission is of a technical and operational nature, in which case the submission can be approved by the Chief Executive (in consultation with the relevant Portfolio Leader prior to lodging the submission).
 - (c) During the formal pre-election period, in which case submissions are approved by the Chief Executive.
20. Recommend to Council the promotion of legislation or significant amendments to legislation (e.g. a local bill).

Bylaws

21. Develop and agree the statement of proposal for new or amended bylaws for consultation.
22. Recommend to Council new or amended bylaws for adoption.
23. Make any resolution where in a bylaw the Council has specified that a matter be regulated, controlled or prohibited by the Council by resolution, including:
- (a) traffic resolutions relating to:
 - (i) bus prioritisation;
 - (ii) major intersection improvements;
 - (iii) major cycle ways;
 - (iv) new residents parking scheme;
 - (v) speed limits (clauses 3 and 4 of Part 6: Speed Limits);
 - (vi) major land use development.
 - (b) conditions for collection of waste, such as those described in the Wellington Consolidated Bylaw 2008 (clauses 4 and 5 of Part 9: Waste Management).

Fees

24. Set fees in accordance with legislative requirements unless the fees are set under a bylaw (in which case the decision is retained by Council and the committee has the power of recommendation) or set as part of the Long-term Plan or Annual Plan (in which case the decision will be considered by the Long-term and Annual Plan Committee and agreed by Council).

Property and other assets

25. Recommend to Council the acquisition or disposal of assets, unless the acquisition or disposal is provided for specifically in the Long-term Plan.
26. Recommend to Council whether land is required for a Public Work or not (noting that a recommendation that land is still required for a public work must be recommended to Council for agreement).

Open Space and Reserves, (excluding Town Belt and Leases under the Leases Policy for Community and Recreation Groups)

27. For all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977, the power to:
- (a) Agree leases, subleases and easements (in relation to land or buildings)
 - (b) Agree that a Permanent Forest Sink Initiative covenant to be added or removed
 - (c) Adopt management plans and amendments to management plans
 - (d) Make any decision under a management plan which provides that it may not be made by a Council officer (for example, agree a concession)
 - (e) Make decisions that would change the legal status of such land, including under the Reserves Act 1977 to classify a reserve, declare land to be a reserve and revoke the reservation of land
 - (f) Recommend to Council for approval anything that would change the ownership of such land

Wellington Town Belt Act 2016

28. For all land that is subject to the Wellington Town Belt Act 2016, the power to:
- (a) Exercise the powers contained in section 15(2) of that Act
 - (b) Make recommendations to the Council on whether it should exercise its non-delegable powers under section 15(1) of that Act.
 - (c) Make a decision under a management plan which provides that it may not be made by a Council Officer (for example, agree a concession)

Wellington Waterfront

29. For development proposals under the Waterfront Framework:
- (a) Conduct public engagement/consultation processes as required on design
 - (b) Develop and approve performance briefs for individual areas or sections of work
 - (c) Approve detailed designs for recommendation to Council
 - (d) Consider the commercial terms of any proposal for recommendation to Council
 - (e) Monitor implementation including approval of variations from approved designs

District Plan

30. 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).

31. Withdraw a proposed plan or plan change under clause 8D, First Schedule of the Resource Management Act 1991.
32. Make the following decisions to facilitate the administration of proposed plan, plan changes, variations, designation and heritage order processes:
 - (a) To authorise the resolution of appeals on a proposed plan, plan change or variation unless the issue is minor and approved by the Portfolio Leader Urban Development and the Chair of the Strategy and Policy Committee
 - (b) 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
 - (c) To consider and approve council submissions on a proposed plan, plan changes, and variations
 - (d) To manage the private plan change process
 - (e) To accept, adopt or reject private plan change applications under clause 25 First Schedule Resource Management Act 1991

Naming

33. In accordance with the Naming Policy, making significant naming decisions, which are not considered by the Regulatory Process Committee.

Governance and CCOs

34. Review, develop and recommend to Council policy and practices in respect of governance (including representation reviews).
35. Oversee, develop and approve the Council's relationship with Maori.
36. Undertake any reviews of CCOs and agree CCO changes to governance arrangements and consider any issues regarding CCOs referred to the Committee by the CCO subcommittee.
37. Receive and consider recommendations from the CCO Subcommittee to approve Letters of Expectation and Statements of Intent.

Elected members

38. Approve the attendance and associated costs of elected members at overseas conferences, seminars, training or events or when representing the Council as part of a delegations or invitations.

Grants including City Growth Fund

39. Agree the criteria and focus areas for grants funds referred for decision by the Grants Subcommittee.
40. Approve any grants referred for decision by the Grants Subcommittee.

41. Approve the allocation of funding from the City Growth Fund, where the total commitment is more than \$100,000 (calculated by reference to the total funding sought in one or more financial years).

