



# Governance Structure and Terms of Reference

December 2025





## Record of Amendments

Version	Date	Summary
1	11/12/2025	Adopted following triennial election



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# 1. Introduction

## General Principles

This document sets out the Governance Structure which details how Gisborne District Council:

- carries out its governance functions; and
- formally delegates its powers and responsibilities.

The Governance Structure is developed in accordance with the Local Government Act 2002 and is intended to sit alongside Council's Standing Orders.

The terms of reference and delegations in this document are intended to allow the Council to delegate its powers and functions to the most efficient and effective levels.

The mayor has the power to establish committees and appoint chairpersons of the committees.

Council retains the right to also act in any matter where delegated authority applies; it does not part with the function, duty or power being delegated. Council retains full responsibility for governance, statutory and financial powers, duties and responsibilities and contract specifications at all times.

Any Committee may resolve to refer any matter to full Council with or without recommendation.

A decision made by a committee under delegation from the Council has the same effect as if it were made by the Council itself.

## Powers Delegated to Committees

The Council delegates to the Committees all powers necessary to perform the Committee's responsibility contained in their Terms of Reference, except those powers which the Council either cannot or has chosen not to delegate, set out in Section 2 (Council Terms of Reference).

Unless specifically stated in its Terms of Reference, no Committee has the authority to:

- approve expenditure where no provision is made in the Long-Term Plan (LTP) or the Annual Plan for that year;
- approve over-expenditure of any account.



## 2. Council

<b>Chairperson:</b>	Mayor Rehette Stoltz
<b>Deputy Chairperson:</b>	Deputy Mayor Aubrey Ria
<b>Membership:</b>	Mayor and all Councillors
<b>Quorum:</b>	Half of the members when the number is even and a majority when the number is uneven
<b>Meeting Frequency:</b>	Six weekly (or as required)

### Terms of Reference:

The Council's terms of reference include the following powers which have not been delegated to committees, subcommittees, officers or any other subordinate decision-making body, and any other powers that are not legally able to be delegated:

1. The power to make a rate.
2. The power to make a bylaw.
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan.
4. The power to adopt a Long Term Plan, Annual Plan, or Annual Report.
5. The power to appoint a Chief Executive.
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the Local Governance Statement.
7. The power to adopt a remuneration and employment policy.
8. The power to approve or amend the Council's Standing Orders.
9. The power to approve or amend the Code of Conduct for elected members.
10. The power to appoint and discharge members of Committees.
11. The power to establish a joint committee with another local authority or other public body.
12. The power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation.
13. The power to make any resolutions that must be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer.
14. Consider any matters referred to it from any of the Committees.
15. Authorise all expenditure not delegated to staff or other Committees.

Council's terms of reference also includes oversight of the organisation's compliance with health and safety obligations under the Health and Safety at Work Act 2015.

Note: For 1-7 see clause 32(1) Schedule 7 Local Government Act 2002 and for 8-13 see clauses 15, 27, 30 Schedule 7 of Local Government Act 2002



## 3. Committees of the Whole

### 3.1 Sustainable Tairāwhiti / Toitū Tairāwhiti

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Mayor Rehette Stoltz
<b>Deputy Chairperson:</b>	Deputy Mayor Aubrey Ria
<b>Membership:</b>	Mayor and Councillors
<b>Quorum:</b>	Half of the members when the number is even and a majority when the membership is uneven.
<b>Meeting frequency:</b>	Six weekly (or as required).

#### Purpose

To develop, approve, review and recommend to Council (where applicable) statutory and non-statutory policy, plans, bylaws, strategies and decisions to:

- Develop a vision and a pathway for the future of the district.
- Sustainably manage resources in the region.
- Identify and promote community aspirations.
- Define and deliver on Council's roles.
- Integrate an all-of-wellbeing approach to strategy, plan and policy development.
- Have effective statutory plans and bylaws to protect community and environmental needs.

#### Terms of Reference

- Develop, review and make decisions in relation to strategies, plans and policies across the Council relating to community, environment, and infrastructure, including making any delegable decision under the Resource Management Act 1991 (RMA) and Local Government Act 2002 (LGA).
- Ensure the effective implementation of plans, processes, research, monitoring and enforcement to satisfy the requirements of the Resource Management Act 1991 (RMA), National Policy Statements, National Environmental Standards and associated legislation (including any replacement legislation).
- Lead the development of Council's draft Long Term Plan, Annual Plan and all other policies required under the LGA to be included in the Long Term Plan (including the Infrastructure Strategy and Financial Strategy), and any amendment to those plans or policies. This includes approving draft versions for consultation, hear submissions, and making recommendations to Council following consultation.
- Oversee the Tairāwhiti Resource Management Plan review programme, including policy direction, programme monitoring and decision-making.



