

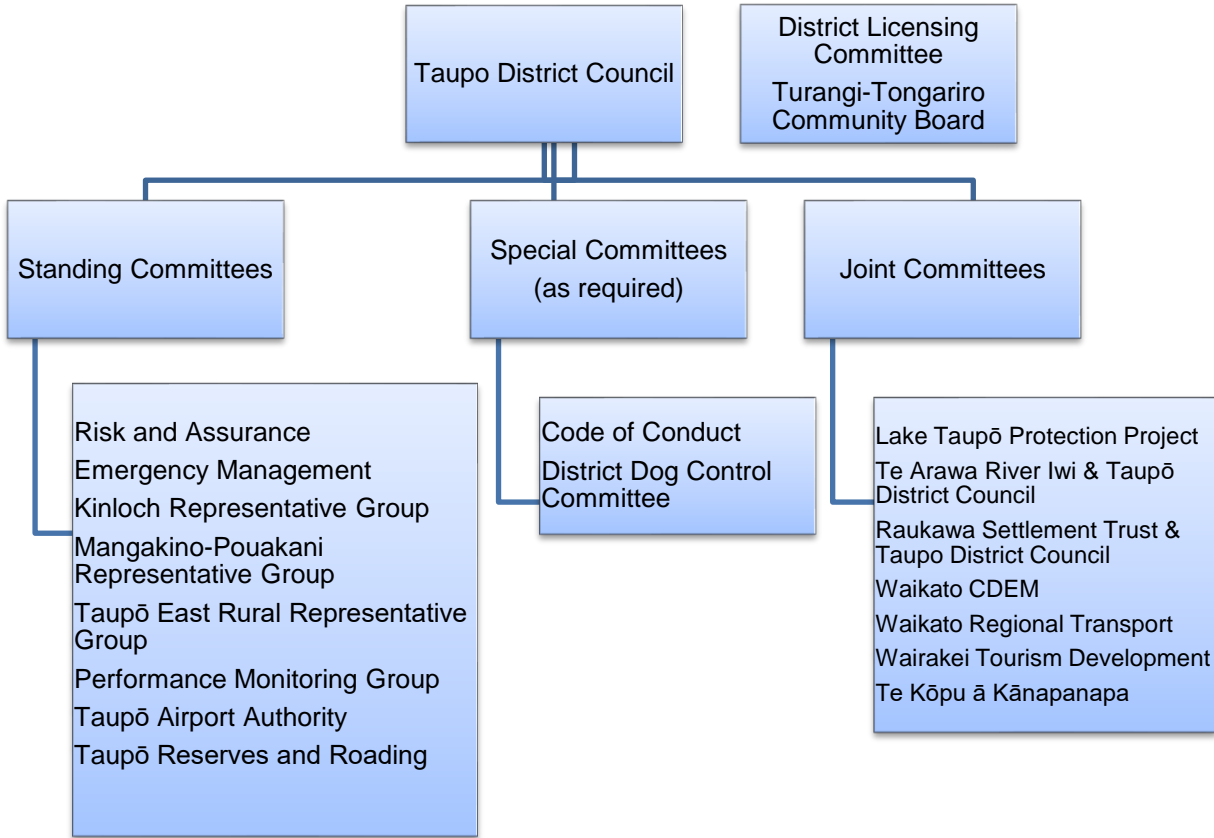
TAUPŌ DISTRICT - TERMS OF REFERENCE AND DELEGATIONS FOR COUNCIL COMMITTEES 2019-2022

Adopted on 26 November 2019

CONTENTS

| | |
|---------------------------------------------------------------------------------------------------|-----------|
| Taupō District - Terms of Reference and Delegations for Council Committees 2019-2022 | 1 |
| Council Committee Structure | 2 |
| Introduction | 3 |
| Standing Committees..... | 5 |
| Risk and Assurance Committee | 5 |
| Emergency Management Committee | 7 |
| Mangakino/Pouakani Representative Group (MPRG)..... | 9 |
| Kinloch Representative Group (KRG) | 11 |
| Taupō East Rural Representative Group (TERRG)..... | 12 |
| Taupō Reserves and Roding Committee | 13 |
| Performance Monitoring Group (PMG)..... | 14 |
| Taupō Airport Authority Committee (TAA)..... | 15 |
| Special Committees | 16 |
| Code of Conduct | 16 |
| District Dog Control Committee | 17 |
| Joint Committees | 18 |
| Lake Taupō Protection Project | 18 |
| Te Kōpu ā Kānapanapa | 20 |
| Te Arawa River Iwi Trust and Taupō District Council Committee | 23 |
| Raukawa Settlement Trust and Taupō District Council Committee | 24 |
| Waikato Civil Defence Emergency Management Group (WCDEM) | 25 |
| Wairakei Tourism Development Committee | 27 |
| Other Statutory Committees..... | 29 |
| Taupō District Licensing Committee..... | 29 |
| Appendix | 31 |
| Template Terms of Reference for Ad-hoc committees | 31 |

Council Committee Structure



Introduction

These committee delegations should be read in association with Council's:

- Standing Orders
- Code of Conduct
- Staff delegations
- Appointment and Remuneration of Director's policy
- Appointments to council organisations including council-controlled organisations (CCOs) and council-controlled trading organisations (CCTOs)
- External Representatives Selection, Appointment and Remuneration
- Local Governance Statement

Role and delegated powers of committees and subcommittees

Schedule 7 of the Local Government Act 2002 (LGA) contains the law relating to Committees

1. The Mayor has the power to appoint the deputy mayor; establish Council committees; and appoint the chairperson of each committee, although Council may address these issues using powers in Schedule 7 (cl 18, 30-31).
2. The Mayor is a member of every committee (s 41A(5)).
3. Council has the power to appoint any committees, subcommittees and other subordinate decision making bodies as it considers appropriate, including joint committees with another local authority or public body. (cl 30, Sch 7)
4. Council uses the following definitions of its committees:
 - Standing committee has a fixed membership and meets on a regular schedule
 - Special committee is convened for a specific purpose, as needed.
 - Joint committee is a committee created by Council jointly with one or more other Councils and/or public bodies.
 - Co-Governance committee is a committee created by Council jointly with iwi entities.
5. Decisions should be made at the lowest possible level commensurate with efficiency and effectiveness. The body or person to whom powers are delegated will usually exercise the delegated power, but is not obliged to do so. The most common circumstances where the body or person with the delegation might choose not to exercise it are when the matter has become a major matter of public controversy, or the issues are contentious and finely balanced.
6. Committees and subcommittees can only make decisions on matters where they have been delegated the authority to make those decisions. All other decisions must be made as recommendations to the Council.
7. Council cannot delegate the matters in s 32(1)(a) to (f), Schedule 7, LGA. These matters include the power to make a rate, make a bylaw, the power to borrow money or purchase or dispose of assets, the power to adopt a Long term plan, annual plan or annual report, the power to appoint a chief executive or the power to adopt policies that must be adopted and consulted on under the LGA or for the local governance statement.
8. Council may not rescind or amend a decision made by a committee if the committee was exercising a delegated authority to make the decision (cl 30(6)).
9. The minimum number of members of a committee is three, with a quorum being two, including at least one elected member (cl 31).
10. A committee of Council may not include staff of the Council acting in the course of their employment, but a subcommittee may include them (cl 31(4)(b)).
11. 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.

