

**Terms of Reference for Council Committees: 2007-2010 Triennium**

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# 1. Preface

## Statutory Framework

The Wellington Regional Council (the Council) is constituted by statute and is subject to the following principal Acts of Parliament which establish its powers and responsibilities:

- Local Government Act 1974
- Local Government Act 2002
- Local Government Official Information and Meetings Act 1987
- Local Government (Rating) Act 2002
- Local Electoral Act 2001
- Biosecurity Act 1993
- Building Act 2004
- Civil Defence and Emergency Management Act 2002
- Land Transport Act 1998
- Land Transport Management Act 2003
- Reserves Act 1977
- Resource Management Act 1991
- Wellington Regional Water Board Act 1972.

In this document the physical area of the Council's statutory responsibility is referred to as "the region".

## Governance

Councillors are elected to the governance group of the Council through regular three-yearly elections, when the different constituencies of the Council select their representatives for the forthcoming triennium. Once the councillors are sworn in they make decisions in the interests of the region as a whole, although they are also expected to understand the aspirations of different groups within the community.

Councillors have statutory obligations and restraints regarding the exercise of their duties.

Key roles of councillors include appointing the Chief Executive Officer (CEO), approving policies through which programmes are delivered, approving the allocation of resources, setting priorities and monitoring delivery.

Overall programmes and priorities are set out in the Council's Long Term Council Community Plan (LTCCP), Annual Plan and key policy/planning documents, e.g. Regional Policy Statement, Regional Land Transport Strategy.

## **Management**

The Council as an organisation delivers its policies through a range of programmes and activities. The actual delivery is undertaken by staff appointed by the CEO. The CEO is accountable to the Council for all delivery.

## **Organisation of the Council**

Because of the wide range of activities and programmes undertaken by the Council, it is necessary for councillors to organise their own work in a way that facilitates understanding of the issues and community concerns, in a relatively efficient manner.

There are a number of ways of doing this. The Council has decided that the optimal organisational model is to create a series of standing committees which have specific functions outlined in their terms of reference, as well as a series of common responsibilities. They may have delegated powers given by the Council.

Standing committees advise the Council on policies to be adopted, and recommend priorities, in their areas of responsibility. Specific councillors are appointed to each committee, but all Councillors receive copies of the order papers of all standing committees and any councillor may attend and speak at any committee meeting. All matters coming before standing committees are reported to the full Council.

## **2. Role of Council**

The Council will:

1. Retain the full right to exercise its powers, functions and duties.
2. Consider and decide on the key statutory plans the council is required to develop.
3. In particular be responsible for the development of the Regional Policy Statement, the LTCCP and the Annual Plan.
4. Establish standing committees and subcommittees, and working parties where appropriate, then receive and consider the recommendations and matters referred to it by such committees, subcommittees and working parties.
5. Consider issues of regional significance which are not the responsibility of any specific standing committee.
6. Provide regional leadership in promoting and facilitating discussion on key issues that require a collaborative approach between a number of parties to achieve solutions.
7. Take into account the principles of the Treaty of Waitangi as outlined in the charter of understanding between Te Tangata Whenua o Te Upoko o te Ika a Maui and the Council, and facilitate participation by Māori in Council decision-making processes.
8. Appoint the Chief Executive Officer, and then review his/her contract, performance and remuneration at least annually.
9. Approve the Council's Annual Report.
10. Appoint hearings committees as necessary. In the case of the RPS, the LTCCP and the Annual Plan, the hearings committees will be committees of the whole Council with a Chair appointed by the Council for that specific hearing process and an appropriate quorum determined.
11. Monitor activities of the Council Controlled Trading Organisations and the Wellington Regional Stadium Trust (WRST).
12. Appoint directors to the trading organisations, trustees to the WRST and representatives to any other organisations on which the Council is entitled to representation.
13. Review and decide the Council's electoral arrangements.
14. Consider policy matters relating to emergency management.

### **3. General Responsibilities of Committees**

Except where otherwise specifically stated in their terms of reference, all standing committees shall comply with Wellington Regional Council Standing Orders.

All committees and subcommittees have common responsibilities to:

1. Advise and make recommendations to the Council on the effective and efficient performance of the committee's functions and responsibilities, including periodic review of the committee's terms of reference.
2. Monitor and evaluate progress on the implementation of activities and projects in the Annual Plan and the LTCCP, which are the responsibility of that committee and recommend changes to improve outcomes.
3. Monitor and evaluate progress on the achievement of any other plans that are the responsibility of the committee and recommend changes to improve outcomes.
4. Advise the Council on options when there is the possibility of creating greater congruence and integration between the work of the committee in question and other committees.
5. Take into account the principles of the Treaty of Waitangi as outlined in the charter of understanding between Te Tangata Whenua o Te Upoko o te Ika a Maui and the Council, and facilitate participation by Māori in Council decision-making processes.
6. Recommend to Council any changes in priorities and funding for activities and projects within the committee's area of responsibility, as and when considered necessary or appropriate.
7. 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.
8. Evaluate and report on legislation relevant to the committee's area of responsibility, and make recommendations concerning bylaws where appropriate.
9. Make recommendations to the Council on changes considered necessary or appropriate to key policies and plans, including the Wellington Regional Policy Statement, the LTCCP and the Annual Plan.
10. Make recommendations to the Regulatory Committee on any changes considered necessary or appropriate to regional plans relevant to the committee's functions and responsibilities.

