



Governance Structure

**Terms of Reference and Delegations for Council,
and Committees of Council**

2022-25

**Adopted by Council on
9 November 2022**

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Introduction

This document sets out the Governance Structure by which Waikato District Council:

- carries out its governance functions; and
- formally delegates its powers and responsibilities to committees and other decision-making bodies.

The Governance Structure is developed in accordance with the provisions and requirements of the Local Government Act 2002 and is based on the following governance principles:

1. That there is as few governance levels as possible to enable efficient and effective exercise of delegated functions and powers.
2. That the business of Council is transacted transparently and inclusively, whenever possible.
3. That decisions are made once, not twice. A decision made by a committee under delegation from the Council has the same effect as if it were made by the Council itself.
4. That each committee's powers are restricted to the areas of responsibility of that committee.
5. That the Council and all committees exercise their powers and functions in accordance with the Local Government Act 2002, other applicable legislation and the Standing Orders.
6. That a committee is not obliged to exercise a power or function delegated to it; where appropriate the power or function can be referred back to the Council for decision in consultation with the Mayor.
7. That all members are expected to attend the meetings for which they are appointed members.
8. Working groups or panels can be established as needed to address special or particular issues, and report directly to Council or the relevant committee. Working groups and panels have no decision-making powers.

The Governance Structure for Waikato District Council is adopted at the beginning of each triennium. It sets out in full the delegations to the committees, including:

- **Common delegations:** There are a number of common delegations from Council to the following committees of the whole: Performance & Strategy Committee, Infrastructure Committee, Sustainability & Wellbeing Committee, and Policy & Regulatory Committee. These common delegations are set out on page 10 and should be read in conjunction with the Terms of Reference for those committees.
- **Specific delegations:** There are specific delegations over and above the common delegations. These are set out for each committee from page 12.

The Governance Structure may also be reviewed and amended by the Council as necessary throughout the triennium.

The Role of the Mayor

Section 41A of the Local Government Act 2009 confers a number of powers and responsibilities to the Mayor. The Mayor may:

- Define and promote a vision for the advancement of the Waikato district and the communities of the district, and to provide leadership to achieve that vision.
- Lead the development of council plans, policies and budgets (including the Annual Plan and Long Term Plan) for consideration by the Council.
- Ensure effective engagement between the Council and the communities of the district.
- Appoint the Deputy Mayor.
- Establish committees of the governing body (Council) and appoint the chairperson for each of those committees.

Ambiguity and Conflict

For clarity, matters that are not delegated by the Council to a committee or another subordinate decision-making body, or to the Chief Executive or other Council officer, are to be determined by the Council.

In the event of uncertainty or dispute as to which committee is authorised to act in respect of a particular matter, due to ambiguity or conflict between the provisions of the Terms of Reference, the Chief Executive will prepare a written report on the matter for Council's consideration. The decision of Council will be final and binding.

Interpretation

Committee includes, for the Council:

- a. A committee comprising all the members of the Council;
- b. A standing committee or special committee appointed by the Council;
- c. A standing committee or special committee appointed by the Mayor;
- d. A joint committee appointed under clause 30 of Schedule 7 of the Local Government Act 2002;
- e. Any subcommittee of a committee described in items (a) (b), (c) or (d) above.

Quorum

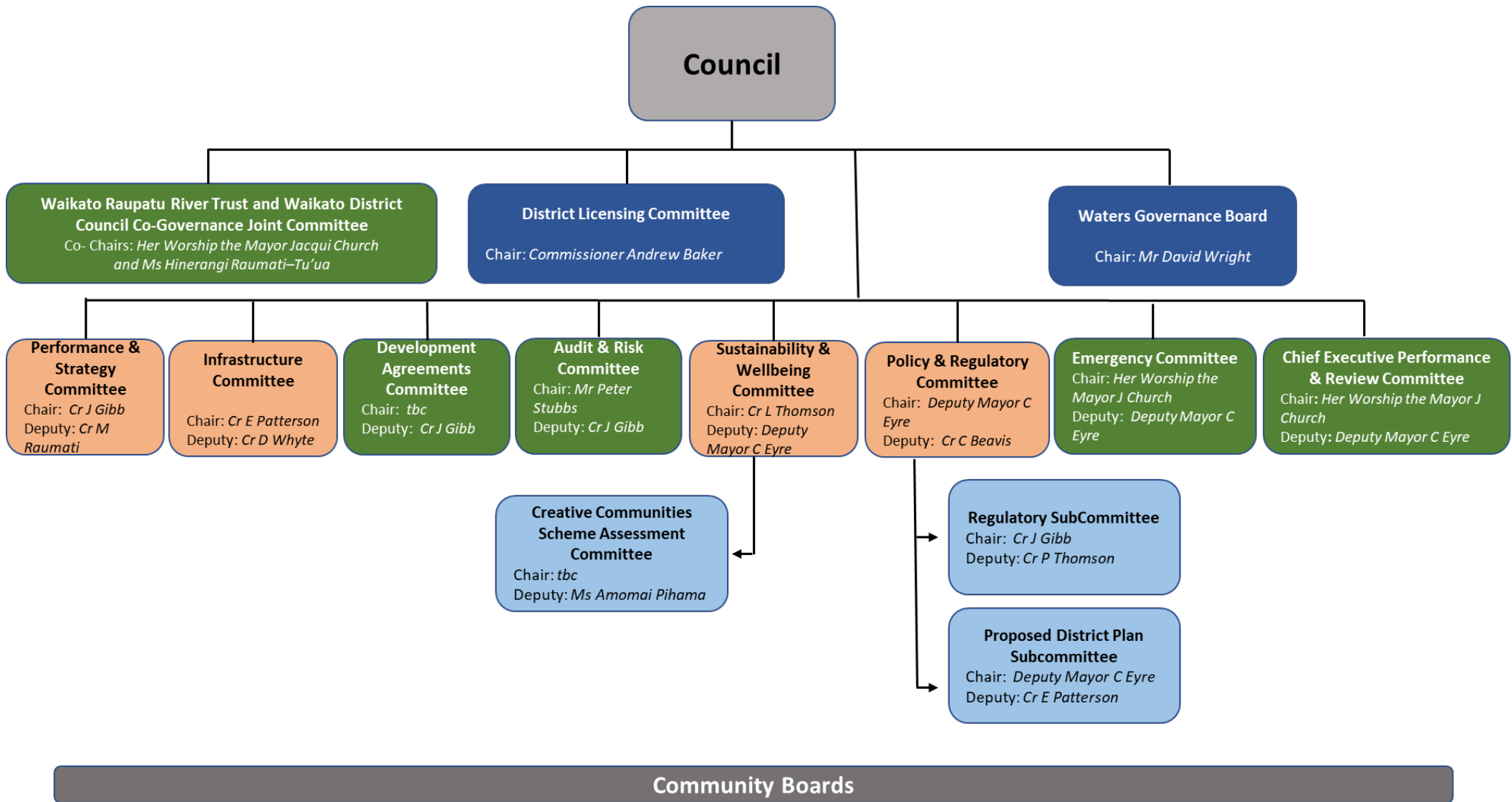
The terms of reference for each committee contain the quorum required. Generally (unless otherwise specified) a quorum is the presence of half of the members if the number of members is even, and a majority of members if the number of members is odd.

- External, appointed members are included in calculating the quorum and are counted towards the quorum when present. This reflects the expectation that appointed members will attend those committees to which they are appointed.
- Ex officio members are not included in calculating the quorum but are counted towards the quorum when present. This reflects the expectation that ex officio members will not always be able to attend all committees and forums but have full voting rights when present.

References to legislation in this Governance Structure includes amendments, re-enactments and substitutions, as well as any regulations made under that legislation.



Council and Committees of Council



Council

Chairperson:	Her Worship the Mayor
Deputy Chairperson:	Deputy Mayor
Membership:	The Mayor and all Councillors
Meeting frequency:	Six weekly – or as required
Quorum:	Half of the members (including vacancies)

Purpose

1. To provide leadership to, and advocacy on behalf of, the people of the Waikato District.
2. To define and represent the total communities' interests, ensuring ongoing community and economic development, the effective stewardship of existing assets, sustainable management of the environment, and the prudent management of the communities' financial resources.

Terms of Reference

The Council's terms of reference include the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body:

1. The power to make a rate.
2. The power to make a bylaw.
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan.
4. The power to adopt a Long-Term Plan, Annual Plan, or Annual Report.
5. The power to appoint a Chief Executive.
6. 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, including the Council's Infrastructure Strategy.
7. The power to adopt a remuneration and employment policy.
8. The power to approve or amend the Council's Standing Orders.
9. The power to approve or amend the Code of Conduct for elected members, and consider any recommendations made in relation to a complaint lodged under the Code.
10. The power to appoint and discharge:
 - a. members (including chairpersons) of Council committees and subordinate decision-making bodies, subject to the Mayor's powers under section 41A Local Government Act 2002; and
 - b. elected member representatives on external organisations.
11. The power to establish a joint committee with another local authority or other public body and appoint elected members as representatives on such committees or bodies.
12. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the Ombudsman's recommendation.
13. The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
14. The power to amend or replace the delegations in Council's Delegations Register (except where expressly permitted in the Delegations Register).

To exercise the following powers and responsibilities of Council, which the Council chooses to retain:

1. To approve a proposed policy statement or plan under the Resource Management Act 1991.
2. To approve changes to boundaries of the District under the Resource Management Act 1991 or any other legislation.
3. In respect of District Plan decisions:
 - a. To appoint independent commissioners to a panel for hearings of a Proposed District Plan;
 - b. To approve the recommendation of hearings commissioners on a proposed plan, plan change or variation (including private plan change); and
 - c. To approve a proposed plan or a change to a district plan under Clause 17, Schedule 1 of the Resource Management Act 1991.
4. To adopt governance level strategies, plans and policies which advance Council's vision and strategic goals (e.g. Hamilton to Auckland rail), other than where expressly delegated to a committee.
5. To approve Council's recommendation to the Remuneration Authority for the remuneration of elected members.
6. To approve the Triennial Agreement.
7. To approve resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer and reviewing representation arrangements.
8. To approve any changes to the nature and delegations of any Council committees or subordinate-decision making bodies.
9. To approve the Local Governance Statement.
10. To approve funding requests not allowed for within budgets, in accordance with Significance & Engagement Policy parameters.
11. To approve any additional funding decisions required for the Watercare Services contract.
12. To approve development agreements as recommended by the Development Agreements Subcommittee where infrastructure is not allowed for within the Long Term Plan.
13. To receive six-monthly reports from each Community Board on its activities and projects.

Common Delegations

The following delegations from Council are common to Performance & Strategy Committee, Infrastructure Committee, Sustainability & Wellbeing Committee and Policy & Regulatory Committee, within their respective areas of responsibility.

General Principle

1. The work of these committees will be in accordance with the priorities and work programme agreed by the Council.
2. These committees have the powers necessary to perform the respective committee's responsibilities, in accordance with the approved Long Term Plan and Annual Plan budgets.

