

# SOUTH WAIRARAPA DISTRICT COUNCIL

20 NOVEMBER 2019

## AGENDA ITEM E1

### MAYORAL APPOINTMENTS

#### Purpose of Report

To inform councillors of the Mayoral appointments and committee structure organised under s41A of the Local Government Act 2002 (LGA) and to seek Council endorsement for appointments to joint committees and working groups.

#### Recommendations

His Worship the Mayor recommends that the Council:

1. *Receive the Mayoral Appointments Report.*
2. *Adopts System A or B as outlined in clause 25 of Schedule 7 of the Local Government Act 2002 (LGA) for the election of committee chairs not appointed under s41A of the LGA for the 2016-2019 Triennium.*
3. *Endorses the community board recommendation appointments and appoints Cr Pam Colenso and Cr Pip Maynard to the Martinborough Community Board.*
4. *Endorses the community board recommendation appointments and appoints Cr Garrick Emms and Cr Ross Vickery to the Featherston Community Board.*
5. *Endorses the community board recommendation appointments and appoints Cr Rebecca Fox and Cr Alistair Plimmer to the Greytown Community Board.*
6. *Endorses the recommendation and makes an external appointment of Colin Olds to the Water Race Subcommittee as Chair, and external member appointments of Garrick Emms, Jim Hedley, Justine Thorpe, Paul Harvey and Frank van Steensel.*
7. *Notes the appointment of Cr Rebecca Fox to the Water Race Subcommittee as the urban water race representative.*
8. *Resolves to appoint the following external members to the Māori Standing Committee: Raihānia Tipoki (Hau Ariki Marae), Nathan Maynard (Hau Ariki Marae), Terry Te Maari (Kohunui Marae), Teresa Aporo (Kohunui Marae), Narida Hooper (Pau Tu Mokai o Taurira), Karen Mikaera (Pau Tu Mokai O Taurira) and Wayne Pitau (Rangitane o Wairarapa).*
9. *Endorses the recommendations and makes appointments to joint Wairarapa committees/working groups, joint regional committees/groups, GWRC committees and other appointments as outlined in Appendix 2.*

10. *Endorses the recommendation and makes an external appointment of Clive Paton to Pukaha to Palliser.*
11. *Adopts the Wellington Water Committee Terms of Reference and appoints Mayor Beijen and Garrick Emms (alternate) to the Wellington Water Committee.*

## **1. Background**

As previously advised, I have elected to use Section 41A Role and power of mayors, of the Local Government Act (LGA) 2002.

I have reviewed the Committee Structure from the 2016-2019 triennium and discussed committee structure options with mayors from other districts and Chief Executive Harry Wilson. I have discussed preferred appointments with councillors and when making appointments have made them with consideration to existing outside work commitments, existing councillor skills, experience and knowledge, overall workload and best fit.

I am seeking to create an open and flat structure and to review the delegations to the community boards in order to empower them.

## **2. Community Board Appointments**

Section 50 of the LGA and section 19F of the Local Electoral Act 2001 enable councillors to be appointed as members of community boards provided they are elected from within the ward that the board resides. On the 30 October 2019 the following councillors were appointed to the community boards. Council are asked to formally resolve these appointments.

<b>Community Board</b>	<b>Appointments</b>
Martinborough Community Board	Cr Colenso, Cr Maynard
Featherston Community Board	Cr Emms, Cr Vickery
Greytown Community Board	Cr Fox, Cr Plimmer

## **3. Constitution of Committees and Appointments**

### **3.1 Committee Structure and Appointments**

As per s. 41A (3) and (4) of the LGA 2002, I have elected to establish the following committees and make the following chair appointments. A full list of appointments is provided in Appendix 2. The terms of reference (TOR) documents for Council, committees and subcommittees are attached in Appendix 3, note these are under review. It is my intention to have the reviewed TOR available for review by the Committees early in 2020.

The Hearings Committee is yet to be established.

2019-2022 Committee Structure	Chair Appointments
Assets and Services Committee	Cr Brian Jephson
- Water Race Subcommittee	Mr Colin Olds
Planning and Regulatory Committee	Cr Ross Vickery
Finance, Audit and Risk Committee	Cr Leigh Hay
Chief Executive Officer's Review Committee	Mayor Alex Beijen
Māori Standing Committee	Elected by the Committee
District Licensing Committee	Mrs Julie Riddell Cr Brenda West (Deputy Chair)

### 3.2 Assets and Services Committee

Chair and members as per Appendix 2. The community board and Māori Standing Committee chairs are encouraged to read the agenda and if matters are relevant, may attend and participate in debate but not vote and therefore are not members of the Committee.

### 3.3 Water Race Subcommittee

Schedule 7 cl 31 (3) of the LGA 2002 allows for the appointment of external members 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.'*

Colin Olds was the previous Council appointee on the Ruamahanga Whaitua Committee, assisted with the reformation of the Water Race Subcommittee and selection of members, is a water race ratepayer and a previous chair of the Planning and Regulatory Committee. In my opinion Colin Olds would be a valuable appointee to this Subcommittee and qualified to take the chair position of the Water Race Subcommittee.