11. Discuss and promote its activities with constituent councils and other public bodies, government agencies, private sector organisations, and the general public.
12. 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.
13. Recommend for consideration by the Council, where appropriate, appointment of persons who are not regional councillors and who have skills, attributes or knowledge that would assist the work of the committee.
14. 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.
15. 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.
16. Actively promote and ensure compliance with relevant legislation.
17. Determine those matters delegated to it by Council in accordance with approved policies, management plans and bylaws.
18. Consider such other matters relevant to the committee's responsibilities as it may determine from time to time.

#### **4. Catchment Management Committee** *(with responsibility for overview of Wairarapa)*

##### **Purpose**

- A. Promote policies and programmes that will ensure environmentally sustainable management of the different catchment areas in the region, including flood protection, land management and bio-security.
- B. Consider any issues relating specifically to the Wairarapa constituency that are not more appropriately dealt with in any other Council committee, and oversee the delivery of policies and programmes relating to those issues.

##### **Specific Responsibilities**

1. Promote the integrated management of natural resources, land use and flood risk across the region through the development of the total catchment management concept.
2.
  - (a) Monitor/oversee the maintenance and improvement of flood protection and environmental assets for the region's river schemes, corridors and associated watercourses.
  - (b) Monitor/oversee the development and implementation of floodplain management plans, including the work of the Waiwhetu Stream Advisory Subcommittee.
  - (c) Maintain sound working relationships with the Kapiti Friends, Wairarapa river scheme committees and the Hutt River Advisory Subcommittee.
3. Monitor/oversee the delivery of land management services in the region.
4. Monitor the region's bio-security services, including implementation and regular review of the Regional Pest Management Strategy and the Key Native Ecosystems Programme.
5. Monitor the Council's involvement with the national pest management strategy for bovine Tb, including Council's relationship with the Animal Health Board, and provide a Council representative to the Regional Animal Health Committee.
6. Approve or recommend to the Council commercial agreements for the use of Council property and facilities within the area of the Committee's responsibility.



7. Ensure that any issues of concern to the Wairarapa constituency or to other rural areas that are not covered by other committee responsibilities are given appropriate attention and that any resulting recommendations for policies or actions are recommended to the Council.

## Membership

1. Up to six councillors, including the Council chairperson *ex officio*.
2. Three appointed members selected for their knowledge of flood protection, land management, biosecurity issues, the Wairarapa and/or rural constituencies. One of these three is to be nominated by the Wairarapa Hill Country Advisory Committee.
3. An appointed member nominated by Ara Tahi to represent the interests of the Iwi of the region.
4. Such other members appointed by Council, when the committee considers that it could function more effectively by having such appointed members

## Quorum

Three councillors.

## Delegated Powers

The Council delegates the following statutory powers to the Catchment Management Committee:

<b>Biosecurity Act 1993</b>	
<b>Section of Act</b>	<b>Powers, functions, duties</b>
45(4)(a)	Ask the responsible Minister to declare a pest to which a regional pest management strategy relates to be an organism notifiable within the region
71	Prepare a proposal for a regional pest management strategy
74(3)	Where considered appropriate, require a person who has given notice in writing (requesting that Council notify a proposal for a regional pest management strategy) to pay all or part of the costs of processing the proposal
80D(1)	Where considered appropriate and upon such conditions as considered appropriate, exempt any person from any specified requirement in any rule included in a regional pest management strategy in accordance with the Act

80D(3)	Upon such conditions as considered appropriate, exempt all persons or any specified class of persons, persons in any specified place, or persons responsible for specified goods or things, from any requirement in any rule included in a regional pest management strategy made under this Act, where satisfied that events have occurred that make the prescribed requirements unnecessary or inappropriate
88A(3)	Make minor amendments to a regional pest management strategy, in certain circumstances, without undertaking a review of the strategy in accordance with s88

## **5. Finance, Evaluation and Risk Committee**

### **Purpose**

- A. Provide to the Council assurance that all policies and procedures governing financial and asset management are lawful and consistent with agreed local government standards.
- B. Provide to the Council assurance that adequate management and control systems and internal audit systems are in place, that they comply with all legal requirements and that they meet agreed best practice standards.
- C. Advise the Council on the design and implementation of a framework for consistent evaluation of policies and activities.
- D. Make recommendations on the CEO performance review.

