



# Terms of Reference and Delegations

For the 2022-25 triennium  
Adopted by the Wellington City Council  
16 November 2022

Absolutely Positively  
**Wellington City Council**  
Me Heke Ki Pōneke

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## Record of Amendments

Version	Date	Resolution	Summary of Amendments
2	29/03/2023		Updated to include Environment and Infrastructure Hearings Panel, and Tawa Community Board Grants Committee.

# Introduction

## *General*

1. This document sets out the terms of reference and delegations for the Wellington City Council, and its committees and subcommittees. It also sets out the responsibilities of and delegations to particular roles, including the mayor, deputy mayor, chief executive, committee and subcommittee chairs and deputy chairs.
2. The Council's functions are wide-ranging, and it has powers and functions under many statutes and regulations. It would be impossible for the full Council to deal with everything itself. Delegation to committees, subcommittees, individual elected members, and officers is necessary for the Council to be efficient, effective, and appropriate for achieving its objectives of service delivery.
3. These terms of reference will ensure the Council that its powers and functions are exercised at an efficient, effective and appropriate level.
4. A delegate is not obliged to exercise a power or delegated function. If a delegate considers that the circumstances support a power or function's referral back to a delegee then explicit provision is made for this.

## *Committees*

5. Committee includes, in relation to Council:
  - a. A committee comprising all or some of the members of Council;
  - b. A standing committee or special committee appointed by Council or the Mayor;
  - c. A joint committee appointed under cl 30A of sch 7 of the LGA 2002; and
  - d. Any subcommittee of a committee described in (a), (b) and (c).
6. The terms of reference and delegations to committees and subcommittees are set out in full in this document. In respect of committees and subcommittees:
  - a. The committees have no decision-making powers other than those set out in these terms of reference.
  - b. Any committee may request expert advice through the Chief Executive where necessary.
  - c. The committees may make recommendations to their governing committee or Council, or chief executive as appropriate.

### ***Mana whenua***

7. The Council has statutory obligations to iwi and Māori, by virtue of the Treaty of Waitangi, in particular in relation to the Resource Management Act 1991 and Local Government Act 2002.
8. The Council is committed to improving and facilitating participation by Māori in its decision-making processes. Further, te ao Māori is a relevant consideration in many of the decisions that Council makes. Local iwi (Ngāti Toa Rangatira, Taranaki Whānui ki Te Upoko o Te Ika and Te Runanganui o Te Āti Awa, “Tā kai Here partners”) are important partners in this respect and provide vital input into Council committees’ decision-making. This is reflected in the Council’s adoption of the “Mana Whenua Representation” paper on 28 April 2021 and the signing of our Tā kai Here partnership agreement on 29 April 2022. This has seen the Council agree to appoint non-elected representatives from mana whenua to all Council committees and subcommittees (except the Unaunahi Ngaio | Chief Executive Performance Review Committee, Community Boards, the Appointment Group, and the District Licencing Committee).
9. The Tā kai Here representatives appointed to these committees will contribute an additional te ao Māori perspective to decision making.
10. The appointment process is undertaken under cl 31(3) sch 7 of the Local Government Act 2002. This enables the Council to appoint un-elected committee members who are considered to have relevant skills, attributes or knowledge that will assist the committee’s work. The Council will consider and approve the recommended appointees of our Tā kai Here partners under this statutory power.
11. Appointed Tā kai Here representatives are full members of the decision-making bodies to which they are appointed and have full rights as members under standing orders to participate in debate and vote on items.

### ***Ambiguity and Conflict***

12. In the event of ambiguity or conflict between any of the provisions contained in these terms of reference, Democracy Services can provide advice. If the ambiguity or conflict results in uncertainty or dispute as to which chairperson, committee or subcommittee has the delegation to act in respect of a particular matter, then the mayor will decide in consultation with the deputy mayor and having received advice from the chief executive. The decision of the mayor will be final and binding.
13. In resolving ambiguity or conflict in the allocation of matters to committees, the committee with the primary outcome of the decision in its area of focus should be the committee that considers the matter.

### ***Health and Safety***

14. In regard to health and safety, all members of the Council are required to discharge their responsibilities of due diligence under the Health and Safety at Work Act 2015. Staff will provide regular reports to the governing body, through the Unaunahi Māhirahira | Audit and Risk Committee, to enable members to discharge their duties.

## Te Kaunihera o Pōneke | Council

Chair	Mayor Tory Whanau
Deputy Chair	Deputy Mayor Laurie Foon
Members	All councillors Tākai Here representatives can attend and speak, but not vote, at these meetings
Quorum	8
Frequency of meeting	Six-weekly, or as required

### Decision-making powers

1. The following powers are unable to be delegated<sup>1</sup>:
  - a. The power to make a rate.
  - b. The power to make a bylaw.
  - c. The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.
  - d. The power to adopt a long-term plan, annual plan, or annual report.
  - e. The power to appoint a chief executive.
  - f. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement.
  - g. The power to adopt a remuneration and employment policy.
  - h. The power to approve or amend the Code of Conduct for elected members.
  - i. The power to approve or amend the Council's Standing Orders.
  - j. The power to establish a joint committee with another local authority or other public body.
  - k. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council does not accept the recommendation.
  - l. The powers contained in section 15(1) of the Wellington Town Belt Act 2016.
2. The Council has also decided to retain, and not delegate, the following powers:
  - a. Oversee, develop and approve the Council's relationship with Māori, including iwi appointments to, or removal from committees.
  - b. The power to appoint and discharge members of committees (when not appointed by the mayor).
  - c. To approve Council's recommendation to the Remuneration Authority for the remuneration of elected members.