Subcommittee members were sought earlier in 2019 by writing to all water race ratepayers seeking expressions of interest. I have appointed Cr Rebecca Fox to represent urban water race interests.

### 3.4 Planning and Regulatory Committee

Chair and members as per Appendix 2. The community board and Māori Standing Committee chairs are encouraged to read the agenda and if matters are relevant, may attend and participate in debate but not vote and therefore are not members of the Committee.

### 3.5 Finance Audit and Risk Committee

Chair and members as per Appendix 2. The terms of reference allow the appointment of an external advisor (not a member of the committee) by the chair.

### 3.6 Chief Executive Review Committee

Chair and members as per Appendix 2.

### **3.7 Māori Standing Committee**

Schedule 7 cl 31 (3) of the LGA 2002 allows for the appointment of external members 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.'*

The chair is to be elected from within the Committee using the voting system as decided by Council.

Members are required to advise on tangata whenua and Māori interests in the Council's major areas of activity and therefore recommended membership of the committee should be representatives from the district's marae, iwi and Pae tū Mokai o Tauria (as per the TOR). The marae, iwi and Pae tū Mokai o Tauria were written to in September 2019, and advised that their appointments would be rolled over unless they notified Council otherwise. We have been advised that Papawai Marae are working through an expressions of interest process and will notify their appointments in due course. The Kahungunu o Wairarapa position is to remain vacant for the time being. Council are asked to endorse the other member appointments.

In order to strengthen the relationship between Council and iwi/hapu the MSC Chair is encouraged to attend formal Council meetings and participate in debate and provide advice to Council from an iwi/hapu perspective. Final voting rights remain with elected members.

### **3.8 District Licensing Committee**

The District Licensing Committee is established under the Sale and Supply of Alcohol 2012 Act and does not lapse at the end of the triennium. Mrs Julie Riddell has been appointed as Chair until 27 June 2023 subject to a review of chairmanship by 27 June 2021. Committee list members have been appointed until 27 June 2023 and are as per Appendix 2.

An elected member is required to be appointed to the Committee, and I am appointing Cr Brenda West as Deputy Chair.

### **3.9 Hearings Committee**

It is my intent to establish a Hearings Committee at the next meeting. I am holding off establishing this committee to ensure that Council has the correct delegations in place and that the Terms of Reference can be developed correctly.

### **3.10 Joint Committees and Working Groups, GWRC Committees and Appointments**

Schedule 7 of the Local Government Act 2002 provides for local authorities to hold the meetings that are necessary for the good government of the region or district (clause 19); to appoint the committees, subcommittees and other subordinate decision-making bodies that it considers appropriate, including joint committees with other local authorities (clause 30); and to appoint or discharge any member of a committee or subcommittee (clause 31).

TOR documents for all joint committees have previously been agreed and will be circulated to appointments.

A full list of suggested appointments for joint or regional committees, joint or regional working groups, GWRC committees, and external appointments is outlined in Appendix 2. Council are asked to endorse these appointments by resolution.

### **3.10.1. Appointment of non-elected members**

Clause 31 of Schedule 7 of the Local Government Act 2002 provides Council with the option of appointing 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.

Council are being asked to endorse the councillor appointments to the Waiohine Floodplain Management Committee of Cr Rebecca Fox and Cr Leigh Hay (interim appointee). The TOR agreement does not allow the appointment of an external appointee, however GWRC have agreed to update the TOR to allow us to consider an external appointment in upcoming months. We will work with the Waiohine Action Group and GWRC to ensure the best representation for Council and Greytown in the future.

Paul Broughton was the Council appointment to the Destination Wairarapa Board for the 16-19 triennium and I would like Council to endorse his appointment for the 19-22 triennium. Mr Broughton owns a successful Featherston business and regularly reported to Council with the Destination Wairarapa General Manager.

The Greytown Community Board will be asked to make an appointment to Cobblestones Museum for the 19-22 triennium.

Council are asked to appoint Clive Paton to the Pukaha 2 Palliser initiative for the 19-22 triennium. The Pukaha to Palliser alliance is a collaborative network of Wairarapa communities and organisations, including local and national agencies. It covers the whole landscape from north to south and from east to west, ki uta ki tai. Mr Paton was Council's representative for the 16-19 triennium.

### **3.10.2. Wellington Water Joint Committee**

Councils can only establish joint committees under schedule 7, clause 30A once an agreement has been reached with other member agencies.

Council agreed to become a shareholder of Wellington Water. The shareholder document includes the agreed TOR document for the Wellington Water Committee and has been co-signed by all member agencies. The TOR for this Committee is in Appendix 4. Council are asked to adopt the TOR and endorse the recommended appointments by resolution.

#### **4. Appendices**

Appendix 1 – Voting Systems

Appendix 2 – Committee Structure and Appointments

Appendix 3 – Committee Terms of Reference

Appendix 4 – Wellington Water Committee Terms of Reference

Prepared by: His Worship the Mayor, Alex Beijen

# **Appendix 1 –Voting Systems**

## Voting system

### System A

The candidate will be elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee who are present and voting. This system has the following characteristics:

- (a) There is a first round of voting for all candidates;
- (b) If no candidate is successful in the first round, there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and
- (c) If no candidate is successful in the second round, there is a third round, and if necessary subsequent rounds, of voting from which, each time, the candidate with the fewest votes in the previous round is excluded.

