



Delegations Register - Governance

Rēhita Tuku Mahi – Mana Whakahaere

VERSION – March 2024

whakatane.govt.nz

CONTENTS

Contents

PART 1 - GENERAL	5
1 THE LOCAL GOVERNMENT ACT 2002	5
2 PURPOSE OF LOCAL GOVERNMENT.....	5
3 ROLE OF A LOCAL AUTHORITY.....	5
4 GENERAL PRINCIPLES	6
5 AMBIGUITY AND CONFLICT	6
6 AMENDMENTS TO THE DELEGATIONS REGISTER.....	7
PART 2 – GOVERNANCE DELEGATIONS	8
1 GENERAL	8
1.1 Authority and Instruction Forms.....	8
1.2 Affixing the Common Seal.....	8
2 MAYOR	8
2.1 Authorisation of Councillor’s professional development and expenses	9
3 DEPUTY MAYOR.....	9
4 COUNCILLORS.....	10
5 COMMITTEES.....	10
5.1 Definition of “Committee”	10
5.2 Appointing Committees	10
5.3 Committee and Sub-Committee membership.....	11
5.4 Delegations to Committees.....	11
5.5 Committee Chairpersons	12
PART 3 - COUNCIL AND COMMITTEE DELEGATIONS 2022-25 TRIENNIUM	13
1 GOVERNING BODY - COUNCIL	13
1.1 Overview	13
1.2 Specific functions and delegations.....	13
1.2.1 Specific exceptions to the power of Council to delegate:	13
1.2.2 Powers that can be delegated but which the Council retains: ...	14
1.2.3 Procedural Matters exercised by Council:	14
2 STANDING COMMITTEES	15
2.1 General Delegations to all Standing Committees	15
2.2 Environment, Energy and Resilience Standing Committee.....	15
2.2.1 Overview	15
2.2.2 Specific functions and delegations	15
2.3 Infrastructure and Planning Standing Committee	16
2.3.1 Overview	16
2.3.2 Specific functions and delegations	16

2.4	Living Together Standing Committee.....	17
2.4.1	Overview	17
2.4.2	Specific functions and delegations	17
2.5	Risk and Assurance Standing Committee.....	18
2.5.1	Overview	18
2.5.2	Specific functions and delegations	18
2.6	Finance and Performance Standing Committee	19
2.6.1	Overview	19
2.6.2	Specific functions and delegations	19
3	HEARINGS PANEL – <i>TO BE CONSTITUTED AS REQUIRED</i>	20
3.1	Overview	20
3.1.1	Selection of the Hearings Panel	20
3.1.2	Specific functions and delegations	20
4	SPECIAL COMMITTEES.....	22
4.1	Community Funding Committee	22
4.1.1	Overview	22
4.1.2	Specific functions and delegations	22
4.1.3	Reporting	22
4.2	Chief Executive Committee	23
5	PROJECT STEERING GROUPS.....	24
5.1	Overview	24
5.2	Walking and Cycling Steering Group.....	24
5.3	Civic Centre Redevelopment Project Steering Committee	24
6	JOINT COMMITTEES.....	25
6.1	Bay of Plenty Civil Defence Emergency Management Group	25
6.1.1	Delegations	25
6.2	Regional Transport Committee	26
6.3	Eastern Bay of Plenty Joint Committee	27
6.4	Eastern Bay District Licensing Committee.....	28
6.5	Eastern Bay of Plenty Road Safety Operations Group	29
6.6	Iwi Chairs Forum.....	30
7	JOINT FORUMS	31
7.1	Ōhiwa Harbour Implementation Forum	31
7.2	Rangitāiki River Forum Statutory Joint Committee.....	32
8	COMMUNITY BOARDS OF THE WHAKATĀNE DISTRICT.....	33
8.1.1	Specific functions and delegations	33
9	ADVISORY GROUPS.....	35
9.1	Commercial Advisory Board	35
9.1.1	Specific Delegations and functions	35
9.1.2	Reporting	35
10	WHAKATĀNE DISTRICT YOUTH COUNCIL	36
11	COUNCIL APPOINTMENTS AND ENDORSEMENTS TO OUTSIDE ASSOCIATIONS.....	36

Version Control

Date updated	Description
October 2017	RMA Amendments
March 2018	Audit and Risk Committee – Second independent member. Cover layout
March 2018	RMA Commissioners
May 2018	Executive and staff title changes, Executive structure, RMA and Building delegation changes, Audit and Risk Committee membership
September 2020	2019-2022 triennium governance structure updates
November 2020	Risk and Assurance Committee and Organisational Performance Committee updates
April 2021	Affixing the Common Seal update
March 2023	Delegation updates resulting from 2022-2025 triennium Committee structure
May 2023	Updates regarding membership for Community Funding Committee and Commercial Advisory Board

PART 1- GENERAL

1 The Local Government Act 2002

The Local Government Act 2002 (LGA 2002) spells out local government's purpose, its general powers, its specific by-law making powers and the principles and processes that councils must abide by when making decisions.

The LGA 2002 is based on the principle of general competency, which enables a council to do whatever is necessary to fulfil its role. Within this framework, there is a considerable degree of flexibility in deciding what activities are undertaken and how they are carried out.

2 Purpose of Local Government

A local authority is a body corporate with perpetual succession.

All councils must comply with the roles and functions identified within the legislative framework. The LGA 2002 defines the overall direction and strategy local government will take. Section 10 of the Act defines the reason local authorities exist:

The purpose of local government is—

- (a) To enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

3 Role of a Local Authority

The role of a local authority as set out in section 11 of the LGA 2002 is to:

- (a) Give effect, in relation to its district or region, to the purpose of local government stated in section 10; and
- (b) Perform the duties, and exercise the rights, conferred on it by or under this Act and any other enactment.

4 General Principles

- (a) It is impossible for the elected Council to deal with everything itself. Decisions should be made at a level commensurate with efficiency and effectiveness. Generally, the legislation, which the Council uses on a day-to-day basis, provides for delegations.
- (b) Delegations do not remove ultimate accountability of Elected members, the Chief Executive and the Executive team for the affairs of Council.
- (c) Unless expressly provided otherwise in the Local Government Act 2002, or any other Act, a local authority may delegate to a Committee, Sub-Committee, community board or officer of the local authority any of its responsibilities, duties, or powers.
- (d) When an Act or Regulation empowering the “Council” to carry out a decision-making function, that decision must be made by way of a resolution of the full Council unless the Act or Regulation, permits delegation to a Committee, Sub-Committee, or Officer.
- (e) Delegation to officers is necessary for the operation of the Council and its administration to be efficient, effective, and timely in delivering services. The business to be transacted by a Council and its administration is large and wide-ranging, dealing with the details of many Acts and Regulations, the Council’s Plans, Bylaws, and a range of Council functions and activities.
- (f) The terms of reference and delegations are intended to allow the Council to delegate its powers and functions to the most efficient and effective levels.
- (g) Delegations are made to positions not people.
- (h) The body or person to whom powers are delegated, will usually exercise the delegated power, but is not obliged to do so. The most common circumstances where the body or person with the delegation might choose not to exercise it are when the matter has become a matter of public notoriety, or the issues are contentious and finely balanced.
- (i) Part 2, Section 4 sets out those matters which cannot be legally delegated by the Governing Body under the Local Government Act 2002.
- (j) All delegations are recorded in this Delegations Register, which is made available to all elected members, to staff and to the public through the Council’s website.
- (k) The delegation of authority does not prevent another authorised party from exercising the function, power or duty. For example, the Chief Executive may refer a matter to the Council or a Committee for decision.
- (l) The Schedules list only those functions, powers, and duties, which involve discretionary decision-making. All staff have authority to perform non-discretionary duties (those not listed) on behalf of the Council, within the general scope of their role.

