

Petition Where Presented by Members **38.2**
Any member of the Local Authority who presents a petition on behalf of the petitioners is to confine himself/herself to reading the petition and the statement of the parties from which it comes, and the number of signatures attached to it.

Petition in English or Maori **38.3**
A petition presented to a Local Authority or any of its Committees may be in English or Maori. Prior arrangement with the Chairperson should be sought at least two working days before the meeting if the petition is not in English. The Chairperson may order that any petition be translated and/or printed in another language.

Petition Where Presented by Petitioner **38.4**
Where a petitioner presents a petition, unless the Local Authority determines otherwise, a limit of five minutes is placed on that person. If the Chairperson has reason to believe that the petitioner is disrespectful or offensive, or has made statements with malice, the Chairperson will terminate presentation of the petition.
[see Standing Orders 33.1 and 33.2 regarding qualified privilege]

39 Questions

Questions to Officers During Debate **39.1**
In the course of any debate at any Local Authority meeting, any member may, at the Chairperson's discretion, ask any question of the relevant Officer on any matter under debate. Such questions are to be directed through the chair.

Question Time at Meeting **39.2**
Any member of the Local Authority may at any ordinary meeting of the Local Authority at the appointed time, put a question to the Mayor as Chairperson of the Local Authority, or through the Mayor to the Chairperson of any standing or special Committee, or to any officer of the Local Authority concerning any matter relevant to the role or functions of the Local Authority concerning any matter that does not appear on the order paper, nor arises from any Committee report or recommendation submitted to that meeting. Standing Orders 33.1 and 33.2 (relating to qualified privilege) shall apply to the question put and any reply.

Members to Try and Obtain Information Beforehand **39.3**
Before putting a question, a member shall, in the first instance, endeavour to obtain the relevant information from the appropriate Local Authority, officer or the Chairperson of the Committee concerned. In the event of the information sought not being forthcoming, or the member not being satisfied with the answer, the member then has the right to raise the matter by way of a question at an ordinary meeting of the Local Authority, provided that the Mayor as Chairperson may refer a question to an appropriate Committee.

Questions to be in Writing **39.4**
Such questions shall be in writing and handed to the Mayor as Chairperson prior to the commencement of the meeting at which they are to be asked.

Questions May be Deferred **39.5**
If an answer to the question cannot be given at that meeting it shall, at the discretion of the Mayor as Chairperson, be placed on the order paper for the next Local Authority meeting.

42 Inspection of Financial Records

42.1

Unless otherwise directed by resolution of the Local Authority, the accounts submitted to any Local Authority meeting for approval shall be able to be inspected by any members and any members may request a copy.

43 Expenditure

Expenditure Not Provided For

43.1

No Committee or officer of the Council shall authorise the expenditure of any amount, unless provision for such expenditure is included in the Annual Plan or is resolved by Council to be met by way of transfer within the estimates.

Additional Expenditure

43.2

When it is found necessary to incur expenditure additional to that provided in the estimates as approved by Council or for which finance is not available under any loan raised by the Council, a report thereon shall be submitted to the Committee concerned and if such Committee is of the opinion that the proposed additional expenditure is warranted or necessary then it shall recommend accordingly to the Committee of Council with the relevant delegated authority.

Approval of Additional Expenditure

43.3

That Committee, after consideration of such recommendation may submit the same to Council for approval or may refer the recommendation back to the Committee submitting same for further investigations or consideration. In submitting any recommendation to Council for approval, this Committee shall state whether the amount of expenditure is to be paid out of the General Account of the Council, or out of the Committee's approved estimates, by way of a transfer, or whether it is recommended that a loan be raised to meet such expenditure.

Manager to Report on Likely Excess Expenditure

43.4

It shall be the duty of the Director: Finance to report to the relevant Committee when it appears likely that any amount authorised to be expended by the Council is likely to be exceeded.

Manager to Report Excess Expenditure

43.5

Managers of the respective corporate units of the Council shall assist the Director: Finance by advising him in writing at the earliest opportunity of any fact coming to their attention and which is likely to cause any expenditure approved by Council to be exceeded.

Quarterly Statements of Receipts and Payments

43.6

The Director: Finance shall, at least, at three monthly intervals submit to the relevant Committee a summary of receipts and expenditure of the Council. Such statement shall show the amounts in comparison to the estimate set in the Annual Plan.

