

Council Standing Committees Terms of Reference

1 Introduction

The Council's delegation model is designed to enable committees of Council to fully and completely undertake their roles consistent with their terms of reference.

From time to time when urgency requires, matters that would normally be the business of a standing committee will go directly to Council for decision.

Delegations to Committees

Pursuant to section 41A of the Local Government Act 2002, the Mayor has established the following Standing Committees:

- Engineering and Services Committee;
- Commercial and Economic Development Committee;
- Planning and Regulatory Committee;
- Strategy Committee;
- Audit and Risk Committee.

Council delegates to each standing committee all powers necessary to effectively carry out the committee's terms of reference and scope, excluding those reserved to Council.

Delegations for subcommittees are set out under each subcommittee's terms of reference and scope.

Full Council has a role to monitor the functioning of, and performance of delegated powers by, all committees.

Full Council will consider matters not within the delegation of any one Council committee.

Full Council may at any time, revoke or modify a delegation to a Council Committee, either permanently, for a specified time or to address a specific matter, if it considers there is good reason to do so.

The delegations provided to committees may be further delegated to subcommittees unless the power of further delegation is restricted by Council or by statute.

The terms of reference for each Committee are set out below.

2 Engineering and Services Committee

This Committee has responsibilities for all Council-owned infrastructure, assets, operations and services. The purpose of the Committee is to ensure that Council services are delivered in an efficient and effective manner that meets the needs of its communities, and that Council protects its investment in infrastructural assets in accordance with accepted professional standards.

2.1 Terms of Reference

- Monitor progress and completion of capital, operations and services projects.
- Oversee capital works contracts.
- Oversee the development of, and approving Asset Management Plans and other operational or activity plans (e.g. Waste Management Plan, reserves plans).
- Develop and approve of the three-yearly bid to NZTA for Roading financial assistance.
- Monitor the risks and operational performance of the infrastructural asset services delivered by Council.
- Approve the vesting and disposing of infrastructural assets as a result of subdivision or capital works being undertaken.
- Ensure that project management including procurement processes is appropriately undertaken and consistent with the Council's agreed processes.
- Approve of the Council's procurement plan.
- Review plans, policies, and legislative changes of central government or other external agencies which may affect or impact on Council assets or the provision of services, and lodgement of responses/submissions as necessary.
- Consider any proposal for the taking or designation of land for any purpose, for approval by Council.
- Receive reports and consider and decide recommendations from Community Boards on matters within the scope of the Committee, including the approval of any additional or unbudgeted expenditure sought by Community Boards.
- Approve contracts relating to the responsibilities of the Committee.

2.2 The scope of this Committee includes:

- Transportation & roading
- Water supplies
- Sewerage and wastewater treatment
- Stormwater collection and management
- Public toilets
- Solid & hazardous waste management
- Active recreation (including indoor recreation and sports facilities)
- Public open space and reserves management, landscaping
- Library services
- Community development, including development and implementation of social policies and other local public services
- Cemeteries and burials
- Community halls
- Pensioner housing
- The establishment of subcommittees or working parties as appropriate within the terms of reference/scope of the Committee.

Membership

The Engineering and Services Committee will be a standing committee of all Councillors and the Mayor.

Quorum

The quorum shall be four members.

Chair

The Chair will be nominated by the Mayor.

Meetings

The Engineering and Services Committee will meet on a quarterly basis or as required.

3 Commercial and Economic Development Committee

The purpose of the Commercial and Economic Development Committee is to provide governance and oversight in the management of the Council’s commercial activities including its investments, real estate, forestry, Pukaki Airport, tourism promotion and economic development.

3.1 Terms of Reference

- Ensure that operational strategies, capital works programmes and activity management plans for Council’s commercial, tourism and economic development portfolio as a whole support appropriate returns on investment after balancing risks, commercial return, community outcomes and community well-being.
- Monitor and improve the performance of Councils commercial, tourism and economic development portfolio, including identifying further opportunities to increase the portfolio.
- Receive and consider reports on strategies, and investments along with the identification and mitigation of financial and operational risk.
- Make recommendations to the Council on new investments, disposals, business opportunities and other matters in relation to the commercial portfolio.