Other

42. Consider and make decisions which are within the Chief Executive's delegations that the Chief Executive has referred to the committee for decision making.
43. Establish a subcommittee or working party and approve its terms of reference.

Delegation to the Chairperson

44. The Chair of the Strategy and Policy Committee and the Portfolio Leader for Urban Development are authorised to approve the resolution of minor District Plan appeals, provided that all decisions made under this delegation are reported to the Committee at the next practicable date.

3.2 Annual Plan / Long-term Plan Committee

Chair	Deputy Mayor Sarah Free
Deputy Chair	Mayor Andy Foster
Membership	Mayor and all Councillors
External Membership (non-voting)	One representative of Ngāti Toa Rangatira appointed by Te Rūnanga o Toa Rangatira Incorporated One representative of the Port Nicholson Block Settlement Trust appointed by the Port Nicholson Block Settlement Trust
Quorum	8
Frequency of meeting	As required for the purposes of developing the Council's Long-term Plan and/or Annual Plan, usually in weeks when the Strategy and Policy Committee is not meeting.

Area of focus

1. The Long-term Plan and Annual Plan give effect to the strategic direction and outcomes set by the Strategy and Policy Committee by setting levels of service and budgets.
2. The Committee is responsible for overseeing the development of the draft Annual and Long-term Plan for consultation, determining the scope and approach of any consultation and engagement required, and recommending the final Long-term Plan and Annual Plans to the Council.

Delegations

3. The Committee has the power to:
 - (a) Develop the Council's draft and final Long-term Plan, Annual Plan and any amendment to the Long-term Plan, for recommendation to the Council
 - (b) Recommend the Consultation document for a Long-term Plan, Annual Plan and any amendment to the Long-term Plan, for adoption by the Council
 - (c) Develop the policies required to be part of, or included in, the Long-term Plan and the funding and financial policies in section 102 of the Local Government Act 2002
 - (d) Approve the approach to consulting with the public in respect of the draft Long-term Plan, Annual Plan, and any amendment to the Long-term Plan, and conduct any consultation processes
4. To avoid doubt, if a fee is proposed to be introduced, changed or removed as part of a Long-term Plan, Annual Plan or amendment to a Long-term Plan, the Committee has the responsibility and authority to:
 - (a) consider submissions on the proposed fee; and

- (b) make recommendations to Council on the proposed fee, including in relation to fees which would otherwise be progressed by the Strategy and Policy Committee.
- 5. Approve the three year Waterfront Development Plan for including in the draft and final Long-term Plan and agree any variances for including in the draft and final Annual Plan.
- 6. Approve asset management plan(s).
- 7. Receive reports from the Revenue and Finance Working Party.
- 8. Establish any new subcommittee or working party and approve its terms of reference.

3.3 Regulatory Processes Committee

Chair	Councillor Malcolm Sparrow
Membership	Deputy Mayor Sarah Free Councillor Simon Woolf Councillor Teri O'Neill Councillor Jenny Condie Councillor Rebecca Matthews
Quorum	3
Frequency of meeting	Monthly

Area of focus

1. The Regulatory Processes Committee has responsibility for conducting regulatory functions of Council, including responsibility for:
 - (a) Approving the list of Resource Management Act Commissioners and the associated Appointment Guidelines
 - (b) Objections to classifications under the Dog Control Act
 - (c) Fencing of swimming pools
 - (d) Road stopping
 - (e) Naming places in accordance with the Naming Policy, except for significant naming decisions, which are considered by the Strategy and Policy Committee.
 - (f) Traffic resolutions which are not considered by the Strategy and Policy Committee.
 - (g) Suburb boundaries
 - (h) Development Contributions remissions.
 - (i) Approving leases pursuant to Council policies.

Delegations

2. The Regulatory Processes Committee has responsibility for and authority to:
 - (a) Approve Council's list of hearings commissioners under the Resource Management Act 1991 (comprising Councillors sitting as hearings commissioners, and independent commissioners)
 - (b) Review and agree the Council's guidelines for composition of hearings panels