### **Specific Responsibilities**

- 1. Monitor the Council's financial management reporting to ensure rigour, transparency and delivery to plan.
- 2. Monitor the annual accounts of the Council to ensure they are consistent with legal requirements.
- 3. Monitor the Council's risk management programme and develop policies to ensure appropriate mitigation measures are in place for significant risks.
- 4. Monitor and review the Council's insurance and recommend changes to the Council.
- 5. Recommend to the Council policies in relation to treasury management, including borrowing and investment activities.
- 6. Recommend to the Council policies on significance, partnership with the private sector, rates remission and postponement, development contributions and financial contributions, and revenue and financing.
- 7. Recommend to the Council approval of unbudgeted reserve transfers.
- 8. Advise the Council on policy matters relating to property management.
- 9. Advise the Council on an internal audit programme that meets agreed best practice standards.
- 10. Consider all matters relating to or arising from the audit of the Council's activities.

11. Develop a framework for evaluation of policies and activities that can be applied by other committees to policies and work programmes under their auspices.
12. Investigate and evaluate in detail any programme or delivery area referred by other committees or the full Council, in order to establish effectiveness and cost-efficiency.
13. Monitor the performance of the Chief Executive and work with him/her to inculcate a culture of continuous improvement in Council delivery.

### **Membership**

1. Up to six councillors, including the Council chairperson *ex officio*.
2. An appointed member nominated by Ara Tahi to represent the interests of the Iwi of the region (Iwi appointee).
3. Such other members appointed by Council, when the committee considers that it could function more effectively by having such appointed members.
4. The Iwi appointee is not a member of the Committee when the Committee is considering matters relating to the performance of the Chief Executive.

### **Quorum**

Three councillors.

## **6. Parks, Forests and Utilities Committee**

### **Purpose**

Oversee the management of Council land that is used for recreational, water supply and forestry purposes and, where appropriate, recommend enhancements that will give better outcomes for the Council as well as users and customers.

### **Specific responsibilities**

1. Monitor the management of the Council's regional parks network and forest areas and, where necessary, recommend new programmes to provide recreational opportunities and protect and enhance the environmental, cultural and heritage values of these areas.
2. Oversee the management of the Council's bulk water supply operation to ensure that it meets the needs of its customers and operates to high business standards and in an environmentally friendly manner.
3. Oversee the management of the Council's plantation forestry areas so that they provide a financial return while environmental health for future catchment use is maintained.
4. Oversee the management of the Council's reserve forestry areas so that they serve their soil conservation purposes whilst providing some financial return.
5. Oversee the implementation of renewable energy developments that the Council has decided to undertake on Council land.

### **Membership**

1. Up to six councillors, including the Council chairperson *ex officio*.
2. An appointed member nominated by Ara Tahi to represent the interests of the Iwi of the region.
3. The Regional Conservator, Wellington Conservancy, Department of Conservation, or his/her nominee, with speaking (non-voting) rights.
4. Such other members appointed by Council, when the committee considers that it could function more effectively by having such appointed members.

### **Quorum**

Three councillors.

## Delegations

Council delegates the following statutory powers to the Parks, Forests and Utilities Committee:

<b>Local Government Act 1974</b>	
<b>Section of Act</b>	<b>Power, Function, Duty</b>
619D – 619I	All the powers required to consult on and prepare management plans for regional parks. This does not include the power to approve management plans.

<b>Reserves Act 1977</b>	
<b>Section of Act</b>	<b>Power, Function, Duty</b>
23(3)	Local authority may from time to time, by public notice, prohibit access to the whole or any specified part of a local purpose reserve vested in it
41	All the powers of an administrative body that is required to consult on and draft management plans. This does not include the power to approve management plans.
77(1)	Recommend to Council whether it should treat and agree with the owner or lessee for a covenant to provide for the management of that land in a manner that will achieve the particular purpose or purposes of conservation

## **7. Regional Land Transport Committee**

### **Purpose**

To promote the objectives of the Land Transport Act 1998 within the region, linking it to other regions of New Zealand and other transport systems.

### **Specific Responsibilities**

1. Preparing the Wellington Regional Land Transport Strategy as required by the Land Transport Act 1998.
2. Hearing any submissions on any draft Regional Land Transport Strategy, and the determination of these submissions in accordance with the consultative procedures required by the Land Transport Act 1998.
3. Monitoring the implementation of any Regional Land Transport Strategy.
4. Making recommendations to the Council or other relevant organisations on any aspects of land transport of interest to the Council.
5. Review and monitor plans to implement the Regional Land Transport Strategy, except the Regional Passenger Transport Plan.