3.2 The scope of this Committee includes:

- Commercial investments including Council’s shares in Alpine Energy Limited
- Forestry investments and administration
- Property managed on a commercial basis
- Pukaki Airport
- Tourism promotion
- Alps2Ocean cycleway
- Economic development support
- The establishment of subcommittees or working parties as appropriate within the terms of reference/scope of the Committee.

Membership	The Commercial and Economic Development Committee will be a standing committee of all Councillors and the Mayor. The Committee may appoint three additional members to the Committee where it considers that those persons have appropriate commercial expertise to assist the work of the Committee.
Quorum	The quorum shall be six members.
Chair	The Chair will be nominated by the Mayor.
Meetings	The Commercial and Economic Development Committee will meet on a quarterly basis or as required.

4 Planning and Regulatory Committee

The purpose of this Committee is to govern all planning and regulatory functions of the Council. This includes the development of bylaws and all resource management, health, sale and supply of alcohol, civil defence/emergency management, parking, legal disputes, animal control, and building functions.

4.1 Terms of Reference

- To develop and approve Council's regulatory policies, and review as appropriate and necessary.
- To develop district bylaws and recommend them for Council approval, and review as appropriate and necessary.
- To consider any reports relating to any regulatory function of the Council.
- To consider reports relating to any environmental monitoring.
- To ensure that Council meets all compliance requirements relating to its regulatory responsibilities.
- To approve contracts relating to the responsibilities of the Committee.

4.2 The scope of this Committee includes:

- Resource Management Act administration.
 - Statutory administration of the District Plan.
 - To initiate and progress any change to or review of the District Plan under the Resource Management Act.
 - Review of changes to central government policy or laws affecting Council's regulatory and policy functions; review of regulatory or planning documents and policies of external agencies (including Regional Policy Statements and Plans), and lodgement of responses/submissions as necessary.
 - Regulatory policy and administration of regulatory functions (e.g. Gambling Class 4 Venue Policy, Local Alcohol Policy).
 - Building control.
 - Environmental health.
 - Civil Defence Emergency Management planning and operations.
 - Environmental policies and programmes.
 - Animal control and dog control.
 - Responsible camping
 - Parking control.
 - Hearing and determining public hearings under the Dog Control Act and hearings related to road stoppages by the process of using accredited Councillors.
 - To appoint Hearings Panels and/or Commissioners as appropriate/required.
 - To further delegate the ability to appoint Hearing Commissioners or a Hearings panel to hear and decide notified or limited notified resource consent applications (for example to the Chair of the Committee & the Mayor).
 - The establishment of subcommittees or working parties as appropriate within the terms of reference/scope of the Committee.
 - Any other regulatory matter not listed.
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Membership

The Planning and Regulatory Committee will be a standing committee of all Councillors and the Mayor. The Committee may appoint an additional person(s) as one representative from each of the Papatipu Rūnanga whose rohe are within the Mackenzie District.

Quorum

The quorum shall be four members.

Chair

The Chair will be nominated by the Mayor.

Meetings

The Planning and Regulatory Committee will meet on a 6-weekly basis or as required.

5 Strategy Committee

The purpose of this Committee is to set the strategic direction for the District by formulating policy that clearly identifies Council's role and direction on issues. This Committee will develop, evaluate, approve and monitor the implementation of strategic policy, provide strategic oversight of mid to long term planning.

5.1 Terms of Reference

Strategic Direction

- Develop and monitor Council's vision and values
- Identify and assess significant strategic district issues and initiatives.
- Identify and review Council's strategic objectives.
- Develop and monitor of Community Well-being and community outcomes.
- Monitor of the implementation / progress towards the achievement of strategic objectives and priorities.
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External Advocacy

- Advocate on matters pertaining to strategic directions, to central government and other relevant agencies including the review of plans, policies, and legislative changes and lodgement of responses/submissions as necessary.
- Provide governance oversight and approval of submissions on external issues, legislative and policy changes affecting Council or our community.

Corporate Planning

- Provide oversight of the Long Term Plan project, including monitoring the progress of Long Term Plan and Long Term Plan amendments.
- To monitor and report the overall financial and non-financial performance of the Council and its achievement of LTP objectives.
- Provide oversight of development and monitoring of Annual Plans, including variances from the Long Term Plan.

