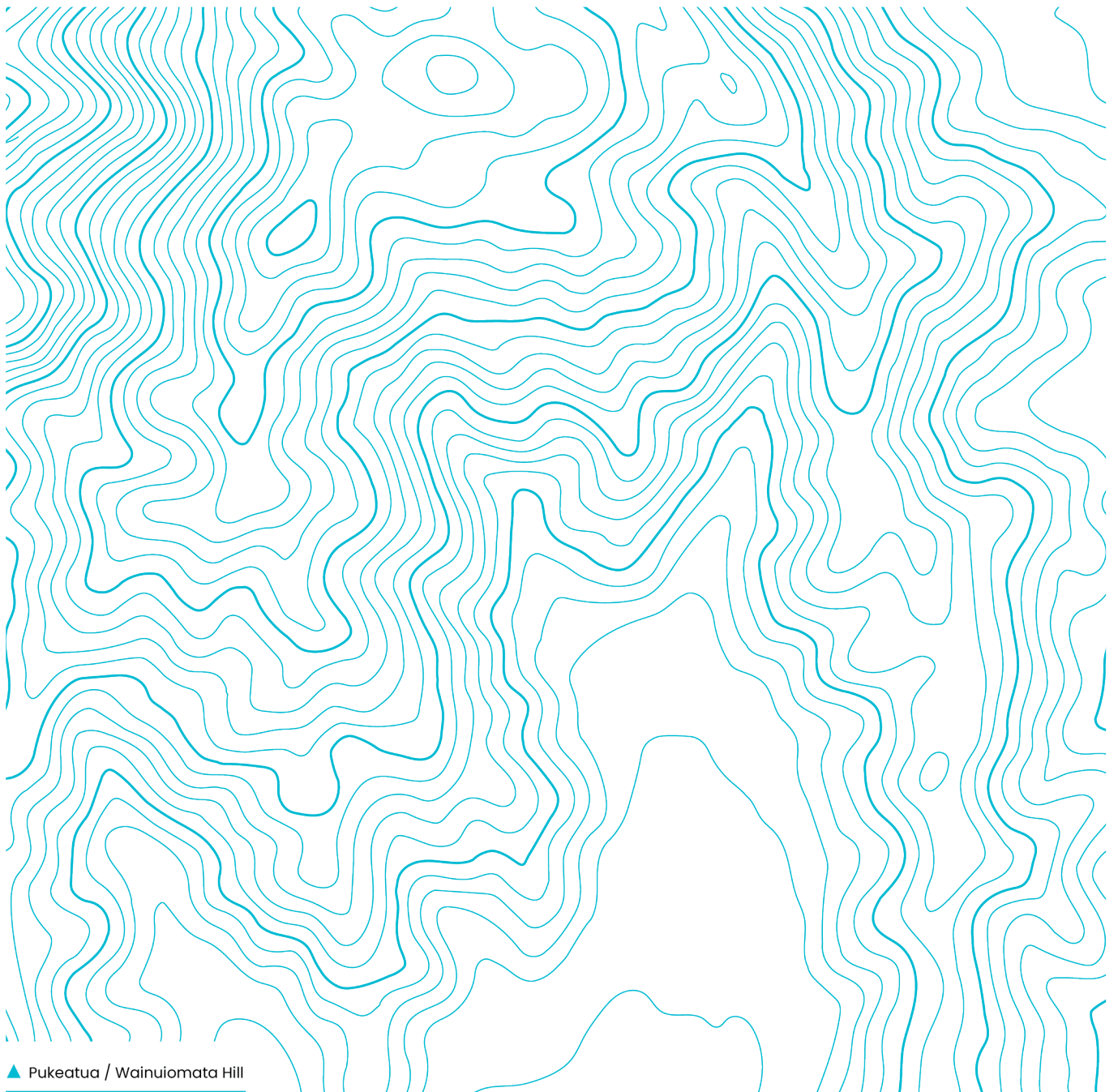


Terms of Reference and Delegations of Hutt City Council 2022-2025

Adopted by Hutt City Council
on 20 December 2022



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Record of Amendments

Version	Date	Resolution	Summary of Amendments
Version 2	30 May 2023	Minute No. C 23219	Disestablish of Youth Council

Introduction

These Terms of Reference set out the principal areas for which Council maintains overall responsibility. They also set out the delegations of Council functions, duties, and powers to Council committees and subcommittees.

The delegations in these Terms of Reference are expressed in general terms. They are to be read together with the following propositions.

These Terms of Reference:

- Do not delegate any function, duty or power which a statute (for example, clause 32 of Schedule 7 of the Local Government Act 2002) prohibits from being delegated; and
- Are subject to Council's authority to elect to exercise any of the powers delegated in these Terms of Reference; and
- Do not affect any delegation which the Council has already made or subsequently makes to a Council officer or other member of staff. Note: where a committee has a delegation that overlaps with a delegation made to an officer, it will be presumed that the delegation will be exercised by the officer unless the matter is brought before Council or a committee for its decision; and
- Are subject to any other statutory requirements that may apply to a particular delegation (for example, the provisions of the Building Act 2004 regarding swimming pools); and
- Do not delegate the power to sub-delegate or create subcommittees, except as outlined in these Terms of Reference.

MANA WHENUA

Council has statutory obligations to Iwi and Māori, by virtue of the Treaty of Waitangi, in particular in relation to the Resource Management Act 1991 and Local Government Act 2002. Council is committed to improving and facilitating participation by Māori in its decision-making processes.

Further, Te Ao Māori is a relevant consideration in many of the decisions that Council makes. Mandated representatives of Taranaki Whānui ki Te Upoko o Te Ika a Māui (Port Nicholson Block Settlement) Trust, Te Rūnanga o Toa Rangatira, Wellington Tenth Trust, Palmerston North Māori Reserve Trust, Te Rūnanganui o Te Āti Awa ki Te Upoko o Te Ika a Māui, Arohanui Ki Te Tangata (Waiwhetū) Marae, and Te Tatau o Te Pō Marae are important partners and provide vital input into Council committees' decision-making. This has seen Council agree to appoint up to two non-elected representatives from Mana Whenua to the Komiti Arotake Mahere ā-Rohe | District Plan Review Committee and have full rights as members under standing orders to participate in debate and vote on items. Also, refer to standing order 31 for the provisions for Mana Whenua.

ESTABLISHMENT OF COMMITTEE

In accordance with section 41A of the Local Government Act 2002, the Mayor has the power to establish the committees of the governing body and appoint the chair of each committee before the other members of the committees are determined. The terms of reference and delegations to committees are set out in full in this document.

COMMITTEES

The committee includes, in relation to Council:

- a. committee comprising all or some of the members of Council;
- b. a standing committee or a special committee appointed by Council or the Mayor;
- c. a joint committee appointed under cl 30A of sch 7 of the LGA 2002; and
- d. any subcommittee of a committee described in a. b. and c.

The terms of reference and delegations to committees and subcommittees are set out in full in this document. In respect of committees and subcommittees:

- a. the committees have no decision-making powers other than those set out in these terms of reference.
- b. any committee may request expert advice through the Chief Executive where necessary.
- c. the committees may make recommendations to their governing committee or Council, or Chief Executive as appropriate

AMBIGUITY AND CONFLICT

In the event of ambiguity or conflict between any of the provisions contained in these terms of reference, Democratic Services can provide advice. If the ambiguity or conflict results in uncertainty or dispute as to which chair, committee or subcommittee has the delegation to act in respect of a particular matter, then the Mayor will decide in consultation with the Deputy Mayor and having received advice from the Chief Executive. The decision of the Mayor will be final and binding.

In resolving ambiguity or conflict in the allocation of matters to committees, the committee with the primary outcome of the decision in its area of focus should be the committee that considers the matter.

COUNCIL

To the extent allowed by law, Council delegates to its respective committees all the powers and functions and duties of Council as set out under the name of each committee.

COMMITTEE MEMBERSHIP

The Mayor is a member of all committees of Council with voting rights (note: the Mayor is not automatically a member of any Joint Committees).

COUNCIL'S STANDING ORDERS

Standing Orders contain rules for the conduct of the proceedings of Council, committees, subcommittees and subordinate decision-making bodies and community boards.

Their purpose is to enable council to exercise its decision-making responsibilities in a transparent, inclusive and lawful manner. The application of Standing Orders can contribute to greater public confidence in the quality of local government and democracy in general. They incorporate legislative provisions related to meetings, decision-making and transparency. Standing Orders are a framework of rules and guidelines for making decisions in a council context. They are based on the principles that public decision-making processes should be open, transparent and fair and contribute to a well-functioning democracy that the public can trust.

ELECTED MEMBERS' CODE OF CONDUCT

The Elected Members' Code of Conduct (the Code) complements specific statutes, such as the Local Government and Meetings Act 1987, which are designed to ensure openness and transparency. The Code is an important part of the framework for building residents' confidence in our governmental processes. The Code has four objectives:

- to enhance the effectiveness of the local authority and the provision of the good local government of the community, city, district or region;
- to promote effective decision-making and community engagement;
- to enhance the credibility and accountability of the local authority to its communities; and
- to develop a culture of mutual trust, respect and tolerance between the members of the local authority and between the members and management.

The four objectives highlight the importance of achieving 'good local government', effective and inclusive decision-making, strengthened community credibility, and a culture of trust and mutual respect within Council.

CONTACTS WITH MEDIA

The Mayor is the first point of contact for an official view on any issue, unless delegations state otherwise. Where the Mayor is absent requests for comment will be referred to the Deputy Mayor or relevant committee chair. The Mayor may refer any matter to the relevant committee chair or the Chief Executive for their comment. No other member may comment on behalf of Council without having first obtained the approval of the Mayor. (Refer to the Elected Members' Code of Conduct).

HEALTH AND SAFETY

Regarding health and safety, all members of Council are required to discharge their responsibilities of due diligence under the Health and Safety at Work Act 2015. Staff will provide regular reports to the governing body, through the Komiti Iti Ahumoni i Tūraru | Audit and Risk Subcommittee, to enable members to discharge their duties.

TE KAUNIHERA O TE AWA KAIRANGI | COUNCIL

Chair	Mayor Campbell Barry
Deputy Chair	Deputy Mayor Tui Lewis
Membership:	All Councillors (11) Refer to Council's Standing Orders (SO 31.10 Provisions for Mana Whenua)
Meeting Cycle:	Council meets on an eight-weekly basis (extraordinary meetings can be called following a resolution of Council, or on the requisition of the Chair or one-third of the total membership of Council)
Quorum:	Half of the members

POWER TO (BEING A POWER THAT IS NOT CAPABLE OF BEING DELEGATED)¹:

- Make a rate.
- Make bylaws.
- Borrow money other than in accordance with the Long Term Plan (LTP).
- Purchase or dispose of assets other than those in accordance with the LTP.
- Purchase or dispose of Council land and property other than in accordance with the LTP.
- Adopt the LTP, Annual Plan and Annual Report.
- Adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the LTP or developed for the purpose of the Local Governance Statement.
- Appoint the Chief Executive.
- Exercise any powers and duties conferred or imposed on the local authority by the Local Government Act 1974, the Public Works Act 1981, or the Resource Management Act 1991, that are unable to be delegated.
- Undertake all other actions which are by law not capable of being delegated.
- The power to adopt a Remuneration and Employment Policy for Council employees.

