

Whangarei District Council – 15 December 2016

Supplementary Agenda Reports

Supplementary Agenda No 1 – page 1
Item 15 Committee Structure for 2016 – 2019
Triennium

Supplementary Agenda No 2 – page 5
Item 16 Meeting Schedule 2016 – 2019 Triennium

Supplementary Agenda No 3 – page 10
Item 17 Committee Terms of Reference for 2016 –
2019 Triennium

Supplementary Agenda No 4 – page 32
Item 18 Elected Member Remuneration

15 Committee Structure for 2016 - 2019 Triennium

Reporting officer: R Forlong (Chief Executive Officer)

Date of meeting: 15 December 2016

1 Purpose

To report the Mayor's committee structure and membership.

2 Recommendation/s

That Council:

- a) notes the committee structure, chairpersons and membership of the committees, for the 2016-2019 triennium.

3 Discussion

After every election, the committee structure must be determined for that triennium. The Mayor has chosen to exercise the powers in Section 41A of the Local Government Act (LGA) to establish the committees, appoint the committee chairs and membership. Attachment 1 is the Mayor's memo outlining the detail.

4 Significance and engagement

4.1 Significance

The decision on governance arrangements and associated delegations is not considered to be significant as defined in council's policy on determining significance.

5 Attachments

1. Memo from the Mayor outlining the committee structure, chairpersons, and membership



Memorandum

To Chief Executive

From Her Worship the Mayor

Subject **Committee Structure for 2016 – 2019 Triennium**

Date 9 December 2016

Introduction

This memo provides the governance and decision-making structures for the Whangarei District Council over the 2016 - 2019 Triennium.

This structure takes the following key principles into account:

- Inclusiveness of councillors
- Openness, transparency and public participation
- Efficiency of decision-making
- Accountability
- Governance
- Informed, strategic and integrated decision-making

Committees of the Whole

Committee	Chair	Membership
Community Development	Cr Cherry Hermon	Mayor and all Councillors
Finance and Corporate	Cr Shelley Deeming	Mayor and all Councillors
Infrastructure	Cr Greg Martin	Mayor and all Councillors
Planning and Development	Cr Greg Innes	Mayor and all Councillors

It is appropriate to appoint Deputy Chair roles for each Committee of the Whole. It is therefore intended that each Committee of the Whole will elect Deputy Chairs at their first meeting.

Council and the Committees of the Whole will meet on a monthly schedule. A separate report on this agenda addresses the triennium meeting schedule.

Other Committees of Council

Committee	Chair	Membership
Airport Noise Management Consultative	Independently appointed chair	<ul style="list-style-type: none"> ▪ HWM Sheryl Mai ▪ Cr Sue Glen ▪ Airport Authority Representative ▪ Airline Representative ▪ Airport/Tenant Representative <p>(External representatives to be confirmed by separate report to council)</p>

Audit and Risk	<ul style="list-style-type: none"> ▪ Cr Sharon Morgan 	<ul style="list-style-type: none"> ▪ HWM Sheryl Mai ▪ Cr Crichton Christie ▪ Cr Shelley Deeming ▪ Cr Sue Glen ▪ Cr Cherry Hermon ▪ Cr Greg Innes
Chief Executive Review	<ul style="list-style-type: none"> ▪ HWM Sheryl Mai 	<ul style="list-style-type: none"> ▪ Cr Shelley Deeming ▪ Cr Cherry Hermon ▪ Cr Greg Innes ▪ Cr Greg Martin ▪ Cr Sharon Morgan
Civic Honours Selection	<ul style="list-style-type: none"> ▪ Cr Crichton Christie 	<ul style="list-style-type: none"> ▪ HWM Sheryl Mai ▪ Cr Vince Cocurrullo ▪ Cr Tricia Cutforth ▪ Cr Shelley Deeming ▪ Cr Sue Glen ▪ Cr Anna Murphy
Community Funding	<ul style="list-style-type: none"> ▪ Cr Crichton Christie 	<ul style="list-style-type: none"> ▪ HWM Sheryl Mai ▪ Cr Tricia Cutforth ▪ Cr Sue Glen ▪ Cr Jayne Golightly ▪ Cr Greg Innes ▪ Cr Greg Martin
District Licensing	<p>Independent Commissioner * (to be appointed by the CE on recommendation from council following a contestable process)</p>	<ul style="list-style-type: none"> ▪ Cr Greg Innes (Deputy Chair) ▪ Two additional members to be appointed from the territorial authority list maintained under section 192 of the Sale and Supply of Alcohol Act 2012 <p>List members: Mervyn Williams, Paul Dimery, Pamela Peters, Lee Andrews and Mark Vincent.</p>

Sub-committee of the Planning and Development Committee

Committee	Chair	Membership
Exemptions and Objections	Cr Greg Innes	<ul style="list-style-type: none"> ▪ HWM Sheryl Mai ▪ Cr Shelley Deeming ▪ Cr Sue Glen

*District Licensing Committee (DLC)

In August, Council recommended to the Chief Executive that Councillors John Williamson and Greg Innes sit as Commissioners to Chair the DLC until Council revisits the appointment. It is intended that the Chair of the DLC be an independent commissioner in the future and that a contestable process be conducted to find suitable candidates for the Chair role. Cr Innes is appointed as the Deputy Chair to the DLC. The recommendation from Council and subsequent appointment of Mr John Williamson as Chair of the DLC in August, continues until the contestable process is completed.