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<sup>1</sup> For powers a-g see clause 32(1) Schedule 7 Local Government Act 2002. For powers g-j see clauses 15, 27, 30, and 30A Schedule 7 Local Government Act 2002. For power k see section 32(1) Local Government Official Information and Meetings Act 1987.

- d. To approve the Triennial Agreement under the Local Government Act 2002.
- e. To approve the Local Governance Statement.
- f. To determine whether or how to fill any extraordinary Council vacancies.
- g. Review, develop policy and practices and make decisions in respect of governance (including representation reviews).
- h. To promote any legislation or promote significant amendments to legislation (e.g. a Local Bill).
- i. To exercise any authority which it has delegated to a committee, subcommittee or officer, which is referred to it for decision.
- j. To oversee and approve the Council's strategy and policy work programme.

# Committees

## General decision-making powers

Committees with a membership including the mayor and all members of Council are delegated, within their area of focus, the power to:

1. Perform their responsibilities, within the approved long-term plan and annual plan budgets.
2. Develop, approve, monitor, and review strategy and policy.
3. Recommend service level changes and new initiatives to the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee as part of the long-term plan and annual plan processes.
4. Review and approve business cases and approve key decisions for significant projects that are budgeted and funded within the long-term plan or annual plan.
5. Monitor and provide oversight for significant projects.
6. Approve any consultation processes where committee approval is required, the committee has directed officers to seek approval, or the chief executive considers it appropriate to seek committee approval.
7. Approve regionally significant naming decisions, in accordance with Te Māpihi Maurea Naming Policy.
8. Approve submissions to external bodies/organisations on legislative and regulatory proposals except:
  - a. If there is insufficient time for the matter to be determined by the committee before the submission 'close date', in which case the submission can be agreed by the relevant committee chair, deputy chair, mayor and chief executive (and all councillors must be advised of the submission and provided copies if requested).
  - b. If the submission is of a technical and operational nature, in which case the submission can be approved by the chief executive (in consultation with the relevant committee chair and deputy chair prior to lodging the submission).
  - c. During the formal pre-election period, in which case submissions are approved by the chief executive.
9. Develop and approve the statement of proposal for new or amended bylaws for consultation.
10. Recommend to Council new or amended bylaws for adoption.
11. Review asset management plans.
12. Establish any subcommittee and approve its terms of reference.
13. Consider and make decisions usually within the chief executive's delegations that the chief executive has referred to the committee for decision making.
14. Perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.
15. Discuss and approve a forward agenda for the committee.



## Kōrau Mātinitini | Social, Cultural, and Economic Committee

Chair	Councillor Teri O’Neill
Deputy Chair	Councillor Nureddin Abdurahman
Members	Mayor and all councillors Pouiwi Holden Hohaia, Tākai Here representative Pouiwi Liz Kelly, Tākai Here representative
Quorum	9
Frequency of meeting	Six-weekly

### Area of focus

The Kōrau Mātinitini | Social, Cultural, and Economic Committee has responsibility for:

1. Māori strategic outcomes.
2. Arts, culture, and community services.
3. Wellington City social housing.
4. Council’s city events.
5. Parking services.
6. Parks, sport and recreation.
7. Community resilience.
8. Economic development.

### Decision-making powers

The Kōrau Mātinitini | Social, Cultural, and Economic Committee has the power to:

1. Exercise the ‘general decision-making powers’ contained in this Terms of Reference and Delegations, within its area of focus.
2. Receive reports and workplans from the Council’s advisory groups.
3. Review as necessary and approve the model and terms of reference for Council advisory groups.

### Grants

4. Approve the criteria and focus areas for grants funds referred for decision by the Pītau Pūmanawa | Grants Subcommittee.
5. Approve any grants referred or recommended for decision by the Pītau Pūmanawa | Grants Subcommittee.
6. Approve the allocation of grants from the City Growth Fund for any grant over \$300,000 per annum.

***Open Space and Reserves***

7. For reserves, the power to approve Council strategy, policy and reserve management plans.
8. For all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977:
  - a. Adopt management plans and amendments to management plans.
  - b. Recommend to Council anything that would change the ownership of such land.
9. For all land that is subject to the Wellington Town Belt Act 2016:
  - a. Recommend to Council whether it should exercise its non-delegable powers under section 15(1)((a-d) of that Act.

# Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee

Chair	Councillor Rebecca Matthews
Deputy Chair	Councillor John Apanowicz
Members	Mayor and all councillors Pouiwi Holden Hohaia, Tākai Here representative Pouiwi Liz Kelly, Tākai Here representative
Quorum	9
Frequency of meeting	Six-weekly

## Area of focus

The Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee has responsibility for:

1. Long-term planning and annual planning.
2. Financial and non-financial performance oversight in relation to the long-term plan and annual plan.
3. Financial oversight.
4. Procurement policy.
5. Non-strategic asset investment and divestment as provided for through the long-term plan (recommending to Council where matters are not provided for in the long-term plan).
6. Council-controlled Organisation oversight and performance.
7. Council-controlled Organisation director review and appointments.
8. WellingtonNZ oversight and performance.
9. Approve asset management plans.

## Decision-making powers

The Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee has the power to:

1. Exercise the 'general decision-making powers' contained in this Terms of Reference and Delegations, within its area of focus.
2. Approve the attendance and associated costs of elected members at conferences, seminars, training, or events when representing the Council overseas as part of delegations or invitations.

## *Long-term plan and annual plans*

3. Develop the Council's draft and final long-term plan, annual plan and any amendment to the long-term plan, for recommendation to Council.
4. Develop the policies required to be part of, or included in, the long-term plan and the funding and financial policies in section 102 of the Local Government Act 2002.
5. Review the Revenue and Financing Policy and be guided by the requirements of the Local Government Act 2002 to set funding sources for each activity component from the most appropriate source.