5 Ambiguity and Conflict

In the event of ambiguity or conflict between any of the provisions contained in these Delegations, with the result that there is uncertainty or dispute as to which Committee or Sub-Committee has the delegated authority to act, 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.

6 Amendments to the Delegations Register

This Register shall be maintained by the Governance Team who shall amend it in accordance with:

- Any instruction to that effect given by Council;
- Any need for typographical, grammatical or other minor amendment where the intention of Council in the matter of a delegation is not altered;
- Any amendments to address legislative or regulatory changes, excluding the powers and responsibilities that remain with Council, which shall go to Council for approval.
- Any amendments to capture any changes of membership of Committees, Sub-Committees, subordinate decision-making bodies, groups or organisations.

Changes to the governance structure delegations may only be made by resolution of the Council. The Delegations Register will be fully reviewed in line with triennial elections.

Current as at 31 July 2023, the following Committees and/or Quasi-Council bodies are under review:

- Code of Conduct Review Panel
- Whakatāne District Sister Cities Association
- Keep Whakatāne Beautiful Committee

PART 2 – GOVERNANCE DELEGATIONS

1 General

1.1 Authority and Instruction Forms

Authority and Instruction Forms will be executed under the hand of two Councillors (one of which may be the Mayor).

1.2 Affixing the Common Seal

The Common Seal of the Council shall be:

- Held by the Chief Executive who shall be responsible for the use of same;
- Affixed to any document where it is required by law;
- The Common Seal shall be signed under the hand of the Mayor or a Councillor on the one part, and by the Chief Executive or authorised officer on the other part.
- Deeds and transactions falling within the Property Law Act 2007 shall comply with Section 9 (3) (a) (ii) of that Act and shall be executed by the signatures of two Councillors.
- Where any resolution of Council, or decision of a Committee or Officer in exercise of delegated powers requires as a consequence that the Common Seal be affixed to documents relevant thereto, then such resolution or decision shall be deemed to include authorisation to affix the Common Seal.

2 Mayor

The Mayor is elected by the District as a whole and, as such, shares the same responsibilities as other members of the Council.

Section 41A of the Local Government Act 2002 states that the role of a Mayor is:

- To provide leadership to other members of the Council and to the people in the Whakatāne District.
- To lead the development of the Council's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the Council.

Clause 3 of the section 41A of the Local Government Act 2002 provides for the Mayor:

1. To appoint the Deputy Mayor;
2. To establish Committees of the Council;
3. To appoint the chairperson of each Committee established and make the appointment before the other members of the Committee are determined; and
4. May appoint himself or herself to the Committees.

The Mayor may also decline to exercise the powers outlined in Clause 3.1 as above. The Mayor acts as the head of the Council and is also responsible for:

- Chairing Council meetings and ensuring the conduct of meetings is in accordance with Standing Orders;
- Keeping the Council informed of matters brought to his/her attention and formally presenting to Council those matters which need to be considered;
- Advocacy on behalf of the community. This role involves promoting the community and representing its interests; such advocacy will be most effective where it is carried out with the knowledge and support of the Council;
- Providing leadership and feedback to other elected members on teamwork, information sharing and chairpersonship.

The Mayor is a member of each Committee of the Council and must not delegate his/her powers under the LGA 2002. He/she is also a Justice of the Peace for the duration of the elected term.

2.1 Authorisation of Councillor's professional development and expenses

The Mayor can approve the attendance of Councillors at:

- Conferences, training sessions, seminars and other like functions where expenses are to be met by Council;
- Meetings on behalf of the Council and this authorisation is through the inclusion in the Mayor's regular report to the Ordinary meeting of the Whakatāne District Council;
- Any Standing Committee, Sub-Committee, Advisory Board or Community Board meeting, that they are not appointed members of, where mileage expenses are to be met by the Council.

3 Deputy Mayor

The Deputy Mayor is appointed by the Mayor or, if the Mayor declines to use the powers to appoint, the Deputy Mayor shall then be elected by the Members of Council. This must occur at the first meeting of the Council.

The Deputy Mayor exercises the same role as any other members. If the Mayor is on a leave of absence or incapacitated, the Deputy Mayor must perform all of the responsibilities and duties of the Mayor, and may exercise the powers of the Mayor (Schedule 7, Clause 17 of the LGA 2002).

4 Councillors

Councillors, acting as the Council, are responsible for:

- The development and adoption of Council policy;
- Monitoring the performance of the Council against its stated objectives and policies;
- Prudent stewardship of Council resources;
- Employment and appraisal of the Chief Executive's performance and monitoring the implementation of policy by him/her;
- Representing the interests of the residents and ratepayers of the entire Whakatāne District Council;
- Ensuring overall compliance by the Council with its obligations and responsibilities under the Local Government Act 2002 and all other legislation which prescribe statutory duties for territorial authorities; and
- Promoting good relationships with neighbouring local authorities.

5 Committees

5.1 Definition of "Committee"

The term "Committee" is defined in section 5(1) of the LGA 2002.

"Committee includes, in relation to a local authority,-

- (a) A Committee comprising all the members of that local authority; and
- (b) A standing Committee or special Committee appointed by that local authority; and
- (c) A joint Committee appointed under clause 30 of Schedule 7; and
- (d) Any Sub-Committee of a Committee described in paragraph (a) or paragraph (b) or paragraph (c)."

5.2 Appointing Committees

Clause 3 of section 41A of the Local Government Act 2002 provides for the Mayor;

- (a) To establish Committees of the territorial authority;
- (b) To appoint the chairperson of each Committee established and make the appointment before the other members of the Committee are determined;
- (c) To appoint himself or herself as Chair of the Committees.

However, nothing in this section limits or prevents a Council from discharging or reconstituting Committees or chairpersons of those Committees established by the Mayor by way of Council resolution at a later date. The Mayor can decline to exercise the powers outlined above.

The Council can appoint Committees in accordance with clause 30 of Schedule 7 of the LGA 2002, which states that a local authority may appoint the Committees, Sub-Committees, and other subordinate decision-making bodies that it considers appropriate as well as appoint a joint Committee with another local authority.

5.3 Committee and Sub-Committee membership

Clause 31 of Schedule 7 of the LGA 2002 defines who can make up Committee and Sub-Committee membership.

