

Terms of reference for joint committees (November 2021)

Joint Committee	Legislation under which established	Establishing bodies	Date of establishment	Administering body
Civil Defence Emergency Management Group	Civil Defence Emergency Management Act 2002	Greater Wellington and all territorial authorities of the Wellington Region	2003 (refer Greater Wellington Report 03.232)	Greater Wellington
Te Awarua-o-Porirua Harbour and Catchment Joint Committee	Local Government Act 2002	PCC, WCC, Greater Wellington	2014 (refer Greater Wellington Report 14.323)	PCC
Wellington Regional Leadership Committee	Local Government Act 2002	Greater Wellington and all territorial authorities of the Wellington Region; plus Horowhenua District Council.	2021 (refer Greater Wellington Report 21.21) Terms of reference amended 2021 (refer Greater Wellington Report 21.432)	Greater Wellington
Wellington Water Committee	Local Government Act 2002	Greater Wellington, HCC, PCC, UHCC, WCC	2014 (refer Greater Wellington Report 14.327) Terms of reference amended 2019 (refer Greater Wellington Report 19.118)	HCC

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1 Wellington Region Civil Defence Emergency Management Group

1. Definitions

1.1 For the purpose of these Terms of Reference:

"Act" means the Civil Defence Emergency Management Act 2002.

"CDEM Group" means the Wellington Region CDEM Group.

"Co-ordinating Executive Group" (the CEG) means the Co-ordinating Executive Group to be established under section 20 of the Civil Defence and Emergency Management Act 2002 and clause 10.7 of this Terms of Reference.

"Group Controller" means a person appointed under section 26 of the Civil Defence and Emergency Management Act 2002 and clause 10.1 of these Terms of Reference as a Group Controller.

"Member" means a Local Authority that is a member of the Civil Defence Emergency Management Group that is the subject of this document.

"Representative" means the Mayor or Chairperson of a Member or an alternative person who has been given the delegated authority to act for the Mayor or Chairperson.

"Wellington Region" for the purposes of these Terms of Reference means the Wellington Region as defined by the Local Government (Wellington Region) Reorganisation Order 1989, excluding the parts of the Tararua District falling within the area administered by the Greater Wellington Regional Council.

2. Name

2.1 The Wellington Region Civil Defence Emergency Management Group shall be known as the Wellington Region CDEM Group.

3. Members

3.1 Each of the following local authorities is a member of the Wellington Region CDEM Group:

Carterton District Council
Greater Wellington Regional Council
Kapiti Coast District Council
Hutt City Council
Masterton District Council
Porirua City Council
South Wairarapa District Council
Upper Hutt City Council
Wellington City Council.

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4. Status

- 4.1 The Wellington Region CDEM Group has the status of a Civil Defence Emergency Management Group under the Civil Defence Emergency Management Act 2002. It is a joint standing committee under clause 30(1)(b) of Schedule 7 to the Local Government Act 2002.

5 Purpose of Terms of Reference

- 5.1 The purpose of these Terms of Reference is to:

- (1) Define the responsibilities of the CDEM Group as delegated to the CDEM Group by the Members
- (2) Provide for the administrative arrangements of the Group.

6. Functions, duties, and powers

- 6.1 The functions, duties, and powers of the CDEM Group are those that are set out for a Civil Defence Emergency Management Group in the Civil Defence Emergency Management Act 2002.

7. Objectives of the CDEM Group

- 7.1 To assist the CDEM Group to meet the requirements of the Act, the Group adopts the following objectives:

- (1) To ensure that hazards (as defined in the Act) and the consequential risks are identified and assessed
- (2) To ensure an effective and efficient region-wide civil defence emergency management capability to respond to and recover from emergencies (as defined in the Act)
- (3) To facilitate effective and efficient emergency management through partnership and co-ordination amongst the organisations represented on the Co-ordinating Executive Group
- (4) To promote appropriate mitigation of the risks.

8. Representatives

- 8.1 Each Member is to be represented on the CDEM Group by one person only, being the Mayor or Chairperson of that local authority or an alternate representative who has been given the delegated authority to act for the Mayor or Chairperson.
- 8.2 An alternate representative must be an elected person from that local authority under section 13(4) of the Act.

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8.3 Under section 114S(4) of the Local Government Act 1974, and clause 30(9) of Schedule 7 to the Local Government Act 2002, the powers to discharge any representative on the CDEM Group and appoint his or her replacement shall be exercisable only by the Member that appointed the representative being discharged.

