

9. Item 2: Appointment of the Queenstown Lakes District Council Standing Committees and community appointments for 2022-2025


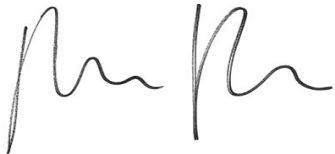
PURPOSE OF THE REPORT | TE TAKE MO TE PURONGO

The purpose of this report is to confirm formally the establishment, membership, Chair and Deputy Chair of all Standing Committees of Council and to appoint elected members to community groups.

RECOMMENDATION | NGA TUTOHUNGA

That the Council:

1. **Note** the contents of this report;
2. **Note** the establishment by the Mayor of the committee structure of the following Standing Committees: Planning & Strategy Committee, Infrastructure Committee, Community & Services Committee, and Audit, Finance & Risk Committee;
3. **Note** the appointment by the Mayor of Standing Committees and other committees of Chairs, Deputy Chairs and Members for the triennium 2022-2025 (detailed in Attachment 1);
4. **Note** that the Mayor is an ex officio member of all committees;
5. **Approve** the community appointments (detailed in Attachment 2)
6. **Adopt** the Terms of Reference for the Planning and Strategy Committee; Infrastructure Committee; Community and Services Committee; Audit, Finance and Risk Committee; Appeals Subcommittee; Chief Executive Performance Review Committee; Governance Subcommittee (detailed in Attachment 3)

| | Prepared by: | Reviewed and Authorised by: |
|-----------|---|---|
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| Position | Governance & Stakeholder Services Manager | General Manager Corporate Services |
| Signature |  |  |
| Date | 28 November 2022 | 28 November 2022 |

CONTEXT | HOROPAKI

1. The decision-making structure a council puts in place can assist the organisation to achieve its objectives and meet its obligations in a timely and transparent manner. Adopting an appropriate structure enhances the ability of a council to meet the needs of its community and has a direct effect on the workload of elected members, provides opportunities for members of the public to engage and participate, and delivers appropriate governance oversight.
2. A number of decision-making structures are available to Council including the governing body acting by itself, the governing body with committees of the whole (all Councillors are appointed), or

the governing body with committees. The overriding consideration is the ability for the Council to manage complex and diverse responsibilities in an effective and efficient manner. Since 2016, Council has operated with a structure of the governing body with committees that hold specific delegations, powers to act and powers to recommend.

3. The Local Government Act 2002, sections 41A(3)(b) and (c), states that the Mayor has the powers to "establish committees of the territorial authority" and to "appoint the chairperson of each committee."

4. Under section 41A(5) of the Local Government Act 2002, "the Mayor is a member of each committee of a territorial authority."

5. Elected members also hold customary membership to various societies, trusts and community groups which are typically appointed through this same process.

ANALYSIS AND ADVICE | TATARITANGA ME NGA TOHUTOHU

6. The Mayor has sought input from elected members and deliberated at length, including due consideration of local government experience, gender balance, geographical representation balance, specific skill sets and interests. The appointments as a result of these deliberations are detailed on Attachment 1 and are for noting by Council only.

7. The same consideration has been applied to making appointments for community groups, societies and trusts, and has also taken into consideration the direction of the Wanaka-Upper Clutha Community Board with Board members appointed in alignment with specified areas of interest or focus, such as youth engagement, education or business.

8. When establishing these committees, Council also needs to adopt their Terms of Reference. The existing Terms of Reference have been reviewed and amendments proposed as follows:

a. Activity areas and powers to act that previously sat with the Appeals Subcommittee have been delegated to the Planning & Strategy Committee, including to consider RMA Appeals and approve the resolution of Environment Court appeals and mediations.

b. The meeting cycle of the Planning & Strategy Committee has been amended to six weeks instead of three with the discretion for the Chair to call additional meetings should their be additional or urgent matters relating to Appeals.

c. Objectives, activity areas and power to act that previously sat with the Traffic & Parking Subcommittee have been delegated to the Infrastructure Committee, including exercising Council's delegations in establishing traffic and parking requirements, restrictions and conditions, installing shelters on hardstands with connection into footpaths for the purposes of intending public transport and small passenger vehicle passengers including associated requisite parking changes across the district pursuant to the Traffic and Parking Bylaw 2018 made under the Land Transport Act 1998, the Local Government Act 2002, and the Local Government Act 1974 S339.

d. Updates to the responsibilities of the Community & Services Committee confirming the committee's role in considering appeals for applications to remove trees from Council land made under the QLDC Tree Policy, and including community wellbeing within its Terms of Reference.

e. Updates to the activity areas and powers to act for the Audit, Finance & Risk Committee to include organisational health, safety and wellbeing, privacy, and risks associated with climate and biodiversity and significant strategic projects such as the Lakeview development.

f. Added more detailed terms of reference for the Chief Executive Performance Review Committee based on LGNZ guidance.

g. Updates to the Governance Subcommittee to include appointments relating to the Queenstown Airport Liaison Committee and Wanaka Airport Liaison Committee (Chair only) and review of the Policy for the Appointment and Remuneration of Directors (required under the Local Government Act 2002 s57).