In any round of voting, if two or more candidates tie for the lowest number of votes, the person to be excluded from the next round is resolved by lot.

### System B

The candidate will be elected or appointed if he or she receives more votes than any other candidate. This system has the following characteristics:

- (a) There is only one round of voting; and
- (b) If two or more candidates tie for the most votes, the tie is resolved by lot.

*cl. 25 Schedule 7, LGA 2002.*

## Practical Examples of Voting Systems

The following examples may be useful to illustrate the two systems:

### System A

*Example 1* - Three nominations are received and upon the votes being counted the result is: A (4) B (2) C (1). In this case A is elected to the relevant position.

*Example 2* - Three nominations are received and upon the votes being counted the result is: A (3) B (3) C (1). In this case no candidate is successful so a second round of voting is held for candidates A and B. The lowest polling candidate, C, is excluded.

### System B

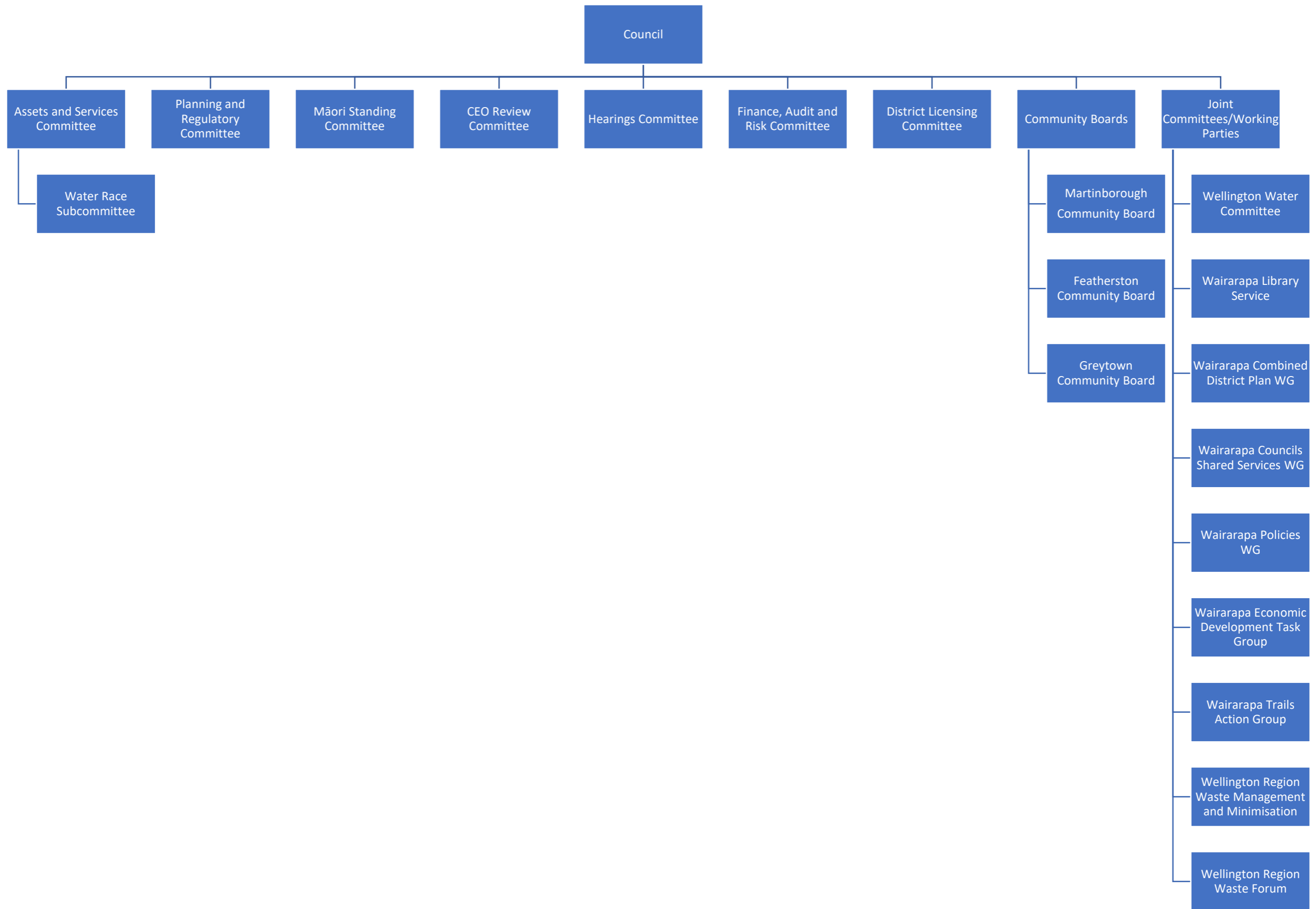
*Example 1* - Three nominations are received and upon the votes being counted the result is: A (4) B (2) C (1). In this case A is elected to the relevant position.

