

Date: Tuesday 29 October 2013
Time: 6.00pm
Meeting Room: The Great Hall
Venue: Auckland Town Hall
301-305 Queen Street
Auckland

Governing Body

OPEN MINUTE ITEM ATTACHMENTS

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Committee structure and appointments

Purpose

This report sets out the committee structure and chair/deputy chair appointments for the next term of Council. Terms of Reference and membership of committees will be confirmed at the next Governing Body meeting (7 November 2013).

Executive Summary

The committee structure from the last term of Auckland Council has been modified to take into account:

- The key areas of focus for the next term of council
- Feedback and learnings from the operation of the previous committee structure
- Continuing to share leadership and responsibility among all councillors.

Appointment of chairs and deputy chairs has been considered with a view to utilising the experience of second term councillors but also to give new councillors the opportunity to pick up leadership roles.

The structures and frequency of meetings will also facilitate keeping the formal business of council primarily to three days per week leaving sufficient time for councillors to attend to other commitments and constituency issues.

Recommendations

1. That the report be received.
2. That the re-appointment of Councillors Christine Fletcher and Mike Lee as directors of Auckland Transport be confirmed.

Discussion

The Local Government (Auckland Council) Act 2009 S9 (3) mandates the Mayor to establish committees of the governing body and to appoint the chairperson of each committee.

The committee structure of the previous term of Auckland Council has been considered with a view to:

- a) Setting up the governance of the council to reflect the major priorities of the new term; and
- b) Addressing some of the concerns raised by elected members with the previous structure.

There have been a number of different perspectives expressed on the previous structure, and where possible, that feedback has been taken on board.

The committee structure has been designed with the intention that the reporting committees of the Committees of the Whole meet six weekly, except for those that operate on an irregular timetable due to the process they support (Unitary Plan, LTP/Annual Plan and CEO Review) and the Tenders and Procurement Committee which will continue to meet monthly. This will enable the approach of confining the formal business of council to Tuesdays to Thursdays each week, leaving Mondays and Fridays for the other commitments of governing body members, to be more rigidly enforced. To assist this it is proposed that any requests for meeting outside of those days be approved by the Mayor or Deputy Mayor. It is expected that this should result in Mondays and Fridays only rarely being needed for formal council business. November will be an exception to this, as with no committee structures yet in place, diaries have already been booked on regular council days and one or two workshops are being planned for Mondays or Fridays.

Recess periods will also be programmed so that, in addition to the Christmas recess, there are three one-week periods each year without meetings and coinciding with school holidays e.g. April, July and October.

A diagram of the new committee structure is attached.

Governing Body

The governing body will overview the implementation of the Auckland Plan, set the direction for major strategic priorities/projects and ensure that this is reflected in the work programmes of the committees, as well as receiving regular updates on progress.

Legally the governing body cannot delegate:

- making a rate
- making a bylaw
- borrowing money or purchasing or disposing of assets unless it is in accordance with the long-term plan
- adopting a long-term plan, annual plan, or annual report
- appointing a chief executive
- adopting policies required to be adopted and consulted on in association with the Long-term plan or developed for the purpose of the local governance statement
- adopting a remuneration and employment policy.

The governing body also retains to itself:

- final approval of the Unitary Plan
- electoral matters, including review of representation arrangements
- governance documents including, standing orders, code of conduct, committee terms of reference

There are four committees of the whole of the governing body:

1. Long Term & Annual Plan Committee

Chair: Mayor Len Brown

Deputy Chair: Cr Penny Webster

This committee will meet on an “as required basis” under the chairmanship of the Mayor, who leads these processes, and will be responsible for the development of the Long-term and Annual Plans including:

- Local Board agreements
- Local Board Funding Policy
- Financial Policy related to LTP and AP
- Setting of rates.

Under this committee will be a reporting committee for the hearings process.

