
Northland Regional Council

Tabled Item

Council Meeting

**Wednesday, 6 November 2013
at 10.00am**

**ISSUE: Tabled Item for the council meeting
– 6 November 2013****ID:** A593632**To:** Council Meeting, 6 November 2013**From:** Chris Taylor, Council Secretary**Date:** 4 November 2013**Summary:** The purpose of this report is to place before the council the tabled item that was identified in the council agenda as being circulated under separate cover.

Report Type:	<input type="checkbox"/> Normal operations	<input checked="" type="checkbox"/> Information	<input type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Report:

Due to the close proximity of the Inaugural Council Meeting and to allow the Chairman the opportunity to meet with councillors to fully understand their areas of interest and expertise; the information was not fully available in time for the collation of the council agenda. Thus it is recommended that the following tabled item be received:

- Item 7.1: Councillor appointments, council committees and delegations

Recommendation:

That as permitted under section 46A(7) of the Local Government Official Information and Meetings Act 1987, the tabled item:

- Item 7.1: Councillor appointments, council committees and delegations be received.
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ISSUE: Councillor appointments, council committees and delegations**To:** Council meeting 6 November 2013**From:** Council Secretary, Chris Taylor and Kathryn Ross, GM Planning and Policy**Date:** 1 November 2013

Report Type:	<input checked="" type="checkbox"/> Normal operations	<input type="checkbox"/> Information	<input checked="" type="checkbox"/> Decision
Purpose:	<input type="checkbox"/> Infrastructure	<input type="checkbox"/> Public service	<input type="checkbox"/> Regulatory function
	<input checked="" type="checkbox"/> Legislative function	<input type="checkbox"/> Annual\Long Term Plan	<input checked="" type="checkbox"/> Other
Significance:	<input type="checkbox"/> High	<input type="checkbox"/> Moderate	<input checked="" type="checkbox"/> Low

Executive summary:

The Chairman has spoken to all councillors about the potential governance structures, including committees, and the delegations and appointments council should make early in the triennium (some as a matter of urgency). This paper outlines the committees, delegations, and appointments that have been discussed to date and the councillors who have expressed a willingness and appetite for the various roles.

The report concludes with the recommendation that the council confirms the committees, delegations, and appointments contained in the report. The following table is a summary of the committees, memberships, appointments herein.

Committee or Appointment	Chairperson	Deputy Chairperson	Members	Portfolios / Delegation
Regional Transport Committee	Cr Bain	Cr Dimery		
LGNZ Zone 1				Chairperson (Shepherd)
Civil Defence and Emergency Management Group			Cr Dimery	
Hearing Committee	Cr Brown	Cr Samuels	Cr Shepherd	
Audit and Risk	Cr Sinclair	Cr Dimery	All other councillors Independent Member option to be used	Cr Dimery - Risk Portfolio Cr Sinclair – Economic development portfolio and (with the Chairperson) has shareholder responsibility for Northland Inc. Chairperson Shepherd RSHL and Northland Port Corporation shareholder representative
Environmental Management Committee	Cr Carr	Cr Sinclair	Cr Dimery, Bowman & Shepherd (ex officio) External – TBC	

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Committee or Appointment	Chairperson	Deputy Chairperson	Members	Portfolios / Delegation
Mangere Catchment Group	Cr Shepherd		Cr Carr (ex officio EMC Chairperson)	
Whāngārei Harbour Catchment Advisory Group	Cr Sinclair		Cr Carr (ex officio EMC Chairperson)	
Doubtless Bay Catchment Working Group	Cr Bowman		Cr Carr (ex officio EMC Chairperson)	
Awanui River Liaison	Cr Bowman		Cr Carr (ex officio EMC Chairperson)	
Kaihu River Liaison	Cr Bain		Cr Carr (ex officio EMC Chairperson)	
Kaeo-Whangaroa River Liaison	Cr Brown		Cr Carr (ex officio EMC Chairperson)	
Kerikeri-Waipapa River Liaison	Cr Bowman		Cr Carr (ex officio EMC Chairperson)	
Waitangi River Liaison	Cr Bowman		Cr Carr (ex officio EMC Chairperson)	
Urban Whāngārei Rivers Flood Management Liaison	Cr Sinclair		Cr Carr (ex officio EMC Chairperson)	
Regional Policy Committee	Cr Ramsey		Crs Bain, Sinclair, Brown, and Shepherd (ex officio) External - TBC	
Plan Change 4 (Aquaculture) – resolution of appeals				Cr Brown
Kaipara Harbour Joint Political Committee				Cr Ramsey
Creative Northland/CHART Board				Cr Ramsey
Northland Sports Facilities Plan				Cr Dimery
Hātea River Maintenance Reserve and dredging				Cr Brown
Upper North Island Strategic Alliance (UNISA).				Chairperson (Shepherd)
Media and communications				Chairperson (Shepherd) and Deputy Chairperson (Ramsey)
TBfree Northland Committee				TBC

Report:

This paper outlines the committees, delegations, and appointments that have been discussed to date and the councillors who have expressed a willingness and appetite for the various roles. The report is structured starting with the most urgent committees, appointments and delegations first.

Draft Terms of reference for all committees that councillors have expressed an interest in are attached to this report, with the exception of the potential Taitokerau Māori Liaison Committee (this is due to discussions occurring on the nature and scope of its potential functions and membership that need to be determined before a draft Terms of Reference can be proposed).

The draft Terms of Reference are based on good / best practice guidance, the governance review conducted for the past triennium, and the experience of councillors and matters before council. Staff recommend that council adopts these Terms of Reference today to allow each committee to be established and that each committee reviews its Terms of Reference and recommends any changes it considers necessary to council once the committee is up and running. The report is structured starting with the most urgent committees, appointments and delegations first.

Regional Transport Committee (RTC)

The membership of the Regional Transport Committee is set out in the Land Transport Management Act 2003 as follows:

- (a) 2 persons to represent the regional council; and
- (b) 1 person from each territorial authority in the region to represent that territorial authority; and
- (c) 1 person to represent the (NZ Transport) Agency.

Further to that each regional council must appoint from its representatives the Chairperson and Deputy Chairperson of the committee.

It is important to note that the previous council resolved that the RTC should not be deemed to be discharged on the coming into office of the members of the council elected at the 2013 triennial general election. The membership of the committee at the end of the 2010-13 triennium was as follows:

Chairperson: Cr John Bain
Deputy Chairperson: Cr Joe Carr
Cr Steve McNally representing the Far North District Council (FNDC)
Cr Greg Martin representing the Whāngārei District Council (WDC)
Commissioner Peter Winder representing the Kaipara District Council (KDC)
Mr Stephen Town representing the NZ Transport Agency (NZTA).

Due to important on-going work programmes, particularly in relation to R-Funding, it is considered a matter of urgency that the membership of the RTC be confirmed for the new triennium. Cr Greg Martin's will continue as WDC's representative until the appointment can be ratified at the WDC meeting in December 2013. Cr Steve McNally did not stand for re-election to FNDC, hence a new appointment to the RTC will be approved at FNDC's inaugural meeting scheduled for Thursday 31 October 2013 (and staff will confirm the appointment at the 6 November council meeting). NZTA has confirmed that Mr Stephen Town will be its representative (see **Attachment 1**) and Commissioner Peter Winder will continue to represent KDC.

Crs John Bain and Paul Dimery have expressed their interest in being the council's representatives on the committee. It is recommended that Cr Bain be appointed Chairperson of the RTC and Cr Dimery be appointed Deputy Chairperson of the Committee.

While the RTC was not discharged, staff recommend a minor change to the Terms of Reference to ensure there is appropriate liaison between the RTC and the Road Safety Forum. This change arises due to the change in composition of the committee caused by the amendments to the Land Transport Management Act 2003. Staff also recommend that one member of the RTC holds the portfolio responsible for this liaison role and is or becomes a member of the Road Safety Forum. The draft Terms of Reference are included in **Attachment 2** for council adoption. The committee may at a later stage recommend changes to the terms of reference to council.

LGNZ Zone 1 nominations

Council is asked to consider appointing an individual councillor to represent it on the Zone 1 group of Local Government New Zealand (LGNZ). There are six Zones, with Zone 1 including membership of the Auckland Council, FNDC, KDC, WDC and NRC.

The purpose of Zones, as set out in the constitution of Local Government New Zealand, is to:

- Be an electoral college for the appointment of National Council representatives
- Be working for a member of Local Government New Zealand on a geographic basis
- Provide an opportunity for two-way communication between these geographic areas and Local Government New Zealand – and LGNZ reports back to members on major national developments; and
- Provide networking, and information sharing opportunities.

Each Zone elects or appoints a Chair, and in some cases an executive committee, both for a three-year term. The Chair runs the meetings with the support and input of the executive committee. A Chair Secretary, normally an officer from the chair's council, services the meetings.

Traditionally, the council's Zone 1 representative is appointed after the triennial elections, and holds office until the next triennial elections. Should council wish to appoint a representative, the Zone 1 chair secretary will be advised, and arrangements made for the member to attend future meetings.

Zone 1 meets four times a year and the first for the new triennium is scheduled for 15 November 2013. The business of that meeting includes:

- Appointment of Zone 1 interim Chair (finalised in the first Zone 1 meeting of 2014)
- Election of Zone Committee (if any)
- Nominations of the two Zone 1 representatives for National Council (due 18 November).

The Chairman has indicated that given the importance of participation in the Zone committee, the opportunity for collaboration and co-operation with Auckland and the Northland councils, and council's desire to show regional leadership and put Northland first, council should appoint a Zone 1 representative and that the Chairman of the council would be a suitable representative. The Chairman has made himself available for appointment.