6. Recommend to Council the appropriate level for the commercial/residential rates differential and any changes to rating resulting from rates reviews.
7. Recommend to Council how capital funding should be reflected in Council policy (including development contributions).
8. Undertake any review of performance against current revenue and financing policy targets and recommend changes as appropriate.
9. Review and recommend to Council any changes to the Council's financial policies as required under the Local Government Act 2002 (section 102).
10. Make recommendations on other factors that may impact on the Council's rate funding or Revenue and Financing Policy.
11. Review the performance measurement framework as part of the long-term plan process, and recommend any amendments to the performance measurement framework.

***Significant projects and monitoring & reporting***

12. Receive and consider quarterly reports on the Council's performance against the long-term plan and annual plan. This includes Council's Performance Framework that is made up of Council Key Performance Indicators and City Outcome Indicators.
13. Review business cases and approve next steps on significant projects not otherwise within another committee's area of focus.
14. Monitor and maintain oversight of financial aspects of significant projects.
15. Review and recommend to Council the adoption of the annual report.

***Financial***

16. Approve budget overspends (above the tolerance levels in the chief executive's delegations) and any reprogramming of capital expenditure for a project or programme provided that:
  - a. The overall budget for the Activity Group is met from savings and efficiencies within the Activity Group.
  - b. The overall budget for capital expenditure is not exceeded.
17. Where this is not the case the committee must either;
  - a. Recommend to Council that additional funding is approved (outside the long-term plan or annual plan process), or,
  - b. Consider including the budget overspend or reprogramming of capital expenditure in the next long-term plan or annual plan.

### ***Council-controlled Organisations (CCOs)***

18. Ascertain and outline the Council's key priorities for each CCO to address in their Statement of Intent in an annual Letter of Expectation, and issue the Letter of Expectation.
19. Receive, review, and provide feedback on draft Statements of Intent.
20. Monitor the performance, including financial, and the delivery of strategic outcomes of Council's CCO's through Quarterly and Annual Reports of CCO performance.
21. Require CCO attendance at the committee meetings to present their reports and respond to any questions from members of the committee.
22. Monitor board performance, including the performance of board members appointed by Council or committee, raising any concerns with the Chair of the CCO.
23. Constructively engage with CCOs during the development of any Council strategy and policy or relevant submission by Council to an external entity (where relevant).
24. Engage with CCOs and provide the members of the committee, the Board, and Chief Executive the opportunity to discuss issues that have the potential to impact a CCOs funding, strategic outlook or risk management framework.
25. Receive reports and updates from certain Council Organisations (COs), noting that while the Wellington Regional Stadium Trust (WRST) is a CO, clauses 18 to 24 apply to that entity.
26. Receive reports and updates from Wellington International Airport Limited on a quarterly and annual basis.
27. Undertake any reviews of CCOs and approve changes to CCO governance arrangements and consider any issues regarding CCOs.
28. To appoint or remove trustees, directors or office holders to Council's CCOs and COs, and external members to other external bodies.
29. In respect of Wellington Water Limited, this committee performs delegations 18 to 20 only.
30. In respect of Wellington Regional Economic Development Agency (WREDA), this committee performs delegations 18 and 19 only.
31. For the avoidance of doubt, council organisations (excluding WRST) are not within the remit of this committee.

# Kōrau Tūāpapa | Environment and Infrastructure Committee

Chair	Councillor Tamatha Paul
Deputy Chair	Councillor Tim Brown
Members	Mayor and all councillors Pouiwi Holden Hohaia, Tākai Here representative Pouiwi Liz Kelly, Tākai Here representative
Quorum	9
Frequency of meeting	Six-weekly

## Area of Focus

The Kōrau Tūāpapa | Environment and Infrastructure Committee has responsibility for:

1. RMA matters, including urban planning, city design, built environment, natural environment, biodiversity, heritage, and the District Plan.
2. Housing.
3. Climate change response and resilience.
4. Council property.
5. Waste management & minimisation.
6. Transport including Let's Get Wellington Moving.
7. Council infrastructure and infrastructure strategy.
8. Capital works programme delivery, including CCOs' and Wellington Water Limited's capital works programmes.
9. Three waters.

## Decision-making powers

The Kōrau Tūāpapa | Environment and Infrastructure Committee has the power to:

1. Exercise the 'general decision-making powers' contained in this Terms of Reference and Delegations, within its area of focus.
2. Make resolutions under the Solid Waste Management and Minimisation Bylaw 2020 to support the implementation of that Bylaw.
3. For development proposals under the Waterfront Framework:
  - a. Conduct public engagement/consultation processes as required on design.
  - b. Develop and approve performance briefs for individual areas or sections of work.
  - c. Approve detailed designs for recommendation to Council.
  - d. Consider the commercial terms of any proposal for recommendation to Council.
  - e. Monitor implementation including approval of variations from approved designs.
4. To approve the final design and commercial terms for development proposals under the Waterfront Project as required by the Waterfront Framework.

5. Exercise any non-financial statutory power necessary to progress Let's Get Wellington Moving business cases.
6. Progress speed management plans under the Land Transport Rule: Setting Speed Limits 2022.