*Example 2* - Three nominations are received and upon the votes being counted the result is: A (3) B (3) C (1). In this case a lot is held to determine who between A and B will be elected to the relevant position.

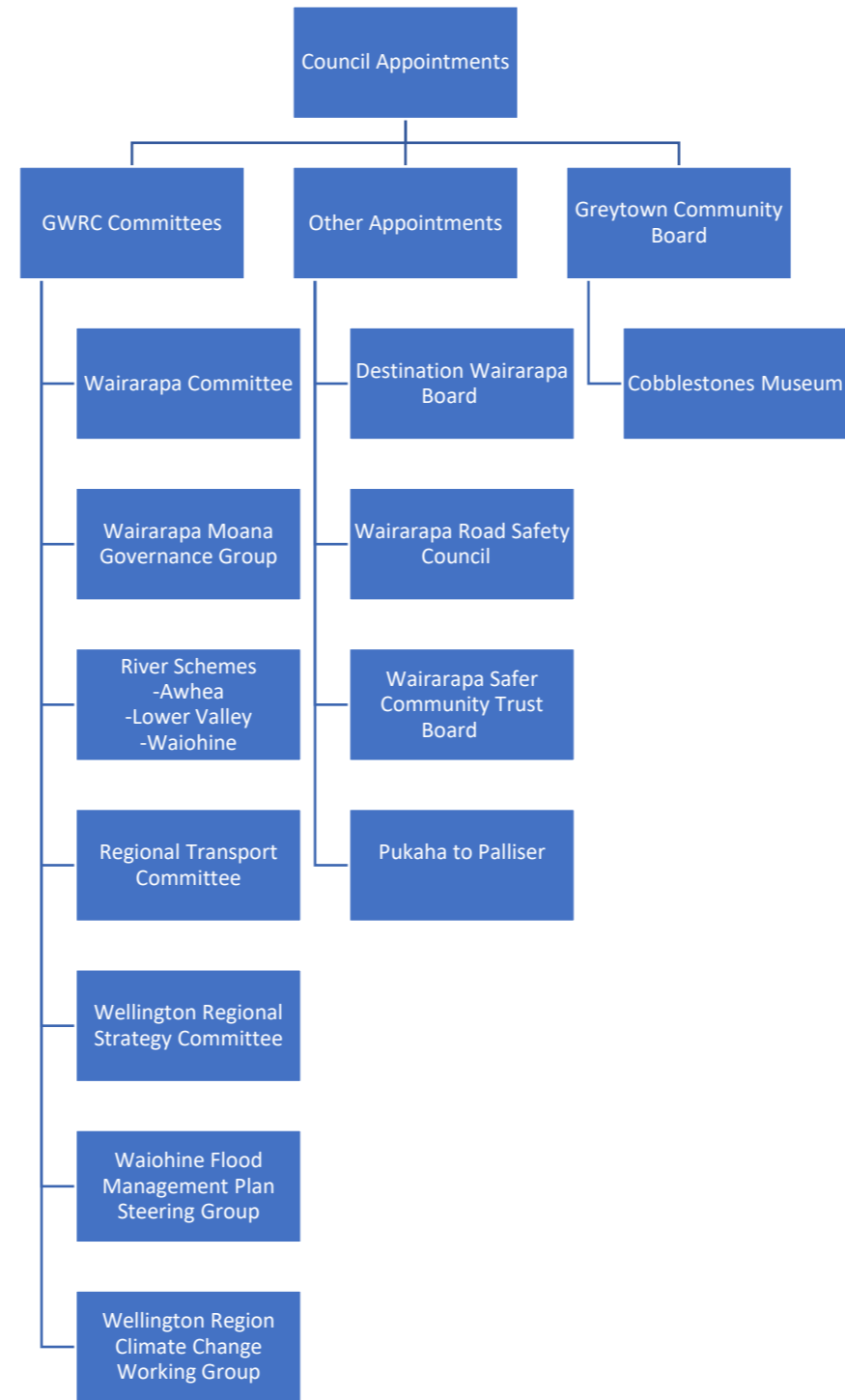


# **Appendix 2 – Committee Structure and Appointments**

# South Wairarapa District Council Governance Structure 2019-2022



# South Wairarapa District Council Governance Structure 2019-2022





# **Appendix 3 – Terms of Reference**



**SOUTH WAIRARAPA  
DISTRICT COUNCIL**  
*Kia Reretahi Tātau*

## **COUNCIL**

<b>Chairperson:</b>	Mayor Alex Beijen
<b>Membership:</b>	The Mayor and all councillors
<b>Non-voting attendees:</b>	Chair of the Māori Standing Committee may attend and participate in debate but does not have voting rights
<b>Meeting Frequency:</b>	6-weekly, dates as per an adopted schedule of meetings Extraordinary or emergency meetings may be held
<b>Quorum:</b>	Five members (half the membership)

### **1. Purpose**

- To enable democratic local decision-making and action by, and on behalf of, communities.
- To meet the current and future needs of communities for good-quality local infrastructure, local public services and performance of regulatory functions in a way that is most cost-effective for households and businesses.

