

Terms of Reference for Council and Standing Committees

**Adopted by the Wellington Regional
Council on 4 July 2000**

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Preface

Roles of Council and Management

One of the strengths of the Wellington Regional Council over the last nine years has been the partnership between Councillors and management. This has been a cornerstone of the effective implementation of the requirements of Central Government to improve performance and increase efficiency, effectiveness and accountability. The expectation set out in legislation is for Councillors to concentrate on policy and determination of priorities with day-to-day operations being attended to by staff.

Councillors are accountable to the regional community for the **outcomes** of Council activities and the General Manager is accountable to the Council for **the outputs** which achieve those outcomes.

The Council and Committee structure is set out **diagrammatically** on page iii. It also shows the executive management structure and identifies which officers report to the various committees.

Role of Council

The full Council makes policy, authorises the overall allocation of resources and sets priorities. It determines the levels of services to be provided and monitors the decisions of Standing Committees.

Overall priorities are set out in the Council's 10 year Plan "Investing in the Future".

Business Plans for each significant activity **specify** in full detail 10 year programmes for each such activity. Year one of each Business Plan forms the basis of the Council's statutory Annual Plan. Because the Business Plans represent the Council approved programme for part of the Council's business they can only be (substantively) changed by Council (via the Policy and Finance Committee).

Role of Policy and Finance Committee

The Policy and Finance Committee, a Special Committee of the whole Council, has a key role in co-ordinating and advising Council on overall priorities, plans and resource requirements and monitoring overall progress in achieving plan objectives.

Role of Standing Committees

Standing Committees advise on policies to be adopted and, through the Policy and Finance Committee, recommend priorities and appropriate resource allocations for their areas of responsibilities.

Standing Committees are delegated wide decision making powers within the framework of approved plans and budgets. This avoids the need for business to be debated a second time before the full Council. It should be noted that formal decisions of Committees made under delegated authority are legally decisions of Council and cannot readily be overturned. Where Council has a concern over the decisions of standing committees, the appropriate course of action is to refer the matter back to the Committees concerned. Delegations are formally set out in the Council's Delegations Manual.

