



# GOVERNANCE STRUCTURE AND DELEGATIONS TE HANGANGA ME NGĀ KANOHI KĀWANATANGA 2022-2025 TRIENNIUM

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**Kāpiti Coast**  
DISTRICT COUNCIL  
Mē Huri Whakamuri, Ka Titiro Whakamua

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## INTERPRETATION

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 or subcommittee constituted to replace that committee
- any reference to an officer means an officer of the Council.

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 DOCUMENT

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



## PART A - OVERVIEW

### SECTION A.1 - PARTNERSHIP MODEL

1. This document describes how the Kāpiti 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, Community Boards and Hearing Commissioners established by the Kāpiti Coast District Council for the 2022-2025 Triennium. Information is also included on the Joint Committees in which Council is a partner or 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 Council is committed to its partnership with the mana whenua of the District comprising the iwi and hapū of Ngā Hapū o Ōtaki (Ngāti Raukawa), Ngāti Toa Rangatira and Ātiawa ki Whakarongotai Charitable Trust (together forming the A.R.T Confederation). Council has a formal Memorandum of Partnership agreement with mana whenua and Te Whakaminenga o Kāpiti is the independent advisory forum for this partnership. Council and Te Whakaminenga o Kāpiti will also engage with māta waka (other resident Māori) over the 2022-2025 Triennium.
7. To strengthen mana whenua participation in decision-making Council may appoint mana whenua representatives with voting rights to the Strategy, Operations and Finance Committee, the Social Sustainability Committee, the Climate and Environment Committee and the Risk and Assurance Committee, in accordance with each Committee's membership.
8. Appointed mana whenua representatives are also invited to attend Council meetings, including public excluded sessions, but will not have voting rights or count towards quorum. Other appointed representatives without voting rights on Council and/or its Committees will not be able to attend public excluded sessions, except, at the Chair's discretion, where permission is granted for them to attend for all or part of the public excluded session. The Chair may require a resolution be passed by Council or the relevant Committee for the member to remain in accordance with the requirements under section 48 of the Local Government Official Information and Meetings Act 1987. Where appointed members 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.
9. Non-appointed mana whenua or non-appointed/nominated community board representatives may attend meetings of Council and/or its Committees with speaking rights, at the discretion of the Chair.
10. The Chair of Te Whakaminenga o Kāpiti or their nominated alternate is able to attend meetings of Council and contribute to the debate but not vote. Where Te Whakaminenga o Kāpiti has submitted on an issue, or a member has spoken during

public speaking time on an issue, they shall not participate in discussion or debate on that matter.

11. Community Boards may nominate one community board member (chair or alternate) to attend Council, Strategy, Operations and Finance Committee and Risk and Assurance Committee meetings. The nominated member will have speaking but not voting rights at these meetings and are not counted towards quorum. Community Boards may also nominate either a community board member or decide to recommend the appointment of a community board representative to the Social Sustainability Committee and the Climate and Environment Committee as per each committee's membership. The appointed community board or community representatives will have speaking and voting rights at these meetings and will be counted towards quorum.
12. The Mayor or Deputy Mayor may attend Community Board meetings with speaking but not voting rights. Ward Councillors not appointed to Community Boards may attend meetings with speaking but not voting rights. When attending these meetings they may sit at the table.

## SECTION A.2 – COUNCIL AND MAYORAL POWERS

1. The Local Government Act 2002 describes the Council's powers including powers of delegation (see Section I for relevant legislative extracts). 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 Local Government Act 2002 (see Section I 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 Form.

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.

## PART B – COMMITTEES OF THE WHOLE COUNCIL

### B.1 STRATEGY, OPERATIONS AND FINANCE COMMITTEE TE KOMITI RAUTAKI, WHAKAHAERE, ME TE AHUMONI

Chair	Councillor Sophie Handford
Deputy Chair	Councillor Liz Koh
Membership	Mayor Janet Holborow All Councillors Mana Whenua Representation with voting rights: One representative from Te Ātiawa ki Whakarongotai – André Baker and Janine Huxford One representative from Ngāti Toa Rangatira - Huriwai Paki One representative from Ngā Hapū o Ōtaki – Kim Tahiwī
Other Participants	Community Board Representation (chair or alternate) with speaking but not voting rights: Paekākāriki Community Board – Sean McKinley and Kelsey Lee (as alternate) Raumati Community Board – Bede Laracy Paraparaumu Community Board – Glen Olsen Waikanae Community Board – Richard Mansell Ōtaki Community Board – Simon Black and Jackie Elliott (as alternate)

#### PURPOSE

This committee deals with all decision-making that is of a strategic, operational and financial nature and not the responsibility of the Council. The committee may make final decisions on matters brought to it which are within its delegations. The committee considers the strategic direction of Council and oversees and monitors the creation and delivery of policy programmes, services and project and operational activities.