DECIDE ON:

Policy and Bylaw issues:

- Adoption of all policies required by legislation.
- Adoption of strategies, and policies with a city-wide or strategic focus.
- Approval of draft bylaws before the consultation.
- Adoption of new or amended bylaws.

District Plan:

- Approval to call for submissions on any Proposed District Plan, Plan Changes and Variations.

¹ Work required before the making of any of these decisions may be delegated.

- Before public notification, approval of recommendations of District Plan Hearings Subcommittees on any Proposed Plan, Plan Changes (including private Plan Changes) and Variations.
- The withdrawal of Plan Changes in accordance with clause 8D, Part 1, Schedule 1 of the Resource Management Act 1991.
- Approval, to make operative, District Plan and Plan Changes (in accordance with clause 17, Part 1, Schedule 1 of the Resource Management Act 1991).
- Acceptance, adoption, or rejection of private Plan Changes.

Representation, electoral and governance matters:

- The method of voting for the triennial elections.
- Representation reviews.
- Council's Code of Conduct for elected members.
- Hearing of and making decisions on breaches of Council's Code of Conduct for elected members.
- Elected members' remuneration.
- The outcome of any extraordinary vacancies on Council.
- Any other matters for which a local authority decision is required under the Local Electoral Act 2001.
- Appointment and discharge of members of committees when not appointed by the Mayor.
- Adoption of Terms of Reference for Council Committees, Subcommittees and Working Groups, and oversight of those delegations.
- Council's delegations to officers, community boards and community funding panels.

Delegations and employment of the Chief Executive:

Appointment of the Chief Executive of Hutt City Council.

Meetings and committees:

- Standing Orders for Council and its committees.
- Council's annual meeting schedule.

Long Term and Annual Plans:

- The adoption of the LTP and Annual Plans.
- Determination of rating levels and policies required as part of the LTP.
- Adoption of Consultation Documents proposed and final LTPs and proposed and final Annual Plans.

Council Controlled Organisations:

- The establishment and disposal of any Council Controlled Organisation or Council Controlled Trading Organisation.
- Approval of annual Statements of Intent and annual Statement of Expectation for Council Controlled Organisations and Council Controlled Trading Organisations.

Community Engagement and Advocacy:

- Receive reports from the Council's Advisory Groups.
- Regular reporting from strategic partners.

Operational Matters:

- Civil Defence Emergency Management matters requiring Council's input.
- Road closing and road stopping matters.
- Approval of overseas travel for elected members.
- All other matters for which final authority is not delegated.

Appoint:

- The non-elected members of the Standing Committees, including extraordinary vacancies of non- elected representatives.
- The Directors of Council Controlled Organisations and Council Controlled Trading Organisations.
- Council's nominee on any Trust.
- Council representatives on any outside organisations (where applicable and time permits, recommendations for the appointment may be sought from the appropriate Standing Committee and/or outside organisations).
- Council's Electoral Officer, Principal Rural Fire Officer and any other appointments required by statute.
- The recipients of the annual Civic Honours awards.

KOMITI HAPORI AHUREA ME NGĀ RANGAPŪ | COMMUNITIES, CULTURE AND PARTNERSHIPS COMMITTEE

Chair:	Cr Keri Brown
Deputy Chair:	Cr Karen Morgan
Membership:	Mayor Campbell Barry Deputy Mayor Tui Lewis Cr Glenda Barratt Cr Josh Briggs Cr Chris Parkin Cr Naomi Shaw Cr Gabriel Tupou Refer to Council's Standing Orders (SO 31 Provisions for Mana Whenua)
Quorum:	Half of the membership
Meeting cycle:	Meets on an eight-weekly basis or at the requisition of the Chair
Reports to:	Council

OVERVIEW:

This committee assists Council to ensure healthy, vibrant and resilient communities through partnerships and the development and management of relevant plans, strategies and functions.

The committee is aligned with the Neighbourhoods and Communities Directorate and Te Tira Māori.

Its areas of focus are:

- Major neighbourhoods and communities projects
- Arts and culture
- Community funding
- Community development
- City/community safety
- Emergency management
- Housing needs
- Open spaces and places (parks and reserves, sport and recreation, community facilities and hubs)
- Social procurement
- Relationships with the seven marae
- Te Ao Māori
- Treaty partnerships
- Youth engagement
- Oversight of the Pito-one projects
- Oversight of the Disability Advisory Group (if established)

PURPOSE:

To develop, implement, monitor and review strategies, policies, plans and functions associated with community, social and cultural activities. This includes making the city a desirable, safe and attractive place, providing facilities and recreational opportunities that support quality living and healthy lifestyles, and supporting the cultural well-being of residents.

DELEGATIONS FOR THE COMMITTEE'S AREAS OF FOCUS:

- All powers necessary to perform the committee's responsibilities including the activities outlined below.
- Develop required strategies and policies. **Recommend draft and final versions to Council** for adoption where they have a city-wide or strategic focus.
- Implement, monitor and review strategies and policies.
- Oversee the implementation of major projects provided for in the Long Term Plan (LTP) or Annual Plan.
- Oversee budgetary decisions provided for in the LTP or Annual Plan.
- Advocate for strong relationships with Council's Mana Whenua partners as outlined in the Tākai Here agreements ensuring the outcomes of the committee are in line with the aspirations of the partners.
- Advocate for the best interests of Māori communities in Lower Hutt having regard to the committee's goals.
- Ensure the committee is operating in a way that is consistent with various pieces of legislation that provide for Te Tiriti o Waitangi.
- Oversee the development and implementation of plans and functions associated with community, social and cultural activities.
- Oversee the social/broader outcomes through the delivery of Council's contracts.
- **Recommend to Council** the brief (alignment of projects, opportunity, community engagement) for the Pito-one projects.
- Maintain an overview of work programmes carried out by Council's Neighbourhoods and Communities Directorate.
- Advocate in conjunction with relevant community organisations on matters related to housing needs and the health and social/cultural well-being of communities.
- **Recommend to Council** the acquisition or disposal of assets unless the acquisition or disposal is provided for specifically in the LTP.
- Approve and oversee monitoring around Community Funding Strategy grants.

- Matters arising from the activities of Community Houses, other than those in the Harbour and Wainuiomata Wards, which are delegated to the community boards in those areas.
- Conduct any consultation/engagement processes required on issues before the committee.
- Approve and forward submissions (other than those delegated to the District Plan Review Committee).
- Any other matters delegated to the committee by Council in accordance with approved policies and bylaws.
- The committee has the powers to perform the responsibilities of another committee where it is necessary to make a decision before the next meeting of that other committee. When exercised, the report/minutes of the meeting require a resolution noting that the committee has performed the responsibilities of another committee and the reason/s.
- If a policy or project relates primarily to the responsibilities of the Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee, but aspects require additional decisions by the Komiti Hanganga | Infrastructure and Regulatory Committee and/or Komiti Kaupapa Taiao | Climate Change and Sustainability Committee, then the Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee has the powers to make associated decisions on behalf of those other committees. For the avoidance of doubt, this means that matters do not need to be taken to more than one of those committees for decisions.

Additional Parks and Reserves Delegations:

- Adopt, and agree amendments to, open space or reserve management plans.
- Make any decisions under open space or reserve management plans that are not otherwise delegated.
- Grant leases, licences, rights of way and easements in terms of Council policy for Council owned properties that are either open space under the District Plan or reserve under the Reserves Act 1977. This delegation, except the granting of leases and licences to Council owned community houses/centres in the Harbour and Wainuiomata Wards, is sub-delegated to the community boards in those areas.
- Official naming of parks, reserves and sports grounds within the provisions of Council's Kaupapa Here Tapanga Naming Policy, other than those in the Harbour and Wainuiomata Wards, which are delegated to the community boards in those areas, except where the sites have a high profile, city-wide importance due to their size and location and/or cross ward or community boundaries.
- Removal and/or planting of street trees within the provisions of Council's Operational Guide for Urban Forest Plan, other than those in the Harbour and Wainuiomata Wards, which are delegated to the community boards in those areas.

KOMITI KAUPAPA TAIAO | CLIMATE CHANGE AND SUSTAINABILITY COMMITTEE

Chair:	Cr Josh Briggs
Deputy Chair:	Cr Chris Parkin
Membership:	Mayor Campbell Barry Deputy Mayor Tui Lewis Cr Keri Brown Cr Simon Edwards Cr Andy Mitchell Cr Naomi Shaw Refer to Council's Standing Orders (SO 31 Provisions for Mana Whenua)
Quorum:	Half of the membership
Meeting Cycle:	Meets on an eight-weekly basis or at the requisition of the Chair
Reports to:	Council

OVERVIEW:

The Komiti Kaupapa Taiao | Climate Change and Sustainability Committee has responsibility for oversight of Council's environment and climate change response. The committee is aligned with the Environment and Sustainability Directorate.

Its areas of focus are:

- Oversight of Council's plan to reach Carbon Zero
- Collaborating with Mana Whenua, residents and businesses to decarbonise the city
- Developing and implementing climate and environmental policies and plans including ecology, biodiversity, forestry and biosecurity matters
- Climate adaption and resilience
- Treaty partnerships
- Waste and recycling
- Issues affecting the natural environment including streams, rivers and harbour
- Allocate funding for community climate action

PURPOSE:

To develop, implement, monitor and review strategies, policies, plans and functions associated with environmental and climate change activities to strengthen the long-term resilience and sustainability of the city through climate change awareness and action.

DELEGATIONS FOR THE COMMITTEE'S AREAS OF FOCUS:

- All powers necessary to perform the committee's responsibilities including the activities outlined below.
- Develop required strategies and policies. **Recommend draft and final versions to Council** for adoption where they have a city-wide or strategic focus.
- Implement, monitor and review strategies and policies.
- Oversee the implementation of major projects provided for in the Long Term Plan or Annual Plan.
- Oversee budgetary decisions provided for in the Long Term Plan or Annual Plan.
- Oversee the development and implementation of plans and functions that promote environmental well-being, including Council's plan to reach Carbon Zero.
- Maintain an overview of work programmes carried out by Council's Environment and Sustainability Directorate.
- Address matters related to ecological protection, the protection of biodiversity and biosecurity.
- Address matters related to climate change, including raising awareness of climate-related impacts and issues, advocating for climate change impacts, issues and actions and championing initiatives that reduce carbon emissions.
- Advocate for strong relationships with Council's Mana Whenua partners as outlined in the Tākai Here agreements ensuring the outcomes of the committee are in line with the aspirations of the partners.
- Advocate for the best interests of Māori communities in Lower Hutt having regard to the committee's goals.
- Ensure the committee is operating in a way that is consistent with various pieces of legislation that provide for Te Tiriti o Waitangi.
- **Recommend to Council** the acquisition or disposal of assets unless the acquisition or disposal is provided for specifically in the Long Term Plan.
- Conduct any consultation/engagement processes required on issues before the committee.
- Approve and oversee monitoring of funding for community climate action.
- Approve and forward submissions (other than those delegated to the District Plan Review Committee).
- Any other matters delegated to the committee by Council in accordance with approved policies and bylaws.
- The committee has the power to perform the responsibilities of another committee where it is necessary to make a decision before the next meeting of that other committee. When exercised, the report/minutes of the meeting require a resolution

noting that the committee has performed the responsibilities of another committee and the reason/s.