### **Membership**

The membership set out below is consistent with the requirements of sub-sections (2) and (2A) of section 178 of the Land Transport Act 1998:

1. One councillor, as chairperson of the committee.
2. Up to five other regional councillors, including the Council Chairperson *ex officio*.
3. One representative of each of the eight constituent territorial local authorities wholly within the region.
4. One person to represent Land Transport New Zealand.
5. Up to five persons to represent the following objectives of the New Zealand transport strategy:
  - Economic development
  - Safety and personnel security
  - Public health
  - Access and mobility
  - Environmental sustainability.

6. One person to represent Māori cultural interests.
7. In addition, one person to represent each of the following national network providers with speaking, but not voting, rights:
  - Transit New Zealand
  - Ontrack.

### Quorum

The chairperson or deputy chairperson of the committee and at least 50% of the total membership.

### Delegations

Council delegates the following statutory powers to the Regional Land Transport Committee:

<b>Land Transport Act 1998</b>	
<b>Monitor the implementation of any Regional Land Transport Strategy and make recommendations to the Council as appropriate</b>	
Section of Act	Power, Function, Duty
175(1)	Make recommendations on the preparation of a Regional Land Transport Strategy for the region
176 (2)	Recommend changes to any operative Regional Land Transport Strategy in accordance with this section of the Act
<b>Hear any submissions on any draft Regional Land Transport Strategy and make recommendations to Council on the outcome of these submissions</b>	
Section of Act	Power, function, duty
179	<p>Recommend for approval by the Council a consultation programme to be followed when preparing the Regional Land Transport Strategy to meet the requirements of s179 of Land Transport Act 1998.</p> <p>Carry out the approved consultation programme in respect of hearing submissions and making recommendations to Council on the outcome of the submissions.</p>



<b>Land Transport Management Act 2003</b>	
Section of Act	Power, function, duty
15 (1)	Responding to consultation from Transit on its land transport programme

## **8. Regional Sustainability Committee**

### **Purpose**

- A. Provide leadership in promoting sustainable management of the region so that people can secure their social, economic, environmental and cultural needs without compromising the needs of future generations.
- B. Ensure that energy and climate uncertainty are considered in all planning and activities.
- C. Link and integrate Council issues and programmes that contribute to environmental, social, cultural and economic sustainability.
- D. Facilitate solutions to region-wide issues for which the Council does not have primary responsibility for delivery but where it may usefully be engaged with other partners in order to achieve sustainable outcomes.

### **Specific responsibilities**

1. Review the Council's sustainability agenda by assessing key policies and programmes to ensure that they are linked and integrated so as to provide optimal outcomes.
2. Review policy and approach to climate change and recommend changes or additions to ensure that climate change is taken into account in the delivery of the Council's core activities and programmes.
3. Identify and recommend specific policies that maximise sustainable energy opportunities for the region.
4. Review current policies and programmes to ensure they are effectively addressing biodiversity, urban form, the built environment (including heritage protection) and other key elements of sustainability in the region, and identify opportunities for new initiatives in areas of Council delivery or where regional leadership is required on issues that are not part of Council's core responsibilities.
5. Monitor the progress of economic development initiatives in the Wellington Regional Strategy and recommend policies or programmes designed to enhance the sustainability of economic development in the region.
6. Work with other regional organisations and individuals to enhance enabling technologies, e.g. broadband internet, wireless, that support social connections, economic endeavours and sustainable communities.

7. Investigate and recommend how the Council can better collaborate with regional institutions such as District Health Boards which have a specific mandate to deliver community wellbeing, and then develop appropriate programmes or activities that will result in improved community outcomes.
8. Ensure that the Council effectively reports on the state of the region's environment and recommend a formal report on the State of the Environment for adoption by the Council every six years.
9. Recommend and monitor policies and programmes that will demonstrably develop and enhance delivery of Council community outreach and education programmes to encourage people and communities to achieve sustainable lifestyles.

### **Membership**

1. Up to six councillors, including the Council chairperson *ex officio*.
2. An appointed member nominated by Ara Tahi to represent the interests of the Iwi of the region.
3. Such other members appointed by Council, when the committee considers that it could function more effectively by having such appointed members.

### **Quorum**

Three councillors.

## **9. Regulatory Committee**

### **Purpose**

- A. Promote the sustainable management of the region's natural and physical resources, particularly their use, development and protection, by overseeing the Council's regulatory responsibilities in relation to resource management.
- B. Oversee the regulation of the harbours and coastal waters of the region for navigation and safety purposes.