9. Requirement to maintain the CDEM Group

9.1 Section 12(2) of the Act, section 114P(5) of the Local Government Act 1974, and clause 30(5) of Schedule 7 to the Local Government Act 2002, must not be read as permitting any Member to discharge or reconstitute the CDEM Group.

9.2 It is the responsibility of each Member of the CDEM Group to ensure that they have a representative available to participate in the CDEM Group, as soon as practicable after their representative is no longer able to represent that Member for whatever reason, with the same delegated functions, duties, and powers as their predecessor.

10. Delegated authority

The CDEM Group has the responsibility delegated by the Members to:

10.1 Appoint a Group Controller

10.1.1 Appoint in accordance with section 26 of the Act, a suitably qualified and experienced person to be the Group Controller for the Wellington Region.

10.1.2 Appoint a suitably qualified and experienced person(s) to exercise the functions, powers, and duties of the Group Controller in the event of a vacancy in or absence in the office of Group Controller.

10.1.3 Delegate to the Group Controller the functions set out in section 28 of the Act.

10.2 Appoint local controllers

10.2.1 Appoint in accordance with section 27 of the Act and following consultation with the relevant Members, one or more persons to be a Local Controller.

10.3 Appoint person who may declare state of local emergency

10.3.1 Appoint in accordance with section 25 of the Act, and following consultation with the relevant Members, at least one representative of a Member of the CDEM Group as a person authorised to declare a state of local emergency within the Wellington Region.

10.4 Prepare, approve, implement, and review civil defence emergency management group plan

10.4.1 In accordance with sections 48 to 57 of the Act, prepare, and after consultation approve a CDEM Group Plan.

10.4.2 In accordance with section 17 of the Act, implement and monitor the CDEM Group Plan within the costs that each Member has agreed to pay.

10.4.3 In accordance with section 56 of the Act, review the CDEM Group Plan.

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10.5 Exercise powers to perform its functions

10.5.1 In accordance with section 18(1) of the Act, all the powers that are reasonably necessary or expedient to enable the CDEM Group to perform its functions, including the power to delegate any of its functions to Members, the Group Controller, or any other person.

10.5.2 In accordance with section 18(2) of the Act:

- (1) Recruit and train volunteers for civil defence emergency management tasks
- (2) Conduct civil defence emergency management training exercises, practices, and rehearsals
- (3) Issue and control the use of signs, badges, insignia, and identification passes authorised under the Act, regulations made under the Act, or the civil defence emergency management plan
- (4) Ensure the provision, maintenance, control, and operation of warning systems
- (5) Ensure the provision of communications, equipment, accommodation, and facilities for the exercise of the CDEM Group's functions and powers during an emergency
- (6) Exercise any other powers that are necessary to give effect to the CDEM Group's Civil Defence Emergency Management Plan.

10.6 Establish and maintain the Co-ordinating Executive Group

10.6.1 In accordance with section 20 of the Act, establish and maintain a Co-ordinating Executive Group consisting of:

- (1) The chief executive officer of each Member or a senior person acting on that person's behalf
- (2) A senior member of the Police assigned for the purpose by the Commissioner of Police
- (3) A senior member of the Eire Service assigned for the purpose by the National Commander
- (4) The chief executive officers of Capital and Coast Health District Health Board, Hutt Valley Health Board and Wairarapa Health District Health Board, or a person or persons acting on their behalf.

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11. Powers not delegated

- 11.1 Any power that cannot be delegated in accordance with Section 114Q of the Local Government Act 1974 and Clause 32 Schedule 7 to the Local Government Act 2002.
- 11.2 The determination of internal staff structures of individual Members necessary for the delivery of services required under the Act or the CDEM Group Plan.
- 11.3 The determination of funding for implementing the CDEM Group Plan.

12. Remuneration

- 12.1 Each Member of the CDEM Group shall be responsible for remunerating its representative on the CDEM Group for the cost of that person's participation in the CDEM Group.

13. Meetings

- 13.1 The New Zealand Standard for model standing orders (NZS 9202: 2001), or any New Zealand Standard substituted for that standard, will be used to conduct CDEM Group meetings as if the CDEM Group were a local authority and the principal administrative officer of the Greater Wellington Regional Council or his or her nominated representative were its principal administrative officer.
- 13.2 Other standing orders may be used, subject to the agreement of the CDEM Group, and in accordance with section 19(1) of the Act.
 - 13.2.1 The CDEM Group shall hold all meetings at such frequency, times and place(s) as agreed for the performance of the functions, duties and powers delegated under this Terms of Reference. However, there will be at least two meetings per year.
 - 13.2.2 The quorum shall consist of five (5) members.