- Appoint hearing panels of accredited commissioners for hearing submissions on proposed plans, variations and plan changes under the RMA
- Monitor and report on environmental performance trends and the effectiveness of and compliance with Council's resource management responsibilities and activities associated with policy implementation.
- Receive and review State of the Environment monitoring reports to assist in future activity planning and policy development.
- Bylaw development – make any decisions leading up to consultation on a proposal relating to a bylaw. This includes approval of a draft bylaw and/or proposal for consultation.
- Approve the adoption or amendment of a Local Alcohol Policy under the Sale and Supply of Alcohol Act.
- Establish, implement and review the operational policy and planning framework for decision making that will assist in achieving the strategic priorities and outcomes
- Monitor, review and develop Council responses, strategies, plans and policy in relation to Iwi and Māori commitments.
- Prepare submissions on any matter that is within its role and terms of reference for Council.
- Make any related decisions that are required to be made by resolution, except those that are not legally able to be delegated.

### **Power to Act**

To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.

To establish subcommittees, working parties and forums as required.

To appoint non-voting advisory members (such as tangata whenua representatives) to assist the Committee.

### **Power to Recommend**

To Council and/or any Council committee as it deems appropriate.



## 3.2 Finance & Performance Committee

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Mayor Rehette Stoltz
<b>Deputy Chairperson:</b>	Deputy Mayor Aubrey Ria
<b>Membership:</b>	Mayor and all Councillors
<b>Quorum:</b>	Half of the members when the number is even and a majority when the membership is uneven.
<b>Meeting frequency:</b>	Six weekly (or as required)

### Purpose

To assist Council to oversee financial and non-financial performance, including the delivery of the Council's Capital Programme and oversight of the Council Controlled Trading Organisation (CCTO).

To monitor Council activities and services performance against budget, Annual Plans, the Long Term Plan, Annual Reports and corporate and financial policies.

The Finance and Performance Committee also receives enforcement and compliance performance activity reporting to ensure financial and non-financial performance oversight of its regulatory functions.

### Terms of Reference

- Set, monitor and review plans, financial measures, practices and policies; the sources of funds, banking arrangements, insurance, investment and debt criteria, future financial arrangements.
- Monitor the performance of Council's treasury function – including strategic, investment and enterprise assets.
- Set fees and charges for Council services (including parking), where such fees are not set by laws (including bylaws).
- Approve preferred suppliers for capital projects and contracts where the value of the contract exceeds staff delegations.
- Approve expenditure (including substituted capital expenditure) items that are provided for in the Long Term Plan or Annual Plan where the value of that expenditure exceeds that authority delegated to officers.
- Approve debt write-offs where those debt write-offs are not delegated to staff.
- Consider all matters regarding the Local Government Funding Agency (LGFA).
- Monitor and review Council's strategic investment and enterprise assets – including consideration of the operational and financial effectiveness of Council Organisations, Council Controlled Organisations and Council's CCTO.



- In relation to the CCTO:
  - develop and approve the draft Statement of Intent for the CCTO
  - undertake any reviews of CCTO and make recommendations on any proposed changes to CCTO governance arrangements
  - consider and approve changes to service delivery arrangements arising from the service delivery reviews required under Local Government Act 2002 (LGA) that are referred to the Committee by the Chief Executive.
- Monitor the operational performance of Council's activities and services against approved levels of service.
- Monitor the operational performance of Council's regulatory activities and in particular enforcement and compliance, financial and non-financial performance reporting.
- Review and approve business plans including any related fees, charges and expenditure (including capital expenditure).
- Review the delivery of services under section 17A of the LGA.
- Monitor the delivery of the Council's Capital Programme, including inquiring into any material discrepancies from planned expenditure.

#### **Power to Act**

To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.

To establish subcommittees, working parties and forums as required.

To appoint non-voting advisory members (such as tangata whenua representatives) to assist the Committee.

#### **Power to Recommend**

To Council and/or any Council committee as it deems appropriate.



### 3.3 Environment & Communities Committee

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Cr Debbie Gregory
<b>Membership:</b>	Mayor and all Councillors
<b>Quorum:</b>	Half of the members when the number is even and a majority when the membership is uneven.
<b>Meeting frequency:</b>	Six weekly (or as required).

#### Purpose

- Provide integrated governance oversight of operational programmes and services including environmental protection, land and catchment management, biodiversity, flood resilience, and community development including libraries, parks, recreation and cultural assets.
- Ensures Council's regulatory compliance
- Ensures the effective operational delivery of statutory duties
- Supports community wellbeing across rural and urban Tairāwhiti through oversight of Council services.

#### Scope

The committee's scope includes the following matters.