- (c) Conduct statutory hearings on regulatory matters and undertake and make decisions on those hearings (excluding Resource Management Act 1991 and District Licensing Committee Hearings)
- (d) Hear and determine objections to the following classifications under the Dog Control Act 1996:
 - (i) objection to classification as a probationary owner (section 22)
 - (ii) objection to disqualification (section 26)
 - (iii) objection to classification of dog as a menacing under section 33A (section 33B) and
 - (iv) objection to classification of dog as menacing under and section 33C (section 33D)
- (e) Undertake hearings on road stopping under the Local Government Act 1974
- (f) 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
- (g) Consider and recommend to Council any notification by the Minister of Lands that a road is stopped under section 116 of the Public Works Act 1981, and the disposal of the stopped road
- (h) Make any resolution required under section 319A of the Local Government Act 1974 (naming of roads) in accordance with the Naming Policy
- (i) Make any resolution required under section 10 Reserves Act 1977 (naming of reserves) in accordance with the Naming Policy
- (j) Make decisions regarding the temporary prohibition of traffic for events, film-making or other public functions under clause 11(e), Schedule 10 of the Local Government Act 1974 and the Transport (Vehicular Traffic Road Closure) Regulations 1965
- (k) Make decisions on applications required under the Development Contribution Policy for remissions, postponements, reconsiderations and objections
- (l) Recommend to the chief executive the appointment of Commissioners to the District Licensing Committee under section 193 of the Sale and Supply of Alcohol Act 2012
- (m) Make all decisions requiring Council or Committee approval under the 'Leases Policy for Community and Recreation Groups'
- (n) Amend suburb boundaries and hear any objections to contentious suburb boundary change proposals
- (o) Dog areas, such as those described in the Wellington Consolidated Bylaw 2008 (clause 5 of Part 2: Animals)

- (p) Make any resolution under the following provisions of the Wellington Consolidated Bylaw 2008 not within the delegation of the Strategy and Policy Committee
- (i) traffic resolutions (clause 11 of Part 7: Traffic) which are not considered by the Strategy and Policy Committee

Delegation to the Chairperson

3. The Chair of the Committee is authorised to appoint Councillors (sitting as hearings commissioners) and/or independent commissioners to hearings panels for Resource Management Act 1991 hearings provided that:
 - (i) the Chair consults the Deputy Mayor (and when the panel is for a plan change, also the relevant Portfolio Leader;
 - (ii) any independent commissioner is on the list approved by the Regulatory Processes Committee; and
 - (iii) the composition of the hearings panel meets the guidelines approved by the Regulatory Processes Committee (once approved).
4. The Chair of the Committee is authorised to jointly approve, with a senior Council officer who has been approved to do so by the Chief Executive, minor and uncontentious suburb boundary change proposals. "Minor and uncontentious" proposals in this instance are those that affect fewer than 20 properties and have not received any objections that are unable to be resolved. Decisions made under this delegation will be reported to the Committee annually. If the Chair has a conflict of interest on a suburb boundary change proposal, the matter must be referred to the Committee for decision.

3.4 CEO Performance Review Committee

Chair	Councillor Diane Calvert
Membership	Deputy Mayor Sarah Free Councillor Jill Day Councillor Fleur Fitzsimons Councillor Nicola Young
Quorum	3
Frequency of meeting	As and when required

Area of focus

1. The CEO Performance Review Committee has responsibility for the effective monitoring of the Chief Executive Officer's performance and has the authority to undertake the annual remuneration review. The Committee also has the role of undertaking any review for the purposes of clause 35 schedule 7 Local Government Act 2002, making a recommendation to Council under clause 34 schedule 7 Local Government Act 2002, and (if applicable) undertaking any recruitment and selection process, for recommendation to the Council.

Delegations

2. The Performance Review Committee will have responsibility and authority to:
 - (a) Agree with the Chief Executive the annual performance objectives
 - (b) Undertake a 6 monthly review to review progress against the annual performance objectives, provide feedback, ongoing monitoring and agree any modifications to the annual performance objectives with the Chief Executive
 - (c) Conduct the performance review required in the employment agreement between the Council and the Chief Executive
 - (d) Undertake the annual remuneration review and make decisions regarding remuneration
 - (e) 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
 - (f) Conduct and complete a review of employment under clause 35 schedule 7 Local Government Act 2002, and make a recommendation to Council as to continued appointment or vacancy under clause 34 schedule 7 Local Government Act 2002
 - (g) Undertake any recruitment and selection process for a Chief Executive (noting that a decision on appointment must by law be made by the Council)

Delegations of the Chair

3. The Chair and Mayor have the authority to twice annually request a report of the Chief Executive's "sensitive expenditure".

4 SUBCOMMITTEES

4.1 Finance, Audit and Risk Subcommittee

Chair	Councillor Diane Calvert
Deputy Chair	Councillor Jenny Condie
Membership	Councillor Sean Rush Councillor Tamatha Paul Councillor Iona Pannett
External Membership	Roy Tiffin Linda Rieper
Parent Committee	Strategy and Policy Committee
Quorum	4 (including at least one external member)
Frequency of meeting	Quarterly or as and when required

Area of focus

1. The Finance, Audit and Risk Subcommittee oversees the work of the Council in discharging its responsibilities in the areas of risk management, statutory reporting, internal and external audit and assurance, monitoring of compliance with laws and regulations (including health and safety), and significant projects and programmes of work focussing on the appropriate management of risk.