***District Plan and Resource Management Act***

7. Review and approve for notification a proposed district plan, a proposed change to the District Plan, or a variation to a proposed plan or proposed plan change (excluding any plan change notified under clause 25(2)(a), Schedule 1 of the Resource Management Act 1991).
8. Withdraw a proposed plan or plan change under clause 8D, Schedule 1 of the Resource Management Act 1991.
9. Make the following decisions to facilitate the administration of proposed plan, plan changes, variations, designation and heritage order processes:
  - a. To authorise the resolution of appeals on a proposed plan, plan change or variation unless the issue is minor and approved by the chair of the Kōrau Tūāpapa | Environment and Infrastructure Committee.
  - b. To consider whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by Council and authorise the resolution of any such appeal.
  - c. To consider and approve council submissions on a proposed plan, plan changes, and variations.
  - d. To manage the private plan change process.
  - e. To accept, adopt or reject private plan change applications under clause 25 Schedule 1 of the Resource Management Act 1991.
  - f. To approve the hearings panel's recommendation on a proposed plan, plan change, or variation (including the District Plan review, or a private plan change) under clause 17 of Schedule 1 of the Resource Management Act 1991.
10. Establish an independent hearings panel to conduct the hearings and make recommendations on the intensification planning instrument and the District Plan review, which will come back to this committee for final approval.
11. Appoint the hearing commissioners and chair of the independent hearings panel.
12. Delegate the necessary functions to the independent hearings panel under clause 96(4) of part 6 of schedule 1 of the Resource Management Act 1991.

## Unaunahi Māhirahira | Audit and Risk Committee

Chair	Mr Bruce Robertson
Deputy Chair	Councillor Tony Randle
Members	Mayor Tory Whanau Councillor John Apanowicz Councillor Ray Chung Councillor Iona Pannett Pouiwi Liz Kelly, Tākai Here representative Ms Wendy Venter
Quorum	4
Frequency of meeting	Quarterly

### Area of focus

The Unaunahi Māhirahira | Audit and Risk Committee has responsibility for:

1. Overseeing the work of the Council in discharging its responsibilities in the areas of risk management, statutory reporting, internal and external audit and assurance, and monitoring of compliance with laws and regulations, including health and safety.

### Decision-making powers

The Unaunahi Māhirahira | Audit and Risk Committee has the power to:

### Statutory reporting

1. Review and monitor the integrity of the annual report including statutory financial statements and any other formal announcements relating to the council's financial performance, focussing in particular on:
  - a. Compliance with, and the appropriate application of, relevant accounting policies, best practices and accounting standards.
  - b. Compliance with applicable legal requirements relevant to statutory reporting.
  - c. The consistency of application of accounting policies across reporting periods and the Wellington City Council group.
  - d. Agreeing accounting policies and practices including any changes that may affect the way that accounts are presented.
  - e. Any decisions involving significant judgement, estimation or uncertainty.
  - f. The extent to which financial statements are affected by any unusual transactions and the manner in which they are disclosed.
  - g. The disclosure of contingent liabilities and contingent assets.
  - h. The clarity of disclosures generally.
  - i. The basis for the adoption of the going concern assumption.
  - j. Significant adjustments resulting from the audit.
2. Seek from external auditors any information that affects the quality and clarity of the Council's financial statements and statements of service performance, and assess whether appropriate action has been taken by management in response.



3. Confirm that the financial statements and statements of service performance are supported by appropriate management sign-off on the statements and on the adequacy of the systems of internal control (i.e. letters of representation), and recommend signing of the financial statements by the Chief Executive/Mayor and adoption of the Annual Report.
4. Confirm that processes are in place to ensure that financial information included in the entity's Annual Report is consistent with the signed financial statements.

#### ***Risk management***

5. Review, approve and monitor the implementation of the risk management programme of work, the risk management framework including Council's strategic risks and those risks pertaining to CCOs that are significant to the Wellington City Council group, and providing guidance and approval of Council's appetite for risk.
6. Oversight of the systems in place to manage legislative compliance including: health and safety, fraud and integrity risk, significant projects and programmes of work, and significant procurement activity.

#### ***Internal audit***

7. Review and monitor whether management's approach to maintaining an effective internal control framework is sound and effective, and in particular:
  - a. Review and approve the internal audit coverage and annual work plans, ensuring these plans are aligned with the Council's risk profile.
  - b. Review the adequacy of management's implementation of internal audit recommendations.
  - c. Review the internal audit charter to ensure appropriate organisational structures, authority, access, independence, resourcing and reporting arrangements are in place.
  - d. Review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour.
  - e. Review whether management has in place relevant policies and procedures and how these are reviewed and monitored.
  - f. Review whether there are appropriate systems, processes and controls in place to prevent, detect and effectively investigate fraud.
8. Conduct a members only session (i.e. without any management present) with internal audit to discuss any matters that the auditors wish to bring.

### ***External audit***

9. At the start of each audit, confirm the terms of the engagement, including the nature and scope of the audit, timetable and fees, with the external auditor.
10. Receive the external audit report(s) and review action to be taken by management on significant issues and audit recommendations raised within.
11. Conduct a members only session (i.e. without any management present) with external audit to discuss any matters that the auditors wish to bring.

### ***Council-controlled Organisations***

12. The Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee when dealing with CCO matters may refer matters to the Unaunahi Māhirahira | Audit and Risk Committee for review and advice.
13. This committee will enquire to ensure adequate processes at a governance level exist to identify and manage risks within a CCO. Where an identified risk may impact on Wellington City Council or the wider group, the committee will ensure that all affected entities are aware of and appropriately managing the relevant risk.

### ***Health and safety***

14. Oversee the systems in place to manage compliance with regard to health and safety.
15. Refer any health and safety reports to Te Kaunihera o Pōneke | Council.