LTP/AP Hearing Committee

Chair: Cr Penny Webster

Deputy Chair: Cr John Watson

2. Urban and Rural Development Committee

Chair: Cr Penny Hulse

Deputy Chair: Cr Chris Darby

This committee will guide the physical development and growth of Auckland through a focus on land use planning, housing, the appropriate provision of infrastructure and strategic projects associated with these activities. Key responsibilities include:

- Unitary Plan
- Plan changes to operative plans
- Designation of Special Housing Areas
- Housing policy and projects including Papakainga housing
- Spatial Plans including Area Plans
- CBD development (including reporting of CBD advisory board)
- Tamaki regeneration projects
- Built Heritage.

There will be two reporting committees of this committee:

a) Unitary Plan Committee

Chair: Cr Alf Filipaina

Deputy Chair: Cr Penny Hulse

A small committee that can meet regularly and, if necessary at short notice, to give direction to officers on matters such as:

- Council’s submission to the Unitary Plan (final sign off with parent committee)
- Response to matters raised by submission process
- Pre-hearing mediation.

b) Physical Infrastructure Committee

Chair: Cr Mike Lee

Deputy Chair: Cr Chris Darby

This committee will overview the strategic direction and key projects of Auckland Transport, Watercare and the Council's stormwater department to ensure alignment with the growth of Auckland and the Unitary Plan.

3. Regional Strategy and Policy Committee

Chair: Cr George Wood

Deputy Chair: Cr Arthur Anae

This committee will deal with all strategy and policy decision-making that is not the responsibility of another committee or the Governing Body i.e. strategies and policies associated with environmental, social, economic and cultural activities. Key responsibilities will include:

- Final approval of strategies and policies not the responsibility of other committees or the GB
- Setting/ approving policy work programme for reporting committees
- Overseeing strategic projects (except those under the Urban and Rural Development Committee) e.g. the Southern Initiative
- Acquisition and disposal of property relating to the committee's responsibilities.

There are five reporting committees supporting this committee. These are aligned to the Auckland Plan strategic directions and will operate as follows:

- The policy work programme will be approved by Regional Strategy and Policy Committee
- Full powers within each reporting committee's area of responsibility except:
 - Approving expenditure that is not contained within approved budgets
 - Approving expenditure of more than \$2 million
 - Approving final policy
 - Deciding significant matters for which there is high public interest and which are controversial
 - Deciding matters that are the responsibility of the Governing Body, another committee or a local board
- Act as a community interface for consultation on policies and as a forum for raising community concerns
- Standing orders for these committees will be reviewed to facilitate more informality where necessary
- The meeting cycle will be six-weekly to allow sufficient meeting time in the council calendar.

Reporting committees:

- Arts, Culture and Events
Chair: Cr Alf Filipaina
Deputy Chair: Cr John Watson
- Parks, Recreation and Sport
Chair: Cr Christine Fletcher
Deputy Chair: Cr Calum Penrose
- Environment, Climate Change and Natural Heritage

Chair: Cr Wayne Walker
Deputy Chair: Cr Linda Cooper

- Community Development, Safety and Social Infrastructure

Chair: Cr Cathy Casey
Deputy Chair: Cr Sir John Walker

- Economy – Rural and Urban

Chair: Cr Arthur Anae
Deputy Chair: Cr Ross Clow

The Treaty of Waitangi working party will also report through the Regional Strategy and Policy Committee.

4. Finance and Organisational Performance Committee

Chair: Cr Penny Webster
Deputy Chair: Cr Ross Clow

This committee will be responsible for monitoring overall financial management and the performance of the council parent organisation. It will also make financial decisions required outside of the annual budgeting processes. Key responsibilities include:

- Financial management
- Approval of non-budgeted expenditure
- Write-offs
- Acquisition and disposal of property (where not a responsibility of the Regional Strategy and Policy committee)
- Monitoring performance against the LTP and AP – monthly and quarterly reporting
- Recommending the Annual Report to the Governing Body.

There are two reporting committees of this committee, both of which existed in the previous term of council and will continue to operate in a similar form. They are:

- a) CEO Review Committee
Chair: Cr Christine Fletcher
Deputy Chair: Mayor Len Brown
- b) Tenders and Procurement Committee
Chair: Cr Dick Quax
Deputy Chair: Cr Denise Krum

In addition to the committees of the whole of the governing body, there are a number of standing committees to address specific areas of council business.