#### RESPONSIBILITIES

Within the purpose and delegated powers of the Strategy, Operations and Finance Committee, key responsibilities include:

##### Strategic

- Setting and approving the policy and strategy work programme
- Development and/or review of strategies, plans, policies and bylaws

- Overseeing strategic programmes
- Liaison and planning with other territorial authorities
- Economic development strategy

## Operational

- Preparation of the District Plan and Plan Changes
- Oversight of any shared services initiatives
- Reviewing and approving community contracts
- Receive annual reports from any community or advisory group
- All regulatory and planning matters from an operational perspective
- Operational aspects of bylaws
- Signing off any submission to an external agency or body
- Considering and confirming recommendations made by the Social Sustainability Committee and the Climate and Environment Committee
- Making recommendations to Council on matters of interest to the committee

## Financial

- Financial management including risk mitigation
- Write-offs and remissions
- Financial policies

## APPOINTMENT OF HEARING PANELS

### Resource Consent Hearing Panels (Resource Management Act (RMA) 1991)

The Chair of the Committee, in consultation with the Group Manager Regulatory Services will have the responsibility for the appointment of resource consent related hearing panels under the RMA (or other RMA-related panels not covered below).

### District Planning Hearing Panels (RMA)

The Chair of the Committee, in consultation with the Group Manager Strategy & Growth will have the responsibility for the appointment of district plan related hearing panels under the RMA.

The delegations for Hearing Commissioners both independent and Elected Member, follow this section at B.2A.

## DELEGATIONS

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
- (c) the power to establish subcommittees.

## MEETING FREQUENCY

Monthly, unless otherwise required.

## QUORUM

A quorum is achieved with **six** voting members present in person. At least one member must be a member of Council.



## **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 District Plan and any request for a private plan change, making recommendations to Council or the Strategy, 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 an 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 District Plan and any request for a private plan change, making recommendations to Council or the Strategy, 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 sections 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.

## PART C – OTHER COMMITTEES

### C.1 SOCIAL SUSTAINABILITY COMMITTEE TE KOMITI TOITŪTANGA PĀPORI

Chair	Councillor Martin Halliday
Deputy Chair	Councillor Rob Kofoed
Membership	<p>Mayor Janet Holborow</p> <p>Councillor Lawrence Kirby</p> <p>Councillor Nigel Wilson</p> <p>Councillor Kathy Spiers</p> <p>Mana Whenua Representation with voting rights:</p> <p>One representative from Te Ātiawa ki Whakarongotai – André Baker and Janine Huxford</p> <p>One representative from Ngāti Toa Rangatira - Huriwai Paki</p> <p>One representative from Ngā Hapū o Ōtaki – Kim Tahiwī</p> <p>Community Representation (either an appointed member from the Community Board or a community representative) with voting rights:</p> <p>Paekākāriki Community Board – SORCHA RUTH</p> <p>Raumati Community Board – Jonny Best</p> <p>Paraparaumu Community Board – Guy Burns</p> <p>Waikanae Community Board – Michael Moore</p> <p>Ōtaki Community Board – Jackie Elliott and Cam Butler (as alternate)</p>

#### PURPOSE

This committee considers strategic and policy matters which support an equal, inclusive and fair standard of living for all people in Kāpiti including education, health, justice, housing, community connectedness and resilience, and the health and social impacts of COVID-19.

## RESPONSIBILITIES

Within the purpose and delegated powers of the Social Sustainability Committee, key responsibilities include:

- Authority to review and provide comments by way of report on all draft strategies, policies, submissions and bylaws to the Strategy, Operations and Finance Committee
- Authority to recommend by way of report the adoption of draft strategies, policies and bylaws for consultation to the Strategy, Operations and Finance Committee
- Authority to recommend the draft wording of strategies, policies and bylaws, for adoption by Committee or Council
- Authority to receive and respond by way of report to recommendations from Panels and Advisory Groups and to include comment on any recommendations received within relevant Committee considerations to the Strategy, Operations and Finance Committee
- Authority to approve criteria for and disbursement of grant funding as approved through the Long Term Plan or Annual Plan
- Authority to provide oversight on the implementation of Council work programmes related to the responsibilities of the Committee, and to review and provide comment to the Strategy, Operations and Finance Committee
- Authority to receive and consider regular updates in relation to regional transport matters
- The Mayor has the authority to refer urgent or any other matters to Council and/or Strategy, Operations and Finance where this Committee would have ordinarily considered the matter.