Subcommittees

12. A Council committee may appoint any 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 committee that appointed it, or Council.
13. The minimum number of members for a subcommittee is two (cl 31).

Community boards

14. Community board members are elected or appointed by Council under the Local Electoral Act 2001.
15. A community board is not a local authority and it is not a committee of Council. (s 51, LGA)
16. As an unincorporated body, a community board cannot buy, sell or lease property, or hire or fire staff (s 52, LGA).
17. Council must provide the necessary administrative and other facilities to the board, and provide funding, and must pay the expenses of the board from the general revenue of the district, although Council put limits on that expenditure. (cl 37-39, Sch 7, LGA)

STANDING COMMITTEES

Risk and Assurance Committee

Standing Committee

| | |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To provide governance and oversight of the effectiveness of risk management and internal control and assurance practices. |
| | Mayor Deputy Mayor Chairperson, Emergency Management Committee Chairperson, Taupō Reserves and Roding Committee |
| Membership | Two Councillors, one of which to come from either the Mangakino/Pouakani Ward, Taupō East Rural Ward or the Turangi/Tongariro Ward Two independent external members appointed by Council, with full voting rights (one of which to be Chairperson) |
| Quorum | Four (4) |
| Meeting frequency | Quarterly, and more as required |
| Reporting | Reports to Council with minutes of each meeting being provided to Council |

Scope of activity

1. Review the existence and quality of cost-effective internal control systems and the proper application of procedures and approving arrangements for any internal audits.
2. Consider and follow up reports to management issued by external auditors and external risk advisors and auditors, and ensure that management responses to those reports are adequate.
3. Approve arrangements for the annual external audit. The relationship between Council and the external auditor shall be set down formally in an audit engagement letter which addresses:
 - a) the auditor's responsibilities
 - b) Council's responsibilities
 - c) reporting and liaison obligations, including auditor's liaison with the committee
4. Discuss with the external auditor matters affecting the annual financial and non financial statements and the annual audit.
5. Reviewing governance policies associated with Council's financial accounting, risk management and internal control functions
6. Reviewing accounting treatments, changes in generally accepted accounting practice, and new accounting and reporting requirements
7. Review and approve the Council's Risk Management Charter for monitoring the Risk Register and Action Plan.
8. Review and approve Council's Fraud, Protected Disclosures, Procurement, Conflicts of Interest and Sensitive Expenditure Policies
9. Review any ratepayer enquiry investigated by the Audit Office or other regulatory agency
10. Review internal / external reports related to any protected disclosure, ethics, bribery and fraud related incidents.
11. The Committee is not restricted in its scope to any particular legislation.

Power to act

The Committee has the power to:

1. Resolve only on matters relating to audit risk management and internal control practices.

2. Co-opt suitably qualified people to the committee to assist the committee in meeting its responsibilities. With the exception of the Chairperson and second independent appointed member, co-opted members do not have voting rights.

Power to recommend to Council

The Committee can make recommendations to Council on matters or proposals relevant to risk management and internal control practices that:

1. Are outside of or in conflict with Council's Long-term Plan or policy direction
2. Have strategic or policy importance, except that the Committee shall have the power to resolve in respect of Council's Risk Management Charter and its Fraud, Protected Disclosures, Procurement, Conflicts of Interest and Sensitive Expenditure Policies.

Delegation of powers

The Committee may not delegate its powers to a sub-committee or other body.

Limits on authority

The Committee's 'power to act' pursuant to these delegations is subject to:

1. Matters being related solely to risk management and audit control.
2. An overriding responsibility to ensure that its actions and decisions are always within the law.
3. An overriding responsibility to ensure that its actions and decisions are within Council policy, OR if in conflict with a Council policy that this is explicitly identified in a report to Council and any relevant resolutions.

Emergency Management Committee

Standing Committee

| | | |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|
| Objective | To provide governance and oversight of planning, co-ordination and delivery of Civil Defence Emergency Management within the Taupō District and wider Waikato region | |
| Membership | Mayor One (1) TT community representative nominated by the TTCB and appointed by Council One (1) MP community representative appointed by Council Two (2) other representatives appointed by Council One (1) Māori representative | Two of these four positions must be filled by elected members |
| Quorum | Three (3) | |
| Meeting frequency | Quarterly or more often if required | |
| Reporting | Reports to Council with minutes of each meeting being provided to Council | |

Scope of activity

1. Considering, planning for and managing all emergency management matters including civil defence and rural fire.
2. Taking all steps necessary to maintain and provide, or to arrange the provision of, or to otherwise make available suitably trained and competent personnel, including volunteers, and an appropriate organisational structure for those personnel, for effective civil defence emergency management in the Taupō district and wider Waikato CDEM Group.
3. Taking all steps necessary to maintain and provide, or to arrange the provision of, or otherwise to make available material, services, information, fit for purpose equipment and any other resources for effective civil defence emergency management in the Taupō district and wider Waikato CDEM Group.
4. Responding to and managing the adverse effects of emergencies in the Taupō district, and wider Waikato CDEM Group.
5. Carrying out recovery activities.
6. When requested, assisting other civil defence emergency management areas within the Waikato Group in the implementation of civil defence emergency management in their areas within wider Waikato CDEM Group in the implementation of civil defence emergency management.
7. Within the Taupō District, promoting and raising public awareness of, and compliance with, the Act and legislative provisions relevant to the purpose of the relevant Acts; and
8. Developing, approving, implementing, and monitoring the relevant plans and regularly reviewing such plans.

Power to act

1. The Committee has the power to resolve only on matters relating to emergency management and rural fire in a non-declared emergency.
2. Exercise any other powers that are necessary to give effect to the Waikato civil defence emergency management plan.
3. External representatives appointed to the committee have full voting rights.

Power to recommend to Council

The Committee can make recommendations to Council on matters or proposals relevant to emergency management that:

1. Are outside of, or in conflict with, Council's Long-term Plan and/or policy direction

2. Involve unbudgeted expenditure for any individual/single contract or project or emergency expenditure.

Delegation of powers

The committee has no power to sub-delegate powers that have been delegated.

