



*caring about you & your environment*

## **Report 01.606**

17 August 2001

File: E/6/2/2 (hp)

Report to Policy and Finance Committee  
from Stuart Macaskill, Chairman

### **Committee Arrangements**

#### **1. Purpose**

The purpose of this report is to review Wellington Regional Council (WRC) Committee arrangements, as well as some related issues, with a view to making recommendations for consideration by the incoming Council.

#### **2. Introduction**

It should be noted that both the Local Government Act 1974 and WRC Standing Order 53 deem every Committee to be discharged when the new Council comes into office. This includes subcommittees and special committees. The new Council comes into office on the day following the Electoral Officer's declaration which is expected to be around 20 October 2001. However, Councillors can not act in that capacity until they have made the declaration required at their first meeting (tentatively planned for 26 October 2001).

The current Committee structure is shown in **Attachment 1**.

A review of the make-up of the Regional Land Transport Committee and new Emergency Management legislation will both impact on Committee arrangements. Otherwise no further changes to the overall structure are proposed. However, there are other issues which require or warrant consideration.

The recommended structure is shown in **Attachment 2**.

#### **3. Reduction in Number of Councillors**

The reduction in the number of Councillors from 14 to 13 members for the 2001-2004 triennium has the potential to impact on constituency representation on the Standing Committees. This is because, in the past, Council's general practice has been to include a representative from each constituency on each Standing Committee.

The Council is unable to achieve this situation for a number of reasons:

- (1) A general need to ensure a relatively even distribution of committee membership among the Councillors.
- (2) More importantly, are legislative factors which arise in two ways:
  - (a) There is the general requirement of the Local Government Act in Section 223C(g). This states “*so far as is practicable, where a Committee of a Local Authority.....is charged with, or has responsibility for, regulatory functions, that Committee shall not be charged with, or have responsibility for functions that are not regularity functions*”. To achieve this it is thought inappropriate that a person be on both a regulatory and a service delivery committee.
  - (b) There is also a “special provision” relating to the WRC in Section 223CA. This requires the Council to ensure that “*No person shall both be:*
    - (i) *a member of any committee of that council that has responsibility for regulatory functions; and*
    - (ii) *a member of any committee of that council that has responsibility for the operation of the council’s bulk water supply function.*”

For the new Council there will be three constituencies with a single member (for the current triennium there were two such constituencies).

The Local Government Act provides for appointment of other persons (but not officers) to Committees if “*that person has knowledge that will assist the work of the Committee*”. Our policy has been to include an appointee from any single member constituency where there are likely to be matters regularly coming before the committee which impact on that constituency, but the local elected councillor is not a member of the committee. This practice warrants continuation.

### **Proposal**

*That a Committee include an Appointee from any single member constituencies, where there are likely to be matters regularly coming before the committee which impact on that constituency, but the local councillor is not a member of the committee*

## **4. Policy and Finance Committee**

I consider this Committee should continue on its present basis as a special Committee of the whole Council. It is particularly helpful to be able to discuss matters with Council-wide impacts in a formal meeting environment, but with less of the formality of a Council meeting.

This Committee has a key role in consolidating our Long Term Financial Strategies, and consideration of Annual and Business Plan Proposals submitted by Standing Committees. It is also the Council's Audit Committee.

It would also be useful to continue with a Policy and Finance Subcommittee for dealing with matters such as consideration of annual plan submissions. Like the Policy and Finance Committee, this comprises all councillors and differs only by having a smaller quorum.

### **Proposal**

- (i) *That the Policy and Finance Committee be continued as a special committee of the whole Council.*
- (ii) *That the Policy and Finance Sub-committee also be continued.*

## **5. Rural Services and Wairarapa Committee**

Prior to 1992, the Council operated separate Wairarapa and Rural Services Committees. In reality there was much overlap in matters of interest between these two Committees. This is not surprising given that the Wairarapa constituency covers around 75% of the land area of the region and includes the bulk of the Region's rural land. Although biosecurity is a region-wide responsibility, the dominant problem of bovine Tb is most prevalent in the Wairarapa and the vast majority of the Bovine Tb Vector Control rates come from Wairarapa properties. Noxious plant management, and other pest management work, is spread more evenly throughout the region.

Of the two Committees, the Wairarapa Committee had a much heavier workload, but the overall commonality of interest of the two Committees led them to be combined in 1992.