### **2. Delegations**

Activities that will be decided by the full Council, include:

- The power to make a rate.
- The power to make a bylaw.
- The power to borrow money, or purchase or dispose of assets other than in accordance with the long-term plan.
- The power to adopt a long-term plan, annual plan or annual report.
- The power to appoint a chief executive.
- The power to adopt policies under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the Council's local governance statement.
- The power to adopt a remuneration and employment policy.
- To hear and consider matters as related to but not limited to the Resource Management Act, the Dog Control Act, Wairarapa Gambling Policy and the Reserves Act.



## **ASSETS AND SERVICES COMMITTEE**

### **TERMS OF REFERENCE**

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Cr Jephson (appointed by the Mayor)
<b>Membership:</b>	Six councillors including the chair (minimum of one councillor per ward)
<b>Appointments 19-22:</b>	Cr Brian Jephson, Cr Rebecca Fox, Cr Alastair Plimmer, Cr Garrick Emms, Cr Pip Maynard, Cr Ross Vickery Mayor Alex Beijen (ex-officio)
<b>Non-voting attendees:</b>	Chair of each community board and the chair of the Māori Standing Committee may attend and participate in debate
<b>Meeting Frequency:</b>	6-weekly
<b>Quorum:</b>	Four members
<b>Subcommittees:</b>	Water Race Subcommittee

#### **1. Purpose**

The Assets and Services Committee is established for the purposes of:

- Providing advice and recommendations to Council regarding the strategic management of council assets.
- Monitoring of major Council projects that are of a nature which pose significant risk or high community impact.
- Aligning Council's management of assets and infrastructure to its long term strategic objectives.

#### **2. Roles and Responsibilities**

To enable:

- the provision of engineering and non-engineering services to maintain and improve cost, safety and quality of Council assets and services.

- the determination and implementation of policies in respect to the delivery of services to the community.
- to liaise with, and assist local communities to achieve their services objectives within Council's legislative responsibilities.
- to assist the community in the maintenance and improvement of amenities and the environment.

Services including the provision and maintenance of:

- Roads
- Footpaths
- Signs / bridges / lights
- Parking and traffic planning
- Major projects
- Provision of potable water and reticulation system
- Water reservoirs
- Treatment plants / pumping stations
- Monitoring of Quality of Drinking Water Standards
- Wastewater treatment and disposal
- Stormwater management
- Public toilets
- Solid waste disposal / landfills
- Litter / rubbish collection
- Civil Defence / rural fire
- Libraries
- Parks and reserves
- Swimming pools
- Cemeteries
- Sportsfields
- Garden and road reserve maintenance
- Trees, plants and landscaping
- Reserve Management Plans
- Coastal / esplanade reserve management
- Development Contributions / subdivision requirements (inc. water connections and lateral issues)
- Such other functions as may be delegated by Council from time to time.

The development and implementation of Council policy relating to the management and utilisation of Council assets and infrastructure.

- The monitoring and potential implementation strategies for recreation and sporting facilities priorities of the SWDC.
- The monitoring, development and implementation of Council's Strategic Asset Management Plans in accordance with Council's Asset Management Policy.
- Opportunities to either acquire new assets or dispose of assets in accordance with Council's Disposal of Land and Assets Policy.
- Monitoring of major projects
- The opportunities to further develop strategic transport and integration of transport needs of the Community.
- The Committee is accountable to Council.





**SOUTH WAIRARAPA  
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## **WATER RACE SUBCOMMITTEE**

### **TERMS OF REFERENCE**

<b>Subcommittee of:</b>	Assets and Services Committee
<b>Chairperson:</b>	Colin Olds
<b>Membership:</b>	One councillor, one external appointee, three representatives from Moroa Water Race area, two representatives from Longwood Water Race One representative must represent the Greytown urban area
<b>Appointments 19-22:</b>	Colin Olds, Cr Rebecca Fox, Garrick Emms, Jim Hedley, Justine Thorpe, Paul Harvey and Frank van Steensel Mayor Alex Beijen (ex-officio)
<b>Meeting Frequency:</b>	Minimum of three times per year
<b>Quorum:</b>	Four members

#### **1. Purpose**

For Council to meet its consent conditions to extract water from the Waiohine and Tauherenikau Rivers that feed the South Wairarapa water race network, a number of conditions need to be met. An oversight group or committee must act as an interfacing agent between water race users and Council.

The purpose of the Subcommittee is to oversee the following:

- To assist in the governance and management of the Longwood and Moroa Water Race systems.
- To assist in the provision of an effective interface and communication mechanism for dialogue between water race users and Council.
- To assist in the on-going review of the relevance and functionality of both the Longwood and Moroa Water Race systems existing and future design; including their general purpose, operating and maintenance principles and management. This includes the establishment of and any future application of a formal process for the closure or correction of channels.

- To provide user-based consideration into all resource consents, by-law amendments, code of practice documents, rating requirements and any other related matters as needed.

## **2. Delegations**

### **The Committee is delegated the Power to Act:**

- From time-to-time to represent users and Council at relevant district forums such as Fonterra, Federated Farmer, Greater Wellington Regional Council and others as the Subcommittee deems appropriate or necessary.
- To review and agree an annual water race report, as prepared by officers, for release to all water race users.

