

Chairperson and Community Board Members
ŌTAKI COMMUNITY BOARD

29 NOVEMBER 2016

Meeting Status: **Public**

Purpose of Report: For Information

COMMUNITY BOARD DELEGATIONS 2016-2019
TRIENNIUM~FOR INFORMATION

PURPOSE OF REPORT

- 1 The Ōtaki Community Board is asked to note that the Governance Delegations for Council, its Standing Committees, one Subcommittee and Community Boards for the 2016-2019 Triennium was adopted by Council on 26 October 2016 (Appendix 1).

BACKGROUND

- 2 The Governance Delegations were adopted by the Council following the Mayor's exercise of his powers under s41A of the Local Government Act 2002 which saw him establishing Committees, their terms of reference, and appointing Chairs and membership to them.
- 3 There are now two major Standing Committees, and the Audit and Risk body, formerly a Subcommittee, is now a Committee. The District Licensing Committee is set up under a different piece of legislation: the Sale and Supply of Alcohol Act 2012. Part D of the document contains the delegations for Community Boards.

ISSUES AND OPTIONS

Issues

- 4 The role and powers of Community Boards are prescribed by legislation (clause 52 of the Local Government Act 2002):
 - (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
 - (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.

- 5 The Council is authorised under Clause 32, Schedule 7 of the Local Government Act 2002 to delegate to a committee or subcommittee or subordinate decision-making body, community board, or member:

32. Delegations –

Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member of officer of the local authority any of its responsibilities, duties or powers except-

- (a) the power to make a rate; or*
- (b) the power to make a bylaw; or*
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*
- (d) the power to adopt a long-term plan, annual plan, or annual report; or*
- (e) the power to appoint a chief executive;*
- (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan, or developed for the purpose of the local governance statement;*
- (g) repealed*
- (h) the power to adopt a remuneration and employment policy.*

- 6 The delegations for Community Boards in the 2016-2019 Triennium were presented to Council on 26 October with two modifications:

- The modification of powers around traffic and roading matters
- The consideration of reserve management plans for local reserves, excluding Otaraua Park.

- 7 The previous delegations allowed approval or rejection by Community Boards of all proposed changes to traffic control and signage matters in relation to existing local roads, except for speed restrictions.

- 8 Council considered the officer report accompanying the draft delegations where it was clarified that there are significant public safety related impacts associated with making changes to traffic controls and signage on District roads. The Council as Road Controlling Authority (RCA) is delegated responsibility for administering the safe and efficient operation of the District's transport network (excluding State Highways) and does so in compliance with a number of separate pieces of legislation. To deliver on its responsibilities Council employs suitably qualified staff to manage the network and there are also national standards, rules and industry guidelines which staff must consider before making any changes to the network.

- 9 In relation to previous Community Board delegations it was considered that Community Boards were not best placed to be making decisions that relate to road safety liability issues. The Council as RCA is ultimately liable and so there

remains a risk that this would add unnecessary time delays to any proposed changes.

- 10 It was therefore proposed that any changes to traffic control and signage matters that relate to road safety would remain with the Council and any delegated Committee and the delegation would be transferred to the Chief Executive. The Community Board delegation was therefore proposed to be modified so that it related solely to those roading and traffic matters that had no significant safety issue.
- 11 At the Council meeting there was considerable discussion on this matter with the Chief Executive clarifying the need for these decisions to rest on technical expertise notwithstanding the expertise in local matters offered by the Boards. Council was free to reject the officer recommendation to modify this delegation but after robust debate it was agreed to retain the clause but with a modification emphasising the need to consult with Boards. The clause would now read:

“Authority to approve or reject officer recommendations relating to traffic control and signage matters for existing local roads, except those matters that involve significant safety issues. Community Boards will be consulted about those issues but final delegation will rest with Council officers.”
- 12 With respect to another delegation to ‘make recommendations to Council after reviewing existing, or considering new draft Reserve Management Plans for local public parks and reserves within its area’ this wording was modified to clarify this excluded Otaraua Park as a park of Districtwide significance. This was also discussed at length by Council and information provided by the Group Manager Community Services which justified the characterisation of Otaraua Park as a park of Districtwide significance. However, Council agreed that Community Boards should have the opportunity to provide input but recommendations on the matter would rest with staff to Council.

CONSIDERATIONS

Policy considerations

- 13 There are no policy considerations.

Legal considerations

- 14 There are no additional legal considerations.

Financial considerations

- 15 There are no financial considerations.

Tāngata whenua considerations

- 16 There are no tāngata whenua considerations.

SIGNIFICANCE AND ENGAGEMENT

Degree of significance

- 17 This matter has a low level of significance under Council policy.

Engagement planning

18 An engagement plan is not needed to implement this decision.

Publicity

19 The Governance Structure and Delegations are made available on the Council website.

RECOMMENDATIONS

20 That the Ōtaki Community Board notes that the Council adopted the Governance Delegations for Community Boards (referred to as Part D) on 26 October 2016 as at (Appendix 1 of Corp-16-044).

| Report prepared by | Approved for submission | Approved for submission |
|---------------------------------------|---|---|
| Vyvien Starbuck-Maffey | Max Pedersen | Wayne Maxwell |
| Democracy Services Manager | Group Manager Community Services | Group Manager Corporate Services |

ATTACHMENTS

Appendix 1 Governance Structure and Delegations for 2016-2019 Triennium



GOVERNANCE STRUCTURE AND DELEGATIONS

2016-2019 TRIENNIUM

| | Page |
|---|-------------|
| A. Council's Partnership Model | 3 |
| A2. Council and Mayoral Powers | 4 |
| B. Standing Committees | |
| B.1 Strategy and Policy | 6 |
| B.2 Operations and Finance | 7 |
| Delegations to Elected Member Hearing Commissioners | 8 |
| Delegations to Independent Hearing Commissioners | 8 |
| B.3 Audit and Risk | 10 |
| B.4 Chief Executive Performance and Employment | 11 |
| B.5 Appeals Hearing | 12 |
| B.6 Grants Allocation | 13 |
| B.7 District Licensing | 15 |
| C. Subcommittees | |
| C.1 Campe Estate Subcommittee | 17 |
| D. Community Boards | |
| Status and Constitution | 18 |
| Delegated Authority | 18 |

| | |
|--|----|
| E. Joint Committees | |
| E.1 Wellington Regional Amenities Fund | 20 |
| E.2 Wellington Region Waste Management & Minimisation Plan | 22 |
| E.3 Wellington Regional Strategy | 24 |
| E.4 Regional Transport | 27 |

| | |
|---------------------------------|----|
| F. External appointments | 29 |
|---------------------------------|----|

This section lists the Elected Members appointed to a range of external organisations committees, and agencies for the 2016-2019 Triennium.