Manager to Report on Investments

43.7

It shall be the duty of the Director: Finance to report to each ordinary meeting of the relevant Committee the balance of all investment Accounts, whether General or Special, and the basis of investment of such Funds, which shall be in accordance with any Council policy in that regard.

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44 Use of Common Seal

Custody of Common Seal

44.1

The Legal Services Manager shall hold the common seal of the corporation, and shall be responsible for the custody and use of same.

Affixing of Seal

44.2

The seal shall not be affixed to any document unless by resolution of the Council, however, that the seal may also be affixed:

- (a) where the document is a matter of routine (such as withdrawal of caveat, caveators consent, warrant to defend, completion certificate, memorandum of priority, consent to assignment, or bond for subdivision contribution); or
- (b) where the document has resulted from a specific decision of Council recorded by resolution, and the terms, condition and effect of the document is in accordance with that Council decision.

Who is to Attest at Fixing of Seal

44.3

The affixing of the seal on each occasion shall be attested as soon as practicable by any two of the following:

Mayor, or Deputy Mayor or Councillor;
Chief Executive, or the Acting Chief Executive in his absence;
Director: Corporate and Civic Services.

Certificate That a Document is in Order

44.4

A Certificate, that any document is in order for sealing, must be submitted by the Officer who has been involved with its preparation and that certificate will be taken as conclusive proof to that effect, so as to enable those authorised by Council to affix their signatures to the document to do so. An Officer named in Standing Order 44.3 who gives such a certificate may not then subsequently attest affixing of the common seal.

Permanent Register Book

44.5

A permanent Register Book shall be maintained by the Legal Services Manager recording all documents to which the seal shall be so affixed whether by resolution of Council or pursuant to the proviso contained in Clause 4.6.2 and a schedule detailing the particular of such documents in their consecutive order shall be submitted by the Legal Services Manager to the Ordinary meeting of the relevant Committee next occurring after such date of execution thereof.

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APPENDIX.A GROUNDS TO EXCLUDE THE PUBLIC FROM MEETINGS

A Local Authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on one or more of the following grounds:

A1 Extracts from Sections 6 and 7 Local Government Official Meetings and Information Act.

Section 6 - the public conduct of the whole or the relevant part of the proceedings of the meeting "would be likely to result in the disclosure of information where such disclosure would be likely:

- (a) To prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial; or
- (b) To endanger the safety of any person."

Section 7 - the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information where "the withholding of the information is necessary to:

- (a) Protect the privacy of natural persons, including that of deceased natural persons; or
- (b) Protect information where the making available of the information:
 - (i) Would disclose a trade secret; or
 - (ii) Would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; or
- (c) In the case only of an application for a Resource Consent, or water conservation order, or a requirement for a designation or heritage order, under the Resource Management Act 1991, to avoid serious offence to tikanga Maori, or to avoid the disclosure of the location of waahi tapu; or
- (d) Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information:
 - (i) Would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or
 - (ii) Would be likely otherwise to damage the public interest; or
- (e) Avoid prejudice to measures protecting the health or safety of members of the public; or
Maintain the effective conduct of public affairs through:
 - (ii) The protection of such members, Officers, employees, and persons from improper pressure or harassment; or
- (f) Maintain legal professional privilege; or
- (g) Enable the Local Authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or
- (i) Enable the Local Authority holding the information to cant' on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or
- (j) Prevent the disclosure or use of official information for improper gain or improper advantage."

A2 Other Grounds (Section 48 Local Government Official Meetings Act)

Section 48(1) –"the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information, the public disclosure of which would:

- (a) Be contrary to the provisions of a specified enactment; or
- (b) Constitute contempt of Court or of the House of Representatives."

