

# **AGENDA**

## **SUPPLEMENTARY**

**Council**  
**Tuesday 19 November 2019 at 10.30am**

## Northland Regional Council Supplementary Agenda

Meeting to be held in the Council Chamber  
36 Water Street, Whangārei  
on Tuesday 19 November 2019, commencing at 10.30am

**Recommendations contained in the council agenda are NOT council decisions. Please refer to council minutes for resolutions.**

Item	Page
2.0A Receipt of Supplementary Items	
6.0 DECISION MAKING MATTERS	
6.1 Confirmation of Governance Structure, Membership and Councillor Portfolios	4

**TITLE:** Receipt of Supplementary Report

**ID:** A1261411

**From:** Sally Bowron PA/Team Admin Strategy, Governance and Engagement

### Executive summary

As indicated in the main agenda, this supplementary report was unable to be completed in time for the circulation of the main agenda due to the need for council to workshop the matter further on 13 November 2019.

### Recommendation

That as permitted under section 46A(7) of the Local Government Official Information and Meetings Act 1987 the following tabled/supplementary report be received:

- Confirmation of Governance Structure, Membership and Councillor Portfolios

### Authorised by Group Manager

**Name:** Jonathan Gibbard

**Title:** GM, Strategy, Governance and Engagement

**Date:** 18 November 2019

**TITLE:** Confirmation of Governance Structure, Membership and Councillor Portfolios

**ID:** A1257595

**From:** Chris Taylor, Governance Support Manager and Linda Harrison, Organisational Project Manager

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### Executive summary/Whakarāpopototanga

This report presents a governance structure for the 2019-2022 Triennium for council resolution.

It concludes with the recommendations that the council agree councillor membership on the proposed committee, subcommittees and working parties – including their delegations and terms of reference. Recommendations are also made for appointments to collaborative community working groups and other external entities as listed.

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### Recommendation(s)

1. That the report 'Confirmation of Governance Structure, Membership and Councillor Portfolios' by Chris Taylor, Governance Support Manager and Linda Harrison, Organisational Project Manager and dated 7 November 2019, be received.
2. That Northland Regional Council establishes the following committee, subcommittees and working parties:
  - a. Investment and Property Subcommittee
  - b. Audit and Risk Subcommittee
  - c. Water and Land Working Party
  - d. Climate Change Working Party
  - e. Te Taitokerau Māori and Council Working Party
  - f. Biosecurity and Biodiversity Working Party
  - g. Whangārei Public Transport Working Party
  - h. Planning and Regulatory Working Party
  - i. Regional Land Transport Committee
3. That the governance structure established at this meeting be reviewed for effectiveness and possible improvements after six months of operation.
4. That the council appoints the councillor and independent membership to its subcommittees, working parties and joint committees – including the appointment of the Chairperson as ex-officio to all subcommittees and working parties, as set out in the body of this report and attachments.
5. That the Chairperson of each subcommittee, working party and joint committee report to council monthly on their activities.
6. That the Chairperson and Deputy Chairperson of the Regional Transport Committee invite nominations for a representative from each district council and from the NZ Transport Agency, then from these nominations, be delegated the power to identify up to ten (10) required independent appointments to that committee, subject to those persons being suitably qualified and subject also to council's approval at its next subsequent meeting.
7. That the delegations to, and terms of reference included in this report and relevant attachments be approved for the:

- a. Investment and Property Subcommittee
- b. Audit and Risk Subcommittee
- c. Water and Land Working Party
- d. Climate Change Working Party
- e. Te Taitokerau Māori and Council Working Party
- f. Biosecurity and Biodiversity Working Party
- g. Whangārei Public Transport Working Party
- h. Planning and Regulatory Working Party
- i. Regional Transport Committee

8. That the council appoints councillors to the following Collaborative Community Working Groups in the following roles:

<b>Memberships / Delegation</b>	<b>Councillor</b>
<b>Doubtless Bay Catchment Working Group</b>	Cr Kitchen Community member Chair
<b>Mangere Catchment Working Group</b>	Cr Yeoman Community Member Chair
<b>Ngunguru Catchment Working Group</b>	Cr Macdonald Community Member Chair
<b>Poutō Catchment Working Group</b>	Cr Smart Community Member Chair
<b>Waitangi Catchment Working Group</b>	Cr Robinson Community Member Chair
<b>Whangārei Catchment Working Group</b>	Cr Craw Community Member Chair
<b>Whangārei Heads Pest Management Working Group</b>	Cr Macdonald
<b>Kāeo-Whangaroa River Working Group</b>	Cr Robinson as Chair
<b>Kaihū River Working Group</b>	Cr Bain as Chair
<b>Kerikeri River Working Group</b>	Cr Yeoman as Chair
<b>Ruakākā River Working Group</b>	Cr Stolwerk as Chair
<b>Taumārere River Liaison Working Group</b>	Cr Blaikie and Community Member as Co-Chairs
<b>Urban Whangārei Working Group</b>	Cr Craw as Chair
<b>Awanui River Working Group</b>	Cr Kitchen as Chair

9. That the council confirms the following appointments and delegations to the entities listed in Attachment 1:

<b>Memberships / Delegation</b>	<b>Councillor</b>
<b>Appeals on Regional Plan</b>	Cr Yeoman

<b>Memberships / Delegation</b>	<b>Councillor</b>
<b>Inter council working party on genetically modified organisms risk evaluation and management</b>	No appointment until Regional Plan finalised.
<b>Kaipara Moana Working Party</b>	Cr Smart & Yeoman. Noting that this may become a formalised body post settlement in 2020.
<b>Northland Conservation Board</b>	Shared across council (constituent councillor to attend meeting based on location).
<b>Northland Sports Facilities Plan (Sport Northland)</b>	Cr Stolwerk
<b>Shareholder representative for Northland Marsden Maritime Holdings Ltd</b> <i>(delegating all necessary authority to represent the council's interest including but not limited to exercising council's vote at Annual General Meetings and giving effect to council's shareholder resolutions).</i>	Cr Smart
<b>Shareholder representative for Northland Inc Ltd</b> <i>(Delegating all necessary authority to represent the council's interest including but not limited to exercising the council's vote at Annual General Meetings and giving effect to council's shareholder resolutions)</i>	Cr Bain
<b>Shareholder representative on Regional Software Holdings Ltd.</b> <i>(Delegating all necessary authority to represent the council's interest including but not limited to exercising the council's vote at Annual General Meetings and giving effect to council's shareholder resolutions)</i>	Cr Smart
<b>Upper North Island Strategic Alliance (UNISA)</b>	Cr Smart
<b>Zone one (LGNZ)</b>	Cr Smart Alternate councillor – Cr Yeoman.