G. DOCUMENT VERSION CONTROL – AMENDMENTS DURING 2016-2019 TRIENNIUM

| NO. | AMENDMENT/S SUMMARY | ADOPTED BY COUNCIL |
|------------|--|---|
| 1 | Amdt to Community Board delegations Part D, bullet point 9 | 26 October 2016 (reconvened meeting) |
| | | |
| | | |
| | | |
| | | |

PART A

SECTION A.1 PARTNERSHIP MODEL

1. This document describes how the Kapiti Coast District Council carries out its governance functions and formally delegates its powers and responsibilities. It has been developed in accordance with the Local Government Act 2002.
2. These delegations are for the Committees, Subcommittees, Community Boards and Hearing Commissioners established by the Kapiti Coast District Council for the 2016-2019 Triennium. Information is also included on the Joint Committees in which Council is a partner/participant.
3. They establish a governance partnership base and associated delegations for the achievement of the Long Term Plan (LTP).
4. The partnership approach is also reflected in the Council's commitment to a sustainable development approach, taking into account the social, cultural, economic and environmental interests of the community, now and in the future, as referenced in the Local Government Act 2002.
5. The Council will collaborate and cooperate with other local authorities and bodies as it considers appropriate to promote or achieve its priorities and desired outcomes, and make efficient use of resources.
6. The partnership is between the Elected Members and the tāngata whenua of the District – namely, the iwi and hapū of Te Āti Awa ki Whakarongotai Charitable Trust, Ngā Hapū o Ōtaki (Ngāti Raukawa) and Ngāti Toa Rangatira (together forming the A.R.T Confederation). Te Whakaminenga o Kāpiti is the independent advisory forum for this partnership.
7. To strengthen Māori participation in decision-making Council may appoint a Māori representative to the Strategy and Policy Committee, and the Operations and Finance Committee). Council and Te Whakaminenga o Kāpiti will also engage with mātā waka (other resident Māori) over the 2016-2019 Triennium.
8. The Chair of Te Whakaminenga o Kāpiti or their nominated alternate is able to attend meetings of Council and is able to contribute to the debate but not to vote. Where Te Whakaminenga o Kāpiti has submitted on an issue, or has spoken during Public Speaking Time on an issue they shall not participate in discussion or debate on that matter.
9. Meetings of Council and/or Committees may also be attended by Community Board Chairs (or their alternates). Where they have submitted on an issue or have spoken during Public Speaking Time on an issue they shall not participate in discussion or debate on that matter.
10. The Mayor or Deputy Mayor may attend Community Board meetings where they shall be invited to the table to participate (with speaking but not voting rights).

SECTION A2 – COUNCIL AND MAYORAL POWERS

1. The Local Government Act 2002 describes the Council's powers including powers of delegation. However only Council may perform the following:
 - Make a rate
 - Make a bylaw
 - Borrow money, purchase or dispose of assets (outside the LTP parameters)
 - Adopt the LTP, Annual Plan and Annual Report
 - Appoint a Chief Executive
 - Adopt policies required under the Act in association with the LTP or the local governance statement
 - Adopt a remuneration and employment policy.
2. The Mayor has additional powers under the LGA 2002 (see Section G for relevant legislative extracts):
 - To lead the development of the LTP and Annual Plan, together with policies and budgets
 - To appoint the Deputy Mayor
 - To establish committees of Council (and their terms of reference)
 - To appoint the Chair of each Committee (before the appointment of other members)
 - To appoint himself or herself as Chair of the Committee.
3. Ordinarily the Mayor is a member of each Committee.
4. In addition Council has approved a delegation to the Mayor and Deputy Mayor enabling them to approve, on a case-by-case basis, Councillor applications for attendance at training events during the Triennium, subject to the application meeting specific criteria as set out in the Councillor Training Application Form¹.
5. Council also approved a delegation enabling the Mayor to approve an alternate Councillor to attend a training event where the original registrant is unable to attend.

¹ As approved by Council on 17 April 2014.

Interpretation

6. In these terms of reference and associated delegations for the purposes of interpretation, the following rules apply unless the context otherwise requires:
 - Any singular reference includes the plural, and vice versa;
 - Any reference to a statute, regulation or bylaw also refers to that statute, regulation or bylaw as amended or substituted;
 - Any reference to a Committee of the Council includes a reference to any committee constituted to replace that Committee;
 - Any reference to an officer means an officer of the Council.
7. For the avoidance of doubt:
 - A reference in this document to an enactment, regulation, or bylaw includes any amendment to the relevant provisions of that enactment, regulation or bylaw that, with or without modification, replaces or corresponds to that enactment, regulation or bylaw; and
 - A reference in this document to a Council officer position includes any Council officer position that replaces or corresponds to that Council officer position and involves substantially the same duties.

Review of this delegations document

8. The document is reviewed following the triennial elections and once adopted by the new Council may be amended at any time as agreed by Council. Only Council may amend the document.

B.1 STRATEGY AND POLICY COMMITTEE

| | |
|---------------------|---|
| Chair | Cr James Cootes |
| Deputy Chair | Cr John Howson |
| Members | The Mayor and all Councillors 1 Māori appointee with voting rights |

RESPONSIBILITIES

This Committee will deal with all strategy and policy decision-making that is not the responsibility of the Council. Key responsibilities will include:

- Setting and approving the policy and strategy work programme
- Overseeing strategic programmes
- Liaison and planning with other territorial authorities
- Development and/or review of strategies, plans, policies and bylaws
- Preparation of District Plan and Plan Changes
- Oversight of any shared services initiatives
- Signing off any submission to an external agency or body
- Economic development strategy
- Reviewing and approving community contracts
- Receive annual reports from any community or advisory group

POWERS

(i) All powers necessary to perform the committee's responsibilities except powers that the Council cannot delegate or has retained to itself.