External Advisors to Committees

I recognise that external advisors to committees can play a role in our decision-making. To effect this, I note that committees may appoint external advisors to their committees. The

advisors would not be categorised as members so would not have voting rights, but would have speaking rights. Any such appointment can be determined by each committee following a staff report, and where needed, staff will report on this in early 2017.

Te Kārearea Strategic Partnership Forum

After consultation with hapū a report regarding the Te Kārearea Strategic Partnership Forum will be presented to Council in early 2017.

Other Governance Matters

The terms of reference for the committee structure, the triennium meeting schedule, changes to remuneration and outside appointments are addressed in separate reports to this council meeting.

S.L Mai
Mayor
Whangarei District Council

16 Meeting Schedule 2016-2019 Triennium

Reporting officer: Jason Marris (Governance Manager)

Date of meeting: 15 December 2016

1 Purpose

To adopt the Meeting Schedule for the 2016-2019 Triennium.

2 Recommendation/s

That Council;

- a) adopts the schedule of meetings for the 2016-2019 triennium, effective from February 2017, as attached to this agenda item.
- b) delegates to the Chief Executive the ability to amend or add to the meeting schedule in conjunction with the relevant Chair of any meeting.

3 Discussion

The requirements to give notice of meetings to members are contained in the Local Government Act (2002). Notice must not be less than 14 days prior to the meeting, or if a schedule is adopted, not less than 14 days prior to the first meeting on the schedule. Where this notice cannot be given, meetings are called under the provisions for extraordinary meetings.

The requirements around giving notice of meeting to the public are contained in the Local Government Official information and Meetings Act 1987 (LGOIMA). A schedule of meetings to be held in a month may be notified not more than 14 days and not less than five days before the end of the prior month. Alternatively, a meeting falling on or after the 21st of a month may be notified not more than 10, nor less than five working days prior to the meeting.

In preparing the schedule of meetings for this triennium, the following principles have been applied:

- Formal business of Council and its committees has been confined to Tuesdays, Wednesday and Thursdays each week.
- Council, Committees of the Whole, Audit and Risk Committee, Community Funding Committee and District Licensing Committees are included in the meeting schedule. All other committees operate as and when required.

- Council and Committees of the Whole will meet on Thursdays and operate on a monthly schedule as follows (Note that it won't strictly follow this regime due to 4 or 5 week months):
 - **1st Thursday of the month:** No meetings.
 - **2nd Thursday:** Two Committees of the Whole (Community Development, then Infrastructure).
 - **3rd Thursday:** One Committee of the Whole (Planning and Development).
 - **Last Thursday:** One Committee of the Whole (Finance and Corporate), and Council. No meetings in the 4th week if there is a five week month.

There have also been slight adjustments made to ensure that the last meeting in a calendar year is a Council meeting.

- On the days where two Committees of the Whole, or a Committee of the Whole and Council meet, start times will be 9.00am and 10.30am, in line with the timing from the previous term.
- Audit and Risk Committee will operate quarterly. It will meet on Wednesdays during a week with other scheduled council meetings.
- Public hearings for the District Licensing Committee will be held on the 1st Tuesday of the month, commencing at 10am. District Licensing Committee meetings will be held on the 2nd, 3rd, and 4th Tuesdays of the month, commencing at 1pm.
- The Community Funding Committee meetings are aligned with the funding round timetable.
- Unless listed otherwise in this report, start times for meetings will be 9.00am.
- Where practicable workshops and briefings will be confined to the weeks where meetings are scheduled.

Previous experience has shown that amendments to the meeting schedule are inevitable. Council is therefore asked to authorise the Chief Executive to amend the schedule, in consultation with the chair of any affected committee.

4 Significance and engagement

The decision on the meeting schedule is not considered to be significant as defined in council's policy on determining significance.

