



# WAITAKERE CITY COUNCIL

## COMMITTEES AND COMMUNITY BOARDS DELEGATIONS REGISTER

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### **INTRODUCTION**

#### **GENERAL PRINCIPLES OF DELEGATION**

The following matters cannot legally be delegated to Committees, Subcommittees, Community Boards, officers or any other subordinate decision-making body (Clause 32(1) of Schedule 7 of the Local Government Act 2002).

- (a) The power to make a rate.
- (b) The power to make a bylaw.
- (c) The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Council Community Plan.
- (d) The power to adopt a Long Term Council Community Plan, Annual Plan, or Annual Report.
- (e) The power to appoint a Chief Executive Officer.
- (f) The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Council Community Plan or developed for the purpose of the Local Governance Statement.

When an Act or Regulation empowering the "Council" to carry out a decision-making function, that decision must be made by way of a resolution of the full Council unless the Act or Regulation, permits delegation to a Committee, Subcommittee or Officer.

Without delegation the operation of the Council and its administration would not be efficient, effective and timely in delivering services. The business to be transacted by a Council and its administration is large and wide-ranging, dealing with the details of many Acts and Regulations, the Council's District Plan, Bylaws, and a range of Council functions and activities.

It is impossible for the elected Council to deal with everything itself. The principle of subsidiarity should therefore apply, that is, decisions should be made at the lowest possible level commensurate with efficiency and effectiveness. Generally, the legislation, which the Council uses on a day-to-day basis, provides for delegations. The fields of activity and delegations in this Register are intended to reflect the principles of subsidiarity to allow the Council to delegate its powers and functions to the most efficient and effective levels.

The body or person to whom powers are delegated will usually exercise the delegated power, but is not obliged to do so. The most common circumstances where the body or person with the delegation might choose not to exercise it are when the matter has become a matter of public notoriety, or the issues are contentious and finely balanced.

### **COUNCIL COMMITTEE PRINCIPLES**

On 29 November 2000 Waitakere City Council adopted a number of Governance Policies. The policy relating to committees is set out as follows:

#### **COUNCIL COMMITTEE PRINCIPLES**

##### **Policy Type - Governance Process**

*Council Committees, when used, will be assigned responsibility in a way that reinforces the wholeness of the Council's job and does not interfere with the delegation from the Council to the Chief Executive Officer.*

- 1. Council Committees will ordinarily assist the Council carry out its governance job by preparing policy alternatives and implications for Council deliberation. They should not extend their work into operational areas helping or advising the Chief Executive Officer and staff. Unless specifically delegated authority to do so, Council Committees may not instruct the Chief Executive Officer and staff beyond reasonable requests for information and advice. If, in the Chief Executive Officer's opinion, meeting such requests would consume a material amount of staff time or funds outside those budgeted, or would be disruptive, the Chief Executive Officer should refer the request to the Council.*
- 2. Council Committees may not speak for the Council except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the Chief Executive Officer.*
- 3. Because the Chief Executive Officer works for the Council as a whole, s/he will not be required to obtain the approval of a Committee before taking an executive action.*
- 4. Council Committees are to avoid over-identification with Council parts rather than the whole. Therefore a Council Committee that has helped the Council create policy on some topic will not be used to monitor Council performance on that same subject.*
- 5. While the Council may delegate authority to committees, including the monitoring of performance within their areas of responsibility, the Council remains at all times the superior body.*
- 6. This policy applies to any group that is formed by Council action whether or not it is called a committee and regardless of whether the group includes Council Members. It does not apply to Committees formed under the authority of the Chief Executive Officer.*

### **COMMITTEES**

The law relating to Committees is generally to be found in Schedule 7 of the Local Government Act 2002. Unless otherwise stated, references to clauses are references to clauses in Schedule 7.

While a Committee may include persons other than Elected Members (other than under Section 12 Fencing of Swimming Pools Act 1987), it must include at least one Elected Member. Council officers may only be appointed to Subcommittees (Clause 31(4)). The minimum number of Members of a Committee is three, (Clause 31(6) (a)) with a quorum being two, including at least one Elected Member, (Clause 23(3) (b)).

A Committee may delegate any of its functions, duties, or powers to a Subcommittee, subject to any conditions, limitations, or prohibitions imposed by the Council or Committee. A Subcommittee may comprise Elected Members or staff (Clause 31(4) (b)) or other persons but the minimum number of elected members is two (Clause 31(6)(b)).

A decision made by a Committee under delegated powers which decides, prescribes or affects the rights, powers, privileges, immunities, duties or liabilities of a person, or that person's eligibility to receive or continue to receive a benefit or licence, cannot be rescinded or amended by the Council unless there is specific empowering statutory authority. The Council may however review policy matters falling outside of the foregoing categories from time to time.

Revocation or alteration of decisions may only be dealt with in accordance with the Council's Standing Orders.

The Council can also delegate certain powers to officers. Delegations to the Chief Executive Officer are contained in a separate Register. Staff members receive their delegations from the Chief Executive Officer.

### COMMUNITY BOARDS

A Community Board is a separate legal entity to the Council. It is not a committee of the Council.

Section 51 of the Local Government Act 2002 states that a Community Board is:

- (a) An unincorporated body.
- (b) Not a local authority.
- (c) Not a committee of the relevant territorial authority.

The role of a Community Board is set out in Section 52 of the Local Government Act (and is set out in the section of this Register relating to Community Boards). The delegation of powers by the Council to Community Boards is provided for in Clause 32.

### THE ROLE OF COMMITTEES AND SUBCOMMITTEES

Clause 30(1)(a) enables Council to appoint such Committees, Subcommittees and other subordinate decision making bodies, as it considers appropriate.

A Council Committee may appoint the Subcommittees that it considers appropriate unless it is prohibited from doing so by the terms of its delegation from the Council (Clause 30). Every Subcommittee is subject to the control of the Council, or Committee that appointed it. A Committee can only set up a Subcommittee within its field of activity and delegated powers, and it may delegate any of its functions, duties and powers to the Subcommittee.

In this Register a "field of activity" is a specific activity or function which the Standing Committee or Subcommittee has responsibility for. "Delegated Powers" define what the Committee or Subcommittee is allowed to do.

The Council determines the fields of activities for its Committees and Subcommittees. Committees and Subcommittees may generally deal with all matters covered by their respective fields of activity for which financial provision has been made but subject to any conditions set by the Council.

Statutory matters that do not have to be dealt with by the Council are delegated to either Committees or Subcommittees within their respective fields of activity.

Provision for 'Joint Committees' with other local authorities or public bodies is provided for in Clause 30 (1)(b).

Final decisions can be made by Committees and Subcommittees only on those matters where authority to make decisions has been delegated. All other decisions must be in the form of recommendations to the Council, or, in the case of Special Committees or Subcommittees to the parent Committee. Recommendations may extend over any of the items included in, or similar to, the Committee's or Subcommittee's fields of activity. Committees can delegate final decision-making power to Subcommittees, but only in relation to matters within the delegated authority of the Committee and only subject to any conditions imposed on such a delegation by the Council itself (Schedule 7 Clause 32), or limitations imposed by statute.