(ii) Power to establish subcommittees.

MEETING FREQUENCY

Every six weeks, unless otherwise required.

QUORUM

The quorum is half the members.

B.2 OPERATIONS AND FINANCE COMMITTEE

| | |
|---------------------|---|
| Chair | Cr Michael Scott |
| Deputy Chair | Cr Angela Buswell |
| Members | The Mayor and all Councillors 1 Māori appointee with voting rights |

RESPONSIBILITIES

This Committee will deal with monitoring and decision-making on all broader financial management matters. Key responsibilities will include:

- Financial management, including risk mitigation
- Approval of non-budgeted expenditure
- Approval of contracts and contract variations outside the Chief Executive's delegations
- Write-offs and remissions
- Financial policies
- All regulatory and planning matters from an operational perspective
- Property purchases or sales
- Operational aspects of bylaws
- Civil defence and emergency management matters
- Procedural matters relation to electoral processes not otherwise delegated to the Chief Executive
- Signing off any submission to an external agency or body

The Chair of the Committee, in consultation with the Group Manager Regulatory Services will have the responsibility for the appointment of (RMA-related) hearing panels. The delegations for Hearing Commissioners both independent and Elected Member, follow this section.

POWERS

- (i) All powers necessary to perform the committee's responsibilities, except:
 - (a) powers that the Council cannot delegate or has retained to itself
 - (b) where the committee's responsibility is limited to making a recommendation only
- (ii) Power to establish subcommittees.

MEETING FREQUENCY

Every six weeks, unless otherwise required.

QUORUM

The quorum is half the members.

B.2A DELEGATIONS TO ELECTED MEMBER (ACCREDITED) HEARING COMMISSIONERS

Hearings Commissioners where they have been appointed and selected for any matters, have the following functions, duties and powers in accordance with the relevant sections of the Resource Management Act 1991, noting that those appointed have no further powers to delegate and accreditation is achieved through completion of the Ministry for the Environment Hearing Commissioners training course.

- Authority to hear submissions in relation to any plan change or variation including the Proposed District Plan and any request for a private plan change, making recommendations to Council or the Operations and Finance Committee, or decisions as appropriate;
- Authority regarding all matters relating to the hearing, determination and review of resource consents including the setting of conditions;
- Authority to determine any preliminary or procedural matters associated with any resource consent application, or notice of requirement, including questions of notification (public, non-notified or limited);
- Authority to consider and request changes to outline plans;
- Authority to consider all matters relating to existing use rights and to issue certificates;
- Authority to determine matters arising under Section 37 and 37A relating to time limits or to waive compliance with requirements of the Act;
- Authority to make on order protecting sensitive information under Section 42;
- Authority to hear and make recommendations to the relevant authority on notices of requirement including any alteration;
- Authority to hear submissions on Council requirements for designations and heritage orders and to make recommendations to Council confirming, withdrawing, cancelling or modifying such requirements;
- Such powers, duties and discretions as are necessary to administer the transitional parts of Part 15 (Transitional Provisions) of the RMA 1991 in respect of resource consents, subdivision consents and esplanade reserves and strips, and financial contributions;
- Authority to hear and determine objections under Section 357, 357A and 357B.

B.2B DELEGATIONS TO INDEPENDENT (ACCREDITED) HEARING COMMISSIONERS

Independent Accredited Hearing Commissioners where they have been appointed and selected for any matters have the following functions, duties and powers under the Resource Management Act 1991 noting that those appointed have no further powers to delegate and accreditation is achieved through completion of the Ministry for the Environment Hearing Commissioners training course.

- Authority to hear submissions in relation to any plan change or variation including the Proposed District Plan and any request for a private plan change, making recommendations to Council or the Operations and Finance Committee, or decisions as appropriate;

- Authority regarding all matters relating to the hearing, determination and review of resource consents including the setting of conditions;
- Authority to determine any preliminary or procedural matters associated with any resource consent application, or notice of requirement, including questions of notification (public, non-notified or limited);
- Authority to consider and request changes to outline plans;
- Authority to consider all matters relating to existing use rights and to issue certificates;
- Authority to consider applications and grant certificates of compliance under Section 139;
- Authority to determine matters arising under Section 37 and 37A relating to time limits or to waive compliance with requirements;
- Authority to make an order protecting sensitive information under Section 42;
- Authority to hear and make recommendations to the requiring authority on notices of requirement including any alteration;
- Authority to hear submissions on Council requirements for designations and heritage orders and to make recommendations to Council confirming, withdrawing, cancelling or modifying such requirements;
- Such powers, duties and discretions as are necessary to administer the transitional parts of Part 15 (Transitional Provisions) of the RMA 1991 in respect of resource consents, subdivision consents and esplanade reserves and strips, and financial contributions;
- Authority to hear and determine objections under Section 357, 357A and 357B.

B.3 AUDIT AND RISK COMMITTEE

| | |
|---------------------|---------------------------------------|
| Chair | Cr Mike Cardiff |
| Deputy Chair | Cr Fiona Vining |
| Members | Mayor, Deputy Mayor Cr Janet Holborow |
| | 1 external appointee* |

* The current appointee's membership expires 30 June 2018

RESPONSIBILITIES

This Committee will monitor the Council's financial management and reporting mechanisms and framework and review the audit and risk function, ensuring the existence of sound internal systems. Key responsibilities will include:

- Reviewing and maintaining the internal control framework;
- Reviewing processes for ensuring the completeness and quality of financial and operational information, including performance measures, being provided to Council;
- Considering Council's existing accounting policies and principles;
- Obtaining from external auditors any information relevant to the Council's financial statements, and assessing whether appropriate action has been taken by management in response to the above;
- Ensuring that the Council's financial statements are supported by appropriate management signoff and adequate systems of internal control (ie letters of representation);
- Considering regular reports on the status of investigations by the Office of the Ombudsman into decisions by the Council;
- Ensuring that Council has in place a current and comprehensive risk management framework and making recommendations to the Council on risk mitigation;
- Assisting elected members in the discharge of their responsibilities by ensuring compliance procedures are in place for all statutory requirements relating to their role;
- Confirming the terms of engagement for each audit with a recommendation to the Council; and receiving the external audit reports for recommendation to the Council;
- Governance role in regards to the Health and Safety Leadership Charter and Health and Safety Plan.