Members

2. Members of the Finance, Audit and Risk Subcommittee shall be impartial and independent at all times.
3. External members will be appointed for an initial period not exceeding three years, after which they will be eligible for extension or re-appointment, and have not already served two terms on the committee. Councillors appointed to the subcommittee will automatically cease to hold office at the time of the local authority triennial elections. They may be eligible for re-appointment post those elections if they are returned to office and have not already served two terms on the subcommittee.
4. The Chief Executive and the senior management team members will not be members of the committee.
5. The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the council. At least one member of the committee should have accounting or related financial management experience, with an understanding of accounting and auditing standards in a public sector / local government environment.

Delegations

Statutory Reporting

6. Review and monitor the integrity of the interim and annual report including statutory financial statements and any other formal announcements relating to the council's financial performance, focussing in particular on:
 - (a) compliance with, and the appropriate application of, relevant accounting policies, best practices and accounting standards
 - (b) compliance with applicable legal requirements relevant to statutory reporting
 - (c) the consistency of application of accounting policies, across reporting periods, and the Wellington City Council group
 - (d) agreeing accounting policies and practices including any changes that may affect the way that accounts are presented
 - (e) any decisions involving significant judgement, estimation or uncertainty
 - (f) the extent to which financial statements are affected by any unusual transactions and the manner in which they are disclosed
 - (g) the disclosure of contingent liabilities and contingent assets
 - (h) the clarity of disclosures generally
 - (i) the basis for the adoption of the going concern assumption
 - (j) significant adjustments resulting from the audit

Risk management

7. Review, approve and monitor the implementation of the risk management programme of work, the risk management policy, framework and strategy (including risks pertaining to CCOs that are significant to the Wellington city Council group), focussing in particular on:
 - (a) Providing guidance and approval of Council's appetite for Risk
 - (b) Oversight of the systems in place to manage legislative compliance (including Health and Safety), significant projects and programmes of work, and significant procurement activity

Audit

8. Review and monitor whether management's approach to maintaining an effective internal control framework is sound and effective, and in particular:
 - (a) Review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour
 - (b) Review whether management has in place relevant policies and procedures and how these are reviewed and monitored

- (c) Review whether there are appropriate systems, processes and controls in place to prevent, detect and effectively investigate fraud

Internal Audit

- 9. Review and monitor whether management's approach to maintaining an effective internal control framework is sound and effective, and in particular:
 - (a) Review and approve the internal audit coverage and annual work plans, ensuring these plans are based on the Council's risk profile
 - (b) Review the adequacy of management's implementation of internal audit recommendations
 - (c) Review the internal audit charter to ensure appropriate organisational structures, authority, access, independence, resourcing and reporting arrangements are in place

External Audit

- 10. 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.
- 11. Receive the external audit report(s) and review action to be taken by management on significant issues and audit recommendations raised within.
- 12. Conduct a members only session (i.e. without any management present) with external audit to discuss any matters that the auditors wish to bring.

External Reporting and Accountability

- 13. Agree the appropriateness of the Council's existing accounting policies and principles and any proposed change.
- 14. 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.
- 15. 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.
- 16. 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.

Council Controlled Organisations

- 17. Other committees dealing with CCO matters may refer matters to the Audit and Risk Committee for review and advice.

18. This subcommittee will enquire to ensure adequate processes at a governance level exist to identify and manage risks within a CCO. Where an identified risk may impact on Wellington City Council or the wider group, the subcommittee will ensure that all affected entities are aware of and appropriately managing the relevant risk.

4.2 Grants Subcommittee

Chair	Councillor Fleur Fitzsimons
Deputy Chair	Councillor Rebecca Matthews
Membership	Councillor Laurie Foon Councillor Tamatha Paul Councillor Iona Pannett Councillor Jill Day
Parent Committee	Strategy and Policy Committee
Quorum	3
Frequency of meeting	As and when required

Area of focus

1. The Grants Subcommittee is responsible for the effective allocation and monitoring of the Council's grants.

Delegations

2. The Grants Subcommittee has responsibility for and authority to:
 - (a) Consider the allocation of grants (including three year funding contracts) in in line with the relevant grants criteria and priorities (focus areas) for:
 - (i) Cultural wellbeing: Arts and Culture Fund
 - (ii) Social & recreation: Social and Recreation Fund, The CH Izard Bequest, Sportsville Partnership and Sportsville Feasibility Funds
 - (iii) Environment Natural: Environment Fund, Waste Minimisation Seed Fund (projects over \$2,000)
 - (iv) Urban development: Built Heritage Incentive Fund and Building Resilience Fund

Provided that the Subcommittee can approve a grant up to \$100,000 per financial year and shall make recommendations to the Strategy and Policy Committee for any grant over \$100,000 per annum.
 - (b) Approve the priorities for allocating grants within each grant fund annually.
 - (c) Review the criteria and focus areas for grants funds and make recommendations to the Strategy and Policy Committee.