Membership	The Strategy Committee will be a standing committee of all Councillors and the Mayor. The Committee may appoint an addition person(s) as one representative from each of the Papatipu Rūnanga whose rohe are within the Mackenzie District.
Quorum	The quorum shall be four members.
Chair	The Chair will be nominated by the Mayor.
Meetings	The Strategy Committee will meet on a quarterly basis or as required.

6 Audit and Risk Committee

The purpose of the Audit and Risk Committee is to provide governance and oversight of the effectiveness of risk management and internal control systems, including internal audit and external audit relationships.

6.1 Terms of Reference

- Monitor the Council's external and internal audit process.
- Consider and make recommendations to the Council on:
 - a. Monitoring the robustness of the internal control framework and financial management practices;
 - b. The integrity and appropriateness of internal and external reporting and accountability arrangements;
 - c. The robustness of risk management systems, processes and practices;
 - d. The independence and adequacy of external audit functions;
 - e. All year-end financial reporting obligations;
 - f. Compliance with applicable laws, regulations and standards, and best practice guidelines; and
 - g. The establishment and maintenance of controls to safeguard the Council's financial and non-financial assets.
- Discuss, with the external auditor, matters affecting the annual financial and non-financial statements and the annual audit.
- Monitor existing corporate policies and recommend new corporate policies to prohibit unethical, questionable or illegal activities.
- Support measures to improve management performance and internal controls.
- Ensure the quality of internal and external reports of financial and non-financial information.
- Review the performance of the Chief Executive Officer, and make recommendations to Council.
- Develop policy relating to published financial statements and accounting standards of the Council.
- To review annual financial statements prior to Council adoption and ensure disclosures are in accordance with statutory requirements and consistent with best practice.
- Develop and monitor Annual Reports.

6.2 The scope of this Committee includes:

- Recommending the approval of the annual external audit proposal.
- Liaising with Council's external auditor:
 - a. at the start of each audit, confirm the terms of engagement with the external auditor including the nature and scope of the audit, timetable and fees;
 - b. approve the external audit engagement letter and letter of undertaking and any additional services to be provided by the external auditor;
 - c. receive the external audit report(s) and review action to be taken by management on significant issues and audit recommendations raised within;
 - d. conduct a members only session (i.e. without any management present) with external audit to discuss any matters that the auditors wish to bring to the committee's attention and/or any issues of independence;
 - e. meet with Council's audit direction on a quarterly basis
- Internal Control Framework:

- a. review whether management’s approach to maintaining an effective internal control framework is sound and effective;
- b. review whether management has taken steps to embed a culture that is committed to probity and ethical behaviour;
- c. review whether there are appropriate systems, processes and controls in place to prevent, detect and effectively investigate fraud.
- External Reporting and Accountability:
 - a. agree the appropriateness of the Council’s existing accounting policies and principles and any proposed change;
 - b. enquire of external auditors for any information that affects the quality and clarity of the Council’s financial statements and statements of service performance, and assess whether appropriate action has been taken by management in response to the above;
 - c. satisfy itself that the financial statements and statements of service performance are supported by appropriate management signoff on the statements and on the adequacy of the systems of internal control (ie letters of representation), and recommend to Council the signing of the financial statements by the Chief Executive/Mayor and adoption of the Annual report.
- Overseeing the Council’s systems, processes, and practices for risk management:
 - a. Ensure that management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of the Council’s significant risks (including financial and non-financial risks);
 - b. consider whether appropriate action is being taken by management to mitigate Council’s significant risks.
- Considering matters relating to the performance of the Chief Executive Officer, including annual performance review.
- Reviewing insurance arrangements annually.
- Monitoring insurance claims.
- Reviewing all audit reports of Council activities, including (but not limited to) building control authority audit reports, NZTA audit reports, Long Term Plan audit, and any other external audits.
- Preparing the Annual Report and carryovers.

Membership	The Audit and Risk Committee will be a standing committee of all Councillors and the Mayor. The Committee may appoint an additional person to the Committee where it considers that person has skills, attributes, or knowledge that will assist the work of the Committee.
Quorum	The quorum shall be four members.
Chair	The Chair will be nominated by the Mayor.
Meetings	The Audit and Risk Committee will meet on a quarterly basis or as required.