- If a policy or project relates primarily to the responsibilities of the Komiti Kaupapa Taiao | Climate Change and Sustainability Committee, but aspects require additional decisions by the Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee and/or Komiti Hanganga | Infrastructure and Regulatory Committee, then the Komiti Kaupapa Taiao | Climate Change and Sustainability Committee has the powers to make associated decisions on behalf of those other committees. For the avoidance of doubt, this means that matters do not need to be taken to more than one of those committees for decisions.

KOMITI AROTAKE MAHERE Ā-ROHE | DISTRICT PLAN REVIEW COMMITTEE

Chair:	Cr Brady Dyer
Deputy Chair:	Cr Simon Edwards
Membership:	<p>Mayor Campbell Barry</p> <p>Cr Josh Briggs</p> <p>Deputy Mayor Tui Lewis</p> <p>Cr Andy Mitchell</p> <p>Cr Karen Morgan</p> <p>Cr Naomi Shaw</p> <p>Up to two representatives nominated by Iwi and appointed by Council</p> <p>Note: Elected members should hold current certification under the Making Good Decisions Training Assessment and Certification Programme for RMA Decision-Makers. The Chair should in addition hold Chair certification</p> <p>Standing Order 31 outlining the provisions of Mana Whenua do not apply to this committee and Iwi appointees will have full voting rights as members of the Committee under Standing Orders</p>
Quorum:	Half of the members
Meeting Cycle	Meets on an eight-weekly basis or at the requisition of the Chair
Reports to:	Council

AREAS OF FOCUS:

- Undertake a full review of the District Plan and development of a Proposed District Plan
- Urban design and spatial planning
- Resource Management Act reform
- Mana Whenua partnership

MANA WHENUA MEMBERSHIP:

Mana Whenua membership will facilitate a collaborative approach to the District Plan review, and other District Plan matters that arise to ensure that appropriate relationships and processes are facilitated to:

- enable genuine partnership between Iwi and Hutt City Council at a governance level;
- promote shared decision-making in city planning; and
- ensure the perspectives and aspirations of Iwi are effectively integrated into the District Plan Review.

Members are committed to ensuring Te Awa Kairangi ki Tai is able to develop in a prosperous manner, while also actively protecting significant natural, cultural, spiritual and built assets.

Members recognise the autonomy and right of Mana Whenua to exercise their respective authority in order to meet their responsibilities to their people.

SHARED VALUES:

- Whanaungatanga – building a strong partnership with an inter-generational view of the sustainable prosperity and wellbeing of Te Awa Kairangi ki Tai.
- Manaakitanga – placing the care of our whānau and community at the centre.
- Kaitiakitanga – caring for and protecting our environment.
- Whakapono – working together in good faith with honesty and transparency.
- Kotahitanga – working together with Mana Whenua and the wider community to achieve agreed outcomes.

DISTRICT PLAN DELEGATIONS:

Undertake a full review of the City of Lower Hutt District Plan, including establishing a District Plan work programme and monitoring its implementation.

- Consideration of matters related to the preparation and ongoing monitoring of the City of Lower Hutt District Plan.
- Preparation of required Changes and Variations to the City of Lower Hutt District Plan for Council approval to call for submissions.
- Approval of the draft District Plan for consultation.
- Make recommendations to Council on the statutory notified proposed District Plan.
- Make recommendations to Council on private District Plan Change requests for Council to accept, adopt or reject.
- Approve Council submissions on Resource Management-related matters, as well as the ability to delegate this approval to the Chief Executive.
- The Chair of the committee, in conjunction with the Chief Executive, is authorised to appoint a District Plan Hearings Subcommittee of suitably qualified persons to conduct hearings on behalf of the committee.

GENERAL:

Any other matters delegated to the committee by Council in accordance with approved policies and bylaws.

NOTE:

Manatū mō te Taiao | Ministry for the Environment advocates that Councils offer specialist RMA training in areas of law that are difficult to grasp or where mistakes are commonly made. This is to complement the Good Decision Making RMA training that they run (which is an overview and basic summary of decision making, rather than an in-depth training in specific areas of the RMA). Therefore to facilitate this, the RMA training run for councillors that wish to become hearings commissioners is mandatory.

Reasons for the importance of the training:

1. Hearings commissioners are kept abreast of developments in the legislation.
2. Legal and technical errors that have been made previously are avoided (many of which have resulted in Environment Court action which is costly, time-consuming and often creates unrealistic expectations for the community).
3. The reputation of Council as good and fair decision-makers or judges (rather than legislators) is upheld.

KOMITI RATONGA RANGATŌPŪ ME TE RAUTAKI | POLICY FINANCE AND STRATEGY COMMITTEE

Chair:	Cr Andy Mitchell
Deputy Chair:	Deputy Mayor Tui Lewis
Membership:	Mayor Campbell Barry Cr Keri Brown Cr Brady Dyer Cr Simon Edwards Cr Karen Morgan Cr Chris Parkin Cr Tony Stallinger Refer to Council's Standing Orders (SO 31 Provisions for Mana Whenua)
Quorum:	Half of the membership
Meeting Cycle:	Meets on an eight-weekly basis or at the requisition of the Chair
Reports to:	Council
Membership RMA Hearings	An independent Commissioner plus a minimum of either three or four elected members (including the Chair) and alternates who have current certification under the Making Good Decisions Training Assessment and Certification programme for RMA Decision Makers

OVERVIEW:

This committee assists Council in setting the broad direction of the city, discharging statutory functions and overseeing organisational performance. The committee is aligned with the Office of the Chief Executive and Strategy and Engagement Directorate.

Its areas of focus are:

- Long term/high-level strategic focus
- Long Term Plan/Annual Plan oversight
- Treaty partnerships
- Economic development
- Financial and non-financial performance reporting
- Oversight of the Property Working Group
- Oversight and general co-ordination (including community engagement) of strategies and policies
- Bylaw development
- Oversight of Council Controlled Organisations/Statements of Expectation/Statements of Intent
- Strategic oversight of current community engagement

PURPOSE:

To assist the Council in setting the broad vision and direction of the city to promote the social, economic, environmental and cultural well-being of the city's communities in the present and for the future.

This involves determining specific outcomes that need to be met to deliver on the vision for the city, and overseeing the development of strategies, policies, bylaws and work programmes to achieve those goals. This committee is also responsible for monitoring the overall financial management and performance of the Council Group.

DELEGATIONS FOR THE COMMITTEE'S AREAS OF FOCUS:

- All powers necessary to perform the committee's responsibilities including the activities outlined below.
- Develop required strategies and policies. **Recommend draft and final versions to Council** for adoption where they have a city-wide or strategic focus.
- Implement, monitor and review strategies and policies to ensure policies and strategies are consistent, effective and current.
- Identify the need for any new strategies and policies.
- Oversee the implementation of major projects provided for in the Long Term Plan or Annual Plan.
- Oversee budgetary decisions provided for in the Long Term Plan or Annual Plan.
- **Recommend to Council** the approval of any financial decisions required outside of the annual budgeting process.
- Advocate for strong relationships with Council's Mana Whenua partners as outlined in the Tā kai Here agreements ensuring the outcomes of the committee are in line with the aspirations of the partners.
- Advocate for the best interests of Māori communities in Lower Hutt having regard to the committee's goals.
- Ensure the committee is operating in a way that is consistent with various pieces of legislation that provide for Te Tiriti o Waitangi.
- Maintain an overview of work programmes carried out by Council's Office of the Chief Executive and Strategy and Engagement, Directorate.
- Oversee any consultation/engagement processes required on issues before the committee.
- Approve and forward submissions (other than those delegated to the District Plan Review Committee).
- Any other matters delegated to the committee by Council in accordance with approved policies and bylaws.
- The committee has the powers to perform the responsibilities of another committee

where it is necessary to make a decision before the next meeting of that other committee. When exercised, the report/minutes of the meeting require a resolution noting that the committee has performed the responsibilities of another committee and the reason/s.

- If a policy or project relates primarily to the responsibilities of the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee, but aspects require additional decisions by the Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee, Komiti Hanganga | Infrastructure and Regulatory Committee and/or Komiti Kaupapa Taiao | Climate Change and Sustainability Committee, then the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee has the powers to make associated decisions on behalf of those other committees. For the avoidance of doubt, this means that matters do not need to be taken to more than one of those committees for decisions.

Bylaw Delegations:

- Develop and agree the Statement of Proposal for new or amended bylaws for consultation/engagement.
- **Recommend to Council** the approval of draft bylaws before consultation.
- The Chair of the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee, in conjunction with the Chief Executive, is authorised to appoint a subcommittee of suitably qualified persons to conduct hearings on draft bylaws on behalf of the committee.
- **Recommend to Council** new or amended bylaws for adoption.

Financial, Project and Performance Reporting Delegations:

- **Recommend to Council** the budgetary parameters for the preparation of Council's Long Term Plans and Annual Plans.
- Monitor progress towards achievement of budgets and objectives for the Council Group as set out in the Long Term Plan and Annual Plans, including associated matters around the scope, funding, prioritising and timing of projects.
- Monitoring and oversight of significant city-wide or strategic projects including operational contracts, agreements, grants and funding, except where these are the responsibility of another standing committee.
- Monitor progress towards achievement of the Council's outcomes as set out in its overarching strategies for the city and their associated plans.
- Oversee the activities of the Property Working Group in its implementation of the Purchase and Sale of Property for Advancing Strategic Projects Policy.
- Oversee the acquisition and disposal of property in accordance with the Long Term Plan.
- Monitor the integrity of reported performance information at the completion of Council's Annual Report process.

- **Review and recommend to Council** the adoption of the Annual Report.
- **Recommend to Council** the approval of annual Statements of Intent and annual Statements of Expectation for Council Controlled Organisations and Council Controlled Trading Organisations and granting shareholder approval of major transactions.
- Monitor progress against the Council Controlled Organisations and Council Controlled Trading Organisations Statements of Intent and **make recommendations to Council** in the exercising of Council powers, as the shareholder, about Council Controlled Organisations/Council Controlled Trading Organisations under sections 65 to 72 of the Local Government Act.
- Oversee compliance with Council's Treasury Risk Management Policy.
- Consider and determine requests for rate remissions.
- Consider and determine requests for loan guarantees from qualifying community organisations where the applications are within the approved guidelines and policy limits.

KOMITI ITI MAHERE Ā-NGAHURUTANGA/MAHERE Ā-TAU LONG TERM PLAN / ANNUAL PLAN SUBCOMMITTEE

Chair:	Mayor Campbell Barry
Deputy Chair:	Deputy Mayor Tui Lewis
Membership:	All Councillors (11)
Quorum:	Half of the membership
Meeting Cycle:	Meets on an eight-weekly basis or as required during the LTP/AP process
Reports to:	Council

PURPOSE:

To carry out all necessary considerations and hearings, precedent to the Council's final adoption of Long Term Plans (LTP) and Annual Plans (AP) which give effect to the strategic direction and outcomes set by the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee through setting levels of service, funding priorities, the performance framework and budgets.