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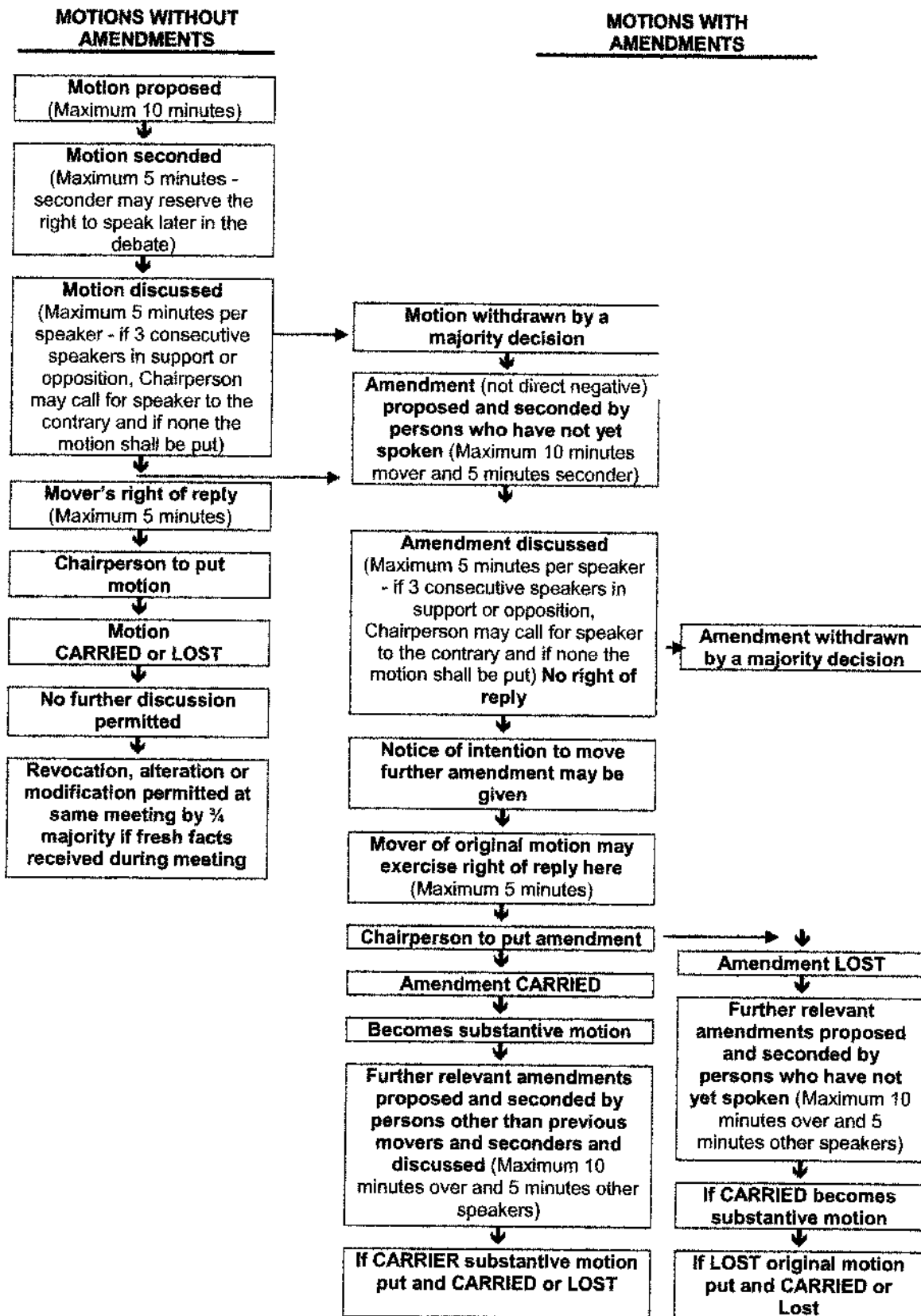
Section 48(1)(c) - "That the purpose of the whole or the relevant part of the proceedings of the meeting is to consider a recommendation made to the Local Authority by an Ombudsman under section 30(1) or section 38(3) of the Local Government Official Information and Meetings Act 1987 (in the case of a Local Authority named or specified in the First Schedule to this Act)."

Section 48(2) - "the exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation in:

- (a) Any proceedings before a Local Authority where:
 - (i) A right of appeal lies to any Court or Tribunal against the final decision of the Local Authority in those proceedings; or
 - (ii) The Local Authority is required, by any enactment, to make a recommendation in respect of the matter that is the subject of those proceedings; and
- (c) Any proceedings of a Local Authority in relation to any application or objection under the Marine Farming Act 1971.