Limits on authority

The Committee's 'power to act' pursuant to these delegations is subject to:

1. Matters being related solely to emergency management matters.
2. An overriding responsibility to ensure that its actions and decisions are always within the law, relevant Council policy and plans.

Mangakino/Pouakani Representative Group (MPRG)

Standing Committee

| | |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To represent and act as an advocate for the interests of the Mangakino/Pouakani area. |
| Membership | One (1) Mangakino/Pouakani Councillor Two (2) other Councillors Two (2) community representatives One (1) Marae Representative Mayor |
| Quorum | Four (4) |
| Meeting frequency | Every two months or more often as required |
| Reporting | Reports to Council with minutes of each meeting being provided to Council |

Scope of activity

1. Providing local input into the development of Council policy that will impact on the MP ward.
2. Maintaining an overview of service delivery, operational and capital expenditure, within the MP ward. Providing local input into the development and review of Council's key planning documents such as the Long-term Plan, Asset Management Plans, Structure Plans, Reserve Management Plans and the annual plan
3. Preparing an annual submission to Council's budgetary process for expenditure within the community
4. Considering and reporting on all matters referred to it by Council or any matter of interest or concern to the ward.
5. Communicating with the MP community, community organisations and special interest groups within the MP ward.
6. Exercising Council's statutory regulatory functions under the following Acts and Regulations (and any amendments) that are not elsewhere delegated to staff and that relate to matters in the Mangakino/Pouakani ward:
 - Local Government Act 1974 – Part 21
 - Land Transport Act 1998
 - Reserves Act 1977
 - Local Government Act 1974 – Section 319 - Road Naming
7. Considering resident and ratepayer appeals to decisions made in accordance with Council's Tree and Vegetation Policy affecting trees and vegetation in the Mangakino/Pouakani ward.

Power to act

The group can carry out any function that:

1. Supports Council's Long-term Plan and/or policy direction
2. Is not the function or responsibility of full Council or its other standing or special Committees
3. Is not prohibited by legislation
4. Otherwise falls within the objectives and scope of the group
5. External representatives appointed to the committee have full voting rights.
6. Council delegates its powers and duties under the Acts, Regulations and policies specified above, except where they may not be delegated, or where they are elsewhere delegated.

If any matter is of such strategic or policy importance or urgency, then, with the endorsement of the appropriate Chairperson or His Worship the Mayor, the matter shall be referred by way of recommendation direct to full Council.

Power to recommend to Council

Any matter or proposal which is relevant to the MP ward that is outside of, or in conflict with, Council's Long-term Plan and/or policy direction

Delegation of powers

This group has no powers to sub-delegate.

Limits on authority

1. The Group's power to act pursuant to these delegations is subject to matters being related to the MP ward.
2. The Committee's power to act under these delegations is subject to Council acting within the requirements of the Local Government Act, and where relevant, the Acts listed above and an overriding responsibility to ensure that its actions and decisions are always within the law.
3. The Committee may not exercise the powers delegated to administering bodies under the Reserves Act by the Minister of Conservation.

Kinloch Representative Group (KRG)

Standing Committee

| | |
|--------------------------|-----------------------------------------------------------------------------------------------------|
| Objective | To represent and act as an advocate for the interests of the Kinloch area. Three (3) Councillors |
| Membership | Two (2) community representatives One (1) Marae representative Mayor |
| Quorum | Four (4) |
| Meeting frequency | Every two months or more often as required |
| Reporting | Reports to Council with minutes of each meeting being provided to Council |

Scope of activity

1. Providing local input into the development of Council policy that will impact on the Kinloch area.
2. Maintaining an overview of service delivery, operational and capital expenditure, within the Kinloch area. Providing local input into the development and review of Council's key planning documents such as the Long-term Plan, Asset Management Plans, Structure Plans, Reserve Management Plans and the annual plan
3. Preparing an annual submission to Council's budgetary process for expenditure within the community
4. Considering and reporting on all matters referred to it by Council or any matter of interest or concern to the area.
5. Communicating with the Kinloch community, community organisations and special interest groups within the Kinloch area.

Power to act

The group can carry out any function that:

1. Supports Council's Long-term Plan and/or policy direction
2. Is not the function or responsibility of full Council or its other standing or special Committees
3. Is not prohibited by legislation
4. Otherwise falls within the objectives and scope of the group
5. External representatives appointed to the committee have full voting rights.

If any matter is of such strategic or policy importance or urgency, then, with the endorsement of the appropriate Chairperson or His Worship the Mayor, the matter shall be referred by way of recommendation direct to full Council.

Power to recommend to Council

Any matter or proposal which is relevant to the Kinloch area that is outside of, or in conflict with, Council's Long-term Plan and/or policy direction

Delegation of powers

This group has no powers to sub-delegate.

Limits on authority

The Group's power to act pursuant to these delegations is subject to matters being related to the Kinloch area (broadly encompasses Kinloch Village, eastwards along Whangamata Road to the Poihipi Road junction and west towards Kawakawa Road).

Taupō East Rural Representative Group (TERRG)

Standing Committee

| | |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To represent and act as an advocate for the interests of the Taupō East Rural area. |
| Membership | One (1) Taupō East Rural Councillor Two (2) other Councillors Two (2) community representatives One (1) Marae representative Mayor |
| Quorum | Four (4) |
| Meeting frequency | Every two months or more often as required |
| Reporting | Reports to Council with minutes of each meeting being provided to Council |

Scope of activity

1. Providing local input into the development of Council policy that will impact on the Taupō East Rural ward.
2. Maintaining an overview of service delivery, operational and capital expenditure, within the TER ward. Providing local input into the development and review of Council's key planning documents such as the Long-term Plan, Asset Management Plans, Structure Plans, Reserve Management Plans and the annual plan
3. Preparing an annual submission to Council's budgetary process for expenditure within the community
4. Considering and reporting on all matters referred to it by Council or any matter of interest or concern to the ward.
5. Communicating with the rural community, community organisations and special interest groups within the TER ward.

Power to act

The group can carry out any function that:

1. Supports Council's Long-term Plan and/or policy direction
2. Is not the function or responsibility of full Council or its other standing or special Committees
3. Is not prohibited by legislation
4. Otherwise falls within the objectives and scope of the group
5. External representatives appointed to the committee have full voting rights.

If any matter is of such strategic or policy importance or urgency, then, with the endorsement of the appropriate Chairperson or His Worship the Mayor, the matter shall be referred by way of recommendation direct to full Council.