Determine:

- Development of a framework and timetable for the LTP and AP processes.
- The nature and scope of engagement and public consultation required.
- Statements to the media.
- Such other matters as the subcommittee considers appropriate and which fall within its Terms of Reference.
- Informal engagement with the community, and the hearing of any formal public submissions.
- Consideration of submissions on Hutt City Council's Assessment of Water and Sanitary Services.

Consider and make recommendations to Council:

- Levels of service, funding priorities, performance framework, budgets, rating levels and policies required as part of the LTP or AP, excluding any policies recommended to Council by the Komiti Ratonga Rangatōpū me te Rautaki | Policy, Finance and Strategy Committee.
- Consultation documents.
- Council's proposed and final LTP.
- Council's proposed and final AP.
- Final content and wording, and adoption of the final Hutt City Council Assessment of Water and Sanitary Services.

KOMITI ITI AHUMONI I TŪRARU | AUDIT AND RISK SUBCOMMITTEE

Chair:	Independent Chair Sue Tindal
Deputy Chair:	Mayor Campbell Barry
<p>Membership:</p> <p>Komiti Iti Ahumoni i Tūraru Audit and Risk Subcommittee members should be appointed so that the subcommittee has a diversity of governance skills, experiences and personal qualities. Between them, the members should bring a mix of the following attributes:</p> <ol style="list-style-type: none"> 1. Broad governance experience; 2. Familiarity with risk management disciplines; 3. Understanding of internal control and assurance frameworks; 4. An understanding of financial and non-financial performance reporting; 5. A good understanding of the roles of internal and external audit; and 6. A sound understanding of the local government sector. <p>Use of the matrix below has assisted other councils to consider the best fit for membership of an Komiti Iti Ahumoni i Tūraru Audit and Risk Committee.</p>	<p>Cr Glenda Barratt</p> <p>Cr Josh Briggs</p> <p>Cr Karen Morgan</p> <p>Cr Tony Stallinger</p>
Quorum:	Half of the membership
Meeting Cycle:	Meets on an eight-weekly basis or as required
Reports to:	Council

AREAS OF FOCUS:

The subcommittee's areas of focus are:

- Oversight of risk management and assurance across the Council Group with respect to risk that is significant
- Internal and external audit and assurance
- Health, safety and wellbeing
- Business continuity and resilience
- Integrity and investigations

- Monitoring of compliance with laws and regulations
- Significant projects, programmes of work and procurement, focussing on the appropriate management of risk
- The Long Term Plan, Annual Report and other external financial reports required by statute.

DELEGATIONS FOR THE SUBCOMMITTEE'S AREAS OF FOCUS:

- The subcommittee has no decision-making powers other than those in these Terms of Reference.
- The subcommittee may request expert advice through the Chief Executive where necessary.
- The subcommittee may make recommendations to Council and/or Chief Executive.

Risk Management:

- Review, approve and monitor the implementation of the risk management framework and strategy, including significant risks to the Council Group.
- Review the effectiveness of risk management and internal control systems including all material financial, operational, compliance and other material controls. This includes legislative compliance (including health and safety), significant projects and programmes of work, and significant procurement.
- Review risk management reports identifying new and/or emerging risks.

Assurance:

- Review and approve, and monitor the implementation of, the assurance strategy and detailed internal audit coverage and annual work plans.
- Review the coordination between the risk and assurance functions, including the integration of the Council's risk profile with the internal audit programme. This includes assurance over all material financial, operational, compliance and other material controls. This includes legislative compliance (including health and safety), significant projects and programmes of work, and significant procurement.
- Review the reports of the assurance functions dealing with findings, conclusions and recommendations (including assurance over risks pertaining to Council Controlled Organisations and Council Controlled Trading Organisations that are significant to the Council Group).
- Review and monitor management's responsiveness to the findings and recommendations, inquiring into the reasons that any recommendation is not acted upon.

Fraud and Integrity:

- Review, approve and monitor the implementation of the assurance strategy, including the fraud and integrity aspects.
- Review the arrangements in place by which staff may, in confidence, raise concerns about possible improprieties in matters of financial reporting, financial control or any other matters, and ensure that there is a proportionate and independent investigation of such matters and appropriate follow-up action.
- Review the procedures in relation to the prevention, detection, reporting and investigation of bribery and fraud.

- Review and monitor policy and process to manage conflicts of interest amongst elected and appointed members, management, staff, consultants and contractors.
- Review internal and external reports related to possible improprieties, ethics, bribery and fraud-related incidents.

Statutory Reporting:

- Review and monitor the integrity of the Long Term Plan and Annual Report including statutory financial statements and any other formal announcements relating to the Council's financial performance, focussing particularly on the areas listed below.
- Compliance with, and the appropriate application of, relevant accounting policies, practises and accounting standards.
- Compliance with applicable legal requirements relevant to statutory reporting.
- The consistency of application of accounting policies, across reporting periods, and the Council Group.
- Changes to accounting policies and practices that may affect the way that accounts are presented.
- Any decisions involving significant judgement, estimation, or uncertainty.
- The extent to which financial statements are affected by any unusual transactions and the way they are disclosed.
- The disclosures of contingent liabilities and contingent assets.
- The clarity of disclosures generally.
- The basis for the adoption of the going concern assumption.
- Significant adjustments resulting from the audit.

External Audit:

- Discuss with the external auditor, before the audit commences, the nature, scope and fees of the external audit, areas of audit focus, and error and materiality levels.
- Review, with the external auditors, representations required by elected members and senior management, including representations as to the fraud and integrity control environment.
- Review the external auditor's management letter and management responses and inquire into reasons for any recommendations not acted upon.
- Where required, the Chair may ask a senior representative of the Office of the Auditor General to attend meetings of the subcommittee to discuss the office's plans, findings and other matters of mutual interest.

Interaction with Council Controlled Organisations (CCO) and Council Controlled Trading Organisations (CCTO):

- Other committees dealing with CCO and CCTO matters may refer matters to the Komiti Iti Ahumoni i Tūraru | Audit and Risk Subcommittee for review and advice.
- This subcommittee will inquire to ensure adequate processes at a governance level exist to identify and manage risks within a CCO. Where an identified risk may impact on Council or the Council Group, the subcommittee will also ensure that all affected entities are aware of and are appropriately managing the risk.

Matrix of Experience, Skills and Personal Qualities

Experience, Skills and Personal Qualities	Member A	Member B	Member C	Member D	Independent Chairperson
<i>The recommended combination of experience is:</i>					
• financial reporting					
• broad governance experience					
• familiarity with risk management disciplines					
• understanding of internal control and assurance frameworks					
• good understanding of the roles of internal and external audit					
• local government expertise					
<i>For an “advisory-oriented” audit committee, particular emphasis should be placed on:</i>					
• Strategy					
• Performance management					
• Risk management disciplines					
<i>In determining the composition of the audit committee, the combined experience, skills, and personal qualities of audit committee members is critical. Members should bring:</i>					
• the ability to act independently and objectively					
• the ability to ask relevant and pertinent questions, and evaluate the answers					
• the ability to work constructively with management to achieve improvements					
• an appreciation of the public entity’s culture and values, and a determination to uphold these					
• a proactive approach to advising the governing body and chief executive on matters that require further attention					
• business acumen					
• appropriate diligence, time, effort, and commitment					
• the ability to explain technical matters in their field to other members of the audit committee					

KOMITI HANGANGA | INFRASTRUCTURE AND REGULATORY COMMITTEE

Chair:	Cr Simon Edwards
Deputy Chair:	Cr Tony Stallinger
Membership:	Mayor Campbell Barry Deputy Mayor Tui Lewis Cr Glenda Barratt Cr Keri Brown Cr Brady Dyer Cr Andy Mitchell Cr Gabriel Tupou
Quorum:	Half of the membership
Meeting Cycle:	Meets on an eight-weekly basis or as required
Reports to:	Council
Membership Resource Management Act (RMA) Hearings	An independent Commissioner plus a minimum of either three or four elected members (including the Chair) and alternates who have current certification under the Making Good Decisions Training Assessment and Certification programme for RMA Decision Makers

OVERVIEW:

This is an operationally focused committee, overseeing Council's above and below-ground core infrastructure needs, and core regulatory functions. The committee is aligned with the Economy and Development and Environment and Sustainability directorates.

AREAS OF FOCUS:

- Three waters infrastructure
- Three waters reform
- Water investment
- Roading/active transport
- Infrastructure strategy
- Integrated transport strategy
- Wharves
- Environmental consents
- Regulatory functions including enforcement
- Treaty partnerships
- Riverlink
- Cycleways
- Accessibility
- Footpaths renewal programme
- Oversight of Major Projects Steering Group

PURPOSE:

To deliver quality infrastructure to support healthy and sustainable living, providing efficient and safe transport options and promoting the city's prosperity. To consider matters relating to the regulatory and quasi-judicial responsibilities of the Council under Council's bylaws and relevant legislation including the following:

- Building Act 2004
- Dog Control Act 1996
- Fencing of Swimming Pools Act 1987
- Local Government Act 1974 and the Local Government Act 2002
- Public Works Act 1981
- Reserves Act 1977
- Resource Management Act 1991
- Sale and Supply of Alcohol Act 2012

DELEGATIONS FOR THE COMMITTEE'S AREAS OF FOCUS:

- All powers necessary to perform the committee's responsibilities including the activities outlined below.
- Develop required strategies and policies. **Recommend draft and final versions to Council** for adoption where they have a city-wide or strategic focus.
- Implement, monitor and review strategies and policies.
- Oversee the implementation of major projects provided for in the Long Term Plan (LTP) or Annual Plan.
- Oversee budgetary decisions provided for in the LTP or Annual Plan.
- Oversee the development and implementation of plans and functions that promote economic well-being.
- Advocate for strong relationships with Council's Mana Whenua partners as outlined in the Tākai Here agreements ensuring the outcomes of the committee are in line with the aspirations of the partners.
- Advocate for the best interests of Māori communities in Lower Hutt having regard to the committee's goals.
- Ensure the committee is operating in a way that is consistent with various pieces of legislation that provide for Te Tiriti o Waitangi.
- Maintain an overview of work programmes carried out by Council's Economy and Development Directorate.
- Undertake the administration of all statutory functions, powers and duties other than those specifically delegated to any other committee or subcommittee or retained by Council.
- Conduct any consultation processes required on infrastructure issues before the committee.
- Approve and forward submissions (other than those delegated to the District Plan Review Committee).

- Any other matters delegated to the committee by Council in accordance with approved policies and bylaws.
- The committee has the powers to perform the responsibilities of another committee where it is necessary to make a decision prior to the next meeting of that other committee. When exercised, the report/minutes of the meeting require a resolution noting that the committee has performed the responsibilities of another committee and the reason/s.
- If a policy or project relates primarily to the responsibilities of the Komiti Hanganga | Infrastructure and Regulatory Committee, but aspects require additional decisions by the Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee and/or Komiti Kaupapa Taiao | Climate Change and Sustainability Committee, then the Komiti Hanganga | Infrastructure and Regulatory Committee has the powers to make associated decisions on behalf of those other committees. For the avoidance of doubt, this means that matters do not need to be taken to more than one of those committees for decisions.