5 Attachments

1. Meeting schedule for 2017-2019

Meetings Calendar - 2017

2017	February	March	April	May	June	July	August	September	October	November	December	2017
Saturday	1	2	3	4	5	6	7	8	9	10	11	Saturday
Sunday	2	3	4	5	6	7	8	9	10	11	12	Sunday
Monday												Monday
Tuesday	2017		DLC	DLC		DLC	DLC		DLC			Tuesday
Wednesday		1								1		Wednesday
Thursday		2			1					2		Thursday
Friday		3			2					3	1	Friday
Saturday	4	4	8	6	3	8	5	2	7	4	2	Saturday
Sunday	5	5	9	7	4	9	6	3	8	5	3	Sunday
Monday	6	Waitangi Day	10	8	5	Queen's Birthday	7	4	9	6	4	Monday
Tuesday	7	DLC	11	9	6	DLC	8	5	10	7	5	Tuesday
Wednesday	8	8	12	10	7	10	9	6	11	8	6	Wednesday
Thursday	9	9	13	11	8	11	10	7	12	9	7	Thursday
Friday	10	10	14	12	9	12	11	8	13	10	8	Friday
Saturday	11	11	15	13	10	13	12	9	14	11	9	Saturday
Sunday	12	12	16	14	11	14	13	10	15	12	10	Sunday
Monday	13		17	15	12	15	14	11	16	13	11	Monday
Tuesday	14	DLC	18	16	13	DLC	15	12	17	14	12	Tuesday
Wednesday	15		19	17	14		16	13	18	15	13	Wednesday
Thursday	16	16	20	18	15	16	17	14	19	16	14	Thursday
Friday	17		21	19	16		18	15	20	17	15	Friday
Saturday	18		22	20	17	18	19	16	21	18	16	Saturday
Sunday	19		23	21	18	19	20	17	22	19	17	Sunday
Monday	20		24	22	19	20	21	18	23	20	18	Monday
Tuesday	21	DLC	25	23	20	DLC	22	19	24	21	19	Tuesday
Wednesday	22		26	24	21		23	20	25	22	20	Wednesday
Thursday	23	23	27	25	22	23	24	21	26	23	21	Thursday
Friday	24		28	26	23		25	22	27	24	22	Friday
Saturday	25		29	27	24	25	26	23	28	25	23	Saturday
Sunday	26		30	28	25	26	27	24	29	26	24	Sunday
Monday	27			29	26	31	28	25	30	27	25	Monday
Tuesday	28	DLC		30	DLC		29	26	31	DLC	26	Tuesday
Wednesday			29	31	A&R		30	27		A&R	27	Wednesday
Thursday			30		Comm 4 & Council		31	28		Comm 4 & Council	28	Thursday
Friday								29			29	Friday
Saturday								30			30	Saturday
Sunday											31	Sunday

KEY	
☐	School holidays
1	Community/Development
2	Infrastructure
3	Planning and Development
4	Finance and Corporate

Meetings Calendar - 2019

2019 Saturday Sunday	February	March	April	May	June	July	August	September	October	November	December	2019 Saturday Sunday
Monday			1 DLC		3 Queen's Birthday 4 DLC	1 DLC		2 DLC	1 DLC			Monday
Tuesday			2 DLC		5	2 DLC		3	2			Tuesday
Wednesday			3	1	6	3		4	3			Wednesday
Thursday			4	2	7	4		5	4			Thursday
Friday	1	1	5	3	8	5		6	5	1	6	Friday
Saturday	2	2	6	4	9	6		7	6	2	7	Saturday
Sunday	3	3	7	5	10	7		8	7	3	8	Sunday
Monday	4	4	8	6	11	8		9	8	4	9	Monday
Tuesday	5	5	9	7	12	9		10	9	5	10	Tuesday
Wednesday	6	6	10	8	13	10		11	10	6	11	Wednesday
Thursday	7	7	11	9	14	11		12	11	7	12	Thursday
Friday	8	8	12	10	15	12		13	12	8	13	Friday
Saturday	9	9	13	11	16	13		14	13	9	14	Saturday
Sunday	10	10	14	12	17	14		15	14	10	15	Sunday
Monday	11	11	15	13	18	15		16	15	11	16	Monday
Tuesday	12	12	16	14	19	16		17	16	12	17	Tuesday
Wednesday	13	13	17	15	20	17		18	17	13	18	Wednesday
Thursday	14	14	18	16	21	18		19	18	14	19	Thursday
Friday	15	15	19	17	22	19		20	19	15	20	Friday
Saturday	16	16	20	18	23	20		21	20	16	21	Saturday
Sunday	17	17	21	19	24	21		22	21	17	22	Sunday
Monday	18	18	22	20	25	22		23	22	18	23	Monday
Tuesday	19	19	23	21	26	23		24	23	19	24	Tuesday
Wednesday	20	20	24	22	27	24		25	24	20	25	Wednesday
Thursday	21	21	25	23	28	25		26	25	21	26	Thursday
Friday	22	22	26	24	29	26		27	26	22	27	Friday
Saturday	23	23	27	25	30	27		28	27	23	28	Saturday
Sunday	24	24	28	26	31	28		29	28	24	29	Sunday
Monday	25	25	29	27		29		30	28	25	30	Monday
Tuesday	26	26	30	28		30			29	26	31	Tuesday
Wednesday	27	27		29		31			30	27		Wednesday
Thursday	28	28		30					31	28		Thursday
Friday	29	29		31						29		Friday
Saturday	30	30								30		Saturday
Sunday	31	31								31		Sunday

KEY	
	School holidays
	1 = Community Development
	2 = Infrastructure
	3 = Planning and Development
	4 = Finance and Corporate

17 Committee Terms of Reference for 2016 - 2019 Triennium

Reporting officer: R Forlong (Chief Executive Officer)

Date of meeting: 15 December 2016

1 Purpose

To adopt the committee terms of reference for the 2016-2019 triennium.

2 Recommendation

- a) That Council adopts the committee terms of reference attached to this report.

3 Background

Terms of Reference

The Local Government Act 2002 and other legislation affecting local authorities provides a local authority with the power to delegate all of its responsibilities, duties or powers, except for a number of fundamental decisions that the legislation specifies cannot be delegated (attached).