- (a) The minimum number of members of a Council Committee is three and the minimum number of a Sub-Committee is two.
- (b) Every Committee must have at least one elected member on it.
- (c) Members of Committees and Sub-Committees are usually elected members, but a Council or a Committee may also co-opt a person who is not a member of the Council to a Committee or Sub-Committee. This will normally occur if a person has specific skills or knowledge that will assist the work of the Committee or Sub-Committee.
- (d) The Council can at any time discharge or reconstitute a Committee or Sub-Committee. All Committees are discharged after local body elections unless the Council resolved otherwise before the elections. The Council can at any time appoint or discharge any member of a Committee. A Committee can appoint or discharge any member of a Sub-Committee it has created.
- (e) The membership and delegated authority of joint Committees will be agreed by the participating Councils or public bodies.
- (f) No Council officer can act as a member of a Committee but they can attend meetings as advisors. Council officers can act as members of a Sub-Committee.

5.4 Delegations to Committees

The Council has broad powers of delegation. These are described under Clause 32 of Schedule 7. The Council has the discretion as to whether it delegates powers to a Committee. There are certain powers that the Council cannot delegate and there are some it chooses to retain for itself.¹

Clause 32 (4) of Schedule 7 states that once delegated, a power can be exercised or performed in the like manner and with the same effect as the local authority could itself have exercised or performed them. The Council cannot rescind or amend a decision made by a Committee to which the Council has delegated the decision-making power.

The purpose of delegations is to promote the efficiency and effectiveness in the conduct of the Council's business. Although delegations allow a Council to devolve certain decision-making roles, it will ultimately retain legal responsibility for the exercise of any powers it has delegated. A Committee can further delegate functions, duties and powers to Sub-Committees unless prohibited by the Council.

Local Government New Zealand (LGNZ) in their Elected Members' Governance Handbook 2019², comments:

"Because Committees are concerned with the level of detail down from the Council they are better able to scrutinise the performance of management and ask the difficult decisions that are part of their governance role. Governing bodies are also able to appoint issue experts to Committees to strengthen their competence."

¹ See Section 6.1-6.2

² 'Why use Committees', page 33

5.5 Committee Chairpersons

A Committee Chairperson exercises the same role as any other member of a Committee, but has additional responsibilities and abilities. These include to:

- Preside over all meetings of the relevant Committee;
- Ensure that the Committee acts within the powers delegated to it by the Council (as set out in the Council's Delegations Register);
- Ensure that agreed Standing Orders of meetings are adhered to;
- Ensure that technology is available and suitable if required;
- Decide all procedural questions if these are not provided for in Standing Orders;
- Determine speaking order and points of order at meetings;
- Give permission for any person wishing to speak at the Public Forum;
- Make recommendations regarding any item on the agenda;

Convene additional meetings if required

PART 3- Council and Committee Delegations 2022-25 Triennium

1 Governing Body - Council

1.1 Overview

<i>Title</i>	Whakatāne District Council
<i>Chair</i>	Mayor Dr Victor Luca
<i>Deputy Chair</i>	Deputy Mayor Lesley Immink
<i>Membership</i>	Full Council (Mayor and ten Councillors)
<i>Quorum</i>	6
<i>Meeting frequency</i>	<ul style="list-style-type: none">• 8 Weekly• Extraordinary meetings as required
<i>Purpose</i>	<ul style="list-style-type: none">• To broadly monitor wellbeing of the Whakatāne District and set the vision and strategic direction for the Council.• To consider matters of strategic significance.• To monitor and participate in relationships of strategic significance.• To otherwise undertake functions, and consider matters, required of the governing body, and that have not been delegated.

1.2 Specific functions and delegations

1.2.1 Specific exceptions to the power of Council to delegate:

In accordance with the Local Government Act 2002, [Schedule 7, Part 1, Section 32](#), Council may not delegate the following:

- (a) the power to make a rate; or
- (b) the power to make a bylaw; or
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
- (d) the power to adopt a Long-Term Plan, Annual Plan or Annual Report; or
- (e) the power to appoint a Chief Executive; or
- (f) the power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the Local Governance Statement; and
- (g) the power to adopt a remuneration and employment policy.

1.2.2 Powers that can be delegated but which the Council retains:

- (a) Approve the Council's recommendation to the Remuneration Authority for the remuneration of additional positions of responsibility for elected members and elected members expenses rules;
- (b) Approve the Local Governance Statement (called "A Guide to the Whakatāne District Council") produced following the triennial election of members;
- (c) Resolve those decisions required to be made by a local authority under the Local Electoral Act 2001 including the appointment of electoral officer;
- (d) Determine whether or how to fill any extraordinary Council vacancies within 12 months of an election;
- (e) Review and make decisions on Council membership and the basis for elections through representation reviews;
- (f) Set the direction for the Long-Term Plan;
- (g) Hearing of submissions on the Long-Term Plan and, if required, the Annual Plan;
- (h) Appoint and discharge trustees, directors or office holders to Council's Council-Controlled organisations and to other external bodies;
- (i) Agree the final Statement of Intent for Council's Council-Controlled organisations;
- (j) Adopt the Half Yearly and Full Year Annual Report of the Whakatāne Airport;
- (k) Approve the purchase, sale and disposal of Council property;
- (l) Approve a proposed plan or a change to a District Plan under Clause 17 of the First Schedule of Resource Management Act 1991 (RMA);
- (m) Approve changes to the status or revoke the status of a reserve as defined in the Reserves Act 1977
- (n) Authority to name or rename a reserve in accordance with the Reserves Management Plan;
- (o) Authorise any unbudgeted expenditure that exceeds the delegation levels provided to officers, Committees or other subordinate decision-making bodies of Council;
- (p) Approve recommendations from relevant Committees for new fees and charges for services provided, outside of the Annual Plan or Long Term Plan process.

1.2.3 Procedural Matters exercised by Council:

- (a) Receive minutes and recommendations, and make decisions on any recommendations from:
 - Standing Committees, Joint Committees and Joint Forums
 - Iwi Chairs Forum
 - Commercial Advisory Board
 - Toi Economic Development Agency
 - Any other Council appointed advisory board or forum with Council as the parent committee
- (b) Consider any matters referred to it from any of the Committees, the Mayor, or Chief Executive.

2 Standing Committees

2.1 General Delegations to all Standing Committees

All Committees have the delegated power to:

1. Approve the transfer of expenditure to other estimates within the same activity;
2. Receive correspondence and reports;
3. Make decisions that have the effect of furthering investigations or obtaining information that will assist or enable the Committee to decide on a substantive course of action at a later date;
4. Appoint a sub-committee.

2.2 Environment, Energy and Resilience Standing Committee

2.2.1 Overview

<i>Title</i>	Environment, Energy and Resilience Committee
<i>Chair</i>	Mayor Dr Victor Luca
<i>Deputy Chair</i>	Councillor Nándor Tánczos
<i>Membership</i>	Committee of the whole (Mayor and ten Councillors)
<i>Quorum</i>	6
<i>Meeting frequency</i>	<ul style="list-style-type: none"> • Quarterly • Extraordinary meetings as required
<i>Purpose</i>	<ul style="list-style-type: none"> • To oversee development of strategies and plans that reflect and implement the Council’s vision. • To oversee the development of strategies, plans and programmes that protect and restore the District’s natural environment, resources, and ecology. • To monitor and advise on the strategy, policies and direction on the impact of climate change on the District. • To improve community resilience to environmental threats.