While Schedule 7 Clause 30 (3) makes it clear that every Committee is "*subject in all things to the control of the Council and shall carry out all general and special directions ...*" the Council is not entitled to rescind or amend a decision made by a Committee exercising a delegated authority to make the decision (Clause 30(6)).

### PRINCIPLES OF COUNCIL'S COMMITTEE STRUCTURE

The Council's Committee structures (as laid out in these delegations) have been based on the following governance principles:

1. There should be appropriate separation between the Council's strategy and policy development functions, its role in monitoring finances and operational performance, and its role in regulatory matters (see 39(c) of the Local Government Act 2002).
2. Special Committees and Subcommittees (to support the main Committees) will focus specifically on key areas requiring that additional focus.
3. Te Taumata Runanga will act as an adviser to the Council, representing Iwi and the wider Maori community of Waitakere City.

### AMBIGUITY AND CONFLICT

In the event of ambiguity or conflict between any of the provisions contained in the Delegations Register, with the result that there is uncertainty or dispute as to which Committee, Subcommittee or Community Board has the delegated authority to act in respect of a particular matter, then the Chief Executive Officer will prepare a written report in respect of that uncertainty or dispute and submit the same to the Mayor (or the Deputy Mayor in the absence of the Mayor) for consideration and determination. The decision of the Mayor (or Deputy Mayor in the absence of the Mayor) will be final and binding.

If neither the Mayor nor the Deputy Mayor is available the decision of the Chief Executive Officer will be final and binding.

### **POLICY AND STRATEGY COMMITTEE**

#### **FIELDS OF ACTIVITY**

The development of Council policies and strategies for the social, economic, cultural and environmental wellbeing and for the infrastructural development of the City, including the following:

- (i) City wide strategies and policies including the following:
- Sustainable city;
  - Biodiversity;
  - Climate change;
  - Energy;
  - Environmental policy and strategy;
  - Policy work precedent to significant District Plan Changes;
  - Economic development and employment;
  - Tourism growth, including promotion;
  - Marketing;
  - Land acquisition and divestment strategy;
  - Treaty obligations and partnership;
  - Transport (including, public transport, cycling, cars, ferries, walking and other modes);
  - Parking (including citywide parking plans and Town Centre parking management plans);
  - Urban design and development (including ecological design);
  - Town centres;
  - Housing;
  - Youth;
  - Parks, Reserves and Walkways;
  - Recreation and leisure;
  - Democracy, civil society, community engagement and partnership;
  - Consultation and communication;
  - International economic relationships and Sister City economic programmes.
- (ii) City wide development projects, including the following:
- Tertiary Institutes;
  - Corban Estate and Lopdell House development and concept planning;
  - Rail Corridor (including park and ride);
  - Town Centre Redevelopments and Revitalisation Projects, excluding the Northern Area Strategic Growth Area (NorSGA), Greater Henderson and New Lynn, (including approval of concept designs).
- (iii) Regional Strategic roles including the following:
- One Plan and the Regional Sustainable Development Forum;
  - Regional Growth Strategy and Sector Agreement;
  - Regional Economic Development Strategy;
  - Regional Land Transport Strategy;
  - Policy matters relating to Regional Environmental Plans;
  - Auckland Sustainable Cities programme;
  - The Waitakere Ranges Heritage Act implementation;
  - Royal Commission into Auckland Governance.
  - Auckland Regional Physical Activity and Sport Strategy (ARPASS)

- (iv) Other roles of a strategic overview nature including:
- Development of the Council's strategic policy framework, including development of the overarching strategies (Social, Cultural, Environmental, Economic, Transport, Growth Management and Governance), and review of Councils 'Platforms and Priorities' that define and summarise the strategic direction as outlined in the strategies;
  - Establishing the strategic direction of Council's business units (if any), Council Controlled Organisations (CCOs) and Council Controlled Trading Organisations (CCTOs) (including regional and jointly owned CCOs and CCTOs);
  - Oversight of environmental sustainability projects and partnerships for the delivery of Eco City priorities, and measuring sustainability performance (including the State of the City Reporting jointly with the Planning and Regulatory Committee);
- (v) Citywide Parks and Reserves.

### MEMBERSHIP

Chairman appointed by the Council  
Deputy Chairman appointed by the Council  
12 Members appointed by the Council  
1 Member nominated by Te Taumata Runanga  
The Mayor (ex officio)

**Quorum:** 5 Members

### DELEGATED POWERS

#### General Delegations

1. Authority to exercise all of Council powers, functions and authorities (except where otherwise delegated to another committee) in relation to all matters detailed in the Fields of Activity.
2. Authority to re-allocate funding already approved by the Council as part of the Long Term Council Community Plan (LTCCP)/Annual Plan process, for matters within the Fields of Activity provided that the re-allocation of funds does not increase the overall amount of money committed to the Fields of Activity in the LTCCP/Annual Plan.
3. Authority to develop and adopt goals, strategies and policies on behalf of the Council for matters within the Fields of Activity.
4. Responsibility to develop policies, and provide financial oversight, for matters within the Fields of Activity to provide assurance that funds are managed efficiently, effectively and with due regard to risk.
5. Authority to award contracts, up to a limit of \$15,000,000 (GST exclusive) for any one contract relating to the Fields of Activity.
6. Responsibility to monitor Long Term Council Community Plan/Annual Plan implementation within the Fields of Activity set out above.

#### Bylaws

7. Authority to monitor any Council bylaws relating to matters within the Fields of Activity and to recommend any amendments to those bylaws to the Planning and Regulatory Committee for review and consideration.

### City Image and Promotion

8. Authority to develop and approve policies relating to the promotion of the City and its image as a place to live, visit, invest in, and to oversee public relations activities.
9. Authority to develop policies relating to, and to monitor, Sister Cities economic activities and other international economic relationships.

### Parks, Reserves and Walkways

10. Authority to determine, in accordance with the Parks Strategy, which parks or reserves have a citywide significance and which have a local significance.
11. Authority to exercise all of the Council's powers and functions under the Reserves Act 1977 in respect of citywide parks and reserves (other than the review of bylaws, which is the responsibility of the Planning and Regulatory Committee).
12. Authority to hear submissions under s120 (1)(c) of the Reserves Act 1977 in relation to all reserves (whether relating to citywide or local parks or reserve) or to appoint a commissioner or commissioners to hear submissions and to make a recommendation in respect of those objections or submissions to the Committee.
13. Authority to determine names for or to change the name of, citywide parks and reserves owned or administered by the Council.
14. Where the Council is appointed as the controlling authority of a walkway under the New Zealand Walkways Act 1990, authority to exercise the powers of the controlling authority.

### **NORSGA URBAN DEVELOPMENT COMMITTEE**

#### **FIELDS OF ACTIVITY**

Oversight of all matters related to the implementation of Plan Changes 13-18, and the consideration and recommendation of policies, strategies and agreements with regard to the planning and development in the Northern Strategic Growth Area ('NORSGA') comprising:

- Hobsonville Airbase (as identified by Plan Change 13 including the Marine Precinct and Landing areas);
- Hobsonville Village (as identified by Plan Change 14);
- Fulton Hogan land (added to Plan Change 14 by the Fulton Hogan submission to Plan Change 14);
- Future Corridor Development Planning Area (focussed on Trig Road);
- Westgate Town Centre and Massey North Special Employment Area (as identified by Plan Change 15);
- South West Precinct (between Don Buck Road and the Westgate Shopping Area as it existed in 2007).

