



COUNCIL AND COMMITTEE TERMS OF REFERENCE

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	Page
Council Terms of Reference	1
Strategy and Policy Committee	3
Catchment Operations Committee	5
Environment Committee	6
Audit, Risk & Investment Committee	8
Regional Transport Committee	11
Passenger Transport Committee	13
Linklater Bursary Subcommittee	15
Manawatu River Users' Advisory Group	16

Council Terms of Reference

Statutory References

The more important legislation affecting Horizons Regional Council is:

- Biosecurity Act 1993
- Civil Defence and Emergency Management Act 2002
- Land Transport Act 1998
- Local Authorities (Members Interests) Act 1968
- Local Electoral Act 2001
- Local Government Act 1974
- Local Government Act 2002
- Local Government (Rating) Act 2002
- Local Government Official Information and Meetings Act 1987
- Maritime Transport Act 1994
- Resource Management Act 1991
- Soil Conservation and Rivers Control Act 1941
- Transit New Zealand Act 1989
- Transport Services Licensing Act 1989

The Council also administers the Manawatu River and Tributaries Navigation and Safety Bylaws 2004.

The Mission Statement of the Council is:

“To create opportunities for the Region to grow economically and socially in a way that preserves or enhances agreed environmental and cultural values.”

Statement of Purpose

The role of the Council is to make policy, authorise and monitor the overall allocation of resources and set priorities. It determines and monitors the levels of services to be provided and monitors the decisions of its Committees.

The overall priorities are set out in the Council's Strategic and Financial Management documents. A statutory Long-term Plan (LTP) detailing significant activities, objectives, policies, outputs and performance measures, as well as budgeted input requirements, will be approved before the end of June every three years; an Annual Plan will be produced in years two and three to provide financial updates to the LTP. An Annual Report on the Council's performance over the past 1 July to 30 June year is produced around September each year.

The Council also undertakes the functions, duties and powers of a territorial authority under Part XXIX of the Local Government Act 1974 for those areas of the former drainage districts deemed drainage areas constituted under section 504 of the Local Government Act 1974 (ie. the former Moutoa, Makerua, Manawatu, Oroua, and Sluggish River Drainage Districts).

Quorum Requirements

The quorum for a meeting of the Council is:

- half of the members physically present, where the number of members (including vacancies) is even; and
- a majority of the members physically present, where the number of members (including vacancies) is odd

Objectives

- Employ a Chief Executive.
- Take the necessary initiatives to develop and adopt regional strategic objectives and policies.
- Determine council policy on its activities.
- Formulate the Council's activities through the LTP.
- Establish priorities for resource allocation within the Manawatu-Wanganui Region, including the allocation of government grants, environmental grants and regional rating policies.
- Provide the means for regional issues that are the responsibility of the Council to be assessed, addressed and determined.
- Ensure Council's shareholding interests in CentrePort Limited are effectively managed.
- Ensure the formulation of public relations objectives for the Council.
- Act quickly and positively in response to events and circumstances that could affect the Region.
- Ensure a timely and positive response in regard to civil emergencies in the Region.
- Encourage, establish and maintain effective cooperation and coordination with territorial and special purpose authorities, government departments and other public and private organisations.
- Delegate to its committees and the Chief Executive such powers and responsibilities as are appropriate for the maximum efficiency of operation.
- Monitor the implementation of Council policy.
- Monitor and appraise the performance of the Chief Executive.
- Consider and decide on contracts over \$1 million (gst included).

Strategy and Policy Committee

Statement of Purpose

The purpose of the Strategy and Policy Committee is to:

- Develop policy and plans as directed by Council, through the Committee itself or through ad hoc subcommittees or working parties.
- Consider any issues allocated by Council for consideration; generally these would be issues that do not come within the scope of other committees or are issues that warrant consideration of the whole council. Issues would be dealt with either by the Committee or by specific subcommittees established for the purpose. The subcommittees would be disestablished when the issues are resolved.
- Enhance awareness and understanding of issues and trends relating to Council's goal: "Promote the social, economic and cultural well-being of the people in the Region," both in general, and in relation to this Council's resource management policies and activities.
- Consider and evaluate miscellaneous issues that have a regional, social, or economic focus and/or those issues that Council, by virtue of its being a regional organisation, can play a role in facilitation, coordination, or promotion.

Committee Membership

The Committee is a committee of the whole Council and its permanent chair is the Council Chairperson or the Chairperson's nominee.

Membership of subcommittees and working parties will be determined at the time of their establishment.

A quorum will consist of:

- half of the members physically present, where the number of members (including vacancies) is even; and
- a majority of the members physically present, where the number of members (including vacancies) is odd.

Objectives

The operating objectives are:

- Develop strategy, policy and plans as directed by Council, including the following:
 - a. Contribution to community outcomes
 - b. Strategic Plan
 - c. Long-term Plan/Annual Plan
 - d. Triennial agreements
 - e. Governance statements and codes
 - f. Regional Plans
 - g. Water policy
 - h. Catchment strategies
 - i. Other strategies and plans

- j. Scheme reviews
 - k. Regional development issues
 - l. Legislative reviews
- Recommend to Council (or other Committees) actions arising out of the Strategy and Policy Committee (or subcommittee/working party) deliberations and discussions.
 - Conduct and/or facilitate fora to:
 - a. Monitor the social and economic impact of the Council's policies and activities;
 - b. Play a broad role in meeting the current and future needs of Council's communities for good-quality local infrastructure, local public services, and performance of regulatory functions; and
 - c. Investigate, monitor, and analyse specific issues as directed by Council.
 - Provide a catalyst and/or facilitate a proposal when required or a need is identified, and where required.
 - Encourage or facilitate initiatives that foster economic development in the Region.