##### Environment Services and Protection

- Animal Control
- Building Services
- Enforcement
- Environmental Health

##### Land Management

- Pests and Plant management
- Biodiversity
- Integrated catchments

##### Flood Resilience

##### Harbour Master

##### Community development

- Cultural assets and activities including theatres, museum and public art, library and Tairāwhiti Navigations.
- Recreation and amenity assets and activities – including open spaces, parks and gardens, cemeteries, community property and the Olympic Pool complex.

##### Planning and Development

- Customer Engagement
- Support Services



## **Terms of Reference**

### **Operational Oversight**

- Provide governance direction for the Council's operational activities within its purpose and scope.
- Review and adjust relevant working programme priorities within agreed budgets, activity management plans and levels of service as per the Council's Long Term Plan.
- Receive updates on delivery, projects and activities.
- Oversee management of Council's community assets.
- Input into, and make decisions on, operational proposals, options and cost of projects/major projects.
- Contribute to the development of short term plans for community services and community facilities.
- Consider the strategic regulatory and compliance issues.
- Prepare submissions on any matter that is within its rationale and terms of reference for Council approval and submit on behalf of Council when timelines do not allow Council prior approval.

### **Asset Management**

- Oversee the management of all Council's community assets.
- Make decisions on community assets becoming Council's and on infrastructure and community assets on behalf of Council.
- Progress the sale of properties as approved in the Long Term Plan and Annual Plan.
- Contribute to the development of and oversee delivery of economic development projects.
- Consider proposals to change the status or revoke the status of a reserve as defined in the Reserves Act 1977 (including the hearing of submissions).

### **Power to Act**

To make all decisions necessary to fulfil the role and scope of the Committee.

To establish subcommittees, working parties and forums as required.

To appoint non-voting advisory members (such as tangata whenua representatives) to assist the Committee.

### **Power to Recommend**

To Council and/or any Council committee as it deems appropriate.



### 3.4 Appointments Committee

<b>Reports to:</b>	Council
<b>Chair:</b>	Mayor Rehette Stoltz
<b>Deputy Chair:</b>	Deputy Mayor Aubrey Ria
<b>Membership:</b>	Mayor and all Councillors.
<b>Meeting frequency:</b>	As required

#### Purpose and Terms of Reference

- Oversees and manages recruitment and selection process of Council appointments to Council organisations.
- Appoint directors and trustees, having regard to the [Board Appointments and Remuneration Policy 2022](#) (as may amended from time to time).



## 4. Standing Committees

### 4.1 Audit & Risk Committee

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Independent Chairperson – Bruce Robertson
<b>Deputy Chair:</b>	Mayor Rehette Stoltz
<b>Membership:</b>	Cr Colin Alder, Cr Larry Foster, Cr Debbie Gregory, Cr Jeremy Muir, Deputy Mayor Aubrey Ria, Cr Rob Telfer and Cr Rhonda Tibble
<b>Quorum:</b>	Half of the members when the number is even and a majority when the membership is uneven.
<b>Meeting frequency:</b>	Quarterly (or as required)

#### Purpose

To assist the Council to exercise due care, diligence and skill in relation to the oversight of:

- the robustness of the internal control framework;
- the integrity and appropriateness of external reporting, and accountability arrangements within the organisation for these functions;
- the robustness of risk management systems, process and practices;
- internal and external audit;
- accounting practice and, where relevant, accounting policy;
- health, safety and wellbeing;<sup>1</sup>
- compliance with applicable laws, regulations, standards and best practice guidelines for public entities; and
- the establishment and maintenance of controls to safeguard the Council's financial and non-financial assets.

The Audit and Risk Committee Chair is responsible for submitting an annual report to the Council covering the Committee's operations and activities during the preceding year.

#### Terms of Reference

##### Internal Control Framework

- Consider the adequacy and effectiveness of internal controls and the internal control framework including overseeing privacy and cyber security.
- Enquire as to the steps management has taken to embed a culture that is committed to probity and ethical behaviour.
- Review the processes or systems in place to capture and effectively investigate fraud or material litigation, should it be required.

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<sup>1</sup> In regard to health and safety, all Councillors are required to discharge their responsibilities of due diligence under the Health and Safety at Work Act 2015. Staff will provide regular reports to Council to enable members to discharge their duties, and these reports will include any recommendations made by the Audit and Risk Committee in relation to council's health, safety and wellbeing processes.



- Seek confirmation annually, and as necessary, from internal and external auditors, attending Councillors, and management, regarding the completeness, quality and appropriateness of financial and operational information that is provided to the Council.

### **Risk Management**

- Review and consider Management's risk management framework in line with Council's risk appetite – which includes policies and procedures to effectively identify, treat and monitor significant risks, and regular reporting to the Council.
- Assist the Council to determine its appetite for risk.
- Review the principal risks that are determined by Council and Management, and consider whether appropriate action is being taken by Management to treat Council's significant risks. Assess the effectiveness of, and monitor compliance with, the risk management framework. Consider emerging significant risks and report these to Council, where appropriate.