POWERS

All powers necessary to perform the Subcommittee's responsibilities, except:

- (a) powers that the Council cannot delegate or has retained to itself
- (b) where the Committee's responsibility is limited to making a recommendation only

MEETING FREQUENCY

On a quarterly basis or as required.

QUORUM

The quorum is a majority of members.

B.4 CHIEF EXECUTIVE PERFORMANCE AND EMPLOYMENT COMMITTEE

| | |
|---------------------|--|
| Chair | Mayor |
| Deputy Chair | Cr Michael Scott |
| Members | All Councillors 1 external appointee (advisory only, no voting rights) |

RESPONSIBILITIES

This Committee will manage the Contract of Employment between the Council and the Chief Executive. Key responsibilities will include:

- Being a good employer
- Approving the employment agreement including the setting of performance indicators
- Working with the Chief Executive to implement a new performance agreement
- Conducting performance reviews as per the agreement and clauses 34 and 35 of Schedule 7 of the Local Government Act 2002
- Making decisions about remuneration
- Considering and deciding on any other relevant issues
- Investigating and addressing any disciplinary or performance issues
- Seeking the advice of appropriately qualified external advisors in relation to any aspect of the Chief Executive's employment and performance
- Making recommendation/s to Council on the appointment of a Chief Executive.

POWERS

All powers necessary to perform the committee's responsibilities, except:

(a) powers that the Council cannot delegate or has retained to itself (i.e. appointment of the Chief Executive)

(b) where the Committee's responsibility is limited to making a recommendation only

MEETING FREQUENCY

As per the requirements of the performance agreement (usually six-monthly).

QUORUM

As this is a committee 'of the whole' the quorum is a majority of members. The appointed member has an advisory role only (no voting rights).

B.5 APPEALS HEARING COMMITTEE

| | |
|---------------------|---------------------------------------|
| Chair | Cr Jackie Elliott |
| Deputy Chair | Cr James Cootes |
| Members | Mayor, Deputy Mayor, Cr Michael Scott |

RESPONSIBILITIES

This Committee will act in a regulatory capacity on behalf of Council in regards to appeals or objections required to be heard under relevant pieces of legislation. Key responsibilities will include:

Dog Owners' Objections

- Hearing and adjudicating objections from dog owners to classifications of dog owners and/or dogs under the Dog Control Act 1996 as per the following sections:
 - Objection to classification as probationary owner (s22)
 - Objection to disqualification (s26)
 - Objection to classification of dangerous dog (s31(3))
 - Objection to classification of menacing dog (by nature) (s33B)
 - Objection to classification of menacing dog (by breed) (s33D)
 - Barking dog abatement notice (s55(2))
- Hearing and determining applications made under the Kapiti Coast District council dog Control Bylaw 2008 ('the Bylaw') for medical exemption for dogs from clauses 6.1 and 6.4 of the Bylaw including the imposition of any conditions surrounding any such exemptions.

Transport and Roading

- Authority to hear and determine objections to the fixing of road levels (13th schedule, Local Government Act 1974)

Littering

- Authority to hear appeals against infringement notices issued under Sections 13 and 14 of the Litter Act 1976.

Development Contributions

- Authority to hear and determine objections to development contributions received prior to 8 August 2014.

POWERS

All powers necessary to perform the Committee's responsibilities, except the powers that the Council cannot delegate or has retained to itself.

MEETING FREQUENCY

As required.

QUORUM

The quorum is a majority of members.

B.6 GRANTS ALLOCATION COMMITTEE

| | |
|---------------------|---|
| Chair | Cr David Scott |
| Deputy Chair | Cr Mark Benton |
| Members | Mayor and Deputy Mayor Cr Janet Holborow |

| Programme membership | | Quorum |
|---|--|-----------------------|
| CCNZ programme | 2 Councillors (as per Creative NZ guidelines) 3 community representatives 3 tāngata whenua representatives (1 per iwi) 1 youth representative | A majority of members |
| Community Grants | Mayor and 3 Councillors 2 community representatives 1 tāngata whenua representative | A majority of members |
| Waste Levy programme | Mayor and 3 Councillors 1 representative from the Paraparaumu-Raumati Community Board 1 representative from the Waikanae Community Board | Half the members |
| Districtwide Hall Hire Remission | Mayor and 3 Councillors | Half the members |
| Heritage Fund | Mayor and 3 Councillors | Half the members |

RESPONSIBILITIES

This Committee will consider, and allocate grant moneys in accordance with the meeting cycles and criteria of five granting programmes. Key responsibilities will include assessing applications and allocating funds in accordance with each programme's criteria, considering factors such as (but not limited to):

- the clear aims and objectives of the applicant;
- the project or event for which the grant is requested;
- where appropriate, evidence of a sound management structure, and good financial management;
- how closely the application fits with the scheme criteria;
- the identification and evaluation of local needs;
- the use of any previous money granted by Council or Creative New Zealand;
- the level of community involvement in the project;
- the expected outcomes and benefits of the service/project for the Kāpiti Coast District.

Following are brief descriptions of the granting programmes:

Community Grants

The aim of this programme is to strengthen local communities by providing financial support through this programme. Funding is provided to not-for-profit organisations to assist in the achievement of a social environment that ensures the Kapiti Coast District is a good place to live for all sectors of the community. The programme will provide grants to non-profit organisations which provide local, community-based services in response to identified needs. Community grants may be allocated to proposals that seek to achieve one or more of the following outcomes:

1. Building resilient, sustainable communities
2. Encouraging greater community participation
3. Improving the quality of life of the participants
4. Working in partnership with a range of community groups, including iwi.