#### **MEMBERSHIP**

Chairman appointed by the Council

Deputy Chairman appointed by the Council

5 members appointed by the Council

1 member nominated by Auckland Regional Council

1 member nominated by Auckland Regional Transport Authority

1 member nominated by IMF NEW Zealand Limited

1 member nominated by Hobsonville Land Company Limited

1 member nominated by the NORSGA Business Association (when formed)

1 member nominated by Transit New Zealand

The Mayor (ex officio)

**Quorum:** 5 Members, including at least 3 Councillors

#### **DELEGATED POWERS**

##### **General Delegations**

1. Authority to exercise all of Council powers, functions and authorities (except where otherwise delegated to another committee in relation to all matters detailed in the Fields of Activity).
2. Authority to re-allocate funding already approved by the Council as part of the Long Term Council Community Plan (LTCCP)/Annual Plan process, for matters within the Fields of Activity provided that the re-allocation of funds does not increase the overall amount of money committed to the Fields of Activity in the LTCCP/Annual Plan.
3. Authority to develop goals and strategies, for matters within the Fields of Activity.
4. Responsibility to develop policies, and provide financial oversight, for matters within the Fields of Activity to provide assurance that funds are managed efficiently, effectively and with due regard to risk.

### **INFRASTRUCTURE AND WORKS COMMITTEE**

#### **FIELDS OF ACTIVITY**

The monitoring of performance in relation to the planning coordination and implementation of, all infrastructure and development works within the City, including:

- Heritage sites and projects (including Limeburners Bay);
- Old New Lynn Hotel;
- New Lynn Youth Centre leisure project;
- Leisure facilities;
- Housing for older adults;
- Waitakere City Stadium (including the Trusts stadium overview);
- Youth Centre and Youth Centre facilities;
- Aftercare Capital Works;
- Three-Waters Infrastructure Capital Works;
- Accident Investigation Studies;
- Property renewals, upgrades and developments;
- Parks Operations (including maintenance and renewals);
- Citywide Parks development and management plans;
- The planning and development of the town centres of greater Henderson (including Lincoln Road) and New Lynn, including all phases of work from concept planning through to implementation;
- Physical implementation works for Town Centre development;
- On and off street paid parking and removal of parking required for on-street cycleways and bus priority measures;
- Any other specific projects referred to the Committee from time to time.
- Quarry;
- Roading and transport operations (including Capital infrastructure development for bridges, roads and footpaths including cycleways and bus lanes);
- Solid waste operations (including Refuse and recycling disposal and recycled materials);
- Water, wastewater and storm-water operations (including public drainage and watercourses);
- Cemetery and Crematorium (including Cemetery Capital Works)
- Infrastructure service provision;

#### **MEMBERSHIP**

Chairman appointed by the Council

Deputy Chairman appointed by the Council

7 Members appointed by the Council

The Mayor (ex officio)

The Deputy Mayor (ex officio)

**Quorum:** 5 Members

### DELEGATED POWERS

#### General Delegations

1. Authority to exercise all of Council powers, functions and authorities (except where otherwise delegated to another committee in relation to all matters detailed in the Fields of Activity).
2. Authority to re-allocate funding already approved by the Council as part of the Long Term Council Community Plan (LTCCP)/Annual Plan process, for matters within the Fields of Activity provided that the re-allocation of funds does not increase the overall amount of money committed to the Fields of Activity in the LTCCP/Annual Plan.
3. Authority to develop goals and strategies, for matters within the Fields of Activity.
4. Responsibility to develop policies, and provide financial oversight, for matters within the Fields of Activity to provide assurance that funds are managed efficiently, effectively and with due regard to risk.

#### Public Drainage and Watercourses

5. Authority to exercise the functions, duties and powers of the Council under Sections 446, 447, 451, 461, 467, and 468 of the Local Government Act 1974 (Sewerage and Storm Water Drainage).
6. Authority to exercise the functions, duties and powers of the Council under Part 29 (Land drainage and River Clearance) and Part 29A (Divestment of Land drainage schemes and water race schemes) of the Local Government Act 1974.
7. Authority to hear and determine submissions concerning the Council's requirements for owners of private land to do works associated with private drains (Section 459, Local Government Act 1974).
8. Authority to hear and determine objections to the construction, by Council, of a private drain (Section 460, Local Government Act 1974).
9. Authority to make declarations of private drains to be public drains (Section 462 Local Government Act 1974).
10. Authority to exercise the functions, duties and powers of the Council under Sections 195 and 196 of the Local Government Act 2002 (Discharge of sewage and trade wastes).

#### Water Supply

11. Authority to exercise the functions, duties and powers of the Council under Subpart 1 (assessments of water and sanitary services) and Subpart 2 (water services) of Part 7 of the Local Government Act 2002 and the development of policy in respect of those matters.

#### Waste Management

12. Authority to exercise the functions, duties and powers of the Council in relation to waste management, including power to adopt a waste management plan (Part 31 Local Government Act 1974).

### Roading

13. Authority to exercise all of the Council's powers under the Local Government Act 1974 the Transport Act 1962 and the Land Transport Act 1998 in relation to roads, including authority to review and recommend to Council bylaws in relation to speed limits and parking on roads and parking places.
14. Authority to approve policy guidelines for the initial naming of roads, and for the alteration of the name of any road, within the City.
15. Authority to recommend to the Council, after consultation with the appropriate Community Board, that the name of a road or part of a road be changed by special order (Section 320, Local Government Act 1974).
16. Authority to exercise the functions, duties and powers of construction, maintenance and control of roads delegated to the Council under Sections 62 and 63 of the Transit New Zealand Act 1989.
17. Power to resolve that land held as a road reserve be dedicated as road (Section 111 Reserves Act 1977).

### Cemetery

18. Authority to exercise all of the Council's powers, functions, and duties under the Burial and Cremation Act 1964 and any other statute or regulation relating to the control and management of the burial or cremation of the dead within Waitakere City (other than the review of bylaws, which is the responsibility of the Planning and Regulatory Committee.).

### Bylaws

19. Authority to monitor any Council bylaws relating to matters within the Fields of Activity and to recommend any amendments to those bylaws to the Planning and Regulatory Committee for review and consideration.

### **TOWN CENTRES SUBCOMMITTEE**

(A Subcommittee of the Infrastructure and Works Committee)

#### **FIELDS OF ACTIVITY**

Oversight of all matters related to the implementation of Plan Changes 13-18 as they relate to the town centres of Henderson and New Lynn, including:

- The Greater Henderson area, including:
  - Lincoln Road and Central Park Drive areas;
  - Henderson South industrial precinct;
  - Henderson Central Business District core area;
  - Corban Estate Arts precinct.
- New Lynn area, including:
  - The Transit Oriented Development;
  - New Lynn town centre within a 1km radius of the railway station.

Consideration and recommendation of policies, strategies and agreements to the Infrastructure and Works Committee with regard to the planning and development of the Henderson and New Lynn town centres.