Power to recommend to Council

Any matter or proposal which is relevant to the TER ward that is outside of, or in conflict with, Council's Long-term Plan and/or policy direction

Delegation of powers

This group has no powers to sub-delegate.

Limits on authority

The Group's power to act pursuant to these delegations is subject to matters being related to the TER ward.

Taupō Reserves and Roding Committee

Standing Committee

| | |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To exercise a range of Council's functions relating to the Taupō and Taupō East Rural Wards. |
| Membership | Seven (7) Councillors from the Taupō Ward One (1) Councillor from the Taupō East Rural Ward One (1) Maori representative Mayor |
| Quorum | Five (5) |
| Meeting frequency | Quarterly, and more often as required |
| Reporting | Reports to Council with minutes of each meeting being provided to Council |

Scope of activity

1. Exercise Council's statutory regulatory functions under the following Acts and Regulations (and any amendments) that are not elsewhere delegated to staff:
 - Local Government Act 1974 – Part 21
 - Land Transport Act 1998
 - Reserves Act 1977
 - Local Government Act 1974 – Section 319 - Road Naming
2. Consider resident and ratepayer appeals to decisions made in accordance with Council's Tree and Vegetation policy (excluding decisions relating to trees and vegetation in the Mangakino-Pouakani and Turangi-Tongariro wards).

Power to act

1. Council delegates powers and duties under the Acts, Regulations and policies specified above, except where they may not be delegated, or where they are elsewhere delegated.
2. External representatives appointed to the committee have full voting rights.

Power to recommend to Council

The Committee has the power to resolve only on matters relating to the Acts, Regulations and policies specified above.

Delegation of powers

This group has no powers to sub-delegate.

Limits on authority

1. The Group's power to act pursuant to these delegations is subject to matters being related to the Taupō and Taupō East Rural ward.
2. The Committee's power to act under these delegations is subject to Council acting within the requirements of the Local Government Act, and where relevant, the Acts listed above and an overriding responsibility to ensure that its actions and decisions are always within the law.
3. The Committee may not exercise the powers delegated to administering bodies under the Reserves Act by the Minister of Conservation.

Performance Monitoring Group (PMG)

Standing Committee

| | |
|--------------------------|----------------------------------------------------------------------------------------------------------------------|
| Objective | To manage the annual performance review of the Chief Executive (CE) in accordance with the agreed performance tasks. |
| Membership | Mayor All Councillors |
| Quorum | Six (6) |
| Meeting frequency | Minimum of two meetings per year at six monthly intervals; more often if required. |
| Reporting | Reports to Council with minutes of each meeting being provided to Council |

Scope of activity

1. Finalise the CE's Annual Performance Plan for the current year incorporating principal accountabilities and key performance indicators, expectations and measures, following input from Councillors via workshop and/or feedback opportunities and as negotiated with the CE.
2. Review the CE's performance against the Annual Performance Plan for the year completed, following input from Councillors via workshop and/or feedback opportunities and as communicated to / discussed with the CE.
3. Undertake a 6-monthly review against the CE's Annual Performance Plan during the current year including input / feedback from Councillors.
4. Negotiate and conclude the remuneration package for the current year taking account of market advice received and the outcomes of the performance review process for submission to Council.

Power to act

1. Set parameters for assessing the CE's performance.
2. Initiate and undertake reviews of the CE's performance and report the findings of the review to Council (as the employer).
3. Negotiate the CE's terms of employment for consideration by Council.
4. Appoint an independent advisor if required.
5. Conduct the statutory employment review at end of the CE's first term of appointment in consultation with Council (cl 35, Sch7, LGA).

Power to recommend to Council

The committee may make recommendations to Council on any matter or proposal that is relevant to the employment and tenure of the Chief Executive.

Delegation of powers

No powers to sub-delegate.

Limits on authority

The Committee's power to act under these delegations is subject to:

1. Matters being related solely to the performance and remuneration of the CE.
2. An overriding responsibility to ensure that its actions and decisions are always within the law and Council policy.

Taupō Airport Authority Committee (TAA)

Standing Committee

| | |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To manage the Taupō Airport including safety requirements, leases and licences, and plan future development of the Airport. |
| Membership | Two (2) Councillors One (1) business representative appointed by Council One (1) Taupō Airport User Group representative nominated by the Group and appointed by Council One (1) Airport Safety Committee representative, nominated by the Safety Committee and appointed by Council Mayor (Note: This committee elects its own Chairperson). |
| Quorum | Three (3) |
| Meeting frequency | Every 6 weeks or as required |
| Reporting | Reports to Council with minutes of each meeting being provided to Council, plus half year and annual reports |

Scope of activity

To contribute toward the safe, appropriate and efficient air transport needs of the Taupō District, and to plan for future development of the Airport.

Power to act

1. The Committee has the power to resolve on matters of day to day operations and issues of safety where they are provided for within the airport's annual budget. Any individual expenditure of capital or maintenance nature greater than \$10,000 requires Crown approval prior to being expensed or committed.
2. External representatives appointed to the committee have full voting rights.

Power to recommend to Council

The Committee can make recommendations to Council on matters or proposals relevant to The Taupō Airport. All matters exceeding budget must be recommended to full council for approval.

Delegation of powers

No powers to sub-delegate

Limits on authority

The Committee's 'power to act' pursuant to these delegations is subject to:

1. Matters being related solely to the Taupō Airport.
2. An overriding responsibility to ensure that its actions and decisions are always within the law, Council policy and the Joint Venture Deed with the Crown.

SPECIAL COMMITTEES

Code of Conduct

Special Committee

| | |
|--------------------------|-----------------------------------------------------------------------------|
| Objective | To resolve complaints made against members under Council's Code of Conduct. |
| Membership | Mayor All Councillors |
| Quorum | Six (6) |
| Meeting frequency | As required |
| Reporting | Reports to Council with minutes of each meeting being provided to Council |

Scope of activity

To consider the findings of an independent investigator selected in accordance with the Council's Code of Conduct and to determine whether or not a penalty, or some other form of action, will be imposed.

Power to act

The committee has the power to impose penalties or take other action in situations where a material breach of the Code of Conduct has been found by an independent investigator.

Power to recommend to Council

The committee can make recommendations to Council on the application of the Code of Conduct and improvements to its implementation.

Delegation of powers

Notwithstanding the process for the determination and investigation of complaints set out in the Code of Conduct, including selection of independent investigators to assess complaints, the Committee may not delegate powers to any other authority.

Limits on authority

The Committee's power to act pursuant to these terms of reference is subject to a complaint being made to the Chief Executive in accordance with the Code.