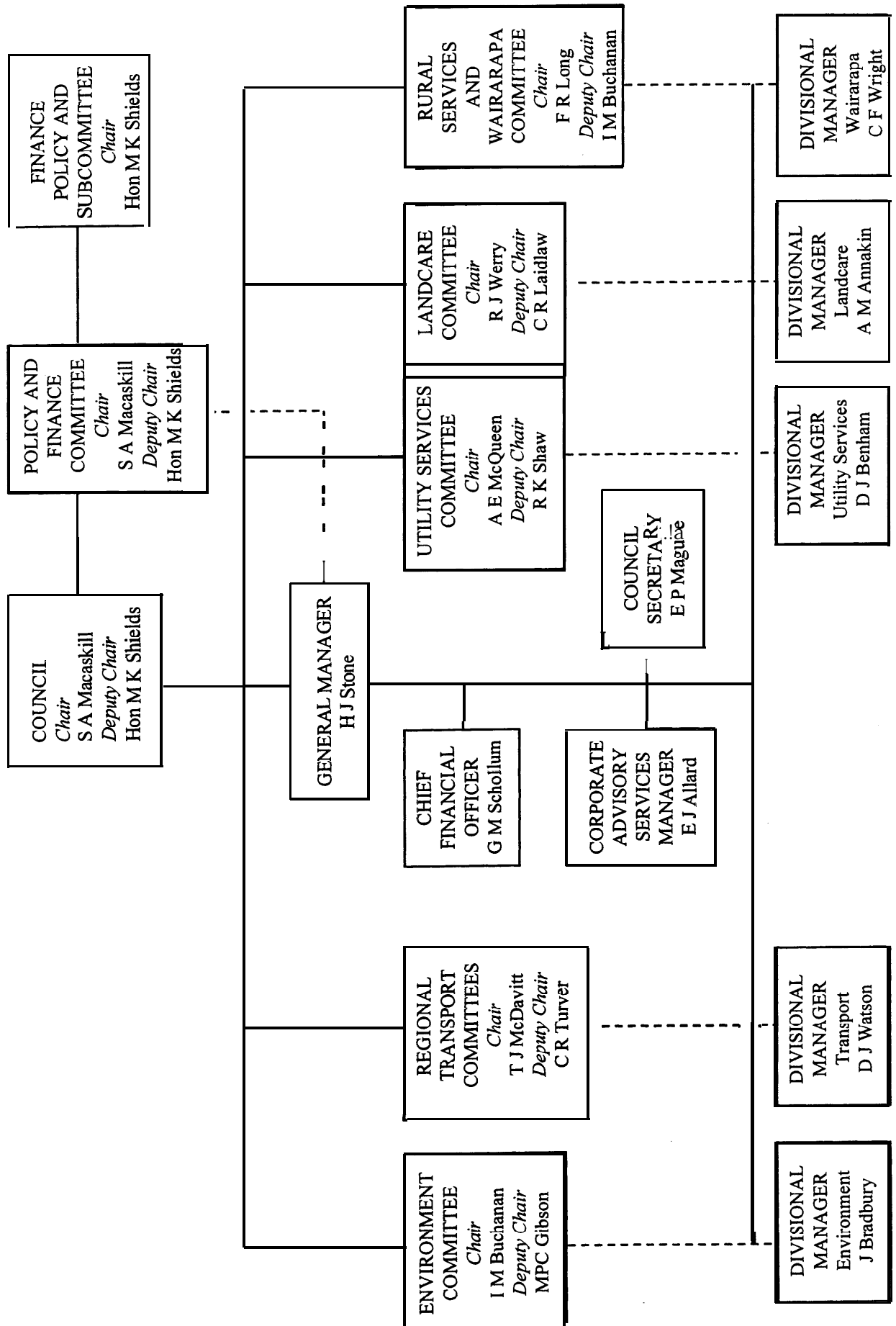
To ensure that Councillors are fully informed and have an opportunity to participate, it is a policy of this Council that all Councillors receive copies of all order papers for all Committees. Councillors may attend any Committee meeting and put forward their views on any matter before the Committee. All matters coming before Standing Committees are reported to Council to ensure that councillors are aware of all decisions made by these Committees in the name of the Council.

Role of Management

The General Manager is responsible in law for the implementation of Council policy and has a clear accountability to the Council for this. The role of management is to ensure that policy is implemented and that Council resources are managed efficiently, effectively and equitably. In addition to providing advice, managers are accountable for performance and report to Council generally through Standing Committees and the Policy and Finance Committee.

The Local Government Act makes the General Manager responsible for the employment, remuneration and conditions of employment of all staff. Policy issues relating to human resources are generally discussed on an informal basis through the Policy and Finance Subcommittee. The General Manager has the power to delegate authority, so making others accountable, but still retains the ultimate responsibility to the Council.

Council and Management Structure



**Objectives of the
Wellington Regional Council**

1. The Wellington Regional Council

Statutory References

The Wellington Regional Council is constituted under the Wellington Region Constitution Order 1989 and its functions and responsibilities are set out in that Order and in various statutes.

Some of the more important legislation affecting Wellington Regional Council is:

- Biosecurity Act 1993
- Building Act 199 1
- Carter Observatory Act 193 8
- Civil Defence Act 1983
- Companies Act 1993
- Forest and Rural Fires Act 1977 and Regulations 1979
- Hazardous Substances and New Organisms Act 1996
- Health and Safety in Employment Act 1992
- Land Transport Act 1993
- Local Authorities (Members' Interests) Act 1968
- Local Elections and Polls Act 1976
- Local Government Act 1974
- Local Government **Official** Information and Meetings Act 1987
- Maritime Transport Act 1994
- Privacy Act 1993
- Public Finance Act 1989
- Public Bodies Leases Act 1969
- Rating Powers Act 1988
- Reserves Act 1977
- Resource Management Act 199 1
- Secret Commissions Act 19 10
- Transit New Zealand Act 1989
- Transport Services Licensing Act 1989
- Wellington Regional Council (Stadium Empowering) Act 1996
- Wellington Regional Water Board Act 1972
- Wellington Region Fire District Order 1986 (to 1 October 2000)

Also relevant are Regulations made under authority of the various Acts and Bylaws made by the Council and its predecessor authorities.