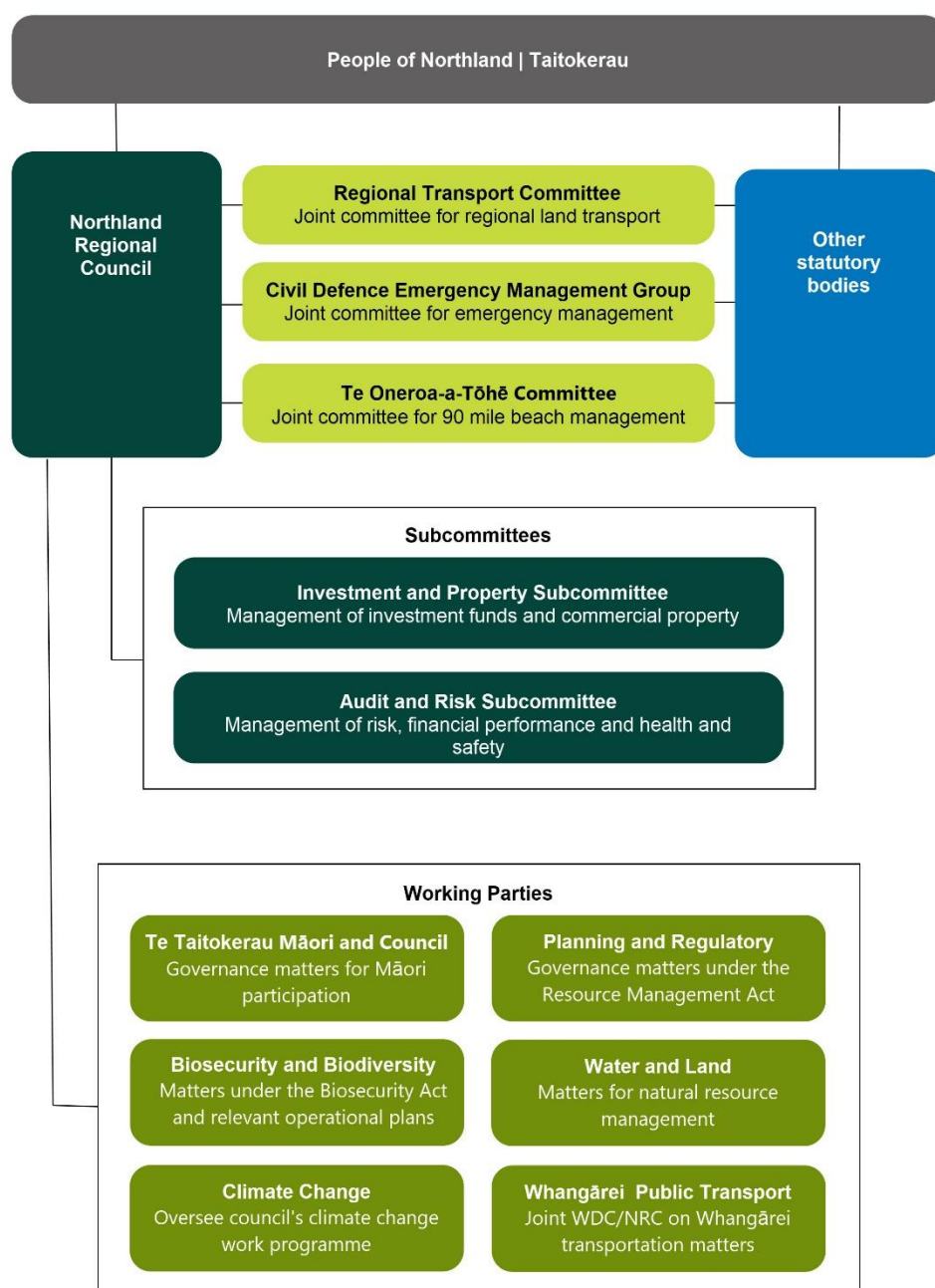
10. That the appointments detailed in recommendation 9 above, endorses that all councilors attending meetings of these entities constitutes as the local authority's business. Hence appointed members can claim vehicle and travel time allowances.
11. That based on the allocation of responsibilities outlined in the body of this report and Attachment 1 "Proposed New Governance Structure for the 2019-2022 Triennium", that the pool for higher duties allowance of \$580,951 be fully allocated as follows:
  - a) That the Deputy Chair receives a higher duties allowance of \$7,500; bringing the Deputy Chair total salary to \$79,181.
  - b) That remaining councillors receive a higher duties allowance of \$17,971, each bringing councillors total salary to \$71,681. This is based on the underpinning

principle of council that additional duties will be apportioned in such a manner that there will be an equitable workload between councillors.

12. That the higher duties allocation set out above (supplemented by the appropriate supporting information), will be provided to the Remuneration Authority by 20 November 2019.

## Background/Tuhinga

Following the election in October 2019, there have been discussions on options for council's governance structure for the next three years in office. Council now needs to resolve its preferred structure for the 2019-2022 Triennium. Analysis of possible opportunities for improvement on the existing governance structure resulted in the following proposed governance structure.



## Memberships and functions

The following membership and functions are proposed for each subcommittee, working party and joint committees. Positions marked as "TBA" (to be appointed) indicate establishment of the

position with the appointment yet to be confirmed. Refer to **Attachment 1** to this report - "Proposed Governance Structure for the 2019-2022 Triennium" - for further detail including full terms of reference.

Except for the sub-committee delegations detailed below, all other decisions are made by the full council via a recommendation or series of recommendations from the relevant sub-committee, joint committee or working party. For reasons of efficiency and/or expediency, should a subcommittee or working party not be able to perform their functions, the council will assume their role and responsibilities.



### Investment and Property subcommittee

Chair: Cr R Stolwerk  
Members: Crs J Blaikie, J Bain, C Kitchen  
Independent member: G Copstick (non-voting)  
Ex officio: Cr P Smart (full voting rights)  
Alternate: Cr J Craw  
Independent Advisor: J Erickson (non-voting)

- Authority to move investment funds between managed funds within SIPO limits.
- CEO delegation to withdraw and invest short term fund within established delegations.
- Identify manager of new funds for approval by the full council.
- No withdrawal of new funds except from the short term fund
- Authority to authorise CEO to negotiate sale and purchase agreements for property within +/-5% of valuation and provide appropriate recommendations to council for final consideration.

### Audit and Risk Subcommittee

Chair: Cr C Kitchen  
Members: Crs J Bain, A Macdonald, J Yeoman  
Independent members: G Copstick and second independent member TBA (non-voting)  
Ex officio: Cr P Smart (full voting rights)  
Alternate: Cr J Blaikie

- Make recommendation to council on risk management and H
- health and safety matters
- Monitor and review financial policies and financial performance.
- Recommend new borrowing to council
- Review corporate risk register and risk management plans

### Water and Land Working Party

Chair: Cr Blaikie  
Members: Crs J Craw, A Macdonald, M Robinson, J Yeoman  
Māori Representation: Five members of Te Taitokerau Māori and Council (TTMAC) Working Party  
Ex officio: Cr P Smart (full voting rights)

- Provide oversight on activities that contribute to or influence the quality & quantity of water including land management and environmental monitoring.

### Climate Change Working Party

Chair: Cr A Macdonald  
Members: Crs J Blaikie, J Craw, J Yeoman  
Māori Representation: Four members of Te Taitokerau Māori and Council (TTMAC) Working Party  
Ex officio: Cr P Smart (full voting rights)

- Provide oversight on the council's climate change activities and make recommendations on climate change matters.

- Oversee council's climate change work programme, with key focuses being on, adaptation planning and the development & implementation of a regional adaptation strategy, improving resilience across Northland.

#### Te Taitokerau Māori and Council (TTMAC) Working Party

Co-chairs: Cr M Robinson and 1 x member of TTMAC

Members: All of Northland Regional Councillors

Māori Representation: 20 Māori representatives TBA

- Monitor and advise on council's compliance with its legislative obligations to Māori including under the Local Government Act 2002 and the Resource Management Act 1991.
- Provide advice to council on topics referred to it by council.
- Develop pathways (and processes) that will achieve lasting and meaningful relationships between Māori and council.
- Ensure the views of Māori are taken into account in the exercise of council functions.

#### Biosecurity and Biodiversity Working Party

Chair: Cr J Crow

Members: Crs J Blaikie, M Robinson, R Stolwerk

Māori Representation: Four members of Te Taitokerau Māori and Council (TTMAC) Working Party

Ex officio: Cr P Smart (full voting rights)

- Provide oversight on council's biosecurity and biodiversity activities.
- Oversee the implementation of the Regional Pest Management Plan (RPMP), Marine Pathway Plan (MPP) and regularly report progress to council.

#### WDC/NRC Whangārei Public Transport Working Party

Chair: Cr J Bain

NRC Members: Crs J Crow, R Stolwerk

WDC Members: Three Whangārei District councillors (WDC) TBA

- Provide oversight on Whangārei public transport issues with the intention of increasing patronage.
- Oversee the integration of city and district planning in relation to public transport issues.

#### Planning and Regulatory Working Party

Chair: Cr J Yeoman

Members: Crs J Blaikie, A Macdonald, C Kitchen

Māori Representation: Four members of Te Taitokerau Māori and Council (TTMAC) Working Party

Ex officio: Cr P Smart (full voting rights)

- Provide oversight on council's resource management planning and regulatory activities.
- Oversee the implementation of the Proposed Regional Plan.
- Be the governance entity for the policy implementation of the government's Essential Freshwater Package.
- Make recommendations to council on appeals and recommendations to accept, adopt or reject private plan change applications.

Te Oneroa-a-Tōhē-Board – Joint committee

Members: Crs C Kitchen and M Robinson

- Develop a Beach Management Plan for Te-Oneroa-a-Tōhē (Ninety Mile Beach).

