



Kaipara District Council

Committee and Working Group Terms of Reference

2025 - 2028 Triennium



Kaipara te Oranganui • Two Oceans Two Harbours

Amendments

[illegible]

1 Governance Structure

The Governance Structure is developed in accordance with the provisions and requirements of the Local Government Act 2002. This document sets out the Terms of Reference for the committees of Kaipara District Council.

2 Role of Council

- Set the policy direction
- Monitor the Council's performance
- Represent the interests of Kaipara (all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgment in the best interests of the district)
- Employ the Chief Executive (under the Local Government Act the local authority employs the Chief Executive, who in turn employs all other staff on its behalf).

3 Role of the Mayor

- Provide leadership to Councillors and the people of Kaipara
- Define and promote a vision for Kaipara, and provide leadership to achieve that vision
- Lead the development of Council plans, policies and budgets (including the Annual Plan and Long Term Plan) for consideration by Council
- Ensure effective engagement between Council and the people of Kaipara
- Appoint the Deputy Mayor
- Establish the committee structure and appoint members and Chairs
- Be an *ex officio* member of all Council committees, with the right to vote and be counted for quorum.

4 Role of the Chief Executive

- Implement Council's decisions
- Provide advice to Council
- Ensure that all responsibilities, duties and powers delegated to the Chief Executive or to any person employed by the Chief Executive, or imposed or conferred by any Act, regulation or bylaw are properly performed or exercised
- Manage Council's activities effectively and efficiently
- Maintain systems to enable effective planning and accurate reporting of the Council's financial and service performance
- Provide leadership for Council's staff
- Employ Council's staff (including negotiation of the terms of employment for the staff).

5 Role of Committees

Council can delegate its powers to committees or any other subordinate decision-making body to act on its behalf. These responsibilities and delegations are set in each committee's terms of reference.

The following powers cannot be delegated (Clause 32(1)(a)-(h) of Schedule 7 of the Act):

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

6 Ambiguity and Conflict

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

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

7 Conduct

Committees shall conduct their affairs in accordance with legislation, including the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members Interest) Act 1968 and Kaipara District Council's Standing Orders and Code of Conduct.

8 Remuneration

Elected members will be reimbursed in accordance with the determination set by the Remuneration Authority under section 255(5) and clause 18 of Schedule 15 of the Local Government Act 2002 and Council's Elected Members Expenses Policy.

9 Communications

- The Committee Chair is the authorised spokesman for the Committee in all matters where the Committee has a particular interest
- Committee members, including the Chair, do not have delegated authority to speak to the media on behalf of Council on matters outside the Committee's interest
- Council's Governance Team will manage and support formal communications between the Committee and Council, and for the Committee in the exercise of its business.

10 Funding and budgets

Funding for the Committee will align with the Council's Annual and Long Term Plans.

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Audit, Risk and Finance Committee

Reports to:	Kaipara District Council
Chair:	Bruce Robertson (external appointee)
Deputy Chair:	Councillor Canton
Membership:	Councillor Jepson, Councillor Nathan, Councillor Tane, Councillor Williams
Meeting frequency:	Quarterly
Quorum:	Three

Terms of Reference

Purpose

- To oversee risk management and internal controls, audit functions, financial and other external corporate reporting, and compliance with legislation
- To monitor Council's financial performance against the Long-Term Plan and Annual Plan.

Responsibilities

Audit

- Agree on audit scope with management
- Input into audit scope to the external auditor
- Consider the audit management letter and take appropriate actions

Risk

- Ensure a comprehensive risk management framework is in place and operates effectively
- Identify and monitor risks associated with legislative and policy compliance
- Review effectiveness of risk management and internal control systems

Finance

- Review and recommend financial strategies and policies to Council
- Monitor Council's financial performance and recommend actions
- Monitor operating and capital expenditure programme
- Recommending the Annual Report financials to Council.

Delegations

- Make recommendations to Council
- All necessary powers to meet its responsibilities.

Awards and Grants Committee

Reports to:	Kaipara District Council
Chair:	Councillor Williams
Membership:	Councillor Canton, Councillor Lambeth, Councillor Nathan, Councillor Rogers Councillor Schimanski
Meeting frequency:	As required by Council policy
Quorum:	Three

Terms of Reference

Purpose

To allocate awards and grants in accordance with Council policy and legislation.