The main bylaws are:

- Wairarapa Catchment Board and Regional Water Board Bylaws 1979
- Wellington Harbour Board Bylaws
- Wellington Regional Council (Standing Orders) Bylaw 1990
- Wellington Regional Council Bylaws for Forests, Parks and Recreation Areas 1994
- Wellington Regional Water Board Bylaws 1976

In addition to its statutory functions, Wellington City water supply distribution and some other functions are undertaken by agreement with constituent councils.

Membership

The Wellington Regional Council elected in 1998 consists of 14 members from six constituencies:

- Kapiti Constituency 1
- Lower Hutt Constituency 3
- Porirua Constituency 2
- Upper Hutt Constituency 1
- Wairarapa Constituency 2
- Wellington Constituency 5

Quorum: 7

Mission

Sustainable Environmental Management
Efficient Regional Services
Community Responsiveness

Policies in Pursuit of the Above Mission of the Regional Council with its Statutory responsibilities are to:

- 1.1 Represent and advance the Wellington Region, and the Region's viewpoint, within the parameters of legislative powers.
- 1.2 Provide the means for regional issues that are the responsibilities of the Council to be assessed, addressed and determined within the Region.
- 1.3 Take the necessary initiatives to develop regional strategic objectives and policies.
- 1.4 Act quickly and positively in response to events and circumstances that could affect the Region.
- 1.5 Ensure the Government is well informed on the implications for the Wellington Region of Government's policies and to promote with Government measures for the advancement of this Region.
- 1.6 Assess existing and proposed legislation and make submissions relevant to Regional Council activities and regional community interests.
- 1.7 Employ staff, services and advice and take such actions as are necessary to achieve the Regional Council's objectives and to develop and maintain efficiently and effectively those regional and local services for which the Council is responsible.
- 1.8 Establish the priorities for resource allocation within the Wellington Region, including the allocation of funds from Government and any grants and levies raised within Wellington Region for regional facilities, activities and services.

- 1.9 Promote the transfer to the Regional Council or other regional organisations of those Government responsibilities which can most appropriately be undertaken at the regional level.
- 1.10 Undertake itself or jointly such other functions as are provided in law and agreed by Council, and as may be agreed by constituent authorities or other organisations either within or adjacent to the Wellington Region.
- 1.11 Encourage, establish and maintain effective co-operation and co-ordination with territorial and special purpose authorities, Government Departments and other public and private organisations.
- 1.12 Ensure that new activities necessary to the development and/or conservation of the Region's resources are undertaken by the most appropriate organisation.
- 1.13 Be accessible and accountable at all times to the people and community of the Wellington Region.
- 1.14 Delegate to each Standing Committee and Officers such powers and responsibilities as are appropriate for the maximum efficiency of operation.

Policy and Finance Committee

2. Policy and Finance Committee

Membership

A Special Committee of the whole Council which meets as required by Council or on requisition of the Chairperson.

Quorum: '7

Objectives of the Policy and Finance Committee

Objective 2A

To review progress towards achievement of **all** of the Council's objectives.

Objective 2B

To recommend financial policies.

Objective 2C

To propose the Long Term Financial Strategy and associated policies, and consider Annual and Business Plans, major activities, programmes and any changes to them, recommended by Standing Committees and to make recommendations to Council.