### **The Committee is delegated the Power to Recommend:**

- To make recommendations to the Assets and Services Committee on how properties with water races are to be rated, resource consent applications, by-law amendments and code of practice documents and any other matter falling within the purpose of the Subcommittee.
- To prepare recommendations on all water race matters for consideration by the Assets and Services Committee. Recommendations are to be provided to the Committee no later than January of each year (this date will enable SWDC to factor any required activities into Annual Planning processes).
- To consider implications and make recommendations to the Assets and Services Committee on Greytown urban waters and storm water channels.

## **3. Membership**

At the end of the triennium, Council officers will write to water race users seeking expressions of interest in being appointed to this Subcommittee. Council officers, the Mayor the councillor appointee and Chair will select representatives from submitted expressions of interest giving preference to candidates who have not served more than two terms.

### **3.1 Chairperson**

The chair will be appointed by the Mayor, or if an external appointee by Council, for the period of the triennium.



## **PLANNING AND REGULATORY COMMITTEE**

### **TERMS OF REFERENCE**

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Cr Vickery (appointed by the Mayor)
<b>Membership:</b>	Six councillors including the chair (minimum of one councillor per ward)
<b>Appointments 19-22:</b>	Cr Ross Vickery, Cr Pam Colenso, Cr Rebecca Fox, Cr Leigh Hay, Cr Alistair Plimmer and Cr Brenda West Mayor Alex Beijen (ex-officio)
<b>Non-voting attendees:</b>	Chair of each community board and the chair of the Māori Standing Committee may attend and participate in debate
<b>Meeting Frequency:</b>	6-weekly
<b>Quorum:</b>	Four members

#### **1. Purpose**

The Planning and Regulatory Committee is established for the purposes of:

- Providing advice and recommendations to Council on planning and regulatory matters.
- Monitoring of major Council projects and assets where Council has a regulatory function and provide regulatory oversight separate to Councils assets and services function.

#### **2. Roles and Responsibilities**

Services including the provision and maintenance of:

- Resource consent acquisition, implementation or monitoring.
- Such other functions as may be delegated by Council from time to time.

#### **3. Accountability and reporting**

Within the parameters of the Local Government Act, and having regard to the powers, functions and responsibilities of the Chief Executive Officer, the Committee is charged with providing advice and recommendations to Council regarding:

- The development and implementation of Council regulatory policy or bylaws.
- Monitoring of major planning projects.



**SOUTH WAIRARAPA  
DISTRICT COUNCIL**  
*Kia Reretahi Tātau*

## **FINANCE, AUDIT AND RISK COMMITTEE**

### **TERMS OF REFERENCE**

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Cr Leigh Hay (appointed by the Mayor)
<b>Membership:</b>	Six councillors including the chair
<b>Appointments 19-22:</b>	Cr Leigh Hay, Cr Pam Colenso, Cr Garrick Emms, Cr Brian Jephson, Cr Brenda West and Cr Ross Vickery Mayor Alex Beijen (ex-officio)
<b>Non-voting attendees:</b>	One external consultant appointed by the Chair in consultation with the Mayor and Chief Executive for the purposes of undertaking specific audits and reporting on findings. The consultant is not a member of the Committee, and attendance at meetings is voluntary except where reporting on specific audit findings is required.
<b>Meeting Frequency:</b>	Quarterly, extraordinary meetings may be held
<b>Quorum:</b>	Four members

#### **1. Purpose**

The purpose of the Finance, Audit and Risk Committee is to provide independent assurance and assistance to the Council on SWDC's risk, control and compliance framework, and its external accountability responsibilities.

#### **2. Delegations**

- To obtain any information it needs from any employee and/or external party (subject to their legal obligation to protect information);
- To discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- To request the attendance of any employee, including the Chief Executive, at meetings; and
- To obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at SWDC's expense.

### **3. Role and responsibilities**

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 SWDC rests with the Chief Executive.

#### **3.1 Risk management**

The Committee responsibilities are to:

- review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of SWDC financial and business risks, including fraud;
- review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;
- review the effect of SWDC's risk management framework on its control environment and insurance arrangements;
- review whether a sound and effective approach has been followed in establishing SWDC's business continuity planning arrangements, including whether disaster recovery plans have been tested periodically; and
- review SWDC's fraud control plan and satisfy itself that SWDC has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

#### **3.2 Control framework**

The Committees responsibilities are to:

- review whether management's approach to maintaining an effective internal control framework, including over external parties such as contractors and advisers, is sound and effective;
- review whether management has in place relevant policies and procedures, and that these are periodically reviewed and updated;
- determine whether the appropriate processes are in place to assess, at least once a year, whether policies and procedures are complied with;
- review whether appropriate policies and procedures are in place for the management and exercise of delegations;
- consider how management identifies any required changes to the design or implementation of internal controls; and
- review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

### **3.3 External accountability**

The Committees responsibilities are to:

- review the financial statements and provide advice to the Council and Chief Executive (including whether appropriate action has been taken in response to audit recommendations and adjustments), and recommend their signing by the Chief Executive and Mayor;
- satisfy itself that the financial statements are supported by appropriate management sign-off on the statements and on the adequacy of the systems of internal controls;
- review the processes in place designed to ensure that financial information included in SWDC annual report is consistent with the signed financial statements;
- satisfy itself that SWDC has appropriate mechanisms in place to accurately report legislated service performance information;
- satisfy itself that SWDC has appropriate mechanisms in place to review and implement, where appropriate, relevant external audit reports and recommendations; and
- satisfy itself that SWDC has a performance management framework that is linked to organisational objectives and outcomes.