LGNZ National Council

The National Council is the elected leadership of Local Government New Zealand. Its role is to prepare a work plan and annual report that outlines the organisation's priorities and projects in any given year. The National Council of *Local Government New Zealand* consists of the President and 14 members appointed as follows:

- (a) Two persons appointed by Zone One;
- (b) One person appointed by each of Zones Two, Three, Four, Five and Six;
- (c) Three persons appointed by the Metropolitan Group;
- (d) Two persons appointed by the Regional Group;
- (e) One person appointed by each of the Provincial and Rural Groups.

The Northland Regional Council, as a member of LGNZ's Zone 1 Group, is eligible to nominate a councillor for the election. Nominations must be in writing and signed by two member authorities of Zone 1, and the person accepting the nomination. Nominations will close at Local Government New Zealand at 5.00pm on Monday 18 November 2013.

To aid consideration of readiness to stand for office, would-be nominees may wish to contact the following for information:

- Local Government New Zealand (for information on time commitment, nature of task, samples of National Council papers, etc.)
- the President, Lawrence Yule, or Malcolm Alexander, Chief Executive, Local Government New Zealand
- the recent Zone 1 representatives (John Bain and Richard Northey).

If more than two nominations for National Council representatives from Zone 1 are received then elections will be conducted by way of a postal vote. If this is the case, voting papers will be distributed by **Wednesday 20 November 2013** and will be due back to the Returning Officer by **Friday 29 November 2013**. Late votes will be declared informal.

A Northland based representative on National Council ensures Northland's voice is heard. The nominations of representatives from Zone 1 have in the past caused tension and division between Northland's councils. His Worship Mayor John Carter of Far North District Council has indicated that he is available for nomination and it is likely that this matter will be discussed at the Mayoral Forum. In the spirit of better governance and collaboration in Northland, council may wish to support Mayor Carter's nomination and election.

Mangere, Whāngārei Harbour Catchment Advisory and Doubtless Bay Catchment Groups

The Mangere, Whāngārei Harbour Catchment Advisory and Doubtless Bay Catchment Groups were established the previous triennium under the "umbrella" of the Environmental Management Committee and the Terms of Reference of each of

the groups are included as **Attachment 3**; providing detail of their purpose, functions, reporting and membership. The ideal criteria/attributes for councillor representatives on catchment group include that they:

- live in the catchment
- have an interest in freshwater management
- are willing to work in a collaborative, consensus based forum
- have knowledge or understanding of rural land uses

During the previous triennium the councillor representatives on the respective groups were Cr Davies-Colley on the Mangere Catchment Group, Cr Rossiter on the Whāngārei Harbour Catchment Advisory Group, Cr Hunt on the Doubtless Bay Catchment Group and Cr Joe Carr (ex-officio) due to his position as Chairperson of Environmental Management Committee.

Since the Whāngārei Harbour Catchment Advisory Group and Mangere Catchment Group were only recently established at the end of the previous triennium, the council resolved not to discharge these subcommittees on the coming into office of the members of the council elected at the October 2013 election. No such resolution was required for the continuation of the Doubtless Bay Catchment Group, which was established as an informal advisory body.

The Mangere Catchment Group has a scheduled field trip for 7 November 2013 and the new appointee of the regional council may wish to attend. The purpose of the field trip is to look at water management initiatives already in place in the Mangere Catchment and to identify where there may be potential for improvements, including through Good Management Practice.

The Chairperson, Cr Shepherd, has expressed his interest in being the council's representative on the Mangere Catchment Group, and the catchment is in his local area. Cr Sinclair has expressed an interest in being the council's representative on the Whāngārei Harbour Catchment Advisory Group (and Cr Sinclair has also expressed an interest in being appointed to the Environmental Management Committee; which is the parent body for this sub-committee). Cr Bowman has expressed an interest in being the council's representative on the Doubtless Bay Catchment Group.

Other legally required committees: Civil Defence and Emergency Management Group and Hearings Committee

The Civil Defence Emergency Management Act 2002 requires every regional council and every territorial authority within a region to establish a 'Civil Defence Emergency Management Group' for the purposes of the Civil Defence Emergency Management Act as a joint standing committee under the Local Government Act 2002. The terms of reference of the group are set out in legislation and the group is known as the Northland Civil Defence Emergency Management Group. The joint standing committee was not discharged with the elections, therefore all council needs to do is confirm its appointment to the committee.

Cr Dimery has expressed an interest in being the council's representative on the committee.

The council must also have a Hearings Committee and draft Terms of Reference for the Hearings Committee are included as **Attachment 4**. The Terms of Reference are substantially the same as they have been for previous committees but updated to

remove the specific requirements for the appointment of Independent Commissioners for the Proposed Regional Policy Statement (which are no longer required).

Crs Brown, Samuels and Shepherd have expressed their interest in being appointed to the committee. Cr Brown has Making Good Decisions accreditation and would be a suitable Chairperson.

Other committees: Audit and Risk, Environmental Management (and sub-committees) and the Regional Policy Committee

Audit and Risk

Most councils have a committee focused on audit, risk, financial and performance management. The Office of the Auditor-General has produced a good practice guide on 'Audit Committees in the Public Sector' (<http://www.oag.govt.nz/2008/audit-committees>). The draft Terms of Reference, included as **Attachment 5**, adhere to that guide and cover

- Risk Management
- The internal control environment
- Health and Safety
- Legislative and regulatory compliance
- Internal audit and assurance
- External audit
- Financial reporting
- Non-financial reporting against council's objectives and Long Term Plan targets
- Investment property and funds
- Shareholder responsibilities and the governance of responsibilities of council for its Council Controlled Organisations.

In line with best practice, staff recommend that the chairperson of the committee is someone other than the chairperson of the council. Cr Brown has expressed an interest in this role and Cr Dimery has expressed an interest in the role of Deputy Chairperson and risk portfolio holder.

The draft Terms of Reference allow for an independent person to be appointed to the committee, which is also in line with best practice. The following comes from the OAG publication:

"Collectively, people appointed to serve on audit committees need to have:

- financial expertise;
- knowledge of governance, assurance, and risk management best practice;
- a good knowledge of the sector or industry in which the public entity operates; and
- other attributes as deemed appropriate (for example, legal or information technology experience).

3.13 They should also:

- be independently minded;
- have business acumen; and
- be prepared to have candid discussions at all levels within the organisation regarding the activities and areas of responsibility of the audit committee....

3.16 Because of the appointment or election process, the members of a public entity's governing body may not have all the skills necessary for the audit committee to function effectively. If necessary, additional skills should be obtained by appointing an independent member (or members) to the audit committee....

...4.8 The recommended combination of experience is:

- financial reporting (which should be emphasised in public entities with more complex financial reporting requirements);
- broad governance experience;
- familiarity with risk management disciplines (identification, evaluation, and management);
- understanding of internal control and assurance frameworks;
- a good understanding of the roles of internal and external audit; and
- industry or sector expertise.

4.9 For an "advisory-oriented" audit committee, particular emphasis should be placed on strategy, performance management, and associated risk management disciplines.

4.10 In determining the composition of the audit committee, the combined experience, skills, and personal qualities of audit committee members is critical. Members should bring:

- the ability to act independently and objectively;
- the ability to ask relevant and pertinent questions, and evaluate the answers;
- the ability to work constructively with management to achieve improvements;
- an appreciation of the public entity's culture and values, and a determination to uphold these;
- a proactive approach to advising the governing body and chief executive of matters that require further attention;
- business acumen;
- appropriate diligence, time, effort, and commitment; and
- the ability to explain technical matters in their field to other members of the audit committee."

Given the nature of the committee and its functions, in consultation with the Chairperson, staff recommend that council appoint an independent person to the committee, with the above skills and particular understanding of financial and investment matters. Furthermore staff recommend that council delegates to the Chairperson of Council, the Chairperson of the Audit and Risk Committee and the Chief Executive Officer authority to design a transparent process for the shortlisting of a potential independent member of the committee for council's future consideration.

The Audit and Risk committee is responsible for council's interactions with its council controlled organisations and council's shareholder responsibilities. It has the power to delegate to individual councillors or a group of councillors responsibility and authority to act as the council's shareholder representatives. Council may wish to make these delegations itself. The Chairperson has expressed an interest in being the council's shareholder representative for Regional Software Holdings Limited and it is traditional

that the Chairperson is the council's shareholder representative for Northland Port Corporation.

Councillor Sinclair has expressed an interest in holding the economic development portfolio and with the Chairperson would be a suitable shareholder representative for the council's relationship with Northland Inc and in the recruitment and appointment of Directors to the company. Over the coming months the director appointments to Northland Inc will be reviewed including the chairperson of the board. Council needs to run a robust process for selecting directors. It is therefore recommended that council delegates to the Chairperson, Cr Sinclair and the Chief Executive Officer authority to design and implement a transparent process for the shortlisting and appointment of potential independent directors.

Environmental Management Committee and River Liaison sub-committees.

Historically one of council's most active and collaborative committees has been the Environmental Management Committee (EMC) and its range of sub-committees and working groups. Updated draft Terms of Reference for the Environmental Management Committee are included as **Attachment 6**. The updates include reference to the current Long Term Plan activities covered by the committee, the governance role of the committee for Waiora Northland Water and the river liaison and catchment sub-committees, and a liaison role with the proposed Regional Policy Committee (to ensure recommendations from the EMC and its subcommittees are considered by the Regional Policy Committee in the review and development of regional plans.

Cr Carr has expressed his interest in continuing to be the Chairperson of the committee for this triennium. Crs Sinclair, Dimery and Bowman and the Chairman (in his ex officio) capacity have also expressed their interest in this committee.