### **Specific responsibilities**

1. Consider and determine applications for resource consents in the region.
2. Appoint hearing panels, subcommittees and commissioners to hear and determine notified resource consents that require a hearing.
3. Ensure the Council adheres to national policy statement, environmental standards and other regulatory requirements.
4. Oversee the development of regional plans under the Resource Management Act, for air quality, discharges to land, fresh water, coasts water and soil, or any plans deemed necessary.
5. Monitor the state of the environment in the region.
6. Appoint hearings committees to hear regional plans and recommend plans to Council for approval.
7. Monitor the implementation of regional plans, compliance with the Resource Management Act and the Council's programme of oversight of resource consents, taking enforcement action when required.
8. Monitor Council delivery of:
  - a. the provision and maintenance of navigational aids;
  - b. a maritime communication service; and
  - c. the enforcement of maritime safety regulations in the region's harbours and coastal waters.
9. Monitor the provision of an effective pollution/incident response service for land, freshwater, air, harbours and coastal waters.
10. Ensure that Council carries out its responsibilities under the Building Act 2004.

## Membership

1. Up to six councillors, including the Council chairperson *ex officio*.
2. An appointed member nominated by Ara Tahi to represent the interests of the Iwi of the region.
3. Such other members appointed by Council, when the committee considers that it could function more effectively by having such appointed members.

## Quorum

Three councillors.

## Delegated Powers

Council delegates the following statutory powers to the Regulatory Committee:

<b>Resource Management Act 1991</b>	
<b>The power to decide on charges for resource consents as outlined below.</b>	
Section of Act	Power, Function, Duty
36(3)	Require the person who is liable to pay the charge fixed in accordance with s36(1) to also pay an additional charge to the Council where that charge is above the amount council staff can charge in Council's charging policy. Additional payment can only be required where the initial charge is inadequate to enable a local authority to recover its actual and reasonable costs in respect of the matter concerned
36(5)	Remit the whole or any part of any charge of a kind referred to in this section which would otherwise be payable where the charge is above the amount council staff can remit in Council's charging policy.
<b>The power to decide whether or not to include consequential alterations arising out of submissions as outlined below.</b>	
Section of Act	Power, Function, Duty
Schedule 1, cl 10(2)	When making a decision for the purposes of Schedule 1, decide whether or not to include any consequential alterations arising out of submissions and any other relevant matters considered relating to matters raised in submissions

<b>The power to hear and decide on resource consents. This includes the specific powers set out below.</b>	
Section of Act	Power, Function, Duty
40(3)	Elect to proceed with a hearing in the absence of an applicant or submitter, if it is fair and reasonable to do so
41(4)	Request and receive, from any person who makes a report under s42A of the Act, or who is heard by the authority or who is represented at the hearing, any information or advice that is relevant and reasonably necessary to determine the application
42(1), 42(2)	By a motion made by the Committee or on the application of any party to any proceedings, make an order that the whole or part of any hearing shall be conducted with the public excluded, in certain circumstances (detailed in provision)
42A(2)	Consider any report of the type referred to in s42A(1) at a hearing
102(3)	Jointly or separately decide applications where those applications are heard jointly
104, 104A, 104B, 104C, 104D	Grant or refuse (except in the case of applications for controlled activities) resource consent applications where the application is notified or notice is served
104F	Where an application is notified or notice is served, grant the application with or without conditions, or decline it, as necessary to implement any regulations made in accordance with s43 of the Act in relation to climate change
107(2), 107(3)	Where an application is notified or notice is served, grant a consent to a discharge that would otherwise contravene s15 of the Act in certain circumstances (listed in provision). Any such consent may be subject to certain conditions requiring the applicant to undertake work in stages throughout the term of the permit
108, 108A	Where an application is notified or notice is served, impose any condition considered reasonable upon a resource consent, including the provision of a bond or financial contribution
117(6)(b)	Make a recommendation on an application for a restricted coastal activity to the Minister of Conservation after exercising any of the powers, duties, rights, and discretions set out in ss91, 92, and 99 to 108 of the Act
131(2)	As the result of a review of consent conditions, include a condition requiring the holder of a discharge consent or coastal permit to adopt the best practicable option to remove or reduce any adverse effect on the environment. This only applies to applications that are notified or require notice to be served

138A(1)	At any reasonable time before the hearing (or, if there is no hearing, the determination) of an application for discharge that would otherwise contravene s15A(1), by written notice to the applicant, require the applicant to provide, by way of further information, an explanation of those matters. This only applies to applications that are notified or require notice to be served
357(7)	Uphold or reject an objection in respect of a relevant decision under section 357
369(4)	Grant a discharge permit, or a coastal permit to do something that would otherwise contravene s15, that does not meet the minimum standards of water quality as required by a regional rule, in certain circumstances (listed in the provision)
<b>The power to appoint a commissioner or commissioners and delegate to them the power to hear and decide on resource consent applications. A commissioner must not exercise these powers until such time as they are appointed to a hearing panel or as a hearing commissioner to hear a particular resource consent application</b>	
<b>The power to establish a hearing panel where required</b>	
<b>The power to establish a hearing subcommittee where required</b>	
<b>The power to choose on a case by case basis whether to conduct a hearing through a single commissioner, hearing panel, or a hearing subcommittee</b>	
<b>The power to decide on a case by case basis the composition of a hearing panel or hearing subcommittee or appropriate commissioner</b>	
<b>The power to delegate to hearing panels (the composition of which is determined on a case by case basis) the power to hear and decide on resource consents</b>	
<b>The power to delegate to hearing subcommittees (the composition of which is determined on a case by case basis) the power to hear and decide on resource consents</b>	