Delegations to committees, via the terms of reference, is the mechanism by which Council is able to allocate responsibilities and decision-making to committees. Committees and Subcommittees are delegated all statutory powers necessary for them to fulfil their terms of reference.

The previous report on this agenda outlined the committee structure, and membership of those committees. Council is now required to approve the terms of reference for the committees.

4 Discussion

4.1 Terms of Reference

The proposed terms of reference are set out in the attachment to this report. For completeness details such as the membership, quorum, chairpersons have also been included.

5 Significance and engagement

5.1 Significance

The decision on governance arrangements and associated delegations is not considered to be significant as defined in Council's policy on determining significance.

5.2 Engagement

The decision on governance arrangements and delegations is one that can be appropriately made by Council.

6 Attachment

Terms of Reference

Whangarei District Council Terms of Reference

Contents

AMENDMENTS

1. INTRODUCTION.....
- 1.1 General principles of delegation
- 1.2 Establishment of Committees
- 1.3 Quorum
- 1.4 Ambiguity and Conflict
2. COMMITTEES OF THE WHOLE
3. OTHER COMMITTEES

AMENDMENTS

Date	Amendment	Committee

1 INTRODUCTION

1.1 General principles of delegation

This document sets out the terms of reference for committees of council. The mayor is responsible for establishing committees and appointing chairpersons. Council, through this document, delegates to committees those powers necessary for them to carry out their responsibilities.

The business to be transacted by council and its administration is large and wide-ranging, dealing with the details of many Acts and Regulations, the council's plans, bylaws, and a range of council activities and services. The terms of reference and delegations in this document are intended to reflect the principles of subsidiarity to allow the council to delegate its powers and functions to the most efficient and effective levels.

The committee to whom the powers are delegated will usually exercise the delegated power, but is not obliged to do so. The most common circumstances where the council or person with the delegation might choose not to exercise it are when the matter has become a matter of public notoriety, or the issues are contentious and finely balanced.

A decision made by a committee under delegation from council has the same effect as if it were made by the council itself.

1.2 Establishment of Committees

Procedures, responsibilities and accountabilities

Subject to the following limitations, the committees of the whole shall have power to act in all matters concerning the functions listed in their respective delegations, provided they do not conflict with stated policy of council.

In respect of matters requiring financial input the committee's power is limited to the extent that provision has been made in the annual budgets and in the Long Term Plan.

All Committees of the Whole:

- a. Shall be responsible for planning, reviewing and implementation of functions, duties, and powers in respect of their delegations.
- b. Shall be responsible for monitoring performance (including budget and performance targets) for their areas of responsibility.
- c. Have delegated power to appoint subcommittees and to delegate their powers to that subcommittee.
- d. May delegate their powers to an officer of the council.
- e. Can delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002 (LGA).
- f. Any committee of the whole has the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction. (This allows for setting of fees and bylaw making processes up to but not including adoption).
- g. All committees of the whole shall undertake such other functions as may be delegated by council from time to time and are able to provide recommendations to council where appropriate.

- h. When an Act or Regulation empowers 'the Council' to carry out a decision making function, that decision must be made by way of resolution of the full council unless the Act or Regulation permits delegation to a committee, subcommittee or officer.
- i. Council cannot delegate any of the following matters to committees, subcommittees or any other subordinate decision making body (Clause 32(1)(a)-(h) of Schedule 7 of the Act):
 - (a) the power to make a rate
 - (b) the power to make a bylaw
 - (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long term plan
 - (d) the power to adopt a long term plan, annual plan or annual report
 - (e) the power to appoint a chief executive
 - (f) the power to adopt policies required to be adopted and consulted on under the Local Government 2002 in association with the long term plan or developed for the purpose of the local governance statement
 - (g) *(Repealed)*
 - (h) the power to adopt a remuneration and employment policy.
- j. The power to make or alter any council policy is limited to those instances where that power has been specifically delegated to the committee.
- k. Any committee of the whole can approve submissions on legislation.

1.3 Quorum

Unless otherwise specified, a quorum is defined as a half, if the total number of members is even or a majority, if the total number of members is odd.

The quorum for committees and subcommittees are stated in the relevant terms of reference.

The Mayor is included in calculating the quorum and is counted towards the quorum when present.

Appointed members are included in calculating the quorum and are counted towards the quorum when present.

1.4 Ambiguity and Conflict

In the event of ambiguity or conflict between the Terms of Reference, which results in uncertainty or dispute as to which committee has the allocated or delegated authority to act in respect of a particular matter, The Chief Executive and the Mayor (or Deputy Mayor in the absence of the Mayor) will make the determination which will be final and binding.

COMMITTEES OF THE WHOLE

Community Development Committee – Terms of Reference

Membership

Chairperson: Councillor Cherry Hermon

Members: Her Worship the Mayor Sheryl Mai
 Councillors Stu Bell, Crichton Christie, Vince Cocurullo, Tricia Cutforth,
 Shelley Deeming, Sue Glen, Jayne Golightly, Phil Halse, Greg Innes,
 Greg Martin, Sharon Morgan, Anna Murphy

Meetings: Monthly

Quorum: 7

Purpose:

To oversee functions of Council that interact, support and provide services for the community.