The river liaison subcommittees of the EMC were not discharged and councillors have expressed an interest in being members of them as follows:

Awanui River Liaison	Chairperson - Cr Bowman and Cr Carr (ex officio EMC Chairperson)
Kaihū River Liaison	Chairperson - Cr Bain and Cr Carr (ex officio)
Kaero-Whangaroa River Liaison	Chairperson - Cr Brown and Cr Carr (ex officio)
Kerikeri-Waipapa River Liaison	Chairperson - Cr Bowman and Cr Carr (ex officio)
Waitangi River Liaison	Chairperson - Cr Bowman and Cr Carr (ex officio)
Urban Whāngārei Rivers Flood Management Liaison	Chairperson – Cr Sinclair and Cr Carr (ex officio)

Regional Policy Committee

The purpose of the committee is to oversee the preparation of the new Regional Policy Statement (RPS) for Northland in accordance with Schedule 1 of the Resource Management Act 1991 (RMA), including the resolution of appeals, the review and development of new regional plans under the Resource Management Act 1991, and to progress any necessary plan changes. The draft Terms of Reference for the Regional Policy Committee, included as **Attachment 7**, have been updated from the last triennium to clarify the relationship between the Environmental Management

Committee and this committee and specifically to provide for common membership, consultation and consideration of recommendations from the EMC.

Another change is that the committee does not have the delegated authority to notify a proposed regional plan. This power remains with the council. In the previous triennium district councils also nominated representatives to the committee and an invitation was made to the Iwi Chief Executives to consider nominating a representative to the committee. The committee has the delegated authority to invite nominations again. Councillors Ramsey, Bain, Sinclair, Brown and Shepherd have all expressed an interest in being members of the Regional Policy Committee.

A specific delegation for the resolution of current appeals on Plan Change 4 to the Coastal Plan is also necessary as this plan change is in the final stages of the appeal process. Councillor Brown has a thorough understanding of the issues under appeal, has been part of this process throughout, and is accredited for Making Good Decisions.

Council will need to consider whether it grants a specific delegation to individual councillors to resolve appeals on the Proposed Regional Policy Statement or whether the committee exercises this power as per the draft Terms of Reference.

Other appointments and delegations

The Kaipara Harbour Joint Political Committee is a non-statutory committee. The vision of the Kaipara Harbour Joint Political Committee is for local government to work together with te Iwi o Ngati Whatua and central government agencies to restore the health (mauri) of the harbour and the sustainability of its use. Cr Ramsey has expressed an interest in being reappointed to the committee. (Prior to the elections he was co-chair of the committee.)

The council also funds Creative Northland, which is managed by CHART and has in the past been invited to have a representative on the Board. This role has previously been delegated to Cr Ramsey, who has expressed an interest in continuing to perform this role.

Council has provided funding of \$25,000 to Sport Northland to develop the Northland Sports Facilities Plan. As part of the funding arrangement council has the opportunity to sit on the project control group for the development of the Plan. Cr Dimery has expressed an interest in this role.

Council has a reserve for maintenance dredging of the Hātea River and traditionally delegates governance oversight and participation in the liaison committee to a councillor. Councillor Brown has expressed an interest in the Hātea Dredging portfolio. In line with convention it is also recommended that the council delegates its participation in the Upper North Island Strategic Alliance (UNISA) to the Chairman.

Council has also discussed the need to formulate a communications strategy and as a result the Chairperson and Deputy Chairperson have offered to hold jointly the media and communications portfolio and work through this agenda. Council may also appoint a representative to the TBfree Northland Committee and it is recommended that this person is a councillor.

Conclusion

This report concludes with the recommendation that the council confirms the committees, delegations, and appointments contained in the report to ensure that the business of council can be attended as early as possible in the triennium. Draft Terms of reference for all committees that councillors have expressed an interest in are attached to this report, with the exception of the potential Taitokerau Māori Liaison Committee, and have been developed in consultation with the Chairman. They are based on good / best practice guidance, the governance review conducted for the past triennium, and the experience of councillors and matters before council. The council and committees can review the committees, appointments and delegations made at any time.

Legal Compliance & Significance Assessment:

The activities detailed in this report are in accordance with the council's decision making process and sections 76-82 of the Local Government Act 2002.

This matter has been assessed according to the council's Significance Policy and deemed to be of low significance.

Recommendations:

1. That the report, "Councillor appointments, council committees and delegations", by Council Secretary, Chris Taylor, and GM Planning and Policy, Kathryn Ross, and dated 1 November 2013, be received.
2. That council appoints Councillor Bain as Chairperson of the Regional Transport Committee.
3. That council appoints Councillor Dimery as Deputy Chairperson of the Regional Transport Committee.
4. That council confirms the nomination of Councillor _____ to the Regional Transport Committee by the Far North District Council.
5. That council adopts the Terms of Reference for the Regional Transport Committee as outlined in **Attachment 2**
6. That council directs the Regional Transport Committee to appoint a committee member as portfolio holder responsible for the liaison role with Northland's Road Safety Forum and to consider the appropriateness of that member becoming a member of Road Safety Forum.
7. That Chairman Shepherd :
 - be appointed as the Northland Regional Council's representative on Local Government New Zealand's Zone 1 group for the 2013-2015 triennium;
 - be authorised, on behalf of the Northland Regional Council, to support His Worship the Mayor John Carter (of FNDC) for election to LGNZ National Council (by way of nomination, seconder or other support) prior to the 18 November 2013 deadline, and

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- be authorized to vote on behalf of the Northland Regional Council (should an election occur) in favour of His Worship the Mayor John Carter (of FNDC) for the Zone 1 representatives on the LGNZ National Council, prior to the 29 November 2013 deadline.
- 8. That council appoints Chairman Shepherd to the Mangere Catchment Group.
- 9. That council appoints Councillor Sinclair to the Whāngārei Harbour Catchment Advisory Group.
- 10. That council appoints Councillor Bowman to the Doubtless Bay Working Group.
- 11. That council appoints Councillor Dimery to the Civil Defence Emergency Management Group Joint Committee.
- 12. That council adopts the Terms of Reference for the Hearings Committee as outlined in **Attachment 4**.
- 13. That council appoints Councillor Brown as Chairperson of the Hearings Committee.
- 14. That council appoints Councillor Samuels as Deputy Chairperson of the Hearings Committee.
- 15. That council adopts the Terms of Reference for the Audit and Risk Committee as outlined in **Attachment 5** and all councillors are members of the committee.
- 16. That council appoints Councillor Sinclair as the Chairperson of the Audit and Risk Committee.
- 17. That council appoints Councillor Dimery as the Deputy Chairperson of the Audit and Risk Committee and Risk portfolio holder.
- 18. That council appoints Cr Shepherd the council's shareholder representative for Regional Software Holdings Limited and Northland Port Corporation and delegates all necessary authority to him to represent the council's interests including but not limited to exercising the council's vote at Annual General Meetings, nominating directors for appointment and giving effect to council's shareholder resolutions.
- 19. That council appoints Cr Sinclair to the economic development portfolio and authorises him to be the council's shareholder representative for Northland Inc. delegating all necessary authority to him to represent the council's interests including but not limited to exercising the council's vote at Annual General Meetings and giving effect to council's shareholder resolutions.
- 20. That council delegates to the Chairperson of Council, the Chairperson of the Audit and Risk Committee (Cr Sinclair) and the Chief Executive Officer authority to design and implement a transparent process to shortlist potential independent members (to the Audit and Risk Committee) possessing relevant

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financial and investment skills and experience for council's (or the committee's) future consideration.

21. That council delegates to the Chairperson of Council, the Chairperson of the Audit and Risk Committee (Cr Sinclair) and the Chief Executive Officer authority to design and implement a transparent process for the shortlisting and appointment of potential independent directors to Northland Inc on behalf of council.
22. That council adopts the Terms of Reference for the Environmental Management Committee as outlined in **Attachment 6**.
23. That council appoints Councillor Carr as the Chairperson of the Environmental Management Committee.
24. That council appoints Councillor Sinclair as the Deputy Chairperson of the Environmental Management Committee.
25. That council appoints Councillors Dimery and Bowman and the Chairman Bill Shepherd (in an ex-officio capacity) to the Environmental Management Committee.
26. That the Chairman of the Environmental Management Committee and Deputy Chief Executive confirm the external representation on the Environmental Management Committee with the nominating bodies as per the Terms of Reference for the committee.
27. That council appoints the following councillors to the River Liaison subcommittees of the Environmental Management Committee:

Awanui River Liaison	Chairperson - Cr Bowman and Cr Carr (ex officio EMC Chairperson)
Kaihū River Liaison	Chairperson - Cr Bain and Cr Carr (ex officio)
Kaeo-Whangaroa River Liaison	Chairperson - Cr Brown and Cr Carr (ex officio)
Kerikeri-Waipapa River Liaison	Chairperson Cr Bowman and Cr Carr (ex officio)
Waitangi River Liaison	Chairperson - Cr Bowman and Cr Carr (ex officio)
Urban Whāngārei Rivers Flood Management Liaison	Chairperson - Cr Sinclair and Cr Carr (ex officio)

28. That council adopts the Terms of Reference for the Regional Policy Committee as outlined in **Attachment 7**.
29. That council appoints Councillor Ramsey as the Chairperson of the Regional Policy Committee.
30. That council appoints Councillors Bain, Sinclair and Brown and the Chairman Bill Shepherd (in an ex-officio capacity) to the Regional Policy Committee.

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31. That the Regional Policy Committee considers the desirability of external appointments to the committee in line with its Terms of Reference.
32. That council delegates to Councillor Brown authority to resolve appeals on Plan Change 4 to the Regional Coastal Plan for Northland in a manner consistent with council's decisions on the Plan Change.
33. That council appoints Councillor Ramsey to the Kaipara Harbour Joint Political Committee.
34. That council appoints Councillor Ramsey to the Creative Northland/CHART Board.
35. That council appoints Councillor Dimery to Sport Northland's project control group overseeing the development of the Northland Sports Facilities Plan.
36. That council appoints Councillor Brown to the Hātea Dredging portfolio and delegates authority to him for governance matters for Hātea River Maintenance including participation in the Hātea River Channel Liaison Group.
37. That council delegates its participation in the Upper North Island Strategic Alliance (UNISA) to the Chairman.
38. That the Chairperson and Deputy Chairperson of council both hold the media and communications portfolio.
39. That the council appoints Cr _____ to the TBfree Northland Committee.