# Unaunahi Ngaio | Chief Executive Performance Review Committee

Chair	Mayor Tory Whanau
Deputy Chair	Deputy Mayor Foon
Members	The chair of the Kōrau Tōtōpū   Long-term Plan, Finance, and Performance Committee The chair of the Kōrau Tūāpapa   Environment and Infrastructure Committee The chair of the Kōrau Mātinitini   Social, Cultural, and Economic Committee
Quorum	3
Frequency of meeting	As required

## Area of focus

The Unaunahi Ngaio | Chief Executive Performance Review Committee has responsibility for:

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

## Decision-making powers

The Unaunahi Ngaio | Chief Executive Performance Review Committee has the power to:

1. Agree the annual performance objectives with the Chief Executive.
2. Undertake a 6 monthly review to review progress against the annual performance objectives, provide feedback, ongoing monitoring and agree to any modifications to the annual performance objectives with the Chief Executive.
3. Conduct the performance review required in the employment agreement between the Council and the Chief Executive.
4. Undertake the annual remuneration review and make decisions regarding remuneration.
5. Represent the Council in regard to any issues which may arise in respect to the Chief Executive’s job description, agreement, performance objectives or other similar matters.
6. Conduct and complete a review of employment under clause 35 schedule 7 of the Local Government Act 2002, and make a recommendation to Council as to continued appointment or vacancy under clause 34 schedule 7 of the Local Government Act 2002.
7. Undertake any recruitment and selection process for a Chief Executive (noting that a decision on appointment must by law be made by the Council).
8. The Chair and Deputy Chair have the authority to twice annually request a report of the Chief Executive’s “sensitive expenditure”.

## Koata Hātepe | Regulatory Processes Committee

Chair	Councillor Sarah Free
Deputy Chair	Councillor Ben McNulty
Members	Mayor Tory Whanau Councillor Nureddin Abdurahman Councillor Diane Calvert Councillor Tamatha Paul Pouiwi Holden Hohaia, Tākai Here representative Pouiwi Liz Kelly, Tākai Here representative
Quorum	4
Frequency of meeting	Six-weekly

### Area of focus

The Koata Hātepe | Regulatory Processes Committee has responsibility for:

1. Naming places in accordance with the naming policy, except for regionally significant decisions.
2. Development contribution remissions.
3. Leases, licences, and easements.
4. Objections to classifications under the Dog Control Act 1996.
5. Suburb boundaries.
6. Traffic resolutions.
7. Temporary road closures.
8. Road stopping.
9. Approving the list of Resource Management Act commissioners and the associated appointment guidelines.

### Decision-making powers

The Koata Hātepe | Regulatory Processes Committee has the power to:

1. Name roads under section 319A of the Local Government Act 1974, in accordance with Te Māpihi Maurea Naming Policy.
2. Make decisions on applications required under the Development Contribution Policy for remissions, postponements, reconsiderations and objections.
3. Exercise the powers contained in section 15(2) of the Wellington Town Belt Act 2016 for all land subject to that Act.
4. Approve leases, subleases, and easements for all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977.
5. Make all decisions requiring Council or committee approval under the 'Leases Policy for Community and Recreation Groups'.
6. Recommend to the chief executive the appointment of Commissioners to the District Licensing Committee under section 193 of the Sale and Supply of Alcohol Act 2012.

7. Establish dog areas, such as those described in the Wellington Consolidated Bylaw 2008 (clause 5 of Part 2: Animals).
8. Consider objections to classifications under the Dog Control Act 1996.
9. Amend suburb boundaries and hear any objections to suburb boundary change proposals.
10. Make traffic resolutions under the Traffic and Parking Bylaw 2021.
11. Temporarily close roads for events under clause 11(e), Schedule 10 of the Local Government Act 1974 and the Transport (Vehicular Traffic Road Closure) Regulations 1965.
12. Set speed limits in accordance with a plan, or under the alternative process under the Land Transport Rule: Setting Speed Limits 2022.

***Open space and reserves***

13. For all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977:
  - a. Approve a Permanent Forest Sink Initiative covenant to be added or removed.
  - b. Make any decision under a management plan which provides that it may not be made by a Council officer (for example, approve a concession).
  - c. Make decisions that would change the legal status of such land, including under the Reserves Act 1977 to classify a reserve, declare land to be a reserve and revoke the reservation of land.
14. For all land that is subject to the Wellington Town Belt Act 2016:
  - a. Recommend to Council whether it should exercise its non-delegable powers under section 15(1)(e) of that Act.
  - b. Exercise the powers contained in section 15(2) of that Act.
15. Approve leases, subleases, and easements for all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977.
16. Make all decisions requiring Council or committee approval under the 'Leases Policy for Community and Recreation Groups'.
17. Name reserves under section 10 of the Reserves Act 1977, in accordance with Te Māpihi Maurea Naming Policy.

***Road stopping***

18. Recommend to Council whether to proceed with a road stopping and disposal of a stopped road, including if appropriate any related acquisition, disposal, or exchange of land.
19. Consider and recommend to Council any notification by the Minister of Lands that a road is stopped under section 116 of the Public Works Act 1981, and the disposal of the stopped road.

### ***Hearings***

20. Approve Council's list of hearings commissioners under the Resource Management Act 1991.
21. Review and approve the Council's guidelines for composition of hearings panels under the Resource Management Act 1991.
22. Conduct statutory hearings on regulatory matters and undertake and make decisions on those hearings (excluding Resource Management Act 1991 and District Licensing Committee Hearings).
23. Hear and determine objections to the classifications under the Dog Control Act 1996.

### ***Delegations to the chair***

24. The chair of the Committee is authorised to appoint councillors (sitting as hearings commissioners) and/or independent commissioners to hearings panels for Resource Management Act 1991 hearings (other than for the intensification planning instrument and the District Plan review) provided that:
  - a. The chair consults the deputy mayor (and when the panel is for a plan change, also the relevant committee chair);
  - b. Any independent commissioner is on the list approved by the Koata Hātepe | Regulatory Processes Committee; and
  - c. The composition of the hearings panel meets the guidelines approved by the Koata Hātepe | Processes Committee (once approved).
25. The chair of the committee is authorised to jointly approve, with a senior Council officer who has been approved to do so by the chief executive, minor and uncontentious suburb boundary change proposals. "Minor and uncontentious" proposals in this instance are those that affect fewer than 20 properties and have not received any objections that are unable to be resolved. Decisions made under this delegation will be reported to the committee annually. If the chair has a conflict of interest on a suburb boundary change proposal, the matter must be referred to the committee for decision.