Consultation and engagement

3. Ensure appropriate, effective and transparent engagement with the community, tangata whenua and other stakeholders (including community boards and committees).
4. Conduct any public engagement (including a special consultative procedure) required on issues before the committee, in accordance with Council's Significance and Engagement Policy, Local Government Act 2002 or other applicable legislation.
5. Conduct hearings, where appropriate, to consider submissions from members of the public and external organisations; making determinations on such matters unless they are reserved for Council to decide.
6. Receive and consider valid petitions and make any recommendations or decisions (within the committee's delegations) in relation to such petitions.

Submissions and legislation

7. Approve submissions, including (but without limitation) to external organisations, on legislation and proposals that impact governance policy or matters.

NOTE: The following process can be used in the event that a submission cannot be presented to the relevant committee prior to the due date for submission:

- a. The Mayor, Deputy Mayor, Chairpersons of the Infrastructure, Sustainability & Wellbeing, and Performance & Strategy Committees (together, 'the Submission Forum') may jointly approve a submission.
- b. Officers will circulate the submission to the Submission Forum for approval, providing at least 24 hours for the review of the submission. All Committee members must be notified of the submission so as to enable feedback to be provided via the Submission Forum.
- c. Each member of the Submission Forum will confirm by response whether they approve the submission or have any feedback on the submission.
- d. Where possible, a consensus of the Submission Forum members should be sought. If required, a majority view will prevail.
- e. Any submission approved via this process must be presented to the next relevant committee meeting for noting.

If the submission is of a technical and operational nature only, the submission can be approved by the Chief Executive (in consultation with the relevant committee chairperson prior to lodging the submission).

Projects and programmes

8. Monitor and oversee strategic projects and programmes.
9. Monitor Council's Activity Management Plans.

Contracts

10. Approve and/or monitor tenders, contracts (including variations) and other legally binding arrangements provided that such contracts/arrangements:
 - a. Do not require the approval of Council; and
 - b. Fall within the budget approved under the Long Term Plan or Annual Plan and have a value exceeding the Chief Executive's financial delegation.

NOTE: The Chief Executive will present a quarterly report to the Council noting the contracts in excess of \$2 million approved by Committee Chairs exercising financial delegation.

Community Boards

11. Consider and make decisions on recommendations from Community Boards that fall within the committee's area of responsibility.

Other

12. Consider and make decisions which are within the Chief Executive's delegations, and which the Chief Executive has referred to the committee for decision making.
13. Consider and make decisions on matters that fall within a committee's area of responsibility that are outside of delegations to the Chief Executive or other Council officers.
14. Commission new committee reports and work required to respond to significant or compliance issues, or to complete the agreed programme of Council.
15. Make recommendations to the Council or other committees (in relation to decisions that fall within their respective terms of reference).
16. Establish subcommittees, working groups or hearings panels to consider any matter within the committee's terms of reference, and approve the membership and terms of reference for such subcommittee, working group or hearings panel¹.

¹ A template for establishing a Working Group or Hearings Panel is attached as Appendix A.

Performance & Strategy Committee

Reports to:	The Council
Chairperson:	Cr Janet Gibb
Deputy Chairperson:	Cr Marlene Raumati
Membership:	The Mayor and all Councillors
Meeting frequency:	Six-weekly
Quorum:	Majority of members (including vacancies)

Purpose:

The Performance & Strategy Committee is responsible for:

1. Setting the broad vision and direction for the District's Long Term Plan, determine specific outcomes that need to be met to deliver on Council's vision, develop and monitor strategies to achieve those goals.
2. Monitoring of Council's strategy, and performance (both financial and non-financial) against the Long Term Plan and Annual Plan.
3. Determining financial matters within its delegations and Terms of Reference and making recommendations to Council on financial matters outside its authority.
4. Guiding and monitoring Council's interests in Council Controlled Organisations (CCOs), Council Organisations (COs) and subsidiaries.

In addition to the common delegations on page 10, the Performance & Strategy Committee is delegated the following Terms of Reference and powers:

Terms of Reference - Strategy:

1. Develop and agree strategy and plans for the purposes of consultation (including those required under schedule 10 of the Local Government Act 2002).
2. Recommend to Council strategy and plans for adoption, that underpin Council's Long Term Plan.
3. Monitor and review adopted strategies and plans.
4. To monitor and provide advice on the development and implementation of growth and development strategies, land use, and spatial plans in line with national policy requirements.

Terms of Reference – Performance:

5. To monitor Council's financial strategy, and performance against that strategy.
6. To monitor Council's non-financial performance framework as set out in the Long Term Plan.
7. To receive quarterly reports on the Chief Executive's Business Plan.
8. To provide clear direction to Council's CCOs and COs on Council's expectations, including feedback on draft statements of intent.
9. To receive six-monthly reports of Council's CCOs and COs, including on board performance.
10. To undertake any reviews of CCOs and agree CCO-proposed changes to their governance arrangements, except where reserved for full Council's approval.
11. To monitor Council's investments and Local Government Funding requirements in accordance with Council policy and applicable legislation.

The Committee is delegated the following powers to act:

- Approval of:
 - a. the increase or decrease of the number of members on CCO and CO boards;
 - b. appointments to, and removals from, CCO and CO boards; and
 - c. a mandate on Council's position in respect of remuneration proposals for CCO and CO board members to be presented at Annual General Meetings.
- Approval of letters of expectation for each CCO and CO.
- Approval of statements of intent for each CCO and CO.
- Exercise the Council's powers as a shareholder, or as given under a trust deed, in relation to a CCO or CO, including (but not limited to) modification of constitutions and/or trust deeds, granting shareholder approval of major transactions where required, or exempting CCOs in accordance with the Local Government Act 2002. For clarity, this delegation includes the approval or otherwise of any proposal to establish, wind-up or dispose of any holding in, a CCO or CO.
- Monitor work programme of Future Proof, Waikato Plan, Growth Strategy and cross-boundary issues.
- Approval of any process for making decisions where additional operating expenditure or capital expenditure funding, or deferred capital expenditure, is required.
- Approval of all insurance matters which exceed the delegation of the Chief Executive or other staff, including considering legal advice from the Council's legal and other advisers, approving further actions relating to insurance issues, and authorising the taking of formal actions
- Review and make recommendations to Council in relation to Fees & Charges (after consultation with relevant community boards or committees).
- Review and recommend to Council the adoption of the Annual Report.
- Approval of transactions in relation to investments in accordance with Council policy.
- Approval of contractual and other arrangements for supply and services, and revenue generating contracts, which exceed the Chief Executive's delegations, but exclude contracts or arrangements that are reserved for the Council or another committee's approval.
- Approval of rating issues where these exceed the delegated authority of officers or are an appeal against officer decisions. For clarity, this excludes decisions that are required, by law, to be made by the Council.
- Approval to write-off outstanding accounts that exceed officer delegations.

Infrastructure Committee

Reports to:	The Council
Chairperson:	Cr Eugene Patterson
Deputy Chairperson:	Cr David Whyte
Membership:	The Mayor and all Councillors
Meeting frequency:	Six-weekly
Quorum:	Majority of the members (including vacancies)

Purpose

The Infrastructure Committee is responsible for:

1. Guiding sustainable, physical development and growth of the Council's infrastructure to meet current and future needs.
2. Oversight and monitoring of efficient, safe and sustainable roading and transport, and waste management.
3. Governance of District's parks, reserves, community facilities and cemeteries.

In addition to the common delegations on page 10, the Infrastructure Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

1. To provide direction on strategic priorities for core infrastructure aligned to the District's development, and oversight of strategic projects associated with those activities.
2. To guide the development and implementation of the 30 Year Infrastructure Plan.
3. To support and provide direction regarding Council's involvement in regional alliances, plans, initiatives and forums for regional infrastructure and shared services (for example, Regional Transport Committee).
4. To monitor and make decisions in relation to Council-owned community centres, facilities and halls.

The Committee is delegated the following powers to act:

- Approval of acquisition (including lease) of property, or disposal (including lease) of property owned by the Council, (where such acquisition or disposal falls within the Long Term Plan and exceeds the Chief Executive's delegation).
- Approval of easements, rights of way and other interests over property on behalf of Council.
- Approval of all matters under the Public Works Act 1981, unless such delegation is prohibited by legislation or is otherwise expressly reserved by Council or delegated to the Chief Executive or staff.
- Approval of road names in the Waikato District in accordance with Council policy.
- Approval of any proposal to stop any road.
- Hearing any written objections on a proposal to stop any road, and to recommend to Council its decision in relation to such objections.

- Approval of alterations and transfers within the provisional programme of capital works as prepared for the Long Term Plan and Annual Plan, subject to the overall scope of the programme remaining unchanged and the programme remaining within overall budget.
- Approval of tender procedures adopted from time to time within the guidelines as set down by Waka Kotahi New Zealand Transport Agency for competitive pricing procedures (CPP), or other authorities where funding or subsidies are subject to their approval.
- Approval of traffic regulatory measures defined as:
 - a. Compulsory Stop Signs
 - b. Give Way Signs
 - c. No Passing Areas
 - d. No Stopping/Parking Provisions
 - e. Speed Restrictions
 - f. Turning Bays
 - g. Weight Restrictions on Bridges (Posting of Bridges).
- For all Council-owned land that is either open space under the District Plan, or reserve under the Reserves Act 1977, the power to:
 - a. Approve leases, subleases, licences, and easements (in relation to land and/or buildings).
 - b. Approve amendments to management plans.
 - c. Adopt or change names of reserves.
 - d. Make any decision under a management plan which provides that it may not be made by a Council officer (for example, agree a concession), provided that any decision that has a significant impact under the management plan is recommended to Council for approval.
 - e. Recommend to Council for approval anything that would change the ownership of such land.

For clarity, the committee is delegated all powers of the Council as administering body under the Reserves Act 1977, unless such delegation is prohibited by legislation or is otherwise expressly reserved by Council or delegated to the Chief Executive or staff.
- Enquire into and dispose of any objection to a notice issued pursuant to Section 335 (1) of the Local Government Act 1974 requiring payment of a sum of money for the construction of a vehicle crossing by the Council (section 335(3) Local Government Act 1974). Should a decision be made to reject the objection and reaffirm the requirements in the notice, to authorise that an application be made to the District Court, (section 335(4) Local Government Act 1974) Act, for an order confirming the notice.
- Consider and approve subsidies for the installation of stock underpasses in extraordinary circumstances in accordance with Council policy and bylaws.

Policy & Regulatory Committee

Reports to:	Council
Chairperson:	Deputy Mayor Carolyn Eyre
Deputy Chairperson:	Cr Crystal Beavis
Membership:	The Mayor and all Councillors
Meeting frequency:	Six-weekly
Quorum:	Majority of the members (including vacancies)

Purpose

The Policy & Regulatory Committee is responsible for the Council's governance policies and bylaws and reviewing the District Plan.

In addition to the common delegations on page 10, the Policy & Regulatory Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

1. To establish, implement and review the governance policy framework that will assist in achieving the Council's strategic priorities and outcomes.
2. To develop, review and approve Council bylaws for consultation.
3. To consider and determine changes to the schedules and parking restrictions in the Public Places Bylaw 2016, including hearing any submissions relating to those proposed changes.
4. To hear and determine matters arising under current bylaws, including applications for dispensation from compliance with the requirements of bylaws, unless such matters are otherwise delegated by Council.
5. To administer the Council's District Plan in accordance with the Resource Management Act 1991.
6. To monitor the performance of regulatory decision-making by the District Licensing Committee², Regulatory Subcommittee and officers under their respective delegations.