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25 October 2013

John Bain
Chair – Regional Transport Committee
C/- Chris Powell
Transport Operations Senior Programme Manager
Northland Regional Council
Private Bag 9021
Whangarei Mail Centre
Whangarei 0148

Representation on the Regional Transport Committee

Dear John

This is to confirm that I will continue to represent the NZ Transport Agency on the Regional Transport Committee.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Stephen Town', written in a cursive style.

Stephen Town
Regional Director Auckland & Northland

DRAFT COMMITTEE TERMS OF REFERENCE

Regional Transport Committee

Membership

The Regional Transport Committee (the committee) comprises two (2) councillors (as Chairperson and Deputy Chairperson) plus a representative from each of the district councils and a representative from the New Zealand Transport Agency, as follows:

Chairperson

Cr X

Deputy Chairperson

Cr X

Members:

Cr X representing the Far North District Council

Cr X representing the Whāngārei District Council

Commissioner X representing the Kaipara District Council

X representing the NZ Transport Agency

Quorum

The quorum for meetings of the committee shall be half of the members (including vacancies).

Terms of Membership

Should any member appointed to represent an outside organisation be absent without prior leave from two consecutive meetings of the committee, that person's appointment is automatically terminated.

Should a vacancy occur in the membership of the committee, the Committee Secretary (or person fulfilling that role) shall report this to the next meeting of the council and the nominating organisation will be invited to nominate a replacement.

Members of the committee representing outside organisations are expected to regularly report back to their nominating organisation on matters discussed at committee meetings.

Voting Rights

At any meeting of the committee, the Chair, or any other person presiding at the meeting, has a deliberate vote, and in the case of an equality of votes, does not have a casting vote (and therefore the act or question is defeated and the status quo is preserved). This is a requirement of the Land Transport Management Act 2003 (the Act) and therefore takes precedence over council's standing orders.

Functions

1) To prepare for approval by the Northland Regional Council:

- (a) a Regional Land Transport Plan for the Northland region, or any variations to the plan or any reports on the plan prepared under the Act;
 - (b) a Regional Public Transport Plan, or any variations to the plan prepared under the Act; and
 - (c) to provide the regional council with any advice and assistance the regional council may request in relation to its transport responsibilities.
- 2) To adopt a policy that determines significance in respect of variations made to the Regional Land Transport Plan.
- 3) To regularly monitor and review progress towards the adoption and implementation of the Regional Land Transport Plan.
- 4) To approve procedures and requirements for implementing the council's public passenger transport service registration functions under the Act.
- 5) To advise the council on any significant legislative changes, programmes, plans or reports relating to the region's land transport system.
- 6) To liaise with Ministry of Transport, New Zealand Transport Agency, the Commissioner of Police, district councils, Northland's Road Safety Forum and other interests on land transport matters, and advise the council on appropriate new initiatives.
- 7) To regularly monitor and review progress towards the performance targets and outcomes relative to land transport contained in the current Long Term Plan and Annual Plan.

Delegated Authority – Power to Act

- 1) Does not have the powers of council to act in the following instances as specified by Clause 32 (1) of Schedule 7 of the Local Government Act 2002:
 - a) make a rate;
 - b) make a bylaw;
 - c) borrow money, or purchase or dispose of assets, other than that in accordance with the current Long Term Plan or Annual Plan;
 - d) adopt a Long Term Plan, or Annual Plan, or Annual Report;
 - e) appoint a Chief Executive; or
 - f) adopt policies required to be adopted and consulted on under this Act in association with a Long Term Plan or developed for the purpose of the Local Governance Statement.
- 2) Does have the ability to appoint subcommittees to deal with any matters of responsibility within the committee's Terms of Reference and areas of responsibility, and to make recommendations to the committee on such matters. (Any subcommittee shall not have power to act other than by a resolution of the committee with specific limitations where there is urgency or special circumstance.)
- 3) Does have the ability to make decisions in accordance with the Terms of Reference.

Power to Act (for the information of council)

- 1) To prepare an annual report on the Regional Land Transport Plan-

- 2) To co-ordinate regional road safety activities.
- 3) To monitor transport activities of the regional council, territorial authorities and New Zealand Transport Agency in order to report on progress of the Regional Land Transport Plan.

Power to Recommend to Council

- 1) To prepare and recommend the Regional Land Transport Plan and Regional Public Transport Plan. To consider and recommend transportation planning studies and associated outcomes.
- 2) To provide recommendations to relevant government agencies on transport priorities and the allocation of national regional transport funds.

Terms of Reference: Mangere Catchment Group

- Purpose:** To work collaboratively to maintain and improve the state and management of the Mangere River Catchment's freshwater.
- To work with the Northland Regional Council and its Environmental Management Committee in the Mangere River Catchment to deliver the Waiora Northland Water programme, including the review of the freshwater provisions of the current Water and Soil Plan for Northland to give effect to the Freshwater NPS.
- To discuss and develop objectives, policies and rules to be included in the Water and Soil Plan for Northland (or other relevant regional plan) and other related actions for recommendation to the Northland Regional Council and others.

The Mangere Catchment lies approximately 12 kilometres west of Whangarei and has a catchment area of approximately 7650ha. The Mangere River is a low-lying, sluggish tributary to the Wairua River, which flows through a mostly intensive agricultural catchment. The river begins as the Mangere Stream, which flows east out of the Pukenui forest near Whangarei. It becomes a river on the flats before joining the Waiora River just west of Kokopu.

Under the National Policy Statement for Freshwater (Freshwater NPS), councils must set freshwater objectives, and water allocation and water quality limits for all waterbodies in Northland so that the overall quality of freshwater in the region is maintained or improved.

Councils will remain responsible for preparing resource management plans and plan changes to give effect to the Freshwater NPS (in particular setting freshwater objectives and limits). Work on this in Northland will commence during 2013-14 when the Council has made decisions on the Proposed Regional Policy Statement and the review of regional plans begins.

The Mangere River Catchment has been identified as a priority catchment for the setting of objectives and limits by the Northland Regional Council. Limits need to be set in a statutory document (the appropriate statutory document is currently the Water and Soil Plan for Northland, or in future, a combined regional plan).

The collaborative stakeholder group will determine the values for management of the Mangere River Catchment to be included in these plans and the environmental state to be achieved (which can be selected from a range of options from maintenance through to various degrees of improvement) based on the local context and community aspirations.

The collaborative stakeholder group will develop regulatory (e.g. limits, policies and rules) as well as non-regulatory management options to achieve the agreed environmental objectives with the aim of providing the Environmental Management Committee (and the Northland Regional Council) with consensus recommendations for a plan change to the Water and Soil Plan for Northland and an agreed plan for implementing the non-regulatory management options.

The Environmental Management Committee will implement the recommendations of the Mangere Catchment Group where they are able to do so and will promote the recommendations that require Northland Regional Council or other committee, or stakeholder endorsement. To facilitate this occurring, the recommendations from the Mangere Catchment Group must also be consistent with the Resource Management Act 1991, relevant National Policy Statements and Environmental Standards, the Regional Policy Statement, the Local Government Act 2002 and the Northland Regional Council's Long Term Plan.

Establishment: The Mangere Catchment Group is established as a subcommittee of the Northland Regional Council Environmental Management Committee under the Local Government Act 2002.

Chair: The Group will select a Chair and Deputy Chair from amongst its members.

Quorum: A quorum shall include the Chair or Deputy Chair and a total of at least 50% of the normal membership.

Membership: Members have been selected to reflect the broad interests in water management in the Mangere River Catchment and to provide a cross-section of values, understanding and perspectives. It is expected that members will engage with their organisations and wider networks to share information and get feedback on the matters being considered.

Tony Davies-Colley – Environmental Management Committee member and Northland Regional Councillor
 Joe Carr (ex officio) - Environmental Management Committee member and Northland Regional Councillor
 Alan Clarkson – Environmental Management Committee – Farming representative
 David Coleman - Whangarei District Council representative
 Royce Kokich – Dairy industry representative
 Denis Anderson – Dairy industry representative
 Shayne O'Shea – Dairy industry representative
 Gerry Brackenbury - Pukenui Western Hills Forest Charitable Trust
 Roger Holder – Catchment resident
 Rob Pye – Non-Dairy industry representative
 Hona Edwards – Te Urioroioi representative
 George Tuhiwai – Te Parawhau representative
 Allan Halliday – Ngāti Hau representative
 Tania Pene – Te Runanga A Iwi O Ngapuhi representative
 Murray Smith – Catchment resident
 Ian Pritchard – Catchment resident

Members are generally mandated sector or group representatives. Where members have not been given a mandate from their sector or interest group they will participate as individuals and are expected to convey ideas and perspectives from their wider networks.

Councillors and council staff have particular statutory (and non-statutory) responsibilities outside of the Mangere Catchment Group, but within the group they have the same rights and responsibilities as all other members. In addition to the particular knowledge, expertise and perspectives, they will represent the interests of the wider district and regional communities.

To assist the Mangere Catchment Group to make satisfactory progress and build consensus, members are expected to attend all meetings. Substitutes are discouraged and must be approved by the Chair in advance. (If a meeting is missed, or if a substitute does participate, members will be expected to catch up and to resist the temptation to re-litigate matters that have been agreed in their absence.)

Between meetings members are expected to interact with their nominating body / wider networks to obtain feedback on options being discussed.

As the group is undertaking a collaborative exercise based on consensus decision-making, at the end of the process, members will be asked to declare whether they can support the outputs and recommendations to the Environmental Management Committee that have been produced by the process and will be expected to promote them to their organisations and networks. Members will also be asked whether their nominating organisations / organisations they represent (where appropriate) will formally endorse the consensus agreement.