14. Voting

- 14.1 In accordance with section 114Q of the Local Government Act 1974 and clause 32(4) of Schedule 7 to the Local Government Act 2002, at meetings of the CDEM Group each Member's representative has full authority to vote and make decisions within the delegations of this Terms of Reference on behalf of that Member without further recourse to that Member.
- 14.2 Members shall use their best endeavours to avoid use of a casting vote by obtaining majority consensus.
- 14.3 Each Member has one vote.
- 14.4 A casting vote shall not be used unreasonably in favour of one Member.

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14.5 As general statements of principle, a casting vote is to be used in the best interests of the Wellington region.

15. Election of Chairperson and Deputy Chairperson

15.1 On the constitution or reconstitution of the CDEM Group Members shall elect a CDEM Group Chairperson and may elect a Deputy Chairperson.

15.2 The Group's Chairperson and Deputy Chairperson will hold office for an initial term up to the local body elections in October 2004.

15.3 Following the October 2004 elections the Chairperson and Deputy Chairperson will hold office for a term of three years, or such a lesser period as may be determined by the CDEM Group. However, if three-quarters of the representatives of the Members present agree the Group may appoint a new Chairperson or Deputy Chairperson at any time.

15.4 The term of office of an appointed Chairman or Deputy Chairman ends if that person ceases to be a representative of a Member of the CDEM Group.

16. Reporting

16.1 Any organisation represented on the Co-ordinating Executive Group shall be able to prepare reports for consideration by the CDEM Group.

16.2 The Chairperson of the Co-ordinating Executive Group shall be responsible for approving reports to the CDEM Group.

16.3 Following each meeting of the CDEM Group, the Chairperson shall prepare a summary report of the business of the meeting. Each representative shall report back to his or her authority following each meeting.

17. Administering authority

17.1 In accordance with the section 23 of the Act, the administering authority for the CDEM Group is Greater Wellington Regional Council.

17.2 In accordance with section 24(2) of the Act, the administrative and related services referred to in clause 17d of these Terms of Reference, include services required for the purposes of the Act, or any other Act, regulation, or bylaw that applies to the conduct of the joint standing committee under section 114S of the Local Government Act 1974, and clause 30 of Schedule 7 to the Local Government Act 2002.

17.3 Until otherwise agreed, Greater Wellington Regional Council will cover the full administrative costs of servicing the CDEM Group.

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18. Good faith

18.1 In the event of any circumstances arising that were unforeseen by the Members or their representatives at the time of adopting this Terms of Reference, the Members and their representatives hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of:

- (1) The Members of the CDEM Group collectively
- (2) The Wellington Regional community represented by the Members of the CDEM Group collectively.

19. Variations

19.1 Any Member may propose a variation, deletion, or addition to the Terms of Reference by putting the wording of the proposed variation, deletion, or addition to a meeting of the CDEM Group.

19.2 Once a proposed variation, deletion or addition to this Terms of Reference has been put to the CDEM Group, this Terms of Reference is not amended until each Member adopts the revised terms of Reference giving effect to the proposed variation, deletion, or addition.

19.3 Notwithstanding clause 19.2, the CDEM Group may amend the Terms of Reference, where the changes will not materially affect the commitment of any individual Member.

20. Review of the Terms of Reference

20.1 The Terms of Reference will be reviewed and if appropriate amended by the CDEM Group at its meeting following the adoption of its Group Plan and any subsequent amendments to or revisions of that Plan.

20.2 The adoption of an amended Terms of Reference revised under clause 20.1 will be undertaken in accordance with section 19.

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2 Te Awarua-o-Porirua Harbour and Catchment Joint Committee

 <p>PORIRUA HARBOUR AND CATCHMENT JOINT COMMITTEE</p>	Authorising Bodies	Porirua City Council; Greater Wellington Council; Wellington City Council
	Status	Joint Committee (PCC; TROTR; GWRC; WCC)
	Title	Porirua Harbour and Catchment Joint Committee
	Approval Date	
	Administrative Support	GM Strategy and Planning, Porirua City Council

Purpose

The purpose of the Porirua Harbour and Catchment Joint Committee (Harbour Committee) is to oversee the development, monitoring, review and implementation of the Porirua Harbour and Catchment Strategy (Harbour Strategy).