Creative Communities Scheme (CCS)

Council administers this programme in partnership with Creative New Zealand. Creative New Zealand intends that the principal aims of the Scheme are to provide creative opportunities for local communities to engage with and participate in arts activities; support the diverse arts and cultural traditions of local communities; and enable and encourage young people (under 18 years) to engage with and actively participate in the arts. Creative New Zealand provides the Scheme's annual funding to the Kapiti Coast District Council and the scheme criteria.

Districtwide Hall Hire Remissions

This programme is to assist hall users whose event is benefiting the District as a whole rather than an individual community.

Heritage Fund Allocations

This fund aims to assist and actively encourage landowners and members of the Kapiti Coast community to manage, protect and enhance heritage features throughout the District including ecological, geological, historical and cultural areas and sites.

Waste Levy Fund grants

The objective of this programme is to assess applications and allocate Waste Levy grants for projects which achieve a high level of community involvement in practical on-the-ground waste minimisation projects which encourage community participation and long term action.

POWERS

All powers necessary to perform the Committee's responsibilities except powers that the Council cannot delegate or has retained to itself.

MEETING FREQUENCY

The meeting cycles for the granting programmes are as follows:

| | |
|---|--------------------------------|
| Creative Communities New Zealand (CCNZ) | Twice yearly (April & August) |
| Community Grants | Annually (October) |
| Districtwide Hall Hire Remissions | Annually (Sept) or as required |
| Heritage Fund | Annually (February) |
| Waste Levy | Twice yearly (March & Dec) |

B.7 DISTRICT LICENCING COMMITTEE*

| | | |
|---------------------|--------------------------------|-----------------------------|
| Chair | Cr Fiona Vining | Appointed for the triennium |
| Deputy Chair | Deputy Mayor Cr Janet Holborow | |
| Members | Five list members | Appointed for five years** |

**These positions are remunerated separately in accordance with the provisions of the Sale and Supply of Alcohol Act 2012. ** Current list memberships expire on 7 November 2018*

RESPONSIBILITIES

This Committee is convened under the provisions of the Sale and Supply of Alcohol Act 2012, and will carry out the duties and functions as prescribed under this Act. Specifically it will:

- a) Consider and determine applications for licences and manager's certificates; and
- b) Consider and determine applications for renewal of licences and manager's certificates; and
- c) Consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136; and
- d) Consider and determine applications for the variation, suspension, or cancellation of special licences; and
- e) Consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280; and
- f) With the leave of the Chairperson for the licensing authority, refer applications to the licensing authority; and
- g) Conduct enquiries and make reports as may be required of it by the licensing authority under section 175; and
- h) Carry out any other functions conferred on licensing committees by or under the Sale and Supply of Alcohol Act 2012 or any other enactment.

POWER OF CHAIR OF DISTRICT LICENSING COMMITTEE TO APPOINT COMMITTEE MEMBERS

The Chair or in their absence, the Deputy Chairperson has authority to appoint Committee members for each hearing, from the list of suitably qualified members maintained and published by Council.

POWERS

All powers necessary to perform the committee's responsibilities.

MEETING FREQUENCY

The Committee will meet at any time and place as decided by the Chair in consultation with the Group Manager Regulatory Services.

QUORUM

The Chair is able to meet with a quorum of one. At any meeting of the Committee the quorum is three members.

At a meeting to consider and determine an application of a kind where no objection has been filed and no matters of opposition have been raised under section 103, 129 or 141 of the Sale and Supply of Alcohol Act 2012, the quorum is one member who must be the Chair.

The applications are:

- a) An application for a licence
- b) An application for a manager's certificate

- c) An application for renewal of a licence or manager's certificate.

At a meeting where three members are present, the decision of the Committee on any matter is determined by a majority of the valid votes recorded on it.

C.1 CAMPE ESTATE SUBCOMMITTEE

| | |
|---|--|
| Chair | Mayor |
| Members | Paekākāriki-Raumati Ward Councillor Janet Holborow The Chief Executive |
| <i>NB: Membership is outlined in the Will of the late Sydney George Campe. Should any of these positions cease to exist the Council is to appoint other similar members to the Subcommittee</i> | |

RESPONSIBILITIES

This Subcommittee administers the Campe Estate funds deriving from the sale of 6 Robertson Road Paekākāriki, bequeathed to the Council in 1991 as a Gift on Special Trust. The conditions are:

- That the Council uses the property and/or the income from it for charitable purposes which will benefit the people of Paekākāriki township;
- That the Council uses the property for the benefit of the youth of Paekākāriki.

The Subcommittee also administers the funds deriving from the interest of the Arthur Thomas Clarke Trust, for the benefit of the residents of the Paekākāriki residents. Decisions about allocations under the two funds are made concurrently.

POWERS

All powers necessary to perform the Subcommittee's responsibilities.

MEETING FREQUENCY

Twice-yearly, or whenever required in order to fulfil its responsibilities.

QUORUM

The quorum is a majority of members.

D. COMMUNITY BOARDS**PAEKĀKĀRIKI**

| | |
|--------------|---|
| Chair | |
| Deputy Chair | |
| Membership | Philip Edwards, Steve Eckett, Holly Ewens, Paul Hughes, Cr Holborow |

PARAPARAUMU-RAUMATI

| | |
|--------------|---|
| Chair | |
| Deputy Chair | |
| Membership | Jonny Best, Guy Burns, Bernie Randall, Kathy Spiers, Cr Vining, Cr Benton |

WAIKANAE

| | |
|--------------|--|
| Chair | |
| Deputy Chair | |
| Membership | James Westbury, Jocelyn Prvanov, Tonchi Begovich, Jeremy Seamark, Cr Michael Scott |

ŌTAKI

| | |
|--------------|--|
| Chair | |
| Deputy Chair | |
| Membership | Kerry Bevan, Christine Papps, Marilyn Stevens, Shelly Warwick, Cr Cootes |

RESPONSIBILITIES

The powers of a community board are prescribed in the Local Government Act. In addition the Council has made the following specific delegations:

- Authority to **listen, articulate, advise, advocate** and make recommendations to Council on any matter of interest or concern to the local community
- Assisting with local **civil defence** and **emergency management** activities
- Working with Council and the community to establish Local Outcome Statements
- **Providing a local perspective** on the levels of service as detailed in the LTP and on local expenditure, rate impacts and priorities
- Providing advice to Council and its Committees on any issue relating to the **sale of liquor** in the local area
- **Contributing local input** to any Council Strategy, Plan or Policy as required
- Approving criteria for, and disbursement of, **community-based grant funds** as approved through the LTP or Annual Plan
- Approving or rejecting applications by community groups to establish **community gardens**, in accordance with the licensing requirements under the Reserves Act 1977 and the Council's Mara Kai/Community Gardens policy
- Authority to approve or reject officer recommendations relating to **traffic control and signage matters** for existing local roads, except those matters that involve significant safety issues. Community Boards will be consulted about these matters but final delegation will rest with Council officers.