## DELEGATIONS

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

## MEETING FREQUENCY

Six-weekly, unless otherwise required.

## QUORUM

A quorum is achieved with **four** members present in person. At least one member must be a member of Council.

## C.2 CLIMATE AND ENVIRONMENT COMMITTEE TE KOMITI ĀHUARANGI ME TE TAIAO

Chair	Councillor Jocelyn Prvanov
Deputy Chair	Councillor Sophie Handford
Membership	<p>Mayor Janet Holborow</p> <p>Councillor Shelly Warwick</p> <p>Councillor Liz Koh</p> <p>Councillor Glen Cooper</p> <p>Mana Whenua Representation with voting rights:</p> <p>One representative from Te Ātiawa ki Whakarongotai – André Baker and Janine Huxford</p> <p>One representative from Ngāti Toa Rangatira - Huriwai Paki</p> <p>One representative from Ngā Hapū o Ōtaki – Kim Tahiwī</p> <p>Community Representation (either an appointed member from the Community Board or a community representative) with voting rights:</p> <p>Paekākāriki Community Board – Christian Judge</p> <p>Raumati Community Board – Tim Sutton</p> <p>Paraparaumu Community Board – Glen Olsen</p> <p>Waikanae Community Board – Michael Moore</p> <p>Ōtaki Community Board – Simon Black and Cam Butler (as alternate)</p>

### PURPOSE

This committee oversees and informs the development and review of Council's strategies, policies, plans, programmes and initiatives relating to climate change and environmental wellbeing; reviews the implementation and delivery of these matters; and provides effective, strong and transformational leadership on the climate crisis for Kāpiti both within Council and our community.



## RESPONSIBILITIES

Within the purpose and delegated powers of the Climate and Environment Committee, key responsibilities include:

- Authority to review and provide comments by way of report on all draft strategies, policies, submissions and bylaws to the Strategy, Operations and Finance Committee
- Authority to recommend by way of report the adoption of draft strategies, policies and bylaws for consultation to the Strategy, Operations and Finance Committee.
- Authority to recommend the draft wording of strategies, policies and bylaws, for adoption by Committee or Council
- Authority to receive and respond by way of report to recommendations from Panels and Advisory Groups and to include comment on any recommendations received within relevant Committee considerations to the Strategy, Operations and Finance Committee
- Authority to approve criteria for and disbursement of grant funding as approved through the Long Term Plan or Annual Plan
- Authority to provide oversight on the implementation of Council work programmes related to the responsibilities of the Committee, and to review and provide comment to the Strategy, Operations and Finance Committee
- Authority to receive and consider regular updates in relation to regional transport matters
- The Mayor has the authority to refer urgent or any other matters to Council and/or Strategy, Operations and Finance where this committee would have ordinarily considered the matter.

## DELEGATIONS

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

## MEETING FREQUENCY

Six-weekly, unless otherwise required.

## QUORUM

A quorum is achieved with **four** members present in person. At least one member must be a member of Council.

### C.3 RISK AND ASSURANCE COMMITTEE TE KOMITI WHAKAMAURU TŪRARU

Chair	Independent – David Shand
Membership	<p>Mayor Janet Holborow</p> <p>Councillor Lawrence Kirby</p> <p>Councillor Liz Koh</p> <p>Councillor Jocelyn Prvanov</p> <p>Councillor Glen Cooper</p> <p>Independent Member – David Cochrane</p> <p>Mana Whenua Representation: vacant</p>
Other Participants	<p>Community Board Representation (chair or alternate) with speaking but not voting rights:</p> <p>Paekākāriki Community Board – Sean McKinley</p> <p>Raumati Community Board – Bede Laracy</p> <p>Paraparaumu Community Board – Bernie Randall</p> <p>Waikanae Community Board – Richard Mansell</p> <p>Ōtaki Community Board – Cam Butler and Simon Black (as alternate)</p>

#### PURPOSE

This committee is responsible for monitoring the Council's financial management, financial reporting mechanisms and framework, and risk and assurance function, ensuring the existence of sound internal systems.