NOTE:

It is anticipated that Greater Wellington Regional Council will, within the current triennium, also establish a Porirua Harbour Whaitua (catchment) Committee (PHWC). The PHWC will be a non-statutory advisory body, and will not be a committee under the Local Government Act.

The PHWC will exist alongside the Porirua Harbour and Catchment Joint Committee (Harbour Committee). It is anticipated that appointed members of the Harbour Committee will become members and representatives for their respective organisations on the PHWC.

Membership of the PHWC will also draw from the community. The PHWC will exist with the specific focus of producing a Whiatua Implementation Programme (WIP). The WIP will amongst other matters provide recommendations back to GWRC on the review of regional council planning provisions, and the use of regulatory and non-regulatory tools, relating to the management of land and water resources within the Porirua Harbour catchment.

The Harbour Committee will operate alongside the PHWC retaining its membership and functions specific to overseeing the monitoring, review and implementation of the Porirua Harbour and Catchment Strategy. Outcomes of the WIP process may be integrated with future reviews of the Porirua Harbour and Catchment Strategy.

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Status

The Joint Committee is a joint standing committee under clause 30(1)(b) of Schedule 7 to the Local Government Act 2002.

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

Specific Responsibilities

The Porirua Harbour and Catchment Joint Committee shall have responsibility for:

1. **Porirua Harbour and Catchment Strategy- monitoring and review:** Overseeing the monitoring and review of the Porirua Harbour and Catchment Strategy and its supporting Action Plan programme.
2. **Monitoring and reporting** to Porirua City, Wellington City and Greater Wellington Regional Council on:
 - a **Progress toward achieving outcomes** specified within the Harbour Strategy;
 - b **Implementation, delivery and effectiveness** of agreed programmes and initiatives;
 - c **Effectiveness and efficiency of interagency coordination** in developing and delivering effective and efficient Harbour Strategy programmes, including options and recommendations for council consideration;
 - d **Issues arising** concerning harbour and catchment health, and related options and recommendations for council consideration.
3. **Strategy Implementation modifications and refinements:** Providing recommendations on programmes and actions (including modifications or refinements to existing or approved programmes) and related funding and timing matters that are required to support and/or give effect to the Harbour Strategy.
4. **Requesting** reports from Porirua City, Wellington City and/or Greater Wellington Regional Council, as appropriate, on projects and programmes that affect the Harbour, including projects and programmes run by Council Controlled Organisations and other business delivery units of the member organisations of the Committee.
5. **Representing** the interests of its members in the Harbour Strategy.

Delegations

The Harbour Committee shall have the following delegated powers and be jointly accountable to its Authorising Bodies (Porirua City Council, Greater Wellington Regional Council and Wellington City Council) for the exercising of these powers.¹

¹ Clause 32 of Schedule 7 to the Local Government Act 2002.

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In exercising the delegated powers, the Harbour Committee will:

- Operate within policies, plans, standards or guidelines that have been established and approved by its Authorising Bodies;
- Operate having regard to the overall priorities of its Authorising Bodies;
- Operate having regard to the needs of local communities; and
- Operate within approved budgets set by its Authorising Bodies.

The Harbour Committee shall have delegated authority to:

1. Recommend to its Authorising Bodies an annual programme, and proposed budget, for consideration in the development of any annual and/or long term plan;
2. Recommend to its Authorising Bodies any significant change/s in budget or scope of any approved annual programme;
3. Recommend organisational contribution toward strategy implementation, including timing, budget, and delivery specifications.

The Chairperson of the Harbour Committee shall have delegated authority to:

- Represent the Committee to the media on matters related to the Harbour Strategy.

Members of the Committee shall have delegated authority to:

- Represent their Authorising Body in discussions with other agencies on Harbour Strategy delivery
- Represent their Authorising Body on matters relating to the Harbour Strategy to the media.

Power to Delegate

The Harbour Committee may not delegate any of its responsibilities, duties or powers.

Membership

The Joint Committee will comprise 5 persons in total.

The chairperson and members of the Harbour Committee will consist of:

- 2 elected representatives of Porirua City Council (which shall include the Chair of the Committee to be selected by Porirua City Council)
- 1 elected representative of Wellington City Council
- 1 elected representative of Greater Wellington Regional Council
- 1 representative of Te Runanga O Toa Rangatira.