Additional Infrastructure Delegations:

- Determine roading issues considered by the Mayor and Chief Executive to be strategic due to their significance on a city-wide basis, including links to the State Highway, or where their effects cross ward or community boundaries.
- Hear objections to specified traffic matters where the community board wishes to take an advocacy role.
- Make decisions under Clause 11(e) of the Tenth Schedule of the Local Government Act 1974 and the Transport (Vehicular Traffic Road Closure) Regulations 1965 in respect of temporary road closures, including making decisions on any ancillary matters including, without limitation, approval of temporary “No Stopping” restrictions under Hutt City Council Traffic Bylaw 2017.
- Undertake hearings on road stopping under the Local Government Act 1974.
- **Make recommendations to Council** whether to proceed with a road stopping and the disposal of stopped road, including (where the proposal includes or involves a related acquisition, disposal or land exchange) a **recommendation to Council** on the acquisition, disposal or exchange.
- Consider and **recommend to Council** any request to the Crown that a road is stopped under section 116 of the Public Works Act 1981, and the disposal of the stopped road.
- Make any resolution required under section 319A of the Local Government Act 1974 regarding the naming of new roads and alterations to street names (other than those in the Harbour and Wainuiomata Wards, which are delegated to the community boards in those areas).

Additional Regulatory Delegations:

- Develop any regulations required to achieve Council’s objectives.

- Approve Council’s list of hearings commissioners under the Resource Management Act 1991, including councillors sitting as hearings commissioners and independent commissioners.
- Conduct statutory hearings on regulatory matters and make decisions on those hearings², excluding those conducted under the Resource Management Act 1991, which are delegated to the Hearings Subcommittee and District Plan Hearings Subcommittee.
- Authorise the submission of appeals to the Environment Court on behalf of Council.
- Make decisions on applications required under the Development Contributions Policy for remissions, postponements, reconsiderations and objections.
- **Recommend to Council** the list of members approved to be members of the District Licensing Committee under section 192 of the Sale and Supply of Alcohol Act 2012.

Delegations to make Appointments:

- The Chair of the Komiti Hanganga | Infrastructure and Regulatory Committee, in conjunction with the Chief Executive, is authorised to appoint a subcommittee of suitably qualified persons to conduct hearings on behalf of the committee.
- The Chair of the Komiti Hanganga | Infrastructure and Regulatory Committee, in conjunction with the Chief Executive, is authorised to appoint a Hearings Subcommittee of suitably qualified persons to conduct resource consent and related hearings on behalf of the committee.
- The Chair of the Komiti Hanganga | Infrastructure and Regulatory Committee is authorised to appoint three people from the list prepared under the Sale and Supply of Alcohol Act 2012 to specific meetings (Chair and two members).

NOTE:

The Manatū mō te Taiao | Ministry for the Environment advocates that Councils offer specialist Resource Management Act (RMA) training in areas that are difficult to grasp or where mistakes are commonly made. This is to complement the Good Decision Making RMA training that they run (which is an overview and basic summary of decision making, rather than an in-depth training in specific areas of the RMA). Therefore, in order to facilitate this, the RMA training run for councillors that wish to be hearings commissioners is mandatory.

Reasons for the importance of the training:

1. Hearings commissioners are kept abreast of developments in the legislation.
2. Legal and technical errors that have been made previously are avoided (many of which have resulted in Environment Court action which is costly, time-consuming and often creates unrealistic expectations for the community).
3. The reputation of Council as good and fair decision makers or judges (rather than legislators) is upheld.

KOMITI ITI WHAKAWĀ MAHERE Ā-ROHE | DISTRICT PLAN HEARINGS SUBCOMMITTEE

Membership:	<p>Members are appointed for specific projects by the Chair in conjunction with the Chief Executive</p> <p>All members must hold current certification under the Making Good Decisions Training, Assessment and Certification Programme for RMA Decision-Makers</p> <p>The Chair must in addition hold Chair certification</p> <p>Note:</p> <p>34A Delegation of powers and functions to employees and other persons</p> <p>(1A) If a local authority is considering appointing 1 or more hearings commissioners to exercise a delegated power to conduct a hearing under Part 1 or 5 of Schedule 1,—</p> <ul style="list-style-type: none"> (a) the local authority must consult tangata whenua through relevant iwi authorities on whether it is appropriate to appoint a commissioner with an understanding of tikanga Māori and of the perspectives of local iwi or hapū; and (b) if the local authority considers it appropriate, it must appoint at least 1 commissioner with an understanding of tikanga Māori and of the perspectives of local iwi or hapū, in consultation with relevant iwi authorities
Meeting Cycle:	As required
Quorum:	1
Reports to:	Council

PURPOSE:

To make recommendations with reasons to Council on Proposed District Plan provisions and matters raised in submissions.

The subcommittee has all the powers necessary to conduct a hearing for this purpose. When a subcommittee has an even number of members, the Chair has a casting vote.

NOTE:

The Manatū mō te Taiao | Ministry for the Environment advocates that Councils offer specialist RMA training in areas of law which are difficult to grasp or where mistakes are commonly made. This is to complement the Making Good Decisions RMA training that MfE runs (which is an overview and basic summary of decision making, rather than an in-depth training in specific areas of the RMA). Therefore in order to facilitate this, the RMA training run for councillors that wish to be hearings commissioners is mandatory.

Reasons for the importance of the training:

- 1 Hearings commissioners are kept abreast of developments in the legislation.
- 2 Legal and technical errors that have been made previously are avoided (many of which have resulted in Environment Court action which is costly, time-consuming and often creates unrealistic expectations for the community).
- 3 The reputation of Council as good and fair decision-makers or judges (rather than legislators) is upheld.

KOMITI ITI WHAKAWĀ | HEARINGS SUBCOMMITTEE

Membership:	An independent Commissioner plus a minimum of 2 elected members (including the Chair) and alternates who have current certification under the Making Good Decisions Training, Assessment and Certification Programme for RMA Decision-Makers
Meeting Cycle:	As required
Quorum:	Half of the members
Reports to:	Council

PURPOSE:

To conduct the hearing of resource consent applications and related matters under the Resource Management Act 1991.

Determine:

- Hearing and deciding notified resource consent applications.
- Hearing and deciding objections to conditions imposed on resource consents.

Conduct of Hearings:

- To conduct hearings where these are required as part of a statutory process.
- Hearing of submissions required on any matters falling under the Terms of Reference for this Subcommittee.

General:

Any other matters delegated to the subcommittee by Council in accordance with approved policies and bylaws.

NOTE:

Manatū mō te Taiao | Ministry for the Environment advocates that councils offer specialist Resource Management Act (RMA) training in areas of law that are difficult to grasp or where mistakes are commonly made. This is to complement the Good Decision Making RMA training that they run (which is an overview and basic summary of decision making, rather than an in-depth training in specific areas of the RMA). Therefore in order to facilitate this, the RMA training run for councillors that wish to be hearings commissioners is mandatory.

Reasons for the importance of the training:

1. Hearings commissioners are kept abreast of developments in the legislation.
2. Legal and technical errors that have been made previously are avoided (many of which have resulted in Environment Court action which is costly, time-consuming and often creates unrealistic expectations for the community).
3. The reputation of Council as good and fair decision-makers or judges (rather than legislators) is upheld.

KOMITI TUKU RAIHANA Ā-ROHE | DISTRICT LICENSING COMMITTEE

Chair:	Cr Simon Edwards
Deputy Chair	Cr Brady Dyer
Membership:	7 Members comprising the Chair, Deputy Chair and list members
Meeting Cycle:	As required
Quorum:	3 members (<u>opposed</u> licence or manager's certificate applications) 1 Chair (<u>unopposed</u> licence or manager's certificate applications)
Executive	The Chief Executive is the secretary of the Komiti Tuku Raihana ā-Rohe District Licensing Committee. The Chief Executive may delegate this responsibility
Reports to:	Council

PURPOSE:

The functions of the Komiti Tuku Raihana-ā-Rohe | District Licensing Committee are specified under the Sale and Supply of Alcohol Act 2012 (the Act) and are:

- (a) to consider and determine applications for licences and managers' certificates;
- (b) to consider and determine applications for renewal of licences and manager's certificates;
- (c) to consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136 of the Act;
- (d) to consider and determine applications for the variation, suspension, or cancellation of special licences;
- (e) to consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280; and
- (f) with the leave of the chair for the licensing authority, to refer applications to the licensing authority; and
- (g) to conduct inquiries and to make reports as may be required of it by the licensing authority under section 175; and
- (h) any other functions conferred on licensing committees by or under this Act or any other enactment.

Determine:

The Komiti Tuku Raihana-ā-Rohe | District Licensing Committee has all the powers conferred on it by or under this Act or any other Act, and all powers as may be reasonably necessary to enable it to carry out its functions.

Develop, review and make recommendations to Council on:

- Trends / issues identified by the committee from the administration of the Act.
- The annual report required to be produced by Council under Section 199 of the Act.

Conduct:

- An application that is not opposed by any of the reporting agencies (Police, medical officer of health or licensing inspector) may be dealt with by the chair “on the papers”. A meeting is not required in this case.
- Where a hearing of the committee is required, a quorum of three is required. Those persons must be from the list required to be adopted by Council under section 192 of the Act.
- The Mayor is not an ex-officio member in the case of the Komiti Tuku Raihana-ā-Rohe | District Licensing Committee. The Mayor can be a member of the committee if the Mayor qualifies under Section 192 of the Act.
- Council can appoint as many commissioners and members to its list as it requires. The Chair of the Komiti Hanganga | Infrastructure and Regulatory Committee will appoint three people from the list to specific meetings (The Chair and two members).
- The provisions of the Local Government Official Information and Meetings Act 1987, other than Part 7, apply to every licensing committee.
- Subject to the provisions of this Act and of any regulations made under this Act, the authority or committee may regulate its procedure in such manner as it thinks fit (refer to section 203(9) of the Sale and Supply of Alcohol Act 2012).

General:

Any other matters delegated to the committee by Council in accordance with approved policies and bylaws.

KOMITI ITI ARA WAKA | TRAFFIC SUBCOMMITTEE

Chair:	Cr Naomi Shaw
Deputy Chair:	Cr Brady Dyer
Membership:	Cr Glenda Barratt Cr Andy Mitchell Cr Chris Parkin Cr Gabriel Tupou
Alternates:	Deputy Mayor Tui Lewis Cr Josh Briggs Cr Keri Brown
Quorum:	Half of the membership
Meeting Cycle:	Meets on an eight-weekly basis or as required
Reports to:	Council

PURPOSE:

The Komiti Iti Ara Waka | Traffic Subcommittee has primary responsibility for considering and making **recommendations to Council** on traffic matters and considering any traffic matters referred to it by Council.

For the avoidance of doubt, "traffic" includes parking, and excludes temporary road closures under clause 11(e) of the Tenth Schedule of the LGA 1974 and the Transport (Vehicular Traffic Road Closure) Regulations 1965.