The Committee is delegated the following powers to act:

Governance Policies

- Develop and agree governance policies for the purpose of consultation/engagement.
- Recommend to Council policy for adoption, amendment, or revocation.
- Monitor and review policy, including recommending amendments to any policy as and when required.

² For clarity, the District Licensing Committee is a committee of Council under the Sale and Supply of Alcohol Act 2012.

Bylaws

- Determine all preliminary matters in relation to bylaws, except where expressly reserved for Council under legislation or the bylaw itself. For clarity, this delegation includes those matters to be determined under section 155 Local Government Act 2002.
- Develop and approve the statement of proposal and associated documentation for new or amended bylaws for consultation.
- Make any resolution where in a bylaw the Council has specified that a matter be regulated, controlled or prohibited by the Council by resolution.
- Recommend to Council new or amended bylaws for adoption.

District Plan

- 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)
- Withdraw a proposed plan or plan change under clause 8D, Schedule 1 of the Resource Management Act 1991.
- Make the following decisions to facilitate the administration of plan changes, variations, designation and heritage order processes:
 - a. To decide whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by the Council and authorise the resolution of any such appeal, provided such decisions are consistent with professional advice.
 - b. To consider and approve Council submissions on a proposed plan, plan changes, and variations, unless expressly delegated to another decision-making body.
 - c. To monitor the private plan change process.
 - d. To accept, adopt or reject private plan change applications under clause 25, Schedule 1, Resource Management Act 1991.

Other Resource Management Issues

- Pursuant to Section 34(1) of the Resource Management Act 1991, to exercise all of the Council's functions, powers, and duties under that Act, except the functions, powers and duties:
 - a. that cannot be delegated or that are otherwise retained by the Council under its terms of reference; or
 - b. expressly delegated to other Council committees or decision-making bodies, or officers.
- Monitor and approve submissions in relation to National Policy Statements and National Environmental Standards.

Other Delegations

- Exercise all the Council's functions, powers and duties under the Building Act 2004, the Health Act 1956, the Dog Control Act 1996, and the Food Act 2014, and the respective regulations made under these Acts, except the functions, powers, and duties:
 - a. that cannot be delegated or that are otherwise retained by the Council under its terms of reference; or
 - b. expressly delegated to other Council committees or decision-making bodies, or officers.
- Approval of attendance of elected members at conferences, seminars, training, or events, in accordance with Council policy.

Sustainability & Wellbeing Committee

Reports to:	The Council
Chairperson:	Cr Lisa Thomson
Deputy Chairperson:	Deputy Mayor Carolyn Eyre
Membership:	The Mayor and all Councillors
Meeting frequency:	Six-weekly
Quorum:	Majority of members (including vacancies)

Purpose:

The Sustainability & Wellbeing Committee is responsible for:

1. Developing strategies and plans to achieve the goals of Council's Long Term Plan as they relate to sustainability and the four wellbeings.
2. Enhancing the District's economic position by promoting it as a business-friendly and business-enabled location and providing direction on strategic initiatives, plans, projects, and potential major developments relating to economic and business development.
3. Monitoring of Council's sustainability and wellbeing related strategies and plans.
4. Partnering to guide the provision of strategic community services to meet the current and future needs of the district and the enhanced wellbeing of its communities.
5. Facilitating community and stakeholder involvement and engagement with community infrastructure, safety, and wellbeing matters.
6. Overseeing civil defence and emergency management.
7. Approval and monitoring of funding to benefit the social, cultural, and environmental wellbeing of communities.

In addition to the common delegations on page 10, the Sustainability & Wellbeing Committee is delegated the following Terms of Reference and powers:

Terms of Reference – Sustainability & Wellbeing:

12. To develop, monitor and review Council's plans and strategies in relation to climate resilience and adaptation.
13. To develop, monitor and review Council's plans and strategies in relation to desired community outcomes, including Blueprints and Community Aspirations.
14. To develop, monitor and review Council's Economic Development plans and strategies.
15. To develop, monitor and review Council's social development and cultural wellbeing plans and strategies.

Terms of Reference – Engagement and Funding:

16. To develop and agree engagement strategy and plans for the purpose of enhancing community engagement and involvement.
17. To provide advice on the development and implementation of strategies in relation to the impacts on sustainability and the four wellbeings.
18. To receive and consider presentations and reports from stakeholders, government departments, organisations and interest groups on development and wellbeing issues and opportunities within the District.
19. To determine funding applications for the Discretionary Grants Fund in accordance with the Discretionary Grants Policy and Guidelines, in a fair and just manner.
20. To determine recommendations for funding applications for the Heritage Assistance Fund and Conservation Fund in accordance with Council policy.
21. To monitor and review the work of the Creative Communities Scheme Assessment Committee on a regular basis.
22. To prioritise allocation of funding for community activities in accordance with Council policy and strategy.

Terms of Reference – Civil Defence and Emergency Management:

23. To monitor the performance of Waikato District's civil defence and emergency management response against Council's requirements under the Civil Defence and Emergency Management Act including:
 - a. implementation of Government requirements; and
 - b. co-ordinating with, and receiving reports from, the Waikato Region Civil Defence and Emergency Management Group Joint Committee.

The Committee is delegated the following powers to act:

- Approval of:
 - Climate resilience and adaption strategies and plans
 - Economic Development strategies and plans
 - District and Community Blueprints
 - Social Development and Cultural strategies and plans
 - Community Engagement strategies and plans
- Approval of funding applications for the Rural Ward Fund within the funds allocated by the Council on an annual basis (other than those applications to be determined by the relevant community board or community committee).
- Approval of funding applications for the Heritage Assistance Fund and Conservation Fund as recommended to the committee by officers or relevant assessment bodies.
- Approval of funding applications for any other community-based funding as delegated to the committee by the Council.

Audit and Risk Committee

Reports to:	The Council
Chairperson:	External appointee – Mr Peter Stubbs
Membership:	Deputy Chairperson – Cr Janet Gibb Mayor Jacqui Church (<i>ex officio</i>) Deputy Mayor Carolyn Eyre Cr Marlene Raumati Cr Peter Thomson
Meeting frequency:	As required – no less than four times each year.
Quorum:	Four members

Purpose:

The Audit and Risk Committee is responsible for:

1. Considering and reviewing the adequacy of Council's risk management and internal control frameworks.
2. Monitoring and seeking assurance on the functioning of Council's risk management and internal control frameworks (including systems and processes).
3. Managing the independent auditor (internal and external) expectations and relationships.

Terms of Reference:

To achieve the above purpose the Audit and Risk Committee will:

1. Annually review council's risk management framework to ensure it is effective
2. Ensure the strategic risk register is current and relevant
3. Ensure Council has an effective internal control framework to identify and manage business risk (at the risk portfolio level)
4. Review Council's insurance programme for adequacy of risk mitigation
5. Review the effectiveness of Council's business continuity and disaster recovery planning and testing arrangements
6. Ensure Council has an effective framework in place to prevent, detect and investigate fraud-related issues
7. Ensure Council has an effective Health and Safety/Zero Harm framework in place to prevent, detect and investigate safety-related issues
8. Review the internal audit framework to ensure that appropriate organisational structures, authority, access, and reporting arrangements are in place
9. Approve the annual internal and external audit programme and related plans
10. Consider Council's annual report from a risk perspective, and subject to audit clearance, make recommendations to Council regarding adoption
11. Review audit reports (internal and external) and monitor management's implementation of audit recommendations
12. Keep Council informed on significant risk or audit issues raised and proposed actions
13. Meet regularly with independent auditors to gain assurance on the risk frameworks and the management of them

The Committee is delegated the following recommendatory powers:

1. The committee has no decision-making powers.
2. The committee may make recommendations to the Council and/or the Chief Executive
3. The committee may conduct and monitor special investigations in accordance with Council policy and approved budget, including engaging expert assistance, on matters within its terms of reference.

Administrative arrangements:

Meetings

The committee will meet at least four times each year. An extraordinary meeting may be called to review the annual report. The chairperson is required to call a meeting if requested to do so by the Council, or the Chief Executive.

A meeting plan, including dates and agenda items, will be agreed by the committee each year. The meeting plan will cover all the committee's responsibilities as detailed in these Terms of Reference.

For clarity, the Council's Standing Orders and Code of Conduct will apply to committee meetings and members.

Membership

Members are appointed for an initial term of no more than the three years that aligns with the triennial elections, after which they may be eligible for extension or reappointment.

The Council appoints external members of the committee; the terms of the appointment are to be recorded in a contract.

Attendance at meetings

Meetings can be held in person, by telephone, or by video conference in accordance with Standing Orders.

The Chief Executive, Executive Leadership Team members, and external audit representatives will be invited to attend each meeting, unless requested not to do so by the chairperson of the committee. The committee may also ask other Council employees, or other suitably qualified persons with interest or expertise in special topics, to attend committee meetings or participate for certain agenda items.

The committee will meet separately with both the internal and external auditors at least once a year.

Reporting

The committee will regularly, and at least once a year, report to the Council on its operation and activities during the year.

The report should include:

- a summary of the work the committee performed to fully discharge its responsibilities during the preceding year; and
- a summary of the Waikato District Council's progress in addressing the findings and recommendations made in internal and external audit reports, and the Auditor-General's reports (if applicable).

The committee may, at any time, report to the Chief Executive or the Council on any other matter it deems of sufficient importance to do so. In addition, at any time an individual committee member may request a meeting with the Chief Executive or the Council.

Assessment arrangements

The chairperson of the committee will initiate a review of the performance of the committee at least once every two years and present it to the Council. This will support the committee's philosophy of continuous improvement.

Review of Terms of Reference

The committee will review its Terms of Reference at least once a year. This review will include consultation with the Council.

Any substantive changes to the Terms of Reference will be recommended for approval by the committee to the Council.

Emergency Committee

Reports to:	The Council
Chairperson:	Her Worship the Mayor Jacqui Church
Deputy Chairperson:	Deputy Mayor Carolyn Eyre
Membership:	Chairperson – Infrastructure Committee Chairperson – Performance & Strategy Committee Chairperson – Sustainability & Wellbeing Committee
Meeting frequency:	As required
Quorum:	Two members.

Purpose:

The Emergency Committee is to determine matters within the authority of Council, Council committees or subcommittees, or community boards where an urgent decision is required and a full meeting of Council is precluded due to a lack of quorum.

Terms of Reference and Delegations

1. To exercise all powers, responsibilities and duties of the Council, Council committees or subcommittees, or community boards except for those that:
 - Have been delegated to staff; and
 - Cannot be delegated pursuant to clause 32, Schedule 7 of the Local Government Act 2002, or under any other legislation.