Key responsibilities include:

- Policy and planning for the provision of community culture, arts and events.
- District venues and community events
- Libraries
- Community services
 - Community sector liaison and support (Advisory Groups)
 - Community safety (City Safe, CCTV)
- Pensioner Housing
- Property Asset Management
 - Pensioner housing
 - Forum North, Marinas
 - Airport
 - Forestry
 - Community Halls
- Civil Defence Emergency Management
- Museum / Art Museum liaison
- Heritage, Culture, Arts and Creative Industries sector liaison
- Village Planning
- Shared Services – investigate opportunities for Shared Services for recommendation to council.

Delegations

- (i) All powers necessary to perform the committee's responsibilities, including, but not limited to:
 - (a) approval of a submission to an external body.
 - (b) establishment of working parties or steering groups.
 - (c) the approval of expenditure of less than \$5 million plus GST.
 - (d) power to establish subcommittees and to delegate their powers to that subcommittee.
 - (e) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
 - (f) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002 (LGA).

Finance and Corporate Committee – Terms of Reference

Membership

Chairperson: Councillor Shelley Deeming

Members: Her Worship the Mayor Sheryl Mai
 Councillors Stu Bell, Crichton Christie, Vince Cocurullo, Tricia Cutforth,
 Sue Glen, Jayne Golightly, Phil Halse, Cherry Hermon, Greg Innes,
 Greg Martin, Sharon Morgan, Anna Murphy

Meetings: Monthly

Quorum: 7

Purpose:

To oversee Council and CCO's financial management and performance, including operation of the administrative and internal support functions of council.

Key responsibilities include:

- Progress towards achievement of the council's financial objectives as set out in the Long Term Plan.
- Preparation for recommendation to council:
 - Advising and supporting the mayor on the development of the Long Term Plan (LTP) and Annual Plan (AP)
 - Financial policy related to the LTP and AP
 - Setting of rates
 - Preparation of the consultation document and supporting information, and the consultation process for the LTP and AP
 - Annual Report
- Financial/Planning and Control
 - Corporate accounting services
 - Treasury – debt and interest risk management
 - Procurement
- CCO Monitoring and Performance
 - Monitoring the financial and non-financial performance targets, key performance indicators and other measures of each Council Controlled Organisation (CCO) to inform the committee's judgement about the performance of each organisation.
 - Advising the mayor on the content of the annual Letters of Expectations (LoE) to CCOs.
- Overseeing and making decisions relating to an ongoing programme of service delivery reviews as required under section 17A of the Local Government Act 2002

- Shared Services – investigate opportunities for Shared Services for recommendation to council.

Delegations

- (i) All powers necessary to perform the committee’s responsibilities, including, but not limited to:
 - (a) the approval of expenditure of less than \$5 million plus GST.
 - (b) approval of a submission to an external body.
 - (c) establishment of working parties or steering groups.
 - (d) power to establish subcommittees and to delegate their powers to that subcommittee.
 - (e) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
 - (f) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002

Infrastructure Committee – Terms of Reference

Membership

Chairperson: Councillor Greg Martin

Members: Her Worship the Mayor Sheryl Mai
 Councillors Stu Bell, Crichton Christie, Vince Cocurullo, Tricia Cutforth,
 Shelley Deeming, Sue Glen, Jayne Golightly, Phil Halse, Cherry
 Hermon, Greg Innes, Sharon Morgan, Anna Murphy

Meetings: Monthly

Quorum: 7

Purpose

To oversee the management of council's infrastructural assets, utility services and public facilities.

Key responsibilities include:

- Services including the provision and maintenance of:
 - Infrastructure projects and support
 - Infrastructure project co ordination
 - Transportation
 - Waste and Drainage
 - Water
 - Parks and Reserves.
- Shared Services – investigate opportunities for Shared Services for recommendation to council.

Delegations

- (i) All powers necessary to perform the committee's responsibilities, including, but not limited to:
 - (a) the approval of expenditure of less than \$10 million plus GST.
 - (b) approval of a submission to an external body.
 - (c) establishment of working parties or steering groups.

- (d) power to establish subcommittees and to delegate their powers to that subcommittee.
- (e) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
- (f) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002

Planning and Development Committee – Terms of Reference

Membership

Chairperson: Councillor G C Innes

Members: Her Worship the Mayor Sheryl Mai
 Councillors Stu Bell, Crichton Christie, Vince Cocurullo, Tricia Cutforth,
 Shelley Deeming, Sue Glen, Jayne Golightly, Phil Halse, Cherry
 Hermon, Greg Martin, Sharon Morgan, Anna Murphy

Meetings: Monthly

Quorum: 7

Purpose

To oversee planning, monitoring and enforcement activities, and guide the economic and physical development and growth of Whangarei District.