DETERMINE:

The Komiti Iti Ara Waka | Traffic Subcommittee has the authority to:

- Do all things necessary to hear, consider and make **recommendations to Council** on any traffic-related matter.
- Regulate its own processes and proceedings to achieve its purpose and objective.
- Provide options for the consideration of Council.

The Chair will have the authority to refer any traffic matter to:

- A Community Board; or
- The Komiti Hanganga | Infrastructure and Regulatory Committee; or
- Council.

DELEGATED AUTHORITY:

The Komiti Iti Ara Waka | Traffic Subcommittee will have delegated authority to carry out activities within its terms of reference.

KOMITI AROTAKE I TE TUMU WHAKARAE | CHIEF EXECUTIVE'S PERFORMANCE REVIEW SUBCOMMITTEE

Chair:	Cr Josh Briggs
Deputy Chair:	Mayor Campbell Barry
Membership:	Deputy Mayor Tui Lewis Cr Simon Edwards Cr Karen Morgan
Quorum:	3
Meeting Cycle	Meets as required

AREA OF FOCUS:

The Komiti Arotake i te Tumu Whakarae | Chief Executive's Performance Review Subcommittee has responsibility for the effective monitoring of the Chief Executive's performance and has the authority to undertake the annual remuneration review. The subcommittee also has the role of undertaking any review for the purposes of clause 35 schedule 7 of the Local Government Act 2002, making a recommendation to Council under clause 34 schedule 7 of the Local Government Act 2002 and (if applicable) undertaking any recruitment and selection process, for recommendation to Council.

Determine:

The subcommittee will have the responsibility and authority to:

- a) agree the annual performance objectives with the Chief Executive.
- b) undertake a six-monthly review to review progress against the annual performance objectives, provide feedback, ongoing monitoring and agree to any modifications to the annual performance objectives with the Chief Executive.
- c) conduct the performance review required in the employment agreement between Council and the Chief Executive.
- d) undertake the annual remuneration review and make decisions regarding remuneration.
- e) represent Council regarding any issues which may arise concerning the Chief Executive's job description, agreement, performance objectives or other similar matters.

Review and make recommendations to Council on:

- a) conduct and complete a review of employment under clause 35 schedule 7 of the Local Government Act 2002 and make a recommendation to Council as to continued appointment or vacancy under clause 34 schedule 7 of the Local Government Act 2002.
- b) undertake any recruitment and selection process for a Chief Executive (noting that a decision on appointment must, by law, be made by Council).

KOMITI RATONGA O TE AWA KAIRANGI | HUTT VALLEY SERVICES COMMITTEE (Joint Committee)

Co-Chair:	Cr Tony Stallinger
Membership: 4 elected members appointed by the Hutt City Council and 4 elected members appointed by the Upper Hutt City Council plus one alternate appointed by each Council Chair to alternate between the two Councils with Hutt City Council appointing the Chair in odd numbered years and the change taking place at the final meeting of each year	Cr Brady Dyer Cr Chris Parkin Cr Naomi Shaw Cr Keri Brown (alternate)
Quorum:	Half of the members
Meeting Cycle	Meet quarterly or as required
Reports to:	Council

PURPOSE:

To facilitate co-ordination and decision-making on combined council services in the Hutt Valley.

Consider and make recommendations to the two councils on:

- The co-ordination of activities of the Hutt City Council and the Upper Hutt City Council in respect of matters affecting the Hutt Valley as a whole.
- In particular, the co-ordination of the sewage disposal scheme, the Silverstream refuse landfill, Akatarawa Cemetery, dog control, environmental health and combined cemetery services for the Hutt Valley.
- Any other activities common to both councils that could be co-ordinated.

KOMITI OHOTATA | EMERGENCY COMMITTEE

Chair:	Mayor Campbell Barry
Membership:	Three members other appointed by the Chair on a meeting-by-meeting basis Refer to Council's Standing Orders (SO 31 Provisions for Mana Whenua)
Quorum:	2
Meeting cycle:	Meets as required. Meetings called by the Mayor or if the Mayor is unavailable, the Chief Executive

PURPOSE:

- To determine matters within the authority of Council where the urgency of those matters precludes a full meeting of Council or emergency legislation is enacted.

ROLE AND POWER TO ACT:

- To exercise all Council functions that cannot be exercised by Council using its standard processes and procedures due to a pandemic or natural disaster or state of emergency except for those that:
- Have been delegated to staff; or
- Cannot be delegated pursuant to clause 32 of Schedule 7 of the Local Government Act 2002, or pursuant to any other legislation.

POWER TO RECOMMEND TO COUNCIL: (BEING A COUNCIL POWER THAT IS NOT CAPABLE OF BEING DELEGATED):

- Make a rate.
- Make bylaws.
- Borrow money other than in accordance with the Long Term Plan (LTP).
- Purchase or dispose of assets other than in accordance with the LTP.
- Purchase or dispose of Council land and property other than in accordance with the LTP.
- Adopt the LTP, Annual Plan and Annual Report.
- Adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the LTP or developed for the purpose of the Local Governance Statement.
- Appoint the Chief Executive.
- Exercise any powers and duties conferred or imposed on the local authority by the Local Government Act 1974, the Public Works Act 1981, or the Resource Management Act 1991 that are unable to be delegated.
- Undertake all other actions which are by law not capable of being delegated.
- The power to adopt a Remuneration and Employment Policy for Council employees.

COMMUNITY BOARDS – FUNCTIONS AND DELEGATIONS (INTERIM)

This document records the delegation of Council functions, responsibilities, duties, and powers to Community Boards.

The Community Boards have been established under section 49 of the Local Government Act 2002 to represent, and act as an advocate for, the interests of their community.

The delegations are expressed in general terms. The delegations shall be exercised with proper regard for the Council's strategic direction, policies, plans, Standing Orders and its interpretation of its statutory obligations. The delegations are to be read together with the following propositions.

These delegations are based on the following principles:

- Issues relevant to a specific community should be decided as closely as possible to that community. Where an issue has city-wide implications, ie any effects of the decision cross a ward or community boundary or have consequences for the city as a whole, the matter will be decided by Council after seeking a recommendation from the relevant Community Board or (any ambiguity around the interpretation of "city-wide" will be determined by the Mayor and Chief Executive in consultation with the relevant Chair);
- Efficient decision-making should be paramount;
- Conflicts of interest should be avoided and risks minimised;
- To ensure processes are free from bias and pre-determination Community Boards should not adjudicate on issues on which they have advocated or wish to advocate to Council;
- Community Boards should proactively and constructively engage with residents 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.

These delegations:

- (a) do not delegate any function, duty or power which a statute (for example section 53(3) and clause 32(1) of Schedule 7 of the Local Government Act 2002) prohibits from being delegated;
- (b) 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 another member of staff;
- (c) are subject to any other statutory requirements that may apply to a particular delegation;
- (d) are subject to any notice issued by Council, from time to time, to a Community Board that a particular issue must be referred to Council for decision;
- (e) reflect that decisions with significant financial implications should be made by

Council (or a committee with delegated authority);

(f) promote centralisation of those functions where the appropriate expertise must be ensured; and

(g) reflect that all statutory and legal requirements must be met.

DELEGATIONS

Decide:

- Naming new roads and alterations to street names (in the Community Board's area) within the provisions of Council's Kaupapa Here Tapanga – Naming Policy 2022–2027.
- Official naming of parks, reserves and sports grounds within the provisions of Council's Kaupapa Here Tapanga – Naming Policy 2022–2027. Note ¹
- Removal and/or planting of street trees within the provisions of Council's Operational Guide for Urban Forest Plan. Note ²

¹ This excludes sites that are considered high profile, significant on a city-wide basis due to their size and location, or where the site crosses ward or community boundaries.

² The Operational Guide for Urban Forest Plan is available from Council's Parks and Gardens Division.

- The granting of leases and licences in terms of Council policy to voluntary organisations for Council-owned properties in their local area, for example, halls, but not including the granting of leases and licences to community houses and centres.
- The granting of rights-of-way and other easements over local purpose reserves and granting of leases or licences on local purpose reserves.
- The granting of leases and licences for new activities in terms of Council policy to community and commercial organisations over recreation reserves subject to the provisions of the Reserves Act 1977 and land managed as reserve subject to the provisions of the Local Government 2002, in their local area. (Note: renewal of existing leases and licences will be reported once a year to the Council's relevant committee).
- The allocation of funding from the Community Engagement Fund in accordance with Council's adopted guidelines.
- Expenditure of funds allocated by the Council to the Board from the Miscellaneous Budget to cover expenditure associated with the activities of the Board. The Chair is to approve the expenditure, in consultation with the Board, and forward the appropriate documentation to the Committee Advisor for authorisation. Boards must not exceed their annual expenditure from the Miscellaneous Budget.
- The allocation of funding for the training and development of Community Board or members, including formal training courses, attendance at seminars or attendance at relevant conferences.

CONSIDER AND MAKE RECOMMENDATIONS TO COUNCIL ON:

- Particular issues notified from time to time by Council to the Community Board.
- Roading issues considered by the Mayor and Chief Executive to be strategic due to their significance on a city-wide basis, including links to the State Highway, or where their effects cross ward or community boundaries.
- Parks, reserves and sports ground naming for sites that have a high profile, city-wide importance due to their size and location and/or cross ward or community boundaries.
- Representatives to any Council committee, subcommittee, subordinate decision-making body, working group, or ad hoc group on which a Community Board representative is required by Council.
- The setting, amending or revoking of speed limits in accordance with the *Hutt City Council Bylaw 2005 Speed Limits*, including the hearing of any submissions.

GENERAL FUNCTIONS:

Provide their local community's input on:

- Council's Long Term Plan and/or Annual Plan.
- Council's policies, programmes (including the District Roading Programme) and bylaws.
- Changes or variations to the District Plan.
- Resource management issues which it believes are relevant to its local community,

through advocacy.

- The disposal or acquisition of significant assets.
- Road safety including road safety education within its area.
- Any other issues a Board believes are relevant to its local area.
- Review Local Community Plans as required.

Reports may be prepared by the Board and presented to Council Committees, along with an officer's recommendation, for consideration.

Any submissions lodged by a Board or Committee require formal endorsement by way of resolution.

Co-ordinate with Council staff:

- Local community consultation on city-wide issues on which the Council has called for consultation.

Maintain:

- An overview of roadworks, water supply, sewerage, stormwater drainage, waste management and traffic management for its local area.
- An overview of parks, recreational facilities and community activities within its local area.

Develop:

- Community Response Plans in close consultation with the Wellington Region Emergency Management Office, emergency organisations, the community, residents' associations, other community groups, and local businesses. The Community Response Plans will be reviewed on an annual basis.

Grant:

- Local community awards.

Promote:

- Recreational facilities and opportunities in its area with a view to ensuring maximum usage.
- Arts and crafts in its area.

Appoint:

- A liaison member or, where appropriate, representatives to ad hoc bodies, which are involved in community activities within the Board's area, on which a community representative is sought.

Endorse:

- Amendments to the Eastbourne Community Trust Deed (Eastbourne Community Board only).