#### RESPONSIBILITIES

Within the purpose and delegated powers of the Risk and Assurance Committee, key responsibilities 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 (i.e. letters of representation)

- Considering regular reports on the status of investigations by the Office of the Ombudsman, Privacy Commission, Office of the Auditor General and other external oversight bodies into decisions and actions 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.
- Reviewing the Annual Plan and the Long-term Plan consultation documents and reports, including any audit reports, and making recommendations ahead of the plans being approved by Council.
- Receiving six-monthly updates on Council's emergency management, resilience and recovery, and making recommendations to Council on opportunities for improvement.

## DELEGATIONS

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.

## MEETING FREQUENCY

On a quarterly basis or as required.

## QUORUM

A quorum is achieved with **four** voting members present in person. At least one member must be a member of Council.

#### C.4 GRANTS ALLOCATION COMMITTEE TE KOMITI TUKU TAHUA PŪTEA

Chair	Councillor Nigel Wilson
Deputy Chair	Councillor Glen Cooper

Programme Membership		Quorum
Creative Communities NZ (as per programme guidelines)	<p>Chair Elect - Grant Stevenson</p> <p>Councillor Nigel Wilson</p> <p>Councillor Glen Cooper</p> <p>Councillor Rob Kofoed</p> <p>Community Representation (3): Michelle Scullion, Jennifer Turnbull and Grant Stevenson</p> <p>Mana Whenua Representation (3):</p> <p>Kim Tahiwī – Ngā Hapū o Ōtaki</p> <p>Ātiawa ki Whakarongotai representative</p> <p>Ngāti Toa Rangatira representative</p> <p>Youth Council Representation (1): Patupaiarehe Porter</p> <p><i>Note: Chair elected by this programme committee and may not be the Chair of the Grants Allocation Programme</i></p>	A quorum is achieved with <b>four</b> members present in person. At least one member must be a member of Council.
Community Grants	<p>Mayor Janet Holborow</p> <p>Councillor Nigel Wilson</p> <p>Councillor Glen Cooper</p> <p>Councillor Rob Kofoed</p> <p>Councillor Shelly Warwick</p> <p>Community Representation (2): John Hayes</p> <p>Mana Whenua Representation (1): One Mana Whenua Iwi Representative</p>	A quorum is achieved with <b>four</b> members present in person. At least one member must be a member of Council.

Waste Levy	<p>Mayor Janet Holborow</p> <p>Councillor Nigel Wilson</p> <p>Councillor Glen Cooper</p> <p>Councillor Rob Kofoed</p> <p>Councillor Shelly Warwick</p> <p>Cr Martin Halliday (<i>as the Wellington Region Waste Management and Minimisation Joint Committee representative</i>)</p> <p>Paekākāriki Community Board – Sean McKinley</p> <p>Raumati Community Board – Tarn Sheerin</p> <p>Paraparaumu Community Board – Bernie Randall</p> <p>Waikanae Community Board – Tonchi Begovich</p> <p>Ōtaki Community Board – Chris Papps and Cam Butler (as alternate)</p>	<p>A quorum is achieved with <b>three</b> members present in person. At least one member must be a member of Council.</p>
Districtwide Facility Hire Remissions	<p>Mayor Janet Holborow</p> <p>Councillor Nigel Wilson</p> <p>Councillor Glen Cooper</p> <p>Councillor Rob Kofoed</p> <p>Councillor Shelly Warwick</p>	<p>A quorum is achieved with <b>two</b> members present in person. At least one member must be a member of Council.</p>
Heritage Fund	<p>Mayor Janet Holborow</p> <p>Councillor Nigel Wilson</p> <p>Councillor Glen Cooper</p> <p>Councillor Rob Kofoed</p> <p>Councillor Shelly Warwick</p>	<p>A quorum is achieved with <b>two</b> members present in person. At least one member must be a member of Council.</p>

## PURPOSE

This committee considers and allocates grant monies in accordance with the meeting cycles and criteria of five granting programmes.



## RESPONSIBILITIES

Within the purpose and delegated powers of the Grants Allocation Committee, key responsibilities 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.

## Creative Communities NZ Programme

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 to 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 Kāpiti Coast District Council and the scheme criteria.

## 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 Kāpiti 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.

## District Wide Facilities Hire Remissions

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

## Heritage Fund

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

## Waste Levy Programme

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.

## DELEGATIONS

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	Twice yearly
Community Grants	Annually
Districtwide Facilities Hire Remissions	Annually or as required
Heritage Fund	Annually
Waste Levy	Annually

## **C.5 APPEALS HEARING COMMITTEE TE KOMITI RONGONGA PĪRA**

Chair	Mayor Janet Holborow
Deputy Chair	Councillor Jocelyn Prvanov
Membership	Chair of Strategy, Operations and Finance Committee Councillor Glen Cooper

### **PURPOSE**

This committee acts in a regulatory capacity on behalf of Council in regards to appeals or objections required to be heard under relevant legislation.