Responsibilities

- Assess nominations and applications according to Council policy
- Allocate awards and grants according to Council policy
- Monitor grants expenditure, Contracts for Service and Licenses to Occupy for compliance with Council policy, and report any concerns to Council
- Review and recommend awards and grants policies to Council.

Delegations

- Allocate awards and grants according to Council policy
- Make recommendations to Council on awards and grants policies.

District Licensing Committee

Reports to:	Kaipara District Council
Chair:	Mark Farnsworth
Membership:	Councillor Lambeth, Grace Le Gros, Amy Munn, Murray Clearwater
Meeting frequency:	As required
Quorum:	Uncontested applications can be considered by the Chair alone. Where applications require a full hearing, three members are required for quorum

Terms of Reference

Purpose

To administer Council's alcohol licensing framework as determined by the Sale and Supply of Alcohol Act 2012.

Responsibilities

- Consider and determine applications for:
 - Licences and Manager's certificates
 - Temporary authority to carry out the sale and supply of alcohol
 - Variation, suspension or cancellation of licences
- Provide annual reports to Kaipara District Council and the Alcohol Regulatory and Licensing Authority on its functions as prescribed by legislation.

Delegations

Make decisions on applications and renewals according to the Sale and Supply of Alcohol Act 2012.

Membership review

List members are appointed by the Chief Executive on the recommendation of Kaipara District Council. The membership is reviewed at the beginning of each new triennium. Other members can be appointed to the list at any time in accordance with the Act.

Remuneration

External members will be remunerated in accordance with s195 of the Sale and Supply of Alcohol Act 2012.

Harding Park Committee

Reports to:	Kaipara District Council
Chair:	Councillor Lambeth
Membership:	Councillor Nathan, Councillor Rogers, Councillor Tane, Rob Harding
Meeting frequency:	Three times a year
Quorum:	Three

Terms of Reference

Purpose

To provide advice to Council on matters relating to the operation of the Harding Park and Old Mount Wesley Cemetery Reserve areas.

Responsibilities

- Provide input into the Annual Plan and Long Term Plan processes
- Provide input into policies, bylaws or other regulatory tools for the Reserve
- Advise on the financial governance of the Reserve
- Advise on agreements with external organisations for the use of the Reserve, including all leases and Licences to Occupy
- Advise on external funding sources and applications for the enhancement of the Reserve
- Oversee statutory compliance and report any issues to Council
- Oversee the Reserve's natural environment and report any issues to Council
- Liaise with the Pou Tu o Te Rangi Joint Management Committee on matters impacting on the Pou Tu o Te Rangi pā site

Delegations

- Approve the annual works programmes within the allocated budgets in the Annual Plan or Long Term Plan
- Make recommendations to Council on matters relating to the Reserve.

Membership

Four councillors appointed by the Mayor with one being the Chair, and one Harding Family representative appointed by the Mayor.

Mangawhai Community Park Governance Committee

Reports to:	Kaipara District Council
Chair:	Councillor Jepson
Membership:	Councillor Canton, Councillor Rogers, Councillor Williams, Mary-Anne Boyd (Chair of Friends of Mangawhai Community Park), Phillip Johnson (community representative)
Meeting frequency:	Three times a year
Quorum:	Three

Terms of Reference

Purpose

To provide advice to Council on matters relating to Mangawhai Community Park.

Responsibilities

- Provide input into the Annual Plan and Long-Term Plan processes
- Provide input into policies, bylaws, or other regulatory tools for the Park
- Advise on the financial governance of the Park
- Advise on agreements with external organisations for the use of the Park, including all leases and Licences to Occupy
- Advise on external funding sources and applications for the enhancement of the Park
- Monitor statutory compliance and report any issues to Council
- Monitor the Park's natural environment and report any issues to Council.

Delegations

- Approve the annual works programmes within the allocated budgets in the Annual Plan or Long Term Plan
- Make recommendations to Council.

Membership.