Key responsibilities include:

- Regulatory / Compliance
 - Environmental health
 - General bylaw administration
 - Animal (dog and stock control)
 - Hazardous Substances and New Organisms Control
 - Parking Enforcement (vehicles registrations and warrant of fitness)
 - Noise Control
 - Food Act
 - Landuse Consents
 - Building Act
- Building Control
 - Property Information and Land Information Memoranda
 - Consents and inspections
- Resource Consents
 - Subdivision, Land Use and Development Control
 - Development Contributions
- District Plan
 - Plan Changes
 - District Plan administration

- Strategic Planning
 - Futures planning
 - Urban design
- Economic Development
 - District Marketing/Promotions
 - Developer engagement
- Commercial Property
- Shared Services – investigate opportunities for Shared Services for recommendation to council.

Delegations

- (i) All powers necessary to perform the committee's responsibilities, including, but not limited to:
 - (a) approval of expenditure of less than \$5 million plus GST.
 - (b) approval of a submission to an external body
 - (c) establishment of working parties or steering groups.
 - (d) power to establish subcommittees and to delegate their powers to that subcommittee.
 - (g) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
 - (h) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002

OTHER COMMITTEES

Airport Noise Management Consultative Committee – Terms of Reference

Membership

Chairperson:	Independently appointed Chair
Members:	Her Worship the Mayor Sheryl Mai Councillor Sue Glen Airport Authority Representative Airline Representative Airport / Tenant Representative 3 Community Representatives

Meetings: As required.

Quorum: 5

Purpose

To consider, and where appropriate make recommendations to the Whangarei District Council on aircraft noise and concerns that arise from the operation and activities at the Whangarei Airport.

Key responsibilities include:

- Identify community concerns regarding aircraft noise.
- Co-operatively formulate and propose methods and procedures to minimise noise impact on the surrounding community.
- Act as an advisory and complaints committee and make recommendations to the airport manager concerning noise complaints.
- Report any noise complaints with the committee's recommendations to the Whangarei District Council.
- Assist and advise the Whangarei Airport Authority concerning the dissemination of relevant information to the community.
- Review current procedure for handling noise complaints and modify that procedure where necessary.
- Assist the Whangarei District Council in the management of the adopted Noise Management Plan which will address:
 - procedures for handling noise issues;
 - noise abatement procedures; and
 - timely provision of aircraft noise and flight path monitoring information.
- Monitor the results of noise level monitoring and compliance with the noise abatement procedures and the Noise Management Plan.
- Access appropriate technical expertise and guidance as required.

Audit and Risk Committee – Terms of Reference

Membership

Chairperson:	Councillor Sharon Morgan
Members:	Her Worship the Mayor Sheryl Mai Councillors Crichton Christie, Shelley Deeming, Sue Glen, Cherry Hermon, Greg Innes
Meetings:	Quarterly.
Quorum:	4

Purpose

To oversee risk management and internal control, audit functions (internal and external), financial and other external corporate reporting, governance framework and compliance with legislation.

Key responsibilities include:

- Audit
 - Agree audit scope with Management
 - Provide direct input on audit scope to the external auditor
 - Consider audit management report, taking appropriate action
 - Consider any internal audit needs, including probity, waste and performance
 - Hold a confidential meeting with the external auditors at least once every year.
- Risk
 - Ensure a comprehensive risk management framework is in place and being operated effectively
 - Identify and monitor risks for the organisation including major projects
 - Ensure Council's assets are insured appropriately.
- Ensure Council has suitable business continuity arrangements in place.
- Policy review program.
- Service delivery review program.

Delegations

- (i) All powers necessary to perform the committee's responsibilities, including:
 - (a) establishment of working parties or steering groups.

Chief Executive Review Committee – Terms of Reference

Membership

Chairperson:	Her Worship the Mayor Sheryl Mai
Members:	Councillors Shelley Deeming, Cherry Hermon, Greg Innes, Greg Martin, Sharon Morgan
Meetings:	Quarterly
Quorum:	3

Purpose

To oversee the chief executive's performance and to recommend to council the terms and conditions of the chief executive's employment and annual remuneration.

Key responsibilities include:

- Agree with the chief executive the annual performance objectives.
- Conduct the performance review required in the employment agreement between the council and chief executive.
- Undertake the annual remuneration review and recommend to council any decisions regarding remuneration.
- Represent the council in regard to any issues which may arise in respect to the chief executive's job description, agreement, performance objectives or other similar matters.
- Oversee any recruitment and selection process for a chief executive and make a recommendation on the appointment to council.

Delegations

- (i) All powers necessary to perform the committee's responsibilities, including:
 - (a) establishment of working parties or steering groups.

Civic Honours Selection Committee – Terms of Reference

Membership

Chairperson: Councillor Crichton Christie

Members: Her Worship the Mayor Sheryl Mai
Councillors Vince Cocurullo, Tricia Cutforth, Shelley Deeming, Sue Glen,
Anna Murphy

Meetings: As required.

Quorum: 4

Purpose

To consider nominations for Civic Honours Awards.

Key responsibilities include:

- Assess nominations in accordance with the Civic Honours Policy and to provide a recommendation on honour recipients to council.