A deputy chair shall be appointed by the Committee once formed.

Each member will, appoint their representative(s) and pursuant to clause 30(9) of Schedule 7 to the Act, retains the power to discharge the member. Each representative is appointed for a term that expires on the date of the next local government triennial election.

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Quorum

The quorum at any meeting of the Committee shall be not less than 3 members, comprising of **at least one member** from Porirua City Council.

Frequency of Meetings

The Harbour Committee shall meet as required.

Relationships with Other Parties

- Council
- Te Komiti
- Te Runanga O Toa Rangatira
- Greater Wellington Regional Council
- Wellington City Council
- Porirua Harbour and Catchment Community Trust
- Other agencies providing advice or other support to the Strategy.

The Porirua City Council Chief Executive will be responsible for servicing and providing support to the Harbour Committee in the completion of its duties and responsibilities.

The Chief Executive generally appoints a General Manager to provide these functions on his/her behalf.

Contacts with Media and Outside Agencies

The Harbour Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Harbour Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of their authorising or representative body on matters outside of the Committee's delegations.

The General Manager of Strategy and Planning (Porirua City Council) will manage the formal communications between the Harbour Committee and its constituents and for the Committee in the exercise of its business.

Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff.

Conduct of Affairs

The Harbour Committee shall conduct its affairs in accordance with the *Local Government Act 2002*, the *Local Government Official Information and Meetings Act 1987*, the *Local Authorities (Members' Interests) Act 1968*, Council's Standing Orders and Code of Conduct.

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Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Porirua City Council Standing Orders, but it should be noted that:

- At any meeting of the Harbour Committee at which no resolutions or decisions are made, the provisions of Standing Orders relating to public access do not apply.
- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Harbour Committee may be held in accordance with Standing Orders.
- The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in *the Local Government Official Information and Meetings Act 1987 s.48*.

The Harbour Committee shall record minutes of all its proceedings and present the minutes to each of its members' next available Council meeting following the Committee meeting.

Induction Programme

To ensure members have the requisite skills, a compulsory, robust induction programme will be coordinated and provided by Porirua City Council after each triennial election. The following minimum training programmes are recommended for the Porirua Harbour and Catchment Joint Committee members:

- In house training and site visits.

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3 Wellington Regional Leadership Committee

Purpose

The purpose of the Wellington Regional Leadership Committee is to take responsibility for key matters of regional importance – Wellington Regional Growth Framework, Regional Economic Development, and Regional Recovery – where a collective voice and collective planning and action is required.

The Wellington Regional Leadership Committee (Joint Committee) is a Joint Committee, established in accordance with clauses 30 and 30A of Schedule 7 to the Local Government Act 2002.

The Joint Committee has members from all the nine councils wholly within the Wellington Region and the Horowhenua District Council, mana whenua and members from central Government.

Specific Responsibilities

The Wellington Regional Leadership Committee specific responsibilities include:

Wellington Regional Growth Framework

1. Oversee the development and implementation of the Wellington Regional Growth Framework.
2. Recommend to the Wellington Regional Growth Framework partners how funding and resources should be applied to support implementation of the Wellington Regional Growth Framework.
3. Monitor the implementation of the Wellington Regional Growth Framework and associated workstreams.
4. Review and keep up to date the Wellington Regional Growth Framework as circumstances change.
5. Recommend to the Wellington Regional Growth Framework partners actions to achieve alignment with council, central government and iwi plans, strategies and policies.
6. Facilitate engagement and consultation with stakeholders and the community on the Wellington Regional Growth Framework.
7. Develop submissions and advocate to external organisations on matters relating to the Wellington Regional Growth Framework.
8. Engage with neighbouring regions on cross-boundary matters relating to the Wellington Regional Growth Framework.

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Regional Economic Development

1. Provide leadership in regional economic development, including establishing partnerships with key agencies involved in economic development. Acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a regional economic development plan to guide the collective work of the region, in line with the desired future outlined in the Wellington Regional Growth Framework.
3. Monitor and report on the status of the regional economy, emerging risks and opportunities and progress towards the implementation of the regional economic development plan and transition to a low carbon economy.
4. Develop submissions and advocate to external organisations on matters relating to regional economic development.
5. Recommend to Greater Wellington Regional Council (as a joint shareholder of Wellington NZ) the allocation of the regional targeted rate for economic development to initiatives and activities based on the regional economic development plan.