Civil Defence Emergency Management Committee

Chair: Cr Stolwerk TBC at first meeting

Alternate: Cr C Kitchen

- Co-ordinate planning, programmes, and activities related to civil defence emergency management across the areas of reduction, readiness, response, and recovery;
- Encourage co-operation and joint action within the Northland region.

Regional Transport Committee

Chair: Cr J Bain

Member: Cr R Stolwerk

Alternate: Cr Blaikie

- Prepare Regional Land Transport Plan for council approval;
- Liaise with appropriate road safety bodies and advise council on new initiatives;
- Administer Total Mobility Scheme and report to council as appropriate; and
- Prepare a Regional Public Transport Plan for council approval.
- Recommend the required independent appointments for this committee.

NB: The Civil Defence Emergency Management Committee, established under the Civil Defence and Emergency Management Act, was perpetuated by a resolution of council in September 2010 to allow normal business to continue in the event of a civil defence emergency and therefore does not require a resolution to be established now, nor to have delegations approved.

All subcommittees, working parties and joint committees are required to regularly report progress on their functions to the council.

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**Considerations**

**1. Options**

No.	Option	Advantages	Disadvantages
1	Establish governance structure and appoint representatives as recommended	Retains “momentum” and allows ongoing workstreams to continue.	Nil
2	Delay establishing governance structure and appointing representative	Provides more time for new council to consider governance structure and who to appoint.	Important workstreams may lose momentum and cause unnecessary delays. The portion of councillor remuneration for additional

			responsibilities will be delayed.
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Staff recommend Option 1 to establish a governance structure and appoint representatives.

**2. Significance and engagement**

[Significance and Engagement Policy](#) This is purely an administrative matter and when assessed according to the council's Significance Policy is deemed to be of low significance.


**3. Policy, risk management and legislative compliance**

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.

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**Attachments/Ngā tapirihanga**

Attachment 1: Final proposed Governance Structure 2019 -2022 Triennium [↓](#) 

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**Authorised by Group Manager**

**Name:** Jonathan Gibbard

**Title:** Group Manager - Strategy, Governance and Engagement

**Date:** 18 November 2019



# Proposed Governance Structure 2019-2022 Triennium

**Date:** 14 November 2019

**Author:** Chris Taylor

## Principles of good governance

The start of the 2019-2020 Triennium provides an opportunity for the new council to consider the most effective governance structure to deliver its vision for the people of Northland. Subject to the relevant provisions of the Local Government Act (LGA) 2002 the council has considerable leeway in determining the most effective governance structure to give effect to its purpose. It is able to delegate functions and decision making except those expressly not permitted in legislation.<sup>1</sup>

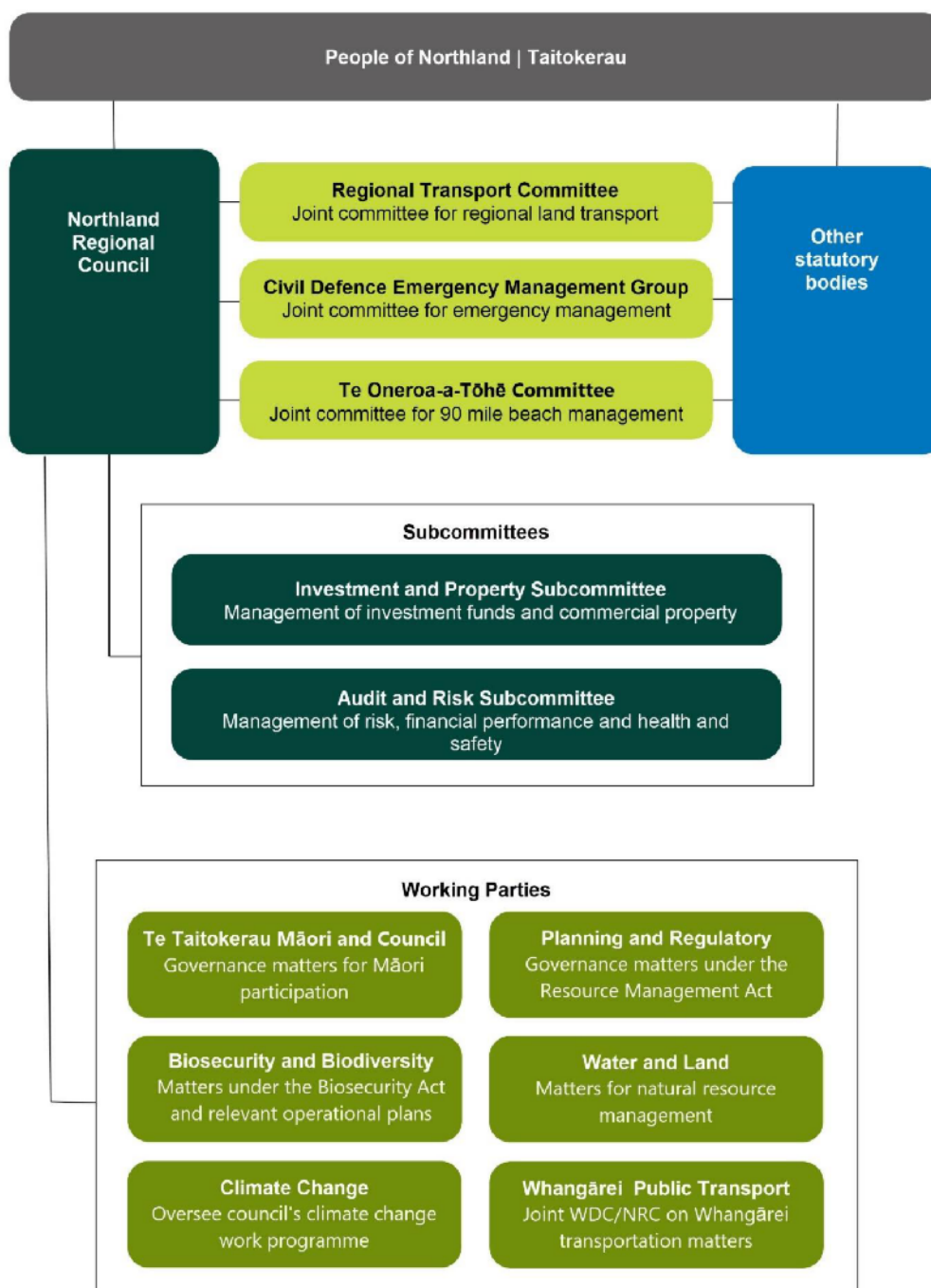
Establishing the right type of governance structure in terms of decision making is critical to a council to ensure it deals with the matters that are important to it and does so in a way that is effective and efficient. Most councils use a mix of different structures to either support decision making or undertake delegated tasks.

The table below, highlights what a good governance structure should deliver and provides important context as council considers how best to organise itself.

Inclusiveness of councillors	Ensuring councillors are appropriately involved in decision making
Efficiency of decision-making	Decision-making at all levels, is as efficient as possible
Strategic / integrated decisions	Councillors (as governors) are looking ahead, at where the council and the community need to go, and the decisions are coherent and supportive
Informed decision-making	Councillors have collective ownership of council decisions and have confidence the process has enabled deeper consideration (at committee or workshop levels) if required.
Public participation	There are appropriate processes for community participation.
Openness	Key decisions are made in public.
Transparency	It is clear who has the authority to make the decision.
Accountability	Elected members are accountable for decisions and council actions, and ensure performance is subject to scrutiny.

<sup>1</sup> LGA 2002, Schedule 7, section 32, clause (1)

## Proposed governance structure





## Subordinate body guiding principles

To enable the efficient and effective governance of council business, the following principles were used to guide the development of the currently proposed governance structure:

### Full Council

Retain consideration and decision-making at full council level if the matter:

- Involves significant / contentious decisions that requires all of council buy-in;
- Is a specific matter that doesn't involve ongoing detailed analysis; or
- Requires a decision that can't be delegated.

### Subcommittee

Delegate decision-making to a subcommittee if the matter:

- Involves a high workload, requires detailed analysis and is ongoing; or
- Formal decision-making is to be delegated.

### Joint Committee

Retain and appoint members to joint committees where required by law.