### **Internal Audit**

- Review and recommend the annual internal audit plan; such plan to be based on the Council's risk framework.
- Monitor performance against the plan at each regular quarterly meeting.
- Monitor all internal audit reports and the adequacy of Management's response to internal audit recommendations.
- Monitor compliance with the Delegations Manual.

### **External Audit**

- Annually review the independence and confirm the terms of the audit engagement with the external auditor appointed by the Office of the Auditor General. This includes the adequacy of the nature and scope of the audit, and the timetable and fees.
- Review all external audit reporting, discuss with the auditors and review action to be taken by management on significant issues and recommendations and report to Council as appropriate.

### **Compliance with Legislation, Standards and Best Practice Guidelines**

- Review the effectiveness of the system for monitoring the Council's compliance with laws (including governance legislation, regulations and associated government policies), with Council's own standards, and Best Practice Guidelines.

### **Powers**

The Audit and Risk Committee, within the scope of its role and responsibilities, is authorised to:

- obtain any information it needs from any employee and/or external party (subject to their legal obligation to protect information);
- discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- make recommendations to Council and/or the Chief Executive.

The Audit and Risk Committee has no executive powers and is directly responsible to Council.



## 4.2 Wastewater Management Committee

<b>Reports to:</b>	Council
<b>Co-Chairs:</b>	Cr Larry Foster and Ronald Nepe
<b>Membership:</b>	Deputy Mayor Aubrey Ria, Cr Rhonda Tibble and Cr Nick Tupara, Pene Brown, Angus Ngarangione and LeRoy Pardoe.
<b>Quorum:</b>	Four members. Two to be Councillors and two to be tangata whenua.
<b>Meeting Frequency:</b>	Two times a year.

### Purpose

The purpose of the Committee is to fulfil the functions required under the wastewater discharge consents and the dry weather and wet weather overflow consents, including governance oversight of wastewater discharge performance, monitoring, compliance, environmental effects and cultural considerations.<sup>2</sup>

The Committee promotes improvements to the mauri and water quality of Turanganui a Kiwa through monitoring, review and recommendations made under these consents.

The Committee operates alongside, but does not duplicate, the functions of the Interim Water Services Committee, which holds broader oversight of water services delivery.

### Scope

The Committee's scope is limited to matters required under the wastewater discharge and overflow consents, including:

- wastewater plant performance
- wastewater discharge, monitoring and compliance
- overflow performance (dry weather and wet weather)
- environmental and cultural effects related to wastewater
- review of monitoring and investigation programmes
- reporting requirements under the consents
- engagement with technical and cultural advisory groups (IRP, WTAG, TWRG)

Matters outside the statutory scope may be referred to the Interim Water Services Committee.

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<sup>2</sup> Including the coastal permit for the discharge of treated wastewater dated 21 September 2007



## Terms of Reference

The Committee is responsible for the following functions, as required by the resource consents:

- Monitor, Review and Evaluate
  - Review monitoring results, investigations, research and environmental performance information prepared under the wastewater and overflow consents, including:
    - wastewater discharge monitoring
    - BTF Plant Monitoring and Investigation Study
    - Alternative Use and Disposal (AUD) investigations
    - overflow event reporting
    - annual performance reporting
    - five-year review reports
    - ten-year target-reset reviews
- Receive and consider all reports from the Independent Review Panel (IRP).
- Receive and consider reports and cultural monitoring outputs from the Tangata Whenua Reference Group (TWRG).
- Receive and review the following plans required by the overflow consents:
  - Dry Weather Overflow Elimination and Management Strategy
  - Dry Weather Overflow Response Plan
  - Wet Weather Overflow Response Plan
  - Operations and Management Plan (OMP)
  - Network Improvement Strategy
- Provide recommendations to Council based on review of these strategies and plans.
- Make recommendations to Council on:
  - discharge methods
  - monitoring regimes
  - resource consent compliance and changes to conditions
  - changes to environmental or wastewater national standards
  - improvements to wastewater treatment, monitoring or management
  - AUD options and related investigations
  - actions arising from IRP and WTAG recommendations
  - cultural and environmental recommendations arising from the TWRG
  - any matter arising from annual, five-yearly or ten-yearly reviews
- Oversee and administer the Turanganui a Kiwa Water Quality Enhancement Project.
- Support development of educational information relating to wastewater and its effects.



## Collaborations

The Committee will develop and maintain effective relations with other Council committees, Government and its departments, NGOs and other stakeholders to achieve its terms of reference.