Objective 2D

To provide a forum that is less formal than a meeting of Council for consideration of matters that are not the specific responsibility of any Standing Committee or which affect functions or operations in more than one area of the Council's responsibilities.

Specific Responsibilities of the Policy and Finance Committee

- 2.1 Advising the Council on the formulation and review of overall policy and financial objectives, responsibilities, policies and priorities and the resolution of conflicts emerging from competing activities of Council.
- 2.2 Providing policy and financial parameters as input to the preparation of Business and Annual Plans by Standing Committees.
- 2.3 Examining the Business Plans prepared by Standing Committees and consolidating them into a Council-wide Long Term Financial Strategy and Annual Plan for consideration by Council.
- 2.4 Reviewing progress on all work programmes and expenditure, considering progress reports and making recommendations to Council where appropriate.
- 2.5 Acting as the Council's Audit Committee, including consideration of the Council's draft Annual Report and making recommendations to Council as appropriate.

- 2.6 Giving initial consideration to those matters of regional significance which are not the specific responsibility of other Committees and recommending the most appropriate means for those matters to be dealt with.
- 2.7 Recommending to Council policies in relation to Treasury Management including borrowing and investment activities.
- 2.8 Recommending to Council approval of unbudgeted reserve transfers.
- 2.9 Making recommendations on Council's statutory funding policies, its rating policies and levels of rates.
- 2.10 Recommending to Council funding policies on fees and charges for all goods and services provided by Council to other authorities, organisations and private individuals.
- 2.11 Monitoring activities of:
 - (a) Council owned companies and making recommendations concerning the appointment of directors; and
 - (b) The Wellington Regional Stadium Trust and making recommendations concerning the appointment of trustees.
- 2.12 Reviewing and recommending Council's electoral arrangements.
- 2.13 Reviewing the appointment, contract and remuneration of the General Manager.
- 2.14 Reviewing of decisions of the General Manager on remuneration of Executive Managers — the "one over one" principle.
- 2.15 Monitoring and reviewing Council's insurance and significant risk management policies.
- 2.16 Advising the Council and its Committees on policy matters relating to property management.
- 2.17 Recommending the establishment of subcommittees and working parties where appropriate, with specific terms of reference to advise on matters relevant to the Policy and Finance Committee's area of responsibilities and evaluating the recommendations of such subcommittees.
- 2.18 Dealing with such other matters as are referred to it by the Council, Standing Committees, the Chairperson, the General Manager or other officers.

Policy and Finance Subcommittee

3. Policy and Finance Subcommittee

Membership

All Councillors.

Quorum: 4 Councillors including the Subcommittee Chairperson.

Objectives of the Policy and Finance Subcommittee

Objective 3A

To consider all submissions received from the public in relation to the Council's Long-term Financial Strategy, Annual Plan and Funding Policy.

Objective 3B

To provide an informal forum for the discussion of strategic communications issues.

Objective 3C

To monitor senior executive **staffing** policies and provide an informal forum for the discussion of Human Resources issues.

Objective 3D

To monitor and advise Council on the efficient and effective provision of support services to Council and Councillors.

Specific Responsibilities of the Policy and Finance Subcommittee

- 3.1 Receiving submissions on the Council's Long-term Financial Plan, Annual Plan and Funding Policy, and making recommendations to the full Policy and Finance Committee.
- 3.2 Providing a forum in which discussions can take place regarding strategic **communications** issues, with particular reference to their political impacts.
- 3.3 Providing a forum in which discussions with the General Manager can take place regarding human resource issues.
- 3.4 Reviewing budgets for corporate support responsibilities for recommendation to the full Policy and Finance Committee.
- 3.5 Reviewing and maintaining Council Standing Orders, regulations and policy manuals.
- 3.6 Such other matters as may be referred to the Subcommittee from time to time.