### Working Party

Form a working party if:

- No formal decision-making is to be delegated;
- Members are considering a defined issue or area of work producing options or recommendations prior to formal council decision-making; and
- Meetings are to workshop and develop initial informal governance and staff thinking on a matter prior to formal council consideration.

## Meetings management

### Subcommittees

Subcommittees are subject to the requirements of the LGA 2002, LGOIMA 1987 and standing orders. However, for a subcommittee at which no resolutions or decisions are made, the provisions regarding public access, record keeping and notification are not required.

### Working parties

Working parties are not subject to the requirements of the LGA 2002, LGOIMA 1987 and standing orders



## Summary of membership and responsibilities

The following table illustrates councillor membership across the 2019-2022 governance structure:

Councillors	Subcommittees					Working Parties				Statutory Cmtes & Boards		
	Full Council	Investment + Property	Audit + Risk	Water + Land	Climate Change	Te Taitokerau Māori + Council	Biosecurity + Bioverity	WDC/NRC Transport Joint	Planning + Regulatory	Te Oneroa A Tohe	Civil Defence	Regional Transport
Penng Smart (Chair)	●	Σ	Σ	Σ	Σ	Σ	Σ	Σ	Σ			Penng Smart (Chair)
Justin Blaikie (Deputy Chair)	✓	✓	ALT	●	✓	✓	✓	✓	✓		ALT	Justin Blaikie (Deputy Chair)
John Bain	✓	✓	✓		✓	✓	●				●	John Bain
Jack Craw	✓	ALT		✓	✓	✓	●	✓				Jack Craw
Colin "Toss" Kitchen	✓	✓	●		✓	✓		✓	✓	ALT		Colin "Toss" Kitchen
Amy Macdonald	✓		✓	✓	●	✓		✓				Amy Macdonald
Marty Robinson	✓			✓	✓	●	✓		✓			Marty Robinson
Rick Stolwerk	✓	●				✓	✓	✓		●	✓	Rick Stolwerk
Joce Yeoman	✓		✓	✓	✓	✓		●				Joce Yeoman
Jonathan Erickson (Advisor only non-voting)		■										Independent Advisor
Independent member 1 - non-voting		◆	◆									Independent member
Independent member 2 - non-voting			◆									Independent member
TTMAC Co-Chair						●						
TTMAC member 1				✓	✓	20	✓	✓				
TTMAC member 2				✓	✓		✓	✓				
TTMAC member 3				✓	✓		✓	✓				
TTMAC member 4				✓	✓		✓	✓				
TTMAC member 5				✓								
WDC Councillors								3				

KEY:  
 ● = Chair  
 ✓ = Member  
 ALT = Alternate Member  
 Σ = The Council Chairperson is ex officio of all subcommittees and working parties.  
 ■ = Independent Advisor (non-voting)  
 ◆ = Independent member (non-voting)

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The following section further outlines councillor membership on the new sub-committees and working parties, including proposed Chairs and membership.

### Northland Regional Council (NRC)

The full council is the ultimate decision making body for all council operations and is comprised of all 9 councillors.

Chair: Cr P Smart

Deputy Chair: Cr J Blaikie

Members: Crs J Bain, J Craw, C Kitchen, A Macdonald, M Robinson, R Stolwerk and J Yeoman.

Except for the subcommittee delegations detailed below, all other decisions are made by the full council via a recommendation or series of recommendations from the relevant subcommittee, joint committee or working party.

For reasons of efficiency and/or expediency, should a subcommittee or working party not be able to perform their functions, the council will assume their role and responsibilities.

The Council Chair is ex-Officio on all subcommittees and working parties and carries full voting rights where appropriate.

## Subcommittees

### Investment and Property subcommittee

Chair:	Cr R Stolwerk
Members:	Crs J Blaikie, J Bain, C Kitchen
Independents:	J Erickson (Independent Advisor) and one independent member TBA <sup>2</sup>
Ex officio:	Cr P Smart
Alternate:	Cr J Craw

- Authority to move investment funds between managed funds within SIPO limits.
- CEO delegation to withdraw and invest short term fund within established delegations.
- Identify manager of new funds for approval by the full council.
- No withdrawal of new funds except from the short term fund
- Authority to authorise CEO to negotiate sale and purchase agreements for property within +/-5% of valuation.

### Audit and Risk Subcommittee

Chair:	Cr C Kitchen
Members:	Crs J Bain, A Macdonald, J Yeoman
Independents:	G Copstick (independent member) and second independent member TBA
Ex officio:	Cr P Smart
Alternate:	Cr J Blaikie

- Make recommendation to council on risk management and health and safety matters
- Monitor and review financial policies and financial performance.
- Recommend new borrowing to council
- Review corporate risk register and risk management plans

## Working parties

### Water and Land Working Party

Chair:	Cr Blaikie
Members:	Crs J Craw, A Macdonald, M Robinson, J Yeoman
Māori Representation:	Five members of Te Taitokerau Māori and Council (TTMAC) Working Party
Ex officio:	Cr P Smart

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<sup>2</sup> To be appointed.

- Provide oversight on activities that contribute to or influence the quality & quantity of water including land management and environmental monitoring.

Climate Change Working Party

Chair: Cr A Macdonald

Members: Crs J Blaikie, J Crow, J Yeoman

Māori Representation: Four members of Te Taitokerau Māori and Council (TTMAC) Working Party

Ex officio: Cr P Smart

- Provide oversight on the council's climate change activities and make recommendations on climate change matters.
- Oversee council's climate change work programme, with key focuses being on, adaptation planning and the development & implementation of a regional adaptation strategy, improving resilience across Northland.

Te Taitokerau Māori and Council (TTMAC) Working Party

Co-chairs: Cr M Robinson and 1 x member of TTMAC

Members: All of Northland Regional Council Councillors

Māori Representation: 20 Māori representatives TBA

- Monitor and advise on council's compliance with its legislative obligations to Māori including under the Local Government Act 2002 and the Resource Management Act 1991.
- Provide advice to council on topics referred to it by council.
- Develop pathways (and processes) that will achieve lasting and meaningful relationships between Māori and council.
- Ensure the views of Māori are taken into account in the exercise of council functions.

Biosecurity and Biodiversity Working Party

Chair: Cr J Crow

Members: Crs J Blaikie, M Robinson, R Stolwerk

Māori Representation: Four members of Te Taitokerau Māori and Council (TTMAC) Working Party

Ex officio: Cr P Smart

- Provide oversight on council's biosecurity and biodiversity activities.
- Oversee the implementation of the Regional Pest Management Plan (RPMP), Marine Pathway Plan (MPP) & regularly report progress to council.

WDC/NRC Whangārei Public Transport Working Party

Chair: Cr J Bain

NRC Members: Crs J Crow, R Stolwerk

WDC Members: Three Whangārei District councillors (WDC) TBA

- Provide oversight on Whangārei public transport issues with the intention of increasing patronage.
- Oversee the integration of city and district planning in relation to public transport issues.

#### Planning and Regulatory Working Party

Chair: Cr J Yeoman

Members: Crs J Blaikie, A Macdonald, C Kitchen

Māori Representation: Four members of Te Taitokerau Māori and Council (TTMAC) Working Party

Ex officio: Cr P Smart

- Provide oversight on council's resource management planning and regulatory activities.
- Oversee the implementation of the Proposed Regional Plan.
- Be the governance entity for the policy implementation of Essential Freshwater.
- Make recommendations to council on appeals and recommendations to accept, adopt or reject private plan change applications.

### **Joint Committees**

#### Te Oneroa-a-Tōhē-Board – Joint committee

Members: Crs C Kitchen and M Robinson

- Develop a Beach Management Plan for Te-Oneroa-a-Tōhē (Ninety Mile Beach).

#### Civil Defence Emergency Management Committee

Chair: Cr Stolwerk TBC at first meeting

Alternate: Cr C Kitchen

- Co-ordinate planning, programmes, and activities related to civil defence emergency management across the areas of reduction, readiness, response, and recovery;
- Encourage co-operation and joint action within the Northland region.

#### Regional Transport Committee

Chair: Cr J Bain

Member: Cr R Stolwerk

Alternate: Cr Blaikie

- Prepare Regional Land Transport Plan for council approval;
- Liaise with appropriate road safety bodies and advise council on new initiatives;
- Administer Total Mobility Scheme and report to council as appropriate; and
- Prepare a Regional Public Transport Plan for council approval.
- Recommend the required independent appointments for this committee.