2.2.2 Specific functions and delegations

- (a) Develop the Long-term Plan and Annual Plan and determine the form and extent of public consultation methods to be employed (Note1: the Council cannot delegate to a Committee the adoption of the Long-term Plan and Annual Plan, Note2: the Council retains for itself the strategic direction setting responsibility of the Long-term Plan process).
- (b) Develop, and monitor implementation of, Council’s Climate Change Strategy and programme.
- (c) Monitor the development of associated Central Government Reform programmes.
- (d) Develop and review associated bylaws (Note: only Council has the power to make a bylaw).
- (e) Develop, review and approve strategies, policies and plans on matters related to the activities of this Committee (Note: the Council cannot delegate to a Committee the adoption of policies associated with the Long-term Plan).

- (f) Develop a proposed plan or a change to a district plan under the Resource Management Act 1991.
- (g) Climate change science, impact and strategy overview - mitigation, adaptation and resilience.
- (h) Foster community environmental and climate change understanding.
- (i) Approve Council submissions to Central Government, Councils and other organisations including submissions to any plan changes or policy statements on matters related to the activities of this Committee.

2.3 Infrastructure and Planning Standing Committee

2.3.1 Overview

<i>Title</i>	Infrastructure and Planning Committee
<i>Chair</i>	Councillor John Pullar
<i>Deputy Chair</i>	Councillor Andrew Iles
<i>Membership</i>	Committee of the whole (Mayor and ten Councillors)
<i>Quorum</i>	6
<i>Meeting frequency</i>	<ul style="list-style-type: none"> • 8 Weekly • Extraordinary meetings as required
<i>Purpose</i>	To monitor and advise on the implementation of Council’s Infrastructure Strategy, capital works programme, operational service delivery, and related policy and bylaws.

2.3.2 Specific functions and delegations

- (a) Monitor the operational performance of Council’s activities and services against approved levels of service.
- (b) To monitor the progress of projects in Council’s capital works programme and have input into and make decisions on the development of proposals, options and costs of projects.
- (c) Approval of tenders and contracts that exceed the level of staff delegations.
- (d) Consider and approve changes to service delivery arrangements arising from the service delivery reviews required under section 17A LGA 2002 that are referred to the Committee by the Chief Executive.
- (e) Monitor the development and implementation of associated Central Government Reform programmes including the transition programme for Three Waters reform.
- (f) Develop and review associated bylaws (Note: the Council cannot delegate to a Committee to “make” (adopt) a bylaw).
- (g) Develop, review and approve strategies, policies and plans on matters related to the activities of this Committee (Note: the Council cannot delegate to a Committee the adoption of policies associated with the Long-term Plan).
- (h) Approve Council submissions to Central Government, Councils and other organisations including submissions to any plan changes or policy statements on matters related to the activities of this Committee.

2.4 Living Together Standing Committee

2.4.1 Overview

<i>Title</i>	Living Together Committee
<i>Chair</i>	Councillor Wilson James
<i>Deputy Chair</i>	Councillor Gavin Dennis
<i>Membership</i>	Committee of the whole (Mayor and ten Councillors)
<i>Quorum</i>	6
<i>Meeting frequency</i>	<ul style="list-style-type: none">• 8 Weekly• Extraordinary meetings as required
<i>Purpose</i>	<ul style="list-style-type: none">• To provide governance advice on community wellbeing, facilities, strategies, economic development, and associated policy and bylaws.• To promote and foster social cohesion, connection, and wellbeing.• To ensure facilities and programmes are provided that enhance and support community health and wellbeing.

2.4.2 Specific functions and delegations

- (a) Develop, and monitor implementation of, Council’s Community Development and other related Strategies.
- (b) Approve Council submissions to central government, councils and other organisations including submissions to any plan changes or policy statements.
- (c) Monitor the implementation of Te Toi Waka Whakareī – Council’s Māori Relationship Strategy.
- (d) Approve all new road names in accordance with the Road Naming and Property Addressing Policy.
- (e) Progress the sale of properties as approved in the Long-term Plan and Annual Plan.
- (f) Consideration of proposals to change the status or revoke the status of a reserve as defined in the Reserves Act 1977 (including the hearing of submissions).
- (g) Receive minutes of Community Boards.
- (h) Consider any recommendations from Community Boards and make a recommendation to the Council.
- (i) Develop and review associated bylaws (Note: the Council cannot delegate to a Committee the “make” (adopt) a bylaw).
- (j) Develop, review and approve strategies, policies and plans on matters related to the activities of this Committee (Note: the Council cannot delegate to a Committee the adoption of policies associated with the Long-term Plan).
- (k) To foster and promote strengthening civic engagement.
- (l) Receive minutes of the:
 - Whakatāne District Youth Council
 - Community Funding committee
 - Four Community Boards.

2.5 Risk and Assurance Standing Committee

2.5.1 Overview

<i>Title</i>	Risk and Assurance Committee
<i>Chair</i>	Stuart Henderson (Independent)
<i>Deputy Chair</i>	Deputy Mayor Lesley Immink
<i>Membership</i>	<ul style="list-style-type: none"> • Independent Chair • One further external appointee: <ul style="list-style-type: none"> ○ Petra Luciola • The Mayor • Four Councillors: <ul style="list-style-type: none"> ○ Councillor Wilson James ○ Councillor Tu O'Brien ○ Councillor John Pullar ○ Deputy Mayor Lesley Immink
<i>Quorum</i>	4
<i>Meeting frequency</i>	<ul style="list-style-type: none"> • Quarterly • Extraordinary meetings as required
<i>Purpose</i>	To oversee the effectiveness of Council's risk management, internal control environment, legal responsibilities, statutory compliance, and external auditing processes.

2.5.2 Specific functions and delegations

- (a) Oversee the effectiveness and appropriateness of the Enterprise Risk Management framework, including but not limited to Council's Risk Policy and Corporate Risk Register.
- (b) Advise the Council on matters of risk and risk appetite.
- (c) Ensure that the Organisation has internal control systems in place.
- (d) Monitor Council's compliance with applicable laws, regulations, standards and best practice guidelines for public entities.
- (e) To monitor performance of the Council's treasury function.
- (f) Maintain oversight of legal proceedings involving Council.
- (g) Oversee the effectiveness and appropriateness of the internal control environment.
- (h) Review the policies, systems, processes and controls to ensure that fraud is detected and effectively investigated.
- (i) Ensure the adequacy, integrity and reliability of the external financial reporting of Council.
- (j) Review the integrity and appropriateness of external reporting, and accountability arrangements.
- (k) Review, and monitor progress against, the external auditors' recommendations.

- (l) Recommend to the Office of the Auditor General the decision either to publicly tender the external audit or to continue with the existing provider for a further three-year term.
- (m) Where required, request expert advice through the chief executive where necessary.

