

Whanganui District Council
Council and Committee Terms of Reference 2016-2019
(Adopted Council Resolution 5 December 2016
with subsequent amendments as noted.)

Council:

Chair: Mayor Hamish McDouall.

Deputy Chair: Deputy Mayor Cr Jenny Duncan.

Members: All Councillors.

Frequency of Meetings: Monthly.

Quorum: A majority of members (Standing Orders 10.1 (a) and (b)).

Senior Officer: Chief Executive.

Terms of Reference:

- To carry out the leadership functions including advocacy and facilitation on behalf of the community
- To exercise all non-delegated functions and powers of the Council
- To make decisions which are required by legislation to be made by resolution of the local authority
- To determine all financial matters not delegated
- To authorise all expenditure not delegated to staff or other committees
- To consider any matters referred to it from any of the Standing Committees
- To receive reports from the Audit and Risk Committee
- To receive reports from Whanganui and Partners Board
- To receive reports from Whanganui Holdings Board
- To receive reports from Iwi partners
- To receive reports from the Youth Committee
- To develop and approve the Long-term Plan including any amendments and Annual Plans and associated policies, to hear submissions and approve the final plan
- To approve Plan Changes for notification and make decisions in respect to District Plan matters.

Procedural matters:

- Delegation of Committee powers
- Adoption of Standing Orders
- Confirmation of all Standing Committee minutes
- Employment of the Chief Executive, setting of the Chief Executive's performance targets and review of the Chief Executive's Performance and Remuneration (in accordance with Employment Agreement)
- Other delegations

Strategy and Finance Committee:

Chair: Cr Kate Joblin.

Deputy Chair: Cr Murray Cleveland.

Members: All Councillors; Wanganui Rural Community Board representative: Grant Skilton (Alternate member: David Wells – TOR amended Council resolution 14 August 2018)

Frequency of Meeting: two-monthly from 2018 (amended by Council resolution 31 October 2017)

Quorum: Standing Order 10.2 (amended by Council resolution 4 April 2017).

Senior Officer: General Manager Strategy and General Manager Finance.

Terms of Reference:

- To develop and recommend strategies, plans and policies to the Council that advance the Council's vision and goals, and comply with the purpose of the Local Government Act
- Develop and recommend bylaws to Council.
- To approve draft strategies, draft plans, draft policies and draft bylaws for consultation. (Council resolution 8 March 2017)
- Develop and approve submissions to government, local authorities and other organisations
- To monitor the Council's financial and non-financial performance against the Long-term Plan and Annual Plan
- To write off outstanding accounts no greater than \$10,000
- Social and community related matters
- Safer Whanganui (TOR amended Council resolution 6 December 2017)

Property and Community Services Committee:

Chair: Cr Helen Craig.

Deputy Chair: Cr Josh Chandulal-Mackay.

Members: All Councillors; Wanganui Rural Community Board representative: Sandra Falkner (Alternate member: Grant Skilton – TOR amended Council resolution 14 August 2018)

Frequency of Meetings: two-monthly from 2018 (amended by Council resolution 31 October 2017)

Quorum: Standing Order 10.2 (amended by Council resolution 4 April 2017).

Senior Officers: General Manager Property, General Manager Operations, General Manager Strategy

Terms of Reference:

- To monitor acquisition or sale or lease of properties owned by the Council or any endowment properties
- To discuss and make recommendations to Council on:
 - Cultural facilities, activity and events
 - Parks, sporting and recreational activities and facilities
 - Waste minimisation activity
 - Customer service related matters
- To monitor the progress and implementation of key strategic projects including:
 - Town Centre Regeneration
 - Castlecliff Rejuvenation
 - Port Revitalisation Project (amended by Council resolution 13 February 2017)

Infrastructure Committee: (TOR amended by Council resolution 31 October 2017).

Chair: Cr Alan Taylor

Deputy Chair: Cr Hadleigh Reid

Members: All Councillors; Wanganui Rural Community Board representative: Michael Dick
(Alternate member: Bill Ashworth – TOR amended Council resolution 14 August 2018)

Frequency of meeting: Two-monthly (from 2018)

Quorum: Majority of Members (Standing Order 10.2)

Senior Officer: General Manager – Infrastructure

Terms of Reference

To discuss and make recommendations to Council on:

- Water supply stormwater and wastewater matters
- Roading and footpaths
- Waterways and natural drainage
- Emergency Management (Civil Defence) matters (TOR amended Council resolution 6 December 2017)

Delegation to Committee: Decision-making on Parking Rules. (TOR amended Council resolution 13 March 2018)

Audit and Risk Committee (Revised TOR – Council resolution 9 October 2018)

Chair: Fmr Cr Sue Westwood

Deputy Chair: Deputy Mayor Jenny Duncan

Members: Cr David Bennett, Cr Kate Joblin, Rex McKinnon

Frequency of Meetings: Quarterly

Quorum: Standing Order 10.2 (amended by Council resolution 4 April 2017).