**General Responsibilities of
Standing Committees**

4. General Responsibilities

All Standing Committees Shall Have Common Responsibilities To

- 4.1 Advise and make recommendations to Council relating to the effective and efficient performance of the Committee's functions and responsibilities, including periodic review of the Committee Terms of Reference.
- 4.2 To recommend to the Policy and Finance Committee programmes, priorities and budgets identifying desired outcomes over a period of up to 10 years and the resources considered necessary for the effective and efficient performance of functions for which it is responsible.
- 4.3 Monitor progress on the implementation of those activities and projects contained in the current Business and Annual Plans which are the responsibility of the Committee.
- 4.4 Recommend to Council, through the Policy and Finance Committee, any changes in priorities and funding for activities and projects within the Committee's area of responsibility as and when considered necessary or appropriate.
- 4.5 Authorise expenditure for purposes set out in the Business and Annual Plans within the limits of the current approved budget and delegations authorised by Council, as set out in the Council's Delegations Manual and the current approved plans.
- 4.6 Evaluate and report on legislation relevant to the Committee's area of responsibility and make recommendations concerning Bylaws where appropriate.
- 4.7 Make recommendations to the Environment Committee on changes considered necessary or appropriate to the Wellington Regional Policy Statement or regional plans relevant to the Committee's functions and responsibilities.
- 4.8 Discuss and promote its activities with constituent councils and other public bodies, Government agencies, private sector organisations and the general public.
- 4.9 Set up and terminate subcommittees and working parties where appropriate with specific terms of reference to advise the Committee on matters relating to its area of responsibility.
- 4.10 Recommend for consideration by the Policy and Finance Committee, where appropriate, appointment of persons who are not regional councillors and who have a knowledge that would assist the work of the Committee.
- 4.11 Recommend to Council the establishment and termination of joint committees with other authorities to advise or act on matters which, in the Committee's view, require or would benefit from co-operation.
- 4.12 Nominate, for Council consideration, Committee members or other persons to serve as Council representatives on any body or organisation, the activities of which are relevant to the Committee's area of responsibility.
- 4.13 Actively promote and ensure compliance with relevant legislation.

- 4.14 Determine those matters delegated to it by Council in accordance with approved policies, management plans and Bylaws.
- 4.15 Consider such other matters, relevant to the Committee's responsibilities, as it may determine from time to time.

Environment Committee

5. Environment Committee

Membership

In addition to Councillors, to include:

- (1) A statutory appointee as required by the Civil Defence Act 1983 when considering emergency management matters.
- (2) One additional person when considering harbours' matters.
- (3) 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) The Council Chairperson is a member *ex officio*.

Quorum: 3 Regional Councillors

Objectives of the Environment Committee

Objective 5A

To promote the sustainable management of the natural and physical resources of the Region.

Objective 5B

To manage the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while:

- Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations.
- Safeguarding the life supporting capacity of air, water, soil and ecosystems.
- Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Objective 5C

To promote and enhance comprehensive emergency management, including mitigation, awareness, response and recovery programmes, within the Region.

Objective 5D

To manage the harbours and coastal waters of the Wellington Region for navigation and safety purposes.

Specific Responsibilities of the Environment Committee

- 5.1 Advising the Council on policy matters relating to resource management, environmental standards, harbours and emergency management.
- 5.2 Developing and implementing regional policies and plans.
- 5.3 Considering applications for resource consents and determining them under delegated authority.
- 5.4 Reviewing and approving civil defence plans submitted by city and district councils.
- 5.5 Providing navigational aids, a communications service and enforcing maritime safety regulations on the harbours for which Council is responsible, as well as providing an oil pollution response service for regional coastal waters.
- 5.6 Taking into account the principles of the Treaty of Waitangi in the decision making process and working with the Region's Iwi through Ara Tahi.

Landcare Committee

6. Landcare Committee

Membership

- (1) Councillors.
- (2) The Conservator, Wellington Conservancy, Department of Conservation, with speaking (but no voting) rights.
- (3) The Council Chairperson and Deputy Council Chairperson are members *ex officio*, but the latter does not vote when the Council Chairperson is present.
- (4) 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.