District Dog Control Committee

Special Committee

| | |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To provide a fair, effective and efficient process for exercising Council's quasi-judicial functions under the Dog Control Act 1996. |
| Membership | Three (3) Councillors Mayor |
| Quorum | Two (2) |
| Meeting frequency | As required |
| Reporting | Reports to Council with minutes of each meeting being provided to Council |

Scope of activity

Exercise Council's statutory regulatory functions under the Dog Control Act 1996 (and any amendments) that are not elsewhere delegated to staff.

Power to act

Council delegates its hearings and judicial functions, powers and duties under the Dog Control Act 1996, except where they may not be delegated, or where they are elsewhere delegated.

Power to recommend to Council

The Committee has the power to resolve only on matters relating to the Dog Control Act 1996.

Delegation of powers

This group has no powers to sub-delegate.

Limits on authority

1. The Group's power to act pursuant to these delegations is subject to matters being related to the Taupō District.
2. The Committee's power to act under these delegations is subject to Council acting within the requirements of the Local Government Act, and where relevant, the Acts listed above and an overriding responsibility to ensure that its actions and decisions are always within the law.

JOINT COMMITTEES

Lake Taupō Protection Project

Joint committee

| | |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | Implement the Lake Taupō Protection Project (“the Project”) in accordance with the Trust Deed Provide governance to the Lake Taupō Protection Trust (“the Trust”) in accordance with the Lake Taupō Protection Project Agreement, and the Local Government Act 2002. |
| Membership | Two (2) District Council representatives, one of whom must be an elected member of that Council Two (2) Regional Council representatives, one of whom must be an elected member of that Council. Two (2) members appointed by the Crown Two (2) Tūwharetoa Maori Trust Board representatives. The Joint Committee shall appoint and may remove the Chairperson and Deputy Chairperson. |
| Quorum | Four (4) being one each of the members appointed by Taupō District Council, Waikato Regional Council, the Crown and the Tūwharetoa Maori Trust Board. If a quorum is not present within 30 minutes after the time appointed for the meeting, the meeting is adjourned to the same day in the following week at the same time and place, or to such other date, time, and place as the chairperson of the meeting may appoint. |
| Meeting frequency | Quarterly or as required by the chairperson and/or by the Joint Committee |
| Reports to | Taupō District Council & Waikato Regional Council |

Scope of activity

1. Appoint trustees to the Trust in accordance with the provisions of the Trust Deed [see Obj A732335, Schedule 2].
2. Set broad direction, objectives, and priorities of the Trust and its expenditure of funds.
3. Monitor/review the strategies developed to achieve the Project’s objective as set out in the Trust’s Statement of Intent. (See cl 2.1 of Project Agreement below).
4. Review the Lake Taupō Protection Project at five (5) yearly intervals, or as required by The Lake Taupō Protection Trust Joint Committee.
5. Report to the member local authorities as requested on its decisions and activities. (See cl 9.5 of Project Agreement, below).

Power to act

1. Appoint trustees to the Trust in accordance with the provisions of the Trust Deed.
2. Receive information/reports from the Trust on its decisions and activities.
3. Receive and comment on the Trust’s Statement of Intent.

Power to recommend to Council

Any decision resulting from a review undertaken in [cl 5, *Scope of activity, above*] amounts to an amendment to The Lake Taupō Protection Project Agreement and as such, will require the approval/agreement of the member authorities.

Delegation of powers

No powers to sub-delegate

Limits on authority

The Joint Committee’s ‘power to act’ pursuant to these delegations is subject to:

1. Matters being related solely to the Trust
2. An overriding responsibility to ensure that its actions and decisions are always within the law and Council policy

Project Agreement – selected clauses

- 2.1 The parties record their agreement as to the consultation of the Project by reference to its principle elements as follows:
- a. Name. The name of the Project is The Lake Taupō Protection Project.
 - b. Objective. The reduction of manageable nitrogen entering Lake Taupō by a minimum of 20% (such figure being based on benchmarked land use over the period July 2001 to June 2004 – see Waikato Regional Council Lake Taupō variation to the Regional Plan (Proposed 2005)).
 - c. Strategies. Strategies which are best suitable for achieving the above objective include but are not limited to:
 - i) the conversion of high nitrogen leaching pastoral land into low leaching nitrogen land uses;
 - ii) purchase of land to achieve such conversion.
 - iii) research into identifying alternative low leaching nitrogen land uses;
 - iv) researching and developing alternative technologies, all as set out and provided for in the Statement of Intent.
 - d. Funding. The agreed monetary contributions by each of the parties to the Public Fund over the term of the Project are as set out in the Payments Schedule and will be paid according to the provisions recorded in the Funding Deed.
 - e. Term. The term of the Project is scheduled to be a period of 14 years commencing on 1 July 2005 and terminating on 30 June 2019 or such earlier date as the Public Fund as been fully expended and the Trust holds no assets.
- 9.5 The Joint Committee shall, subject at all times to all applicable legislation, provide such information and reports on its decisions and activities to each of WRC, TDC, the Crown and Tūwharetoa Maori Trust Board as are reasonably requested by each of them, which information and reports may be of a uniform nature, as the Joint Committee determines.

Te Kōpu ā Kānapanapa

Joint committee

- REPORTING TO:** Te Kotahitanga o Ngāti Tūwharetoa Trust, Waikato Regional Council and Taupō District Council.
- CONSTITUTION:** Four (4) Trustees appointed by Te Kotahitanga o Ngāti Tūwharetoa Trust (one of which must be a member from a shared hapū of Raukawa and Ngāti Tūwharetoa);
Two (2) elected members appointed by Waikato Regional Council; and
Two (2) elected members appointed by Taupō District Council
Te Kōpu ā Kānapanapa may appoint 1 or more kaumatua or kuia who are knowledgeable in tikanga to attend meetings and provide advice as required as a non-voting advisor.
Te Kōpu ā Kānapanapa will be co-chaired. Te Kotahitanga o Ngāti Tūwharetoa Trust is to nominate one of its members as a Co-Chair and Waikato Regional Council and Taupō District Council is to jointly nominate one of its members as a Co-Chair.
- QUORUM:** Five (5) members who must include at least two (2) members appointed by the trustees, one (1) member appointed by the Waikato Regional Council, one (1) member appointed by the Taupō District Council and a co-chairperson.
- MEETING FREQUENCY:** Annually (or more frequently if agreed).
- PURPOSE:** To give effect to the Ngāti Tūwharetoa Claims Settlement Act.

SCOPE OF ACTIVITY:

This Joint Committee has been established to give effect to Part 4 and Schedule 6 of the Ngāti Tūwharetoa Claims Settlement Act.