Community Funding Committee – Terms of Reference

Membership

Chairperson:	Councillor Crichton Christie
Members:	Her Worship the Mayor Sheryl Mai Councillors Tricia Cutforth, Sue Glen, Jayne Golightly, Greg Innes and Greg Martin
Meetings:	As required.
Quorum:	4

Purpose

To disburse funds as determined by the Whangarei District Council Grants, Concessions and Loans Policy.

Key responsibilities include:

- To carry out the funding process in accordance with the Whangarei District Council Grants, Concessions and Loans Policy in an objective, fair and transparent way.
- To make recommendations on grants, concessions and loans over \$15,000 to Council.

Delegations

- Financial delegation to approve the payment of grants, concessions and loans to the value of \$20,000 or less.

District Licensing Committee – Terms of Reference

Membership

Chairperson: Commissioner

Deputy Chairperson: Councillor Greg Innes

Members: Two additional members appointed from the territorial authority list maintained under section 192 of the Sale and Supply of Alcohol Act 2012; list members:
 Mervyn Williams, Paul Dimery, Pamela Peters, Lee Andrews and Mark Vincent

Quorum: Chairperson plus 2 members (for a Hearing)
 Chairperson (where no objection to an application has been filed and no matters of opposition raised in respect for an application for a licence or manager's certificate or renewal of a licence or manager's licence)

Meetings: Weekly and as required.

Purpose

To consider and determine all relevant applications under the Sale and Supply of Alcohol Act 2012.

Delegations

- Consider and determine applications for licenses and manager's certificates.
- Consider and determine applications for renewal of licences and manager's certificate.
- Consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136.
- Consider and determine applications for the variation, suspension, or cancellation of special licences.
- Consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280.
- With the leave of the chairperson for the licensing authority, to refer applications to the licensing authority.
- Conduct inquiries and to make reports as may be required of it by the Alcohol Regulatory Licensing Authority under section 175.
- Any other functions conferred on Licensing Committees by or under this Act or any other enactment.

Exemptions and Objections Subcommittee – Terms of Reference

Parent Committee: Planning and Development Committee

Membership

Chairperson: Councillor Greg Innes

Members: Her Worship the Mayor Sheryl Mai
 Councillors Shelley Deeming, Sue Glen

Meetings: As required.
 The relevant legislative requirements shall be taken into consideration when setting meeting dates.

Quorum: 2

Purpose

To hear and determine objections, appeals and applications in respect of the regulatory functions and responsibilities of Council.

Delegations

- Hear and decide s357 objections under the Resource Management Act where staff recommend decline.
- Determine and grant of Territorial Authority consents under S100 of the Gambling Act 2003 (as it relates to Class 4 Gambling Venues) and s65C of the Racing Act 2003 (as it relates to Board Venues).
- Determine applications for exemptions under the Fencing of Swimming Pools Act 1987.
- Consider objections relating to the classification of any dog as a dangerous dog under the Dog Control Act 1996.
- Power to consider an objection to classification as a menacing dog under s33A and s33C of the Dog Control Act 1996.
- Power to consider and determine an objection to any notice issued requiring abatement of a barking dog nuisance under s55 of the Dog Control Act 1996.
- Hear and determine appeals in respect of an invoice under Council's Development Contribution Policy (no ability to waiver).
- Hear and determine objections in respect to s120 of the Reserves Act 1977.
- Hear and determine statutory appeals or objections in respect to any matter where no specific delegation applies.

18 Elected Member Remuneration

Reporting officer: Jason Marris (Governance Manager)

Date of meeting: 15 December 2016

1 Purpose

To decide on the allocation of elected member remuneration for additional responsibilities.

2 Recommendation

That Council:

- a) Recommends to the Remuneration Authority that the Deputy Mayor role be recognised as an additional responsibility, remunerated with a further 25% of the 2016/17 councillor honorarium, from the available pool.
- b) Recommends to the Remuneration Authority that the Chair roles of the four Standing Committees be recognised as additional responsibilities for those in the roles, remunerated with a further 25% of the 2016/17 councillor honorarium, from the available pool.
- c) Recommends to the Remuneration Authority that the Chair role for the Civic Honours Selection and Community Funding Committees be recognised as additional responsibilities, remunerated with a further 12.5% of the 2016/17 councillor honorarium, from the available pool.
- d) Requests that the Chief Executive completes the documentation for the approval of the Remuneration Authority.

3 Background

The Remuneration Authority (the Authority) is responsible for setting the remuneration for all local authority elected members. Prior to each election year, it conducts a review to ensure remuneration remains appropriate, then seeks recommendations from each council, before producing a determination for the remainder of the financial year after the election. In the following two years after the election, the Authority annually recalculates the size index for each council and automatically applies an increase, if warranted, in a 1 July determination.

Remuneration falls into two categories:

1. The base remuneration for the Councillor and Mayor roles. The amounts for these roles are fixed with no variation or flexibility permitted;

2. The distribution of a pool of funds to reflect additional duties over the base role, such as Deputy Mayor or Chair of a Committee of the Whole (CoW). For the 2016/17 year, the pool is \$95,472. Council has discretion over this pool and how it is allocated, although the Authority must agree and approve it.