9. The Elected Member Code of Conduct Committee is no longer a requirement as under the Code of Conduct | Anga Tikanga Whanonga any complaints that are considered material are reported direct to Full Council to determine.

10. The proposed Terms of Reference are details in Attachment 3 for the; Planning & Strategy Committee; Infrastructure Committee; Community & Services Committee; Audit, Finance & Risk Committee; Chief Executive Performance Review Committee; and Governance Subcommittee.

11. At this time, Terms of Reference for the Wanaka-Upper Clutha Community Board have not been included as these are being considered separately in discussion with the Board and will be presented to Council at a later date for consideration.

12. Any matters not specifically detailed within the Terms of Reference must be considered by Full Council.

13. **Option 1** Note the Mayoral appointments and approve the recommended appointments to community groups.

Advantages:

- Both elected members and community groups have certainty about appointments and begin developing relationships.
- Elected members can begin planning their schedule of meetings.
- Council will fulfil its obligation to appoint trustees where this is a requirement of a Trust's constitution or other guiding document.

Disadvantages:

- Elected members may need to accept some appointments that do not align with their personal choice.

14. **Option 2** Note the Mayoral appointments and do not approve the recommended appointments to community groups.

Advantages:

- Provides further opportunity to debate appointments.

Disadvantages:

- Consensus may still not be achieved.
- Delays certainty for elected members and community groups, and the opportunity to build relationships.

15. **Option 3** Adopt the Committee Terms of Reference as proposed in Attachment 3.

Advantages

- The committees established by the Mayor have comprehensive Terms of Reference, including powers to act and recommend that will support the efficient and effective decision making of Council.

Disadvantages

- None

16. **Option 4** Do not adopt the Committee Terms of Reference and seek further amendments

Advantages

- Provides further opportunity to debate Terms of Reference.

Disadvantages

- The committees established by the Mayor do not have Terms of Reference and therefore no powers to act or recommend.
- Delays progress on Council decision-making that would be directed through the committees.
- Creates a greater workload for Full Council as all matters will need to be considered at that level until Terms of Reference can be adopted.

17. This report recommends **Option 1** and **Option 3** for addressing the matter because they will enable Council to plan its programme of work through an efficient and effective delegated decision-making structure as well as providing clarity for elected members and the community.

CONSULTATION PROCESS | HATEPE MATAPAKI

18. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy and Council has no requirement to consult on this matter as it is primarily a role of the Mayor under the local Government Act 2002.

MAORI CONSULTATION | IWI RUNANGA

19. This matter does not require consultation with Iwi/Maori.

RISK AND MITIGATIONS | NGA RARU TUPONO ME NGA WHAKAMAURUTANGA

20. This matter relates to the Strategic/Political/Reputational risk category. It is associated with RISK00031 and description Ineffective management and governance over legislative compliance within the [QLDC Risk Register](#). This risk has been assessed as having a moderate inherent risk rating.

21. The approval of the recommended option will support the Council by allowing us to provide an appropriate decision-making structure and create effective relationships with community groups.

FINANCIAL IMPLICATIONS | NGA RITENGA A-PUTEA

22. None

COUNCIL EFFECTS AND VIEWS | NGA WHAKAAWEAWE ME NGA TIROHANGA A TE KAUNIHERA

23. Not applicable

LEGAL CONSIDERATIONS AND STATUTORY RESPONSIBILITIES | KA TURE WHAIWHAKAARO, ME KA TAKOHAKA WAETURE

24. None

LOCAL GOVERNMENT ACT 2002 PURPOSE PROVISIONS | TE WHAKATURETURE 2002 O TE KAWANATAKA A-KAIKA

25. Section 10 of the Local Government Act 2002 states the purpose of local government is:

- (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

26. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act.

ATTACHMENTS | NGA TAPIRIHANGA

| Attachment | Title of Attachment |
|-------------------|---|
| 1. | Appointments made under LGA 2002 sections 41A(3)(b) and (c) |
| 2. | Recommended community group appointments |
| 3. | Proposed Terms of Reference for Committees |