Specific Role Descriptions and Delegations

Mayor

The Mayor is the leader of Council and provides leadership to the other members of Council and the city. The Mayor will lead the development of the Council's plans, policies and budgets for consideration by Council. The Mayor is the primary Council spokesperson.

Deputy Mayor

The Deputy Mayor will:

- a. Assist the Mayor in carrying out the statutory and leadership role of the Mayor.
- b. If the Mayor is absent or incapacitated, perform all the responsibilities and duties, and exercise any powers of the mayor (other than the powers under section 41A LGA 2002 and the role of Justice of the Peace).
- c. Lead and take responsibility for liaison with Councillors on matters of support for carrying out their governance role.
- d. Assist the Mayor in day-to-day administration.
- e. Ensure that the Mayor's view is conveyed to committee and other meetings when they are absent on Council business.

Committee chair and deputy chair

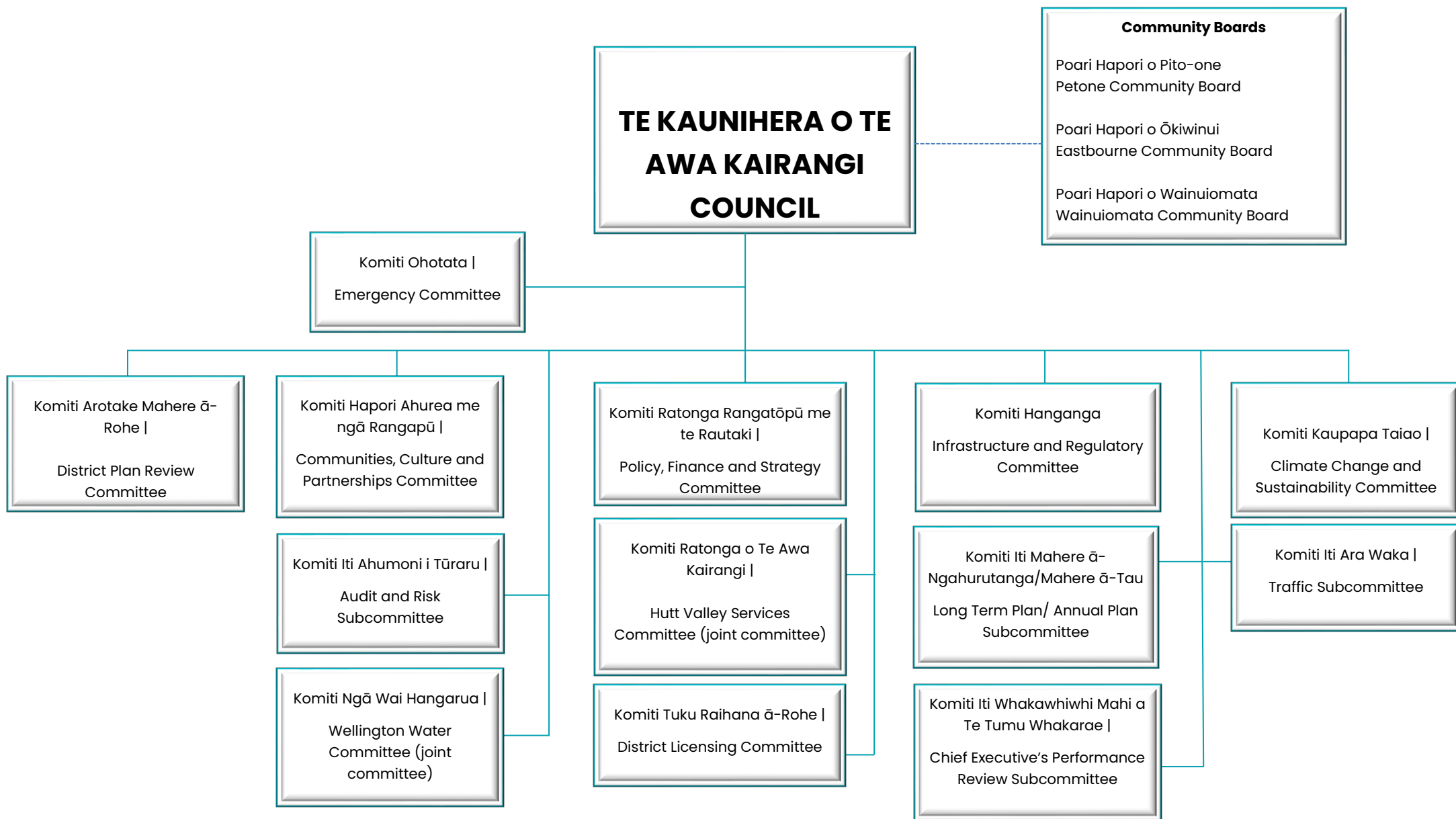
A chair and deputy chair of a committee or subcommittee will:

- a) Provide leadership to the committee.
- b) Ensure decision-making is evidence-based and made in a timely manner.
- c) Conduct the meeting in accordance with standing orders and legislation.
- d) Enhance relationships with key stakeholders.
- e) Act as Council's spokesperson and point of contact for the committee's activities, subject to the Mayor's agreement.
- f) Collaborate with other committee chairs and deputy chairs where objectives are shared.
- g) Play a leadership role in the development of policy and strategy falling under the committee's area of focus.
- h) Ensure progress is made toward Council's strategic priorities in the committee's area of responsibility.
- i) Ensure Council's working groups have effective input.
- j) Meet regularly with the Mayor, Deputy Mayor and Chief Executive.
- k) Keep the Mayor informed of emerging issues.
- l) Maintain a "no surprises" approach for elected members and staff.
- m) Raise issues of Council performance with the assigned director in the first instance, following up with the Mayor and Chief Executive if necessary.

Chief Executive's Delegations Register

View link:

[Delegations Register](#)



TERMS OF REFERENCE – Petone Projects Steering Group

Document Purpose
The purpose of this Terms of Reference (ToR) is to set out the key objectives for the Petone Projects Steering Group (the Steering Group), in the context of governance and executive management for the Hutt City Council.
Purpose of the group
The role of the Steering Group is: Phase 1 Scope overall Petone Project and recommend brief (alignment of projects, opportunity, community engagement) to Komiti Hapori Ahurea me ngā Rangapū Communities, Culture and Partnerships Committee/Council for approval Phase 2 <ul style="list-style-type: none">• Provide input, advice and guidance on Capital Projects over \$2M (which report to the Major Projects Steering Group)• Oversee the programme of work in Part Two, reporting and making recommendations to relevant committees.• Provide advice on the alignment of all other capital works in Petone to the overall objectives of this project
Background
<p>Council’s Long Term Plan includes a number of projects underway or planned in Petone which have inter-dependencies. This includes the Petone Library and Heritage Centre refurbishment (\$1.5M), Moera Library refurbishment (\$750K), Petone Wharf rebuild (\$21M), development of a management plan for Honiana Te Puni Reserve (\$257K), Refurbishment of the Petone Rec Grandstand (\$6.3M) and several micro-mobility initiatives. Council has also signalled as part of its “Better Off” funding that an allocation will go towards upgrades on Jackson Street in Petone; which if approved would fall within this group. Any work under asset management plans needs to be aligned with this work. There is also significant work being led by or funded by other parties which will impact Petone, most notably Te Ara Tupua shared path and the Cross Valley Transport Connections Programme, both led by Waka Kotahi.</p> <p>Many of these projects are being carried out in partnership with mana whenua and recognise the significance of the area as the site of the original and substantial Pito-one pa, the current site of the Te Tatau o te Po Marae and home of the offices of Hikoikoi Management (Wellington Tenths Trust and Palmerston North Māori Reserve Trust).</p>

Some of these projects are being carried out in alignment with the Petone 2040 Spatial Plan, a community-led project which establishes a comprehensive strategy for coordinated development and design in Petone. That plan identified a number of future workstreams but has never been funded for full delivery (although some of the smaller projects have gone ahead on a one-off basis through an AP allocation).

There are also a number of future challenges and opportunities ahead for Petone which need to be considered in any future planning and investment.

Sea level rise will impact many industrial, commercial and residential properties in Petone over the next 50 years, as well as public facilities, reserves and sports fields. This includes Petone Settlers Museum and assets owned by our key partners including Hikoikoi Management who have several buildings in Hikoikoi Reserve.

Phase 3 of the Cross Valley Transport Connections Programme (starting 2028/29) will reduce the volume of traffic on Petone Esplanade, particularly heavy vehicles, improving the recreational amenity value of Petone beach and Honiana Te Puni Reserve. The Esplanade will also provide a multi-modal link between the two new shared paths, Te Ara Tupua and Tupua Horo Nuku, which is also expected to increase recreation activity in the area. The Esplanade is also home to one of New Zealand's most significant memorial buildings, the Wellington Provincial Centennial Memorial, which houses the Petone Settlers Museum Te Whare Whakaaro. This recognises Petone's regional and national significance, as the site of the substantial Pito-one pa and the first European settlement in the Wellington region.

The proposed Petone Project brings these workstreams together in one co-ordinated project and programme of work to achieve greater collective impact and maximise the outcomes for Petone, our wider city and mana whenua. This idea has been promoted by mana whenua in engagement on individual projects. There is also an opportunity to further invest in existing or new projects to maximise the outcomes.

The benefits/outcomes could include (TBD by scoping stage):

- Maximising the potential of Petone as a place to live, work and do business.
- Maximising the potential of Petone (particularly the foreshore and Jackson Street) as a visitor destination and the gateway to our city

- Boosting the economies of Petone and Lower Hutt through above
- Ensure Petone's Māori and European heritage are recognised and reflected in urban design
- Delivering on key projects already identified in the Petone 2040 plan
- Future proofing assets and services impacted by sea level rise and natural disasters
- Increased connectivity and accessibility within Petone

The Petone Library renovation is a particular opportunity for further investment. Along with all of Council's anchor facilities it is transitioning to become a multi-purpose neighbourhood centre, and the renovation will further enable this by providing more flexible spaces and the provision of further services.

We have engaged with mana whenua and the community on this opportunity and held an internal workshop of Council subject matter experts. Early themes coming out of this include:

- How much the current library is valued by the community and a strong desire for the continuation of high-quality library and heritage services; also support for a broader range of services and more flexible spaces for use by community/groups
- The need to align this project with Petone 2040 which aims to reinforce Jackson Street as the heart of Petone and recognises the broader library site as a key piece of the public realm that could be enhanced for this purpose; this includes improved links to Jackson Street, the Community House and Petone Rec.
- The need for the building to be future-proofed against sea level rise and to contribute to our carbon reduction goals; the opportunity for it to showcase green architecture and be an exemplar of green building technology (eg: Passive Haus)
- The potential for the building and site to support a stronger cultural narrative around mana whenua including history, culture, health, food, arts, craft etc. (and the potential to partner with mana whenua to do this) (additionally the need to think about the future of the sea-level rise threatened Settlers Museum)
- The potential for the building to be an environmental resource centre with a focus on sustainability education (both for the local community and regionally)

Key Objectives

The Project Steering Group will:

Phase 1

Lead the scoping of the overall Petone Project and recommend brief (alignment of projects, opportunity, community engagement) to Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee Committee/Council for approval.