#### **MEMBERSHIP**

Chairman of the Infrastructure and Works Committee who will Chair the Subcommittee

The remaining Members of the Infrastructure and Works Committee

2 Members, 1 each nominated by the Henderson and New Lynn Community Boards

1 Member nominated by the Auckland Regional Council

1 Member nominated by Auckland Regional Transport Authority

1 Member nominated by AMP Capital Investors (NZ) Limited

1 Member nominated by the Westfield Limited

1 Member nominated by ONTRACK

1 Member nominated by the New Lynn Business Association

1 Member nominated by from the Henderson Business Association

The Mayor (ex officio)

The Deputy Mayor (ex officio)

**Quorum:** 5 Members including at least 3 Elected Councillors

### DELEGATED POWERS

#### General Delegations

1. Authority to exercise all of Council powers, functions and authorities (except where otherwise delegated to another committee in relation to all matters detailed in the Fields of Activity).
2. Authority to recommend to the Infrastructure and Works Committee the re-allocation of funding approved by the Council as part of the Long Term Council Community Plan (LTCCP)/Annual Plan Budget process for matters within the Fields of Activity provided that the re-allocation of funds does not increase the overall amount of money committed to the Fields of Activity in the LTCCP/Annual Plan.
3. Authority to develop goals and strategies, for matters within the Fields of Activity.
4. Responsibility to develop policies, and provide financial oversight, for matters within the Fields of Activity to provide assurance that funds are managed efficiently, effectively and with due regard to risk.

### **CULTURE AND COMMUNITY COMMITTEE**

#### **FIELDS OF ACTIVITY**

This is an operational committee responsible for the planning, monitoring and development of community well-being, heritage, arts (in the widest sense of that word), recreation, leisure, education and diversity within the City and the establishment and running of city-wide events, and other related cultural programmes, including responsibility for:

- Leisure, recreation, and community wellbeing collaboration, including the Wellbeing Collaboration Project;
- Library Operations;
- Youth Centre Operations
- Use and hireage (both short term and long term) of community facilities and halls;
- Social Development partnerships including, health and education;
- Community Safety and Safe Waitakere;
- Peace City activities;
- Community development (including projects such as Massey Matters, Ranui Action Plan etc);
- Waitakere Pacific Board relationship;
- Waitakere Ethnic Board relationship;
- Recommendations to Council for service level changes and new initiatives in the areas of arts and events;
- Development of briefs for art works associated with major projects throughout the City;
- Sister City cultural projects;
- Development, review and formulation of the Arts Laureates Awards;
- Creative New Zealand funding policy and any other matters relating to the Creative Communities Scheme except the allocation of grant funds;
- Oversight of management and protection of heritage within the City;
- Monitoring and approving of Statements of Intent and/or Business Plans and/or Performance Agreements for:
  - Waitakere Arts and Cultural Development Trust;
  - Titirangi Community Arts Council;
  - Waitakere Central Community Arts Council;
  - Lopdell House Gallery/Society;
  - Lopdell House Arts Development Trust;
  - Corban Estate
  - Corban Estate Development Trust.

#### **MEMBERSHIP**

Chairman appointed by the Council

Deputy Chairman appointed by the Council

11 Members appointed by the Council.

The Mayor (ex officio)

The Deputy Mayor (ex officio)

**Quorum:** 5 Members

### Delegated Powers

1. Authority to exercise all of Council powers, functions and authorities (except where otherwise delegated to another committee in relation to all matters detailed in the Fields of Activity).
2. Authority to re-allocate funding already approved by the Council as part of the Long Term Council Community Plan (LTCCP)/Annual Plan process, for matters within the Fields of Activity provided that the re-allocation of funds does not increase the overall amount of money committed to the Fields of Activity in the LTCCP/Annual Plan.
3. Authority to develop and adopt goals, strategies and policies on behalf of the Council for matters within the Fields of Activity.
4. Responsibility to develop policies, and provide financial oversight, for matters within the Fields of Activity to provide assurance that funds are managed efficiently, effectively and with due regard to risk.
5. Authority to approve funding policy in respect of the:
  - Creative Communities Scheme Allocation Subcommittee;
  - Regional Arts and Culture Funding Allocation Subcommittee.
6. In respect of events affecting 2 or more Wards in the City, authority to approve a temporary prohibition of traffic under the provision of Clause 11(e) in the Tenth Schedule to the Local Government Act 1974.
7. Authority to develop policies relating to, and to monitor Sister Cities cultural activities and other international cultural relationships.

### Education

8. Authority to monitor and approve partnering relationships, memoranda of understanding, statements of intent, business plans or performance agreements relating to community education with approved organisations, including Unitec and Te Whanau O Waipariera Trust.

### **HERITAGE FUND ALLOCATION SUBCOMMITTEE**

(A Subcommittee of the Culture and Community Committee)

#### **FIELD OF ACTIVITY**

Consideration and recommendation to the Culture and Community Committee of the allocation of funding from the City Wide Heritage Fund.

#### **MEMBERSHIP**

Chairman of the Culture and Community Committee who will Chair the Subcommittee

2 Members of the Culture and Community Committee

1 Member of the Culture and Community Committee as an alternate

The Mayor (ex officio)

The Deputy Mayor (ex officio)

**Quorum:** 2 Members

#### **DELEGATED POWERS**

Responsibility to assess all applications for funding from the Heritage Fund in accordance with the Council's eligibility criteria and to recommend funding allocations to the Culture and Community Committee.

### **PLANNING AND REGULATORY COMMITTEE**

#### **FIELDS OF ACTIVITY**

Oversight of all matters relating to the Council's planning and regulatory functions and the development of policies and strategies in relation to those functions. The matters within this committee's responsibilities include:

- Resource Management Act 1991;
- Building Act 2004 and the New Zealand Building Code;
- Bylaws;
- District Plan;
- Historic Places Act 1980;
- Maritime Planning Schemes;
- Other regulatory matters including:
  - animal and pest control;
  - dangerous goods and hazardous substance;
  - fencing of swimming pools;
  - litter;
  - liquor;
  - noise abatement;
  - public health and safety;
  - prostitution;
  - gambling.

Responsibility for all matters related to the City's environment including the environment of neighbouring districts and water bodies.

#### **MEMBERSHIP**

Chairman appointed by the Council

Deputy Chairman appointed by the Council

11 Members appointed by the Council

The Mayor (ex officio)

The Deputy Mayor (ex officio)

**Quorum:** 5 Members

#### **DELEGATED POWERS**

##### **General Delegations**

1. Authority to exercise all of Council powers, functions and authorities (except where delegation is prohibited by law or the matter is delegated to another committee) in relation to all matters detailed in the Fields of Activity.
2. Authority to re-allocate funding already approved by the Council as part of the Long Term Council Community Plan (LTCCP)/Annual Plan process, for matters within the Fields of Activity provided that the re-allocation of funds does not increase the overall amount of money committed to the Fields of Activity in the LTCCP/Annual Plan.