### **3.4 Legislative compliance**

The Committees responsibilities are to:

- determine whether management has appropriately considered legal and compliance risks as part of SWDC's risk assessment and management arrangements; and
- review the effectiveness of the system for monitoring SWDC's compliance with relevant laws, regulations, and associated government policies.

### **3.5 Internal audit**

The Committees responsibilities are to:

- act as a forum for communication between the Chief Executive, senior management, and internal and external auditors;
- review the internal audit coverage and annual work plan, ensure that the plan is based on SWDC's risk management plan, and recommend approval of the plan by the Council;
- advise the Council on the adequacy of resources to carry out the internal audit, including completion of the approved internal audit plan;
- oversee the co-ordination of audit programmes conducted by the internal and external auditors and other review functions;
- review all audit reports and provide advice to the Council on significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of good practice;
- monitor management's implementation of the internal auditor's recommendations;

- review the internal audit charter to ensure that appropriate organisational structures, authority, access, and reporting arrangements are in place;

### **3.6 External audit**

The Committees responsibilities are to:

- act as a forum for communication between the Chief Executive, senior management, and internal and external auditors;
- 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;
- review all external plans and reports for planned or completed audits and monitor management's implementation of audit recommendations;
- oversee the co-ordination of audit programmes conducted by the internal and external auditors and other review functions: and
- provide advice to the Council and CEO on action taken on significant issues raised in relevant external audit reports and good practice guides.

### **3.7 Projects**

- Review risk management plans for significant projects.

## **4. Administrative arrangements**

### **4.1 Meetings**

A special meeting may be held to review SWDC's annual report.

The Committee or members of will meet separately with both the internal and external auditors at least once a year.

### **4.2 Assessment arrangements**

The chairperson of the Committee, in consultation with the Mayor and CEO, will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis unless otherwise determined by the Mayor with appropriate input sought from the Chief Executive, the internal and external auditors, management, and any other relevant stakeholders, as determined by the Mayor in discussion with the chairperson of the Committee.

### **4.3 Review of terms of reference**

At least once every three years, the Committee will review this terms of reference. This review will include consultation with the Council and CEO.

Any substantive changes to the terms of reference will be recommended by the Committee and formally approved by the Council.



## **CHIEF EXECUTIVE OFFICER'S REVIEW COMMITTEE**

### **TERMS OF REFERENCE**

<b>Reports to:</b>	Council
<b>Chairperson:</b>	Mayor Alex Beijen
<b>Membership:</b>	Mayor, Deputy Mayor, and three councillors appointed by the Mayor. A human resource management specialist may be co-opted to provide advice to the Committee but is not a member. All councillors participate in a pre-review workshop to discuss performance matters.
<b>Appointments 19-22:</b>	Alex Beijen (Mayor), Garrick Emms (Deputy Mayor), Leigh Hay, Pip Maynard and Alistair Plimmer.
<b>Meeting Frequency:</b>	At least six-monthly or as required throughout the year.
<b>Convened By:</b>	Mayor in conjunction with an external advisor.
<b>Quorum:</b>	Three members.

#### **1. Purpose**

To review the performance of the South Wairarapa District Council's Chief Executive on an annual basis.

- To give feedback to the Chief Executive on the effectiveness of his performance.
- To suggest areas for improvement for the Chief Executive.
- To identify any areas for development for the Chief Executive.
- To review the Chief Executive's salary and make a recommendation for Council to approve on an annual basis.

#### **2. Role and Responsibility**

- Establishment of a Performance Agreement with the Chief Executive including agreed Key Result Areas (KRAs) and Key Performance Indicators (KPIs).



- Ensure there are three-monthly reviews with external consultant, Mayor and Chief Executive to check for progress and/or issues.
- To complete half-yearly reviews and feedback to Chief Executive (in conjunction with external consultant), with the summary reported to Council.
- To ensure the Chief Executive completes a self-assessment report each year.
- To arrange for confidential feedback to be provided by councillors to external consultant to be compiled into one document to be reported to the full Council.
- To complete formal reviews in conjunction with external consultant.
- To ensure the Chief Executive attends appropriate professional development courses and conferences throughout the year.
- To receive written progress reports from the human resource management specialist.

### **3. Delegations**

#### **The Committee is delegated the Power to Act:**

- To complete half-yearly reviews and feedback to Chief Executive in conjunction with external consultant with the summary reported to Council.
- The authority to forward written progress reports from the human resource management specialist to Council as required, but at least once a year.  
The authority to authorise advertising for the position of Chief Executive.

#### **The Committee is delegated the Power to Recommend:**

- To recommend to Council appointment of a Chief Executive.
- To recommend to Council Chief Executive salary adjustments.