2.6 Finance and Performance Standing Committee

2.6.1 Overview

<i>Title</i>	Finance and Performance Committee
<i>Chair</i>	Councillor Julie Jukes
<i>Deputy Chair</i>	Deputy Mayor Lesley Immink
<i>Membership</i>	<ul style="list-style-type: none"> • Committee of the whole (Mayor and ten Councillors) • Committee may appoint up to two external appointees
<i>Quorum</i>	6
<i>Meeting frequency</i>	<ul style="list-style-type: none"> • Quarterly • Extraordinary meetings as required
<i>Purpose</i>	To monitor the financial and non-financial performance of Council and provide governance oversight to organisational development.

2.6.2 Specific functions and delegations

- (a) To monitor the implementation of Council's organisational performance framework.
- (b) To monitor financial and non-financial performance of Council against the Long-Term Plan and Annual Plan.
- (c) To develop and recommend to the Council the adoption of the Annual Report.
- (d) To monitor financial and non-financial performance of CCOs and CCTOs to which Council is a member or shareholder.
- (e) To develop and recommend to Council the adoption of the Half Yearly and Full Year Annual Report of the Whakatāne Airport.
- (f) To monitor the implementation of Council's Financial Strategy.
- (g) To monitor organisational capacity and capability of underlying systems and resources required to deliver on Council's Long-Term Plan and Annual Plan obligations.
- (h) To monitor organisational development projects and initiatives.
- (i) To monitor Council participation in local government excellence programmes such as LGNZ CouncilMARK, and PWC/SOLGM Performance Excellence Programme.
- (j) To provide governance oversight and monitoring of councils external funding and financing sources.

3 Hearings Panel – *to be constituted as required*

3.1 Overview

<i>Title</i>	Hearings Panel
<i>Chair</i>	Councillor Nándor Tánczos
<i>Deputy Chair</i>	N/A
<i>Membership</i>	<p>The Hearings Panel will appoint appropriate commissioners, to be selected at the discretion of the Chief Executive and the Chair, as appropriate to the duties involved.</p> <ul style="list-style-type: none">• Where Commissioners are required, they will be selected from the MfE accredited list.
<i>Meeting frequency</i>	A Hearings Panel will be formed in relation to specific matters as and when required.
<i>Purpose</i>	<ul style="list-style-type: none">• To consider and resolve changes to the Whakatāne District Plan and all other issues associated with or arising from the implementation of the District Plan;• To hear and decide resource consent applications referred to the panel when a hearing is required; and• To consider and resolve all issues arising from or related to the Council's regulatory functions, except for the sale and supply of alcohol which is dealt with by the District Licensing Committee.

3.1.1 Selection of the Hearings Panel

The Hearings Panel will be determined at the discretion of the Chief Executive. The decision to use internal commissioners or independent commissioners (or a combination) will involve the following considerations:

- (a) Whether there are perceived or actual conflicts of interest or perceptions of bias;
- (b) The need for specialist expertise not available within the council in cases where issues surrounding an application are complex or of a highly technical nature;
- (c) Whether the application has substantive implications for the policy of a council such that elected representative input may be considered necessary or desirable;
- (d) The likely expense of using independent commissioners compared to the scale of the issue (particularly where an independent commissioner would have to be brought in from outside the district or region);
- (e) The availability of independent commissioners at the time a hearing is required;
- (f) The willingness of elected members to delegate decision-making powers and functions to independent commissioners, when not already requested by the applicant and/or submitter(s) under s100A of the Resource Management Act 1991 (the RMA).

3.1.2 Specific functions and delegations

The Hearings Panel has the following delegations:

- (a) All Council's function, powers, and duties under the RMA in respect of resource consent applications and objections to Council's decisions which require a hearing or are referred to it by the General Manager Development & Environment Services or the Manager Resource Consents under their delegations. For clarity, this does not include the approval of a Proposed Plan.
- (b) To conduct hearings of submissions and further submissions to the Whakatāne District Plan under Clause 8B of Schedule 1 to the RMA.
- (c) To consider submissions where no person indicates they wish to be heard, under Clause 8C of Schedule 1 to the RMA.
- (d) To deliberate and make decisions on submissions and further submissions as provided for in Clauses 9 and 10 of Schedule 1 to the RMA.
- (e) The authority to provide instructions on appeals lodged to the Environment Court or a Judicial Review relating to a decision made under the RMA to the High Court or any other Court.
- (f) The authority to settle an appeal or part of an appeal to any Plan Change to the Whakatāne District Plan, but not approve the Proposed Plan under Clause 17 of Schedule 1 to the RMA.
- (g) The authority to delegate, pursuant to Section 32 of Schedule 7 of the Local Government Act 2002, to the Chairperson of the Hearings Panel, the General Manager Infrastructure, or the Manager Resource Consents to enable these tasks to be completed expeditiously and within statutory timeframes, the following:
 1. the power to provide instructions on appeals lodged to the Environment Court,
 2. the power to lodge submissions on applications made under the RMA, including to other planning documents (such as Regional Plans) or to relevant legislative changes due to time constraints.
- (h) Those matters referred to the Panel by the General Manager Infrastructure or Manager Resource Consents under their delegations.
- (i) The Hearings Panel has the following delegations in respect to hearings in relation to the Dog Control Act 1996, the Gambling Act 2003, the Local Government Act 2002 and the Local Government Act 1974 and Part 16 Stock Control of the Whakatāne District Council Consolidated Bylaw 2007:
 1. The authority to reconsider the requirement for a Development Contribution under Section 199A of the Local Government Act 2002.
 2. The authority to hear, consider and determine objections under the Dog Control Act 1996 in respect of:
 - classification of an owner as a probationary owner (S22)
 - classification of an owner as a disqualified owner (S26)
 - classification of a dog as a dangerous dog (S31)
 - classification of a dog as a menacing dog (S33b and 33d);
 3. The authority to hear, consider and determine appeals under the Whakatāne District Council Bylaws, where provided for.
 4. The Authority to consider and grant consent with or without conditions, or not grant consent under Section 100 of the Gambling Act 2003, together with those functions associated with or ancillary to it.

4 Special Committees

4.1 Community Funding Committee

4.1.1 Overview

<i>Title</i>	Community Funding Committee
<i>Chair</i>	Councillor Gavin Dennis
<i>Membership</i>	<ul style="list-style-type: none">• Two Councillors:<ul style="list-style-type: none">○ Councillor Ngapera Rangiaho○ Councillor John Pullar• For the purpose of considering applications for grants and funds that are part of Council’s Grants and Funding Portfolio and to make allocations within approved budgets in accordance with the Community Grants and Funding Policy 2023. The Community Funding Committee will appoint up to four and no more than eight community members from the local arts sector to assist the allocation of CCS funding.
<i>Quorum</i>	Half of members present when membership is even; Majority of members present when membership is odd
<i>Meeting frequency</i>	Quarterly or as required
<i>Purpose</i>	To administer and allocate funds that Council manages as part of its Grants and Funding Portfolio in accordance with the Community Grants and Funding Policy 2023, and to incorporate additional funding streams as they arise. This includes external funds that Council manages, such as the Creative Communities Scheme and Sport NZ Rural Travel Fund

4.1.2 Specific functions and delegations

- To consider applications for grants and funds that are part of Council’s Grants and Funding Portfolio and to make allocations within approved budgets in accordance with the Community Grants and Funding Policy 2023.
- New Zealand according to the specific priorities set by Creative New Zealand.