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APPENDIX B MOTIONS AND AMENDMENTS



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Standing Orders



APPENDIX C TABLE OF PROCEDURAL MOTIONS

(See Standing Orders 30.1 to 30.12 and 31.1 to 31.6)

Motion	Has the Chair discretion to refuse this motion?	Is a second required?	Is discussion in order?	Are amendments in order?	Is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair.	Position if a procedural motion is already before the Chair.	Remarks
(a) "That the meeting be adjourned to the next ordinary meeting, or to a stated time and place."	No	Yes	No	As to time and date only.	No	No	No	Yes - 15 Minutes.	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	On resumption of debate, the mover of the adjournment speaks first. Members who have already spoken in the debate may not speak again.
(b) "That the item of business being discussed be adjourned to a stated time and place."	No	Yes	No	As to time and date only.	No	No	No	Yes - 15 Minutes.	If carried, debate on the original motion and amendment are adjourned.	If carried, debate on the original motion and procedural motion are adjourned.	
(c) "That the motion under debate be now put (closure motion)."	No	Yes	No	No	No	No	No	Yes - 15 Minutes.	If carried, only the amendment is put.	If carried, only the procedural motion is put.	The mover of the motion under debate is entitled to exercise a right of reply before the motion or amendment under debate is put.

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Standing Orders



Waikare City Council
Te Kaitiaki Take Kōwhiri

Motion	Has the Chair discretion to refuse this motion?	Is seconder required?	Is discussion in order?	Are amendments in order?	is mover of procedural motion entitled to reply?	Are previous participants in debate entitled to move this motion?	Can a speaker be interrupted by the mover of this motion?	If lost, can motion be moved after an interval?	Position if an amendment is already before the Chair.	Position if a procedural motion is already before the Chair.	Remarks
(d) "That the meeting move directly to the next business, superseding the item under discussion."	No	Yes	No	No	No	No	No	Yes - 15 Minutes.	If carried, debate on the original motion and amendment are adjourned.	if carried, debate on the original motion and procedural motion are adjourned.	
(e) "That the item of business being discussed does lie on the table and not be further discussed at this meeting."	No	Yes	No	No	No	No	No	Yes - 15 Minutes.	if carried, the original motion and amendment are both laid on the table.	Motion not in order.	
(f) "That the item of business being discussed be referred to the relevant Committee."	No	Yes	No	As to Committee, time for reporting back etc only.	No	No	No	Yes - 15 Minutes.	if carried, the original motion and all amendments are referred to the Committee.	if carried the procedural motion is deemed disposed of.	
(g) "Points of order."	No - but may rule against.	No	Yes- at discretion of Chairperson.	No	No	Yes	Yes	No	Point of order takes precedence.	Point of order takes precedence.	See Standing Orders 31.1 to 31.6.

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APPENDIX D POWERS OF THE CHAIRPERSON

This Standing Order is intended to separately set out the Chairperson's powers, which are contained in various parts of the Standing Orders.

The provisions in these Standing Orders are authoritative. The relevant Standing Orders are referred to in brackets.

D1 Chairperson to Decide All Questions

The Chairperson is to decide all questions where these Standing Orders make no provision or insufficient provision. The Chairperson's ruling is final and not open to debate.
(See Standing Order 21.1.)

D2 Chairperson to Decide Points of Order

The Chairperson is to decide any point of order and may do so immediately after it has been raised or may first hear further argument before deciding. The ruling of the Chairperson upon any point of order is not open to any discussion and is final. No point of order may be raised during a division except by permission of the Chairperson.
(See Standing Orders 31.3 and 31.6.)

D3 Minor Items Not on the Agenda May be Discussed

Minor items not on the agenda may be dealt with at that meeting if so resolved by the Local Authority and the Chairperson explains at the meeting at a time when it is open to the public the reason why the item was not listed on the agenda and the reason why discussion of the item cannot be delayed until a subsequent meeting. No resolution, decision or recommendation may be made in respect of that item except to refer it to a subsequent meeting of the Local Authority for further discussion.
(See Standing Order 25.5.)

D4 Mayor / Chairperson's Report

The Mayor / Chairperson, by report, has the right to direct the attention of the Local Authority or duly appointed Committee to any matter or subject within the role or function of the Local Authority.
(See Standing Order 25.4.)

D5 Chairperson's Voting

The Chairperson at any meeting has a deliberative vote and, in the case of equality of votes, also has a casting vote.
(See Standing Order 32.2.)