Phase 2

- Provide input, advice and guidance on Capital Projects over \$2M (which report to the Major Projects Steering Group).
- Oversee the programme of work in Part Two, reporting and making recommendations to relevant committees.
- Provide advice on the alignment of all other capital works in Petone to the overall objectives of this project

Attendees

ROLE	NAME	TITLE
Co-Chairs	Tui Lewis / Andrea Blackshaw	Deputy Mayor, and Director Neighbourhoods and Communities Mana whenua representatives (x1)
Project Board		Petone Community Board reps (2) Petone 2040 rep x1

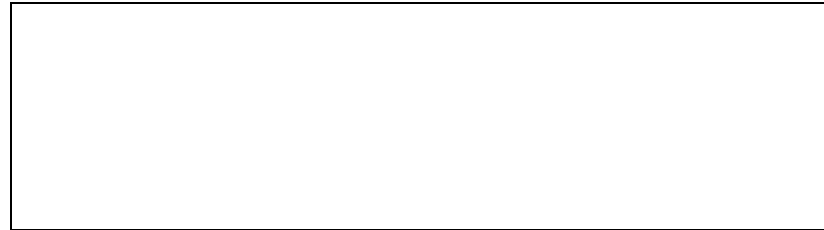
Meeting Frequency

- Monthly

Meeting Inputs and Reporting

- Agenda
- Minutes and actions from the previous meeting
- Project status report (project update)
- Project schedule
- Risks and issues registers
- Ad hoc documents for review and discussion

Individual project managers	TBC
Programme Coordinator (secretariat)	TBC



Quorum

- All core Project Board members deemed key to the review must be represented
- If a member or attendee cannot attend a meeting, they may, with the agreement of the Chair, send a delegate to act in their place.
- Quorum requirements are attendance of half of the membership plus one for the meeting to be recognised as an authorised meeting and decisions to be valid.

Delegation and Authority

Phase 1 – reports to the Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee

Phase 2 – Construction Projects over \$2M report to Major Projects Steering; Group other projects report to relevant committees.

Outputs

Stage 1 – Draft Project Brief and scope for approval by Komiti Hapori Ahurea me ngā Rangapū | Communities, Culture and Partnerships Committee (Budget approx \$100k 2022-23)

Stage 2 – Individual project plans as dictated by Stage 1.

Key Responsibilities

The accountabilities of this group are to work collectively in the best interests of Petone and Lower Hutt, taking a community-wide perspective wherever appropriate and meeting the accountabilities of key stakeholders.

Funding in LTP 2021/31 for Petone projects as at 10/11/22:

Project	Funding	AP Year
Petone Library refurbishment	\$1.5M	2023/24
Petone Grandstand renewal	789K \$5.6M	22/23 23/24
Petone Wharf	\$2M \$12M \$6.1M	2023/24 2024/25 2025/26
Honana Te Puni Reserve Management Plan	\$257K	2023/24
Moera Hub refurb	\$750K	2022/23
Petone 2040	\$2.258M	2023-31
Micro mobility	Share of funding	

Projects/initiatives in-scope	Projects/initiatives out of scope
<ul style="list-style-type: none"> • Petone Library and Heritage Centre refurbishment (\$1.5M) • Moera Library refurbishment (\$750K) • Petone Wharf rebuild (\$21M) • Development of a management plan for Honiana Te Puni Reserve (\$257K) • Refurbishment of the Petone Rec Grandstand (\$6.3M) • Micro-mobility programme in Petone insofar as it's connected to other Petone projects and future planning in the area • Initiatives/projects progressed through 'Better Off Funding' in Petone, and any future climate resilience work in Petone 	<ul style="list-style-type: none"> • Cross Valley Connections programme – impact on Jackson Street, wider Petone and Moera is in-scope, but the CVC itself is out of scope • Te Ara Tupua – impact on Petone is in scope but the project itself is out of scope • BAU maintenance and renewals (although alignment should be sought)

Resourcing
<ul style="list-style-type: none"> • Programme manager – ensures effective delivery of the projects in alignment with advice from the Steering Group, the Major Projects Steering Group and the relevant Committee

TERMS OF REFERENCE – Major Projects Steering Group

Document Purpose

The purpose of this Terms of Reference (ToR) is to set out the role of the Major Projects Steering Group (the Group), in the context of governance and executive management for the Hutt City Council.

Purpose of the group

The Group is not a decision-making body. Its role is to provide guidance to the Project Manager and Chief Executive in the following areas:

- strategic direction of the project and alignment with broader council direction and strategy
- scope, budget and risk management

Project decisions will be made by the Project Manager and Chief Executive within their existing delegations.

Membership:

- Mayor Campbell Barry
- Deputy Mayor Tui Lewis
- Chair of Policy, Finance and Strategy Committee
- Chair of Infrastructure and Regulatory Committee
- Chief Executive Jo Miller (non-voting)
- Chief Financial Officer Jenny Livschitz (non-voting)
- Chief Legal Officer Brad Cato (non-voting)
- Director Neighbourhoods and Communities Andrea Blackshaw (non-voting)
- Director of Economy and Development Kara Puketapu Dentice (non-voting)

Chair: chairing duties will be shared by the two non-voting Directors

Meetings

- Frequency – monthly, in-person or online
- Quorum – 3 voting members
- No proxies
- Papers available through Diligent 5 days before each meeting
- Others in attendance include Project Managers and technical/subject matter experts

Meeting inputs and resources

- Agenda
- Minutes and actions from the previous meeting
- Project status reports (project update)
- Ad-hoc documents for review and discussion

Secretariat

- EA Bernice McLauchlin (or alternate Council EA)
- Papers made available through Diligent

Projects in scope

All major infrastructure projects over \$10M and additional projects as agreed by Council.

(of 3/11/22)

- Riverlink (monthly)
- Tupua Horo Nuku – Eastern Bays Shared Path (monthly)
- Naenae Pool and town centre (monthly)
- Wainuiomata Town Centre project (quarterly)
- Te Kōhao o Te Ngira - Go Digital Programme (quarterly)

Projects pending (to be added once they are agreed upon by Council as construction projects)

Petone Wharf

TERMS OF REFERENCE – PROPERTY WORKING GROUP FOR ADVANCING STRATEGIC PROJECTS

Membership:	Mayor (Chair) Chair of the Infrastructure and Regulatory Committee Chair of the Communities, Culture and Partnerships Committee Chair of Policy, Finance and Strategy Committee CE of Hutt City Council CE of Urban Plus Limited
Frequency of Meeting:	Meets as required or at the requisition of the Chair
Parent Body:	The Policy, Finance and Strategy Committee
Quorum:	3

General Purpose and Objectives:

To implement the Purchase and Sale of Property for the Advancing Strategic Projects Policy

Terms of Reference:

The Property Working Group for Advancing Strategic Projects will have the authority to:

- Identify and prioritise strategic purpose, projects and geographic areas for consideration under the Purchase and Sale of Property for Advancing Strategic Projects Policy
- Identify possible target property for purchase under the Purchase and Sale of Property for Advancing Strategic Projects Policy
- Undertake assessment and determine whether the proposed target property meets the criteria outlined in Section 3 of the Purchase and Sale of Property for Advancing Strategic Projects Policy including determining the certainty of the purpose for purchasing, added value of future development of the property to be purchased and the increased rateable value to be created from the future development of the property. This will involve consideration of all relevant matters listed in sections 77

to 82 of the Local Government Act 2002, including the significance of proposed decisions.

- Take necessary advice, internally and externally for the consideration of the purchase, holding or sale of the property.
- Undertake an assessment of risks (as relevant in each case) including legal, construction, financial, reputational and delay risks. This assessment should also include a view of the risks/consequences if the planned development and/or purpose for purchase does not occur.
- Decide on the appropriate course of action: including the purchase of the property or sale of the property or no further action provided the funding for purchase or income from the sale is identified within the Council's Long Term Plan.
- Consider and approve, or not, recommendations made to the Working Group for the purchase of the property or sale of the property, where the funding for purchase or income from the sale is identified within the Council's Long Term Plan or make recommendations to Council where the funding for purchase or income from the sale is NOT identified within the Council's Long Term Plan. Instruct relevant parties to execute the decision made and allocate funding for that purpose, provided it is identified within the Council's Long Term Plan.
- Monitor progress of and receive reports on the status of all projects that are underway, property in inventory, proposed purchases and sales and highlight any properties or projects that are not meeting expectations or are at risk of not meeting expectations along with steps being taken to resolve project or property issues.
- Provide six monthly reports to the Policy, Finance and Strategy Committee.
- Undertake post implementation reviews for each strategic purchase once the development on the land purchased, has finished – at approximately a 2 year period post this.

Roles and Responsibilities relevant to this Working Group:

The table below outlines the roles and responsibilities of various parties with regards to this policy that will be applied in the normal course of assessing and agreeing to purchase, hold or sell a strategic property.

Party	Roles and responsibilities
Council officers	<p>Identify potential strategic purposes and properties</p> <p>Undertake an assessment of property, risk and other information as required in the policy</p> <p>Provide legal assessment and input</p> <p>Provide financial assessment and input</p> <p>Meet with any relevant third parties eg real estate agents, interested developers or purchasers</p> <p>Write reports for the Working Group including recommendations</p> <p>Keep records of meetings and information</p> <p>Report to the Policy, Finance and Strategy Committee</p> <p>Undertake post implementation review</p> <p>Prepare any post decision media release and make comments to media as required</p>
Working Group members	<p>Consider information on recommendations put to the Working Group</p> <p>Make a decision on purchase, sale or hold based on officer information, other technical assessments and recommendation</p> <p>Determine whether the recommendation needs to/should go to Council for consideration</p>
Councillors	<p>Consider recommendations from the Working Group</p> <p>Make decision on purchase, sale or hold based on officer information, other technical assessments and recommendation</p>
UPL	<p>Seek technical assessments as required such as property valuation, building risk (eg earthquake), legal encumbrances</p> <p>Undertake negotiations with the potential purchaser as required</p> <p>Provide technical assistance in assessment and decision making</p>
3 rd parties	<p>Provide real estate services as required</p> <p>Provide RFP services as required</p> <p>Provide technical assessments as required</p>

Process matters

- The Working Group will be provided with papers that provide an assessment and recommendation. Sufficient time needs to be provided between provision of the papers and a meeting where a decision is required.
- Each report with a recommendation to purchase, hold or sell should be accompanied by a cover sheet that identifies that each step or assessment required has been completed eg valuation, assessment of all costs including full life costs, financial and legal signoff, funding availability
- Decisions can be made by the Working Group via email. However, the decision made via email must be unanimous. If a unanimous decision cannot be made via email, then a meeting of the Working Group must be held.

Definition of Property

- In these Terms of Reference "property" is defined as real property, ie land and interests in land. Includes things attached to the land, minerals in the land and interests that run with the land such as easements.

Delegated Authority

- This Working Group will have delegated authority to carry out activities within its terms of reference or as otherwise granted by Council and have all other powers necessary to implement the Purchase and Sale of Property for Advancing Strategic Projects Policy.