Regional Economic Recovery

1. Provide leadership in regional economic recovery, including establishing partnerships with key agencies involved in recovery, acknowledging that constituent local authorities also have leadership roles within their cities and districts.
2. Develop and keep up to date a programme of regional economic recovery initiatives, which incorporate alignment with the region's climate change goals.
3. Coordinate the implementation of a programme of regional economic recovery initiatives through local authorities, council controlled organisations and other partners.
4. Monitor and report on the impacts of regional economic recovery on the region, emerging risks and opportunities and progress towards implementation of the programme of regional economic recovery initiatives.
5. Develop submissions and advocate to external organisations on matters relating to regional economic recovery including developing regional proposals for partnerships and funding assistance.

Membership

The membership of the Joint Committee is comprised of:

- The Mayor of Carterton District Council
- The Mayor of Horowhenua District Council
- The Mayor of Hutt City Council
- The Mayor of Kāpiti Coast District Council

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- The Mayor of Masterton District Council
- The Mayor of Porirua City Council
- The Mayor of South Wairarapa District Council
- The Mayor of Upper Hutt City Council
- The Mayor of Wellington City Council
- The Chair of Wellington Regional Council
- A person nominated by the Joint Committee itself and appointed by the Administering Authority to be the independent chairperson of the Joint Committee.

The member of the Joint Committee may also include:

- A person nominated by Te Rūnanga o Toa Rangatira Inc (Ngāti Toa Rangatira) and appointed by the Administering Authority
- A person nominated by the Port Nicholson Block Settlement Trust (Taranaki Whānui) and appointed by the Administering Authority
- A person nominated by Rangitāne O Wairarapa Inc (Rangitāne O Wairarapa) and appointed by the Administering Authority
- A person nominated by Ngāti Kahungunu ki Wairarapa Trust (Ngāti Kahungunu ki Wairarapa) and Ngāti Kahungunu ki Wairarapa Tamaki Nui ā Rua Settlement Trust and appointed by the Administering Authority
- A person nominated by Raukawa ki te Tonga and appointed by the Administering Authority
- A person nominated by Āti Awa ki Whakarongotai Charitable Trust (Ātiwawa ki Whakarongotai) and appointed by the Administering Authority
- A person nominated by Muaūpoko Tribal Authority Inc (Muaūpoko hapū) and appointed by the Administering Authority
- Up to three persons nominated by the Crown (Cabinet) and appointed by the Administering Authority.

In respect of those members who are persons nominated by a particular entity or body (and then appointed by the Administering Authority), for the avoidance of doubt, if no nomination occurs then the Administering Authority need not make an appointment to the Joint Committee in respect of that entity or body. The membership of the Joint Committee will be accordingly reduced to the extent that there is no nomination/appointment (including for the purposes of calculating the number of vacancies for establishing a quorum). Such appointment may be made if and when a relevant nomination occurs.

The territorial authorities that are parties to this agreement must appoint the relevant Mayor to be a member of the Joint Committee. This is so that those Mayors are counted for the purposes of determining the number of members required to constitute a quorum – see clause 30A(6A) of Schedule 7 to the Local Government Act 2002.

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The local authorities that are parties to this agreement may, in addition to the appointment of the relevant Mayor or Chair, appoint an alternate who, in exceptional circumstances where the Mayor or Chair is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meetings as a member of the Joint Committee (and appointed by the relevant local authority). The appointment of alternates does not affect the normal calculation of a quorum.

The iwi that are parties to this agreement may, in addition to the appointment of the person nominated for each iwi and appointed by the Administering Authority, each nominate an alternate for appointment by the Administering Authority who, in exceptional circumstances where the appointed person is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee. The appointment of alternates does not affect the normal calculation of a quorum.

The Ministers, nominated by the Crown and appointed by the Administering Authority, may each nominate an alternate for appointment by the Administering Authority who, in exceptional circumstance where the appointed person is not able to attend a Joint Committee meeting, is entitled to attend that Joint Committee meeting as a member of the Joint Committee. The appointment of alternates does not affect the normal calculation of a quorum.

A Deputy Chairperson is to be appointed by the Joint Committee from the existing membership. In accordance with standing orders, the Deputy Chairperson may preside at meetings in the absence of the independent chairperson (including before the Joint Committee nominates an independent chairperson and that person is appointed by the Administering Authority).

General

The membership of the Wellington Regional Leadership Committee shall be limited to a maximum of 21 members (including the independent chairperson).