Explanatory Note

- An Emergency Committee meeting can be called by the Chief Executive if a Council meeting cannot be convened, on providing at least 24 hours' notice, due to a lack of quorum.
- Emergency Committee agendas and minutes will be circulated to all Councillors.
- For clarity, Councillors who are not members of the Emergency Committee may still attend an Emergency Committee meeting, though cannot participate in voting.

District Licensing Committee

Reports to:	The Council
Commissioners:	Andrew Baker Michael Cameron
Members	Barry Smedts Jason Howarth Patsi Davies
Meeting frequency:	As required
Quorum:	Three members

Purpose

To administer the Council's alcohol licensing obligations and responsibilities as determined by the Sale and Supply of Alcohol Act 2012 ('the Act').

Terms of Reference:

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 certain requirements.
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).
6. With the leave of the chairperson of the Alcohol Regulatory and Licensing Authority ('the licensing authority'), 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.
8. Other functions conferred on the District Licensing Committee by the Act or other legislation.

The Committee has the following powers to act:

- Make decisions on applications and renewals for licences and manager's certificates in accordance with its terms of reference, the Act and other relevant legislation.

Other delegations:

- The Chairperson of the District Licensing Committee, in consultation with the Secretary of the District Licensing Committee, is delegated the power to appoint members to the District Licensing Committee from the approved list of members for any specific hearing.

Explanatory Note:

- The Secretary of the District Licensing Committee will prepare a quarterly report to the Council on the proceedings and operations of the District Licensing Committee.

Chief Executive's Performance Review Committee

Reports to:	The Council
Chairperson:	Her Worship the Mayor Jacqui Church
Membership:	Deputy Chairperson: Deputy Mayor Carolyn Eyre Cr Janet Gibb Cr Eugene Patterson Cr Lisa Thomson
Meeting frequency:	As required, at least 3 times each calendar year.
Quorum:	A majority of members (including vacancies)

Purpose

1. The Chief Executive's Performance Review Committee has responsibility, on behalf of the Council, to coordinate the implementation of the Chief Executive's Performance Review and Remuneration policies, which relate to the management of the annual performance and remuneration reviews of the Chief Executive.

Terms of Reference:

The Committee will:

1. Meet with the Chief Executive in June of each year to discuss and agree a Performance Plan for the next financial year.
2. Undertake a review of the Chief Executive's performance against the agreed Performance Plan for the previous financial year in September, undertake a remuneration review based on the recommendations of the independent remuneration consultants, and implement the results.
3. Undertake an interim review of the Chief Executive's progress against the agreed Performance Plan in February/March.
4. Undertake any recruitment process for the Chief Executive and recommend an appointment for Council approval.

The Committee is delegated the following powers to act:

1. To make decisions on the Chief Executive's performance plan and remuneration in accordance with its Terms of Reference.
2. To recommend the appointment or dismissal of the Chief Executive to the Council.

Independent Support

The Committee will be supported by an independent consultant, mutually agreed by the Council and the Chief Executive. The independent consultant will attend all the committee meetings but will not have any voting rights.

Regulatory Subcommittee

Reports to:	Policy & Regulatory Committee
Chairperson:	Cr Janet Gibb
Deputy Chairperson:	Cr Peter Thomson
Membership:	Deputy Mayor Carolyn Eyre Cr Crystal Beavis (The composition of any Regulatory Subcommittee for quorum purposes to be determined by the Chairperson)
Meeting frequency:	As and when required
Quorum:	A panel of three to be appointed in the first instance allowing for a quorum of two once the hearing has commenced.

Purpose

1. To conduct fair and effective hearings and make determinations on the Council's regulatory functions under legislation and other matters as referred to the Committee.
2. To recommend to the Council or relevant Council committee any matters that it considers necessary to enable the effective management of the Council's regulatory functions.

Terms of Reference:

1. Hear and determine any statutory or regulatory hearings under relevant legislation unless otherwise delegated or retained by the Council, including (but without limitation):
 - a. objections under the Dog Control Act 1996;
 - b. matters under the Resource Management Act 1991 and related legislation;
 - c. matters under the Impounding Act 1955;
 - d. matters regarding drainage and works on private land under the Local Government Act 1974 and Local Government Act 2002;
 - e. matters under the Gambling Act 2003, Health Act 1956 and Litter Act 1979;
 - f. matters regarding residential pools under the Building Act 2004.
2. Hear and determine other matters that require hearings or submissions, as referred by Council or other Committees.
3. To convene working groups and carry out the Terms of Reference approved and referred by Council or other Committees.

The Subcommittee is delegated the following powers to act:

- Conduct statutory hearings on regulatory matters and undertake and make decisions on those hearings that fall within the committee's Terms of Reference.
- Appoint additional members, including external members, for hearings where expert advice is required.
- Establish and amend hearings protocols relating to the general conduct of hearings and hearings-related matters in accordance with the applicable legislation and the principles of administrative law and natural justice.
- Approval of activities and expenses relating to working groups consistent with the terms of reference and approved working group budget.

Explanatory Note:

1. The Committee may request expert advice through the Chief Executive when necessary.
2. The General Manager Customer Support, in consultation with the Chairperson of the Regulatory Subcommittee, are delegated the power to determine:
 - a. the composition of any hearings panel to be convened under the committee's terms of reference; and
 - b. the appointment of any independent hearings commissioner within the panel of commissioners approved by the Council, to hear and determine any matter under the Resource Management Act 1991 (and related legislation). An independent commissioner can be appointed to act in his/her sole capacity, or together with appointed councillors who hold the appropriate accreditation.
3. Decisions of a hearing panel shall be made by consensus although if necessary the majority view prevails.

Proposed District Plan Subcommittee

Reports to:	Policy & Regulatory Committee
Chairperson:	Deputy Mayor Carolyn Eyre
Deputy Chairperson:	Cr Eugene Patterson
Membership:	Her Worship the Mayor Cr Crystal Beavis Cr Kandi Ngataki
Meeting frequency:	As and when required
Quorum:	A majority of members (including vacancies).

Purpose

1. To assist the Chief Executive and officers to make timely decisions on any matters relating to the hearings on submissions and further submissions on the Proposed Waikato District Plan (including Stages 1, 2 and any variations) (“the Proposed District Plan”) and any appeals or other proceedings relating to Council’s decisions on the Proposed District Plan.

The Subcommittee is delegated the following powers to act:

1. To make decisions in relation to any direction sought by the Chief Executive and/or officers in relation to any matters relating to:
 - a) The hearings on submissions and further submissions on the Proposed District Plan; and
 - b) Any appeals or other proceedings relating to Council’s decisions on the Proposed District Plan.

NOTE: The authority under paragraphs 1 a) and b) includes the power to direct the Chief Executive or officers to engage any expert or legal counsel.

2. To determine an approach for resolving any appeals or other proceedings on Council’s decisions on the Proposed District Plan.
3. To delegate to the Chief Executive or any officer participating in an alternative disputes resolution process (“ADR process”) (as defined in section 268(4) of the Resource Management Act 1991) in relation to any Environment Court proceeding arising from Schedule 1 of the Act or any other ADR process directed in any other proceedings), the authority to make decisions on behalf of Council , within any parameters given by the Subcommittee, on any matters that may reasonably be expected to arise in the ADR process.
4. To authorise the Chief Executive, or his delegate, together with any other member of the Executive Leadership Team, to jointly consider and approve, within any parameters given by the Subcommittee, the content of any draft consent order to be submitted to the Environment Court to resolve any appeal on Council’s decisions on the Proposed District Plan.
5. To report to the Policy & Regulatory Committee on a quarterly basis (as a minimum) with a summary of the matters considered and decisions made by the Subcommittee.

Development Agreements Committee

Reports to:	Council
Chairperson:	Peter Stubbs (Independent Chair)
Deputy Chairperson:	Cr Janet Gibb
Membership:	Her Worship the Mayor Deputy Mayor Carolyn Eyre Cr Peter Thomson Cr Eugene Patterson Independent member (to be appointed)
Meeting frequency:	As and when required
Quorum:	A majority of members (including vacancies).

Purpose

1. To assist the Chief Executive and officers to make timely decisions on any matters relating to development agreements.

The Subcommittee is delegated the following powers to act:

6. To make decisions in relation to any direction sought by the Chief Executive and/or officers in relation to any matters relating to:
 - a) Development agreements; and
 - b) Any objections or other proceedings relating to Council's Development Contributions Policy

NOTE: The authority under paragraphs 1 a) and b) includes the power to direct the Chief Executive or officers to engage any expert or legal counsel.

7. To determine an approach for objection or other proceedings on Council's Development Contributions Policy.
8. To authorise the Chief Executive, or his delegate, together with any other member of the Executive Leadership Team, to negotiate and approve, within any parameters given by the Subcommittee, the content of any development agreement where infrastructure budgets are allowed for in the Long Term Plan.
9. To recommend to Council any development agreement where infrastructure budgets are not currently allowed for in the Long Term Plan.
10. To report to the Council on a six monthly basis (as a minimum) with a summary of the development agreements in progress and decisions made by the Subcommittee.

Creative Communities Scheme Assessment Committee

Reports to:	Creative New Zealand and the Council's Discretionary & Funding Committee
Chairperson:	TBA
Deputy Chairperson:	Ms Amomai Pihama
Membership:	Two elected members (Councillors Tilly Turner and Mike Keir) Two iwi representatives (TBA; Ms Amomai Pihama) One Arts Council representative (Heather Cunningham) Four community representatives (Claire Du Bosky; Judi Muru; Mark Vincent; Annette Taylor)
Meeting frequency:	As and when required, at least twice yearly
Quorum:	A majority of members (including vacancies)

Purpose and Terms of Reference:

1. To administer the Creative New Zealand Creative Communities Scheme in partnership with Creative New Zealand.
2. To consider applications and allocate funding in accordance with the Creative New Zealand Creative Communities Scheme Guidelines.
3. The Committee's Chairperson will provide an update report to the Council's Discretionary & Funding Committee after each Creative Communities Scheme Assessment Committee meeting.

The Committee is delegated the following powers to act:

- Approval of funding applications to the Creative New Zealand Creative Communities Scheme.
- Appoint community representatives to the Committee.

Explanatory Note:

- Appointments to the Committee are made as follows:
 - a. Immediately following each local authority triennial election, the Council will appoint two elected members. The Creative Communities Scheme Guidelines states that the limitation on the terms served by Committee members does not apply to Council's appointed elected members.
 - b. The iwi representatives shall continue on the Committee following the local authority triennial elections, provided they serve no long than two consecutive terms. New iwi representatives are appointed by Waikato Tainui.
 - c. The Arts Council representative shall continue on the Committee following the local authority triennial elections. The Creative Communities Scheme Guidelines states that the limitation on the terms served by Committee members does not apply to the Art Council's appointed members. New Arts Council representatives are appointed by Raglan Community Arts Council.

- d. Community representatives shall continue on the Committee following the local authority triennial elections, provided they serve no long than two consecutive terms. New community representatives are appointed by the Committee.
- External appointees to the committee will be entitled to remuneration for attendance at meetings in accordance with the terms agreed between the Council and Creative New Zealand.