All subcommittees, working parties and joint committees are required to regularly report progress on their functions to the council.

## Collaborative Community Working Groups

Memberships / Delegation	Councillor
Doubtless Bay Catchment Working Group	Cr Kitchen Community member Chair
Mangere Catchment Working Group	Cr Yeoman Community Member Chair
Ngunguru Catchment Working Group	Cr Macdonald Community Member Chair
Poutō Catchment Working Group	Cr Smart Community Member Chair
Waitangi Catchment Working Group	Cr Robinson Community Member Chair
Whangārei Catchment Working Group	Cr Craw Community Member Chair
Whangārei Heads Pest Management Working Group	Cr Macdonald
Kāeo-Whangaroa River Working Group	Cr Robinson as Chair
Kaihū River Working Group	Cr Bain as Chair
Kerikeri River Working Group	Cr Yeoman as Chair
Ruakākā River Working Group	Cr Stolwerk as Chair
Taumārere River Liaison Working Group	Cr Blaikie and Community Member as Co-Chairs
Urban Whangārei Working Group	Cr Craw as Chair
Awanui River Working Group	Cr Kitchen as Chair

## Councillor portfolios

Memberships / Delegation	Councillor
Appeals on Regional Plan	Cr Yeoman
Inter council working party on genetically modified organisms risk evaluation and management	No appointment until Regional Plan finalised.
Kaipara Moana Working Party	Crs Smart & Yeoman. Noting that this may become a formalised body post settlement in 2020.
Northland Conservation Board	Shared across council (constituent councillor to attend meeting based on location).
Northland Sports Facilities Plan (Sport Northland)	Cr Stolwerk
Shareholder representative for Northland Marsden Maritime Holdings Ltd <i>(delegating all necessary authority to represent the council's interest including but not limited to exercising council's vote at Annual General Meetings and giving effect to council's shareholder resolutions).</i>	Cr Smart as Chair
Shareholder representative for Northland Inc Ltd <i>(Delegating all necessary authority to represent the council's interest including but not limited to exercising the council's vote at Annual General Meetings and giving effect to council's shareholder resolutions)</i>	Cr Bain
Shareholder representative on Regional Software Holdings Ltd. <i>(Delegating all necessary authority to represent the council's interest including but not limited to exercising the council's vote at Annual General Meetings and giving effect to council's shareholder resolutions)</i>	Cr Smart as Chair
Upper North Island Strategic Alliance (UNISA)	Cr Smart as Chair
Zone one (LGNZ)	Cr Smart as Chair Alternate councillor – Cr Yeoman.

## Terms of Reference – Sub-committees

### Investment and Property Subcommittee

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#### Membership

The Investment and Property Subcommittee shall be comprised of four (4) councillors and one (1) independent (non-voting) member as follows:

Chair:	Cr R Stolwerk
Members:	Cr J Blaikie
	Cr J Bain
	Cr C Kitchen
Independent Member:	G Copstick (non-voting)
Ex officio:	Cr P Smart (full voting rights)
Alternate:	Cr J Craw
Independent Advisor:	J Erickson
	Will provide independent financial advice to the Investment and Property Subcommittee.

Standing orders apply.

#### Quorum

The quorum for meetings of the subcommittee shall be four (4). Ex-officio and independent member count towards a quorum. In the absence of sufficient members to form a quorum, the alternate is able to deputise for one of the standing members in order that a quorum can be formed and has full voting rights on behalf of that standing member.

#### Vision, mission and areas of focus (Long Term Plan 2018-2028)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This subcommittee will contribute directly to the following areas of focus:

- A strong regional economy
- Continue to subsidise rates with investment income

#### Objectives

The objectives of the subcommittee are to:

- Provide oversight and assistance to the Chief Executive on council's investment activities within established limits, ensuring external accountabilities and responsibilities are fulfilled;
- Provide oversight and assistance to the council's Chief Executive to negotiate property sale and purchase agreements;
- Make recommendations to council on investment fund matters;
- Make recommendations to council on property investment matters; and
- Manage investment returns that can influence operational budgets and public equity.

### **Role and Responsibilities**

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

For reasons of efficiency and/or expediency, should the subcommittee not be able to perform their functions, the council will assume their role and responsibilities.

### **Working Groups**

The subcommittee is further authorised to fulfil its role and responsibilities through the establishment or disestablishment of other working groups as the subcommittee sees fit. Working groups can include councillors, independent members, and advisors whose skills and experience are appropriate to the work being done. The staff member responsible to provide support to the working groups shall be the Chief Executive, who may delegate the role.

### **DELEGATED AUTHORITY AND FUNCTIONS**

The council authorises the subcommittee, within the scope of its Terms of Reference, role and responsibilities, to:

#### **1. General**

- a. Make decisions in accordance with the Terms of Reference
- b. Move investment funds between various managed funds within approved limits provided for in the Statement of Investment Policy and Objectives (SIPO).
- c. CEO to withdraw and invest in the Short Term Fund within established delegations.
- d. Recommend manager(s) of new funds for approval by council.
- e. Ensure that there are no withdrawals from funds except the Short Term Fund without the approval of council.
- f. Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- g. Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- h. Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the subcommittee or its working groups;
- i. Subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- j. Co-opt a person as a (non-voting) member of the subcommittee to assist with special projects;
- k. Recommend to council that additional members be appointed to the subcommittee should it consider wider representation would be of assistance in performing its functions;
- l. Appoint working groups to make recommendations to the subcommittee on any matters of responsibility within the subcommittee's Terms of Reference, and act in accordance with resolutions of the subcommittee (in line with specific limitations) where there is urgency or special circumstance;



- m. To regularly report progress on its functions to the council; and
- n. Undertake such other functions as may be delegated by council from time to time.

**2. Financial Management and Reporting**

In relation to the purpose of this subcommittee:

- a. Monitor and report on the financial performance of all funds against budget.
- b. Make recommendations to council on any forecast variances against budget.
- c. Determine the means of financial reporting to council and the public.

**3. Funding, Financial and Other Policies**

In relation to the purpose of this subcommittee:

- a. Contribute to the review of any changes required to relevant sections of the council's funding and financial policies (including those required under Section 102 of the Local Government Act (LGA) 2002) specifically the:
  - i. Revenue and Financing Policy; and
  - ii. Investment Policy

**4. Investment Functions**

In relation to the purpose of this subcommittee:

- a. To periodically review council's overall investment portfolio and provide recommendations to council as to adjustments to maintain an appropriate investment mix.
- b. Undertake the investment functions referred to in the Investment Policy adopted within the current LTP. These functions include:
  - i. To review performance and compliance against council's Investment Policy and reporting for all the council's investment funds (Statement of Investment Policy and Objectives).
  - ii. To make investment decisions within the subcommittee's delegations;
  - iii. To make recommendations to council on any changes that fall outside the subcommittee's delegations including changes to the construction of investment portfolios, the Investment Fund Statement of Investment Policies and Objectives, the Investment Policy, and investment management appointees.
  - iv. To recommend to the council targets, policies and strategies for undertaking its investment activities.
  - v. To oversee the administration and review of the council's investment opportunities within the subcommittees delegated authority and make recommendations to council as appropriate.

**5. Property Investment Functions**

The subcommittee's responsibilities are to:

- a. To work with the CEO to negotiate sale and purchase agreements for properties (within +/- 5% of their valuation) and provide appropriate sale and purchase recommendations to council for consideration.

- b. Undertake the property 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);
  - ii) To make recommendations to council on any changes to the subcommittee's delegations, the objectives and policies in the Treasury Management Policy;
  - iii) To recommend to the council targets, policies and strategies for undertaking its property activities.
  - iv) To oversee the administration and review of the council's property investment opportunities within the subcommittees delegated authority and make recommendations to council as appropriate.

**6. No Delegated Authority – Power to Act**

In Accordance Clause 32 (1) of Schedule 7 of the Local Government Act 2002, the subcommittee does not have the powers of council to borrow money or purchase or dispose of assets, other than in accordance with the current Long Term Plan or Annual Plan.