The Committee operates alongside the Interim Water Services Committee, which oversees broader water services functions. Matters relating to broader water services planning, investment or delivery must be referred to the Interim Water Services Committee.

**The Committee has the following relationships with advisory and technical groups:**

### Independent Review Panel (IRP)

The IRP reports to the Committee. The Committee must receive, consider and act (as appropriate) on all IRP recommendations.

### Wastewater Technical Advisory Group (WTAG)

The Committee receives technical, scientific and monitoring information and recommendations from the WTAG. The Committee considers WTAG inputs when forming recommendations to Council.

### Tangata Whenua Reference Group (TWRG)

- The Committee works with the TWRG as required under the overflow consents.
- The Committee receives cultural monitoring reports and inputs from the TWRG.

## Special Notes

- Membership of the Committee comprises four councillors and four tangata whenua representatives and other members that the Committee itself shall determine from time to time.
- The Committee may appoint or invite other persons to participate in an advisory or consultative capacity.

## Power to Act

- To make all decisions necessary to fulfil the role and scope of the Committee, subject to the limitations imposed.
- The Committee has no delegated authority from Council other than the functions expressed in the conditions of the resource consents.

## Power to Recommend

- To Council and/or any Council committee as it deems appropriate. In particular, the Committee may make recommendations to the Interim Water Services Committee where alignment between committees is required.



## 4.3 Interim Water Management

<b>Reports to:</b>	Council
<b>Chair:</b>	Independent Chair
<b>Deputy Chair:</b>	Mayor Rehette Stoltz
<b>Membership:</b>	Cr Larry Foster, Deputy Mayor Aubrey Ria, Cr Daniel Thompson, Cr Rhonda Tibble and Cr Nick Tupara Four iwi members Two independent members
<b>Meeting frequency:</b>	As required

### Purpose

- To provide strategic and operational oversight of Council's Three Waters services (drinking water, wastewater and stormwater).
- To monitor delivery, performance, regulatory compliance and environmental outcomes relating to water services, ensuring that Council's activities meet statutory, financial and community expectations.
- To oversee implementation of the transition activities and future delivery arrangements set out in the Water Services Delivery Plan, including investment planning, compliance frameworks and asset management improvements.
- To operate alongside the Wastewater Management Committee, which retains its specific statutory purpose under the wastewater resource consents.

### Scope

- The Committee's scope covers all Council activities relating to:
  - Drinking water services.
  - Wastewater services (excluding the functions reserved to the Wastewater Management Committee).
  - Stormwater services.

### Terms of Reference

#### Operational Oversight

- Provide governance direction for water services operational activities, programmes and projects, including major projects.
- Review and adjust relevant work programme priorities within agreed budgets, activity management plans, investment schedules and levels of service.
- Receive updates on operational performance, project progress and service delivery issues.
- Make decisions on operational proposals, options and costed delivery approaches for water services projects.
- Oversee compliance with resource consents, drinking water standards, stormwater discharge requirements and other statutory obligations.



- Consider the strategic regulatory and compliance issues that affect water services.
- Prepare submissions on any matter within the Committee's scope for Council approval, or submit on behalf of Council when timelines do not allow prior Council approval.
- Review performance and environmental outcomes.

#### **Transition Implementation (Water Services Delivery Plan)**

- Oversee implementation of the transition programme set out in the Water Services Delivery Plan, including:
  - development of future water services delivery arrangements (including the establishment of a dedicated internal water services business unit),
  - ring-fenced financial management and reporting structures
  - compliance programmes and regulatory upgrades
  - investment planning and prioritisation
  - improvements in asset management maturity risk, resilience and emergency response capability
- Monitor progress against key transition milestones, including infrastructure renewal, delivery of capital programmes, and compliance with drinking water and environmental standards.
- Receive regular reporting on network performance, capital expenditure, regulatory compliance and financial sustainability as required by the WSDP.
- Provide direction on the development and implementation of water services strategies and long-term planning.

#### **Asset Management**

- Oversee the planning, management, renewal, upgrading and replacement of water services infrastructure.
- Make decisions on water services assets becoming Council assets, and on water services infrastructure on behalf of Council.

#### **Relationship with the Wastewater Management Committee**

- Work alongside the Wastewater Management Committee (WMC) without duplicating its statutory functions.
- Refer to the WMC those matters falling within the conditions of wastewater resource consents.
- Receive reports from the WMC to support alignment across water services governance.

#### **Power to Act**

To make all decisions necessary to fulfil the role and scope of the Committee subject to any limitations imposed by Council or legislation.

#### **Power to Recommend**

To Council and/or any Council committee as it deems appropriate.