Expectations around member voting based on Joint Committee programme and agenda

When the Joint Committee is addressing matters that are not within the Wellington Regional Growth Framework programme, it is expected that the Ministers of the Crown will not exercise their voting rights (and may elect not to attend the relevant meetings or parts of meetings).

Observers

The Joint Committee allows for observers. Observers will be entitled to speak at meetings but will not be members of the Joint Committee.

At each meeting, the independent chairperson shall recognise those observers attending in accordance with these provisions and the persons recognised by the independent chairperson shall have speaking rights at the meeting.

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The attendance at any public excluded session by observers shall only be permitted with the prior approval of the independent chairperson.

Voting

Each member has one vote. In the case of an equality of votes the independent chairperson has a casting vote.

Meetings

The Joint Committee will arrange its meetings in separate parts, relating to the specific focus areas of: Wellington Regional Growth Framework; Regional Economic Development; and Regional Recovery.

Meetings will be held once every two months, or as necessary and determined by the independent chairperson.

The Joint Committee will set its own meeting schedule.

Quorum

In accordance with Clause 30A of Schedule 7 to the Local Government Act 2002, the quorum at a meeting of the Joint Committee shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number. In accordance with clause 30A(6)(c)(iii) of Schedule 7 to the Local Government Act 2002, for a quorum to be established there must be present at least 5 members appointed by local authorities.

Notification of meetings and the publication of agendas and reports shall be conducted in accordance with the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 and will be undertaken by the administering local authority.

Delegations

Each local authority delegates to the Joint Committee, and in accordance with the terms of reference, the following responsibilities:

1. Approval of all plans and implementation programmes necessary to fulfil the specific responsibilities of the Joint Committee, including:
 - a. Wellington Regional Growth Framework and Wellington Regional Leadership Committee Implementation Plan
 - b. Regional Economic Development Plan
 - c. Regional Economic Recovery Implementation Plan
2. Approval of all submissions and advocacy statements necessary to fulfil the specific responsibilities of the Joint Committee.
3. The setting of the Joint Committee's meeting schedule.

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Remuneration and expenses

Each party shall be responsible for remunerating its representative(s) on the Joint Committee.

Members who represent organisations or entities other than local authorities (being iwi members) shall be eligible for compensation for Joint Committee activity including travel, meeting time, and preparation for meetings paid by the administering local authority. This amount is to be agreed in advance.

An alternate, attending the Joint Committee on behalf of an iwi member, shall be eligible to receive the meeting fee and travel allowances payable to the member in respect of the meeting the alternate formally attends.

Standing Orders

The Joint Committee shall apply the standing orders of the Administering Authority.

Duration of the Joint Committee

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

Servicing

The Joint Committee is serviced by a joint secretariat. The administering local authority shall be responsible for the administration of the Committee.

Council decisions on the Joint Committee's recommendations

Where a council makes specific decisions on the Joint Committee's recommendations, these will be reported to the Joint Committee. Where the decision is materially different from the Joint Committee's recommendation the report will set out the reasons for that decision.

Variation of this Terms of Reference

These terms of reference may be varied from time to time. It is envisaged that changes may be made to add or remove specific responsibilities as the circumstances require. Changes will be approved by the parties to the agreement establishing the Wellington Regional Leadership Committee on the recommendation of the Joint Committee.

Terms of reference for joint committees (November 2021)

4 Wellington Water Committee

Wellington Water Committee

Purpose

The Wellington Water Committee ("the Committee") is established to:

- Provide governance and leadership across issues which are related to the planning, delivery and management of water services to communities serviced by Wellington Water Limited;
- Provide governance oversight of Wellington Water Limited, including by exhibiting good governance practice;
- Provide a forum for the representatives of Wellington Water Limited's shareholders and mana whenua to meet, discuss and co-ordinate on relevant issues and, through their representatives, to exercise their powers; and
- Strive for consistency across all client councils so all customers receive a similar level of service.