Where it becomes known that an important sector, interest or perspective is not represented on the Mangere Catchment Group, the Environmental Management Committee will consider adding another member, taking into account their interest/perspective, their availability and the need to keep the group to a size that can work effectively together.

The Mangere Catchment Group may establish working groups to advance work on specific topics and may request research and expert advice from, but not limited to, the Northland Regional Council.

Collaborative
decision making:

Collaborative decision making is not consultation. A credible commitment to the collaborative process by the individuals and organisations involved is required. Decisions need to be made by consensus (near consensus) not majority rule.

Consensus:

Consensus is defined as every member of the Mangere Catchment Group agreeing that they can accept the agreement / recommendation.

Principles of participation:

To this end all members will:

- Participate cooperatively and civilly.
- Be committed to achieving a balanced – environmentally, economically, culturally and community – management regime for the catchment and Northland’s freshwater.
- Commit to open, honest and collaborative discussions and decision making.
- Chatham House Rules will be followed. Members and participants in working groups are free to discuss matters with other parties – but not the media – but won’t attribute people to the options or opinions discussed.
- Contributions are made without prejudice – i.e. nothing said within the group may be used in subsequent planning or legal processes except for any recommendations or agreements reached by the group.
- Members are expected to show respect for other views and avoid promoting discord within the group.
- Any public statements by the group must be agreed by the group and made through an agreed spokesperson. (This also applies to those technical advisors, staff and others who attend the meetings in support of the Mangere Catchment Group.
- Support decisions and recommendations reached by consensus by the group in subsequent public discussion, including appearing at any subsequent hearing if requested.

The Chair of the Group / Facilitator will:

- Ensure a fair and equitable group process
- Foster an atmosphere of respect, open-mindedness and group learning
- Design an enjoyable and productive process to enable the group to achieve its task
- Facilitate input from all members of the group so that every voice is heard
- Provide or acquire guidance on collaborative decision making techniques, including constructive ways to voice disagreement and negotiate potential outcomes.

Key Tasks:

1. Establish objectives, uses and values (e.g. ecosystem health, stock watering, etc.) for the catchment.
2. Establish desired environmental state (and confirm the current state - does this mean things have to improve and by how much).
3. Determine freshwater limits to achieve the desired environmental state (both quality and quantity).
4. Determine the potential policy and management options (regulatory and non-regulatory) to achieve the preferred state.
5. Develop good management practices and other non-regulatory tools for maintaining and improving the catchment’s freshwater and its management and establish

the on the ground costs and benefits of them (which may include trials).

6. Develop an implementation plan and recommendations (including a draft plan change) for:
 - a. the Environmental Management Committee to consider / implement / recommend to the Northland Regional Council as part of regional plan changes and annual and long term planning
 - b. other relevant parties such as government, industry, community groups, landowners etc. to consider / implement.

In completing the tasks the Mangere Catchment Group will:

- Consult with relevant stakeholders throughout the development of the implementation plan and recommendations.
- Receive, review and consider technical material as well as consultation and engagement feedback and results.

Key outputs and timeframes:

1. Report documenting the values, objectives, desired environmental state (and freshwater limits to achieve it), and agreed management options for the catchment [initially suggest April 2014].
2. A draft plan change ready for notification incorporating any preferred / agreed management responses.

Technical advice:

The Mangere Catchment Group will be supported by a technical group made up of technical advisors across a range of specialisms relevant to the catchment including: environmental science, matauranga Maori and Maori values, farm systems and land management, economics and social science.

NRC shall provide secretariat and administrative support, as well as technical support in line with NRC functions and work programmes.

Whangarei Harbour Catchment Advisory Group: Proposed Terms of Reference

Background

The Whangarei Harbour Catchment is located on the south-east coast of Northland and has an area of approximately 300 km². The catchment flows to a drowned river valley/large estuarine harbour of approximately 105 km², which is highly valued for its ecological, economic, recreational, and cultural values. The catchment has heterogeneous geology, soils, and land uses, and is comprised of a number of smaller sub-catchments. The catchment contains much of Whangarei city urban area.

In their jointly prepared Whangarei Harbour Water Quality Improvement Strategy (2013), Whangarei District Council and Northland Regional Council (the councils) have agreed to the following short term (0-3 years) actions for improving the water quality management framework for the harbour and its catchment:

- Form a Whangarei Harbour Catchment Stakeholder Advisory Group to confirm/amend the proposed water quality objectives for the Whangarei Harbour and establish catchment-specific objectives for the Whangarei Harbour catchment/sub-catchments (Action 22).
- With the Whangarei Harbour Catchment Stakeholder Advisory Group translate catchment-specific objectives into water quality limits and targets (Action 23).
- Assess the need to amend current policies and rules and/or develop new policies and rules to manage direct and diffuse source discharges to achieve catchment-specific objectives (Action 24).

The key action within the Whangarei Harbour Water Quality Improvement Strategy of forming a collaborative stakeholder advisory group will enable the councils to collaborate with the community in decisions on catchment-specific water management.

The Whangarei Harbour Catchment has been identified as a priority catchment by Northland Regional Council in its Waiora Northland Water programme for implementing the National Policy Statement for Freshwater Management.

Terms of Reference

The Collaborative Stakeholder Advisory Group for Whangarei Harbour will be known as the Whangarei Harbour Catchment Group (the Group).

The councils will look to the Group for advice and innovation in formulating solutions. Advice and recommendations provided by the Group will be incorporated into decisions of the councils to the maximum extent possible.

Purpose:

The purpose of the Group is to work collaboratively to make consensus recommendations on maintaining and improving the state and management of water resources in the Whangarei Harbour and its catchment.

Specific functions

1. To assist both councils in communicating with the community on the state of the harbour and actions being taken to achieve water quality objectives
2. To advise the Northland Regional Council and its Environmental Management Committee (EMC) on the delivery of the Waiora Northland Water programme in the Whangarei Harbour catchment.
3. To develop and recommend water management objectives, policies and rules for the Whangarei Harbour Catchment to be included in the relevant regional or district plans.
4. To help coordinate efforts to maintain and improve the quality of water in the Whangarei Harbour and its catchment by leveraging public and private resources and fostering cooperation and joint responsibility among stakeholders, including by making recommendations to the Whangarei District Council on water infrastructure management and land use development decisions.

Establishment and Reporting:

The Group is established as:

1. A sub-committee of the Northland Regional Council Environmental Management Committee under the Local Government Act 2002
2. An advisory group to Whangarei District Council; and

The Group shall report to the Northland Regional Council Environmental Management Committee and the Whangarei District Council District Living Committee.

Membership:*Composition*

Membership of the Group will reflect a balanced cross-section of interests in the Whangarei Harbour and its catchment. It is expected that members will engage with their organisations and wider networks to share information and to bring forward knowledge and information to the Group. The composition of the Group is as follows:

- One member appointed by the Environmental Management Committee (an elected councillor of Northland Regional Council preferably residing within the Whangarei Harbour catchment)
- One member appointed by Whangarei District Council (an elected councillor preferably residing within the Whangarei Harbour catchment)
- One member appointed by Te Runanga a Iwi o Ngapuhi and hapu
- One member appointed by Te Runanga o Ngati Whatua and hapu
- One member appointed by Ngati Wai Trust Board and hapu
- One member nominated by farming interests

- One member nominated by forestry interests
- One member nominated by fisheries interests
- One member nominated by other business/industry interests
- One member nominated by recreational interests
- One member nominated by environmental interests
- Three members from the community at large:
 - Two from the sub-catchments of the upper harbour
 - One from the sub-catchments of the middle/lower harbour.

Additional members

The size of the Group will achieve a balance between representation of interests and the need for an efficient process to fulfil the group's functions.

Where it is evident that an important interest or perspective is not represented on the Group, the councils will consider adding another member(s), taking into account their skills and knowledge, their availability, and the need to keep the group to a size that can effectively and efficiently work together.

The Group may establish working groups to advance work on specific topics and may request expert advice through the Technical Advisory Group.

Chairperson:

The Group will select a Chairperson and Deputy Chairperson from among its members.

If it is in the interests of the Group, the councils will appoint an independent facilitator to support the Chairperson, or to fulfil the role of Chairperson, for an open or fixed period.

The role of the Chairperson/Facilitator is to:

- Ensure a fair and equitable group process
- Create an environment where members can work together in good faith, with respect and with an open mind
- Facilitate input from all members of the group so that every voice is heard
- Ensure that the Catchment Group operates in accordance with its principles
- Ensure that the group has adequate support and information to efficiently and effectively carry out its terms of reference
- Provide or acquire guidance on collaborative decision making techniques, including constructive ways to voice disagreement and negotiate potential outcomes.

Meetings - Frequency: Its specific tasks will likely demand a significant amount of time of the Group. Members should anticipate a commitment of approximately two years comprised of 6–10 meetings per year.

The Group will need to decide on a frequency of meetings that is adequate for its tasks.

Quorum

A quorum shall include the Chair or Deputy Chair and a minimum of 50% of the normal membership.

Collaborative decision-making:

A credible commitment to a collaborative process is required of the Group. Decisions must be made by consensus (or near consensus) not majority rule.

Consensus is defined as every member of the Group agreeing that they can accept a decision / recommendation.

Because the Group is undertaking a collaborative exercise based on consensus decision-making, at the end of a process, members will be asked to declare whether they can support the outputs and recommendations to the councils. Members will be expected to promote outputs and decisions to the interests, organisations, and constituents that they represent.

Operating principles:

All members will:

- Recognise that ecological, social, cultural and economic considerations are all an integral part of collaborative catchment planning.
- Develop and maintain effective and inclusive working relationships through open communication, respect, trust, and cooperation.
- Commit to collaborative discussions and decision making.
- Follow Chatham House Rules: Members are free to discuss matters with other parties (except the media), but are not to attribute people to the opinions or options being discussed.
- Contributions are made without prejudice i.e. notwithstanding any recommendations or agreements reached by the group, nothing said within the group process may be used in subsequent planning or legal processes.
- Not make any public statements on, or relating to, the workings of the Group without agreement from the Chairperson. (This also applies to technical advisors, staff and others who attend the meetings in support of the Group).
- Support decisions and recommendations reached by consensus by the group in subsequent public discussion, including appearing at any subsequent hearing if requested. Members will however be permitted to submit individually on decisions of either council on

matters that the Catchment Group was unable to reach consensus on.