PURPOSE OF THE COMMITTEE:¹

The purpose of Te Kōpu ā Kānapanapa is—

- a) to restore, protect, and enhance the environmental, cultural, and spiritual health and well-being of the Taupō Catchment for the benefit of Ngāti Tūwharetoa and all people in the Taupō Catchment (including future generations); and
 - b) to provide strategic leadership on the sustainable and integrated management of the Taupō Catchment for the benefit of Ngāti Tūwharetoa and all people in the Taupō Catchment (including future generations); and
 - c) to enable Ngāti Tūwharetoa to exercise mana and kaitiakitanga over the Taupō Catchment, in partnership with the local authorities; and
 - d) to give effect to the vision in Te Kaupapa Kaitiaki.
- (1) In achieving its purpose, Te Kōpu ā Kānapanapa must—
 - a) respect Ngāti Tūwharetoa tikanga; and
 - b) provide for the relationship of Ngāti Tūwharetoa and their culture and traditions with their ancestral lands, water, geothermal resources, sites, wāhi tapu, and other taonga.
 - (2) Ngāti Tūwharetoa's vision is for a healthy Taupō Catchment that is capable of sustaining the whole community and that is managed in a manner that reflects Ngāti Tūwharetoa tikanga.
 - (3) Ngāti Tūwharetoa's vision is founded on the following principles derived from tikanga:
 - a) the principle of mauri: the health and well-being of the Taupō Catchment reflects and nourishes the health and well-being of Ngāti Tūwharetoa:

¹ Ngāti Tūwharetoa Claims Settlement Act s 168

- b) the principle of mana: the active protection and restoration of the relationship of Ngāti Tūwharetoa with the Taupo Catchment (including Ngāti Tūwharetoa's mana whakahaere and kaitiaki role);
- c) the principle of te whanake: the sustainable development of Ngāti Tūwharetoa's taonga, Ngāti Tūwharetoa, and the whole community;
- d) the principle of integrated management: the natural resources within the Taupō Catchment are interdependent and should be managed in an integrated manner.

FUNCTION OF THE COMMITTEE:²

- (1) The principal function of Te Kōpua Kānapanapa is to achieve its purpose.
- (2) Te Kōpua Kānapanapa has the following specific functions:
 - (a) to promote the restoration, protection, and enhancement of the environmental, cultural, and spiritual well-being of the Taupō Catchment; and
 - (b) to prepare and approve Te Kaupapa Kaitiaki in accordance with subpart 2 of this Part and Part 2 of Schedule 6; and
 - (c) to monitor the implementation and effectiveness of Te Kaupapa Kaitiaki; and
 - (d) to advise local authorities and relevant agencies regarding projects, initiatives, action, or research intended to restore, protect, or enhance the health and well-being of the Taupō Catchment; and
 - (e) to support the integrated and collaborative management of the Taupō Catchment; and
 - (f) to support the integrated management of the Taupō Catchment with the management of the Waikato River and the Whanganui River; and
 - (g) to engage with, seek advice from, and provide advice to local authorities and relevant agencies on matters relating to the health and well-being of the Taupō Catchment; and
 - (h) to establish and maintain a register of accredited hearing commissioners; and
 - (i) to participate in any statutory or non-statutory process that concerns or has implications for the health and well-being of the Taupō Catchment, including by making submissions on planning or resource consent processes under the Resource Management Act 1991; and
 - (j) to take any other action that Te Kōpua Kānapanapa considers appropriate to achieving its purpose.
- (3) Te Kōpua Kānapanapa has discretion in any particular circumstance as to whether, how, and to what extent, it will perform any function specified in subsection (2).

POWERS TO ACT:³

- (1) Te Kōpua Kānapanapa has all the powers reasonably necessary to carry out its functions—
 - (a) in accordance with this subpart and subparts 2 and 3 and Schedule 6; and
 - (b) subject to paragraph (a), in accordance with local government legislation.
- (2) Te Kōpua Kānapanapa may perform any function of a local authority if and to the extent that that function has been delegated to it by a local authority.

MEETINGS OF THE JOINT COMMITTEE:

1. Members will receive an agenda for each meeting, delivered by, post, or electronic mail message at least three working days prior to the meeting
2. The Waikato Regional Council will provide secretariat support for the Co-Governance Committee. This includes agenda preparation, minute taking, advertising, action sheets and any other necessary functions to assist the Committee.⁴
3. The Co-Chairs will be the spokespersons for the Committee.

² Ngāti Tūwharetoa Claims Settlement Act s 170

³ Ngāti Tūwharetoa Claims Settlement Act s 171

⁴ Ngāti Tūwharetoa Claims Settlement Act sch 6, s 14

TECHNICAL SUPPORT:

1. The Committee may appoint 1 or more kaumatua or kuia who are knowledgeable in tikanga to attend meetings and provide advice as required as a non-voting advisor.⁵
2. The Committee may invite persons from each appointing organisation or other interested organisations as outlined under the act to attend the meetings for technical advice/support.⁶

COMMUNICATION:

1. Communications with the media and the wider public will be in accordance with an agreed communications protocol.

REFERENCE DOCUMENTS:

1. Ngāti Tūwharetoa Claims Settlement Act 2018

Te Arawa River Iwi Trust and Taupō District Council Committee

| | |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To give effect to the provisions pertaining to a joint management agreement between Te Arawa River Iwi Trust and Taupo District Council under the Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010. |
| Membership | Equal numbers of elected Members of Taupō District Council (Council) and Trustees of Te Arawa River Iwi Trust (the Trust). |
| Quorum | Four, being two Trust representatives and two Council representatives |
| Meeting frequency | Once a year and more often as required |
| Reports to | Taupō District Council & Te Arawa River Iwi Trust |

Scope of Activity

- 1) Implementation of the Joint Management Agreement (JMA) between Te Arawa River Iwi Trust (TARIT) and Taupō District Council under the Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (The Act). The scope of the JMA is:
 - a) Matter relating to the Waikato River and activities within its catchment affecting the Waikato River, within the TARIT rohe, Taupo District and Area B on SO Plan 409144 (see Appendix one to the JMA)
 - b) Matters relating to the exercise of shared functions, powers and duties:
 - i. Monitoring and enforcement activities under Section 47 of the Act
 - ii. Preparing, reviewing changing or varying a Resource Management Act Planning Document, under Section 48 of the Act, and
 - iii. Considering applications under Part 6 of the RMA in relation to resource consents under Section 49(b) of the Act,
 - c) Processes to explore whether customary activities can be carried out without the need for a statutory authorisation, and whether customary activities can be provided for as permitted activities under Section 45(2) of the Act.
 - d) Processes to explore additional duties, functions or powers under Section 54 of the Act
- 2) This committee is to be the kaitiaki of the JMA and to:
 - a) Review the effectiveness of the JMA in achieving its purpose
 - b) Discuss issues of interest to both parties
 - c) Provide strategic guidance to the Joint Working Party (JWP)
 - d) Review and make recommendations on matters brought before it by the JWP
 - e) Make recommendations to Council and TARIT, and
 - f) Undertake any other tasks as agreed between the Parties

Powers to Act

As outlined in the JMA between Te Arawa River Iwi Trust (TARIT) and Taupo District Council under the Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (The Act) dated 19 May 2017.