## Pītau Pūmanawa | Grants Subcommittee

Chair	Councillor Nicola Young
Deputy Chair	Councillor Nīkau Wi Neera
Members	Mayor Tory Whanau Deputy Mayor Laurie Foon Councillor Tim Brown Councillor Rebecca Matthews Councillor Teri O'Neill
Quorum	4
Frequency of meeting	As required

### Area of focus

The Pītau Pūmanawa | Grants Subcommittee has responsibility for:

1. Effective allocation and monitoring of the Council's grants.

### Decision-making powers

The Pītau Pūmanawa | Grants Subcommittee has the power to:

1. Approve the allocation of grants (including three-year funding contracts) in line with the relevant criteria and priorities for the Arts and Culture Fund, Climate and Sustainability Fund, Living Wage for Non-Council Events Fund, Natural Environment Fund, Resilience and Regeneration Fund (projects over \$100,000), Social and Recreation Fund, Sportsville Feasibility Fund, Sportsville Partnership Fund, Waste Minimisation Seed Fund (projects over \$2000), and Waste Minimisation Seed Fund – Organics Diversion.
2. Recommend the allocation of grants in line with the relevant criteria and priorities to the CH Iazard trustees for the CH Iazard Bequest.
3. Recommend to the relevant committee of the whole any grant over \$150,000 per annum.
4. Approve the priorities for allocating grants within each grant fund, as required.
5. Review the criteria and focus areas for grants funds and recommend changes to the relevant committee of the whole.

## Environment and Infrastructure Hearings Panel

Chair	Councillor Tim Brown
Members	Councillor Sarah Free Councillor Tamatha Paul Councillor Tony Randle Councillor Nureddin Abdurahman Councillor Rebecca Matthews Councillor Nīkau Wi Neera
Quorum	3
Frequency	As required

### Area of focus

1. The Environment and Infrastructure Hearings Panel has responsibility for hearing oral submissions (if required) on all consultations and engagements that will come to the Kōrau Tūāpapa | Environment and Infrastructure Committee for decision.



## Appointments Group

Chair	Mayor Tory Whanau
Members	Deputy Mayor Laurie Foon The chair and deputy chair of the Kōrau Tōtōpū   Long-term Plan, Finance, and Performance Committee Chief Executive
Quorum	3
Frequency of meeting	As required

### Area of focus

The Appointments Group has responsibility for:

1. Selecting the preferred external candidates to fill vacancies on the boards of Council's CCOs and on those of its committees to which external appointments are required, and to monitor the performance of external members on the boards of Council's CCOs and committees.

### Decision-making powers

The Appointments Group has the power to:

1. Select a balanced range of preferred candidates with an appropriate range and mix of skills.
2. Interview the preferred candidates. There is no requirement to interview if the candidate has previously served on the board of one of Council's CCOs or its committees.
3. Recommend to Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee external appointments, noting that any recommendation of the Group must be unanimous.
4. Provide advice as and when required to Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee on the performance of external members.

## District Licensing Committee

Commissioners	Bill Acton Rachel Palu Kate Thomson Rex Woodhouse	
List members	Bill Acton Saar Cohen-Ronen Sandra Kirby Brad Olsen Rachel Palu	Juliet Philpott Simon Tendeter Kate Thomson Rex Woodhouse
Executive	The chief executive is the secretary of District Licensing Committee/s. The chief executive may delegate this responsibility.	
Frequency of meeting	As required	

### Area of focus

The District Licensing Committee has responsibility for:

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

### Decision-making powers

The functions of District Licensing Committees are specified by the Act and include:

1. To consider and determine applications for licenses and manager's certificates.
2. To consider and determine applications for renewal of licences and manager's certificates.
3. To consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Act.
4. To consider and determine applications for the variation, suspension, or cancellation of licences other than special licences under section 280 of the Act.
5. To consider and determine applications for the suspension or cancellation of licences under sections 281 and 282 of the Act.
6. To consider and determine applications for the variation, suspension or cancellation of special licences under section 283 of the Act.
7. With the leave of the chairperson for the licensing committee, to refer applications to the licensing authority.
8. To conduct inquiries and to make reports as may be required of it by the licensing authority under section 175 of the Act.
9. Any other functions conferred on licensing committees by or under the Act or any other enactment.

### Reporting to Council

10. The secretary will prepare, for Council approval, an annual report on the proceedings and operations of the District Licensing Committee.

# Community Boards

## Tawa Community Board

Chair	Jill Day
Deputy Chair	Tim Davin
Members	Rachel Allan Janryll Fernandez Jackson Lacy Miriam Moore Councillor Ben McNulty Councillor Tony Randle
Quorum	4
Frequency of meeting	Monthly

## Mākara / Ōhāriu Community Board

Chair	Mark Reed
Deputy Chair	Darren Hoskins
Members	Christine Grace Chris Renner Wayne Rudd Hamish Todd
Quorum	3
Frequency of meeting	Six-weekly

### Area of Focus

The role of a community board is to:

1. Represent and act as an advocate for the interests of its community
2. Consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board
3. Maintain an overview of services provided by the territorial authority within the community
4. Prepare an annual submission to the territorial authority for expenditure within the community
5. Communicate with community organisations and special interest groups within the community and undertake any other responsibilities that are delegated to it by the territorial authority.