Key tasks:

1. To identify uses and values of water in the Whangarei Harbour and its catchment
2. To develop catchment objectives (desired environmental outcomes) relating to the identified uses and values
3. To determine water quality and quantity limits/targets that specify the maximum or minimum conditions to meet the water management objectives
4. To determine the policy and management options (regulatory and non-regulatory) to achieve the catchment objectives, including by reviewing the respective actions of the councils, set out in the Whangarei Harbour Water Quality Action Strategy 2013.
5. To make recommendations on aligning the maintenance and provision of water infrastructure and future development planning with catchment objectives.

Key outputs and Timeframes:

Reports to the Environmental Management Committee and District Living Committee recommending catchment objectives, limits, and management actions; details on the key points of deliberation and rationale for decisions, and any areas where consensus could not be reached.

[Initially suggest July 2015, however the deliverables could be staged over a period of time leading up to this date].

Administration and support:

Administrative

The councils will provide secretariat and administrative support.

Independent facilitator

The Group may request an independent facilitator to assist or fulfil the role of the Chairperson for fixed period or the full period of the group.

Technical Advisory Group

The Group will be supported by a Technical Advisory Group made up of technical advisors from a range of fields relevant to the functions of the Group, to be set up by the councils.

Application:

To fulfil its functions the term of the Group is expected to be at least two years.

These terms of reference will be reviewed on an annual basis by the Group and the councils and will be updated or modified as required.

Terms of Reference – Doubtless Bay Working Group

- Vision:** Better fresh and coastal water quality in the Doubtless Bay Catchment through sustainable, practical and cost effective solutions that meet the needs of stakeholders and communities
- Purpose:** To prioritise and guide water management (and associated land management) activities in the Doubtless Bay catchment to achieve the vision.
- Reporting to:** The Environmental Management Committee of the Northland Regional Council
- Status:** Working group, appointed by the Environmental Management Committee of the Northland Regional Council

Composition:

Group member representing	Nominated by	Name
Northland Regional Council: Councillor and member of Environmental Management Committee	Environmental Management Committee	Cr Bronwyn Hunt
Northland Regional Council: Kaitaia Area Office	Northland Regional Council	Peter Wiessing, Area Manager (inaugural member)
Far North District Council: Councillor representation	Environmental Management Committee	Cr Di Maxwell (inaugural member)
Far North District Council: staff member with stormwater and wastewater management knowledge	Far North District Council	David Penny or Jim Brooks
Te Runanga A Iwi o Ngati Kahu	Te Runanga A Iwi o Ngati Kahu	
Te Runanga O Whaingaroa	Te Runanga O Whaingaroa	
Environmental Interest Groups representative, Environmental Management Committee	Environmental Management Committee	Dr Greg Blunden (inaugural member)
Farming industry: 1. Dairy 2. Sheep & Beef	1. By Invitation 2.. By Invitation	1.Murray Walden 2. Dennis O'Callaghan
Forestry	Summit Northland Plantations	Beau Mallet
Up to two representatives of the Doubtless Bay catchment ratepayers	Te Hiku Community Board	Clara Lugnet Gerald Messenger

Two representatives with an interest in water quality within the catchment.	1. Doubtless Bay Marine Protection Group 2. Clean Waters to the Sea	1. 2. Wayne Parsonson
Department of Conservation	Department of Conservation	Carolyn Smith
<u>And</u> any other person that may, from time to time be appointed to the Working Group because of their particular skills or knowledge.	Environmental Management Committee	

The Working Group may involve others in the workstreams that the group develops as appropriate. Those individuals or stakeholders do not need to be formal members of the Working Group itself.

- Chairperson:** The Chairperson shall at all times be a member of the Northland Regional Council Environmental Management Committee.
The inaugural Chairperson is Cr Bronwyn Hunt.
- Quorum:** Six, at least one of whom must be a member of the Environmental Management Committee.
- Meeting frequency:** As required but not less than twice a year.
- Meeting procedures:** To be established by the Working Party. Minutes (and any recommendations) from the working party meetings will be reported to the Environmental Management Committee following each Working Party meeting.
- Meeting secretariat:** Northland Regional Council, though its Kaitaia Area office, will provide secretariat services for meetings as required. This arrangement will be reviewed annually.
- Functions:** The Working Group is an advisory group and has no delegated authority or specific powers. Its functions are:
1. To provide a stakeholder forum for discussion and improve understanding of fresh and coastal water management issues and mutual understanding of stakeholder views.
 2. To facilitate the sharing of information between group members, their respective organisations and the community.
 3. To provide a stakeholder forum for the development and prioritisation of water management (and associated land management) activities in the Doubtless Bay catchment to achieve better fresh and coastal water quality.

4. To promote and advocate prioritized actions to those in positions that can make them happen e.g. recommendations to the Environmental Management Committee, councils, landowners and managers, government, industry groups.

The following catchment issues are a priority for the working group:

- Land stability and soil erosion
- Stormwater & wastewater management
- On-going urban development
- Estuary/harbour and beach stream water quality
- Urban area water supply – groundwater aquifer management

DRAFT COMMITTEE TERMS OF REFERENCE

Hearings Committee

Membership

Comprised of up to three (3) councillors being

Cr X (Chairperson)

Cr Y (Deputy Chairperson)

Cr Z

A quorum is two, being the majority of members.

The committee (or the council) may appoint any individual member/s or other independent person/s as Commissioner/s pursuant to section 34(1) of the RMA, to conduct a hearing in any particular case. The committee (or the council) may also revoke such a delegation at any time, by notice to the delegate.

Functions

- 1) The Hearings Committee will have responsibility and authority to approve and make changes to the council's list of hearings commissioners under the Resource Management Act 1991 (comprising councillors, sitting as hearings commissioners, and independent commissioners). All persons on the list will be accredited.
- 2) The Chairperson or Deputy Chairperson of the Hearings Committee will have the authority to delegate the council's functions, powers, and duties under sections 37, 37A, 39, 40-42A, 100-114, and 133A of the Resource Management Act 1991, where they relate to hearing and making a decision on a resource consent application or an objection received under sections 357-357B of the Act to any person(s) on the list referred to in (1) above. This delegation will be made pursuant to section 34A(1) of the Resource Management Act 1991 and the appointed person(s) will deal with any procedural issues from the date of any appointment until the delivery of the decision.
- 3) The Hearings Committee will have the authority to delegate the council's functions, powers, and duties referred to in (2) above to any person(s) not on the list referred to in (1) above in situations where a technical expert or specialist is considered appropriate to appoint. Preference will be given to person(s) who are accredited but this is not mandatory provided the make up of the hearings panel complies with section 39B of the Resource Management Act 1991 (which requires that over half the hearings panel are accredited).
- 4) To identify potential candidates for the Regional Plan Hearings Panels, invite applications, evaluate candidates and appoint panel members in accordance with criteria resolved by council.

Delegated Authority – Power to Act

- 1) Authority to identify potential candidates for the Regional Plan Hearings Panels, invite applications, evaluate candidates and appoint panel members in accordance with criteria resolved by council.

- 2) The Hearings Committee will have delegated authority to carry out all the functions and activities within its Terms of Reference.
- 3) The Chairperson of the Hearings Committee will have delegated authority to carry out function (2) in the Terms of Reference.
- 4) The Deputy Chairperson of the Hearings Committee will have delegated authority to carry out function (2) in the Terms of Reference.

The Hearings Committee does not have the powers of the council to act in the following instances as specified by Clause 32 (1) of Schedule 7 of the Local Government Act 2002:

- a) make a rate;
- b) make a bylaw;
- c) borrow money, or purchase or dispose of assets, other than that in accordance with the current Long Term Plan or Annual Plan;
- d) adopt a Long Term Plan, or Annual Plan, or Annual Report;
- e) appoint a Chief Executive; or
- f) adopt policies required to be adopted and consulted on under this Act in association with a Long Term Plan or developed for the purpose of the Local Governance Statement.

DRAFT COMMITTEE TERMS OF REFERENCE

Audit and Risk Committee

Membership

The Audit and Risk Committee (the committee) shall be comprised of all nine (9) councillors. The committee (or council) may appoint an independent member if the committee (or council) considers this necessary or desirable.

Chairperson:	X
Deputy Chairperson:	X
Members:	X
	X
	X
	X
	X
	X
	X

Quorum

The quorum for meetings of the committee shall be **five** (i.e. a majority when the membership is uneven). Should the committee exercise its discretion to appoint an additional independent member then the quorum **shall remain at 5** (i.e. half when the membership is even).

Objective

The objective of the committee is to provide independent assurance and assistance to the council and the Chief Executive on council's financial, health and safety, risk, reporting, control and compliance frameworks, and its external accountability responsibilities.

Role and responsibilities

To act as Council's audit, risk and compliance monitoring committee covering

- Risk Management
- The internal control environment
- Health and Safety
- Legislative and regulatory compliance
- Internal audit and assurance
- External audit
- Financial reporting
- Non-financial reporting against council's objectives and Long Term Plan targets
- Investment property and funds
- Shareholder responsibilities and the governance of responsibilities of council for its Council Controlled Organisations

The committee is directly responsible and accountable to the council for the exercise of its responsibilities. In carrying out its responsibilities, the committee must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

Delegated Authority and functions

The council authorises the committee, within the scope of its role and responsibilities, to:

1. General

- make decisions in accordance with the Terms of Reference
- obtain any information it needs from any employee and/or external party (subject to their legal obligation to protect information);
- discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- request the attendance of any employee, including the Chief Executive, at committee meetings;
- obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- co-opt a person as a (non-voting) member of the committee to assist with special projects;
- recommend to council that additional members be appointed to the committee should it consider wider representation would be of assistance in performing its functions;
- appoint subcommittees to make recommendations to the committee on any matters of responsibility within the committee's Terms of Reference, and act in accordance with resolutions of the committee (in line with specific limitations) where there is urgency or special circumstance; and
- undertake such other functions as may be delegated by council from time to time.