1. CCO Governance and Monitoring Committee

Chair: Cr Penny Hulse
Deputy Chair: Cr Calum Penrose

This committee will overview the complete CCO operations through:

- Setting policy relating to CCO governance
- Director appointments
- Approving SOIs
- Monitoring quarterly performance reporting.

2. Hearings Committee

Chair: Cr Linda Cooper
Deputy Chair: Cr Penny Webster

As in the previous term of council, this committee will be responsible for:

- Hearing and deciding on matters related to resource consents and plan changes to operative plans
- Hearing and deciding on matters related to the Dog Control Act, Sale of Liquor Act and by-laws
- Appointing independent hearings commissioners
- Guiding officer responses to appeals.

3. Regulatory and By-laws Committee

Chair: Cr Calum Penrose
Deputy Chair: Cr Denise Krum

This committee will be responsible for reviewing and recommending new or changed by-laws to the governing body including consideration of delegations to local boards and by-laws proposed by local boards.

4. Audit and Risk Committee

Chair: Cr Sir John Walker
Deputy Chair: Cr Cathy Casey

The Audit and Risk Committee will provide advice and recommendations to the governing body on the functioning of council processes and control systems, risk management and results of internal and external audit processes.

5. Civil Defence and Emergency Management Committee

Chair: Cr Sharon Stewart
Deputy Chair: Cr Bill Cashmore

As in the previous term of council, this committee will oversee the council's civil defence and emergency management, planning, policy and functions. It will also exercise the statutory powers outlined in the Civil Defence Emergency Management Act 2002 and the Auckland Civil Defence Emergency Management Group Plan.

Advisory Panels

A number of Advisory Panels were part of the governance structure in the last term of Auckland Council. Two of these were required by statute i.e. the Pacific Peoples Advisory Panel and the Ethnic Advisory Panel. These statutory requirements do not now exist but it is proposed to continue with these two advisory panels in addition to the other discretionary panels that were operated in the last term and also to add a Seniors Advisory Panel. A further report will come back to the Governing Body setting up the Terms of Reference for the panels, but broadly these fall into two groups:

1. Advisory panels that will be independently chaired and have an appointed councillor for liaison; and
2. Advisory panels that are chaired by a councillor and will advise specific council processes such as the Unitary Plan and the financial plans.

Independently Chaired Panels and the liaison councillors are as follows:

Pacific Peoples Advisory Panel – **Cr Arthur Anae**

Ethnic Peoples Advisory Panel – **Cr Denise Krum**

Youth Advisory Panel – **Cr Linda Cooper**

Disability Strategic Advisory Panel – **Cr Sharon Stewart**

Seniors Advisory Panel – **Cr Cathy Casey**

Business Advisory Panel – Michael Barnett will chair this panel and a councillor is to be appointed as a joint chair

CBD Advisory Board – **Cr Mike Lee**

Advisory Panels chaired by a councillor:

Rural Advisory Panel – **Cr Bill Cashmore**

Heritage Advisory Panel – **Cr Mike Lee**

Independent Maori Statutory Board liaison – Cr Alf Filipaina has been fulfilling the role as governing body liaison with the IMSB and has agreed to continue in this role.

Independent Maori Statutory Board membership

Section 85 (1) of the Local Government (Auckland Council) Act 2009 provides that the Independent Maori Statutory Board (IMSB) “must appoint a maximum of 2 persons to sit as members on each of the Auckland Council’s committees that deal with the management and stewardship of natural and physical resources”.

Legal advice was obtained to ensure that this requirement was correctly interpreted as it applied to the council’s committee structure. Based on that advice the list of committees that fell within the parameters of Section 85 (1) was:

- Auckland Plan Committee
- Transport Committee
- Strategy and Finance Committee
- Accountability and Performance Committee
- Council Controlled Organisations Strategy Review sub-committee
- Regional Development and Operations Committee
- Parks, Recreation and Heritage Forum
- Environment and Sustainability Forum
- Planning and Urban Design Forum
- Regulatory and By-laws Committee
- Hearings Committee.

