
MAYORAL APPOINTMENTS

Purpose of Report

To inform councillors of the proposed Mayoral appointments and committee structure under section 41A of the Local Government Act 2002 (LGA).

Recommendations

His Worship the Mayor recommends that the Council:

- 1. Receive the Mayoral Appointments Report.*

1. Background

I have elected to exercise my powers under section 41A of the LGA to establish committees and make appointments to those committees (refer Appendix 1). Rollout of a new structure will be undertaken over the next few weeks.

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 been discussing preferred appointments with councillors and have given consideration to existing outside work commitments, existing councillor skills, experience and knowledge, 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. Deputy Mayor Appointment

As per section 41A(3) of the LGA 2002 I have elected to appoint Councillor Garrick Emms as Deputy Mayor.

3. Constitution of Committees and Appointments

3.1 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. I propose that the following councillors be appointed to the community boards.

Community Board	Appointments
Martinborough Community Board	Cr Colenso, Cr Maynard
Featherston Community Board	Cr Emms, Cr Vickery
Greytown Community Board	Cr Fox, Cr Plimmer

The chair will be elected from within the Community Board.

3.2 Committee Structure and Appointments

It is my responsibility to ensure the governance structure of committees is appropriate and effective. I am concerned about the transparency of working groups, and the duplication of some committee purposes. I propose to establish the following committees, make appointments to those committees and provide detailed terms of reference at the first ordinary meeting of Council on 20 November 2020:

- Assets and Services Committee
- Chief Executive Review Committee
- Finance, Audit and Risk Committee
- Hearings Committee
- Planning and Regulatory Committee

Today I can announce the establishment of the Māori Standing Committee (MSC), with appointments Cr Maynard, Cr Emms and Cr Jephson. The Terms of Reference was under review before the elections and was delayed to ensure the new elected members could provide input into its development. An interim terms of reference for the Committee is available in Appendix 2.

4. Appendices

Appendix 1 – S41A Local Government Act

Appendix 2 – Māori Standing Committee Terms of Reference

Prepared by: His Worship the Mayor, Alex Beijen

Appendix 1 –S41A Local Government Act

41A Role and powers of mayors

- (1) The role of a mayor is to provide leadership to—
 - (a) the other members of the territorial authority; and
 - (b) the people in the district of the territorial authority.
- (2) Without limiting subsection (1), it is the role of a mayor to lead the development of the territorial authority's plans (including the long-term plan and the annual plan), policies, and budgets for consideration by the members of the territorial authority.
- (3) For the purposes of subsections (1) and (2), a mayor has the following powers:
 - (a) to appoint the deputy mayor;
 - (b) to establish committees of the territorial authority;
 - (c) to appoint the chairperson of each committee established under paragraph (b), and, for that purpose, a mayor—
 - (i) may make the appointment before the other members of the committee are determined; and
 - (ii) may appoint himself or herself.
- (4) However, nothing in subsection (3) limits or prevents a territorial authority from—
 - (a) removing, in accordance with [clause 18](#) of Schedule 7, a deputy mayor appointed by the mayor under subsection (3)(a); or
 - (b) discharging or reconstituting, in accordance with [clause 30](#) of Schedule 7, a committee established by the mayor under subsection (3)(b); or
 - (c) appointing, in accordance with [clause 30](#) of Schedule 7, 1 or more committees in addition to any established by the mayor under subsection (3)(b); or
 - (d) discharging, in accordance with [clause 31](#) of Schedule 7, a chairperson appointed by the mayor under subsection (3)(c).
- (5) A mayor is a member of each committee of a territorial authority.
- (6) To avoid doubt, a mayor must not delegate any of his or her powers under subsection (3).
- (7) To avoid doubt,—
 - (a) [clause 17\(1\)](#) of Schedule 7 does not apply to the election of a deputy mayor of a territorial authority unless the mayor of the territorial authority declines to exercise the power in subsection (3)(a);
 - (b) [clauses 25](#) and [26\(3\)](#) of Schedule 7 do not apply to the appointment of the chairperson of a committee of a territorial authority established under subsection (3)(b) unless the mayor of the territorial authority declines to exercise the power in subsection (3)(c) in respect of that committee.

Section 41A: inserted, on 12 October 2013, by [section 21](#) of the Local Government Act 2002 Amendment Act 2012 (2012 No 93).

Appendix 2 – Māori Standing Committee Terms of Reference



MĀORI STANDING COMMITTEE

TERMS OF REFERENCE

1. Background

On the 15 December 1993 Council made a resolution supporting in principle the establishment of a Māori Standing Committee of Council.