2. Financial Management and Reporting

The committee's responsibilities are to:

- a. Monitor and report the quarterly financial performance against budget.
- b. Make recommendations to council on any forecast variances against the Annual Plan.
- c. Determine the means of reporting financial reporting to council and the public.
- d. Write-off outstanding accounts where necessary.
- e. Approve the payment of funding (grants etc.) to external parties in line with
 - funding allocations made in the relevant Long Term Plan and Annual Plan (e.g. NEST, Northland Inc., Bird Recovery, CHART) and
 - any financial or other reporting requirements of council (e.g. NEST has bi-annual financial reporting as a condition of funding)
- f. Review the financial performance of all Council Controlled Organisations and Council Organisation.
- g. Maintain an overview of council's financial reserves to deal with unexpected financial contingencies.

3. Budgets and quality assurance

The committee's responsibilities are to:

- a. Oversee the preparation of budgets from a governance perspective.
- b. Review quality assurance processes and practice to ensure adherence to statutory requirements and best practice.
- c. To approve transfers between Operational Expenditure and Capital Expenditure within existing activity and group of activity budgets.
- d. To approve transfer of budget between activities.

4. Risk management

The committee's responsibilities are to:

- a. Review council's risk management framework, policy and associated procedures for effective identification and management of the council's financial and business risks, including fraud.
- b. Review the council's corporate risk register in line with the council's risk management framework, policy and associated procedures.
- c. Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings.
- d. Review the effect of the council's risk management framework on its control environment and insurance arrangements.

- e. Review whether a sound and effective approach has been followed in establishing council's business continuity planning arrangements, including whether disaster recovery plans have been tested periodically.
- f. Review council's fraud control plan and satisfy itself that the council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.
- g. Review and monitor the council's policies and practices relating to sensitive expenditure.

5. Health and Safety

The committee's responsibilities are to:

- a. Consider and review the council's health and safety management system, including receiving reports from management on the system and organisational wellness.

6. Internal audit

The committee's responsibilities are to:

- a. Act as a forum for communication between the Chief Executive, senior management, and internal and external auditors.
- b. Review the internal audit coverage and annual work plan, ensure that the plan is based on the council's risk management plan, and recommend approval of the plan by the council and Chief Executive.
- c. Advise the council on the adequacy of resources to carry out the internal audit, including completion of the approved internal audit plan.
- d. Oversee the co-ordination of audit programmes conducted by the internal and external auditors and other review functions.
- e. Review all audit reports and provide advice to the council/Chief Executive on significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of good practice.
- f. Monitor management's implementation of the internal auditor's recommendations.
- g. Review the internal audit charter to ensure that appropriate organisational structures, authority, access, and reporting arrangements are in place.
- h. Periodically review the performance and effectiveness of the internal auditor.

7. External audit

The committee's responsibilities are to:

- a. Act as a forum for communication between the Chief Executive, senior management, and internal and external auditors.
- b. Provide input and feedback on the financial statements and the audit coverage proposed by the external auditor, and provide feedback on the audit services provided.
- c. Review all external plans and reports for planned or completed audits and monitor management's implementation of audit recommendations.
- d. Oversee the co-ordination of audit programmes conducted by the internal and external auditors and other review functions.
- e. Provide advice to the council on action taken on significant issues raised in relevant external audit reports and good practice guides.

8. External reporting/performance reporting

The committee's responsibilities are to:

- a. Review and recommend to council the adoption of the Annual Report and Summary Annual Report, focusing particularly on:
 - i. any changes in accounting policies and practices;
 - ii. major judgemental areas;
 - iii. significant adjustments resulting from audit;
 - iv. compliance with financial reporting and other applicable standards;

- v. compliance with statutory requirements; and
 - vi. other reports prepared by management for release to stakeholders, such as any summary financial reports.
- b. To review six month, nine month and full year statement of service reporting, focusing particularly on:
- i. Ensuring reporting meets Auditor Guidance -4 – *The audit of service performance reports* to Local Government.
 - ii. the quality of the overall “story” the performance reporting tells;
 - iii. the reliability and accuracy of the reporting;
 - iv. the completeness of the reporting against the performance framework as outlined in the Long Term Plan; and
 - v. compliance with relevant legislation (in particular the Local Government Act 2002, Schedule 10).

9. Funding, Financial and Other Policies

The committee’s responsibilities are to:

- a. Review and recommend to the council any changes required to council’s funding and financial policies including those required under Section 102 of the Local Government Act (LGA) 2002:
 - i. Revenue and Financing Policy
 - ii. Treasury Management Policy (incorporating Liability Management Policy and Investment Policy)
 - iii. Policy on Financial Contributions
 - iv. Charging Policy
 - v. Rating Policies, including rates relief, policies on remissions and policies on postponement of rates on Māori freehold land.
- b. Review and recommend to the council any changes to other policies required under LGA 2002, including, but not limited to the following:
 - i. Policy on Significance (LGA Section 90) and
 - ii. Policy on the Appointment of Directors to Council Organisations (LGA Section 57).

10. Investment Functions

The committee’s responsibilities are to:

- a. Undertake the investment functions referred to in the Treasury Management Policy adopted within the current LTP. These functions include:
 - i. To review performance and compliance against council’s Treasury Management Policy (and its objectives) and reporting for the Community Investment Fund (Statement of Investment Policy and Objectives).
 - ii. To make recommendations to Council on any changes to the construction of investment portfolios, the Community Investment Fund Statement of Investment Policy and Objectives, the objectives and policies in the Treasury Management Policy, and investment management appointees.
 - iii. To recommend to the council policies and strategies for undertaking its commercial and investment activities.
 - iv. To oversee the administration, review and make recommendations on the council’s commercial assets and forestry activities and investment opportunities.
 - v. To approve the selling, leasing and acquisition of property consistent with council policy.

11. Legislative compliance

The committee’s responsibilities are to:

- a. Determine whether management has appropriately considered legal and compliance risks as part of council’s risk assessment and management arrangements; and

- b. review the effectiveness of the system for monitoring council's compliance with relevant laws, regulations, and associated government policies.

12. Council Controlled Organisations and the Port

The committee's responsibilities are to:

- a. Liaise with all Council Controlled Organisations, and Council Organisations and their subsidiaries in accordance with the requirements of the LGA 2002 and any relevant Trust Deeds, Constitution or other governance documents including:
 - i. To receive all Draft Statements of Intent (SOI) by 1 March each year;
 - ii. To consider Draft SOI and make any comments on behalf of council on the Draft by 30 April each year;
 - iii. To receive all final SOI by 30 June each year;
 - iv. To recommend to council any necessary modification to a Council Controlled Organisation's and Council Organisation's Statement of Intent
 - v. To appoint directors to Council Controlled Organisations /Council Organisations in accordance with the provisions of the LGA (2002), the council's Policy of the Appointment of Directors to Council Organisations and the relevant Council Controlled Organisation's or Council Organisation's governance documents (e.g. constitution/deed etc.)
 - vi. To review the financial performance of all Council Controlled Organisations and Council Organisations.
 - vii. To monitor actual performance of all Council Controlled Organisations and Council Organisations compared to key performance targets and other measures set out in the relevant LTP, Annual Plan and SOI; and
 - viii. To review any Trust Deeds, Constitution or other governance structures of all Council Controlled Organisations and to recommend any changes to the council as appropriate.
 - ix. To appoint council's shareholder representatives all of whom must be elected members for all Council Controlled Organisations and Council Organisations (for exercising council's shareholder responsibilities e.g. attending and voting at AGMs, appointment of directors etc.). Council's Shareholder representatives have delegated authority to act on behalf of the committee on all responsibilities contained in 12a.
- b. To appoint council's shareholder representatives for Northland Port Corporation (NZ) Limited with delegated authority to exercise council's shareholder responsibilities e.g. attending and voting at AGMs, appointment of directors etc.)

No Delegated Authority – Power to Act

- 1) Does not have the powers of council to act in the following instances as specified by Clause 32 (1) of Schedule 7 of the Local Government Act 2002:
 - a) make a rate;
 - b) make a bylaw;
 - c) borrow money, or purchase or dispose of assets, other than in accordance with the current Long Term Plan or Annual Plan;
 - d) adopt a Long Term Plan, or Annual Plan or Annual Report;
 - e) appoint a Chief Executive; or
 - f) adopt policies required to be adopted and consulted on under this Act in association with a Long Term Plan or developed for the purpose of the Local Governance Statement.
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DRAFT COMMITTEE TERMS OF REFERENCE

Environmental Management Committee

Membership

The Environmental Management Committee (the committee) shall be comprised of ~~six~~ five (56) councillors plus eight (8) appointments as follows:

Chairperson

Cr X

Deputy Chairperson

Cr X

Members

Cr X

Cr X

Cr X

Cr X

Cr X nominated by and representing the Far North District Council

Cr X nominated by and representing the Whāngārei District Council

Commissioner X nominated by representing the Kaipara District Council

A representative of Māori interests nominated by iwi authorities and Te Roroa and Te Uri o Hau

X [Dr Greg Blunden] nominated by and representing environmental interest groups

X [Mr Alan Clarkson] nominated by and representing the farming community

X [Mr Chris Jenkins] nominated by and representing the Department of Conservation

X [Mr Geoff Gover] nominated by and representing the forest industry

Quorum

The quorum for meetings of the committee shall be seven members, being a majority of members (including vacancies).