### **Delegation to Chairperson (Report 07.740):**

The Council delegates to the Chairperson of the Regulatory Committee, Cr Sally Baber, the following powers, which are to be exercised in consultation with the Divisional Manager, Environment Management:

- The power to establish a hearing panel.
- The power to establish a hearing subcommittee.
- The power to choose, on a case-by-case basis, whether to conduct a hearing through a single commissioner, or a hearing panel, or a hearing subcommittee.
- The power to decide, on a case-by-case basis, the appropriate commissioner or composition of each hearing panel or hearing sub-committee.

- The power to delegate to hearing panels (the composition of which is to be determined on a case-by-case basis) the power to hear and decide on resource consent applications.
- The power to delegate to a hearing subcommittee (the composition of which is to be determined on a case-by-case basis) the power to hear and decide on resource consent applications.



## **10. Transport and Access Committee**

### **Purpose**

- A. Promote and monitor implementation of policies delivering services and infrastructure that facilitate efficient and sustainable access to and movement round the region.
- B. Have a particular responsibility for the regional connectedness and accessibility.

### **Specific responsibilities**

1. Review policies being considered by the RLTC and where necessary recommend new initiatives for:
  - Public passenger transport
  - A regional roading network to complement and facilitate public transport and provide efficient and reliable road transport.
2. Recommend any regional passenger transport plans required by legislation.
3. Monitor the Council's delivery of the Regional Passenger Transport Plan and review and recommend changes necessary to ensure appropriate, efficient, effective and sustainable passenger transport services within the region.
4. Review the operation of the Quality Partnership Agreement groups and other transport-related groups established by the Council, recommending changes the Committee feels necessary and, when appropriate, ensuring that the outputs of the various groups are followed up.
5. Review and evaluate policies and programmes intended to ensure access to the region's transport networks and services.
6. Review and monitor any other matters related to regional connectedness and accessibility.

### **Membership**

1. Up to six councillors, including the Council chairperson *ex officio*.
2. An appointed member nominated by Ara Tahi to represent the interests of the Iwi of the region.

3. Such other members appointed by Council, when the committee considers that it could function more effectively by having such appointed members.

**Quorum**

Three councillors.

## **11. Wellington Regional Strategy (WRS) Committee**

### **Objective**

The Wellington Regional Strategy (WRS) Committee is established to implement and develop the WRS.

### **Specific Responsibilities**

The committee's responsibilities include:

- (a) Overseeing the ongoing selection and recommendation of five non - local government members for appointment to the Wellington Regional Strategy Committee.
- (b) On behalf of the Council, and acting on behalf of all councils in the region:
  - i) Taking responsibility for overall guidance and further development of the WRS.
  - ii) Recommending, in accordance with its General Responsibilities, a required funding proposal to the Council to be consulted on annually, in the course of its annual plan or long term council community plan process which will include the proposed amount and allocation of a recommended targeted rate, to be collected by the Council, to fund existing and new economic development initiatives and other initiatives outlined in the WRS.
  - iii) Overseeing the establishment, governance, funding, and accountability of a council-controlled organisation to be responsible for delivering the economic development initiatives outlined in the WRS.
  - iv) Seeking additional central government funding to support the initiatives outlined in the WRS.
  - v) Implementing (subject to available funding) other initiatives outlined in the WRS.
  - vi) Co-coordinating, monitoring, and guiding various initiatives to achieve outcomes identified in the WRS.
- (c) Supporting an independent review of the WRS and its implementation in accordance with the following:
  - (i) Conducting a review to address and make recommendations for changes to the WRS. This will include consideration of whether the committee and/or its funding and other arrangements should continue.

- (ii) Completing the review by 30 June 2011.
- (d) Recommending to Council whether or not it will continue to carry out the function of regional economic development, having considered the outcome of the review in (c) above.
- (e) Subject to a recommendation to the Council for it to continue the function of regional economic development, to undertake on behalf of the Council the process set out in section 16 of the Local Government Act 2002 or such other process that applies at the time, prior to 1 July 2012.

### **Operating Principles**

The Council has agreed that it will not act independently of the committee, so that any committee recommendations that the Council is not prepared to accept will be referred back to the committee for further consideration.