On the 27 March 1996 the Council Working Party and Tangata Whenua established a South Wairarapa District Council Māori Standing Committee. The Committee first met on the 17 April 1996 and was formally established following the adoption of the 1996/1997 Annual Plan on the 20 June 1996. The Annual Plan included a Māori Policy and acknowledgement that the Committee was now fully operational.

This Committee has been established every triennium thereafter.

2. Overview

The South Wairarapa District is rich in Māori history and culture. Some of the earliest known occupational sites exist within its boundaries and for centuries the natural environment has provided both material and spiritual sustenance. Its place in the Māori political history of New Zealand is a matter of national record. Lake Wairarapa and the South Wairarapa coastline are of immense cultural, spiritual and historic significance to Maori.

The Local Government Act 2002 signals that the social, cultural and economic development of Māori is of particular importance.

The Resource Management Act 1991 places an obligation on the Council to consult with Māori during the planning process. This obligation is in turn derived from the underlying principles of the Treaty of Waitangi, which in this context, refers to:-

- **Partnership** - the development of an active and on-going relationship between the Council and local Iwi.
- **Participation** - a principle which emphasises positive Māori involvement in the business of the Council, and in particular its planning and delivery functions.
- **Protection** - the requirement to ensure that Māori well-being is enhanced whenever possible, and that principles of equity towards Māori are observed in the Council's decision making process.

The Council is committed to engage in active consultation with Māori and to foster positive relationships in pursuance of the partnership envisaged under the Treaty of Waitangi, on matters that affect and concern Māori.

3. Purpose

- Advise on tangata whenua and Māori interests in the Council's major areas of activity, and particularly in the areas of:
 - Economic Development
 - Resource Management
 - Tourism
 - Reserve Management
 - Environmental Health
 - Employment
 - Community Development
- Establish a method of consultation, which involves tangata whenua and iwi, on all matters relating to the district's resources, and involving the district's planning processes.
- Advise on consultation processes with Māori in the district and assist in the development of consultation networks throughout the district.
- Promote the development of processes within Council, to develop policy, processes and guidelines, based on the Treaty of Waitangi principles of participation, partnership and active protection.
- Assess resource consent applications relating to land situated in the rural zone to identify any relevant cultural matters relating to the site. The RMA requires consideration of Māori cultural and traditional relationships with their ancestral lands, water, sites of significance, wahi tapu, and other taonga. To manage a budget for the purposes of making community grants, marae grants, and undertaking projects that promote Māori interests.

4. Membership

- Three councillors appointed by the Mayor.
- Two representatives from each of the three South Wairarapa Marae and Pae tū Mokai o Tauria.
- One representative from each of the two Wairarapa Iwi.

Nominations must be received in writing from each participating body.

Membership is ratified by Council.

The chairperson and deputy chairperson are elected by the Committee at the start of the triennium.

5. Stakeholders

- South Wairarapa District Council
- Iwi - Kahungunu o Wairarapa and Rangitāne o Wairarapa
- Marae – Kohunui, Hau Ariki and Papawai
- Pae tū Mokai o Taurira
- SWDC Ratepayers and Residents

6. Deliverables

- 4.1 Contribute to the Long Term Plan every three years.
- 4.2 Contribute to the Annual Plan every other year.
- 4.3 Resource Management Act – provide advice on the cultural and historical value of land involved in resource consents.
- 4.4 The Māori Standing Committee chair or their nominee is able to attend the following meetings:

Council	Delegation to attend and speak but not vote.
Planning and Regulatory Committee	Delegation to attend and speak but not vote.
Assets and Services Committee	Delegation to attend and speak but not vote.

7. Accountability and reporting

- 5.1 The SWDC Māori Standing Committee is accountable to Council and the Chair or nominated appointee may provide an update at each meeting.
- 5.2 Minutes will be presented to Council.

8. Delegations

- 4.1 Discretionary spend on community grants and projects.
- 4.2 Determination of criteria and allocation of marae development fund granted in the 19/20 Annual Plan to local marae.

9. Review

The Terms of Reference for this Committee is currently under a wider review.

10. Operating model

10.1 Meetings

10.1.1. Timing and frequency

Meetings are convened by the CEO on a six-weekly cycle.

10.1.2. Meeting procedure

The meeting is conducted under the Standing Orders for Meetings of Local Authorities and Community Boards and the Local Government Official Meetings and Information Act 1987.

10.1.3. Quorum

Seven members.

10.1.4. Secretariat

Secretariat services to be provided by the SWDC Committee Advisor.

10.1.5. Agenda and paper circulation

The agenda will be circulated by email as well as by post, to be received at least two working days before the meeting. The agenda is also available at the South Wairarapa libraries and on Council's website in the following location, www.swdc.govt.nz/maori-standing-committee-agenda-and-minutes.

Under Review