3. Authority to develop and adopt goals, strategies and policies on behalf of the Council for matters within the Fields of Activity.
4. Responsibility to develop policies, and provide financial oversight, for matters within the Fields of Activity to provide assurance that funds are managed efficiently, effectively and with due regard to risk.
5. Authority to award contracts, up to a limit of \$15,000,000 (GST exclusive), for any one contract relating to the Field of Activity.
6. Responsibility to monitor Long Term Council Community Plan/Annual Plan implementation within the Fields of Activity set out above.

### Bylaws

7. Authority to review bylaws and to recommend to the Council that new or amended bylaws be made except for the review of bylaws made pursuant to rules under the Land Transport Act 1998, (primarily relating to speed limits) and bylaws relating to parking which are the responsibility of the Infrastructure and Works Committee.

### Legal proceedings

8. Authority to commence, compromise and discontinue mediations, legal proceedings, prosecutions and other proceedings within the Fields of Activity.

### Fees and Charges

9. Except where otherwise provided by law, authority to fix fees and charges in relation to all matters within the Fields of Activities.

### Resource Management/Environmental issues

10. Authority to make submissions on behalf of the Council in respect of any proposals by another authority under any legislation, or any proposed statute which might affect the City's environment or the well being of its residents including such matters as adjacent local authority's district plans, any regional policy statement, the Waitemata and Manukau Harbours Maritime Planning Schemes.

### Waitakere District Licensing Agency

11. Authority to carry out all of the functions of the Council, as the Waitakere District Licensing Agency, under the Sale of Liquor Act 1989.

### **KAY ROAD BALEFILL SITE MANAGEMENT SUBCOMMITTEE**

(A Subcommittee of the Planning and Regulatory Committee)

#### **FIELDS OF ACTIVITY**

Oversight and monitoring of aftercare management of the Kay Road Bale Fill site in accordance with the Management Plan, ensuring compliance with Auckland Regional Council standards, and making recommendations to the Planning and Regulatory Committee accordingly.

#### **MEMBERSHIP**

2 Members appointed by the Council

1 Member nominated by the Waitakere Community Board

3 Members representing the Swanson Community in accordance with the Mediation Agreement

The Subcommittee will elect its own Chairman.

**Quorum:** 3 Members at least 1 of whom must be a Councillor

### **SWIMMING POOL EXEMPTION SUBCOMMITTEE**

(A Subcommittee of the Planning and Regulatory Committee)

#### **FIELDS OF ACTIVITY**

The exercise of all of the powers and functions conferred upon the Council by the Fencing of Swimming Pools Act 1987.

#### **MEMBERSHIP**

Chairman appointed by the Council

Deputy Chairman appointed by the Council

6 Members of the Planning and Regulatory Committee appointed by the Council

**Quorum:** 3 Members

#### **DELEGATED POWERS**

Authority to exercise all of the powers conferred on Members by Section 6 of the Fencing of Swimming Pools Act 1987.

### **FINANCE AND OPERATIONAL PERFORMANCE COMMITTEE**

#### **FIELDS OF ACTIVITY**

Oversight of the Council's operations, service delivery, tenders, procurement, and financial management (including asset, cash, investment and debt management).

Monitoring compliance with the Long Term Council Community Plan (LTCCP)/Annual Plan and budget implementation.

Matters within the Field of Activity include:

#### **Finance and Ownership**

- Audit and other accountability requirements;
- Business units/CCO/CCTO ownership overview including:
  - Enterprise Waitakere Trust;
  - Council business units;
  - Waitakere City Holdings Limited;
  - Waitakere Properties Limited.
- Ownership responsibilities for:
  - Auckland Regional Transport Network Limited;
  - Watercare Services Limited;
  - Any other regional investments made.
- Rating matters including rating sale proceedings;
- Taxation.

#### **Operations**

- Long Term Council Community Plan (LTCCP)/Annual Plan implementation not delegated to another committee;
- Property ownership and management.

#### **Legal and Constitutional**

- Legal matters not delegated to another committee;
- Insurance;
- Approval of affixation of Seal;
- Electoral and Representation issues preliminary to final recommendations to Council.

#### **Other issues**

- Grants Funding.

### MEMBERSHIP

Chairman appointed by the Council  
Deputy Chairman appointed by the Council  
12 Members appointed by the Council  
The Mayor (ex officio)

**Quorum:** 5 Members

### DELEGATED POWERS

#### General Delegations

1. Authority to exercise all of Council powers, functions and authorities (except where otherwise delegated to another committee) in relation to all matters detailed in the Fields of Activity.
2. Authority to re-allocate funding already approved by the Council as part of the Long Term Council Community Plan (LTCCP)/Annual Plan process, for matters within the Fields of Activity provided that the re-allocation of funds does not increase the overall amount of money committed to the Fields of Activity in the LTCCP/Annual Plan.
3. Authority to develop and adopt goals, strategies and policies on behalf of the Council for matters within the Fields of Activity.
4. Responsibility to develop policies, and provide financial oversight, for matters within the Fields of Activity to provide assurance that funds are managed efficiently, effectively and with due regard to risk.
5. Authority to award contracts, up to a limit of \$15,000,000 (GST exclusive) for any one contract relating to the Fields of Activity.
6. Responsibility to monitor Long Term Council Community Plan/Annual Plan implementation within the Fields of Activity set out above.
7. Appointment of members to the Creative Communities Scheme Allocation Subcommittee and the Community Assistance Fund Allocation Subcommittee

#### Acquisition and Sale of Land or Property

8. Except as provided in paragraphs 8 and 9 below, authority to exercise all of the Council's powers in respect of the purchase, maintenance, management, development, leasing, and disposal of land or other property.
9. The authority to purchase or sell land may only be exercised if sale or purchase of the property is specifically identified in the LTCCP/Annual Plan or the purchase price can be funded from a land acquisition fund or other budget provided in the LTCCP/Annual Plan.
10. The authority to purchase, sell or lease land does not apply to land held or administered by the Council under the Reserves Act 1977.
11. Authority to exercise all of the Council's powers under the Public Works Act 1981.

### Audit/Accountability Requirements

12. Responsibility to determine the adequacy of the form and content of the Council's published financial statements.
13. Responsibility to determine whether accounting policies adopted by the Council are appropriate.
14. Responsibility to review and confirm the quality of internal control systems, and ensuring that procedures are being properly applied.
15. Responsibility to ensure the existence of an effective internal audit function.
16. Responsibility to review the external audit.
17. Responsibility to examine issues raised by external auditors and forward issues to the Chief Executive Officer or to Council for consideration
18. Authority to consider reports on Quality Assurance matters.
19. Authority to receive and to consider statements of service performance.

### Business Units/CCOs/CCTOs/ and other Council Organisations

20. Responsibility to overview the accountability operations and performance of Council Business Units CCOs, CCTOs and other Council Organisations (for which no other committee has been given specific responsibility) including:
  - Identifying core and specialist competencies and skills, and the appropriate mix of those skills, required within the governing body of each organisation;
  - Where relevant, fixing remuneration for, dealing with, and concluding all contractual matters with members of governing bodies, including term of office;
  - Overseeing the recruitment process and determining appointments;
  - Setting key performance targets for members of governing bodies in accordance with contractual obligations and any statement of intent or performance agreement for that organisation;
  - Undertaking periodic evaluation of the performance of governing bodies of organisations against key performance targets;
  - Considering the quarterly performance reports for each organisation.