4.3 Council-Controlled Organisations Subcommittee

Chair	Councillor Jenny Condie
Membership	Councillor Malcolm Sparrow Councillor Nicola Young Councillor Laurie Foon Councillor Sean Rush Councillor Teri O'Neill
Parent Committee	Strategy and Policy Committee
Quorum	3
Frequency of meeting	As and when required

Area of focus

1. The Council-Controlled Organisations Subcommittee is responsible for communicating the Council's priorities and strategic outcomes to CCOs and ensuring delivery by CCOs through the development of Letters of Expectation, Statements of Intent and integration of CCO outcomes with the Council's Long-term Plan and Annual Plan funding processes and decisions. The Subcommittee is also responsible for monitoring the performance, including financial, and delivery on strategic outcomes of the Council's CCOs.

Delegations

2. The Council-Controlled Organisations Subcommittee has the responsibility for and authority to:
 - (a) Ascertain and outline the Council's key priorities for each CCO to address in their Statement of Intent in an annual Letter of Expectation and recommend the draft Letter of Expectation to the Strategy and Policy Committee for adoption
 - (b) Receive, review, and provide feedback on draft Statements of Intent
 - (c) Monitor the performance, including financial, and the delivery of strategic outcomes of Council's CCO's through Quarterly and Annual Reports of CCO performance
 - (d) Require CCO attendance at the Subcommittee meetings to present their reports and respond to any questions from members of the Subcommittee
 - (e) Monitor board performance, including the performance of board members appointed by Council, raising any concerns with the Chair of the CCO
 - (f) Constructively engage with CCOs during the development of any Council strategy and policy or relevant submission by Council to an external entity (where relevant)

- (g) Engage with CCOs and provide the members of the Subcommittee and the Board and Chief Executive the opportunity to discuss issues that have the potential to impact a CCOs funding, strategic outlook or risk management framework
 - (h) Bring to the attention of the Strategy and Policy Committee any matter that the Subcommittee believes are of relevance to the Committee's consideration of the financial performance or the delivery of strategic outcomes of Council's CCOs
 - (i) Receive reports and updates from certain COs, noting that while the Wellington Regional Stadium Trust is a CO, clauses (a) to (h) apply to that entity
 - (j) Receive reports and updates from Wellington International Airport Limited on a quarterly and annual basis
3. In respect of Wellington Water and Wellington Regional Economic Development Agency (WREDA), this subcommittee performs delegations (a) and (b) only.
4. For the avoidance of doubt, council organisations (excluding WRST) are not within the remit of this subcommittee.

4.4 Safer Speeds Hearing Subcommittee

Chair	Councillor Jenny Condie
Membership	Mayor Andy Foster Councillor Fleur Fitzsimons Councillor Laurie Foon Councillor Rebecca Matthews Councillor Iona Pannett Councillor Sean Rush
Parent Committee	Strategy and Policy Committee
Quorum	4
Frequency of meeting	As and when required

Area of focus

5. The Safer Speeds Hearing Subcommittee is responsible for receiving submissions from the public on the proposed 30 km/h speed limit for the city centre.

Delegations

6. The Safer Speeds Hearing Subcommittee has the responsibility for and authority to:
 - (a) Ascertain, accept and hear all speed limit changes in Wellington City and make recommendations to the Strategy and Policy Committee.

Sunset Clause

7. The subcommittee will be discontinued once required hearings have been concluded and recommendations have been made back to the Strategy and Policy Committee.

5 REVENUE AND FINANCE WORKING PARTY

Chair	Councillor Diane Calvert
Membership	Mayor Andy Foster Deputy Mayor Sarah Free Councillor Sean Rush Councillor Teri O'Neill Councillor Jenny Condie Councillor Laurie Foon
Parent Committee	Annual Plan / Long-Term Plan Committee
Quorum	4
Frequency of meeting	A schedule of meetings will be agreed with the Working Party

Purpose of Working Party

1. The purpose of the working party is to:
 - (a) Review the Revenue and Financing Policy at least annually as it applies to all activity components.
 - (b) Review the performance measure 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.
 - (e) Provide input into the Annual Plan financials and underlying assumptions.

Delegations

2. The Working Party will have specific responsibility to:
 - (a) Review the Revenue and Financing Policy and 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 community outcomes to which the activity primarily 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

- (v) The costs and benefits, including consequences 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 community
- (b) Recommend the appropriate level for the commercial/residential rates differential and recommend any changes to rating resulting from rates reviews.
 - (c) Recommend how capital funding should be reflected in Council 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 (section 102).
 - (f) Make recommendations on other factors that may impact on the Council's rate funding or Revenue and Financing Policy.
 - (g) Review the performance measurement framework as part of the long-term plan process, and recommend any amendments to the performance measurement framework.
 - (h) Review asset management plans as part of the long-term plan process to ensure they:
 - (i) 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
 - (ii) 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
 - (iii) Review the appropriateness of the degree of risk the Council will tolerate in managing assets
 - (i) Review the Annual Plan financials and underlying assumptions.