D6 Motion in Writing

The Chairperson may require the mover of any motion or amendment to submit it in writing signed by the mover.
(See Standing Order 27.4.)

D7 Motion in Parts

The Chairperson may require any motion expressed in parts to be decided part by part.
(See Standing Order 27.5.)

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D8 Notice of Motion

The Chairperson may direct the Chief Executive to refuse to accept any notice of motion which:

- (a) Is disrespectful; or
- (b) Contains offensive language or statements made with malice; or
- (c) Is not within the scope of the role or functions of the Local Authority; or
- (d) Contains an ambiguity or statement of fact or opinion which cannot properly form part of an effective resolution; and the mover has declined to comply with such requirements as the Chief Executive may have made; or
- (e) Is concerned with matters which are already the subject of reports or recommendations from a Committee to the meeting concerned.

Where a notice of motion has been considered and agreed by the Local Authority, no notice of any other motion which is, in the opinion of the Chairperson, to the same effect may be put again whilst such original motion stands.

(See Standing Orders 28.2 and 29.3.)

D9 Action on Previous Resolutions

If in the opinion of the Chairperson the practical effect of a delay in taking action on a resolution which is subject to a notice of motion, until the proposed notice of motion has been dealt with by the Local Authority, would be equivalent to revocation of the resolution, or if repetitive notices of motion are considered by the Chairperson to be an attempt by a minority to frustrate the will of the Local Authority, action may be taken as though no such notice had been given.

(See Standing Order 27.16.)

D10 Repeat notice of Motion

If in the opinion of the Chairperson, a notice of motion is substantially the same in purport and effect to any previous notice of motion which has been considered and rejected by the Local Authority, no such notice of motion may be accepted within six months of consideration of the first notice of motion unless signed by not less than one third of the members of the Local Authority, including vacancies.

(See Standing Order 29.1.)

D11 Revocation or Alteration of Previous Resolution

A Chairperson may recommend in a report to the Local Authority the revocation or alteration of all or part of any resolution previously passed, and the Local Authority meeting may act on such recommendation.

(See Standing Order 27.18.)

D12 Chairperson May Call a Meeting

The Chairperson:

- (a) May call a meeting to dispose of the business to be transacted following the lapsing of a meeting due to failure of a quorum if such business cannot be delayed until the next ordinary meeting;
- (b) May requisition a Extraordinary Meeting to be held at a specified time and place in order to conduct specified business;
- (c) Or Chief Executive may also call an Extraordinary Meeting to deal with matters that require a meeting to be held at shorter notice than can be given to enable a Extraordinary Meeting to be held.

(See Standing Orders 23.2, 14.1 and 14.3.)

D13 Irrelevant Matter and Tedious Repetition

The Chairperson's ruling preventing members when speaking to any motion or amendment from introducing irrelevant matter or indulging in needless repetition is final and not open to challenge.
(See Standing Order 26.2.)

D14 Taking Down Words

The Chairperson may order words used and objected to by any member to be recorded in the minutes, provided such objection is made at the time the words are used and not after any other members have spoken.
(See Standing Order 26.4.)

D15 Reading of Speeches

The Chairperson may permit members who request permission to do so to read their speeches.
(See Standing Order 26.5.)

D16 Explanations

The Chairperson may permit members to make a personal explanation in addition to speaking to a motion, and members who have already spoken to explain some material part of a previous speech in the same debate.
(See Standing Orders 26.12 and 26.13.)

D17 Chairperson Rising

Whenever the Chairperson rises during a debate any member then speaking or offering to speak is to be seated and members are to be silent so that the Chairperson may be heard without interruption.
(See Standing Order 21.2.)

D18 Members May Leave Places

The Chairperson may permit members to leave their place while speaking.
(See Standing Order 21.3.)

D19 Priority of Speakers

The Chairperson will determine the order in which members may speak when two or more members indicate their wish to speak.
(See Standing Order 21.4.)

D20 Minutes

The Chairperson is to sign the minutes and proceedings of every meeting once confirmed. The Chairperson and Chief Executive are responsible for confirming the correctness of the minutes of the last meeting of a Local Authority prior to the next election of members.
(See Standing Orders 35.1 and 36.2.)