### Constitutional and Legislative

21. Authority to consider and make decisions on procedural and substantive matters relating to any boundary adjustment (internal or external adjustments, including matters relating to the Local Government Commission) or to the constitution of the City or its Wards preliminary to final recommendations to Council.
22. Authority to consider and make decisions on matters relating to elections, polls and referenda, not otherwise delegated to the Chief Executive Officer or to the Council's Electoral Officer, or reserved to Council by law.
23. Authority to make decisions on matters relating to services or activities of the Auckland Regional Council, Infrastructure Auckland, any ad hoc authority, and neighbouring territorial local authorities, not covered in the Fields of Activity of any other committee.
24. Authority to make decisions on matters in relation to Local Government New Zealand.
25. Responsibility for the provision and co-ordination of legal services to the Council.

### Financial and Asset Management

26. Responsibility to monitor performance of the Council's financial activities (including the Vehicle Testing Station, the Community Houses, Massey Leisure Centre, Sport Waitakere, Trusts Stadium and West Wave and Global Café) generally, and in relation to income, expenditure, investment and debt/borrowings management in particular, and to take appropriate action
27. Authority to exercise all of the Council's powers in respect of a Council assets and investments including Watercare Services Limited, Auckland Regional Transport Network Limited, and any other regional entity in which the Council has a shareholding but excluding any asset identifies as a strategic asset in the Council's Significance Policy. Land held or administered under the Reserves Act 1977 or land to which s138 of the Local Government Act 2002 applies.
28. Responsibility to consider and recommend to the Council the adoption of the Annual Report together with the Auditor's report.

### Funding and Rating

29. Authority to investigate, consult, evaluate, analyse and recommend policy relating to funding and rating.
30. Authority to exercise all of the Council's powers, duties, and functions under the Local Government (Rating) Act 2002, except the power to make a rate, including authority to grant rates relief under the Green Network Rates Relief Scheme.
31. Responsibility to make recommendations to the Council on the level of rates revenue required and the means by which rates should be levied.

### Grants Funding

32. Authority to consider and allocate grants funds, having regard to the recommendations from the Creative Communities Scheme Allocation Subcommittee;
33. Authority to appoint external Members to the Creative Communities Scheme Allocation Subcommittee.
34. Authority to consider and make allocations in respect of citywide applications to the Community Well-being Fund.

### **CREATIVE COMMUNITIES SCHEME ALLOCATION SUBCOMMITTEE**

(A Subcommittee of the Finance and Operational Performance Committee)

#### **FIELD OF ACTIVITY**

Consideration and recommendation to the Finance and Operational Performance Committee of the allocation of funding from the Creative Communities Scheme.

#### **MEMBERSHIP**

- 1 Member of the Finance and Operational Performance Committee appointed by the Council as Chairman of the Subcommittee. An alternate may be appointed if the appointed representative is unavailable and in that case the alternate Member shall Chair the Subcommittee
- 4 Members nominated by Community Boards (1 person nominated by each Board)
- 2 Members who are professional artists (1 person nominated annually by Lopdell House Society and 1 person nominated annually by the Waitakere Arts and Cultural Development Trust)
- 1 Member nominated by the Waitakere City business sector
- 1 Member nominated by the Titirangi Community Arts Council
- 1 Member nominated by the Waitakere Central Community Arts Council
- 2 Members nominated by Te Taumata Runanga
- 1 Member nominated by the Waitakere Pacific Board

**Quorum:** 5 Members, including at least 1 Councillor

#### **DELEGATED POWERS**

Responsibility to assess applications for funding in accordance with the Council's eligibility criteria, priorities for support and the Creative Community Scheme and to recommend funding allocations to the Finance and Operational Performance Committee for approval.

### **COMMUNITY ASSISTANCE FUND ALLOCATION SUBCOMMITTEE**

(A Subcommittee of the Finance and Operational Performance Committee)

#### **FIELD OF ACTIVITY**

Consideration and recommendation to the Finance and Operational Performance Committee of the allocation of funding from the City Wide Community Wellbeing Fund, Hall and Marae Fund, Youth Programme Fund, Accommodation Assistance Fund and Fee Waivers Fund.

#### **MEMBERSHIP**

- 1 Member of the Finance and Operational Performance Committee appointed by the Council as Chairman of the Subcommittee. An alternate may be appointed if the appointed representative is unavailable and in that case the alternate Member shall Chair the Subcommittee
- 1 Member nominated by Te Taumata Runanga
- 1 Member nominated by Waitakere Pacific Board
- 1 Member nominated by Waitakere Ethnic Board
- 2 Members nominated by invitation to represent the lead social agencies and appointed on an annual basis.
- 1 Member nominated by invitation to represent the Community  
The Social Cultural Manager  
The Community Waitakere Manager

**Quorum:** 5 Members, including at least 1 Councillor

#### **DELEGATED POWERS**

All matters not specifically delegated to any other Committee or Council Officers concerning or involving the following:

1. Assessing all applications to the City Wide Community Wellbeing Fund, Hall and Marae Fund, Youth Programme Fund, Accommodation Assistance Fund and Fee Waivers Fund and recommending allocations to the Finance and Operational Performance Committee.
2. Considering and recommending to the Finance and Operational Performance Committee, policy in respect of the allocation of funds from any of - the City Wide Community Wellbeing Fund, Hall and Marae Fund, Youth Programme Fund, Accommodation Assistance Fund and Fee Waivers Fund.

### **TENDERS SUBCOMMITTEE**

(A Subcommittee of the Finance and Operational Performance Committee)

#### **FIELD OF ACTIVITY**

Consideration and awarding of tenders and contracts for the procurement of goods and services by the Council where the contract value exceeds the delegated authority of officers, or the particular contract is referred to the subcommittee for a decision.

Oversight and approval of the Council's procurement processes and the recommendation of policies relating to procurement to the Finance and Operation Performance Committee.

#### **MEMBERSHIP**

3 Members of the Finance and Operational Performance Committee, one of whom shall be the Chairman and the other the Deputy Chairman

Chief Executive Officer

Director: City Services

Director: Corporate and Business Services

Director: Community Wellbeing

Director: Strategic Planning

Director: Public Affairs

Director: Finance

The Mayor (ex officio)

The Deputy Mayor (ex officio)

**Quorum:** 3 Members, one of whom must be a Councillor

**NOTE:** For the avoidance of doubt, the references in this delegation to "Chief Executive Officer" and "Director" extend to include any person from time to time appointed in writing to those roles in an acting capacity.

#### **DELEGATED POWERS**

1. Authority to let tenders and contracts up to a limit of \$10,000,000 (GST exclusive) for any one contract.
2. Authority to approve processes and steps precedent to the awarding of a contract, including registrations of interest, short-listing, or other non-standard procurement processes (including a process which does not involve a competitive process where the circumstances justify that action).
3. Responsibility for the development and review of procurement policies and methodologies for approval to the Finance and Operational Performance Committee.

### **EMERGENCY SERVICES COMMITTEE**

#### **FIELDS OF ACTIVITY**

Development of policies and programmes to ensure that the Council is ready to respond to civil defence and other emergency circumstances (including rural fire events) and that the Council is able to meet its obligations under the Civil Defence Emergency Management Act 2002.