6 APPOINTMENTS GROUP

Chair	Mayor Andy Foster
Membership	Chair of CCO Subcommittee Deputy Mayor Chief Executive
Parent Body	Council
Quorum	2
Frequency of meeting	As and when required

Area of Focus

1. The Appointments Group's role is 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

2. The Appointments Group has responsibility for and authority to:
 - (a) Select a balanced range of preferred external candidates with an appropriate range and mix of skills to fill vacancies on the boards of Council's CCOs and on those of its subcommittees to which external appointments are required.
 - (b) 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.
 - (c) 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.
 - (d) Provide advice as and when required to the Council on the performance of external members on its CCOs and Council's subcommittees.

7 DISTRICT LICENSING COMMITTEE

Commissioners	As appointed
List Members	Note: Each commissioner has a separate appointment as a list member. As appointed
Executive	The Chief Executive is the Secretary of District Licensing Committee/s. The Chief Executive may delegate this responsibility.
Frequency of meeting	As and when required

Area of focus

1. The Sale and Supply of Alcohol Act 2012 ("Act") requires the Council to appoint one or more District Licensing Committees to deal with licensing matters.
2. District Licensing Committees are appointed to exercise the Council's alcohol licensing functions and powers as determined by the Act.

Delegations

3. The functions of District Licensing Committees are specified by the Act and include:
 - (a) To consider and determine applications for licenses and manager's certificates
 - (b) To consider and determine applications for renewal of licences and manager's certificates
 - (c) To consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Act
 - (d) To consider and determine applications for the variation, suspension, or cancellation of licences other than special licences under section 280 of the Act
 - (e) To consider and determine applications for the suspension or cancellation of licences under sections 281 and 282 of the Act
 - (f) To consider and determine applications for the variation, suspension or cancellation of special licences under section 283 of the Act
 - (g) With the leave of the Chairperson for the licensing committee, to refer applications to the licensing authority
 - (h) To conduct inquiries and to make reports as may be required of it by the licensing authority under section 175 of the Act
 - (i) Any other functions conferred on licensing committees by or under the Act or any other enactment

Reporting to Council

4. The Secretary will prepare, for Council approval, an annual report on the proceedings and operations of the District Licensing Committees.

8 COMMUNITY BOARDS

Tawa Community Board

Chair	Robyn Parkinson
Deputy Chair	Richard Herbert
Members	Steph Knight Graeme Hansen Jackson Lacy Anna Scott Plus 2 Council members
Quorum	4
Frequency of meeting	TBD

Mākara/Ohariu Community Board

Chair	John Apanowicz
Deputy Chair	Christine Grace
Members	Hamish Todd Chris Renner Wayne Rudd Darren Hoskins
Quorum	3
Frequency of meeting	TBD

Area of focus

1. The role of a Community Board is to:
 - (a) Represent and act as an advocate for the interests of its community.
 - (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.
 - (c) Maintain an overview of services provided by the territorial authority within the community.
 - (d) Prepare an annual submission to the territorial authority for expenditure within the community.

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

Delegations

2. The Community Boards shall:
 - (a) 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 Plan, Annual Plan, and policies that impact on the Board's area.
 - (b) Engage with council officers on local issues and levels of service, including infrastructural, recreational, community services and parks and gardens matters.
3. Council will 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.
4. The Community Board has responsibility for and authority to:
 - (a) 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).
 - (b) 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 of particular interest to the residents within its community.
 - (c) Determine expenditure of funds allocated by Council to the Board for specific purposes.
 - (d) 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:
 - (i) Monitoring and keeping the Council informed of community aspirations and the level of satisfaction with services provided
 - (ii) Providing input to the Council's Long-term and Annual Plans
 - (iii) Providing input to proposed District Plan changes that impact on the Board's area
 - (iv) Providing input to strategies, policies and plans
 - (v) Providing input to bylaw changes that impact on the Board's area
 - (e) Provide input (whether from the full Board, a subcommittee of the Board, or a nominated board member/s) to officers on the following matters:
 - (i) Local road work priorities

- (ii) Traffic management issues (such as traffic calming measures, pedestrian crossing, street lighting, etc.)
 - (iii) Street facilities management (such as taxi-stands, bus stops, bicycle stands, etc.)
 - (iv) Applications for licences under the Sale and Supply of Alcohol Act 2012
 - (v) Application of the Resource Management Act (including notification decisions) within the Board's area
 - (vi) The emergency management needs of the area, including the appointment of emergency centre coordinators
5. The final decision on matters set out above will be made by council officers acting under their delegated authority.