A council is not required to distribute its entire pool. However, any unspent funds cannot be carried over to the next financial year.

Council met in April 2016 and recommended that the Deputy Mayor role and Chair of the CoW roles be remunerated with an additional \$11,934 (25%) over the base salary for the role. This was consistent with previous Council approaches to remuneration and is based on the extra workload, responsibility and leadership involved in being a CoW Chairperson. In July 2016, the Authority agreed with the recommendation and approved the remuneration structure for Whangarei District Council. Table 1, below, reflects what was approved.

Table 1 – Current determination for Whangarei District Council roles

Roles (2016/17)	Base salary	Additional payment (25% of the base)	Salary (2016/17)
Mayor			\$137,543 (fixed)
Councillor (base)			\$47,736 (fixed)
Deputy Mayor	\$47,736	\$11,934	\$59,670
Chair CoW (x3)	\$47,736	\$11,934	\$59,670
Allocated pool		\$47,736 (of \$95,472)	
Unspent pool		\$47,736	

The Authority recognises that changes may need to be made as a result of the election and the implementation of new committee structures or approaches. At this Council meeting, the new committee structure is being reported. The number of CoWs has increased from three to four, so the distribution of the pool for additional funds needs reviewing.

Once Council has reviewed and made its recommendation, and the Authority subsequently approves it, a new determination will be provided in February 2017. Any changes in additional remuneration as a result of this determination will be backdated to the 15 December Council meeting date, where the structure was noted.

4 Options for Allocating Additional Duties

The options for allocating the additional duties are described overleaf.

Option 1

Continue with additional duties for the Deputy Mayor and the four CoW Chair roles, maintaining current percentage of 25% of the base councillor salary.

Roles (2016/17)	Base salary	Additional payment (25% of the base)	Salary (2016/17)
Deputy Mayor	\$47,736	\$11,934	\$59,670
Chair CoW (x4)	\$47,736	\$11,934	\$59,670
Allocated pool		\$59,670 (of \$95,472)	
Unspent pool		\$35,802	

Pros:

- Continues the fiscally conservative approach
- Applies the additional duties logic previously agreed
- We have budgeted for this option, so no adjustment of budgets would be required.

Cons:

- May not accurately reflect the extra duties, particularly with the Chair of Community Funding (CF) and Civic Honours Selection (CHS) Committees.

Option 2

Continue with additional duties for the Deputy Mayor and the four CoW Chair roles, maintaining current percentage of 25% of the base councillor salary, and allocate additional remuneration for the Chair of Community Funding (CF) and Civic Honours Selection (CHS) Committees at 12.5%.

Roles (2016/17)	Base salary	Additional payment	Salary (2016/17)
Deputy Mayor	\$47,736	\$11,934 (25% of the base)	\$59,670
Chair CoW (x4)	\$47,736	\$11,934 (25% of the base)	\$59,670
Chair (CF and CHS)	\$47,736	\$5,967 (12.5% of the base)	\$53,703
Allocated pool		\$65,637 (of \$95,472)	
Unspent pool		\$29,835	

Chair of Community Funding and Civic Honours Selection Committees – The increase of 12.5% of the base councillor salary role, again reflects the increased workload, responsibility and leadership required to progress that work.

Pros:

- Better reflects the additional responsibilities for all roles
- Continues the fiscally conservative approach
- We have budgeted for this option, so no adjustment of budgets would be required.

Cons:

- May not accurately reflect the extra duties.

This option better reflects the actual workload of the additional duties and is therefore the option recommended by this report.

Option 3

Adjust the percentage for each role. For example, continue with the additional duties for Deputy Mayor, CoW Chair, and Chair of CF and CH, allocating more for a CoW Chair, but less than the entire pool, for the additional duties.

Council could determine that the current approach does not accurately represent the additional duties performed by those roles. There are many permutations available, however, an example is provided below, with a 35% figure being utilised to increase the CoW Chair roles, as a guide.

Roles (2016/17)	Base salary	Additional payment (35% of the base)	Salary (2016/17)
Deputy Mayor	\$47,736	\$16,708 (35% of the base)	\$64,444
Chair CoW (x4)	\$47,736	\$16,708 (35% of the base)	\$64,444
Chair (CF and CHS)	\$47,736	\$7,160 (15% of the base)	\$54,896
Allocated pool		\$90,700 (of \$95,472)	
Unspent pool		\$4,772	

Pros:

- May better reflect the additional responsibilities for the roles.

Cons:

- Possible perception problems with increases
- Budgets would have to be slightly adjusted to reflect the increase over Option 2. The effect on total budgets is minimal and will be offset due to the remuneration being proportioned for this financial year.

5 Significance and Engagement

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via agenda publication on the website.

6 Summary

Council is required to provide a recommendation to the Authority regarding the allocation of the additional duties for Elected Member remuneration. Option two, which gives the Deputy Mayor and Committee of the Whole Chair roles an additional 25% and the Chair of Community Funding and Civic Honours 12.5% of the councillor salary, is the recommended approach.

The Authority will issue its determination in February next year, which will be effective from the 15 December Council meeting date, where the structure was noted. The remuneration will be prorated during 2016/17 as a result.