#### **MEMBERSHIP**

Chairman appointed by the Council

Deputy Chairman appointed by the Council

2 Members appointed by the Council

The Mayor (ex officio)

The Deputy Mayor (ex officio)

**Quorum:** 2 Members

#### **DELEGATED POWERS**

1. Authority to exercise the functions, duties and powers of the Council under the following Acts:
  - Civil Defence Emergency Management Act 2002;
  - Forest and Rural Fires Act 1977;
  - Ss 647 and 648 of the Local Government Act 1974 (relating to fire hydrants);
  - Ss 183 and 184 of the Local Government Act 2002 (relating to the removal of fire hazards).
2. Authority to develop and adopt goals, strategies and policies on behalf of the Council for matters within the Fields of Activity.
3. Responsibility to develop policies and provide financial oversight for matters within the Fields of Activity to provide assurance that the Council's has the ability to respond appropriately in the event of an emergency and that funds are managed efficiently, effectively and with due regard to risk.
4. Authority to award contracts up to a limit of \$5,000,000 (GST exclusive) for any one contract relating to the Fields of Activity, but only during a declared civil defence emergency up to a limit of \$15,000,000 (GST exclusive).

### **PERFORMANCE REVIEW COMMITTEE**

#### **FIELD OF ACTIVITY**

Dealing with all matters relating to the employment relationship between the Council and the Chief Executive Officer and monitoring the performance of the Chief Executive Officer in relation to agreed key result areas.

#### **MEMBERSHIP**

Chairman appointed by the Council

Deputy Chairman appointed by the Council

The Mayor and Deputy Mayor (if not appointed Chairman or Deputy Chairman)

5 Members appointed by the Council

**Quorum:** 5 Members

#### **DELEGATED POWERS**

1. Authority to set, and to review the achievement of, key result areas in accordance with the Chief Executive Officer's employment contract.
2. Authority to set remuneration for the Chief Executive Officer and deal with and conclude all employment and performance related matters with the Chief Executive Officer.
3. Authority to carry out processes and steps precedent to the appointment of a new Chief Executive Officer.

### **TE TAUMATA RUNANGA**

#### **FIELDS OF ACTIVITY**

Consideration of any matter before the Council in respect of which Maori may make a contribution to decision making and fostering the capacity of Maori to contribute to the Council's decision making processes including:

- Development and recommendation to Council, of policies, strategies and programmes addressing the social, economic, cultural and environmental wellbeing of the Maori communities of Waitakere City.
- Advice to Council on policies, strategies, programmes and issues of interest or relevance to the Maori Communities of Waitakere City.
- Assisting Council to ensure that Maori values are considered in the Council's decision making;
- Assisting Council, where appropriate, to meet its obligations to the Tangata Whenua;
- Ensuring that the needs of the Maori community are considered in effective service provision;
- Enhancing effective communication between the Maori Communities of Waitakere City and the Council and its committees;
- Assisting Council to be aware of and sensitive to issues of concern to Tangata Whenua and local Maori people;
- Providing a forum which will facilitate input into the Council's decisions that have cultural significance to Maori people;

#### **MEMBERSHIP**

10 Members nominated by the following Maori communities within Waitakere City (1 member appointed by each):

Hoani Waititi Marae

Kakariki Marae

Te Atatu

Te Kawarau A Maki

Te Piringa Tahī O Te Maungarongo

Te Roopu Kaumatua O Waipareira

Te Roopu Puawai O Waitakere

Te Roopu Wahine Maori Toko I Te Ora

Te Runanga O Ngati Whatua

Te Whanau O Waipareira Trust

2 Members appointed by the Council

The Mayor (ex officio)

The Deputy Mayor (ex officio)

The Committee will elect its own Chairman.

**Quorum:** 6 Members (including at least one Elected Member of the Council)

### DELEGATED POWERS

1. Authority to develop and adopt goals, strategies, policies and programmes within this Committee's Fields of Activity, where not restricted by law or by resolution or policy of Council. Such goals, strategies, policies and programmes shall not be inconsistent with other decisions, policies and strategies of the Council.
2. Authority to re-allocate funding already approved by the Council as part of the Long Term Council Community Plan (LTCCP)/Annual Plan process, for matters within the Fields of Activity provided that the re-allocation of funds does not increase the overall amount of money committed to the Fields of Activity in the LTCCP/Annual Plan.
3. Responsibility to monitor Long Term Council Community Plan/Annual Plan implementation within the Fields of Activity.
4. Authority to make submissions to external bodies on behalf of Council in respect of matters within the Committee's Fields of Activity providing such submissions are not inconsistent with decisions of Council or the Council's strategic policy framework as set out in the Long Term Council Community Plan or in any other specific Council policy and strategy documents.
5. Authority to provide advice and recommendations to Council on matters within the Fields of Activity including:
  - (i) Projects involving effective service delivery.
  - (ii) Proposals for consultation with Maori communities before major policy decisions are made by the Council.
  - (iii) Decisions where Maori cultural values or knowledge is important.
  - (iv) The implications of proposed policy issues for the Maori community.
  - (v) Programmes and initiatives recommended for inclusion in the Long Term Council Community Plan/Annual Plan planning process.

### **LONG TERM COUNCIL COMMUNITY PLAN AND ANNUAL PLAN COMMITTEE**

#### **FIELDS OF ACTIVITY**

Oversight of the preparation of and consultation upon the Long Term Council Community Plan (including associated policies) and Annual Plan, the making of amendments to those documents following consultation and recommendation of the amended documents to the Council for adoption.

Matters within the Fields of Activity include:

- Long Term Council Community Plan;
- Annual Plan;
- All budget and work programme matters related to the Annual Plan and Long Term Council Community Plan Consultation Matters;
- Revenue and Financing Policy;
- Liability Management Policy;
- Investment Policy;
- Policy on Development Contributions or Financial Contributions;
- Policy on Partnerships with the Private Sector;
- Policy on Remission and Postponements of Rates on Maori Freehold Land;
- Rates Remission Policy;
- Rates Postponement Policy;
- Significance Policy

Noting that the responsibility and delegation for the development of community outcomes and Council's substantive strategies and policies lies with either the Policy and Strategy Committee (e.g. community outcomes), or the Finance and Operational Performance Committee (e.g. Rating) and that nothing in this delegation prevents the Policy and Strategy Committee, the Infrastructure and works Committee, the Culture and Community Committee, the Finance and Operational Performance Committee, the Planning and Regulatory Committee or Te Taumata Runanga doing anything that is preparatory or precedent to the development or amendment of the Long Term Council Community Plan or the Annual Plan or any of the other policies outlined above providing that the action taken by any of those Committee is provided for in their Fields of Activity and Delegations.