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## **Audit and Risk Subcommittee**

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### **Membership**

The Audit and Risk Subcommittee shall be comprised of four (4) councillors and two (2) independent (non-voting) members as follows:

Chair:	Cr C Kitchen
Members:	Cr J Bain Cr A Macdonald Cr J Yeoman
Independent members:	G Copstick (non-voting) and second independent member (non-voting) TBA
Ex officio:	Cr P Smart (full voting rights)
Alternate:	Cr J Blaikie

Standing orders apply.

### **Quorum**

The quorum for meetings of the sub-committee shall be four (4). Ex-officio and independent members count towards a quorum. In the absence of sufficient members to form a quorum, the alternate is able to deputise for one of the standing members in order that a quorum can be formed and has full voting rights on behalf of that standing member.

### **Vision, mission and areas of focus (Long Term Plan 2018-2028)**

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This subcommittee will contribute directly to the following areas of focus:

- Efficient and effective service delivery

### **Objectives**

The objectives of the subcommittee are to:

- Provide oversight and assistance to the Chief Executive on council's internal and external audit activities, ensuring that accountabilities and responsibilities are fulfilled;
- Make recommendations to council on audit matters; and
- Review financial performance.
- Provide oversight and assistance to the council's risk and health & safety activities, ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on risk management and health and safety matters.

### **Responsibilities**

The subcommittee is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform their functions, the council will assume their role and responsibilities.

### **ROLE AND FUNCTIONS**

The council authorises the subcommittee, within the scope of its Terms of Reference, role and responsibilities, to:

#### **1. General**

- a) Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- b) Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- c) Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the subcommittee or its working groups;
- d) In discussion with the CEO and subject to operating within approved budget allocation – request the CEO to obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- e) Recommend the co-opting of a person as a (non-voting) member of the sub-committee to assist with special projects;
- f) To review council finances on a quarterly basis;
- g) Recommend to council that additional members be appointed to the sub-committee should it consider wider representation would be of assistance in performing its functions;
- h) To regularly report progress on its functions to the council; and
- i) Undertake such other functions as may be delegated by council from time to time.

#### **2. External Audit**

The subcommittee responsibilities are to:

- a) Act as a forum for communication between the Chief Executive, senior management, and internal and external auditors;
- b) Provide advice to the Chief Executive to negotiate fees with external auditors;
- c) Review Audit Management Letter;
- d) Review Audit Plan;
- e) Review Independent Audit Reports;
- f) 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;

- g) Review all external plans and reports for planned or completed audits and monitor management's implementation of audit recommendations;
- h) Oversee the co-ordination of audit programmes conducted by the external auditors and other review functions; and
- i) Provide reports and advice to the council on action taken on significant issues raised in relevant external audit reports and good practice guides.

### **3. Finance**

The subcommittee responsibilities are to:

- a) Monitor and review financial policies;
- b) Monitor and review financial performance; and
- c) Recommend new borrowing to council.

### **4. Reporting**

The subcommittee 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.

### **5. Risk Management**

The subcommittee are to:

- a) Determine whether management has appropriately considered legal, operational and compliance risks as part of council's risk management arrangements;
- b) Review council's risk management framework and policies for effective identification and management of the council's risks.
- c) Review the council's corporate risk register in line with the council's risk management framework and policies.
- d) Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings.
- e) Review the effect of the council's risk management framework on its control environment and insurance arrangements.
- f) 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.

- g) 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.
- h) Review and monitor the council's policies and practices relating to sensitive expenditure.
- i) Review the effectiveness of the system for monitoring council's compliance with relevant laws, regulations and associated policies and make recommendations to council on improvements to council's risk management framework.

**6. Health and Safety**

The subcommittee 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.
- b) Make recommendations to council on improvements to the Health and Safety Management System.

**7. No Delegated Authority – Power to Act**

In Accordance Clause 32 (1) of Schedule 7 of the Local Government Act 2002, the subcommittee does not have the powers of council to borrow money or purchase or dispose of assets, other than in accordance with the current Long Term Plan or Annual Plan.

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## Terms of Reference – Working parties

### Water and Land Working Party

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#### Membership

The Water and Land Working Party shall be comprised of five (5) councillors and five (5) non-elected members as follows:

Chair:	Cr Blaikie
Members:	Cr J Craw
	Cr A Macdonald
	Cr M Robinson
	Cr J Yeoman
Māori Representation:	Five members of Te Taitokerau Māori and Council (TTMAC) Working Party TBA
Ex officio:	Cr P Smart (full voting rights)

The number of non-elected members from the TTMAC Working Party are to be the same as the number of NRC members.

Standing orders do not apply.

#### Quorum

The quorum for meetings of the working party shall be five (5). Ex-officio and non-elected members count towards a quorum.

#### Vision, mission and areas of focus (Long Term Plan 2018-2028)

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

The working party will contribute directly to the following areas of focus:

- Continuous improvement in water quality and security of supply
- Enhancement of indigenous biodiversity and biosecurity
- Safe and resilient communities
- Enduring relationships with tangata whenua

#### Objectives

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's water and land management activities, including those activities that contribute to or influence the quality

and quantity of water, including land management, environmental monitoring, and others, ensuring that accountabilities and responsibilities are fulfilled; and

- Make recommendations to council on water and land management matters.

### **Responsibilities**

The working party is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform their functions, the council will assume their role and responsibilities.

### **ROLE AND FUNCTIONS**

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

#### **1. General**

- a) Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- b) Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations;
- c) Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- d) In discussion with the CEO and subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- e) Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- f) Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;
- g) To regularly report progress on its functions to the council; and
- h) Undertake such other functions as may be delegated by council from time to time.
- i) To consult and seek input from other groups, as required, on specific resource management issues.

#### **2. Water and land Management**

For council's water and land management activities:

- a) Advise council on any significant legislative changes, programmes, plans or reports affecting these activities.



- b) Advise and make recommendations to council (and relevant working parties or working groups) on operational and implementation matters.
- c) Monitor and review progress towards council's objectives, the achievement of the performance targets and the delivery of work programmes in the relevant Long Term Plan, Annual Plan and operational strategies.
- d) To coordinate with other agencies on matters concerning environmental management in Northland.

**3. No Delegated Authority – Power to Act**

The working party has no delegated authority or power to act.

## **Climate Change Working Party**

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### **Membership**

The Climate Change Working Party shall be comprised of four (4) councillors and four (4) non-elected members as follows:

Chair:	Cr A Macdonald
Members:	Cr J Blaikie
	Cr J Craw
	Cr J Yeoman
Māori Representation:	Four members of Te Taitokerau Māori and Council (TTMAC) Working Party TBA
Ex officio:	Cr P Smart (full voting rights)

The number of non-elected members from the TTMAC Working Party are to be the same as the number of NRC elected members.

Standing orders do not apply.

### **Quorum**

The quorum for meetings of the working party shall be four (4). Ex-officio counts towards a quorum.

### **Vision, mission and areas of focus (Long Term Plan 2018-2028)**

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This working party will contribute directly to the following areas of focus:

- Safe & resilient communities
- Enduring relationships with tangata whenua

### **Objectives**

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's climate change activities ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on climate change matters.

### **Responsibilities**

The working party is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform their functions, the council will assume their role and responsibilities.

## **ROLE AND FUNCTIONS**

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

### **1. General**

- a) Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- b) Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- c) Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- d) In discussion with the CEO and subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- e) Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- f) Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;
- g) To regularly report progress on its functions to the council; and
- h) Undertake such other functions as may be delegated by council from time to time.
- i) To consult and seek input from other groups, as required, on specific resource management issues.

### **2. Climate Change Management**

For council's climate change activities:

- a) Advise council on any significant legislative changes, programmes, plans or reports affecting these activities.
- b) Advise and make recommendations to council (and relevant working parties or working groups) on operational and implementation matters.
- c) Monitor and review progress towards council's objectives, the achievement of the performance targets and the delivery of work programmes in the relevant Long Term Plan, Annual Plan and operational strategies.
- d) To coordinate with other agencies on matters concerning climate change in Northland.
- e) Oversee council's climate change work programme, with key focuses being on, adaptation planning and the development and implementation of a regional adaptation strategy, improving resilience across Northland and other related matter.
- f) To review and recommend to council on such other functions as may be delegated from time to time.