The Committee’s decisions do not need to be approved or confirmed by the Council.

4.1.3 Reporting

The minutes of this Committee are to be forwarded to the Living Together Committee.

4.2 Chief Executive Performance and Support Committee

<i>Title</i>	Chief Executive Performance and Support Committee
<i>Chair</i>	Councillor Nándor Tánczos
<i>Deputy Chair</i>	Deputy Mayor Lesley Immink
<i>Membership</i>	Membership of the committee is the Mayor, Deputy Mayor, and Chairperson of the standing committees.
<i>Quorum</i>	4
<i>Meeting frequency</i>	Quarterly
<i>Purpose</i>	<p>The purpose of this sub-committee is:</p> <ul style="list-style-type: none">• To provide guidance and support to the Chief Executive to deliver on their role.• To consider and prepare correspondence and address other matters relating to performance and remuneration associated with the Chief Executive; and• To be responsible for addressing performance issues as they arise as well as making recommendations to the Council for wider consideration.

5 Project Steering Groups

5.1 Overview

<i>Title</i>	Project Steering Groups
<i>Membership</i>	Project Steering Groups may be formed and disestablished from time to time as required. Project Steering Groups may include external stakeholders and Council elected members alongside staff. Any appointment of Council elected members to Project Steering Groups will be made by the Mayor.
<i>Purpose</i>	To provide oversight to specific projects or work programmes of Council.

Project Steering Groups as of December 2022 that have Council elected member representation:

5.2 Walking and Cycling Steering Group

The purpose of this Steering Group is to provide strategic direction to the Council's walking and cycling initiatives. The group will coordinate cross-departmental walking and cycling projects and initiatives across the Council and provide strategic oversight to ensure effective project prioritisation and alignment. Key projects include Active Whakatāne, Ōpōtiki to Whakatāne Mōtū Trail Extension, Mountain Bike Park Initiative, Skate Park Development, and specific accessibility initiatives.

The Steering Group membership is comprised of two elected members, as well as representation from various Council departments, and one Walking and Cycling Group representative. While not members of the Steering Group, Bike Whakatāne is identified as a key stakeholder partner, with common objectives.

This Project Steering Group reports to the Living Together Committee.

The Mayor has appointed Councillors Nándor Tánczos and Ngaperā Rangiaho as Whakatāne District Council representatives on this Steering group.

5.3 Civic Centre Redevelopment Project Steering Committee

This steering committee provides guidance to the Civic Centre seismic strengthening and betterment project. The broader governance structure for the project structure comprises four main committees/groups including the Ngā Awa Puheke Steering Committee and Technical Working Group, Relocation and Accommodation Committee and the Staff Reference Group.

This Project Steering Group reports to the Infrastructure & Planning Committee.

The Mayor has appointed Councillors John Pullar and Wilson James to this Committee.

6 Joint Committees

6.1 Bay of Plenty Civil Defence Emergency Management Group

<i>Title</i>	Bay of Plenty Civil Defence Emergency Management Group
<i>Administering Entity</i>	Bay of Plenty Regional Council
<i>Membership</i>	<p>The Membership of this Joint Committee is one representative from each of the following:</p> <ul style="list-style-type: none"> • Bay of Plenty Regional Council • Kawerau District Council • Ōpōtiki District Council • Rotorua District Council • Tauranga City Council • Western Bay of Plenty District Council • Whakatāne District Council <p>The Whakatāne District Council representative is:</p> <ul style="list-style-type: none"> • Mayor Dr Victor Luca, and • Deputy Mayor Lesley Immink as alternate member.
<i>Meeting frequency</i>	The Joint Committee meets quarterly.
<i>Purpose</i>	<p>The purposes of this Committee are to oversee the identification, assessment and management of relevant hazards and risks in accordance with the 4R's (reduction, readiness, response, and recovery).</p> <p>The Emergency Management Group Constitution is available from the Bay of Plenty Regional Council.</p>

6.1.1 Delegations

The Council appointed representative on the Bay of Plenty Civil Defence and Emergency Management Group has full delegated authority from the Whakatāne District Council to exercise the functions, powers and duties of members under the Civil Defence Emergency Management Act 2002.

6.2 Regional Transport Committee

<i>Title</i>	Regional Land Transport Committee
<i>Administering Entity</i>	Bay of Plenty Regional Council
<i>Membership</i>	<p>The membership of this Committee is as follows:</p> <ul style="list-style-type: none"> • Bay of Plenty Regional Council (2 persons) • Kawerau District Council (1 person) • Ōpōtiki District Council (1 person) • Rotorua District Council (1 person) • Tauranga City Council (1 person) • Western Bay of Plenty District Council (1 person) • Whakatāne District Council (1 person) • New Zealand Transport Agency (1 person) <p>The Whakatāne District Council representative is:</p> <ul style="list-style-type: none"> • Mayor Dr Victor Luca, and • Deputy Mayor Lesley Immink as alternate member.
<i>Meeting frequency</i>	The Joint Committee meets quarterly.
<i>Purpose</i>	<p>The primary purpose of this Committee is to oversee preparation of the regional Land Transport plan or any significant variation to it.</p> <p>The Regional Land Transport Committee Terms of Reference are available from the Bay of Plenty Regional Council.</p>

6.3 Eastern Bay of Plenty Joint Committee

<i>Title</i>	Eastern Bay of Plenty joint Committee (EBOPJC)
<i>Administering Entity</i>	Determined annually in keeping with the selection of the chair
<i>Chair</i>	Determined annually – shared between member entities
<i>Membership</i>	<p>This is a joint committee of the Bay of Plenty Regional Council, Kawerau District Council, Ōpōtiki District Council and the Whakatāne District Council. Membership comprises of two elected members appointed by, and representing, each participating Council.</p> <p>The Whakatāne District Council representatives are:</p> <ul style="list-style-type: none"> • Mayor Dr Victor Luca, • Councillor Iles • Deputy Mayor Lesley Immink (alternate)
<i>Meeting frequency</i>	By agreement of members
<i>Purpose</i>	<p>To form, explore and make recommendations for strategic collaborative initiatives between the partner councils.</p> <p>The EBOPJC Terms of Reference are available from the Whakatāne District Council.</p>