Quorum: 3 Regional Councillors

Objectives of the Landcare Committee

Objective 6A

To recommend policies on the provision, development, operation and management of those services and facilities which are the responsibility of the Committee.

Objective 6B

To monitor and advise the Council on the effectiveness and **efficiency** of the services and facilities which are the responsibility of the Committee.

Specific Responsibilities of the Landcare Committee

- 6.1 Overseeing the planning, development, protection/conservation, operation, and maintenance of:
 - Flood protection and environmental assets for the Western Region river corridors and associated watercourses, including Floodplain Management Planning; policy and implementation.
 - The recreation, environmental/ecological and heritage values of the Regional Parks network: parklands, recreation reserves, natural forests, facilities and, as mutually agreed, other assets, owned, operated, or to be developed by, the Regional Council, or in conjunction with other parties.

From 1 October 2000, it is proposed that the WRC Rural Fire District be disestablished. From that date, fire suppression will become an environmental asset management function of the **Landcare** Division through the wider Rural Fire community.

- 6.2 Approving under delegated authority and, where appropriate, recommending to Council commercial agreements with public and private sector authorities and organisations and private individuals for the use of Council property and facilities within the areas of the Committee's responsibility.

Utility Services Committee

7. Utility Services Committee

Membership

- (1) Councillors.
- (2) Membership of the Committee includes the Council Chairperson and the Deputy Council Chairperson *ex officio*, but excludes both when the Committee is considering Wellington bulk water supply matters. When considering other matters, the **Deputy** Council Chairperson does not vote when the Council Chairperson is present.
- (3) 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) An appointee nominated by Wellington City Council who will have speaking rights but no voting rights.

Quorum: 3 Regional Councillors

Objectives of the Utility Services Committee

Objective 7A

To recommend policies on the provision, development, operation and management of those services which are the responsibility of the Committee.

Objective 7B

To monitor and advise the Council on the effectiveness and efficiency of the services which are the responsibility of the Committee.

Specific Responsibilities of the Utility Services Committee

- 7.1 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.
- 7.2 Monitoring performance of Utility Services Division Business Units.
- 7.3 Approving under delegated authority and, where appropriate, recommending to Council commercial agreements with public and private sector authorities and organisations, and private individuals for the supply of Council services within the area of the Committee's responsibility.

Passenger Transport Committee

8. Passenger Transport Committee

Membership

- (1) No more than 7 Regional Councillors appointed by Council.
- (2) The Council Chairperson is a member *ex officio*.
- (3) 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) An appointee nominated by Wellington City Council who will have speaking rights but no voting rights.

Quorum: 3 Regional Councillors

Objectives of the Passenger Transport Committee

Objective 8A

To promote the establishment and maintenance of appropriate, **efficient**, effective and sustainable passenger transport services within the Wellington Region.

Specific Responsibilities of the Passenger Transport Committee Include

- 8.1.2 Ensuring passenger transport planning work is co-ordinated with overall transport planning policies and objectives.
- 8.1.3 Preparation of the Regional Passenger Transport Plan.
- 8.1.4 Developing an urban passenger transport policy framework within which the tendering of services can be managed so as to provide agreed levels of service and improve co-ordination of services that are efficient and economic.
- 8.1.5 Ensuring that Government subsidies and the costs of urban passenger transport services are allocated equitably across the Region to promote the economic use of all transport services and facilities, whether public or private.
- 8.1.6 Exploring the potential for innovation and the introduction of new or modified systems and techniques that improve the effectiveness of the passenger transport system.
- 8.1.7 Giving due regard to environmental values and pollution in passenger transport planning.