Waters Governance Board

Reports to:	The Council
Chairperson:	Mr David Wright
Membership:	Ms Rukumoana Schaafhausen Mr Garth Dibley Mr Gavin Ion (Chief Executive) Ms Jackie Colliar (Intern)
Meeting frequency:	Monthly
Quorum:	A majority of members (excluding the Board Intern)

The Waters Governance Board is a subordinate decision-making body of the Waikato District Council established under Schedule 7 of the Local Government Act 2002.

Purpose and Terms of Reference:

1. To provide governance and oversight of the development and implementation of the Council contract with Watercare Services Limited ('Watercare').
2. To ensure the activity goals are clearly established, and strategies are in place for achieving them.
3. To establish policies for strengthening the performance of the water activity including ensuring management and the contractor are proactively seeking to build the business through innovation, initiative, technology, new products and the development of its business capital.
4. To monitor the performance of management through the Chief Executive.
5. To ensure high standards of health & safety are maintained by management and Watercare and undertaking appropriate due diligence.
6. To decide on whatever steps are necessary to protect the Council's financial position and the ability to meet its debts and other obligations when they fall due and ensuring that such steps are taken.
7. To ensure the water activity's financial statements are true and fair and otherwise conform to law.
8. To ensure the water activity adheres to high standards of ethics and corporate behaviour.
9. To ensure the water activity has appropriate risk management/regulatory compliance policies in place.
10. To look to improve environmental outcomes from this activity.
11. To consider kaitiakitanga as part of decision-making.
12. To monitor and ensure Watercare are meeting their obligations.
13. To report to Council twice yearly on progress with Waters' Management.
14. To provide innovation and ideas that could improve profitability, service levels or environmental outcomes.
15. To hold Watercare to account over the delivery of the operational and capital programmes.
16. To work with Council to agree the overall funding requirements of the business.
17. To undertake any other matters considered relevant by the Board or referred to the Board by the Council.

The Board is delegated the following powers to act:

- Agree the form of the transactional arrangement with Watercare.
- Negotiate with Watercare and recommend to Council the final, or any amended, contract value for waters management.
- Conclude the contract (after Council approval of contract value) and terms and conditions, including any amendments, with Watercare.
- Ensure that transitional contract requirements are met by Watercare and Council.
- Hold Watercare to account for their performance at all levels.
- Monitor and oversee the performance of staff and Watercare in terms of the water activity.
- Consider and ensure improvements or innovation are implemented by Watercare or through the Chief Executive as appropriate.
- Approve changes to the operation of the contract with Watercare.
- Develop strategies to improve contractual performance or to improve business practices.
- Recommend to Council infrastructure strategy and Asset Management Plans for adoption.
- Develop an annual works programme (operating and capital) and submit to council for final approval.
- Approve alterations and transfers within the programme of capital and operational works as prepared for the Long Term Plan and Annual Plan, subject to the overall scope of the programme remaining unchanged and the programme remaining within overall budget.
- Set and ensure Watercare's adherence to health and safety requirements, and wellbeing practices.
- Set and maintain standards of ethics and corporate behaviour.
- Consider development opportunities for the Waters' business.
- Define and set levels of service for Waters' management now and in the future.
- Responsible for the financial performance of the contract and operation.
- Approve and/or amend existing or new contracts relating to the delivery of three waters' services and operation unless additional funding by the Council is required or the approval or amendment is inconsistent with Council Policy.
- Recommend to Council any new or additional funding requirements over and above that contained within the Long Term Plan.
- Develop plans to improve the overall resilience of the Waters' networks and allow for growth.
- Consider the impact of growth on the Waters' infrastructure.
- Implement and monitor the risk management framework for the waters' management and activity.
- Approve the annual and half yearly financial statements for the Waters' operation and provide any relevant commentary to the Council.
- Annually review the Board composition, structure and succession and make recommendations to council on these matters.
- Ensure the Waters' business delivered by Watercare provides value for the community in terms of the four wellbeings.

- Determine the approach for resource consent applications for the Waters' business and monitor progress of those applications on behalf of the Council.
- Review and monitor existing strategic resource consents.
- Ensure that Kaitiakitanga and environmental outcomes are key decision-making considerations for the Board.
- Uphold the vision and strategy of the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.



Community Boards and Committees

Introduction

This section of the Governance Structure set out the terms of reference and delegations for the following Community Boards and Community Committees:

- Huntly Community Board
 - Ngaruawahia Community Board
 - Raglan Community Board
 - Rural - Port Waikato Community Board
 - Taupiri Community Board
 - Tuakau Community Board
-
- Meremere Community Committee
 - Pokeno Community Committee
 - Tamahere Community Committee
 - Te Kauwhata Community Committee

The section also outlines the principles of the relationship between the Council and a Community Board or Committee, and that Board or Committee and the public.

Community Boards are separately constituted as unincorporated bodies and their role is set out in section 52 of the Local Government Act 2002. Community Boards may have powers delegated to them by the Council in accordance with clause 32 Schedule 7 of the LGA, other than those matters that Council cannot delegate under legislation³.

Community Committees are established by, and represent, their relevant local community. Community Committees do not have any legislated role or powers, though may be delegated powers by the Council in accordance with clause 32, Schedule 7 of the LGA.

Delegations to a Community Board or Community Committee shall be exercised with proper regard for the Council's strategic direction, policies, plans, Standing Orders and Council's interpretation of its statutory obligations (as advised by, or on behalf of, Council staff). Such delegations are based on the following principles:

- Efficient decision-making should be paramount;
- Conflicts of interest must be avoided where possible, and risks of such conflicts minimised;
- To ensure processes are free from bias and pre-determination Community Boards and Community Committees must not adjudicate on issues on which they have advocated or wish to advocate to Council;
- Community Boards and Community Committees should proactively and constructively engage with residents and ratepayers on local matters that affect the community they represent and raise with Council issues raised with them by their community and advocate on behalf of their community.

³ Including, but without limitation, section 53(3) and clause 32(1) of Schedule 7 of the LGA

These delegations:

- do not delegate any function, duty or power which legislation (for example section 53(3) and clause 32(1) of Schedule 7 of the Local Government Act 2002) prohibits from being delegated;
- are subject to and do not affect any delegation which the Council has already made or subsequently makes to any other committee, Council officer or other member of staff;
- are subject to any other legislative requirements that may apply to a particular delegation;
- are subject to any Council or Council committee resolution, from time to time, to a Community Board or Community Committee that a particular issue must be referred to Council for decision;
- reflect that decisions with significant implications should be made by Council (or a Council committee with delegated authority); and
- reflect that all statutory and legal requirements must be met when a Community Board or Community Committee makes a decision under its delegations.

Community Boards Terms of Reference

It is noted that the Community Board Terms of Reference are being reviewed at present and are likely to be revised early in 2023. In the interim these Terms of Reference apply to all Community Boards in the Waikato District.

Pursuant to Schedule 7 Clause 32 of the Local Government Act 2002 and recognising the role of Community Boards as defined in section 52 of that Act, the Waikato District Council delegates responsibilities, duties and powers to the Huntly, Ngaruawahia, Onewhero-Tuakau, Raglan, Rural-Port Waikato and Taupiri Community Boards as follows:

1. To liaise as necessary with any appointed Hall Committee to ensure that hire rates and charges are set for Council-owned halls and community centres within their Community Board area.
2. To consider applications for, and to distribute Discretionary Fund grants within their Community Board area, in a fair and equitable fashion.
3. To grant exemptions from Council bylaws for areas within their jurisdiction, where those bylaws so provide for an exemption or variation by consent of Council.

Pursuant to Schedule 7 Clause 32(3) of the Local Government Act 2002, any sub-delegation of these responsibilities, duties and powers by Community Boards is hereby expressly prohibited except the power to appoint sub-committees of management to administer Council-owned halls and community centres within their Community Board area.

Purpose

The _____ Community Board (the Community Board) is set up by the Waikato District Council (the Council) to assist Council in dealing with local issues in the community of _____.

Roles and Delegations

1. The Council's roles are:
 - a. To give effect to local identity and preferences.
 - b. To make the local authority more responsive to the community's preferences and more accountable for their actions.
 - c. To increase efficiency.
2. The Community Board's role is to express the community's views on local issues to the Council. In order to achieve this, the legislative guidelines for the Community Board shall be as follows:
 - a. Represent, and act as an advocate for, the interests of its community.
 - b. The consideration of and reporting on of all matters referred to it by the Council or any matter of interest or concern to the Community Board.
 - c. Maintain an overview of services provided by the Council within the community of _____.
 - d. The preparation of an annual submission to the budgetary process of the Waikato District Council for expenditure within the community of _____.
 - e. Communication with community organisations and special interest groups within the community of _____.
 - f. Make recommendations to the Infrastructure Committee on the disbursement of any Township Development Funds. The final decision rests with Council.

- g. To disburse within the community of _____ the discretionary funds allocated by the Council as part of its Annual Plan or Long-Term Plan budget.
 - h. Any other function and duties as may be delegated from time to time to the Community Board by the Council.
3. Pursuant to Schedule 7 Clause 32 of the Local Government Act 2002 and recognising the role of Community Boards as defined in Section 32 of that Act, the Waikato District Council delegates responsibilities, duties and powers to the Huntly, Ngaruawahia, Onewhero-Tuakau, Raglan and Taupiri Community Board as follows:
 - a. To liaise as necessary with any appointed Hall Committee to ensure that hire rates and charges are set for Council-owned halls and community centres within their community board area
 - b. To consider applications for, and to distribute Discretionary Fund grants within their Community Board area in a fair and equitable fashion.
 - c. To grant exemptions from Council bylaws for areas within their jurisdiction, where those bylaws so provide for an exemption or variation by consent of Council.
 4. Pursuant to Schedule 7 Clause 32(3) of the Local Government Act 2002, any sub-delegation of these responsibilities, duties and powers by Community Boards is hereby expressly prohibited except the power to appoint sub-committees of management to administer Council-owned halls and community centres within their Community Board area.

Membership of Community Board

1. The membership of the Community Board shall be as determined by the review of boundaries and membership procedure as set out in the Local Government Act 2002 and as confirmed prior to each Local Government Triennial Elections.
2. In line with representation reviews and any applicable Local Government Commission determinations, Councillor(s) elected in the Ward representing the Community Board area shall be Community Board members either by election or appointment. (Please note that the Local Government Commission determination does not permit both elected Councillors from the Awaroa ki Tuakau Ward to be appointed to the Onewhero-Tuakau Community Board).
3. The role of the appointed Councillor shall be the liaison link between Council and the Community Board, in particular accepting the responsibilities as set out in Clause 8 of this Charter.

Chairperson

1. The Community Board shall appoint a Chairperson from within its membership.
2. The Community Board shall appoint a Deputy Chairperson from within its membership.

Remuneration

1. Remuneration to individual members shall be as resolved by the Remuneration Authority in consultation with the Council and Community Board from time to time.
2. Community Board members must comply with current Council policies and procedures for submitting claim forms.