Delegation of Powers

No powers to sub-delegate

Raukawa Settlement Trust and Taupō District Council Committee

| | |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To give effect to the provisions pertaining to a joint management agreement between Raukawa Settlement Trust and Taupo District Council under the Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010. |
| Membership | Equal numbers of elected Members of Taupō District Council (Council) and Trustees of Raukawa Settlement Trust (the Trust). |
| Quorum | Four, being two Trust representatives and two Council representatives |
| Meeting frequency | Annually |
| Reports to | Taupō District Council & Raukawa Settlement Trust |

Scope of Activity

- 1) Implementation of the Joint Management Agreement (JMA) between Raukawa Settlement Trust and Taupo District Council under the Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (The Act). The scope of the JMA is:
 - a) Matter relating to the Waikato River and activities within its catchment affecting the Waikato River (Area B on SO Plan 409144), in so far as it relates to Taupo District Council;
 - b) Matters relating to the exercise of shared functions, powers and duties:
 - i. Monitoring and enforcement activities under Section 47 of the Act
 - ii. Preparing, reviewing changing or varying a Resource Management Act Planning Document, under Section 48 of the Act, and
 - iii. Considering applications under Part 6 of the RMA in relation to resource consents under Section 49(b) of the Act,
 - c) Processes to explore whether customary activities can be carried out without the need for a statutory authorisation, and whether customary activities can be provided for as permitted activities under Section 45(2) of the Act.
 - d) Processes to explore additional duties, functions or powers under Section 54 of the Act
- 2) This committee is to be the kaitiaki of the JMA and to:
 - a) Review the effectiveness of the JMA in achieving its purpose
 - b) Discuss issues of interest to both parties
 - c) Provide strategic guidance to the Joint Working Party (JWP)
 - d) Review and make recommendations on matters brought before it by the JWP
 - e) Make recommendations to Council and TARIT, and
 - f) Undertake any other tasks as agreed between the Parties

Powers to Act

As outlined in the JMA between Raukawa Settlement Trust and Taupo District Council under the Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 (The Act) dated 5 September 2013.

Delegation of Powers

No powers to sub-delegate

Waikato Civil Defence Emergency Management Group (WCDEM)

Joint committee

| | |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To provide governance and oversight of all planning, co-ordination and delivery of Civil Defence Emergency Management within the Waikato Region Civil Defence Emergency Management Group area. |
| Membership | Mayor, and In the absence of the Mayor, one elected member (first alternate) or one elected member (second alternate). |
| Quorum | As determined by the Committee |
| Meeting frequency | Quarterly or as required |
| Reports to | Taupō District Council and Waikato Regional Council |

Scope of activity

The functions of the Group and of each member of the Group are to:

1. In relation to relevant hazards and risks -
 - a) identify, assess, and manage those hazards and risks;
 - b) consult and communicate about risks;
 - c) identify and implement cost-effective risk reduction;
2. Take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or to otherwise make available suitably trained and competent personnel, including volunteers, and an appropriate organisational structure for those personnel, for effective civil defence emergency management in the Waikato region;
3. Take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or otherwise to make available material, services, information, and any other resources for effective civil defence emergency management in the Waikato region;
4. Respond to and manage the adverse effects of emergencies in the Waikato region;
5. Carry out recovery activities;
6. When requested, assist other civil defence emergency management groups in the implementation of civil defence emergency management in their areas (having regard to the competing civil defence emergency management demands within the Waikato region and any other requests for assistance from other civil defence emergency management groups);
7. Within the Waikato region, promote and raise public awareness of, and compliance with, the Act and legislative provisions relevant to the purpose of the Act;
8. Monitor and report on compliance within the Waikato region with the Act and legislative provisions relevant to the purpose of the Act;
9. Develop, approve, implement, and monitor the Waikato Civil Defence Emergency Management Group plan and regularly review the plan;
10. Participate in the development of the national civil defence emergency management strategy and the national civil defence emergency management plan;
11. Promote civil defence emergency management in the Waikato region that is consistent with the purpose of the Act;
12. That Council's representatives or alternative representative be granted full delegated authority to commit to action and expenditure on behalf of the Council within approved budgets (as per section 7 of the Waikato Civil Defence Emergency Management Group Constituting Agreement).

Power to act

1. A Civil Defence Emergency Management Group has all the powers that are reasonably necessary or expedient to enable it to perform its functions, including the power to delegate any of its functions to members, the Group Controller, or other persons.

2. Without limiting the generality of subsection (1), a Group may —
- a) Recruit and train volunteers for civil defence emergency management tasks;
 - b) Conduct civil defence emergency management training exercises, practices and rehearsals;
 - c) Issue and control the use of signs, badges, insignia, and identification passes authorised under this Act, regulations made under this Act, or any civil defence emergency management plan;
 - d) Provide, maintain, control, and operate warning systems;
 - e) Provide communications, equipment, accommodation, and facilities for the exercise of its functions and powers during an emergency;
 - f) Exercise any other powers that are necessary to give effect to any civil defence emergency management plan.

Powers and obligations

Each member of a Civil Defence Emergency Management Group —

- a) May acquire, hold, and dispose of real or personal property for the use of the Group;
- b) May remunerate its representative for the cost of that person's participation in the Group;
- c) Must provide to the Group the information or reports that may be required by the Group;
- d) Must pay the costs of administrative and related services in accordance with section 24 of the CDEM Act 2002;
- e) Must pay the costs, or a share of the costs, of any civil defence emergency management activity that the member has agreed to pay;
- f) May carry out any other functions or duties conferred on a member of a Group under this Act.

Limits on authority

The Committee's power to act under these delegations is subject to an overriding responsibility to ensure that its actions and decisions are always within the law and Council policies.