## 4.4 Emergency Committee

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Mayor Rehette Stoltz
<b>Deputy Chairperson:</b>	Deputy Mayor Aubrey Ria
<b>Membership:</b>	The Committee Chair whose portfolio aligns to the matter of urgency in the first instance or another available Councillor as nominated by the Chairperson in the second instance.
<b>Quorum:</b>	Two members.
<b>Meeting frequency:</b>	As required.

### Purpose

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

### Role

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

### Power to Act

- The Emergency Committee can only be activated by resolution of Council for specific events, or where resolution by Council is not possible, on the joint authority of the Gisborne District Council's Mayor and Deputy Mayor.

### Power to Recommend

- The Emergency Committee reports to the Council.



## 4.5 Chief Executive Performance Committee

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Mayor Rehette Stoltz
<b>Membership:</b>	Deputy Mayor Aubrey Ria, Cr Larry Foster, Cr Rawinia Parata and Cr Rob Telfer.
<b>Quorum:</b>	Half of the members when the number is even and a majority when the membership is uneven.
<b>Meeting frequency:</b>	Bi-annually

### Terms of Reference

The Chief Executive Performance Committee considers and reports to the Council on the following matters:

- Overseeing the performance of the Chief Executive in line with the performance agreement and his/her ongoing relationship with the Council, and report regularly to the Council on his/her performance.
- Facilitating regular performance reviews of the Chief Executive and reporting on a regular basis to the Council.
- Undertaking reviews of the Chief Executive's remuneration package in accordance with the employment agreement and make recommendations to the Council.
- Engaging relevant external advice – including independent legal advice to assist the committee with all or any of these matters, as appropriate, ensuring such advisors are not otherwise contracted to the Council for similar services.
- Matters relating to succession planning and the appointment of a Chief Executive, as may be necessary from time to time, including:
  - Overseeing the recruitment and selection process for a Chief Executive
  - Recommending candidates and remuneration to the Council for consideration.

### Powers

The Chief Executive Performance Committee has no executive powers other than outlined in the Terms of Reference and is directly responsible to Council.



## 4.6 Hearings Committee

<b>Reports to:</b>	Council
<b>Chair:</b>	Cr Jeremy Muir
<b>Membership:</b>	Cr Alexandra Boros, Cr Larry Foster, Cr Debbie Gregory, Deputy Mayor Aubrey Ria and Cr Nick Tupara.
<b>Quorum:</b>	Half of the members when the number is even and a majority when the membership is uneven.
<b>Meeting frequency:</b>	As required

### Purpose

The purpose of the committee is to conduct hearings and make determinations on matters where Council is required to hear submissions, objections or applications under legislation. The Committee's role is limited to statutory hearings and related decisions or recommendations. It does not deal with matters arising under the Resource Management Act 1991, strategic, policy, Long Term Plan, or other significant matters (as assessed by the Chief Executive or Mayor).

### Terms of Reference

- Conduct hearings required under legislation in accordance with natural justice and administrative law principles.
- Make decisions and determinations on matters delegated to the Committee or make recommendations to Council where the final decision may not be delegated (such as the decision to make a bylaw).
- The functions of the Committee include:
  - Hearing submissions on a Council proposal to make, amend, or revoke a bylaw.
  - Hearing objections or submissions under the Reserves Act 1977 for recommendation to the Council.
  - Hearing and determining objections under the Dog Control Act 1996.
  - Hear submissions relating to the development or review of a Local Alcohol Policy under the Sale and Supply of Alcohol Act.
  - Hearing and determining matters arising under bylaws.
  - Hearings under the Gambling Act 2003, Building Act 2004, Biosecurity Act 1993, Health Act 1956, Land Transport Act 1998, Waste Minimisation Act 2008 and Maritime Transport Act 1994.
  - Hearings and determining applications relating to temporary road closures under the Local Government Act 1974.



### **Power to Act**

- The Committee will have the authority to exercise any powers and functions necessary to fulfil its role.
- A Hearing Panel does not have the authority to make, amend, or revoke a bylaw, but may recommend such a decision to Council.

### **Power to Recommend**

To Council and/or any Council committee as it deems appropriate.



## 4.7 Conduct Review Committee

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Independent
<b>Membership:</b>	Mayor Rehette Stoltz and independent members as required
<b>Meeting frequency:</b>	As required

### Purpose and Terms of Reference

Conduct investigations and make recommendations regarding Councillors' compliance with the Code of Conduct, as set out in the Code of Conduct: [Code of Conduct](#)



## 4.8 Local Transport Committee

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Cr Colin Alder
<b>Membership:</b>	Cr Alexandra Boros, Cr Larry Foster, Cr Anne Huriwai, Cr Jeremy Muir, Cr Rawinia Parata, Cr Rob Telfer, Cr Teddy Thompson
<b>Quorum:</b>	Half of the members when the number is even and a majority when the membership is uneven.
<b>Meeting frequency:</b>	As required