Meeting Procedures

1. The Community Board shall follow the general principles of the New Zealand Standards (NZS 9202:2003) Model Standing Orders including Amendment 1 for Meetings of Local Authorities and other public bodies.
2. At each Community Board meeting there shall be an opportunity for informal discussion on matters of mutual interest to the Community Board and the Council, not covered by an agenda item. This general forum will enable:
 - a. matters to be raised in order that, if the Council agrees, they may be the subject of a staff report for inclusion in the subsequent agenda
 - b. concerns with Council operations to be discussed
 - c. Ward Councillors to report back to the meeting on Council discussions and decisions
 - d. Community Board members to provide any relevant updates

Communication

The objective is to retain quality relationships between the Council and the Community Board and the Community Board and the public.

Responsibilities of Ward Councillors and Staff

The Council, through the Ward Councillor(s) and the staff, will ensure that:

1. The Community Board is consulted in the November/December period on requests for works or projects to be included in the following year's draft Annual Plan and/or draft Long Term Plan (whichever is applicable).
2. The Community Board is consulted by way of detailed presentation on the contents of the draft Annual Plan or draft Long Term Plan (whichever is appropriate) in sufficient time to allow the Community Board to make a meaningful submission to Council.
3. The Community Board participates in the prioritising of capital works projects in the Community Board area such as:
 - a. seal extension
 - b. street lighting upgrades
 - c. footpath development
 - d. roading upgrades
 - e. utilities works
 - f. playground works
4. The Community Board members will be presented with a report on a monthly basis detailing the next month's programme of works.
5. The Community Board will be consulted by way of a detailed presentation on major policy issues initiated by Council that have an effect on the Community Board area. The consultation and presentation will either be made prior to the public submission process to enable the Community Board to have input into draft documents, or be made in sufficient time to allow the Community Board to make a meaningful submission.
6. The Community Board members will be invited to participate in all community or roadside meetings held in the Community Board area on proposed works projects.

Responsibilities of Community Board Members

1. The Community Board members will contact the Ward Councillor(s), Chief Executive or General Managers prior to the Community Board meeting if sufficient detail is not available in the agenda to make the correct or appropriate decision.
2. The Community Board members will undertake or recommend to the Council promotion of local cultural, sporting and enterprise initiatives or community events.
3. The Community Board members will ensure that Discretionary Fund grants are distributed in a fair and equitable manner.
4. The Community Board members have a responsibility to be active members of the Community Board, adhering to relevant Council policies and procedures in the discharge of their duties.
5. The Community Board members will take part in any training or workshop sessions arranged by Council to promote a greater understanding of their role on behalf of the community so as to enhance performance.

Responsibilities of Council

1. The Council agrees to hold at least one combined workshop per annum, at which the Council will participate with all Community Boards in discussing issues of mutual interest and clarification will be given on future Council direction.
2. The Council may accept representations from the Community Board at its ordinary meetings on issues of significance contained within the Community Board Minutes.
3. The Council employs the Chief Executive and the Chief Executive employs all staff. The Chief Executive is accountable to the Council not to the Community Board.

Waikato



DISTRICT COUNCIL
Te Kaunihera aa Takiwaa o Waikato

Joint Committees

Waikato Raupatu River Trust and Waikato District Council Co-Governance Joint Committee

Reports to: Council

Co-Chairpersons: Her Worship the Mayor Jacqui Church and Ms Hinerangi Raumati–Tu’ua

Membership:

Council Representatives: Deputy Mayor Carolyn Eyre
Cr Janet Gibb
Cr Kandi Ngataki

Trust Representatives: Huirama Matatahi
Rangitamoana Wilson
Donald Turner

Meeting frequency: To meet at least twice each calendar year

Quorum: 4 members (being 2 Council representatives; 2 Trust representatives)

Introduction

This Committee provides the framework for Waikato-Tainui, as trustee of the Waikato Raupatu River Trust, and the Waikato District Council to work together to give effect to the Waikato River Settlement. The parties are committed to:

- the restoration and protection of the health and wellbeing of the Waikato River for future generations;
- establishing and maintaining a positive, co-operative and enduring relationship consistent with the guiding principles and the principles of engagement; and
- work co-operatively on matters of common interest to both parties.

The Committee has delegated responsibility for:

- Implementation of the processes detailed in the schedules to the Joint Management Agreement;
- Overseeing the development of an effective and collaborative working relationship at governance, management and operational levels of both organisations.

Terms of Reference

1. Purpose

- The Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 ('River Settlement Act') requires Waikato-Tainui and the Waikato District Council to work together in carrying out the duties, functions and the exercising of powers in respect of the Resource Management Act 1991 ('RMA').
- The purpose of the terms of reference (TOR) is to provide the framework for Waikato-Tainui and the Waikato District Council to work together to give effect to the River Settlement and to develop a tangible, enduring and beneficial relationship.

- The TOR covers the following key aspects in relation to the River Settlement Act and the joint management agreement:
 - a. The completion of the Joint Management Agreement;
 - b. The implementation of the processes detailed in the schedules to the Joint Management Agreement; and
 - c. The development of an effective and collaborative working relationship at governance, management and operational levels of each organisation.
- Waikato-Tainui and the Waikato District Council may, in future, consider and determine whether it is appropriate that the TOR and the Joint Management Agreement are integrated into a single document.

2. *The Relationship*

- Both Waikato-Tainui and the Waikato District Council have over many years had an informal relationship at both governance and management levels. This relationship to some extent has not been fully expressed and is often limited to the formalities of the existing statutory frameworks.
- The opportunities within the River Settlement Act have now provided a unique opportunity upon which an enduring and tangible relationship can be built beyond just the statutory frameworks alone.
- In carrying out the duties and functions covered by the TOR, the Joint Committee shall do so in accordance with the principles set out in section 44 of the River Settlement Act, which are to:
 - a. Promote the overarching purpose of the settlement to restore and protect the health and wellbeing of the Waikato River for future generations;
 - b. Respect the mana whakahaere rights and responsibilities of Waikato-Tainui;
 - c. Promote the principle of co-management;
 - d. Reflect a shared commitment to:
 - i. Work together in good faith and in a spirit of co-operation
 - ii. Being open, honest and transparent in all communications
 - iii. Using their best endeavours to ensure that the purpose of the Joint Management Agreement is achieved in an enduring manner;
 - e. Recognise that the Joint Management Agreement operates within statutory frameworks and that complying with those frameworks, meeting statutory timeframes and minimising delays are important.
- The joint committee will work co-operatively to ensure that all the requirements of the River Settlement Act are met, including finalisation of the schedules to the Agreement.

3. *Application to the duties, functions and exercising of powers in the RMA*

- The TOR shall apply to the processes associated with the following activities, the details of which are set out in the schedules to the Joint Management Agreement:
 - a. Monitoring and enforcement (s45)
 - b. Preparation, review, change or variation of RMA 1991 planning document (s46)
 - c. Resource consent process (s47)
 - d. processes relating to customary activities (s62)
- The TOR will also extend to cover other duties, functions or powers pursuant to section 52 of the Settlement Act, as set out in the Joint Management Agreement.

4. *Membership of the Joint Committee*

- The joint committee will comprise :
 - a. Four members from Waikato-Tainui, one of which must be the chair of Te Arataura
 - b. Four members from Waikato District Council, one of which must be the Mayor
- The members of the joint committee will be nominated following the triennial elections for each organisation and will include alternative members.
- If a member is unable to attend a meeting, an alternative member will attend in their place, to ensure that meetings may still proceed.

5. *Meetings of the Joint Committee*

- The joint committee must meet a minimum of twice per year.
- The joint committee may call additional meetings as often as it considers necessary, following consultation and agreement from both chairs. The purpose of these meetings may be to receive updates on projects, to discuss a specific issue, or for other purposes as agreed by the chairs.
- The venue for meetings shall alternate between the offices of the Waikato District Council and Waikato-Tainui. The host organisation shall provide the necessary support services for the meeting including a minute secretary.
- Meeting dates and venues will be organised and set by the appropriate staff of Waikato-Tainui and Waikato District Council once confirmation and agreement on that date has been received by all members on the joint committee.
- The host must give notice in writing to each member of the committee of the time and place of the meeting:
 - a. Not less than 14 days before the meeting; or
 - b. If the committee has adopted a schedule of meetings, not less than 14 days before the first meeting on the schedule.
- Notice will be given by email.
- An agenda detailing the matters to be brought before each meeting, together with relevant attachments must be sent to each member not less than two clear working days before the day appointed for the meeting.

6. *Procedure for all meetings*

- The meetings shall be co-chaired by a Waikato Tainui representative and the Mayor of Waikato District Council.
- In the event that either or both of these members are unable to attend the meeting, the members of the committee who are present will elect one of their members to preside at that meeting. That person may exercise at that meeting the responsibilities, duties, and powers of the Waikato Tainui representative or the Mayor of Waikato District Council.
- Meetings of the joint committee shall be open to the public to attend. There shall be no mandatory requirement for either Waikato-Tainui or the Waikato District Council to notify meetings, however, the minutes of the meetings will be made available for public inspection.
- Where there are matters of confidence then the committee may resolve to exclude the public from such matters in accordance with the Local Government Official Information and Meetings Act 1987. The decision of what constitutes a matter to be discussed in confidence shall be proposed by the co-chairs.

7. Minutes of meetings

- The host organisation is responsible for keeping minutes of the proceedings of meetings.
- Minutes of joint committee meetings will be published on the Waikato District Council's website.

8. Process for reaching decisions

- The process for reaching decisions will be in accordance with the principles set out in section 44 of the Settlement Act and:
 - a. Will be carried out with the highest level of good faith engagement; and
 - b. By consensus
- Members are to endeavour, at all times, to reach a consensus on the matters to be discussed and decided on by the joint committee. Members are bound by each recommendation/decision and will not take any steps to undermine a consensus recommendation/decision.
- Where a decision cannot be reached, the chairs may direct one or more of the following actions to aid in decision making:
 - a. Nominated staff from each organisation to prepare a joint report on the issue with options and recommendations for consideration by the committee
 - b. A workshop to be arranged to enable further discussion on the matter. Attendance at the workshop to be agreed by the committee and may include committee members, nominated staff and if required subject matter experts.
 - c. The issue to be referred back to respective Waikato-Tainui Executive and Waikato District Councillors for further discussion and direction
- Following the completion of one or more of these options, the matter will be placed on the agenda for the next joint committee meeting for further consideration at the direction and agreement of the co-chairs.
- The joint committee may also agree to reserve their decision on an issue until a future date and take no action in the interim.

9. Establishment of Project Teams

- The joint committee may appoint project teams to give effect to the processes identified and set out in the schedules to the Joint Management Agreement and to complete specific projects required by the joint committee.
- The project teams will consist of representatives from Waikato-Tainui and the Waikato District Council. The composition of project teams will be agreed between the partners, and will depend on the project. Generally, the project teams will comprise equal numbers from both organisations, with the relevant skills and knowledge suitable for the specific project.
- The frequency of project team meetings, the process to be followed and other administrative matters relating to the project, will be determined by the members of the project team. Progress reports will be provided to the joint committee at their meetings.

10. Facilitation of Meetings

- The co-chairs are free to conduct meetings as they see fit. The co-chairs will endeavour to ensure all meetings start and finish on time and that, where possible, all agenda items are covered.
- The co-chairs should be aware of the range of perspectives across the joint committees and are to manage discussion of those differing perspectives in light of the purpose and scope of the terms of reference.
- Where necessary the co-chairs may request that independent facilitation of meetings take place if it is in the best interest of the members working together to achieve the purpose of the Joint Management Agreement.