### **RESPONSIBILITIES**

Within the purpose and delegated powers of the Appeals Hearing Committee, key responsibilities 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 2019 ('the Bylaw') for medical exemption for dogs under section 4 and section 6 of the Bylaw, specifically subsections 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 (13<sup>th</sup> 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.

### **DELEGATIONS**

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

A quorum is achieved with **two** members present in person. At least one member must be a member of Council.

## C.6 CHIEF EXECUTIVE PERFORMANCE AND EMPLOYMENT COMMITTEE TE KOMITI AROTAKE MAHI A TE TUMU WHAKARAE

Chair	Mayor Janet Holborow
Deputy Chair	Councillor Lawrence Kirby
Membership	Councillor Liz Koh Councillor Sophie Handford

### PURPOSE

This committee manages the employment relationship between the Council and the Chief Executive.

### RESPONSIBILITIES

Key responsibilities 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.

### DELEGATIONS

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.

### QUORUM

A quorum is achieved with **three** members present in person. At least one member must be a member of Council.



## C.7 CAMPE ESTATE COMMITTEE TE KOMITI MŌ TE WAIHOTANGA IHO A CAMPE

Chair	Mayor Janet Holborow
Membership	Paekākāriki-Raumati Ward Councillor Chief Executive

*Note: The 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 committee.*

### RESPONSIBILITIES

This committee 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:

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

The committee also administers the funds deriving from the interest of the Arthur Thomas Clarke Trust for the benefit of Paekākāriki residents.

Decisions about allocations under the two funds are made concurrently.

### DELEGATIONS

All powers necessary to perform the committees' responsibilities.

### MEETING FREQUENCY

As required in order to fulfil its responsibilities.

### QUORUM

A quorum is achieved with **two** members present in person.

## **PART D - COMMUNITY BOARDS | POARI Ā-HAPORI**

### **PAEKĀKĀRIKI COMMUNITY BOARD | POARI Ā-HAPORI O PAEKĀKĀRIKI**

Chair	Kelsey Lee
Deputy Chair	Sorcha Ruth
Membership	Sean McKinley, Christian Judge, and Councillor Sophie Handford

### **PARAPARAUMU COMMUNITY BOARD | POARI Ā-HAPORI O PARAPARAUMU**

Chair	Glen Olsen
Deputy Chair	Guy Burns
Membership	Karl Webber, Bernie Randall, Councillor Kathy Spiers, and Councillor Glen Cooper

### **RAUMATI COMMUNITY BOARD | POARI Ā-HAPORI O RAUMATI**

Chair	Bede Laracy
Deputy Chair	Jonny Best
Membership	Tarn Sheerin, Tim Sutton, and Councillor Sophie Handford

### **WAIKANAE COMMUNITY BOARD | POARI Ā-HAPORI O WAIKANAE**

Chair	Michael Moore
Deputy Chair	Richard Mansell
Membership	Tonchi Begovich, Michelle Lewis, and Councillor Nigel Wilson

### **ŌTAKI COMMUNITY BOARD | POARI Ā-HAPORI O ŌTAKI**

Chair	Cam Butler
Deputy Chair	Simon Black
Membership	Jackie Elliott, Chris Papps, and Councillor Shelly Warwick

## RESPONSIBILITIES

The powers of a community board are prescribed in the Local Government Act 2002 (see Appendix I). 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 Long Term Plan and Annual Plan 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 Long Term Plan 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
- Making recommendations to Council after reviewing existing, or considering new **draft Reserve Management Plans** for local public parks and reserves within its area, excluding Otarua 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 rights at Council and Strategy, Operations and Finance Committee meetings**. Each Community Board may appoint a representative to attend Council meetings. (Refer to part A.1(8) of this document for public excluded sessions)
- **Speaking and voting rights at Social Sustainability Committee and Climate and Environment Committee meetings** as per membership. Each Community Board may appoint a representative or alternatively decide to recommend the appointment of a community representative in their place (Refer to part A.1(8) of this document for public excluded sessions)
- **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 of the Local Government Act 2002.

#### FOR THE WAIKANAЕ 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 Committee on grant applications received seeking funding from the Campe Estate funding, and distribute the funds deriving from the Arthur Thomas Clarke Trust.

#### DELEGATIONS

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 present in person.