Specific responsibilities

The Committee's responsibilities are:

Governance oversight responsibilities

Shareholder or mana whenua stakeholder governance oversight of Wellington Water Limited and of the network infrastructure for the delivery of bulk water, water reticulation, wastewater and stormwater services in the geographical areas of Wellington Water Limited's operations, including by:

- Receiving and considering the half-yearly and annual reports of Wellington Water Limited;
- Receiving and considering such other information from Wellington Water Limited as the Committee may request on behalf of the parties to the Shareholders' Agreement and/or receive from time to time;
- Undertaking performance and other monitoring of Wellington Water Limited;
- Considering and providing recommendations to the parties to the Shareholders' Agreement on proposals from Wellington Water Limited;
- Providing co-ordinated feedback, and recommendations as needed, on any matters requested by Wellington Water Limited or any of the parties to the Shareholders' Agreement;
- Providing recommendations to the parties to the Shareholders' Agreement regarding regional studies which the Shareholders need to be cognisant of;
- Providing recommendations to the parties to the Shareholders' Agreement regarding water conservation;

Terms of reference for joint committees (November 2021)

- Agreeing the annual Letter of Expectation to Wellington Water Limited;
- Receiving, considering and providing agreed feedback and recommendations to Wellington Water Limited on its draft statement of intent;
- Receiving, considering and providing recommendations to the parties to the Shareholders' Agreement regarding Wellington Water Limited's final statement of intent.
- Agreeing when Shareholder meetings, or resolutions in lieu of Shareholder meetings, are required, without prejudice to Shareholder and Board rights to call meetings under Wellington Water Limited's constitution and;
- Seeking and interviewing candidates for Wellington Water Limited's Board as needed and approving director appointments and/or removals;
- Approving the remuneration of directors of Wellington Water Limited;
- Monitoring the performance of the Board of Wellington Water Limited; and
- Providing recommendations to the parties to the Shareholders' Agreement regarding changes to these terms of reference, the Shareholders' Agreement and the constitution of Wellington Water Limited.

Membership

The membership of the Committee will be as specified in the Shareholders' Agreement.

With the exception of the Committee Members nominated by the Mana Whenua Partners Entities, each appointee must be an elected member of the appointing Shareholder.

Chairperson

The Chairperson and Deputy Chairperson will be elected by the Committee once all Committee members have been appointed.

Quorum

For a meeting of the Committee to have a quorum, a majority of Committee Members, or their appointed Alternates, must be present; and the number making up the majority must include at least an equal number of Shareholder appointed Committee Members as MWPE nominated Committee Members.

Where the Committee is providing a forum for the Shareholders to meet and exercise their powers in relation to Wellington Water Limited, the requirements of Wellington Water Limited's constitution will prevail.

[Note: Clause 11.3 of the company's constitution provides that Directors shall be appointed and removed by the unanimous resolution of the Shareholders. For this matter the quorum is therefore all Committee Members (or their Alternates).]

Terms of reference for joint committees (November 2021)

Alternates

Each Committee Member appointed to the Committee must have an Alternate.

Decision-making

The Committee will strive to make all decisions by consensus.

In the event that a consensus on a particular matter before the Committee is not able to be reached, each Committee Member has a deliberative vote. In the situation where there is an equality of votes cast on a matter, the Chairperson does not have a casting vote and therefore the matter subject to the vote is defeated and the status quo is preserved.

Other than for those matters for which the Committee has effective decision-making capacity through these Terms of Reference, each Shareholder retains its full powers to make its own decisions on matters referred to it by the Committee and on matters specified in Part 1 of Schedule 2 to the Shareholders' Agreement.

Standing Orders

The Standing Orders of the party providing secretariat services to the Committee apply, subject to the provisions for meeting quorum and decision making as set out in these terms of reference taking precedence.

Remuneration

Each Shareholder will be responsible for remunerating its representative on the Committee, and their Alternate, for any costs associated with that person's membership on the Committee.

Wellington Water Limited will be responsible for remunerating the Committee Members nominated by Mana Whenua Partner Entities, and their Alternates, for any costs associated with those persons' membership on the Committee.

Administration

Reports to be considered by the Committee may be submitted by any of the Shareholders, any of the Mana Whenua Partner Entities, or Wellington Water Limited.

Duration of the Committee

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

Terms of reference for joint committees (November 2021)

Appendix

Common delegations

Governance oversight responsibilities

- Each Shareholder will delegate to the Committee the responsibilities and powers necessary to participate in and carry out the Committee's governance oversight responsibilities.

Shareholders' responsibilities

- Each Shareholder will delegate to its appointed Committee Member and, in accordance with these terms of reference, that person's Alternate, all responsibilities and powers in relation to the agreement of:
 - When Shareholder meetings, or resolutions in lieu of Shareholder meetings, are required (without prejudice to Shareholder and Board rights to call meetings under Wellington Water Limited's constitution); and
 - The appointment, removal and remuneration of Wellington Water Limited's directors.