The Council and the territorial authorities of the region intend to complete a multiparty agreement to record their agreement in regard to the future implementation, governance, and funding of the WRS by the Council.

The Local Government Chief Executive Group will be the principal advisor to the committee.

### **Membership**

The membership will be 12 persons in total, made up and appointed by the Council (from time to time), as follows:

#### **Seven Local Government Members**

1. One regional councillor.
2. One member nominated to represent the interests of the Wairarapa Constituency. This person will be nominated jointly by the Masterton, Carterton, and South Wairarapa district councils.
3. One member nominated by each of the remaining constituent territorial authorities within the region.
4. The local government members may be replaced from time to time by the respective territorial authorities providing written notice to the Council, confirming the amended nomination.

### **Five Non-Local Government Members**

5. Five non-local government members recommended by the seven local Government members, appointed on the basis of skills, experience, standing, and networks in the regional community relevant to the goals of the Wellington Regional Strategy (WRS).
6. One of the five non-local government members must be a suitable person to represent Māori interests.

### **Chairperson**

The appointment of the chairperson and deputy is to be determined by the full committee when all 12 members have been appointed. The chairperson must be a non-local government member.

The Council Chairperson is not a member ex-officio of this committee, unless appointed in accordance with the provisions for Local Government Members.

Quorum: Must include the Regional Council member, the chairperson or deputy chairperson of the committee, and at least 50% of the remaining membership.

### **Alternates**

The regional councillor appointed to the committee must have an alternate who may attend and vote at meetings of the committee in the event of the appointed regional councillor's absence or unavailability.

Each of the councils is entitled to appoint an alternate member who may attend and vote at meetings of the committee, but only in the event that the nominated and appointed member is unable to do so.

### **Remuneration**

Each council shall be responsible for remunerating its representative on the committee for the cost of that person's participation in the committee.

The remuneration of the non-local government members will be determined and approved by the Council, following consideration of any recommendation of the committee.

### **Term of Appointment**

The initial seven local government members shall be appointed for terms that expire on the date of each local government triennial election.

The subsequent local government membership shall be appointed in accordance with the process set out above as soon as possible after each local government triennial election, and for a term that expires on the date of the following local government triennial election.

The initial five non-local government members shall be appointed for terms that expire on the date of the local government triennial election in 2007. Each of the initial five non-local government members shall, subject to the following clauses, be eligible for re-appointment at the beginning of the triennium following the 2007 elections.

On 30 January 2009, and on each succeeding 30 January, one of the five non-local government members shall retire from office.

The non-local government members to retire in any year shall be the member who has been longest in office since the last appointment, but as between members who became or were appointed as members on the same day, the order in which members shall retire shall (unless they otherwise agree among themselves) be decided by lot.

Notwithstanding the order drawn by lot, the Chair of the Committee will automatically be moved to the bottom of the order of retirement and the order previously drawn will be amended to reflect this.

### **Standing Orders**

Special provisions relating to voting, as set out in Standing Orders 3.4, 4.1, 4.2, 20.4, 30.1 and 30.2 of the Greater Wellington Standing Orders 2007, apply to the Wellington Regional Strategy Committee.

### **Delegations**

- ii) The Council delegates to the committee all duties and powers to achieve its specific responsibilities except those matters reserved under clause 32 of Schedule 7 of the Local Government Act 2002, and the appointment of new members.
- iii) The committee is authorised to appoint a subcommittee of its members, as determined by the committee.

### **General Responsibilities**

The general responsibilities in clause 3 of these terms of reference for all standing committees apply, with the exception of clause 3.13 which is amended to read as follows for this committee:

**Clause 3.13**

Recommend for ratification by the Council, where appropriate, appointment of members of the committee in accordance with the terms of reference.

**Duration of the Committee**

In accordance with clause 30(7) of Schedule 7 of the Local Government Act 2002, the Wellington Regional Strategy Committee is not deemed to be discharged following each triennial election.

## **12. Hutt River Advisory Subcommittee**

(A subcommittee of the Catchment Management Committee)

### **Purpose**

- A. Provide oversight of the implementation of the Hutt River Floodplain Management Plan (Plan) in a way which:
- recognises the need of the community to mitigate the effects of flooding to an acceptable level of risk and in a sustainable way
  - recognises that flood risk cannot be completely eliminated and that provisions must be implemented to handle residual risk
  - recognises that methods chosen to mitigate the effects of flooding must be affordable
  - balances the priorities of Council in funding flood mitigation methods with the aspirations and contribution of the local community for implementation of the methods
  - ensures that methods adopted to mitigate the effects of flooding consider and integrate with the Hutt River and its environment, recognising its unique nature and the role it plays in the life of the communities.
- B. Provide oversight of the public involvement process for Plan implementation within a framework recommended by this subcommittee which maintains:
- the information base held by the community and ensures that it is made available to decision makers when appropriate
  - community awareness of Plan implementation
  - public confidence in the process of Plan implementation
  - a network of contacts and mechanisms which can be used to provide community input required for Plan implementation and to obtain that input when appropriate.