D21 Questions of Speakers

The Chairperson may permit members to ask questions of speakers under public forum for the purpose of obtaining information or clarification on matters raised by the speaker.
(See Standing Order 48.4.)

D22 Withdrawal of Offensive or Malicious Expressions

- (a) The Chairperson may call upon any member to withdraw any offensive or malicious expression and may require the member to apologize for the expression.
(See Standing Order 21.10.)
- (b) Any member who refuses to withdraw the expression or apologise, if required by the Chairperson, can be directed to withdraw from the meeting for a time specified by the Chairperson.
(See Standing Order 21.11.)

D23 Chairperson's Rulings

Any member who refuses to accept a ruling of the Chairperson may be required by the Chairperson to withdraw from the meeting for a specified time.
(See Standing Orders 21.1 and 21.8.)

D24 Disorderly Behaviour

The Chairperson may:

- (a) Require any member or member of the public whose conduct is disorderly or who is creating a disturbance to withdraw immediately from the meeting for a time specified by the Chairperson. (See Standing Orders 21.12 and 34.1.)
- (b) Ask the meeting to hold in contempt any member whose conduct is grossly disorderly and where the meeting resolves to find the member in contempt, that resolution shall be recorded in the minutes.
(See Standing Orders 21.13 and 21.14.)

D25 Failure to Leave Meeting

If a member or member of the public who is required in accordance with a Chairperson's requirement to leave the meeting refuses or fails to do so, or having left the meeting attempts to re-enter without the permission of the Chairperson, any constable or employee of the Council may, at the Chairperson's request, remove or exclude the member from the meeting.
(See Standing Orders 21.15 and 34.2.)

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WAITAKERE CITY COUNCIL

COMMITTEES AND COMMUNITY BOARDS DELEGATIONS REGISTER

Adopted by Council 31 October 2007
(Minute Number: _____)

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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 is it is when the matter has become a matter of public notoriety, or the issues are contentious and finely balanced.

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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)).

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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 listed in a separate Register. Staff 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 to 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).

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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. The role of the Te Taumata Runanga as a key advisory committee of the Council representing Iwi and the wider Maori community of Waitakere City should be continued.

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.

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POLICY AND STRATEGY COMMITTEE

FIELDS OF ACTIVITY

The development of Council policies and strategies for the social, economic, cultural and environmental well-being 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.

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- (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 (CCTO's) (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 and review any Council bylaws relating to matters within the Fields of Activity and to recommend any amendments to those bylaws.

A72

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 hear and to make decisions on matters where there are objections or submissions made in accordance with the Reserves Act 1977, 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.
11. Authority to determine names for, or to change the name of citywide parks and reserves owned or administered by the Council.
12. Authority to determine, in accordance with the Parks Strategy, whether a park or reserve has citywide significance and is therefore not a 'local' park or reserve, and to exercise all of the Council's powers and functions under the Reserves Act 1977 in respect of citywide parks and reserves.
13. 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.

A73

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 exists 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 appointed 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.

A74

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;
- Cemetery Capital Works;
- Aftercare Capital Works;
- Three-Waters Infrastructure Capital Works;
- Accident Investigation Studies;
- Capital infrastructure development for bridges, roads and footpaths including cycleways and bus lanes;
- Property renewals, upgrades and developments;
- Parks maintenance and renewals;
- Citywide Parks development and management plans;
- Refuse and recycling disposal and recycled materials;
- 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.

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.

A75

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.
5. Authority to exercise the functions, powers and duties of the Council under the Reserves Act 1977 or any other statute, regulation or bylaw relating to the management and control, maintenance and operation of parks and reserves, except as specifically delegated to Community Boards.

A76

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 Arts Estate 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 Representative from the Auckland Regional Council
- 1 Representative from Auckland Regional Transport Authority
- 1 Representative from AMP Capital Investments Limited
- 1 Representative from the Westfield Limited
- 1 Representative from ONTRACK
- 1 Representative from the New Lynn Business Association
- 1 Representative 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.

A77

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.

A78

CULTURE AND COMMUNITY COMMITTEE

FIELDS OF ACTIVITY

Planning and monitoring for the development of community heritage, arts (in the widest sense of that word), recreation and leisure 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;
- Use and hireage (both short term and long term) of community facilities and halls;
- Arts, events, culture and community wellbeing;
- Social Development partnerships including, health and education;
- Community Safety and Safe Waitakere;
- Community development;
- 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;
- 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.