Since 1992, the Rural Services and Wairarapa Committee has operated very effectively as a single Committee comprised as follows:

- (a) The two Councillors elected from the Wairarapa Constituency, one of whom is to be Chairperson.
- (b) Not less than one other Councillor.
- (c) The Council Chairperson and Deputy Council Chairperson are members *ex officio*, but the latter does not vote when the Council Chairperson is present.
- (d) Not less than four appointees, three of whom must be resident in the Wairarapa Constituency. (The fourth appointee has traditionally come from the western part of the region and from each western constituency on a triennial rotational basis.)

The requirement for a Wairarapa Committee is an ongoing one, provided for in the Wellington Region Constitution Order 1989. To meet this requirement, should the Rural Services and Wairarapa Committee need to meet to consider matters solely related to the Wairarapa Constituency, the following Membership applies:

- (a) The two Councillors elected from the Wairarapa Constituency.
- (b) The Council Chairperson *ex officio*.
- (c) The appointees resident in the Wairarapa Constituency.

(Rarely, if ever, has the Committee considered Wairarapa matters separately and excluded other members.)

An earlier proposal that one of the Appointees be nominated by Wairarapa Iwi has not been implemented and, with the widened scope of Ara Tahi, would not seem necessary.

In my view the present arrangements have worked well and no change should be made.

I suggest that nominations for the appointments to the Committee be invited immediately after the 13 October election, so that decisions on appointees can be expedited once councillors are appointed to the respective Committees. There is a requirement to consult with Wairarapa territorial authorities about such appointments.

### **Proposal**

- (i) *That the combined Rural Services and Wairarapa Committee be continued.*
- (ii) *That immediately after the election, nominations for other appointments to the Committee be invited by way of public notice.*

## **6. Environment Committee**

No fundamental changes are suggested for this Committee which has a key role with the Council's Resource Management Act responsibilities.

The Committee should clearly continue to have responsibility for harbour matters, although its role as "Wellington Harbour Committee" was only required by the 1989 Reorganisation Order until 1 November 1995. The current terms of reference for this Committee requires one additional person when considering harbours issues. (This number was two prior to the present triennium, comprising one appointee with Wellington Harbour expertise and the other with Porirua Harbour expertise.)

There is also an ongoing requirement under the Civil Defence Act 1983 for this Committee to include a representative of the Director of Civil Defence when considering emergency management issues. New Emergency Management legislation, currently before Parliament, proposes establishment of a joint committee. This is to include representatives of territorial authorities and other agencies and to be administered by the Regional Council.

### **Proposal**

- (i) *That one additional person be appointed to the Environment Committee when considering Harbour matters.*
- (ii) *That Committee arrangements for Civil Defence be reviewed when the new legislation is enacted.*

## 7. Transport Committees

Council has two transport standing committees of the Council, being the

- **Regional Land Transport Committee (RLTC)**, and the
- **Passenger Transport Committee (PTC)**

### (a) **Regional Land Transport Committee**

The Land Transport Act 1998 requires the Council to establish this Committee. The composition of this Committee and its processes are subject to a separate review. After consultation has been completed and the proposal further considered by the RLTC at its next meeting, it is proposed that specific recommendations be made to the Policy and Finance Committee meeting on 27 September.

This Committee's role is fundamentally a policy one of preparing and the monitoring the implementation of the Regional Land Transport Strategy. It does not, however, have the operational or budgetary responsibilities of a standing committee. For this reason, I believe "special" committee status would be more appropriate.

### (b) **Passenger Transport Committee**

The Committee's role is principally about delivering on the passenger transport provisions of the Regional Land Transport Strategy.

In addition to Councillors, the Committee also includes an appointee nominated by Wellington City Council (WCC) (currently Councillor Foster) who has speaking but not voting rights. (Cr McDavitt, as Chair of the PTC, attends meetings of the WCC's Transport and Infrastructure Committee on a reciprocal basis.) It is considered this should continue, given that Wellington City is the major destination for public transport services.

WRC members of this Committee have also made up "core" membership of the RLTC. However, the current review of that Committee proposes a different basis for WRC representation and a separate Committee Chairperson.

The frequency of meetings of the PTC needs to be reviewed, given some of the issues facing Council. Generally, it has been meeting on a three-monthly basis, alternating with meetings of the RLTC.