**SOUTH WAIRARAPA  
DISTRICT COUNCIL**  
*Kia Reretahi Tātau*

## **DISTRICT LICENSING COMMITTEE**

**Chairperson:** Julie Riddell (Commissioner).

**Membership:** One councillor, one commissioner and seven external members appointed by Council.

**Appointments:** Julie Riddell, Cr Brenda West (Deputy Chair), Damien Pivac, Gregory Ariell, Jessie Hunt, Catherine Rossiter-Stead, Bruce Farley, Andrew Beck, Donald Adams (until 30 June 2023).

Note: Chair appointed until 30 June 2023, but appointment subject to a review on 30 June 2021.

**Hearing  
Frequency:** As required.

### **1. Functions and Delegations**

- S 187 and s 188 of the Sale and Supply of Alcohol Act 2012.

# **Appendix 4 – Wellington Water Terms of Reference**

# Wellington Water Committee

## Terms of Reference

### Purpose

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

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

### Status

The Committee is, for the purposes of the Local Government Act 2002, a joint committee of the Lower Hutt City Council, Porirua City Council, Upper Hutt City Council, Wellington City Council, and the Wellington Regional Council.

### Specific responsibilities

The Committee's responsibilities are:

#### Governance oversight responsibilities

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

- Receiving and considering the half-yearly and annual reports of Wellington Water Limited;
- Receiving and considering such other information from Wellington Water Limited as the Committee may request on behalf of the parties to the Shareholders and Partnership Agreement and/or receive from time to time;
- Undertaking performance and other monitoring of Wellington Water Limited;

- Considering and providing recommendations to the parties to the Shareholders and Partnership Agreement on proposals from Wellington Water Limited;
- Providing co-ordinated feedback, and recommendations as needed, on any matters requested by Wellington Water Limited or any of the parties to the Shareholders and Partnership Agreement;
- Providing recommendations to the parties to the Shareholders and Partnership Agreement regarding regional studies which the Shareholders need to be cognisant of;
- Providing recommendations to the parties to the Shareholders and Partnership Agreement regarding water conservation;
- Agreeing the annual Letter of Expectation to Wellington Water Limited;
- Receiving, considering and providing agreed feedback and recommendations to Wellington Water Limited on its draft statement of intent;
- Receiving, considering and providing recommendations to the parties to the Shareholders and Partnership Agreement regarding Wellington Water Limited's final statement of intent.
- Agreeing when Shareholder meetings, or resolutions in lieu of Shareholder meetings, are required, without prejudice to Shareholder and Board rights to call meetings under Wellington Water Limited's constitution and;
- Seeking and interviewing candidates for Wellington Water Limited's Board as needed and recommending to the holders of Class A Shares appointments and/or removals of directors of Wellington Water Limited;
- Recommending the remuneration of directors of Wellington Water Limited;
- Monitoring the performance of the Board of Wellington Water Limited; and
- Providing recommendations to the parties to the Shareholders and Partnership Agreement regarding changes to these terms of reference, the Shareholders and Partnership Agreement and the constitution of Wellington Water Limited.

### **Membership**

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

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

### **Chairperson**

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

## **Quorum**

Subject to the below for Committee meetings to appoint directors of Wellington Water Limited, for a meeting of the Committee to have a quorum, a majority of Committee Members, or their appointed Alternates, must be present, and the number making up the majority must include at least an equal number of Shareholder appointed Committee Members as MWPE nominated Committee Members.

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

Clause 11.3 of the company's constitution provides that Directors shall be appointed and removed by the unanimous resolution of the Shareholders holding Class A Shares. For this matter the quorum for the Committee meeting is therefore attendance by all Committee Members (or their Alternates) for the holders of the Class A Shares.

## **Alternates**

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

## **Other Shareholder attendee**

Each Shareholder-appointed elected member Committee member will be entitled to invite an officer attendee to Committee meetings, provided however that the additional attendee will not have any voting rights on the Committee.

## **Decision-making**

The Committee will strive to make all decisions by consensus.

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

Other than for those matters for which the Committee has effective decision-making capacity through these Terms of Reference, each Shareholder retains its full powers to make its own decisions on matters referred to it by the Committee and on matters specified in Part 1 of Schedule 2 to the Shareholders and Partnership Agreement (for clarity, this means that only Shareholders have voting rights in relation to the matters specified in Part 1 of Schedule 2).

### **Secretariat services**

Unless otherwise agreed from time to time by all of the elected member Committee Members, the Council for which the Chairperson is an elected member will provide secretariat services to the Committee.

The Chairperson will be responsible for managing the agenda at Committee meetings.

### **Standing Orders**

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

### **Remuneration**

Each Shareholder will be responsible for remunerating the elected member Committee Member appointed by it to the Committee, and their Alternate, for any costs associated with those persons' membership on the Committee.

The Shareholders will also be responsible for remunerating (in equal shares) the Committee Members nominated by Mana Whenua Partner Entities, and their Alternates, and appointed to the Committee by the Shareholders, for any costs associated with those persons' membership on the Committee.

### **Administration**

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

### **Duration of the Committee**

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