Section 85 (2) of the Act also provides that the council can invite the IMSB to appoint a person or persons to other committees of council. The committees that were identified in the previous term of council for IMSB participation under this provision were:

- Civil Defence and Emergency Management Committee
- Economic Forum
- Cultural, Arts and Events Forum
- Community Safety Forum
- Social and Community Development Forum.

It is proposed that a similar approach be adopted in this term of council. On that basis the following committees will fall within the legal interpretation of Section 85 (1) – must appoint committees:

- Urban and Rural Development Committee
- Long-term and Annual Plan Committee
- Regional Strategy and Policy Committee
- Finance and Organisational Performance Committee
- CCO Governance and Monitoring Committee
- Hearings Committee
- Regulatory and By-laws Committee
- Unitary Plan Committee
- Physical Infrastructure (Transport and three waters) Committee
- Parks, Recreation and Sport Committee
- Environment, Climate Change and Natural Heritage Committee.

In addition it is proposed that the IMSB be asked to appoint members (under Section 85 (2)) to the following committees:

- Arts, Culture and Events Committee
- Community Development, Safety and Social Infrastructure Committee
- Economy- Rural and Urban Committee
- Civil Defence and Emergency Management Committee.

Auckland Transport Directors

For the past three years two councillors have represented Auckland Council on the board of Auckland Transport. I propose that Councillors Christine Fletcher and Mike Lee continue to represent the council on the board. I also would like to indicate that at the time of the next review of Director fees, that the appropriate level of remuneration for councillors on this board will be considered to ensure fair and equitable remuneration for councillors with similar responsibilities and workloads.

Auckland Ambassador

Sir John Walker fulfilled the role of Auckland Ambassador in the last term of Council, I have asked him to continue in this role.

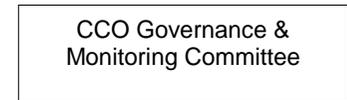
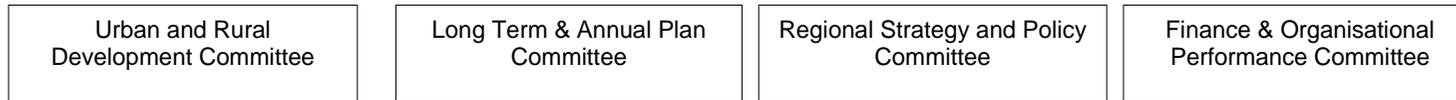
Next Steps

A workshop will be facilitated to discuss membership of the committees and a report will be brought to the next meeting of the Governing Body to confirm Terms of Reference and committee membership.

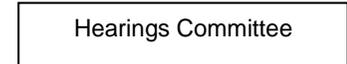
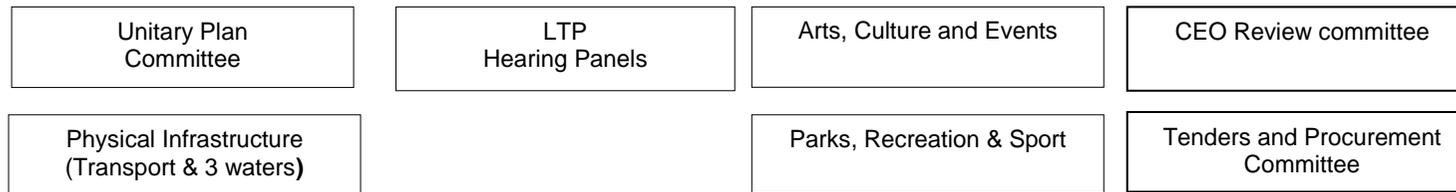


COMMITTEES OF THE WHOLE

OTHER COMMITTEES REPORTING TO GB



COMMITTEES REPORTING TO COMMITTEES OF THE WHOLE



Independent panels requiring Councillor liaison appointment

Advisory panels chaired by a Councillor & providing input to council strategies and plans