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

## SECTION E – JOINT COMMITTEES | NGĀ KOMITI TŪHONO

### E.1 WELLINGTON REGION WASTE MANAGEMENT AND MINIMISATION JOINT COMMITTEE

Appointed Member(s)	Councillor Martin Halliday or Councillor Jocelyn Prvanov (as alternate)
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#### PURPOSE

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.

#### PARTNERSHIP FRAMEWORK

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

The Joint Committee is not deemed to be discharged following each triennial election.

#### CONSTITUTION

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:

- Kāpiti 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

Each territorial authority in the region will be entitled to appoint one member to the Joint Committee.

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

The Joint Committee will meet on an as required basis.

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.

Secretariat support for meetings will be provided by the host Council.

#### DELEGATIONS

The Joint Committee will have delegated responsibility and authority to carry out activities within its terms of reference including:



- 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
- 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
- Monitor and review the management and implementation of the Plan
- 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
- 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.

## E.2 REGIONAL TRANSPORT COMMITTEE

Appointed Member(s)	Mayor Janet Holborow  Councillor Martin Halliday (as alternate)
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### PURPOSE

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

- Prepare for approval by the Council the Wellington Regional Land Transport Plan and any variations to it
- Provide the Council with any advice and assistance it may request in relation to its transport responsibilities
- 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
- Carry out consultation in accordance with the requirements set out in the Act
- Approve submissions to external organisations for matters pertaining directly to the committee's purpose.

### MEMBERSHIP

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.

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

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

### ALTERNATES

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

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

## **CHAIRPERSON**

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**

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.

### **E.3 WELLINGTON REGION CIVIL DEFENCE EMERGENCY MANAGEMENT (CDEM) GROUP**

Appointed Member(s)	Mayor Janet Holborow  Councillor Lawrence Kirby (as alternate)
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The Wellington Region CDEM Group has the status of a Civil Defence Emergency Management Group under the Civil Defence Emergency Management Act 2002. It is a joint standing committee under clause 30(1)(b) of schedule 7 of the Local Government Act 2002.

#### **MEMBERSHIP**

Each of the following local authorities is a member of the Wellington Region CDEM Group:

- Carterton District Council
- Greater Wellington Regional Council
- Kapiti Coast District Council
- Hutt City Council
- Masterton District Council
- Porirua City Council
- South Wairarapa District Council
- Upper Hutt City Council
- Wellington City Council

#### **FUNCTIONS, DUTIES AND POWERS**

The functions, duties and powers of the CDEM Group are those that are set out for a Civil Defence Emergency Management Group in the Civil Defence Emergency Management Act 2002.

#### **OBJECTIVES OF THE CDEM GROUP**

To assist the CDEM Group to meet the requirements of the Act, the Group adopts the following objectives:

- to ensure that hazards (as defined in the Act) and the consequential risks are identified and assessed
- to ensure an effective and efficient region-wide civil defence emergency management capability to respond to and recover from emergencies (as defined in the Act)
- to facilitate effective and efficient emergency management through partnership and co-ordination amongst the organisations represented on the Co-ordinating Executive Group
- to promote appropriate mitigation of the risks.

#### **REPRESENTATIVES**

Each Member is to be represented on the CDEM Group by one person only, being the Mayor or Chairperson of that local authority or an alternate representative who has been given the delegated authority to act for the Mayor or Chairperson.

An alternate representative must be an elected person from that local authority under section 13(4) of the Act.

Under section 114S(4) of the Local Government Act 1974, and clause 30(9) Schedule 7 of the Local Government Act 2002, the powers to discharge any

representative on the CDEM Group and appoint his or her replacement shall be exercisable only by the Member that appointed the representative being discharged.

## **REMUNERATION**

Each Member of the CDEM Group shall be responsible for remunerating its representative on the CDEM Group for the cost of that person's participation in the CDEM Group.

## **MEETINGS**

The CDEM Group shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under the Terms of Reference. However there will be at least two meetings per year.

## **QUORUM**

The quorum shall consist of five (5) members.

## E.4 WELLINGTON REGIONAL LEADERSHIP COMMITTEE

Appointed Member(s)	Mayor Janet Holborow  Councillor Lawrence Kirby (as alternate)
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### PURPOSE

To take responsibility for key matters of regional importance – Wellington Regional Growth Framework, Regional Economic Development, and Regional Recovery - where a collective voice and collective planning and action is required.