11. Costs

- Costs associated with the administration and hosting of joint committee meetings will be the responsibility of the host organisation.
- Costs that may arise as a result of a project directed by the joint committee are to be discussed and agreed by the joint committee and will generally be shared equally.
- Costs that may arise as a result of a decision or recommendation of the joint committee must be addressed in the recommendations. As a general principle any decision or recommendation which may result in costs to either or both organisations will be referred back to Waikato-Tainui and Waikato District Council for consideration.

12. Conflicts of Interest

- Committee members should be aware of possible conflicts of interest in regard to any matters that may be discussed by the joint committee.
- Where a conflict of interest may exist the committee member should declare the conflict as early as possible. Any member of the committee who declares a conflict of interest will not participate in the discussion or decision making on that particular issue. For clarity, being a member of Waikato-Tainui or Waikato District Council's respective governing bodies does not give rise to a conflict of interest.
- Any conflict of interest declared by a member will be recorded in the minutes of the meeting.

13. Conduct of members

- Members of the joint committee will act at all times in a manner appropriate for the good conduct of the business of the committee and as per the guiding principles which are set out in the Joint Management Agreement (clause 9- a-o).

14. Communication

- All communications on the activities of the joint committee are to be approved by the members and signed off by the co-chairs prior to any release.
- Appropriate staff from each respective organisation shall be charged with ensuring that the above protocol is followed.

15. Dispute Resolution

- If any dispute should arise in connection with the operation of these Terms of Reference, the co-chairs and joint committee members will use their best endeavours to settle the dispute by agreement.
- The members will act in good faith and co-operate with each other to resolve the dispute.
- The members shall refer to the guiding principles in the JMA (clause 9 – a-o) when seeking to settle the dispute and may also use the options set out in section 8 of this terms of reference to assist them to reach a consensus.



Mana Whenua Forums

(subject to consulting with Waikato-Tainui)

Te Kaunihera aa Takiwaa o Waikato Mana Whenua Forums Terms of Reference

For Waikato District Council Chief Executive Approval – 28 October 2022

INTRODUCTION

Waikato District Council has agreed to establish Mana Whenua Forums to strengthen and enhance our engagement with Maaori. Four such forums have been identified based on engagement Council has already had with the mana whenua forums used to inform the Better Off Funding.

The purpose of the Mana Whenua Forums is to forge an effective and meaningful partnership between the Waikato District Council and Mana Whenua. To deliver the Council vision of liveable, thriving and connected communities, we need enduring relationships that enable the council to reflect the voice of Maaori in decision making.

PRINCIPLES

The following principles are the basis for the Terms of Reference.

PRINCIPLES OF TE TIRITI O WAITANGI

Waikato District Council recognises Te Tiriti o Waitangi as the founding document of Aotearoa New Zealand.

Mana whenua and Council agree to the following understanding of the principles of Te Tiriti o Waitangi:

Principle of Tino Rangatiratanga – Self Management

The right of Maaori to exercise under the law, authority, and control over their Rohe, land, rivers, resources and taonga.

Principle of Kaawangatanga – Governance

The Government has the right to make laws for the good of order and security of the country subject to the duty imposed (on the Crown) to Maaori under the Treaty.

Principle of Whakawhanaungatanga – Partnership

A duty on both iwi/hapuu and the Council to interact in the best possible way with reason, respect and in good faith.

Principle of Ooritanga – Equality

The right of Mana Whenua to fair and equal treatment under the law.

Principle of Kaitiakitanga – Guardianship

The right of Maori to exercise guardianship over their ancestral lands, water, sites, waahi tapu and other taonga.

Principle of 'Mahi tahi, matapaki hoki – Cooperation and consultation

The duty to listen to what others have to say, consider their responses, and then decide what will be done.

Principle of Whakatika i te hee – Redress Past Breaches

The duty of the Crown to work towards settlement of grievances under the Treaty of Waitangi.

PRINCIPLES OF THE KIINGITANGA

Mana whenua and Council agree that the relationship will be based on the following principles:

Whakaiti	Humility Freedom from pride or arrogance / the quality or state of being humble.
Whakaponu	Trust & Faith to rely on and feel safe and confident that you will not hurt anyone or be hurt by anyone.
Aroha	Love & Respect - A strong caring affection with respect.
Rangimaarie	Peace & Calm when someone is not excited or upset even when there is cause for it. The state of remaining calm after some period of disturbance.
Manaakitanga	Caring Displaying kindness, assistance and concern for others.
Kotahitanga	Unity - The ability to represent togetherness, to be able to stand and working together through thick and thin matters.
Mahi Tahi	Collaboration - The action of working together to produce something.

RELATIONSHIP PRINCIPLES

The relationship between mana whenua and Waikato District Council will be based on the following principles:

- Both parties are seeking to provide for the cultural, social, economic, and environmental well-being of their respective communities in the present and for the future.
- The parties will act in utmost good faith.
- The relationship shall be built on honesty and integrity and shall be fair and equitable and maintained in a spirit of friendship and co-operation.
- Waikato District Council recognises that mana whenua are the 'Kaitiaki' of their rohe.
- Recognise that the relationship is a mutual two-way relationship and any changes of the agreement need to involve discussions and agreement between the partners.
- Recognise the need for Waikato District Council to work within a legislative framework.
- Recognise the independence of each partner, including:
 - a) The mana whenua representatives as a voice for the Maaori communities.
 - b) Recognise the independence of hapuu and iwi.

- c) The Council as a democratic decision maker, responsible to the community.
- Waikato District Council recognise the relationship mana whenua have with culture and traditions with respect to ancestral lands (e.g., maunga, puke), water bodies (e.g., moana, awa and roto), sites of significance, waahi tapu, and other taonga and the need to protect these.
- It is recognised that mana whenua has an inherent right to contribute to the decision-making processes which affect their rohe.

ROLES AND RESPONSIBILITIES

MANA WHENUA FORUMS

- The role of the Mana Whenua Forums is to provide strategic leadership and advice to Waikato District Council, mana whenua, and the wider community in respect of environmental, social, economic, and cultural outcomes relating to mana whenua.
- It is also to provide a forum for mana whenua within the Waikato district area to discuss and debate their local authority issues and concerns to advance and protect the interests of mana whenua.
- Provide an opportunity for the Waikato District Council and mana whenua to discuss and develop council concepts, policies, projects, and procedures that impact on mana whenua.
 - to identify when it is appropriate for one partner to have representatives on any relevant strategy and policy development forum / group of the other partner.
 - to develop guidelines in respect of appointment, role, and accountabilities of representatives.
- To provide input to the draft strategy /policy development where there has been no representation in its development.
- Bring to the other partners attention issues / concerns in respect of existing strategy or policy.
- Exchange information of mutual interest.
- Discuss new initiatives approaches and directions.
- Provide leadership and advice on appropriate consultation and communication.
- Identify key strategy and communication outcomes and establish systems for regular and effective monitoring of those outcomes.
- Monitor effectiveness of existing strategy policies and processes.
- Monitor effectiveness and adequacy of progress of projects.
- Monitor the on-going development and process of the Mana Whenua Forums.

LOCAL GOVERNMENT ACT 2002

Parts 2 and 6 of the Local Government Act 2002 provide principles and requirements for local authorities that are intended to facilitate participation by Maaori in local authority decision making processes. In summary, the Act requires local authorities to:

- 'Take into account' Maaori interests where any significant decisions are to be made affecting 'land or a body of water',
- Establish and maintain processes to provide opportunities for Maaori to contribute to decision-making processes,
- Consider ways to foster the development of Maaori capacity to contribute to decision making processes,
- Put in place processes to consult with Maaori, and
- Assist Maaori to better participate generally in decision making.

GOVERNANCE

Strategic and policy issues and issues affecting Mana whenua, will generally be addressed through the the Mana Whenua Forums.

OPERATIONAL

Operational issues will be addressed within the context of the strategies and policies approved by Council and/or the Mana Whenua Forums.

Operational issues affecting mana whenua as a whole or several Mana Whenua Forum members will be addressed through the Mana Whenua Forums in the first instance.

Operational issues affecting individual iwi/hapuu will be addressed by Waikato District Council staff directly with iwi/hapuu.

RESERVATION OF RIGHTS TO RELATIONSHIP AT GOVERNANCE/CEO LEVEL

Mana Whenua Forum members reserve the right to have discussions with the Waikato District Council Chief Executive, Mayor and/or elected members on issues.

REPRESENTATION

MANA WHENUA REPRESENTATION ON MANA WHENUA FORUMS

Mana whenua will appoint a representative to be a member of the Mana Whenua Forums and will advise Council of that representative.

MANA WHENUA REPRESENTATION

- It is recognised that individuals, incorporations, land trusts etc, within the rohe may not be mandated to speak on behalf of mana whenua, make decisions, or enter into agreements (formal or otherwise) that affect the iwi / hapuu.
- It is recognised that Mana Whenua Forum members are accountable to their respective mana whenua groups. It is also the responsibility of the members to report back and be guided by the direction and responses from their iwi / hapuu / marae.

CONSULTATION

Council recognises that:

- Individual communities of interest have their own consultation processes and timeframes that should be taken into consideration when Council initiates its consultation process; and
- Sufficient time needs to be allowed and appropriate information provided for people to make a meaningful contribution to the issues under consultation.

In this respect it is recognised that Mana Whenua Forum members need adequate opportunity to hold hui and to develop an understanding and consensus by the iwi/hapuu.

PROCESS AND ARRANGEMENT FOR ADDRESSING SPECIFIC ISSUES

ADDENDUMS

Where there are specific significant issues which Mana Whenua Forums and Waikato District Council are addressing, which require agreed processes and arrangements beyond that provided in this Terms of Reference, then an addendum to this Terms of Reference will be developed.

The addendum will be mutually agreed by both parties and will remain in place until such time as the issue has been resolved to the satisfaction of both parties.

IWI AND HAPUU MANAGEMENT PLANS

Council recognises the Iwi/hapuu and Iwi management plans as policy reference documents.

CONFLICT OF INTEREST OF INDIVIDUALS

The Waikato District Council and Mana Whenua Forum members agree that, in respect of its dealings with each other, as far as possible conflicts of interest will be avoided.

Some instances where conflicts of interest may occur include situations in which:

- an individual's personal interests may affect that individual's judgement in acting in the best interest of Mana Whenua.
- the issue may give rise to an individual or the individual's whanau receiving a financial benefit
- the individual's interest is greater than the interest of the Mana Whenua.

This is by no means a definitive or exhaustive list.

TERMS OF REFERENCE REVIEW

A formal review of the Terms of Reference shall be undertaken by the parties on an annual basis.

These Terms of Reference can be reviewed from time to time, as required, by mutual agreement of the parties.

CROWN CLAIMS AND RELATIONSHIPS

Nothing in this relationship or the process mitigates or prejudices in any way the basis of claims before the Waitangi Tribunal or any historic, current, and future dealings with the Crown, nor does it represent any position or agreement about the level or nature of redress that this relationship might represent for claimants individually or collectively.