#### **MEMBERSHIP**

Chairman appointed by the Council

Deputy Chairman appointed by the Council

12 Members appointed by the Council

The Mayor (ex officio)

**Quorum:** 5 Members

Non-voting Members:

1 Member nominated by Te Taumata Runanga and each of the Community Boards.

### DELEGATED POWERS

Authority to undertake all matters (including the review of policies and other documents associated with the LTCCP and the hearing of submissions), and decision-making in relation to the preparation of the Long Term Council Community Plan/and Annual Plan except for the adoption of a draft for public consultation or the approval of the final document, as follows:

1. Authority to review and revise the Long Term Council Community Plan (LTCCP)/Annual Plan and Budget within the requirements of the Local Government Act 2002.
2. Consideration of draft Long Term Council Community Plan and Annual Plan proposals and all working papers associated therewith.
3. Recommendation of the draft Long Term Council Community Plan and Annual Plan to the Council for adoption in public consultation, in accordance with the Local Government Act 2002 and any Amendments, and determining of decisions on those submissions.
4. Hearing of submissions on the draft Long Term Council Community Plan/Annual Plan in accordance with the provisions of the Local Government Act 2002 and any Amendments and determining of decisions on those submissions.
5. Consideration and decision making on all and any material relevant to the preparation of the Council's Long Term Council Community Plan and Annual Plan.
6. Following the submission and deliberation processes, recommendation of the Long Term Council Community Plan and Annual Plan to the Council for adoption.
7. All matters, and decision-making authority in relation to the preparation of the Long Term Council Community Plan and Annual Plan except the power to adopt either the draft or final Long Term Council Community Plan and Annual Plan.
8. Development of, or amendment to, the Council's Revenue and Financing Policy, Liability Management Policy, Investment Policy, Policy on Development Contributions or Financial Contributions, Policy on Partnerships with the Private Sector, Policy on Remission and Postponements of Rates on Maori Freehold Land, Rates Remission Policy and Rates Postponement Policy in accordance with the provisions of the Local Government Act 2002 and any Amendments in conjunction with the Long Term Council Community Plan and Annual Plan process.
9. Notwithstanding the above delegations, nothing in this delegation shall prevent the City Development Committee, the Culture, Arts, Heritage and Wellbeing Committee, the Infrastructure and Works Committee, the Finance and Operational Performance Committee, the Planning and Regulatory Committee or Te Taumata Runanga doing anything that is preparatory or precedent to the development or amendment of the Long Term Council Community Plan or the Annual Plan or any of the other policies outlined above providing that the action taken by any of those Committee is provided for in their Field of Activity and Delegations.

### **COMMUNITY BOARDS**

#### **PRINCIPLES OF DELEGATIONS TO COMMUNITY BOARDS**

1. Delegated authority should focus on local matters.
2. Local decisions are best made closest to local people and by local people.
3. Where practicable committees of Council should refer matters of local significance to the respective community board(s), for comment and advice.
4. Community Boards should exercise the delegations given to them to the fullest extent.
5. When exercising delegated authority, Community Boards must operate within the constraints imposed by the Council's Long Term Council Community Plan/Annual Plan, and any relevant Council policy.

For the purposes of this delegation

"local" refers to a decision the impact of which is contained within the boundaries of the Board's area  
"city-wide" refers to any decision which relates to a matter which is not "local"

The decision whether a particular matter to be referred to the Community Board for a decision is local or citywide will be made jointly by the Director: Community Wellbeing and the Director Corporate and Business Services, who may consult with the Chairman of the relevant Community Board before making a decision.

#### **MEMBERSHIP**

- 5 Elected Community Board Members
- 2 Ward Members appointed by the Council to each Board

Each Board elects its own Chairman.

**Quorum:** 4 Members

#### **DELEGATED POWERS**

##### **GENERAL**

1. To maintain an overview of services provided by the Council within the Community Board's area.
2. To represent, and act as an advocate for, the interests of the community represented.
3. To consider and report on all matters referred to the Board by the Council, or any matter of interest or concern to the Community Board.
4. To communicate with community organisations and special interest groups within the community;
6. To undertake any other responsibilities that are delegated to it by the Council.
7. To appoint a member of the Community Board to organisations approved by the Council from time to time.
8. To make awards initiated by Community Boards.

### LONG TERM COUNCIL COMMUNITY PLAN/ANNUAL PLAN / POLICY ISSUES

9. Authority to make a submission to the Long Term Council Community Plan/Annual Plan process on activities, service levels and expenditure (including capital works priorities) within the Board's area or to make a submission in relation to any policy matter which may have an effect within the Board's area.
10. Authority to assess applications for funds from within the Board's area for assistance from the Community Wellbeing Fund and determine allocations according to the eligibility criteria and priorities for support.
11. Authority to determine expenditure of any Park Development Fund allocated to that Board by the Council.

### LOCAL PARKS AND RESERVES

12. Authority to exercise all of the Council's powers and functions in respect of local (as determined by the criteria provided in the Parks Strategy, and approved by the Policy and Strategy Committee) parks and reserves within the Board's area under the Reserves Act 1977 or the Local Government Act 2002 except the following:
  - the vesting of land as reserve;
  - the exchange of reserves;
  - the revocation of reserves;
  - the hearing of submissions under s120(1)(c) of the Reserves Act 1977 on any matter other than submissions in respect of a management plan or leasing proposal for a local parks or reserves.
  - a disposal to which section 138 of the Local Government Act 2002 applies.
  - The review and making of bylaws.

### ROADING AND TRAFFIC

13. Authority to exercise the Council's powers and functions in relation to roads within the Board's area under the following sections of the Local Government Act 1974:
  - Section 335 (vehicle crossings);
  - Section 344 ((gates and cattle stops);
  - Section 355 (overhanging trees).
14. Authority to approve the temporary use of Council car parks within the Board's area for other uses.
15. Authority to consider proposals for the imposition, variation or removal of time limited parking restrictions and parking charges, and making recommendations to the Infrastructure and Works Committee in respect of such matters.
16. Authority to exercise the Council's statutory powers (including any relevant powers conferred by bylaw) over roads within the Board's area in respect of:
  - (i) Road user behaviour at intersections;
  - (ii) Controls on stopping or overtaking
  - (iii) Controls on turning
  - (iv) Regulation of pedestrian and cyclists
  - (v) Bus stops, Taxi Stands, Cycle Stands, Motorcycle Stands, Loading Zones, Goods Vehicle Loading Zones, Clearway and Mobility Parking Areas.
  - (vi) Pedestrian Crossings.
  - (vii) Median strips.
  - (viii) Street trading

- (ix) Pedestrian safety,
  - (x) Footpath maintenance and improvements.
  - (xi) Accident investigation studies, lighting and other safety works
17. For the avoidance of doubt, nothing in this delegation authorises a Community Board to deal with a matter, in the exercise of delegated authority, in a manner which is conflict with any policy or decision of the Council or any standing committee of the Council in relation to the same matter.

### **STREET EVENTS SUBCOMMITTEE**

(A Subcommittee of each Community Board)

#### **FIELD OF ACTIVITY**

Consideration and approval of temporary road closure and the temporary prohibition of traffic on roads for events which take place entirely within the boundaries of the Board's area.

#### **MEMBERSHIP**

1 Member of the Community Board  
Transport Assets Operations Manager  
Senior Transport Engineer: Planning

**Quorum:** 2 Members (including the Community Board Member)

#### **DELEGATED POWERS**

The Council's powers and functions in respect of temporary prohibition of traffic under section 341(1)(b) and Clause 11(e) of Schedule 10 of the Local Government Act 1974.