### SPECIFIC RESPONSIBILITIES

Wellington Regional Growth Framework  
Regional Economic Development  
Regional Economic Recovery

### MEMBERSHIP

The membership of the Joint Committee is comprised of:

- the Mayors of Carterton District Council, Horowhenua District Council, Hutt City Council, Kāpiti Coast District Council, Masterton District Council, Porirua City Council, South Wairarapa District Council, Upper Hutt City Council, Wellington City Council
- the Chair of Wellington Regional Council
- independent chairperson of the Joint Committee

The member of the Joint Committee may also include:

- a person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira)
- a person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui)
- a person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa)
- a person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa)
- a person nominated by Raukawa ki te Tonga
- a person nominated by Ātiawa ki Whakarongotai Charitable Trust (Ātiawa ki Whakarongotai)
- a person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)
- up to three persons nominated by the Crown (Cabinet).

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the Independent Chairperson).

### VOTING

When the Joint Committee is addressing matters that are not within the Wellington Regional Growth Framework programme, it is expected that the following members of the Joint Committee will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings):

- the Mayor of Horowhenua District Council
- the person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū)
- the person nominated by Raukawa ki te Tonga
- the persons nominated by the Crown (Cabinet)

Each member has one vote. In the case of an equality of votes the Chairperson has a casting vote.

## **MEETINGS**

Meetings will be held once every two months, or as necessary and determined by the Chairperson.

## **QUORUM**

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. There must be present at least 5 members appointed by local authorities.

## **REMUNERATION**

Each party shall be responsible for remunerating its representative(s) on the Joint Committee.

Members who represent organisations or entities other than local authorities (for instance iwi members) shall be eligible for compensation for Joint Committee activity including travel, meeting time, and preparation for meetings paid by the administering local authority.

## **DURATION OF THE JOINT COMMITTEE**

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

## SECTION F – APPOINTMENTS TO EXTERNAL ORGANISATIONS

Organisation/Body	Appointees
Te Whakaminenga o Kāpiti	Mayor Janet Holborow Councillor Martin Halliday
Kāpiti Coast Youth Council	Councillor Sophie Handford
Kāpiti Coast Older Person's Council	Mayor Janet Holborow Councillor Kathy Spiers
Friends of the Ōtaki River	Councillor Rob Kofoed
Friends of the Waikanae River	Councillor Jocelyn Prvanov
Pharazyn Reserve Focus Group	Waikanae Community Board Member Michelle Lewis
Kāpiti Ecological Restoration Maintenance Trust	Councillor Halliday and /or Councillor Prvanov
Wellington Regional Waste Forum	Councillor Prvanov and/or Councillor Halliday
Road Safety Advisory Group*	Councillor Shelly Warwick Councillor Kathy Spiers
Kāpiti Accessibility Advisory Group	Councillor Kathy Spiers
Kāpiti Cycleway, Walkway and Bridleway Advisory Group	Councillor Rob Kofoed Councillor Shelly Warwick
Mahara Gallery Trust	Councillor Liz Koh
The Public Art Panel	Councillor Liz Koh
Paraparaumu College Community Sports Hall Committee	Councillor Glen Cooper Councillor Martin Halliday
Kāpiti Coast Major Events Panel	Councillor Nigel Wilson
Kāpiti Coast Whaitua Committee	Councillor Jocelyn Prvanov Councillor Sophie Handford (as alternate)
Waikanae ki Uta ki Tai	Mayor Janet Holborow Councillor Jocelyn Prvanov (as alternate)
Economic Development Kotahitanga Board	Councillor Liz Koh

*\*The Terms of Reference for this group is currently (as at November 2022) under review, thus the group is on hold until further notice.*



## SECTION G – DOCUMENT VERSION CONTROL

Version	Amendment(s) Summary	Sign Off/Comment
1	<b>Governance Structure confirmed by Council</b>	Council 24 November 2022
2	<b>Mana Whenua Representation for Ngāti Toa Rangatira and Ngā Hapu o Ōtaki confirmed</b>	Council 8 December 2022
3	<b>Mana Whenua Representation for Te Ātiawa ki Whakarongotai and Community Board Representation confirmed</b>	Council 26 January 2023
4	<b>Independent Chair and Member for Risk and Assurance Committee confirmed</b>	Council 23 February 2023
5	<b>Membership Updates for Risk and Assurance and Grants Allocation Committees</b>	Council 23 March 2023
6	<b>Mana Whenua Representation for Ngā Hapū o Ōtaki and Community Board Representation confirmed</b>	Council 23 March 2023
7	<b>Grants Allocation Committee Creative Communities New Zealand Scheme confirmed</b>	Grants Allocation Committee 4 May 2023
8	<b>Mana Whenua Representation for Risk and Assurance and Community Board Representation confirmed</b>	Council 25 May 2023
9	<b>New appointment to Chair and Deputy Chair of the Paekākāriki Community Board</b>	Paekākāriki Community Board 13 February 2024
10	<b>Review of Governance Structure and Delegations amending membership and delegations</b>	Council 29 February 2024
11	<b>Updates to Governance Structure (Subcommittees to Committees, Amend appointment to WRWMM Joint Committee)</b>	Council 26 September 2024
12	<b>New appointment to Chair and Deputy Chair of the Waikanae Community Board</b>	Waikanae Community Board 19 November 2024