A79

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 Statements of Intent and/or Business Plans and/or Performance Agreements for the Waitakere Education Sector Trust.

A80

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

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 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.

A81

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 amendments to the bylaws.
8. Authority to initiate, consider and develop new bylaws for recommendation to Council.

Legal proceedings

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

Fees and Charges

10. 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

11. 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

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

A82

KAY ROAD BALEFILL SITE MANAGEMENT COMMITTEE

(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 appointed 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

A83

SWIMMING POOL EXEMPTION SUBCOMMITTEE

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

4 Members appointed by the Council

Quorum: 2 Members

DELEGATED POWERS

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

A84

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

- Cemetery and Crematorium;
- Infrastructure service provision;
- Long Term Council Community Plan (LTCCP)/Annual Plan implementation not delegated to another committee;
- Quarry;
- Roading and transport operations;
- Solid waste operations;
- Water, wastewater and storm-water operations (including public drainage and watercourses);
- Library Operations;
- Parks Operations;
- 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.

A85

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.

Acquisition and Sale of Land or Property

7. 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.
8. 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.
9. The authority to purchase, sell or lease land does not apply to land held or administered by the Council under the Reserves Act 1977.
10. Authority to exercise the Council's powers under the Public Works Act 1981.

Audit/Accountability Requirements

11. Responsibility to determine the adequacy of the form and content of the Council's published financial statements.
12. Responsibility to determine whether accounting policies adopted by the Council are appropriate.

A86

13. Responsibility to review and confirm the quality of internal control systems, and ensuring that procedures are being properly applied.
14. Responsibility to ensure the existence of an effective internal audit function.
15. Responsibility to review the external audit.
16. Responsibility to examine issues raised by external auditors and forward issues to the Chief Executive Officer or to Council for consideration
17. Authority to consider reports on Quality Assurance matters.
18. Authority to receive and to consider statements of service performance.

Business Units/CCOs/CCTOs/ and other Council Organisations

19. 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

20. 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.
21. 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.
22. 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.
23. Authority to make decisions on matters in relation to Local Government New Zealand.
24. Responsibility for the provision and co-ordination of legal services to the Council.

Financial and Asset Management

25. Responsibility to monitor performance of the Council's financial activities, including income, expenditure, investment and debt/borrowings management and to take action in accordance with the above.

A87

26. 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.
27. Responsibility to consider and recommend to the Council the adoption of the Annual Report together with the Auditor's report.

Funding and Rating

28. Authority to investigate, consult, evaluate, analyse and recommend policy relating to funding and rating.
29. 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.
30. 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

31. Authority to consider and allocate grants funds, having regard to the recommendations from the:
 - Community Sport Fund Allocation Subcommittee;
 - Creative Communities Scheme Allocation Subcommittee;
 - Regional Arts and Culture Funding Allocation Subcommittee.
32. Authority to consider and make allocations in respect of citywide applications to the Community Well-being Fund.
33. Authority to appoint external Members to the:
 - a) Community Sport Fund Allocation Subcommittee.
 - b) Creative Communities Scheme Allocation Subcommittee.
 - c) Regional Arts and Culture Funding Allocation Subcommittee.

Public Drainage and Watercourses

34. 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).
35. 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.
36. 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).
37. Authority to hear and determine objections to the construction, by Council, of a private drain (Section 460, Local Government Act 1974).
38. Authority to make declarations of private drains to be public drains (Section 462 Local Government Act 1974).
39. 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

40. 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

41. 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

42. Authority to exercise the functions, duties and powers of the Council under Part 21 of the Local Government Act 1974 (Roads, Service Lands and Access ways).
43. Authority to approve policy guidelines for the initial naming of roads, and for the alteration of the name of any road, within the City.
44. 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).
45. 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 NZ Act 1989.
46. Power to resolve that land held as a road reserve be dedicated as road (Section 111 Reserves Act 1977).
47. Authority to hear and determine objections to the fixing of road levels (Schedule 13 Local Government Act 1974).

Cemetery

48. 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 Waikumete Cemetery or the burial or cremation of the dead.

A89

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 representing 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 Pacific Island Advisory 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.

A90