Four councillors appointed by the Mayor with one being the Chair, one community representative appointed by the Mayor, and the Chair of Friends of Mangawhai Community Park.

Raupo Drainage Committee

Reports to:	Kaipara District Council
Chair:	[TBA – Chair to be voted in at first Meeting]
Membership:	Ian Beattie, Joseph Dragicevich, Greg Gent, David Hart, Grace Le Gros, Ross McKinley, Councillor Rogers, Councillor Schimanski
Meeting frequency:	Three times a year
Quorum:	Four, with at least one attendee to be an elected member

Terms of Reference

Raupo Drainage Committee was established under the 1989 Reorganisation Order to govern the Raupo Drainage District. It is a co-governance committee between Council and ratepayers within that District.

Purpose

To govern the drainage, stopbanks, and flood protection in the Raupo Drainage District.

Responsibilities

- Provide input into the Annual Plan and Long-Term Plan processes
- Provide input into the Asset Management Plan
- Provide input into policies, bylaws or other regulatory tools for the Reserve
- Advise on the financial governance of the Drainage District
- Advise on agreements with external organisations for the use of the Drainage District's lands, including all leases and Licences to Occupy
- Monitor statutory compliance and report any issues to Council
- Monitor the Drainage District's environment (in regard to waters and drainage) and report any issues to Council
- Act as a contact point for land drainage issues to Drainage District ratepayers and residents and report any issues to Council.

Delegations

- Set the annual works programme within the allocated budgets in the Annual Plan or Long Term Plan
- Make recommendations to Council.

Membership review

- Ratepayer representatives are elected prior to each triennial local body election
- If a vacancy occurs in the ratepayer representatives, then the Committee can appoint an eligible ratepayer for the rest of the term.

Raupo Drainage Operations Working Group

Established by Raupo Drainage Committee 16 September 2020, with the following purposes, roles and limits:

- 1) Membership is made of the Members of the Raupo Drainage Committee (the “Committee”).
- 2) It shall be a forum where feedback and advice can be provided to the Council staff member responsible for administering and co-ordinating the Raupo drainage area on maintenance matters under existing budgets.
- 3) It shall be a forum where feedback and advice can be provided to other Council officers on matters raised by them from time to time.
- 4) The Working Group can escalate matters to the Committee for discussion and consideration.
- 5) No quorum for meetings of the Working Group is required as it is an advisory body to the Committee only.
- 6) For clarity, the forum does not have delegated authority to make decisions.

Remuneration and Development Committee

Reports to:	Kaipara District Council
Chair:	Mayor Larsen
Membership:	Councillor Canton, Councillor Jepson, Councillor Lambeth, Councillor Rogers, Councillor Schimanski
Meeting frequency:	Quarterly
Quorum:	Three

Terms of Reference

Purpose

To manage and oversee the Chief Executive's performance and development and approve elected member training and development.

Responsibilities

- Agree the annual performance objectives with the Chief Executive
- Conduct the performance review required in the Chief Executive's employment agreement and at any other time as may be necessary
- Represent Council in regard to any issues which may arise in respect to the Chief Executive's job description, performance objectives or other matters
- Oversee any recruitment and selection process for a Chief Executive and make recommendations to Council
- Oversee any development needs for Councillors and agree annual training plans to achieve these.

Delegations

- Formal and informal management of the performance of Chief Executive
- Approve any development goals and development activities of Chief Executive
- Make recommendations to Council
- Seek independent expert advice to assist in any matters under consideration. Funding and engagement shall be arranged in confidence by GM Corporate Services at the Chair's request
- Determine training and development needs for elected members within allocated budget in the Annual Plan and Long-Term Plan.

Taharoa Domain Governance Committee

Reports to:	Kaipara District Council
Chair:	Councillor Lambeth
Membership:	Councillor Schimanski, Ric Parore, Sonny Nesbit
Meeting frequency:	Three times a year
Quorum:	Two, with at least one attendee to be an elected member

Terms of Reference

Purpose

To provide advice to Council on matters relating to the operation of Taharoa Domain.