Resource Management Hearings

6. The Community Board may have up to two suitably-trained members available for selection to sit on hearings panels on resource management issues. 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.

9 SPECIFIC ROLE DESCRIPTIONS AND DELEGATIONS

Mayor

1. The Mayor is the leader of the Council and has the statutory role to provide leadership to the other members of the Council and the people in the district. The Mayor will lead the development of the Council's plans, policies and budgets for consideration by the Council. The Mayor is the primary Council spokesperson.
2. The Mayor will lead the following, supported as necessary by relevant Councillors:
 - (a) Central Government liaison
 - (b) Transport and urban development
 - (c) Major projects (to be determined at the Mayor's discretion)
3. In addition the Mayor has the delegated authority to:
 - (a) Consider and approve the allocation of the Discretionary Grant Fund, in consultation with the Chair of the Grants Subcommittee and relevant portfolio lead
 - (b) Agree and enter into Memoranda of Understanding to enhance external relationships and partnerships, provided they are consistent with Council policy and direction. Note that these agreements should generally be endorsed by the Council before signing, particularly if an agreement has financial implications. If this is not possible, the Council should be alerted immediately after a Memorandum of Understanding has been signed
 - (c) Approve the Chief Executive's annual leave, overseas travel and expenditure on professional development
 - (d) Approve the Deputy Mayor's attendance at conferences and associated travel within New Zealand provided that it can be funded from the budget approved as part of the Annual Plan

Deputy Mayor

4. The Deputy Mayor will:
 - (a) Assist the Mayor in carrying out the statutory and leadership role of the Mayor
 - (b) If the Mayor is absent or incapacitated, perform all of the responsibilities and duties, and exercise any powers of the Mayor (other than the powers under section 41A LGA 2002 and the role of Justice of the Peace)
 - (c) Lead and take responsibility for liaison with Councillors on matters of support for carrying out their governance role
5. In the absence of the Mayor, for the Council to successfully discharge its responsibilities and duties in support of its purpose, the Deputy Mayor is empowered to perform the duties and responsibilities of the Mayor under subclauses 17(3), (4) and (5) of Schedule 7 of the Local Government Act 2002.

6. The Deputy Mayor is authorised to approve elected member attendance at conferences or training and associated travel and accommodation within New Zealand provided that:
 - (a) It can be funded from the budget approved as part of Annual Plan and
 - (b) The Deputy Mayor consults with one of either the Mayor or Chair of the Strategy and Policy Committee prior to approval
 - (c) Attendance is relevant to the member's role and responsibilities

Other

7. The Mayor and Deputy Mayor and Chair of the Strategy and Policy Committee² are authorised to approve an elected member to travel overseas (whether for the purpose of training, representing the Council, international relations, attending conferences) – and the associated costs (if any) in urgent circumstances, when it is impracticable for the Strategy and Policy Committee to consider the item on an agenda prior to the travel.

Role descriptions: Chair of a Committee or Subcommittee

8. A Chair of a Committee or Subcommittee will:
 - (a) Provide leadership to the committee
 - (b) Ensure decision-making is evidence based and made in a timely manner
 - (c) Conduct the meeting in accordance with standing orders and legislation
 - (d) Enhance relationships with key stakeholders
 - (e) Where an issue does not come within a separate portfolio responsibility or is an issue of committee process, act as the council's spokesperson and point of contact for the committee's activities
 - (f) Collaborate with other committee chairs where objectives are shared
 - (g) Support and work effectively with portfolio leaders within their committee, if any
 - (h) Work effectively with council officers
 - (i) Ensure progress is made towards the council's strategic priorities in the committee's area of responsibility
 - (j) Ensure governance oversight and direction is provided to the projects that report to their committee
 - (k) Ensure council's advisory groups have effective input
 - (l) Meet regularly with the mayor, deputy mayor, Chief Executive and senior staff
 - (m) Keep the mayor informed of emerging issues
 - (n) Maintain a "no surprises" approach for elected members and staff

² In the event one is conflicted, only two signatures are required. In the event two of the three are conflicted an additional committee or subcommittee chair will be a decision maker (as nominated by the Mayor).