### **3. No Delegated Authority – Power to Act**

The working party has no delegated authority or power to act.

## **Te Taitokerau Māori and Council Working Party**

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### **Membership**

The Te Taitokerau Māori & Council (TTMAC) Working Party shall be comprised of nine (9) councillors and twenty-one (21) Māori representatives as follows:

Co-Chairperson:	Cr Robinson
Co-Chairperson:	TBA (TTMAC member)
NRC Members:	Cr Smart
	Cr Blaikie
	Cr Craw
	Cr Yeoman
	Cr Kitchen
	Cr McDonald
	Cr Stolwerk
	Cr Bain
	Cr Robinson
TTMAC members:	TBA (20 Māori representatives)

TTMAC Working Party is to be Co-Chaired by a Māori representative appointed by TTMAC 20 Māori representatives at its first meeting.

Standing orders do not apply.

### **Quorum**

The quorum for meetings of the working party shall be 3 elected NRC members and a third of the Māori representatives.

### **Vision, mission and areas of focus (Long Term Plan 2018-2028)**

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This working party will contribute directly all areas of focus:

- Enduring relationships with tangata whenua
- Continuous improvement in water quality and security of supply
- Enhancement of indigenous biodiversity and biosecurity

### **Objectives**

The objectives of the working party are to:

- Monitor and advise on council's compliance to its legislative obligations to Māori including under the Local Government Act 2002 and the Resource Management Act 1991
- Provide advice to council on topics referred to it by council
- To develop pathways (and processes) that will achieve lasting and meaningful relationships between Māori and council
- To ensure the views of Māori are taken into account in the exercise of council functions.

### **No Delegated Authority – Power to Act**

The working party has no delegated authority or power to act.

*(Further details of the TTMAC Working Party roles, functions and responsibilities will be discussed with the Māori representatives, at its first meeting, with recommendations brought back to council for endorsement.)*

## **Biosecurity and Biodiversity Working Party**

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### **Membership**

The Biosecurity and Biodiversity Working Party shall be comprised of four (4) councillors and four (4) non-elected members as follows:

Chair:	Cr J Craw
Members:	Cr J Blaikie Cr M Robinson Cr R Stolwerk
Māori Representation:	Four members of Te Taitokerau Māori and Council (TTMAC) Working Party TBA
Ex officio:	Cr P Smart (full voting rights)

The number of non-elected members from the TTMAC Working Party are to be the same as the NRC elected members.

Standing orders do not apply.

### **Quorum**

The quorum for meetings of the working party shall be four (4). Ex-officio and non-elected members count towards a quorum.

### **Vision, mission and areas of focus (Long Term Plan 2018-2028)**

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This working party will contribute directly to the following areas of focus:

- Enhancement of indigenous biodiversity and biosecurity
- Enduring relationships with tangata whenua

### **Objectives**

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's biosecurity and biodiversity activities ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on biosecurity and biodiversity matters.

### **Responsibilities**

The working party is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform their functions, the council will assume their role and responsibilities.

## **ROLE AND FUNCTIONS**

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

### **1. General**

- a) Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- b) Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- c) Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- d) In discussion with the CEO and subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- e) Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- f) Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;
- g) To regularly report progress on its functions to the council; and
- h) Undertake such other functions as may be delegated by council from time to time.

### **2. Biosecurity and Biodiversity**

- a) For council's biosecurity and biodiversity activities:
  - i) Advise council on any significant legislative changes, programmes, plans or reports affecting these activities.
  - ii) Advise and make recommendations to council (and relevant working parties or working groups) on matters of policy and implementation.
  - iii) Monitor and review progress towards council's objectives, the achievement of the performance targets and the delivery of work programmes in the relevant Northland Long Term Plan. Annual Plan and operational strategies, such as the Regional Pest Management Plan (RPMP) and Marine Pathway Plan (MPP).
- b) To coordinate with other agencies on matters concerning biosecurity and biodiversity in Northland.
  - i) To oversee the implementation of the Regional Pest Management Plan (RPMP) and Marine Pathway Plan (MPP) and regularly report progress on its functions to the council. Identify and workshop important and/or contentious matters with full council, as appropriate, to ensure buy-in prior to formal council consideration of plans.
  - ii) To review and recommend to council on such other functions as may be delegated from time to time.

### **3. No Delegated Authority – Power to Act**

The working party has no delegated authority or power to act.

## **Planning and Regulatory Working Party**

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### **Membership**

The Planning & Regulatory Working Party shall be comprised of four (4) councillors and four (4) non-elected member as follows:

Chair:	Cr J Yeoman
Members:	Cr J Blaikie
	Cr A Macdonald
	Cr C Kitchen
Māori Representation:	Four members of Te Taitokerau Māori and Council (TTMAC) Working Party TBA
Ex officio:	Cr P Smart (full voting rights)

The number of non-elected members from the TTMAC Working Party are to be the same as the number of NRC elected members.

Standing orders do not apply.

### **Quorum**

The quorum for meetings of the working party shall be four (4). Ex-officio and non-elected members count towards a quorum).

### **Vision, mission and areas of focus (Long Term Plan 2018-2028)**

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

This working party will contribute directly to the following areas of focus:

- Continuous improvement in water quality and security of supply (through the RPS and Regional Plan)
- Enhancement of indigenous biodiversity & biosecurity
- Safe and resilient communities
- Enduring relationships with tangata whenua

### **Objectives**

The objectives of the working party are to:

- Provide oversight and assistance to the Chief Executive on council's resource management planning and regulatory activities ensuring that accountabilities and responsibilities are fulfilled; and
- Make recommendations to council on planning and regulatory (excluding on specific enforcement action) matters.
- Make recommendations to council on district council RMA planning and regulatory initiatives, such as whether to formally lodge submissions on district council plan changes and bylaws.



### **Responsibilities**

The working party is directly responsible and accountable to the council for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.

In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the council rests with the Chief Executive.

For reasons of efficiency and/or expediency, should the working party not be able to perform its functions, the council will assume its role and responsibilities.

### **ROLE AND FUNCTIONS**

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

#### **1. General**

- a) Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- b) Discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- c) Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- d) In discussion with the CEO and subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- e) Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- f) Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;
- g) Undertake such other functions as may be delegated by council from time to time.

#### **2. Planning & Regulatory**

For council's planning activities:

- a) To oversee the implementation of the Regional Policy Statement (RPS) for Northland.
- b) To oversee the implementation of the Proposed Regional Plan under the Resource Management Act 1991. To identify and workshop important and/or contentious matters with full council, as appropriate, to ensure buy-in prior to formal council consideration of plans.
- c) To oversee the development and implementation of regulatory action plans, procedures/protocols and strategies. To identify and workshop important and/or contentious matters with full council, as appropriate, to ensure buy-in prior to formal council consideration (if required) of plans, procedures/protocols and strategies.

- d) To recommend to council the release of draft plans and plan changes, including variations, for public consultation.
- e) To make recommendations to council on any appeals in accordance with council decisions on the proposed plan, plan change or variation.
- f) To make recommendations to council to accept, adopt or reject private plan change applications under clause 25 of the First Schedule of the Resource Management Act 1991.
- g) To oversee the management of the private plan change process.
- h) To recommend to council positions and perspectives on proposed legislation (including amendments) and national policy initiatives for incorporation into council submissions as appropriate.
- i) To make recommendations to council on the processes to be used to develop and review planning proposals.
- j) To be the governance entity for the policy implementation of the government's Essential Freshwater Package.

**3. No Delegated Authority – Power to Act**

The working party has no delegated authority or power to act.

## **NRC/WDC Whangārei Public Transport Working Party**

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### **Membership**

The NRC/WDC Whangārei Public Transport Working Party shall be comprised of three (3) Northland Regional council members and three (3) Whangārei District Council members as follows:

Chairperson:	Cr Bain
NRC members	Cr J Craw Cr R Stolwerk

WDC member 1	TBA
WDC member 2	TBA
WDC member 3	TBA

The number of members from WDC and NRC are to be the same.

Standing orders do not apply.

### **Quorum**

The quorum for meetings of the working party shall be three (3). All members count towards a quorum.

### **Vision, mission and areas of focus (Long Term Plan 2018-2028)**

Our Northland – together we thrive. Working together to create a healthy environment, strong economy and resilient communities.