Senior Officers: Chief Executive, General Manager Finance, General Manager Strategy

Terms of Reference

Purpose

The purpose of the Audit and Risk Committee is to assist the Council to discharge its responsibilities to exercise due care, diligence and skills in relation to the oversight of:

- a) The robustness of risk management systems, processes and practices.
- b) A forward work programme, which will consist of reviews of specific risks using the 'Deep Dive' methodology, the delivery of the internal audit work programme and a regular review of the Risk Register.
- c) The robustness of the internal control framework and financial management policies.
- d) Compliance with applicable laws, regulations, standards and best practice guidelines; and
- e) The establishment and maintenance of controls to safeguard the Council's financial and non-financial assets.
- f) Reviewing Council's Fraud and Protected Disclosures policies, and other relevant policies and procedures.
- g) The oversight of risk management and assurance across the Council's CCOs with respect to risk that is significant to Council.

The role of the committee is to gain an assurance that there is a robust process to manage risks appropriately. In fulfilling their role on the Audit and Risk Committee, members shall be impartial and independent at all times.

Delegated Authority

The Council has delegated to the Audit and Risk Committee the necessary authority to effectively carry out the tasks assigned to it. The committee shall have the delegated authority to approve the appointment of the internal auditor of risk management and internal audit programmes, audit engagement letters and letters of undertaking for audit functions and additional services provided by the external auditor.

Decision Making Powers

The Committee has no decision making powers. The Committee may request expert advice through the Chief Executive, as necessary. The Committee may make recommendations to the Chief Executive, as necessary.

Voting

Voting is limited to members of the Audit and Risk Committee and Mayor ex-officio.

Key Attributes of Members

- Members should bring the ability to act independently and objectively.
- The ability to ask relevant and pertinent questions, and evaluate the answers.
- The ability to work constructively with management to achieve improvements.
- Business acumen; and
- Appropriate diligence, time, effort and commitment.

Independent members should have the following experience:

- Broad governance experience.
- Familiarity with risk management disciplines (identification, evaluation and management).
- Understanding of internal control and assurance frameworks.
- A good understanding of the roles of internal and external audit.
- Financial reporting and analysis from a risk perspective.

Responsibilities

Risk

Monitor the effectiveness of risk identification and mitigation measures, in addition to assessing the impact of emerging risks by:

- Reviewing the Risk Register, Risk Framework, Policy and associated procedures for effective identification and management of the Council's financial and business risks.
- Maintaining visibility of emerging risks.

Internal Audit, Internal Controls, and Fraud Controls

Assess the effectiveness of Council's internal controls and internal audit functions, by reviewing:

- The appropriateness and effectiveness of controls in place to safeguard Council's assets.
- The adequacy of Council's fraud and associated policies.
- The effectiveness of existing corporate policies and recommending changes or new policies where appropriate.
- Management's legislative compliance programme.

Treasury, Insurance and Long Term Planning

Monitor risks associated with Council's treasury function, including:

- Council's treasury policies.
- Council's annual Insurance contract, satisfying itself Council has appropriate and affordable insurance cover in place.
- Council's long term planning including its financial strategy.

External Audit

Review external audit function, including:

- Confirming processes are in place to ensure the completeness and quality of financial and operational information being provided to the Council;
- Liaising with the external auditors as required;
- Monitoring Council's external audit programme and processes;

- Receiving the Audit Management Report and monitoring progress by management on implementing recommendations contained within the Report.

Statutory Reporting

Review and monitor the integrity of the interim and annual reporting including statutory financial statements and other formal announcements relating to the Council's financial performance, including;

- The appropriateness of accounting policies and standards;
- Compliance with applicable legal requirements relevant to statutory reporting;
- The extent to which financial statements are affected by any unusual transactions and the manner in which they are disclosed;
- The clarity of disclosures generally;
- The basis for the adoption of the ongoing concern assumption;
- Significant adjustments resulting from the audit

Council Controlled Organisations (CCOs)

The committee will enquire to ensure adequate processes at a governance level exist to identify and manage risks within a Council Controlled Organisation (CCO).