Responsibilities

- Provide input into the Annual Plan and Long Term Plan processes
- Provide input into policies and bylaws or other regulatory tools for the Reserve
- Advise on the financial governance of the Reserve
- Advise on agreements with external organisations for the use of the Reserve, including all leases and Licences to Occupy
- Advise on external funding sources and applications for the enhancement of the Park
- Oversee statutory compliance and report any issues to Council
- Oversee the Reserve's natural environment and report any issues to Council.

Delegations

- Approve the annual works programmes within the allocated budgets in the Annual Plan or Long Term Plan
- Make recommendations to Council on matters relating to the Reserve.

Membership

Two councillors appointed by the Mayor with one being the Chair, one Te Roroa representative appointed by the Mayor, one Te Kuihi representative appointed by the Mayor.

Mangawhai Wastewater Treatment Scheme Working Group

Reports to:	Kaipara District Council
Chair:	Peter Nevin (external appointee)
Membership:	Fraser Campbell (external appointee), Mike Howard (external appointee), Councillor Jepson (Alternate – Councillor Williams)
Meeting frequency:	As required

Terms of Reference

Background

At its meeting on 26 February 2025, Kaipara District Council approved a procurement plan to progress Stages 2, 3, 4, and 5 of the Mangawhai Wastewater Scheme. These stages are critical to addressing current capacity limitations at Brown Farm and advancing the next phase of infrastructure upgrades to support ongoing community growth.

Given the significance of this project and the strong historical interest from the community, it is proposed that an independent Working Group be established. While operating independently of Council, the group will comprise an Elected Member and an alternate, as well as three independent members: two independent experts and one community representative. To ensure robust governance and impartial oversight, it is recommended that the Working Group be chaired by a suitably qualified external appointee.

Purpose of the working group

The Working Group will provide strategic oversight, guidance, and support for decision-making throughout key stages of the project—Stage 2 (effluent disposal consenting and design), Stage 3 (treatment capacity and quality upgrades), Stage 4 (subsurface drip irrigation installation), and Stage 5 (effluent conveyance to the Mangawhai Golf Club)—as endorsed at the Council meeting.

These Terms of Reference outline the scope of work for the Mangawhai Wastewater Scheme Working Group (the Working group) required to;

- Advise the Project Sponsor with informed recommendations
- Identify project risks and support mitigation planning
- Ensure compliance, environmental, and reputational factors are addressed
- Support evidence-based decision-making
- Review key project documents, including reports, designs, and consent applications
- Promote transparent and accountable project governance
- Monitor progress against deliverables, timelines, and budget.

Membership

Membership will consist of:

- Independent Chair
- An independent expert
- One elected member and alternate
- One community representative.

Responsibilities

The Working Group;

- Has no authority to make decisions
- Will make recommendations to the project sponsor
- Provide leadership and strategic direction to ensure the project objectives are met
- Review project milestones and monitor project progress against planned milestones.

Meetings of the Working Group

- The Working Group will meet as regularly as required
- Working group meetings are not open to the public
- The Chair shall be responsible for all Working Group meeting processes and procedures
- Recommendations made by the Working Group are to be by consensus and by majority if needed
- KDC will provide secretariat services for the Working Group
- Agendas and minutes will be created for all Working Group meetings by the secretariat.

Review of the Working Group

- The Working Group and its role and functions will be reviewed at the end of 2026. The Council reserves the right to make changes to the Terms of Reference or disestablish the Working Group at that time
- The Working Group may be disestablished before the end of 2026 after consultation with The Working Group membership.

Planning and Development Working Group

Reports to:	Kaipara District Council
Chair:	Mayor Larsen / Councillor Williams
Membership:	Councillor Jepson, Councillor Lambeth
Meeting frequency:	As required

Terms of Reference

Purpose

To provide advice to Council on planning and development issues in the District.

Responsibilities

- Oversight of operative District Plan Implementation
- Responsible for strategic overview of development in the district
- Oversight of central government resource management reform
- Oversight of financial and development contributions policy
- Ensure development integration opportunities (e.g. links between sub-divisions, development agreements) are planned and realised
- Ensure Council's responsibilities for private plan changes, such as resolving appeals, align with council's strategic development objectives as set out in the proposed District Plan.

Delegations

To make recommendations to Council for decision.