### Delegations

The community boards, within their community area, have the power to:

1. Determine expenditure of funds allocated by Council to the board for specific purposes.

### ***Community engagement and representation***

2. Facilitate the Council's consultation with local residents and community groups on local issues and local aspects of citywide issues including input into the long-term plan, annual plan, and policies that impact on the board's area
3. Engage with council officers on local issues and levels of service, including infrastructural, recreational, community services and parks and gardens matters.
4. Council will consult with the board on issues that impact on the board's area and allow sufficient time for the board's comments to be considered before a decision is made.
5. Make submissions (as a community board) to any organisation (including submissions on resource consents notified by the Greater Wellington Regional Council and Wellington City Council) relating to matters of interest to the board in respect of the board's area (a copy of any such submission is to be given to the Council's chief executive).
6. Represent the interests of the community at Council, committee, or subcommittee meetings when a motion under debate relates to a matter that the board considers of particular interest to the residents within its community.
7. Consider matters referred to it by officers, the Council, its committees or subcommittees, including reports relating to the provision of council services within the board's area, and make submissions or recommendations in response to those matters as appropriate. This will include:
  - a. Monitoring and keeping the Council informed of community aspirations and the level of satisfaction with services provided.
  - b. Providing input to the Council's long-term plan and annual plan.
  - c. Providing input to proposed District Plan changes that impact on the board's area.
  - d. Providing input to strategies, policies and plans.
  - e. Providing input to bylaw changes that impact on the board's area.
8. Provide input (whether from the full board, a subcommittee of the board, or a nominated board member/s) to officers on the following matters:
  - a. Local road work priorities.
  - b. Traffic management issues (such as traffic calming measures, pedestrian crossing, street lighting, etc.).
  - c. Street facilities management (such as taxi stands, bus stops, bicycle stands, etc.).
  - d. Applications for licences under the Sale and Supply of Alcohol Act 2012.
  - e. Applications of the Resource Management Act 1991 (including notification decisions) within the board's area.
  - f. The emergency management needs of the area, including the appointment of emergency centre coordinators.
9. The final decision on matters set out in the 'community engagement and representation' section will be made by the appropriate decision-making body or specified person acting under their delegated authority.

### ***Regulatory processes***

10. Name roads under section 319A of the Local Government Act 1974, in accordance with Te Māpihi Maurea Naming Policy.
11. Name reserves under section 10 of the Reserves Act 1977, in accordance with Te Māpihi Maurea Naming Policy.
12. Approve leases, subleases, and easements for all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977.
13. Make all decisions requiring Council or committee approval under the 'Leases Policy for Community and Recreation Groups'.
14. Establish dog areas, such as those described in the Wellington Consolidated Bylaw 2008 (clause 5 of Part 2: Animals).
15. Temporarily close roads for events under clause 11(e), Schedule 10 of the Local Government Act 1974 and the Transport (Vehicular Traffic Road Closure) Regulations 1965.

### ***Road stopping***

16. Recommend to Council whether to proceed with a road stopping and disposal of a stopped road, including if appropriate any related acquisition, disposal, or exchange of land.
17. Consider and recommend to Council any notification by the Minister of Lands that a road is stopped under section 116 of the Public Works Act 1981, and the disposal of the stopped road.

### ***Resource management hearings***

18. The community board may have up to two suitably trained members available for selection to sit on hearings panels on resource management issues. Such selection will be in accordance with the Guidelines for Appointment of Hearings Panels approved by Council on 30 March 2005 (and as may be amended from time to time). No board member shall be eligible for selection if the board has made a submission on the matter to be decided.

## Tawa Community Board Grants Committee

Chair	Jackson Lacy
Members	Miriam Moore Rachel Allan Tim Davin Jill Day (ex-officio)
Quorum	3
Frequency	As required

### Area of focus

1. The Tawa Community Board Grants Committee considers applications received for the Tawa Community Grants Fund and has the delegated authority to decide on the distribution of such funds.
2. Objective: To adjudicate on applications for the Tawa Community Grants Fund during the 2022-2025 triennium.
3. Outcome: To achieve an equitable distribution of grants funding in time with the criteria, and the characteristics and merits inherent in individual grant applications.
4. Responsibilities: To ensure that decisions reached regarding grants funding are in line with the criteria, and to adjudicate on the individual grant applications in a fair and equitable manner.

### Decision-making powers

The Tawa Community Board Grants Committee has the power to:

1. Determine expenditure of funds allocated by Council to the board for specific purposes.

## Specific Role Descriptions and Delegations

### Mayor

1. The mayor is the leader of the Council and provides leadership to the other members of the Council and the City. The mayor will lead the development of the Council's plans, policies and budgets for consideration by the Council. The mayor is the primary Council spokesperson.
2. The mayor will lead central government liaison, supported as necessary by relevant councillors.
3. Establish a Mayoral Taskforce or Working Party, as required.
4. In addition, the mayor has the delegated authority to:
  - a. Agree and enter into memoranda of understanding to enhance external relationships and partnerships, provided they are consistent with Council policy and direction. Note that these agreements should generally be endorsed by the Council before signing, particularly if an agreement has financial implications. If this is not possible, the Council should be alerted immediately after a memorandum of understanding has been signed.
  - b. Approve the chief executive's annual leave, overseas travel and expenditure on professional development.
  - c. Approve the deputy mayor's attendance at conferences and associated travel within New Zealand, provided it can be funded from the budget approved as part of the Annual Plan.

### Deputy mayor

1. The deputy mayor will:
  - a. Assist the mayor in carrying out the statutory and leadership role of the mayor.
  - b. If the mayor is absent or incapacitated, perform all the responsibilities and duties, and exercise any powers of the mayor (other than the powers under section 41A LGA 2002 and the role of Justice of the Peace).
  - c. Lead and take responsibility for liaison with Councillors on matters of support for carrying out their governance role.
  - d. Assist the mayor in day-to-day administration.
  - e. Ensure that the mayor's view is conveyed to committee and other meetings when they are absent on Council business.
2. The deputy mayor is authorised to approve elected member attendance at conferences or training and associated travel and accommodation within New Zealand provided that:
  - a. It can be funded from the budget approved as part of annual plan.
  - b. The deputy mayor consults with one of either the mayor or chair of the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee prior to approval.
  - c. Attendance is relevant to the member's role and responsibilities.