Regional Land Transport Committee

9. Regional Land Transport Committee

Membership

- (1) A Regional Councillor as Chairperson
- (2) Up to six other Regional Councillors who shall be members of the Passenger Transport Committee.
- (3) The Regional Council Chairperson is a member *ex officio*.
- (4) Eight territorial authority councillors with one for each constituent territorial authority wholly within the Region.
- (5) One person to represent each of the following organisations:
 - Transfund New Zealand
 - Transit New Zealand
 - Land Transport Safety Authority
 - Police Commissioner
 - Commercial road users
 - Private road users
 - Public transport users/cyclists/pedestrians
 - Wellington Regional Chamber of Commerce
- (6) Committee membership should comprise no more than 25 people.

Quorum: 3 Regional Councillors

Objectives of the Regional Land Transport Committee

Objective 9A

To promote the establishment and maintenance of appropriate, **efficient**, effective and sustainable transport systems within the Wellington Region and linking it to other regions of New Zealand and the outside world consistent with its responsibilities under the Land Transport Act 1998.

Specific Responsibilities of the Regional Land Transport Committee Include

- 9.1.1 Preparation of the five year Regional Land Transport Strategy.
- 9.1.2 Ensuring the Regional Land Transport Strategy is consistent with all statutory requirements.
- 9.1.3 Ensuring transport planning work is coordinated with overall planning policies and objectives.
- 9.1.4 Giving due regard to environmental values and pollution in passenger transport planning.

**Rural Services and
Wairarapa Committee**

10. Rural Services and Wairarapa Committee

Membership

- (1) The two Councillors elected from the Wairarapa Constituency, one of whom is to be Chairperson.
- (2) Not less than one other Councillor.
- (3) The Council Chairperson and Deputy Council Chairperson are members *ex officio*, but the latter does not vote when the Council Chairperson is present.
- (4) Not less than four appointees, three of whom must be resident in the Wairarapa Constituency.

Quorum: 2 Regional Councillors

Should the Rural Services and Wairarapa Committee need to meet to consider matters solely related to the Wairarapa Constituency, the following membership applies:

- (1) The two Councillors elected from the Wairarapa Constituency.
- (2) The Council Chairperson *ex-officio*.
- (3) The appointees resident in the Wairarapa Constituency.

Quorum: 2 Regional Councillors

Objectives of the Rural Services and Wairarapa Committee

Objective 10A

To recommend policies and strategies concerning the management and control of plant and animal pests for the Region.

Objective 10B

To monitor and advise Council on the efficient and effective provision of plant and animal pest control services for the Region.

Objective 10C

To provide a forum for consideration of matters of concern to the rural community of the Wellington Region.

When the Rural Services and Wairarapa Committee meets to consider matters solely related to the Wairarapa Constituency, the following objectives apply:

Objective 10D

To advise and make recommendations on the formulation and implementation of regional policies with respect to the Wairarapa community.

Objective 10E

To monitor and advise Council on the effective and efficient provision of Council services within the Wairarapa Community.

Objective 10F

To provide a forum for consideration of relevant matters of concern to the Wairarapa Community and to be directly involved in the advocacy of those issues.

Objective 10G

To establish and maintain liaison with the three district territorial authorities within the Wairarapa.

Specific Responsibilities of the Rural Services and Wairarapa Committee Include

- 10.1.1 Formulating regional plant and animal pest management strategies and plans that are consistent with other regional resource management policies and plans.
- 10.1.2 Ensuring appropriate funds are available to develop and maintain plant and animal pest management services.
- 10.2 When the Rural Services and Wairarapa Committee meets to consider matters solely related to the Wairarapa Constituency the following responsibilities apply:
 - 10.2.1 Ensuring that the Council and other Committees are well informed on the implications of Council policies with respect to the Wairarapa community.
 - 10.2.2 Initiating with other Committees the development of regional strategic objectives and policies that take into account Wairarapa concerns and aspirations.
 - 10.2.3 Advising on corporate relations and promotional programmes aimed at informing all sectors of the Wairarapa community on issues of Council policy and business.
 - 10.2.4 To ensure so far as practicable, the separation of service and regulatory functions in the conduct of its business.