- Making recommendations to Council after reviewing existing, or considering new **draft Reserve Management Plans** for local public parks and reserves within its area, excluding Otaraua Park (as a park of Districtwide significance).
- Assisting the Chief Executive (through the Community Board Chairperson) to consider and **determine temporary road closure** applications where there are objections to the proposed road closure
- Accepting or rejecting officer recommendations in respect of **names for local roads** (excluding the former State Highway) and any **reserves, structures and commemorative places**, in accordance with existing council policy;
- **Speaking but not voting at Council and Committee meetings** (the Chair may appoint a Board member to represent them). (Note: Consideration will be undertaken on a case-by-case basis by either Council and/or a Committee as to whether they resolve that a Community Board Chair or their representative stays in attendance for any public-excluded session of Council and/or a Committee.)
- **Developing any Community Board submission** on issues within its area;
- Setting priorities for and **expending an annual training and development budget** allocated by Council;
- Any other responsibilities as delegated by Council under under Section 52, Local Government Act 2002.

FOR THE WAIKANAĒ COMMUNITY BOARD

- Considering and making recommendations to Council on the proposed use of the Waikanae Capital Improvement Fund for the purpose of funding capital projects within the Waikanae Community Board boundary. This is for expenditure over and above the approved annual grant allocations from this fund.

FOR THE PAKĀKĀRIKI COMMUNITY BOARD

- Considering and making recommendations to the Campe Estate Subcommittee on grant applications received seeking funding from the Campe Estate funding, and distribute the funds deriving from the Arthur Thomas Clarke Trust.

POWERS

All powers necessary to perform the Board's responsibilities except where the Board's responsibility is limited to making a recommendation only.

MEETING FREQUENCY

On a six-weekly basis or as required.

QUORUM

Where the number of members (elected and appointed) is odd, the quorum is a majority of members.

Where the number of members (elected and appointed) is even, the quorum is half the members.

SECTION E – JOINT COMMITTEES (where Council is a member)

SECTION E.1 WELLINGTON REGIONAL AMENITIES FUND

| | |
|-----------|--------------------------------|
| Member | Mayor |
| Alternate | Deputy Mayor Cr Janet Holborow |

PARTNERSHIP FRAMEWORK

- 1 This Joint Committee is a joint standing committee under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002.

CONSTITUTION

- 2 The membership of the Joint Committee shall comprise each of the following local authorities:
 - Kapiti Coast District Council
 - Masterton District Council
 - Hutt City Council
 - Upper Hutt City Council
 - Wellington City Council
- 3 The administering authority is Wellington City Council.
- 4 Each Member authority will appoint one representative, being one elected member, and will also appoint an alternate (also an elected member) who may attend and vote at meetings in the absence of the appointed representative.
- 5 Under clause 30(9) Schedule 7 of the Act the powers to discharge any representative on the Joint Committee and appoint his or her replacement shall be exercisable only by the Member that appointed the representative being discharged.
- 6 Each representative is appointed for a term that expires on the date of the next local government triennial election.
- 7 In accordance with clause 30(7) of Schedule 7 of the Act, the Joint Committee is not deemed discharged following each triennial election.
- 8 It is the responsibility of each Member of the Joint Committee to ensure that they have a representative available to participate in the Joint Committee, as soon as practicable after their representative is no longer able to represent that Member for whatever reason, with the same delegated functions, duties and powers as their predecessor.
- 9 Each Member is responsible for remunerating its representatives and for the cost of the representatives' participation in the Joint Committee.
- 10 Each Member will provide funding to the WRAF to the level agreed in their 2012-22 Long Term Plan.

Election of Chairperson and Deputy Chairperson

- 11 On the constitution or reconstitution of the WRAF Joint Committee the representatives shall elect a Chair and may elect a Deputy Chairperson.
- 12 The term of office of an appointed Chairperson or Deputy Chairperson ends on the date of the next local government triennial election.

MEETING FREQUENCY

- 13 The New Zealand Standard for Model Standing Orders (NZS 9202:2001) or any New Zealand Standard substituted for that standard, will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer of the Wellington City Council or his or her nominated representative were its principal administrative officer.
- 14 The Joint Committee shall hold meetings at such frequency, times and places as agreed by the Joint Committee for the performance of the functions, duties and powers delegated under this Terms of Reference.
- 15 In accordance with Clause 30(9)(b) Schedule 7 of the Act, the quorum shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number.
- 16 In accordance with clause 32(4) Schedule 7 of the Act, at meetings of the Joint Committee each Member's representative has full authority to vote and make decisions within the delegations of this Terms of Reference on behalf of that Member without further recourse to that Member. Each representative has one equal vote. Decisions will be made by simple majority.

OBJECTIVE

- 17 The role of the Joint Committee is to govern and administer the Wellington Regional Amenities Fund (WRAF).
- 18 In performing its role, the responsibilities of the Joint Committee include:
- (a) approval of criteria and priorities for the WRAF
 - (b) consideration of recommendations from the Fund Manager and Officer's Group on applications made to the WRAF
 - (c) approving applications for funding.
- 19 The WRAF has been established to support eligible entities of regional significance with day to day operational expenses and new innovative projects that will achieve identified priorities for the region. The WRAF is focused on arts, cultural and environmental attractions and event to support and add to the attractiveness and vitality of the Wellington region.

DELEGATED AUTHORITY

- 20 The Members delegate to the Joint Committee the powers and functions to enable it to perform its role and carry out its responsibilities in relation to the WRAF, except those matters reserved under Clause 32 Schedule 7 of the Act, and the appointment of new members to the Joint Committee.