## **Proposal**

### (i) *Regional Land Transport Committee:*

- (a) *That further consideration of this Committee be held over to 27 September.*
- (b) *That consideration then be given to recommending it be given "special" committee status.*
- (c) *That meetings be held on an "as required" basis.*

(ii) *Passenger Transport Committee:*

*That the PTC continue on the present basis; but generally meeting on a six-weekly basis.*

## **8. Landcare Committee**

This Committee has responsibilities for overseeing the financial management and planning, operation, enhancement and maintenance of the Council's river and floodplain management in the western region, natural forests, regional parks and recreational facilities.

In addition to Regional Councillors, Membership of the Committee has included the Regional Conservator of the Department of Conservation who has speaking but no voting rights. (Cr Laidlaw attends meetings of the Conservation Board, also without voting rights).

The Council is no longer a rural fire fighting authority, which was a specific responsibility of this Committee in the past.

No changes are proposed at this time.

### **Proposal**

*That the Landcare Committee continue as at present.*

## **9. Utility Services Committee**

The responsibilities of this Committee includes overseeing the planning, development, operation and maintenance of:

- The Wellington metropolitan bulk water supply system.
- The Wellington City Water distribution system (in accordance with a contract with Wellington City Council).
- The Engineering Consultancy Business Unit.
- The Laboratory Services Business Unit.
- Plantation forest estates owned by the Wellington Regional Council or operated jointly with other authorities, organisations or individuals.

The WCC has of course announced its intention to take back much of the responsibility of the contract with that Council.

It should also be noted that Cr Ian Hutching, Chair of WCC's Transport and Infrastructure Committee, currently attends this Committee with speaking rights, which has been useful. The arrangement has been beneficial. (The Chair of the Utility Services Committee attends the WCC Transport and Infrastructure Committee meeting on a reciprocal basis).

This arrangement should be reviewed, given WCC's intentions concerning our contract with them. In the new environment, it would be very hard to justify WCC representation on the Committee when the other three bulk water customers are not represented.

### **Proposal**

- (i) *That, for the mean time, the Utility Services Committee continue unchanged.*
- (ii) *That Wellington City Council representation on the Utility Services Committee be reviewed.*

## **10. Special and Joint Committees**

Currently the only such Committee is the Hutt River Floodplain Management Advisory Committee, which is a sub-committee of the Landcare Committee.

The continuation of this sub-committee and revised terms of reference have been recommended by the Landcare committee.

The need for other or special or joint committees is a matter that should be considered by the appropriate standing committees of the new Council.

### **Proposal**

*That the Hutt River Floodplain Management Committee continue as recommended by the Landcare Committee.*

## **11. Ara Tahi**

Ara Tahi is an advisory group of regional iwi representatives which was established in 1994, in response to the Council's duty to consult iwi in terms of the Resource Management Act 1991. (It is not a Committee of Council). Ara Tahi provides advice to the Council on issues relating especially to resource management. Over the last three years, Ara Tahi has also developed a more general liaison role between the Council and the regional Iwi.

The Council has a Charter of Understanding with individual iwi represented on the group which reflects the Council's commitment to the principal of partnership with the tangata whenua. A major review of this was completed in August 2000.

### **Proposal**

*That Ara Tahi continue as at present.*

## **12. Committees' Terms of Reference**

The current terms of reference adopted by Council on 4 July 2000 are tabled. (**Copies are available on request.**) It is proposed that these terms of reference be reviewed by the incoming committees for recommendation to the Policy and Finance Committee which would recommend consolidated terms of reference to the Council.

## Proposal

*That the attached terms of reference be referred to the new standing committees for consideration and recommendation to the Policy and Finance Committee and that that Committee recommend consolidated terms of reference to the Council.*

### 13. Meeting Timetable

The six-weekly meeting cycle continues to work well and there is no justification for any change. Council meetings are usually preceded by a meeting of the Policy and Finance Committee.

The current pattern for ordinary meetings is as follows:

	Tuesday	Thursday
<b>Week 1</b>		
<b>Week 2</b>		Rural Services & Wairarapa
<b>Week 3</b>	Landcare	Passenger Transport
<b>Week 4</b>	Utility Services	Environment
<b>Week 5</b>		
<b>Week 6</b>	Council	

Daytime meetings should also be continued, commencing at 9.30am.