### Purpose

To oversee the delivery, performance, and continuous improvement of all local transport operations and services including:

- Roading
- Walking and cycling infrastructure
- Public transport and travel demand.
- Local safety and transport innovation

### Terms of Reference

- Oversee and make decisions on delivery, maintenance, and funding of the local transport system, including associated structures, bridges and retaining walls, walkways, footpaths and road reserve, landscaping and ancillary services and facilities, street lighting and traffic management control.
- Maintain close alignment with the Regional Transport Committee to ensure coordination of planning, funding, and delivery across the local and regional transport system

Make decisions relating to traffic and parking under the following legislation:

- Land Transport Act 1998;
- Local Government Act 1974;
- any Land Transport Rules (including the [Land Transport Rule: Setting of Speed Limits 2022](#), and [Land Transport Rule: Traffic Control Devices 2004](#);
- Heavy Motor Vehicle Regulations 1974;
- Tairāwhiti Traffic and Parking Bylaw 2021;
- Gisborne District Council Speed Limits Bylaw 2013.

### Power to Act

To make all decisions necessary to fulfil the role and scope of the Committee.

### Power to Recommend

To Council and/or any Committee as it deems appropriate.



## 5. Statutory Committees

### 5.1 Regional Transport Committee

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Cr Rob Telfer
<b>Membership:</b>	As specified in the Land Transport Management Act 2003: Four Councillors – Cr Colin Alder, Cr Jeremy Muir and Cr Teddy Thompson One NZ Transport Agency representative Community representatives as required
<b>Quorum:</b>	Three
<b>Meeting Frequency:</b>	Four times a year

#### Purpose

Under s 106 of the Land Transport Management Act 2003, the purpose of the committee is to:

- To prepare a regional land transport plan, or any variation to the plan, for the approval of the Council.
- To provide the Council with any advice and assistance the Council may request in relation to its transport responsibilities.

#### Terms of Reference

- Facilitate the overall aim of achieving an integrated, safe, responsive and sustainable transport system in the region that satisfies, as far as practicable, the objectives of the Land Transport Act 1998 and the Land Transport Management Act 2003.
- Oversee, prepare and monitor:
  - Regional Land Transport Plan (RLTP)
  - Regional Public Transport Plan
  - Regional Land Transport Programme or variations.
- To approve submissions to external bodies on policy documents likely to influence the content of the RLTP.
- Co-ordinate applications for regionally distributed funding.
- Facilitate the objectives of economic development, safety and personal security, public health, access and mobility, cultural interests and environmental sustainability.
- To adopt a policy that determines significance in respect of variations made to the regional land transport plan and the activities that are included in the regional land transport plan.



### **Power to Act**

- To make all decisions necessary to fulfil the role and scope of the Committee, subject to the limitations imposed.
- To appoint advisors to assist the Committee.

### **Power to Recommend**

- To Council and/or any Council committee as it deems appropriate.

### **Special Notes**

The Committee has no delegated authority.

- **The NZ Transport Agency:** The Land Transport Management Act 2003 requires a NZ Transport Agency representative to be appointed by the Council as a member of the Regional Transport Committee. The NZTA representative has full voting rights on every matter before the Committee.

The Council has provided the NZ Transport Agency member the ability to appoint another person to act as the NZ Transport Agency representative in the event the NZ Transport Agency member cannot attend a Committee meeting. The delegate has full voting rights.

The NZ Transport Agency member may abstain from voting on issues that they consider have political repercussions.



## 5.2 Civil Defence Emergency Management Committee

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Mayor Stoltz
<b>Deputy Chairperson:</b>	Deputy Mayor Aubrey Ria
<b>Membership:</b>	Cr Anne Huriwai, Cr Jeremy Muir, Cr Rawinia Parata and Cr Rhonda Tibble and four iwi appointees (TBC).
<b>Quorum:</b>	Half of the members when the number is even and a majority when the membership is uneven.
<b>Meeting Frequency:</b>	As required. Meetings may take place on the same day as Council meetings.

### Purpose

To perform the functions of a Civil Defence and Emergency Management Group required under section 12(1)(b) of the Civil Defence and Emergency Management Act 2002 (the Act).

To ensure that appropriate emergency management as detailed in the Civil Defence Emergency Management Act 2002 (the Act) is carried out within the Gisborne District.

Provide governance and oversight of the activities required to be undertaken on its behalf by the Act.