Other Tasks

Other tasks as delegated to the Audit and Risk Committee by the Council, which may include the allocation of special project oversight.

Review of Terms of Reference

The Terms of Reference will be reviewed by the Council following every triennial election.

Notes:

- The Chief Executive is required to attend all meetings but is not a member and has no voting rights.
- Members that are appointed for an initial term of no more than three years that aligns with the triennial elections, after which they may be eligible for extension or reappointment.
- Appointment of external members is by contract.
- External member contracts are to be reviewed and assessed six (6) months after each triennial election.

Statutory Management Committee

Terms of Reference

(amended by Council resolution 31 October 2017)

1. Regulatory:

- (a) To hear and determine matters under the Dog Control Act 1996;
- (b) To hear and determine objections to urban and rural temporary road closure objections.
- (c) Delegated power under section 67A of the Building Act to grant a waiver or modification of section 162C (1) or (2) of the Building Act.
- (d) Delegated power under clause 16.2 of the Whanganui District Council Streets Infrastructure Bylaw 2015 to confirm, reverse, or modify the decision or conditions made by an authorised officer.

Membership

Chairs: Cr Alan Taylor or Cr Charlie Anderson

Members: All Councillors

Minimum on Committee: Three Councillors.

2. Policy and Bylaws:

- (a) To hear and make recommendations to Council on the adoption of a bylaw.
- (b) To hear and make a determination on those submissions on proposed policies except those policies required to be adopted and consulted on under the Local Government Act in association with the long-term plan or developed for the purpose of the Local Governance Statement.

Membership

Chair: Mayor Hamish McDouall

Members: All Councillors

David Matthews (Chair Wanganui Rural Community Board); Alternative Representative: Any one of the Wanganui Rural Community Board Members (Bill Ashworth, Michael Dick, Alistair Duff, Sandra Falkner, Grant Skilton, David Wells). (TOR amended Council resolution 13 March 2018)

Quorum: Majority of Members (Standing Order 10.2)

3. Hearings under the Resource Management Act 1991:

- (a) To hear and make recommendations to Council on changes to the District Plan pursuant to the Resource Management Act 1991.
- (b) To hear and determine resource consent applications pursuant to the Resource Management Act 1991 to the extent authorised by the Council delegation.

Membership

Qualified Elected and Non-Elected Independent Commissioners

Minimum on Hearing – Three.

Youth Committee:

Co-Chairs Yth Crs Rhea Colaabavala and Helena Hazelhurst

Council appointee: Cr Josh Chandulal-Mackay; Wanganui Community Board representative: David Matthews (speaking rights).

Frequency of Meetings: 6-weekly.

Quorum: Standing Order 10.2 (amended by Council resolution 4 April 2017).

Purpose

To empower Whanganui young people to be the best they can be.

Terms of Reference:

The role of the Youth Committee is to:

- Represent the community's young people.
- Develop a strategic direction for Whanganui youth.
- Promote opportunities for youth participation.
- Develop and monitor policy on youth issues.
- Provide opportunities for Youth to contribute to the decision-making of Council.
- Advise the Council on matters of interest for Youth in the Whanganui District.

Forestry Joint Committee

Members: Cr Charlie Anderson, Cr Rob Vinsen, one appointee from South Taranaki District Council and one appointee from Ruapehu District Council.

The Forestry Joint Committee provides the governance and monitoring role representing the interests of three Councils which each have a shareholding in circa 1,100ha of commercial plantation forests. The three Councils operate the joint venture business under a formal Heads of Agreement.

Purpose

Prudently oversee the business operation to optimise the shareholders' funds.

To effectively grow and sell standing timber and logs of a quality suitable for both local and export consumption.

Chief Executive Review Committee

Terms of Reference

Chair: Deputy Mayor Jenny Duncan

Deputy Chair: Cr Helen Craig

Members: Mayor Hamish McDouall, Cr Kate Joblin

Frequency of Meetings: quarterly

Quorum: Standing Order 10.2 (amended by Council resolution 4 April 2017).

Senior Officers: General Manager People and Culture

Monitor the performance of the Chief Executive, including

- Reviewing the performance of the Chief Executive against performance measures outlined in the employment contract;
- Recommend to Council all matters relating to the employment of the Chief Executive and the Chief Executive's employment agreement.
- Recommending to Council yearly salary adjustments.