The working party will contribute directly to the following areas of focus:

- Efficient and effective service delivery
- Safe and resilient communities
- A strong regional economy

### **Objectives**

The objectives of the working party are to:

- To examine and discuss Whangārei public transport issues with the intention of increasing patronage across all modes of public transport; and advise and make recommendations to both Councils accordingly.

### **Responsibilities**

- The working party is directly responsible and accountable to their respective councils for the exercise of its responsibilities. The Chairperson, supported by staff, will provide a brief written report of working party activities to each council meeting.
- In carrying out its responsibilities, the working party must at all times recognise that primary responsibility for management of the councils rests with the Chief Executives.

- For reasons of efficiency and/or expediency, should the working party not be able to perform its functions, the councils will assume its role and responsibilities.

## **ROLE AND FUNCTIONS**

The council authorises the working party, within the scope of its Terms of Reference, role and responsibilities, to:

### **1. General**

- a) Subject to operating within approved budget allocation - obtain information it needs from the CEO and/or external party (subject to their legal obligation to protect information);
- b) Discuss any matters with the external auditor, or other external parties (subject) to confidentiality considerations);
- c) Request the attendance of any employee, subject to the Chief Executive's approval, at meetings of the working party or its working groups;
- d) In discussion with the CEO and subject to operating within approved budget allocation - obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the council's expense;
- e) Co-opt a person as a (non-voting) member of the working party to assist with special projects;
- f) Recommend to council that additional members be appointed to the working party should it consider wider representation would be of assistance in performing its functions;
- g) Undertake such other functions as may be delegated by council from time to time.

### **2. Whangārei Public Transport**

Issues to be considered include, but are not limited to;

- a) Bus route terminus location and infrastructure,
- b) Bus stops/shelters and signage,
- c) Potential new routes, services and trials,
- d) Park and ride options,
- e) Integration with city and district planning.

### **3. No Delegated Authority – Power to Act**

The working party has no delegated authority or power to act.

## Terms of Reference – Joint committees

### Regional Transport Committee

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#### 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:

#### Northland Regional Council members

Chairperson: Cr Bain  
Deputy Chairperson: Cr Stolwerk

#### TLA Members

Member representing the Far North District Council	TBA
Member representing the Whāngārei District Council	TBA
Member representing the Kaipara District Council	TBA
Representative of the NZ Transport Agency	TBA

Any appointing authority may appoint an alternate (who shall have full voting rights) for the appointed member. These alternative members as follows:-

Northland Regional Council	Cr Blaikie
Far North District Council	TBA
Whangārei District Council	TBA
Kaipara District Council	TBA
New Zealand Transport Agency	TBA
& Highway Manager Auckland	TBA

#### Quorum

The quorum for meetings of the committee shall be three members, being 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.

### **Civil Defence Emergency Management Group joint committee**

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The Northland CDEM Group was constituted in March 2002 as a Joint Standing Committee of councils under the CDEM Act 2002 (section 12), and the Local Government Act 2002 (clause 30 (1)(b) of Schedule 7), comprising the mayor or chairperson (or their delegated representative) of Northland's four councils. The Northland Regional Council is the administering authority of the group.

Each member also appoints an alternate representative. All representatives have authority to vote and make decisions for their respective organisations without further approval.

The NZ Fire Service and NZ Police are represented by their respective District Commanders in an observer capacity.

The CDEM Group is responsible for the conduct of the CDEM business in the Group, setting the strategic direction via the CDEM Group plan, approving annual work programmes, and monitoring and reporting on progress.

Purpose includes:

- Co-ordinate planning, programmes, and activities related to civil defence emergency management across the areas of reduction, readiness, response, and recovery; and
- Encourage co-operation and joint action within the Northland region.

The Northland Civil Defence Emergency Management Group meets quarterly, on the first Tuesday of every 3<sup>rd</sup> month. The next meeting of the group is scheduled for Tuesday 6 December 2016.

The appointment of a representative and an alternative are required from the Northland Regional Council as follows:

Chair:	Cr Stolwerk TBC at first meeting
Alternate:	Cr C Kitchen



### **Te Oneroa-a-Tōhē Board (90 Mile Beach Board)**

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Te Oneroa-a-Tōhē Board was constituted through Treaty settlement legislation for four of the five Te Hiku Iwi; Ngāti Kuri, Te Aupōuri, NgaiTakoto and Te Rarawa, in September 2015.

While each iwi has individual settlements a number of 'collective' mechanisms were used to address areas of common interest. Through the collective redress the Board becomes a new permanent joint committee between iwi, Northland Regional Council and Far North District Council for the purposes of clause 30(1)(b).

The Board comprises eight members, one from each of the iwi and two from either council, with the Mayor of the Far North District Council having to be one of their representatives on the Board. Should the fifth iwi (Ngāti Kahu) decide to join, or when their settlement is complete, the membership will become five iwi members and five from council, with the addition of an appointment from the Te Hiku Community Board. The Board is chaired by an iwi member as prescribed in the settlement legislation.

The appointment of two members is required by the Regional Council as follows:

Cr Kitchen

Cr Robinson

## Appendix A – LGA Delegation Clauses

### Clause 30

#### **Power to appoint committees, subcommittees, other subordinate decision-making bodies, and joint committees.**

(1) A local authority may appoint—

- (a) the committees, subcommittees, and other subordinate decision-making bodies that it considers appropriate; and
- (b) a joint committee with another local authority or other public body.

(2) A committee may appoint the subcommittees that it considers appropriate unless it is prohibited from doing so by the local authority.

(3) A committee or other subordinate decision-making body is subject in all things to the control of the local authority, and must carry out all general and special directions of the local authority given in relation to the committee or other body or the affairs of the committee or other body.

(4) A subcommittee is subject in all things to the control of the committee that appointed it, and must carry out all general and special directions of the committee given in relation to the subcommittee or its affairs.

(5) Unless expressly provided otherwise in an Act,—

- (a) a local authority may discharge or reconstitute a committee or subcommittee or other subordinate decision making body; and
- (b) a committee may discharge or reconstitute a subcommittee.

(6) Nothing in this clause entitles a local authority or committee to rescind or amend a decision made under a delegation authorising the making of decision by a committee, a subcommittee, or another subordinate decision-making body.

(7) A committee, subcommittee, or other subordinate decision making body is, unless the local authority resolves otherwise, deemed to be discharged on the coming into office of the members of the local authority elected or appointed at, or following, the triennial general election of members next after the appointment of the committee, subcommittee, or other subordinate decision-making body.

### Clause 31

#### **Membership of committees and subcommittees**

(1) A local authority may appoint or discharge any member of a committee or a subcommittee.

(2) Unless directed otherwise by a local authority, a committee may appoint or discharge any member of a subcommittee appointed by the committee.

(3) The members of a committee or subcommittee may, but need not be, elected members of the local authority, and a local authority or committee may appoint to a committee or subcommittee a person who is not a member of the local authority or committee if, in the opinion of the local authority,

that person has the skills, attributes, or knowledge that will assist the work of the committee or subcommittee.

(4) Despite subclause (3),

(a) at least 1 member of a committee must be an elected member of the local authority and

(b) an employee of a local authority acting in the course of his or her employment may not act as a member of any committee unless that committee is a subcommittee.

(5) If a local authority resolves that a committee, subcommittee, or other decision-making body is not to be discharged under clause 30(7), the local authority may replace the members of that committee, subcommittee or other subordinate decision-making body after the next triennial general election of members.

(6) The minimum number of members

(a) is 3 for a committee; and

(b) is 2 for a subcommittee

## **Clause 32**

### **Delegations**

(1) Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except—

(a) the power to make a rate; or

(b) the power to make a bylaw; or

(c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or

(d) the power to adopt a long-term plan, annual plan, or annual report; or

(e) the power to appoint a chief executive; or

(f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long term plan or developed for the purpose of the local governance statement; or

(g) *[Repealed]*

(h) the power to adopt a remuneration and employment policy.

(2) Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in subclause (1).

(3) A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the original delegation.

(4) A committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, or duties are delegated may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.

(5) A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters.

(6) A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.

(7) To avoid doubt, no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.

(8) The delegation powers in this clause are in addition to any power of delegation a local authority has under any other enactment.

## Document approval

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