Terms of Membership

Should any member appointed to represent an outside organisation or group be absent without prior leave from two consecutive meetings of the committee, that person's appointment is automatically terminated.

Should a vacancy occur in the membership of the committee, the Committee Secretary shall report this to the next meeting of the council for determination as to whether or not the nominating organisation or group is to be invited to nominate a replacement. The committee has the power to co-opt a person as a member of the committee to assist with special projects, or it may recommend to the council that additional members be appointed to the committee should it consider wider representation would be of assistance in performing its functions.

Members of the committee representing outside organisations or groups, are expected to regularly report back to their nominating organisation on matters discussed at committee meetings.

Functions

- 1) For council's monitoring, land management, water management, biodiversity, biosecurity and river management activities
 - To advise council on any significant legislative changes, programmes, plans or reports affecting these activities
 - advise and make recommendations to council (and relevant committees) on matters of policy and implementation
 - monitor and review progress towards the council's objectives, and the achievement of the performance targets and the delivery of work programmes and outcomes in the relevant Northland Community Long Term Plan, and the subsequent Annual Plan and operational strategies (such as the Regional Pest Management Strategy), in relation to the following groups of activities:
- 2) To be the governance entity for Waiora Northland Water, and river liaison and catchment group subcommittees.
- 3) To oversee the administration of the Environment Fund.
- 4) To make recommendations to and work with the Regional Policy Committee on the review and development of the new Northland Regional Plan(s) (RMA). Key focus areas include:
 - a. Ensuring alignment between the functions of the committee and the policy development process for the new Northland Regional Plan(s)
 - b. Identifying key issues for the Regional Policy Committee to investigate during the review of the plans.
 - c. Ensuring the recommendations from catchment groups (subcommittees of the committee) set up for priority water bodies are included in the policy development process for the new Northland Regional Plan(s)
 - d. Advising the Regional Policy Committee on good management practices to be included in the policy development process for the new Northland Regional Plan(s).
- 4) To review and recommend to council on such other functions as may be delegated from time to time.

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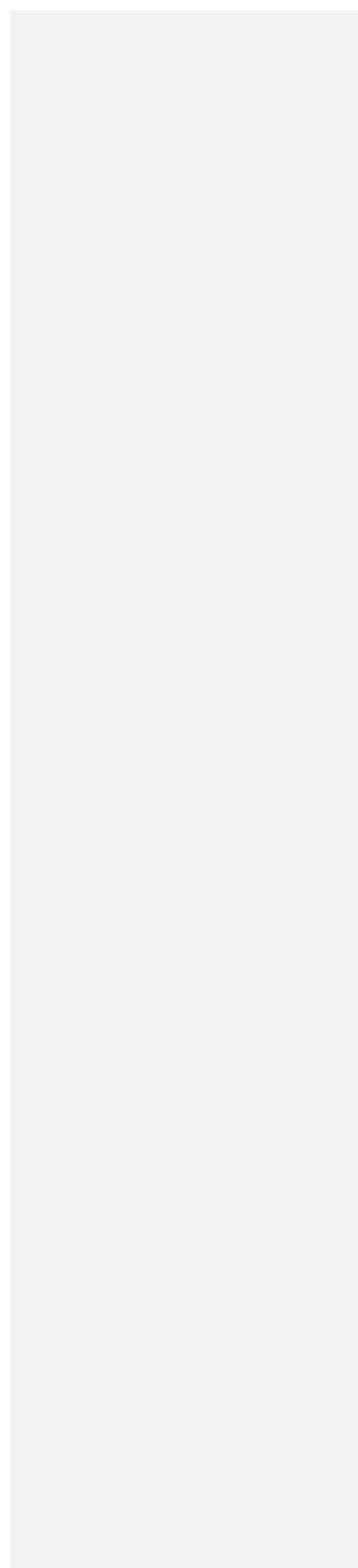
Delegated Authority – Power to Act

- 1) The council grant to the committee the power to act on all matters except those matters specified by Clause 32 (1) of Schedule 7 of the Local Government Act 2002:
 - (a) make a rate;
 - (b) make a bylaw;
 - (c) borrow money, or purchase or dispose of assets, other than that in accordance with the current Long Term Plan or Annual Plan;
 - (d) adopt a Long Term Plan, or Annual Plan, or Annual Report;
 - (e) appoint a Chief Executive; or
 - (f) adopt policies required to be adopted and consulted on under this Act in association with a Long Term Plan or developed for the purpose of the Local Governance Statement.
- 2) Does not have the powers of council to act re:

Item 7.1: Attachment 6

- the final approval of plans prepared under the Resource Management Act 1991;
 - the Hazardous Substances and New Organisms Act 1996;
 - the Land Drainage Act 1908;
 - the Soil Conservation and Rivers Act 1941;
 - the Maritime Transport Act 1994;
 - the Civil Defence Emergency Management Act 2002;
 - the Biosecurity Act 1993; and
 - in respect of matters under those Acts that do not permit such delegations.
- 3) Does have the ability to appoint subcommittees to deal with any matters of responsibility within the committee's Terms of Reference and areas of responsibility, and to make recommendations to the committee on such matters. (Any subcommittee shall not have power to act other than by a resolution of the committee with specific limitations where there is urgency or special circumstance.)
- 4) Does have the ability to make decisions in accordance with the Terms of Reference.

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Draft COMMITTEE TERMS OF REFERENCE

Regional Policy Committee

Membership

The Regional Policy Committee (the committee) shall be comprised of **five (5)** councillors, at least one of whom must be a member of the Environmental Management Committee.

The Regional Policy Committee shall review its membership at least annually and recommend to council any additional members and appointments to represent an outside organisations and interests that it considers necessary.

The committee has the power to establish working groups from time to time as its sees fit, and to co-opt a person as a member of a working group, with special regard for members to represent:

- Department of Conservation
- Cultural Interests
- Environmental Sustainability
- Economic Development
- Tangata Whenua

Quorum

The quorum for meetings of the committee shall be **three** members, being a majority of members (including vacancies).

Terms of Membership

Should any member appointed to represent an outside organisation or group be absent without prior leave from two consecutive meetings of the committee, that person's appointment is automatically terminated.

Should a vacancy occur in the membership of the committee, the Committee Secretary (or person fulfilling that role) shall report this to the next meeting of the council for determination as to whether or not the nominating organisation or group is to be invited to nominate a replacement.

Members of the committee, or working groups representing outside organisations or groups, are expected to regularly report back to their nominating organisation on matters discussed at committee or working group meetings. (They must have the authority to act on behalf of their organisation or group.)

Voting Rights

Members of the committee shall have voting rights.

Functions and powers

1. To oversee the preparation of the new Regional Policy Statement (RPS) for Northland in accordance with Schedule 1 of the Resource Management Act 1991 (RMA), including the resolution of appeals, and the council approved timeline up to the point of recommending to the council that a proposed RPS be publicly notified for formal submission (under Clause 5 of that Schedule).
2. To advise and recommend to the council changes to review regional plans under the Resource Management Act 1991.
3. To formally release draft plans and plan changes, including variations, for public consultation without council approval.
4. To resolve any appeals in accordance the council decisions on the proposed plan, plan change or variation.
 - Resolution of appeals that are inconsistent with or depart from the council decision on the plan, plan change or variation must be referred to Council for decision.
5. To accept, adopt or reject private plan change applications under clause 25 of the First Schedule of the Resource Management Act 1991.
- 4-6. To manage the private plan change process.
- 5-7. To recommend to council committee positions and perspectives on proposed legislation (including amendments), National Policy Statements and National Environmental Standards for incorporation into council submissions.
8. To co-opt a person (or persons) as members of any working party established by the committee to assist with special projects.
- 6-9. To regularly report progress on its functions to the council.
- 7-10. Authority for the governance of all statutory functions, powers and duties within its terms of reference.
11. Authority to determine the processes to be used to develop and review the Regional Policy Statement and regional plans, and to resolve any appeals.
- 8-12. In consultation with the Environmental Management Committee, authority to review, prepare and draft changes to regional plans. (Where the committee does not accept a recommendation from the EMC or one of its sub-committees the committee will refer the matter back to the EMC for comment. This may be done in workshop format.)
- 9-13. Power under Clause 31(2) of the 7th Schedule of the Local Government Act 2002 to appoint a representative from each territorial authority in the region and a tangata whenua representative.

~~10.14.~~ Authority to appoint subcommittees [and working parties](#) to deal with any matters of responsibility within the committee's Terms of Reference and areas of responsibility, and to make recommendations to the committee on such matters. (Any subcommittee shall not have power to act other than by a resolution of the committee with specific limitations where there is urgency or special circumstance.)

~~1.~~ [Duty to regularly report progress to the council.](#)

The committee **does not have the powers of council to act** in the following instances:

1. As specified by Clause 32 (1) of Schedule 7 of the Local Government Act 2002:
 - a) make a rate;
 - b) make a bylaw;
 - c) borrow money, or purchase or dispose of assets, other than that in accordance with the current Long Term Plan or Annual Plan;
 - d) adopt a Long Term Plan, or Annual Plan, or Annual Report;
 - e) appoint a Chief Executive; or
 - f) adopt policies required to be adopted and consulted on under this Act in association with a Long Term Plan or developed for the purpose of the Local Governance Statement.

~~2.~~ [To formally release the draft RPS for public consultation without council approval.](#)

~~3.~~ [To hear submissions on the proposed RPS.](#)

~~2.~~ [To notify plans, plan changes and variations.](#)

~~4.3.~~ Final approval of the RPS, plans and plan changes prepared under the Resource Management Act 1991.

~~5.4.~~ To hear submissions on regional plans, regional plan changes and regional plan change variations (unless specifically delegated this function for a specific regional plan, regional plan change or regional plan change variation by council resolution).

~~6.5.~~ To appoint a hearings panel, commissioners or councillors to hear submissions on regional plans, regional plan changes and regional plan change variations.