SECTION E.2 WELLINGTON REGION WASTE MANAGEMENT AND MINIMISATION JOINT COMMITTEE

| | |
|------------------|-------------------|
| Appointed member | Cr Jackie Elliott |
|------------------|-------------------|

PARTNERSHIP FRAMEWORK

- 1 This Joint Committee is a joint standing committee under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002.
- 2 The Joint Committee is not deemed to be discharged following each triennial election.

CONSTITUTION

- 3 All territorial authorities in the Wellington Region are signatories and stakeholders in the Wellington Region Waste Management and Minimisation Plan officially adopted in October 2011:
 - Kapiti Coast District Council
 - Masterton District Council
 - Hutt City Council
 - Upper Hutt City Council
 - Porirua City Council
 - South Wairarapa District Council
 - Carterton District Council
 - Wellington City Council
- 4 Each territorial authority in the region will be entitled to appoint one member to the Joint Committee.
- 5 The Chair will be elected by the Joint Committee. A new Chair and Deputy Chair must be elected at least once every triennium following local body elections.

MEETING FREQUENCY

- 6 The Joint Committee will meet on an as required basis.
- 7 Meetings will be hosted on a rotational basis by territorial authorities across the region. The Committee shall establish a roster for the hosting of meetings.
- 8 Secretariat support for meetings will be provided by the host Council.

OBJECTIVE

- 9 The role of the Joint Committee is to oversee the implementation of the Wellington Region Waste Management and Minimisation Plan 2011-2017 and its statutory review which is required not more than six years after the last review.

DELEGATED AUTHORITY

- 10 The Joint Committee will have delegated responsibility and authority to carry out activities within its terms of reference including:
 - a. accept and consider advice and reports on the implementation of the Wellington Region Waste Management and Minimisation Plan ('the Plan') and future Wellington Waste Management and Minimisation Plans.
 - b. take decisions on the implementation of aspects of the Plan where the matter for decision is not an operational matter that falls under officers' delegated responsibilities and where the matter is provided for in the Plan and/or budget has been made available by territorial authorities for that matter.
 - c. monitor and review the management and implementation of the Plan.
 - d. report back to territorial authorities of the Wellington Region on any aspect of the implementation of the Plan, including: recommendations for funding projects of the Plan, recommendations for the management of the Plan and reports on the effectiveness of the Plan.
 - e. report back to the territorial authorities with any recommended amendments to the Plan and/or recommended variations to the Terms of Reference of the Committee.

SECTION E.3 WELLINGTON REGIONAL STRATEGY (WRS) JOINT COMMITTEE

| | |
|------------------|------------------------------------|
| Appointed member | The Mayor |
| Alternate | The Deputy Mayor Cr Janet Holborow |

OBJECTIVE

- 1 The Wellington Regional Strategy (WRS) Committee is established to implement and develop the WRS, including overseeing the Wellington Regional Economic Development Agency (WREDA) to deliver tourism, events and business growth initiatives in the Wellington region.

SPECIFIC RESPONSIBILITIES

- 2 The Committee's responsibilities include:
 - a. On behalf of the Council, and acting on behalf of all councils in the region:
 - i. To take responsibility for overall guidance and further development of the WRS. To provide regional leadership, engage and establish partnerships with key Government agencies and non-government agencies involved in economic development, acknowledging that constituent local authorities also have leadership roles within their cities and districts;
 - ii. To oversee and monitor the work of WREDA;
 - iii. To ensure the WRS continues to be relevant by reviewing economic trends, investigating opportunities for promoting economic growth through growing tourism, promoting major events, attracting and supporting businesses to grow and ensuring the region continues to prosper;
 - iv. To approve submissions to external organisations for matters pertaining directly to the committee's responsibilities;
 - v. To recommend a required funding proposal to Greater Wellington Regional Council to be consulted on annually, in the course of the Greater Wellington Regional Council's Annual Plan or Long Term Plan process which will include the proposed amount and allocation of a recommended targeted rate, to be collected by Greater Wellington Regional Council, to fund the existing and new economic development initiatives and the other initiatives outlined in the WRS.
 - b. On behalf of the shareholding councils of WREDA:
 - i. To receive and consider the half-yearly and annual reports of WREDA.
 - ii. To agree the annual Letter of Expectation to WREDA.
 - iii. To receive and consider WREDA's draft statement of intent (SOI) and provide agreed feedback.
 - iv. To receive, consider and agree WREDA's final SOI, and if necessary, require modifications to the statement of intent.

- v. To provide recommendations to the shareholding councils regarding WREDA director appointments and/or removals and WREDA director remuneration.

OPERATING PRINCIPLES

- 3 The Council has agreed that it will not act independently of the Committee, so that any committee recommendations that the Council is not prepared to accept will be referred back to the Committee for further consideration. The Council and the territorial authorities of the region intend to complete a Multiparty Agreement to record their agreement in regard to the future implementation, governance, and funding of the WRS by the Council. The regional Chief Executives of GWRC, WCC and the Chair of the Chief Executives' Forum will be the principal advisors to the Committee, after discussion with the wider Chief Executives' Forum.

MEMBERSHIP

- 4 The membership of the WRS Committee will be 10 persons in total, appointed by the Council (from time to time) as follows:
 - a. One regional councillor.
 - b. Four members nominated by Wellington City Council.
 - c. One member nominated by each of Porirua City Council, Hutt City Council, Kapiti Coast District Council, and Upper Hutt City Council.
 - d. One member nominated by the three Wairarapa district councils.
- 5 The members may be replaced from time to time by the respective councils by providing written notice to the Greater Wellington Regional Council, confirming the amended nomination. The nominees must be elected members of the nominating council in order to be appointed by the Council.

CHAIRPERSON

- 6 The appointment of the Chairperson and deputy is to be determined by the full Committee.

QUORUM

- 7 The quorum shall be five members of the Committee, of which one must be the regional council member of the Committee, and one must be the Chairperson or Deputy Chairperson (once appointed). When the Committee is meeting to exercise the shareholding councils' responsibilities in terms of the WREDA Shareholders' Agreement (to determine agreed feedback on the draft SOI, to agree the final SOI or require that modifications be made to it) and to recommend director appointments/removals and director remuneration the quorum specified above shall include two Wellington City Council members of the Committee.