## Proposal

*That the new Council continue to hold ordinary meetings on a six-weekly meeting cycle with Committee meetings concentrated over three weeks in each cycle on Tuesdays and Thursdays with Council meetings being held on a second Tuesday after the last standing Committee meeting, with all meetings starting at 9.30am.*

### 14. Role of Deputy Council Chairperson

Council policy is that the Chairperson be an *ex officio* member of all committees, except the Utility Services Committee when it considers bulk water supply issues. The Deputy Chairperson, like other Councillors, has full membership of some committees and for the remainder, is an *ex officio* member. There is a convention that if both are present at a Committee meeting, then only one should vote. There have been a number of matters which have taken me away from Council from time to time, and meant that I have missed some Committee meetings. Having the Deputy Council Chairperson at all the meetings can be very useful in terms of a general understanding of issues and also in respect to thinking on specific issues which have implications extending beyond the particular Committee.

The practice of the Deputy Chairperson chairing meetings of the Policy and Finance Sub-Committee works well and should continue.



## **Proposed**

*That the Deputy Council Chairperson:*

- (i) *Continue to be a member ex officio of those committees where not a full member; and*
- (ii) *Continue to be Chairperson of the Policy and Finance Sub-Committee.*

## **15. Councillors' Job Evaluation**

The WRC was the first council in New Zealand to apply job evaluation processes to elected members' remuneration. The results have had to be applied within the framework of ministerial remuneration determinations.

Legislation currently before Parliament will give responsibilities for determining councillors' remuneration to the Higher Salaries Commission. That body is expected to utilise job evaluation type processes. (I understand the Bill has not yet emerged from the Select Committee. How the Commission will approach its responsibilities is as yet unclear).

It is not considered appropriate to commission a fresh evaluation at this stage, particularly as market rates of remuneration for WRC Councillors are now in excess of the maximum that is allowed under the present Ministerial determinations and is paid by the WRC.

A new interim Determination increasing rates of Councillors' remuneration is expected in the near future with retrospective effect from February last when the Higher Salaries Commission last reviewed Parliamentary salaries.

## **16. Recommendations**

(1) *That the outgoing Council recommends to the incoming Council that its Committee structure comprise:*

- (a) *Special Committees as follows:*
  - *Policy and Finance Committee of the whole Council, together with a Policy and Finance Sub-committee.*
  - *Regional Land Transport Committee*
- (b) *The following standing committees:*
  - *Rural Services and Wairarapa*
  - *Environment*
  - *Regional Land Transport*
  - *Landcare*
  - *Utility Services*

(c) *Concerning individual committees, it is further recommended that:*

*Rural Services and Wairarapa Committee*

- (i) *That the combined Rural Services and Wairarapa Committee be continued.*
- (ii) *That immediately after the election, nominations for other appointments the Committee be invited by way of public notice.*

*Environment Committee*

- (iii) *That one additional person be appointed to the Environment Committee when considering Harbour matters.*
- (iv) *That Committee arrangements for Civil Defence be reviewed when the new legislation is enacted.*

*Regional Land Transport Committee*

- (v) *That further consideration of this Committee be held over to 27 September.*
- (vi) *That consideration then be given to recommending it be given "special" committee status.*
- (vii) *That meetings be held on an "as required" basis.*

*Passenger Transport Committee*

- (viii) *That the PTC continue on the present basis; but generally meeting on a six-weekly basis.*

*Landcare Committee*

- (ix) *That the Landcare Committee continue as at present.*

*Utility Services Committee*

- (x) *That, for the mean time, the Utility Services Committee continue unchanged.*
- (xi) *That Wellington City Council representation at the Utility Services Committee be reviewed.*

*Special and Joint Committees*

- (xii) *That the Hutt River Floodplain Management Committee continue as recommended by the Landcare Committee.*

*Ara Tahi*

- (xiii) *That the Ata Tahi continue as at present.*
- (2) *That the relevant terms of reference be referred to the new standing committees for consideration and recommendation to the Policy and Finance Committee and that Committee recommend consolidated terms of reference to the Council.*
  - (3) *That the new Council continue to hold ordinary meetings on a six-weekly meeting cycle with Committee meetings concentrated over three weeks in each cycle on Tuesdays and Thursdays with Council meetings being held on a second Tuesday after the last standing Committee meeting, and all meetings starting at 9.30am.*

(4) *That the Deputy Council Chairperson:*

- (i) *Continue to be a member ex officio of those committees where not a full member; and*
- (ii) *Continue to be Chairperson of the Policy and Finance Sub-Committee.*

STUART MACASKILL  
Chairman

**Attachment 1: Present Standing Committee Structure**  
**Attachment 2: Proposed Standing Committee Structure**

**Tabled Documents: Committees' Terms of Reference**

**Attachment 1 to Report 01.606**  
**Page 1 of 1**

**Attachment 2 to Report 01.606**  
**Page 1 of 1**