## **Other**

1. The mayor and deputy mayor and chair of the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee<sup>2</sup> are authorised to approve an elected member to travel overseas (whether for the purpose of training, representing the Council, international relations, attending conferences) – and the associated costs (if any) in urgent circumstances, when it is impracticable for the Kōrau Tōtōpū | Long-term Plan, Finance, and Performance Committee to consider the item on an agenda prior to the travel.

## **Committee chair and deputy chair**

A chair and deputy chair of a committee or subcommittee will:

1. Provide leadership to the committee
2. Ensure decision-making is evidence-based and made in a timely manner
3. Conduct the meeting in accordance with standing orders and legislation
4. Enhance relationships with key stakeholders
5. Act as the Council’s spokespeople and point of contact for the committee’s activities, subject to the mayor’s agreement.
6. Collaborate with other committee chairs and deputy chairs where objectives are shared
7. Play a leadership role in the development of policy and strategy falling under the committee’s area of focus
8. Ensure progress is made towards the council’s strategic priorities in the committee’s area of responsibility
9. In the committee’s area of responsibility attend relevant events, launches of new activities and projects
10. Ensure council’s advisory groups have effective input
11. Meet regularly with the mayor, deputy mayor, chief executive and senior staff
12. Keep the mayor informed of emerging issues
13. Maintain a “no surprises” approach for elected members and staff
14. Raise issues of Council performance with the assigned executive leadership team member in the first instance, following up with the mayor and chief executive if necessary.

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<sup>2</sup> In the event one is conflicted, only two signatures are required. In the event two of the three are conflicted an additional committee chair will be a decision maker (as nominated by the mayor).



## Chief executive delegations

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

1. The chief executive is delegated all powers and authorities (other than those retained by Council, or contained within the delegations to committees or other subordinate decision-making bodies or community boards), subject to any legal limits on the Council's ability to do so, provided that the chief executive acts within the law, Council policy (as approved from time to time) and the long-term plan and annual plan.
2. The chief executive delegations authorise the following tolerance levels, in order to ensure effective and efficient delivery of the long-term plan and annual plan:

- a. If the operating budget for an activity area will be exceeded by an amount no greater than 5% for that year, but the overall annual plan budget level can be maintained, the chief executive has the authority to approve budget transfers between activity areas, but subject to the following criteria:
  - i. The overspends will not result in other projects or sub-projects being cancelled; or
  - ii. Any projects or sub projects included in the annual plan that will not be completed as planned in the current or following year will be reported to the appropriate committee for approval.

(Note, the net operating budget or surplus for this purpose excludes revaluations and gain/loss on sale of assets and any other extraordinary items).

- b. If an individual capital expenditure project in the annual plan will be exceeded by an amount no greater than 10% for that year, the chief executive has the authority to approve that expenditure, as long as the overall capital expenditure budget for the year is not exceeded and subject to the following criteria:
  - i. The overall annual plan capital expenditure dollar amount is not exceeded; and
  - ii. Any overspends must be offset by savings in the current year or a reduction in the dollar amount carried forward to the following years; and
  - iii. The overspends will not result in other projects or sub projects being cancelled; or
  - iv. Any projects or sub projects included in the annual plan that will not be completed as planned in the current or following year will be reported to the appropriate Committee for approval.

For any projects that straddle more than one financial year then the 10% applies to the total project cost and not the cost in the current financial year.

- c. Any actual or forecast variations to budget will be reported to the Council or a committee of the whole of Council for noting and approval.

3. The chief executive has the authority to approve unbudgeted expenditure (either capital or operating) where the incurring of the expenditure relates to:
  - a. urgent health and safety or legislative requirements.
  - b. an emergency (whether one has been declared or not) provided that if the amount is in excess of \$1,000,000 then the chief executive must consult with and get agreement from the mayor or deputy mayor if the mayor is incapacitated. However, in the highly exceptional event that the chief executive is unable to consult, then the chief executive is still authorised to commit to the expenditure, but must report the exercise of the delegation to the mayor and council as soon as possible.
4. The chief executive has the authority to allocate funding from the City Growth Fund up to a total commitment of \$300,000 provided that:
  - a. The criteria of the Fund are met; and
  - b. The decision is made in consultation with, the mayor, the deputy mayor and the chair of the Kōrau Mātinitini | Social, Cultural, and Economic Committee.
5. The chief executive has the authority to sign any contract or memorandum of understanding in order to give effect to the annual plan and long-term plan and / or existing policy. Where the content relates to Council's relationship with external stakeholders/organisations, the mayor must be advised. The mayor will determine whether the mayor or chief executive is the appropriate signatory and/or whether the matter is referred to Council or committee.
6. The chief executive officer in consultation with the deputy mayor has the authority to approve international travel for the mayor and/or elected members where an invitation is received and there is no travel cost to the Council.

#### ***Explanatory notes to delegations***

7. This delegation affirms that the long-term plan and the annual plan provide the basis for the implementation of Council decisions by the chief executive. Through and under the Long-term plan and annual plan, operational and capital expenditure budgets, fees and charges, service levels, specific projects, and other significant requirements are approved by the Council.
8. The chief executive and management are then authorised to proceed to make all arrangements in line with those decisions.
9. The delegations are supported by effective communication and constructive working arrangements between elected members and the chief executive, such as the quarterly report, regular briefings, Council and chief executive only time, and the chief executive's key performance indicators.
10. These existing delegations were most recently affirmed by Council on 13 May 2021.