<b>13</b>	<b>Community Board Representation for Strategy, Operations and Finance Committee confirmed</b>	Council 28 November 2024
<b>14</b>	<b>Administrative update to Grants Allocation Committees</b>	Governance 6 May 2025

## SECTION H – RELEVANT LEGISLATIVE EXTRACTS FROM LOCAL GOVERNMENT ACT 2002

### Subpart 2—Role of local authorities and related matters

#### 11 Role of local authority

The role of a local authority is to—

- (a) give effect, in relation to its district or region, to the purpose of local government stated in [section 10](#); and
- (b) perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.

#### 11A Core services to be considered in performing role

*[Repealed]*

Section 11A: repealed, on 14 May 2019, by [section 10](#) of the Local Government (Community Well-being) Amendment Act 2019 (2019 No 17).

#### 12 Status and powers

- (1) A local authority is a body corporate with perpetual succession.
- (2) For the purposes of performing its role, a local authority has—
  - (a) full capacity to carry on or undertake any activity or business, do any act, or enter into any transaction; and
  - (b) for the purposes of paragraph (a), full rights, powers, and privileges.
- (3) Subsection (2) is subject to this Act, any other enactment, and the general law.
- (4) A territorial authority must exercise its powers under this section wholly or principally for the benefit of its district.
- (5) A regional council must exercise its powers under this section wholly or principally for the benefit of all or a significant part of its region, and not for the benefit of a single district.
- (6) Subsections (4) and (5) do not—
  - (a) prevent 2 or more local authorities engaging in a joint undertaking, a joint activity, or a co-operative activity; or
  - (b) prevent a transfer of responsibility from one local authority to another in accordance with this Act; or
  - (c) restrict the activities of a council-controlled organisation; or
  - (d) prevent a local authority from making a donation (whether of money, resources, or otherwise) to another local authority or to a person or organisation outside its district or region or outside New Zealand—
    - (i) if the local authority considers, on reasonable grounds, that the donation will benefit its district or region, or the communities within its district or region; or
    - (ii) if the local authority considers, on reasonable grounds, that a benefit will be conferred on the local government sector as a whole; or
    - (iii) for emergency relief; or
  - (e) prevent a local authority from making a donation (whether of money, resources, or otherwise) to a local government body outside New Zealand to enable it to share its experience and expertise with that body.

Section 12(6)(c): amended, on 28 June 2006, by [section 6](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 12(6)(d): added, on 28 June 2006, by [section 6](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 12(6)(e): added, on 28 June 2006, by [section 6](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

#### 13 Performance of functions under other enactments

[Sections 10](#) and [12\(2\)](#) apply to a local authority performing a function under another enactment to the extent that the application of those provisions is not inconsistent with the other enactment.

#### **41A Role and powers of mayors**

- (1) The role of a mayor is to provide leadership to—
  - (a) the other members of the territorial authority; and
  - (b) the people in the district of the territorial authority.
- (2) Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
- (3) For the purposes of subsections (1) and (2), a mayor has the following powers:
  - (a) to appoint the deputy mayor;
  - (b) to establish committees of the territorial authority;
  - (c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor—
    - (i) may make the appointment before the other members of the committee are determined; and
    - (ii) may appoint himself or herself.
- (4) However, nothing in subsection (3) limits or prevents a territorial authority from—
  - (a) removing, in accordance with [clause 18](#) of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or
  - (b) discharging or reconstituting, in accordance with [clause 30](#) of Schedule 7, a committee established by the mayor under subsection (3)(b); or
  - (c) appointing, in accordance with [clause 30](#) of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or
  - (d) discharging, in accordance with [clause 31](#) of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).
- (5) A mayor is a member of each committee of a territorial authority.
- (6) To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).
- (7) To avoid doubt,—
  - (a) [clause 17\(1\)](#) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a);
  - (b) [clauses 25 and 26\(3\)](#) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee.

Section 41A: inserted, on 12 October 2013, by [section 21](#) of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

Kāpiti Coast District Council Governance Structure 2022-2025