Wairakei Tourism Development Committee

Joint committee

| | |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To manage tourism interests in the Wairakei Tourist Park. |
| Membership | One (1) elected member One (1) visitor industry representative appointed by Council |
| Quorum | As determined by the Committee |
| Meeting frequency | Quarterly or as required |
| Reports to | Taupō District Council and the Crown. The Committee is facilitated by the Ministry of Tourism which also liaises with the Commissioner of Crown Lands. |

Scope of activity

The joint Wairakei Tourism Development Committee (WTDC) shall:

1. Be responsible for seeking public interest in tourism developments, evaluating the merits of tourism proposals and making recommendations to the Commissioner of Crown Lands on any proposals included its preferred proposal and any conditions in the designated area
2. Apply the policy framework set out in appendix 2 to this letter when seeking, evaluating and recommending any tourism proposal
3. Consider and seek to resolve issues that might be barriers to development in the designated area e.g. services
4. Undertake its work on a consensus basis
5. Be facilitated by the Ministry of Tourism who will also draft the reports and liaise with CC
6. Have the power to co-opt any expert advice to assist in the evaluation of a proposal
7. Not include as either a member, co-opted member or expert advisor any one from a party that tenders for a development to avoid any conflict of interest, and
8. Have publicity and secretarial costs met by the Ministry of Tourism provided that each partner will be responsible for costs in respect to its representatives including their time and travel.

Government Policy Framework for Development

The final decision on whether to grant an individual lease or recreation permit, and its terms of conditions, is made under the Land Act 1948 by the Commissioner of Crown Lands (CCL). This case decision making however, needs to be informed by government policy for the lands.

The policy framework is:

1. The best land use for Karetoto and Huka Flat is tourism rather than forestry or farming, (Note: neither residential or industrial uses are permitted under the District Plan);
2. An open proactive process to seek competitive bids to attract the best proposals.
3. The tourism development should be high quality, significant investments that will attract international tourists as well as domestic tourists and generate a high number of jobs.
4. The tourism developments should add new attractions to the overall mix rather than replicated existing concessions on Crown Land (other than for ancillary café or retail sales).
5. The tourism developments should be sympathetic to the rural and riverside environment.
6. The highest of any tender will generally be preferred provided that the other factors set out about are also met.
7. To provide secure property rights for a major capital investment CCL should be prepared to grant a long term lease or purchase, subject to normal Treaty of Waitangi settlement processes.
8. To ensure diversity in development, no single bidder should secure more than one of the four properties (the three Karetoto sections and Huka Flat) in the designated area.

9. The tourism developer will be expected to fund the cost of additional infrastructure services as per Taupō District Council policy.
10. The tourism developer should be able to demonstrate they have the financial resources and competence to complete a successful development and operated the business; and
11. As a condition for any proposal to be considered the successful bidder would be contractually committed to directly undertake the development and operate the business and could not assign or sublet the business to another party.

OTHER STATUTORY COMMITTEES

Taupō District Licensing Committee

Statutory Committee

| | |
|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | <p>To administer Council's alcohol licensing framework as determined by the Sale and Supply of Alcohol Act 2012 (the Act).</p> <p>Three members, being:</p> <p>One Chairperson, being a Commissioner recommended by Council and appointed by the Chief Executive.</p> <p>Two other members selected from the Taupō District list of approved persons.</p> |
| Membership | <p>Members must be independent and cannot include:</p> <ul style="list-style-type: none">• people involved in the alcohol industry• police officers• Medical Officers of Health• liquor licensing inspectors• Council staff• people who are involved in any occupation, trade or business activity which may have a potential conflict or perceived conflict with this position (s192(5) Sale and Supply of Alcohol Act 2012.)• people who have a spouse/partner/household family member involved in any occupation, trade or business activity which may have a potential conflict or perceived conflict with this position. <p>Council is obliged to check the criminal records of members with a Police Criminal Conviction check.</p> |
| Secretary | Chief Executive or delegated authority |
| Quorum | <p>Opposed licence or manager's certificate applications:</p> <p>Three</p> <p>Unopposed applications:</p> <p>The Commissioner</p> |
| Meeting frequency | As required |
| Reporting | To Council |

Scope of activity

To hear, consider and determine the functions of the Act which are;

1. To consider and determine applications for licences 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 special licences;
5. To consider and determine applications for the variation of licences (other than special licences) unless brought under section 280 of the Act;
6. With the leave of the Chairperson for the licensing authority (ARLA), to refer applications to the licensing authority;
7. To conduct inquiries and to make reports as may be required of it by the licensing authority under section 175 of the Act; and
8. Any other functions conferred on the licensing committee by or under the Act or any other enactment.

Power to act

1. Hear, consider and determine applications under the Act, and any supporting information.
2. Exercise any powers conferred on the licensing committee by or under the Act.

Delegation of powers

No powers to sub-delegate

Limits on authority

The Committee's 'power to act' pursuant to these delegations is subject to:

1. The Taupō District Licensing Committee acting within the requirements of the Sale and Supply of Alcohol Act 2012; and
2. An overriding responsibility to ensure that its actions and decisions are always within the law.

APPENDIX

Template Terms of Reference for Ad-hoc committees

| | |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective | To consider issues and hear matters that does not warrant a full council hearing. To recommend to Council on any decisions, except where specific delegation is noted. |
| Membership | [To be decided on a case by case basis] LGA Committees Schedule 7 Clause 31 (6) LGA requires a minimum of 3 members for a committee and a minimum of 2 members for a subcommittee (unless provided for in other legislation). The committee must include at least one Councillor and the Mayor. RMA Hearings committees / panels Members to be selected from the Mayor and all Councillors who hold accreditation in the <i>Making Good Decisions (RMA)</i> programme, and independent commissioners. Section 39B RMA specifies who may be given hearing authority and the requirements for accreditation. Section 34A RMA addresses the delegations of powers and functions to Council employees and others. |
| Quorum | As per Standing Orders |
| Meeting frequency | [to be decided] |
| Reports to | Council |

Scope of activity

To recommend to Council regarding specific projects. Detailed scope to be defined as part of inception report.

Power to act

1. Prepare proposals and budgets for the approval of Council.
2. Implement approved proposals.
3. Hear matters relating to a specific matter and make recommendations to Council.
4. Co-opt additional committee members (non-voting) with relevant skills and knowledge to fulfil the Committee's objectives.

Power to recommend to Council

Any matters or proposals relating to:

1. Any matters regarding the need for funding beyond what is already funded through the Long Term Plan / annual plan process and existing budgets.
2. Any matter that cannot be sub-delegated from Council specified in section 32 (1)(a) to (f) of schedule 7 of the Local Government Act 2002.
3. Recommendations to Council regarding matters heard / discussed by the ad-hoc committee.

Delegation of powers

No powers to sub-delegate.

Limits on authority

The Committee's 'power to act' pursuant to these delegations is subject to:

1. Council acting within the requirements of the Local Government Act.
2. An overriding responsibility to ensure that its actions and decisions are always within the law.

Term

[To be decided at the time of inception, or as required by resolution of Council]