- (o) Raise issues of council performance with assigned executive leadership staff member in the first instance, following up with the mayor and Chief Executive if necessary

Role Descriptions: Portfolio Leaders

- 9. Council's role in shaping Wellington is complex and highly integrated. As such, the boundaries between portfolios are often blurred and any one issue often has implications across several portfolios. As such, a collegial approach, recognising shared interests and acknowledging differences is required to effectively lead a portfolio. The following is required from portfolio leads:
 - (a) Facilitate policy discussions between elected members, public and officers regarding portfolio matters
 - (b) Playing a leadership role in the development policy and strategy falling under that portfolio
 - (c) Work effectively with Council officers to progress strategic priorities and projects
 - (d) Enhance relationships with key stakeholders and act as Council spokespersons and contact person for activities within portfolio
 - (e) Collaborate with Committee chairs and other portfolio leaders regarding issues impacting the portfolio
 - (f) Attend relevant portfolio events, launches of new activities and projects
 - (g) Maintain a 'no surprises' approach to carrying out the duties of the portfolio with the Mayor and staff

Meet regularly with Mayor, Deputy Mayor, CEO, Chair and senior staff to keep informed of progress and emerging issues

10 CHIEF EXECUTIVE DELEGATIONS: Clause 32, Schedule 7 Local Government Act 2002

The Council has delegated the following matters to the Chief Executive under clause 32 of Schedule 7 of the Local Government Act 2002:

1. The Chief Executive is delegated all powers and authorities (other than those retained by Council, or contained within the delegations to committees or other subordinate decision-making bodies or community boards), subject to any legal limits on the Council's ability to do so, provided that the Chief Executive acts within the law, Council policy (as approved from time to time) and the Long-term Plan and Annual Plan.
2. The Chief Executive delegations authorise the following tolerance levels, in order to ensure effective and efficient delivery of the Long-term Plan and Annual Plan:
 - (a) If the operating budget for an Activity area will be exceeded by an amount no greater than 5% for that year, but the overall Annual Plan budget level can be maintained, the Chief Executive has the authority to approve budget transfers between Activity areas, but subject to the following criteria:
 - (i) The overspends will not result in other projects or sub projects being cancelled; or
 - (ii) Any projects or sub projects included in the annual plan that will not be completed as planned in the current or following year will be reported to the appropriate committee for approval.
 - (iii) (Note, the net operating budget or surplus for this purpose excludes revaluations and gain/loss on sale of assets and any other extraordinary items).
 - (b) If an individual Capital Expenditure project in the Annual Plan will be exceeded by an amount no greater than 10% for that year, the Chief Executive has the authority to approve that expenditure, as long as the overall Capital Expenditure budget for the year is not exceeded and subject to the following criteria:
 - (i) The overall Annual Plan capital expenditure dollar amount is not exceeded; and
 - (ii) Any overspends must be offset by savings in the current year or a reduction in the dollar amount carried forward to the following years; and
 - (iii) The overspends will not result in other projects or sub projects being cancelled; or
 - (iv) Any projects or sub projects included in the Annual Plan that will not be completed as planned in the current or following year will be reported to the appropriate Committee for approval.
 - (v) For any projects that straddle more than one financial year then the 10% applies to the total project cost and not the cost in the current financial year.
 - (c) Any actual or forecast variations to budget will be reported to the Council or a Committee of the whole of Council for noting and approval.

3. The Chief Executive has the authority to approve unbudgeted expenditure (either Capital or Operating) where the incurring of the expenditure relates to:
 - (a) Urgent health and safety or legislative requirements
 - (b) An emergency (whether one has been declared or not) provided that if the amount is in excess of \$1,000,000 then the Chief Executive must consult with and get agreement from the mayor or deputy mayor if the mayor is incapacitated. However, in the highly exceptional event that the Chief Executive is unable to consult, then the Chief Executive is still authorised to commit to the expenditure, but must report the exercise of the delegation to the mayor and council as soon as possible
4. The Chief Executive has the authority to allocate funding from the City Growth Fund up to a total commitment of \$100,000 provided that:
 - (a) The criteria of the Fund are met; and
 - (b) The decision is made in consultation with, the Mayor, the Deputy Mayor and the Economic Development Portfolio Leader
5. The Chief Executive has the authority to sign any contract or memorandum of understanding in order to give effect to the Annual Plan and Long-term Plan and / or existing policy. Where the content relates to Council's relationship with external stakeholders / organisations, the Mayor must be advised. The Mayor will determine whether the Mayor or Chief Executive is the appropriate signatory and/or whether the matter is referred to Council or Committee.
6. The Chief Executive Officer in consultation with the Deputy Mayor has the authority to approve international travel for the Mayor and/or elected members where an invitation is received and there is no travel cost to the Council.

Explanatory Notes to delegations

7. This delegation affirms that the Long-term Plan and the Annual Plan provide the basis for the implementation of Council decisions by the Chief Executive. Through and under the Long-term Plan and Annual Plan, operational and capital expenditure budgets, fees and charges, service levels, specific projects, and other significant requirements are approved by the Council.
8. The Chief Executive and management are then authorised to proceed to make all arrangements in line with those decisions.
9. The delegations are supported by effective communication and constructive working arrangements between Elected Members and the Chief Executive, such as the quarterly report, regular briefings, Council and CEO only time, and the Chief Executive's Key Performance Indicators.