### **Membership**

1. Five councillors, including the Chair of the Catchment Management Committee, one of whom shall be appointed Chair.



2. Four members, being elected members of Hutt City Council appointed by the Council on nomination by Hutt City Council.
3. Four members, being elected members of Upper Hutt City Council appointed by the Council on nomination by Upper Hutt City Council.
4. One representative of Wellington Tenth Trust, appointed by the Council on nomination by Wellington Tenth Trust.
5. One representative of Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui, appointed by Council on nomination by Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui.

### **Quorum**

Three councillors.

All members have equal voting and speaking rights.

### **Reporting**

1. The subcommittee reports to the Catchment Management Committee.
2. The project manager(s) report to the subcommittee.
3. The subcommittee will report on every meeting.
4. The subcommittee will be serviced by the Manager, Flood Protection with the support of the Secretariat.

### **Remuneration**

1. The expenses of members of the subcommittee who are elected members of the Greater Wellington Regional Council, Hutt City Council or Upper Hutt City Council shall be met by the council they represent.
2. Subcommittee members who are not otherwise being remunerated may claim Greater Wellington Regional Council daily meeting attendance allowances and expenses.

### **Meeting Frequency and Life of Subcommittee**

The subcommittee shall meet as required and may, by resolution, recommend its dissolution to the Catchment Management Committee.

### **13. Waiwhetu Stream Advisory Subcommittee**

(A subcommittee of the Catchment Management Committee)

#### **Purpose**

- A. Provide oversight of the Waiwhetu Stream Flood Management Study (WSFMS) in a way which:
- recognises the need of the community to mitigate the effects of flooding to an acceptable level of risk and in a sustainable way
  - recognises that flood risk cannot be completely eliminated and that provisions must be implemented to handle residual risk
  - recognises that methods chosen to mitigate the effects of flooding must be affordable
  - balances the priorities of Council in funding flood mitigation methods with the aspirations and contribution of the local community for implementation of the methods
  - ensures that methods adopted to mitigate the effects of flooding consider and integrate with the Waiwhetu Stream and its environment, recognising its unique nature and the role it plays in the life of the communities. In particular, ensures a high level of integration with the existing Waiwhetu Stream rehabilitation programme.
- B. Provide oversight of the public involvement process for the WSFMS within a framework recommended by this subcommittee which:
- ensures that the information base held by the community is made available to decision makers when appropriate
  - enhances community awareness of the WSFMS
  - develops public confidence in the process of WSFMS
  - develops a network of contacts and mechanisms which can be used to provide community input required for WSFMS and to obtain that input when appropriate.
- C. Oversee the clean up of contaminated sediments from the lower reaches of the Waiwhetu Stream in accordance with project agreements with Hutt City Council and the Ministry for the Environment in a way which:

- recognises the desire of the community to clean up the contaminants in a sustainable way, but carefully manages the risks involved
  - recognises that methods chosen to clean up the contaminants must be affordable
  - ensures that the clean up work integrates well with proposed flood mitigation improvements for the stream.
- D. Ensure that any flood management solutions chosen can be accommodated within the funding constraints of the Council's Long-term Council Community Plan.

### **Membership**

1. Four councillors, including the Chair of the Catchment Management Committee, one of whom shall be appointed Chair.
2. Three elected representatives of the Hutt City Council, appointed by the Hutt City Council.
3. One representative of Wellington Tenth Trust, appointed by the Council on nomination by Wellington Tenth Trust.
4. One representative of Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui, appointed by Council on nomination by Te Runanganui o Taranaki Whanui ki te Upoko o te Ika a Maui.
5. Such other members appointed by the subcommittee, when the subcommittee considers that it could function more effectively by having such appointed members.

### **Quorum**

Two councillors.

All members have equal speaking and voting rights.

### **Reporting and servicing**

1. The subcommittee reports to the Catchment Management Committee of Greater Wellington and the Strategy and Policy Committee of Hutt City Council.
2. The subcommittee is serviced by Hutt City Council.
3. As the servicing body, Hutt City Council standing orders will apply to the subcommittee.

## **Remuneration**

1. The expenses of members of the subcommittee who are elected members of the Greater Wellington Regional Council or Hutt City Council shall be met by the council they represent.
2. Subcommittee members who are not otherwise being remunerated may claim Greater Wellington Regional Council daily meeting attendance allowances and expenses.

## **Meeting Frequency and Life of Subcommittee**

The subcommittee will meet as required and will dissolve following the completion of the Waiwhetu Stream Flood Management Study.