SIGNED as Terms of Reference

SIGNED for and on behalf of **mana whenua representatives** by

Name

Signature and Date

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
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_____	_____
_____	_____
_____	_____
_____	_____

SIGNED by

THE MAYOR of

Te Kaunihera aa Takiwaa o Waikato
Waikato District Council

Mayor Jacqui Church

Chief Executive – Gavin Ion

In the presence of

Witness

Date:

Other Joint Committees

The Terms of Reference for the following joint committees are found on the Waikato Regional Council's website⁴.

Waikato Civil Defence Emergency Management Group

Regional Transport Committee

Metropolitan Public Transport Sub-Committee

Regional Connections Committee

Waikato Plan Leadership Committee

Hauraki Gulf Forum

Nгаа Wai o Waipaa Co-Governance Forum

Future Proof Implementation Committee

⁴ <https://www.waikatoregion.govt.nz/assets/WRC/Council/About-Us/Democracy-resources-and-information/Terms-of-Reference-2016-2019-Triennium-v2.pdf>. Additional joint committees to be added once the Waikato Regional Council's governance structure is confirmed.

Waikato



DISTRICT COUNCIL

Te Kaunihera aa Takiwaa o Waikato

Appointments

Community Boards and Community Committees

Huntly Community Board:	Tai Raro Takiwaa Maaori Ward (Cr Matatahi-Poutapu) Huntly General Ward Councillor (Cr Whyte)
Taupiri Community Board:	Tai Runga Takiwaa Maaori Ward (Cr Turner) Newcastle-Ngāruawāhia General Ward (Cr Gibb)
Ngaruawahia Community Board:	Tai Runga Takiwaa Maaori Ward (Cr Turner) Newcastle-Ngāruawāhia General Ward (Cr Patterson)
Raglan Community Board:	Tai Runga Takiwaa Maaori Ward (Cr Turner) Whaingaroa General Ward (Cr L Thomson)
Rural-Port Waikato Community Board:	Tai Raro Takiwaa Maaori Ward (Cr Matatahi-Poutapu) Western Districts General Ward (Deputy Mayor, Cr Eyre)
Tuakau Community Board:	Tai Raro Takiwaa Maaori Ward (Cr Matatahi-Poutapu) Tuakau-Pōkeno General Ward (Cr Reeve)
Te Kauwhata Community Committee:	Waerenga-Whitikahu General Ward (Cr Raumati)
Meremere Community Committee:	Waerenga-Whitikahu General Ward (Cr Raumati)
Tamahere Community Committee:	Tamahere-Woodlands General Ward Councillors (Cr Beavis & Cr Keir)
Pōkeno Community Committee:	Tuakau-Pōkeno General Ward Councillors (2) (Cr Ngataki & Cr Reeve)
North-East Waikato Community Committee:	Awaroa-Maramarua General Ward Councillor (Cr P Thomson)
Te Kowhai Community Committee:	Newcastle-Ngāruawāhia General Ward Councillor (Cr Gibb)
Eureka Community Committee:	Tamahere-Woodlands General Ward Councillors (Cr Beavis & Cr Keir)
Tauwhare Community Committee:	Tamahere-Woodlands General Ward Councillors (Cr Beavis & Cr Keir)

Matangi Community Committee:	Tamahere-Woodlands General Ward Councillors (Cr Beavis & Cr Keir)
Newstead Residents & Ratepayers	Tamahere-Woodlands General Ward Councillors (Cr Beavis & Cr Keir)
Pukemiro/Glen Afton Community Committee:	Deputy Mayor (Cr Eyre)
Gordonton Community Committee:	Tamahere-Woodlands General Ward Councillors (Cr Beavis & Cr Keir)
Horsham Downs Community Committee:	Newcastle-Ngāruawāhia General Ward Councillor (Cr Gibb)
Mercer Community Committee:	Tuakau-Pōkeno General Ward Councillors (2) (Cr Ngataki & Cr Reeve)
North-West Waikato Residents & Ratepayers Committee:	Awaroa-Maramarua General Ward Councillor (Cr P Thomson)
Whatawhata Community Committee:	Newcastle-Ngāruawāhia General Ward Councillor (Cr Patterson)
Mana Whenua Forums : (North, South, East, West)	Applicable General Ward Councillors Applicable Maori Ward Councillors
Port Waikato Residents & Ratepayers:	Deputy Mayor, Cr Carolyn Eyre

Council Controlled Organisations (CCOs) and Council Organisations (COs)

Waikato Regional Airport Ltd:	Performance & Strategy Chairperson (Cr Janet Gibb)
Civic Financial Services Ltd:	Performance & Strategy Chairperson (Cr Janet Gibb)
Hamilton & Waikato Tourism:	Deputy Mayor, Cr Carolyn Eyre (Alternate: Performance & Strategy Chairperson – Cr Janet Gibb)
Waikato Local Authority Shared Services Limited (CoLab) Director:	Chief Executive
Strada Corporation Ltd Director:	Chief Executive

Joint and Regional Committees

Regional Transport Committee:	Cr Eugene Patterson Cr David Whyte (Alternate)
Regional Connections Committee:	Cr Eugene Patterson Cr David Whyte (Alternate)
Te Huia Committee:	Cr Eugene Patterson
Waikato Civil Defence Emergency Management Group	Her Worship the Mayor, Jacqui Church Cr Kandi Ngataki (Alternate)
Hauraki Gulf Forum:	Tai Raro Takiwaa Maaori Ward (Cr Matatahi-Poutapu)
Nгаа Wai o Waipaa Co-Governance Forum:	Tai Runga Takiwaa Maaori Ward Councillor (Cr Turner)
Future Proof Implementation Committee:	Her Worship the Mayor, Jacqui Church Deputy Mayor, Cr Carolyn Eyre Cr Eugene Patterson (Alternate)
Waikato Plan Joint Committee:	Deputy Mayor, Cr Carolyn Eyre (Alternate: Her Worship the Mayor) ⁵
Wharekawa Coast 2120:	Tai Raro Takiwaa Maaori Ward (Cr Matatahi-Poutapu)
Waikato District Council - Hamilton City Council Governance Group:	Her Worship the Mayor, Jacqui Church Deputy Mayor, Cr Carolyn Eyre Cr Tilly Turner & Cr Janet Gibb
Raglan Wastewater Consultation Group:	Infrastructure Committee Chairperson (Cr Eugene Patterson)
Te Kauwhata Wastewater Consultation Group:	Infrastructure Committee Chairperson (Cr Eugene Patterson)
Metro Wastewater Governance Group:	Garth Dibley (Waters Governance Board) Her Worship the Mayor Deputy Mayor, Cr C Eyre (Alternate)

⁵ Appointed on behalf of the Future Proof partners

Recreation Reserve Committees

Te Kauwhata Domain Management Committee:	Waerenga-Whitikahu General Ward (Cr Raumati)
Ohinewai Area Committee:	Huntly General Ward Councillor (Cr Whyte)
Lake Kainui Recreation Reserve Committee:	Newcastle-Ngāruawāhia General Ward Councillor (Cr Patterson)
Te Akau/Waingaro Community Committee Complex:	Deputy Mayor, Cr Carolyn Eyre
Tuakau Recreation Reserve Committee:	Tuakau-Pōkeno General Ward Councillor (Cr Ngataki)
Waikato District Lakes and Freshwater Wetlands Memorandum of Agreement Governance Group:	Waerenga-Whitikahu General Ward Councillor Tai Raro Takiwaa Maaori Ward Councillor
Onewhero Reserve User Group	Awaroa-Maramarua General Ward Councillor (Cr P Thomson)

Other External Organisations

Department of Corrections Community Liaison Group for the Spring Hill Corrections Facility:

Waerenga-Whitikahu General Ward
Tai Raro Takiwaa Maaori Ward
(Cr Raumati & Cr Matatahi-Poutapu)

Gordonton Woodlands Trust Appointments Committee

Chief Executive, or delegate

Hamilton Airport Community Liaison Group:

Tamahere-Woodlands Ward Councillor
(Cr Beavis)

Heritage Representatives:

Cr Beavis, Cr Ngataki

Local Government New Zealand (including Zone 2 meetings and Rural/ Provincial Sector meetings)

Her Worship the Mayor, Jacqui Church
(Alternate: Deputy Mayor – Cr C Eyre)

Papahua Holiday Park Board of Management:

Whāingaroa General Ward Councillor
(Cr Lisa Thomson)

Waikato Coalfields Museum Trust:

Huntly General Ward Councillor
(Cr David Whyte)

Art-In-Nature Aboretum Trust:

Cr Mike Keir

Waikato District Crime Prevention Technology Trust:

Tuakau-Pokeno General Ward (Cr Reeve),
Huntly General Ward (Cr Whyte) and
Whāingaroa General Ward (Cr L Thomson)

WEL Energy Trust:

Her Worship the Mayor, Jacqui Church
(Alternate: Deputy Mayor, Cr C Eyre)

Schedule of Amendments to WDC Governance Structure 2022/25

Date	Section	Amendment/Addition/Deletion	Authorisation
18/11/2022	Committees	Addition of Cr Kandi Ngataki to the Proposed District Plan (PDP) Sub-Committee	WDC2211/13
18/11/2022	Joint Committees	Addition of Cr Kandi Ngataki to the JMC with Waikato Raupatu River Trust	WDC2211/13
18/11/2022	Other External Organisations	Appointment of Cr Mike Keir to Art-In-Nature Aboretum Trust	WDC2211/13
18/11/2022	Joint & Regional Committees	Additional Appointments to Metro Wastewater Governance Group – Garth Dibley (Waters Governance Board), Her Worship the Mayor (Alternate) and Deputy Mayor, Cr Carolyn Eyre (Second Alternate)	WDC2211/13
21/12/2022	Joint & Regional Committees	Appointment of Cr Eugene Patterson and Cr David Whyte (Alternate) to the Regional Transport Committee	WDC2212/12
21/12/2022	Joint & Regional Committees	Appointment of Cr Eugene Patterson and Cr David Whyte (Alternate) to the Metropolitan Public Transport Sub-Committee	WDC2212/12
21/12/2022	Joint & Regional Committees	Appointment of Cr Eugene Patterson as an Alternate on the Future Proof Implementation Committee	WDC2212/12
21/12/2022	Committees	Appointment of Peter Stubbs as the Independent Chair of the Development Agreements Committee	WDC2212/12

Appendix A – Template for Establishing a Working Party

Working Group/Hearings Panel – *Insert Name*

Chairperson:	
Elected Members:	
External Members:	
Support Staff¹:	
Date Established²:	
Reporting Back Date:	
Appointing Committee³:	
Purpose⁴:	
Terms of Reference⁵:	

Notes:

1. Support staff to include the General Manager (or Chief Executive) supporting the Working Group/Hearings Panel.
2. Refer to the Council or committee meeting date that established the working group/hearings panel.
3. Identify the committee (or Council) that established the working group/hearings panel.
4. The Council/committee resolution that established the working group/hearings panel.
5. Detail the powers, duties and functions of the working group/hearings panel. This is not to include any decision-making powers.