ALTERNATES

- 8 The regional councillor appointed to the Committee must have an alternate who may attend and vote at meetings of the Committee in the event of the appointed regional councillor's absence or unavailability.

- 9 In the case of the Wellington City Council members appointed to the Committee, that Council may nominate a pool of up to four alternative members for appointment. In the event that a Wellington City Council member of the Committee is unavailable to attend a Committee meeting, any one person from the pool of the Council's alternative members may attend and vote in their place.
- 10 Each of the other members is entitled to an alternate member who may attend and vote at meetings of the Committee, but only in the event that the nominated and appointed member is unable to do so.

REMUNERATION

- 11 Each council shall be responsible for remunerating its representative on the Committee for the cost of that person's participation in the Committee.

TERM OF APPOINTMENT

- 12 Each member shall be appointed by the Council as soon as possible after each local government triennial election, and for a term that expires on the date of the next local government triennial election.

STANDING ORDERS

- 13 The Council's Standing Orders are adopted, subject to the inclusion of the following provisions relating to the WRS Committee:
 - (a) *Voting*
- 14 The acts of the Committee must be done and questions before the Committee must be decided at a meeting by vote. Each member of the Committee will have one equal vote and decisions will be made by simple majority.
 - (b) *Chairperson voting*
- 15 The Chairperson or other person presiding at a meeting:
 - i. has a deliberative vote; and
 - ii. in the case of an equality of votes, does not have a casting vote (and therefore the act or question is defeated and the status quo is preserved).

DELEGATIONS

- 16 Each shareholding Council will delegate to its representative(s), and alternate(s) appointed to the Committee the responsibility and powers of the Council with regard to WREDA's draft and final statement of intent.

DURATION OF THE COMMITTEE

- 17 In accordance with clause 30(7) of Schedule 7 of the Local Government Act 2002, the Wellington Regional Strategy Committee is not deemed to be discharged following each triennial election.

SECTION E.4 REGIONAL TRANSPORT JOINT COMMITTEE

| | |
|------------------|------------------------------------|
| Appointed member | Mayor |
| Alternate | The Deputy Mayor Cr Janet Holborow |

PURPOSE

1. To promote the objectives of the Land Transport Management Act 2003 (the Act) within the region, linking it to the regions of New Zealand and other transport systems.

SPECIFIC RESPONSIBILITIES

1. Prepare for approval by the Council the Wellington Regional Land Transport Plan and any variations to it.
2. Provide the Council with any advice and assistance it may request in relation to its transport responsibilities.
3. Adopt a policy that determines significance in respect of - - Variations made to the Regional Land Transport Plan - The activities that are included in the Regional Land Transport Plan.
4. Carry out consultation in accordance with the requirements set out in the Act.
5. Approve submissions to external organisations for matters pertaining directly to the committee's purpose.

MEMBERSHIP

2. The membership set out below is consistent with the requirements of sub-section (2) of section 105 of the Act:
 - Two persons to represent the regional council
 - One person from each territorial authority in the region to represent that territorial authority
 - One person to represent the New Zealand Transport Agency
3. The Council may, in accordance with clause 31(3) schedule 7 of the Local Government Act 2002, appoint non-local government advisors to the Committee for the purpose of assisting the Committee in its decision making.

VOTING ENTITLEMENT

4. Advisors appointed to the Committee have full speaking rights, but no voting entitlement on any matter.

ALTERNATES

5. The New Zealand Transport Agency and each territorial authority is entitled to nominate an alternate member who may attend and vote at meetings of the committee, but only in the event that the appointed member is unable to attend.

QUORUM

6. The chairperson or deputy chairperson of the committee and at least 50% of the remaining voting membership.

CHAIRPERSON

7. Greater Wellington Regional Council must appoint from its representatives the chair and deputy chair of the Committee. (Section 105 (6) of the Land Transport Management Act 2003). The Chair has a deliberative vote and in the case of an equality of votes, does not have a casting vote (and therefore the act or question is defeated and the status quo is preserved). (Section 105 (7) of the Land Transport Management Act 2003)

REMUNERATION

8. The advisors appointed to the Committee who are not otherwise being remunerated are entitled to receive Greater Wellington Regional Council's standard daily meeting fee and mileage allowances payable to non-elected members of council committees for each meeting they attend.

SECTION F – APPOINTMENTS TO EXTERNAL ORGANISATIONS 2016-2019

| ORGANISATION/BODY | APPOINTEES |
|---|---|
| Te Whakaminenga o Kāpiti | The Mayor and Cr James Cootes |
| Economic Development Leadership Group | Cr James Cootes and Cr Angela Buswell |
| Friends of the Ōtaki River | Cr Angela Buswell |
| Friends of the Waikanae River | Cr John Howson |
| Kapiti Coast Aircraft Noise Community Liaison Group | Community Board appointee (Paraparaumu-Raumati) |
| NZTA Expressway Community Liaison Groups | Community Board appointees (Waikanae and Paraparaumu-Raumati) |
| Pharazyn Reserve Focus Group | Community Board appointees (Waikanae) |
| Kapiti Ecological Restoration Maintenance Trust | Cr Jackie Elliott |
| Paraparaumu College Community Sports Hall Committee | Cr John Howson and Cr Mark Benton. |
| A Safer Kapiti | Cr John Howson with Cr Fiona Vining as alternate |
| Mahara Gallery Trust | Deputy Mayor Cr Janet Holborow |
| Mahara Gallery Upgrade Project Steering Committee | Deputy Mayor Cr Janet Holborow and Cr Michael Scott |
| Kapiti Emergency Medical Services (EMS) Trust | The Mayor |
| Kapiti Accessibility Advisory Group | Cr David Scott |
| Kapiti Cycleway, Walkway and Bridleway Advisory Group | Cr Angela Buswell and Cr Fiona Vining |
| Kapiti Coast Youth Council | Deputy Mayor Cr Janet Holborow and Cr James Cootes |
| Kapiti Coast Older Persons' Council | The Mayor and Deputy Mayor Cr Janet Holborow |