### Terms of Reference

The Civil Defence and Emergency Management Committee has responsibility and authority to:

- Be Gisborne's strategic forum for civil defence emergency management planning and policy.
- Co-ordinate planning, programmes and activities related to civil defence emergency management across the areas of risk reduction, readiness, response and recovery.
- Assist in local civil defence emergency management planning activity through developing, approving, implementing and monitoring the Gisborne Civil Defence Emergency Management Group Plan and ensuring alignment of local planning with national plans and strategy.
- Establish and maintain a Civil Defence Emergency Management Co-ordinating Executive Group, as required by section 20 of the Act.
- Exercise the statutory powers and functions outlined in the Act, including those set out in sections 17 and 18 of the Act.

Relevant legislation includes (but not limited to) the Civil Defence Emergency Management Act 2002.



## 5.3 District Licencing Committee

**Chairperson:** Commissioner Pat Seymour

**Membership:** Cr Alexandra Boros

A chairperson and two other members who are appointed from a list of persons approved by council under s 192 of the Sale and Supply of Alcohol Act 2012 to be a member of a District Licensing Committee. Appointments are made for each application or other matter by the Secretary of the Committee under delegated authority.

**Meeting Frequency:** As required.

### Purpose

To perform the independent statutory functions of a District Licensing Committee under the Sale and Supply of Alcohol Act 2012 (SSA).

### Terms of Reference

The functions of the District Licensing Committee is specified by the SSA, and include:

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



## 6. Joint Committees

### 6.1 Local Leadership Body

<b>Reports to:</b>	Council
<b>Co- Chairs:</b>	Mayor Rehette Stoltz and **
<b>Membership:</b>	<p>The membership of the Local Leadership Body (LLB) is specified under the Ngai Tāmanuhiri Claims Settlement Act 2012 as follows:</p> <p>Two members appointed by the Ngai Tamanuhiri trustees; and</p> <p>Two members appointed by the trustees of the Rongowhakaata Charitable Trust; and</p> <p>Two members appointed by the trustees of Te Aitanga a Māhaki Trust; and</p> <p>Five councillors, being; Cr Samuel Gibson, Cr Debbie Gregory, Cr Jeremy Muir, Cr Rawinia Parata and Cr Rhonda Tibble.</p>
<b>Quorum:</b>	TBC
<b>Meeting Frequency:</b>	TBC

#### General Purpose and Objectives

The Local Leadership Body is a statutory body established as a permanent joint committee of the Council under the Ngai Tāmanuhiri Claims Settlement Act 2012. Its purpose is to:

- (a) contribute to the sustainable management of the natural and physical resources in the LLB area for the use and enjoyment of present and future generations, while recognising and providing for the traditional relationship of Ngai Tāmanuhiri, Rongowhakaata, and Te Aitanga a Māhaki and Affiliates with their ancestral lands, water, sites, wāhi tapu, and other taonga; and
- (b) to enable individuals and communities within the LLB area, as resources allow, —
  - (i) to provide for their social, economic, and cultural well-being; and
  - (ii) to achieve improved outcomes in respect of the environment; and
- (c) to ensure that the Council is appropriately informed of its statutory obligations within the LLB area, including obligations in respect of Te Tiriti o Waitangi arising under the Local Government Act 2002 and the Resource Management Act 1991 and any other relevant enactment.

#### Terms of Reference:

To be agreed by the Council, Ngai Tamanuhiri trustees, trustees of the Rongowhakaata Charitable Trust and trustees of the of Te Aitanga a Māhaki Trust under section 51 of the Act.



## 6.2 Joint Management Agreement Forum – Waiapu Catchment

<b>Reports to:</b>	Council
<b>Co-chairs:</b>	Mayor Rehette Stoltz and **
<b>Membership:</b>	<p>Council Membership is the Chief Executive Nedine Thatcher-Swann (or designated staff member), Mayor Rehette Stoltz and Cr Rawinia Parata</p> <p>TRoNPnui Membership is the Chief Executive (or designated staff member), the Chairperson of the TRoNPnui Board and a nominated Board member.</p>
<b>Quorum:</b>	Four members, two from each party
<b>Meeting frequency:</b>	Meetings will occur at a frequency of every four months; except where an extraordinary meeting may be called by the forums Co-Chairs.

### Purpose

The Joint Management Agreement Forum (the forum) is established by Te Runanganui o Ngāti Porou (TRoNPnui) and the Gisborne District Council (Council), under the aegis of the Joint Management Agreement (JMA) 2015.

The purpose of the JMA, and the JMAF, is to provide a mechanism for ngā hapū o Ngāti Porou to share in RMA decision-making within the traditional Ngāti Porou rohe, mai i Potikirua ki te Toka a Taiau, specifically within the Waiapu Catchment.

### Terms of Reference

The Forum shall operate in accordance with the Terms of Reference adopted on 17 May 2019, as amended from time to time with mutual agreement of the parties.



Te Kaunihera o Te Tairāwhiti  
**GISBORNE**  
DISTRICT COUNCIL

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