6.4 Eastern Bay District Licensing Committee

<i>Title</i>	Eastern Bay District Licensing Committee (EBDLC)
<i>Administering Entity</i>	Whakatāne District Council
<i>Membership</i>	<p>There are two Shared Eastern Bay of Plenty District Licensing Committees known as Committee A' and 'Committee B'. Matters are referred to Committee A by default, or to Committee B with Alan Scascia as Commissioner if Russell Orr is absent or unavailable.</p> <p>Committee A: • Commissioner Russell Orr</p> <p>List Members:</p> <ul style="list-style-type: none"> • Jenny Mahoney • Alan Scascia • Aaron Rangihika • Tony Gardiner • Duane Taiapa <p>Committee B: • Alan Scascia</p> <p>List Members:</p> <ul style="list-style-type: none"> • Jenny Mahoney • Alan Scascia • Aaron Rangihika • Tony Gardiner • Duane Taiapa
<i>Meeting frequency</i>	Subject to application or at the Commissioner's discretion.
<i>Purpose</i>	<p>The Eastern Bay District Licensing Committee (EBDLC) is a Shared Committee of the Kawerau, Ōpōtiki and Whakatāne District Councils set up under the Sale and Supply of Alcohol Act 2012 to make decisions on all licences and managers certificates.</p> <p>The Terms of Reference for this Committee are included in the schedules to this Delegations Register.</p>

6.5 Eastern Bay of Plenty Road Safety Operations Group

<i>Title</i>	Eastern Bay of Road Safety Operations Group
<i>Administering Entity</i>	Whakatāne District Council
<i>Membership</i>	<p>The Eastern Bay of Plenty Operational Road Safety Group ('the Group') is a collaborative and inter-organisational forum and response to contribute to and plan the co-ordinated delivery of road safety in the area. The Group shall comprise of at least the following member organisations:</p> <ul style="list-style-type: none"> • ACC • NZ Police • Waka Kotahi (NZ Transport Agency) • Whakatāne District Council (staff) • Ōpōtiki District Council (staff) • Kawerau District Council (staff) • Bay of Plenty Regional Council (staff) <p>Elected-member representation:</p> <ul style="list-style-type: none"> • One elected member from each of Bay of Plenty Regional Council, Kawerau District Council, Ōpōtiki District Council, Whakatāne District Council. • Eastern Bay of Plenty Road Safety Co-ordinator <p>The Whakatāne District Council representative is:</p> <ul style="list-style-type: none"> • Councillor Gavin Dennis
<i>Quorum</i>	<ul style="list-style-type: none"> • Four member organisations – in person or on video call • Two of these must be Council organisations.
<i>Meeting frequency</i>	The Group meets bi-monthly.
<i>Purpose</i>	<ul style="list-style-type: none"> • To provide oversight, strategic leadership and pragmatic solutions to ensure that Eastern Bay of Plenty roads are increasingly free of death and serious injury. • To give effect to the national 'Road to Zero 2020-2030' strategy.

6.6 Iwi Chairs Forum

<i>Title</i>	Whakatāne District Iwi Chairs Forum.
<i>Administering Entity</i>	Hosting of meetings is shared between member entities. Whakatāne District Council provides Secretariat support to the Forum.
<i>Membership</i>	The Chairpersons of the Rūnanga and post settlement governance entities in the Whakatāne District, the Mayor Dr Victor Luca, Deputy Mayor Lesley Immink, and Councillor Nándor Tánczos of the Whakatāne District. The Chief Executive of the Whakatāne District Council, the Rūnanga and post settlement governance entities in the Whakatāne District are also invited to attend.
<i>Meeting frequency</i>	Quarterly
<i>Purpose</i>	To raise awareness and consider matters of mutual interest to the Council and Iwi.

Reporting

Minutes and matters arising from the Iwi Chairs Forum are reported back to the Council in confidence.

7 Joint Forums

7.1 Ōhiwa Harbour Implementation Forum

<i>Title</i>	Ōhiwa Harbour Implementation Forum
<i>Administering Entity</i>	Bay of Plenty Regional Council
<i>Chair</i>	Elected by the Committee at its first meeting each Triennium
<i>Deputy Chair</i>	n/a
<i>Membership</i>	<p>The OHIF is made up of politicians or elected representatives from each of the partner organisations. The OHIF specifically invite attendance by organisations/groups which they believe will be interested such as the Department of Conservation, Ministry of Fisheries, Nukuhou Salt Marsh Care Group.</p> <p>The partnership includes:</p> <ul style="list-style-type: none"> • Ōpōtiki District Council (1 member) • Whakatāne District Council (1 member) • Bay of Plenty Regional Council (1 member) • Four appointees (Tangata Whenua) representing Whakatohea, Upokorehe, Ngāti Awa and Ngā Tūhoe <p>The Whakatāne District Council representatives are:</p> <ul style="list-style-type: none"> • Councillor Andrew Iles • Councillor Nándor Tánczos as alternate member
<i>Quorum</i>	4
<i>Meeting frequency</i>	Every six months or as required
<i>Purpose</i>	<p>To oversee implementation of the Ōhiwa Harbour Strategy by the Ōhiwa Harbour Strategy Coordination Group (OHSCG) - an operational group made up of staff representatives from the OHS partner organisations.</p> <p>The Ōhiwa Harbour Implementation Forum Terms of Reference are available from the Bay of Plenty Regional Council who administers this group.</p>

7.2 Rangitāiki River Forum Statutory Joint Committee

<i>Title</i>	Rangitāiki River Forum
<i>Administering Entity</i>	Bay of Plenty Regional Council
<i>Chair</i>	In accordance with Rangitāiki River Forum Model Standing Orders
	In accordance with Rangitāiki River Forum Model Standing Orders
<i>Membership</i>	<p>The Forum is a joint committee of the Bay of Plenty Regional Council, Whakatāne District Council and Taupō District Council. Membership includes representatives from:</p> <ul style="list-style-type: none"> • Te Rūnanga o Ngāti Whare (1 member) • Te Rūnanga o Ngāti Manawa (1 member) • Te Rūnanga o Ngāti Awa (1 member) • Ngāti Tūwharetoa (Bay of Plenty) Settlement Trust (1 member) • Ngāti Hineuru (1 member) • Tūhoe Te Uru Taumatua (1 member) • Bay of Plenty Regional Council (5 members) • Whakatāne District Council (1 member) • Taupō District Council (1 member) <p>The Whakatāne District Council representatives are:</p> <ul style="list-style-type: none"> • Councillor Tu O’Brien, and • Councillor Wilson James as alternate member.
<i>Quorum</i>	6 members - including three members appointed by the iwi appointers; and three members appointed by the local authority appointers; and must include a member appointed by Ngāti Whare and a member appointed by Ngāti Manawa.
<i>Meeting frequency</i>	In accordance with Rangitāiki River Forum Model Standing Orders
<i>Purpose</i>	<p>The Rangitāiki River Forum (the Forum) is a statutory joint committee set up under the Ngāti Whare Claims Settlement Act 2012 and the Ngāti Manawa Claims Settlement Act 2012. The Forum has been established to protect and enhance the environmental, cultural, and spiritual health and wellbeing of the Rangitāiki River and its catchments, for the benefit of present and future generations.</p> <p>The Rangitāiki River Forum Terms of reference are available from the Bay of Plenty Regional Council who administers this group.</p> <p>The Tarawera Awa Restoration Group terms of reference is being developed.</p>

8 Community Boards of the Whakatāne District

<i>Title</i>	Whakatāne District Council has four Community Boards covering the entire district: <ul style="list-style-type: none"> • Murupara Community Board (Councillor Ngapera Rangiaho and Councillor Andrew Iles as alternate member) • Rangitāiki Community Board (Councillor Gavin Dennis and Councillor Tu O’Brien as alternate member) • Tāneatua Community Board (Councillor Andrew Iles and Councillor Ngapera Rangiaho as alternate member) • Whakatāne-Ōhope Community Board (Councillor Toni Boynton and Deputy Mayor Lesley Immink as alternate member)
<i>Chair</i>	Selected by each Community Board at their inaugural meeting of the triennium.
<i>Deputy Chair</i>	As above
<i>Membership</i>	Membership includes: <ul style="list-style-type: none"> • Those elected to each Community Board, plus • One Council elected member appointed to each Community Board and an alternate (as outlined above)
<i>Meeting frequency</i>	<ul style="list-style-type: none"> • 7 Weekly • Extraordinary meetings as required
<i>Purpose</i>	To represent, engage with, and act as an advocate for the interests of their constituent communities on Council matters

8.1.1 Specific functions and delegations

To ensure the efficient and effective governance of the Whakatāne District, to maintain the integrity of the Council’s revenue and financing policies and to maximise the involvement of separate communities in the Council’s decision making processes the Council delegates the following duties and responsibilities to each of the four community boards in the district subject to expenditure remaining within the overall budgets approved by the Council each year:

- (a) To represent, and act as an advocate for, the interests of its community; and
- (b) Within the framework of legislative requirements, to review at least once a year the adequacy and appropriateness of the levels of service of all Council activities in as much as they relate to the Communities represented by each Board and to recommend to the Council any changes on an annual basis; and
- (c) To review at least once a year the adequacy and appropriateness of the delivery of service of all Council activities in as much as they relate to the Communities represented by each Board; and
- (d) To consider and report on all matters referred to it by the Council, or any matter of interest or concern to the community board; and

- (e) To prepare an annual submission to the Council for expenditure within the community for projects that are specifically funded by the community; and
- (f) To make submissions to the Council's Long-Term Plan on behalf of the Communities it represents and to review these submissions making further submissions as appropriate to the Council's Annual Plans; and
- (g) To consult and to communicate with the communities, community organisations and special interest groups it represents; and
- (h) To authorise, within approved budgets, Board Members attendance at relevant conferences and/or training courses; and
- (i) In accordance with the Council's Revenue and Financing policy, to recommend levels of charges for community services to the Council in as much as those services relate to services provided within the communities it represents; and
- (j) To make submissions to the Council in respect to all plans and policies the Council may have or may develop which impact on the communities it represents; and
- (k) To consult with and make recommendations to the Council on tourism and economic development issues of interest to the Board in respect to its area; and
- (l) To make submissions to the Council in respect to transportation planning, parking and traffic management (including the placement of road signage, controls on vehicle parking, traffic constraints and controls) in as much as they relate to the communities it represents; and
- (m) To receive correspondence and reports; and
- (n) To make decisions that have the effect of furthering investigations or obtaining information that will assist or enable the Board to decide on a substantive course of action at a later date; and
- (o) To receive and review the minutes of meetings of residents and ratepayer groups and other groups or organisations within their respective areas and to make whatever recommendations to the Council are appropriate in the light of those deliberations; and
- (p) To comment on the resource consent applications referred to the community board by the Council; and
- (q) To appoint their own representative to make presentations verbally to the Council at the Board's discretion (Note: the ability to make presentations verbally to the Council or any Committee of Council is subject to the approval of the Mayor or chairperson presiding at that meeting).

9 Advisory Groups

9.1 Commercial Advisory Board

<i>Title</i>	Whakatāne Commercial Advisory Board
<i>Chair</i>	Steve Franklin (Independent chairperson)
<i>Deputy Chair</i>	Deputy Mayor Lesley Immink
<i>Membership</i>	<p>Membership consists of the Mayor, four Councillors, an independent chairperson and up to three external persons, plus a representative from Ngāti Awa appointed by the Board.</p> <p>The independent chairperson is:</p> <ul style="list-style-type: none"> • Steve Franklin <p>The appointed external representatives are:</p> <ul style="list-style-type: none"> • Toni Owen • Jacob Kajavala <p>The Whakatāne District Council representatives are:</p> <ul style="list-style-type: none"> • Mayor Dr Victor Luca • Deputy Mayor Lesley Immink • Councillor Wilson James • Councillor John Pullar • Councillor Nándor Tánczos
<i>Quorum</i>	<p>Half of members present when membership is even;</p> <p>Majority of members present when membership is odd</p>
<i>Meeting frequency</i>	<p>Quarterly</p> <p>Additional meetings as required</p>
<i>Purpose</i>	The purpose of the Commercial Advisory Board is to provide strategic advice on Council's strategic landholdings and broader economic and business development opportunities.

9.1.1 Specific Delegations and functions

The Board will provide strategic advice on:

- Council's harbour lease land portfolio
- The development of ports and harbour assets
- The development of the Whakatāne Airport
- The development of any other Council owned assets with a commercial imperative
- Purchase, divestment, and development of strategic landholdings

9.1.2 Reporting

The Board will report to the Council.

10 Whakatāne District Youth Council

<i>Title</i>	Whakatāne District Youth Council (WDYC)
<i>Chair</i>	Determined annually at the inaugural meeting of the group
<i>Deputy Chair</i>	As above
<i>Membership</i>	<p>Membership is by application with appointments made for a one year (calendar year) term. Membership includes:</p> <ul style="list-style-type: none"> • Between 12-20 young people aged between 14-24 representing various geographic areas, ethnicities, age, gender, and experience. • One elected member representative. <p>Councillor Toni Boynton. Appointments for the period thereafter will be considered following review of the Youth Council Terms of Reference.</p>
<i>Quorum</i>	Greater than 50% of membership
<i>Meeting frequency</i>	<p>Monthly</p> <p>Additional meetings as required</p>
<i>Purpose</i>	The WDYC provides a youth perspective to what the Council does, advocates more broadly on behalf of youth priorities and provides the opportunity for members to gain valuable skills and learn about local government. The WDYC is supported by the Council's Youth Development Officer.

11 Council Appointments and Endorsements to Outside Associations

All elected members of Council are likely to have numerous memberships, connections, and affiliations to associations external to the Whakatāne District Council. Those that have been formally appointed by, or endorsed by, the Whakatāne District Council are listed below:

Organisation	Appointee
Keep New Zealand Beautiful National Board	Councillor Andrew Iles
Arts Whakatāne	Councillor Toni Boynton or council staff member
Rural Health Alliance	Councillor Ngapera Rangiaho
Rangitāiki-Tarawera Rivers Scheme Advisory Group	Councillors Tu O'Brien and Wilson James
Whakatāne-Tauranga Rivers Scheme Advisory Group	Councillor Andrew Iles (Alternate Councillor Toni Boynton)
Tarawera Awa Restoration Strategy Group (TARSG)	Mayor Dr Victor Luca (Alternate Deputy Mayor Lesley Immink)