Delegations

While the Committee has no general decision-making or financial delegations, it may be given such delegations by Council for specific matters.

Any issues accorded urgency may be considered by the Committee for recommendation to a special Council meeting to be convened immediately following.

Catchment Operations Committee

Statement of Purpose

The purpose of the Catchment Operations Committee is as follows:

- To ensure, through appropriate performance monitoring and information receipt, the effective provision of river and drainage engineering services to the Region.
- To ensure through appropriate performance monitoring and information receipt, the effective provision of sustainable land use services to the Region.
- To ensure effective liaison with territorial authorities, scheme/catchment liaison committees and scheme ratepayers.
- Where delegated by Council, recommend to Council for its adoption, finalised draft river and drainage scheme reviews and rating proposals, after taking due account of public submissions.
- To formulate recommendations to Council in relation to sustainable land management investments.

Committee Membership

The Committee consists of five to twelve elected members and sits two-monthly.

A quorum will consist of:

- half of the members physically present, where the number of members (including vacancies) is even; and
- a majority of the members physically present, where the number of members (including vacancies) is odd.

Objectives

The operating objectives are:

- Monitor the implementation and progress of river control, erosion control and drainage schemes administered by the Council.
- Monitor the development of asset management plans to ensure service levels are consistent with stakeholder expectations
- Monitor the implementation of investigations and works on non-scheme rivers.
- As delegated by Council, develop policy and plans (including scheme reviews, rating systems, scheme upgrades and new schemes).
- Approve annual sustainable land use programmes and monitor their implementation.
- Encourage establishment of Scheme and/or Catchment Liaison committees, monitor their operation and participate as appropriate.

Delegations

The Committee has no general decision-making or financial delegations, but from time to time may be given such delegations by Council for specific matters.

Environment Committee

Statement of Purpose

The purpose of the Environment Committee is as follows:

- To ensure, through appropriate performance monitoring and information receipt, the effective promotion of sustainable management of natural and physical resources of the Region (including science, education and regulatory matters).
- To ensure that, in the management of natural and physical resources account is taken of the principles of the Treaty of Waitangi (Te Tiriti O Waitangi).
- To monitor the implementation and progress of Biosecurity activities within the Region.
- Where delegated by Council, to develop draft Regional plans and strategies, after taking due account of public submissions, for adoption by Council.

Committee Membership

Membership of the Environment Committee consists of five to twelve elected members and sits two-monthly.

This Committee may invite advisers (eg from the rural community and/or Regional Animal Health Committee) to attend relevant portions of the Committee's business.

A quorum will consist of:

- half of the members physically present, where the number of members (including vacancies) is even; and
- a majority of the members physically present, where the number of members (including vacancies) is odd.

Objectives

The operating objectives are:

- Monitor the implementation and progress of integrated management of the natural and physical resources of the Region.
- Oversee (usually through various reporting mechanisms) the implementation of the Resource Management Act by:
 - monitoring the granting of resource consents, with individuals acting as Hearing Commissioners when required;
 - maintaining oversight of compliance by resource consent holders with conditions on their resource consents;
 - promoting non-regulatory methods of implementing resource management policy;
 - monitoring the state of the environment in the Region; and
 - undertaking or supporting investigations necessary to promote sustainable management in the Region.

- Investigate opportunities to promote effective implementation of the Resource Management Act, including delegations and, where appropriate, transfer of functions.
- Monitor the implementation and progress of Biosecurity activities within the Region.
- Monitor the effectiveness of the Council's environmental plans and strategies, and recommend these for review as appropriate.
- Develop policy and plans as delegated by Council (including Regional Plans).

Delegations

The Committee has no general decision-making or financial delegations but from time to time may be given such delegations by Council for specific matters.

Audit, Risk & Investment Committee

Statement of Purpose

The objective of the Audit Risk and Investment Committee is to provide assurance to the Council that the organisation is meeting its responsibilities with respect to:

- Financial accounting and reporting
- Internal and external audit
- Management and internal controls
- Statutory compliance
- Risk Assessment
- Contract processing outside delegation of Chief Executive
- Monitoring and reporting function to Council on Port investments

Membership

- The Audit Risk and Investment Committee shall be a committee of the Council.
- The Audit Risk and Investment Committee shall be appointed by the Council from among Council members and shall consist of three members, plus the chairperson and deputy chairperson of the Council.
- A quorum shall be three members, one of whom shall be the Committee Chairperson or Deputy Chairperson.
- The Council shall appoint the Chairperson of the Audit Risk and Investment Committee who should normally not be the Council Chairperson.
- The Group Manager Corporate and Governance Support will be the reporting officer, but the Chief Executive will remain ultimately responsible for executing instructions of the Committee, acting on the authority of Council.
- The majority of Committee members should have strong financial and business skills.

Operating Principles

- The Committee shall have the right to go in committee when necessary.
- The Committee chairperson shall call a meeting of the Audit Risk and Investment Committee if so requested by any Audit Risk and Investment Committee member, the Council, or the external auditors.
- Meetings will be held no less than three times per year.
- The Committee shall meet at least once per year with both the internal and the external auditors. For at least a part of each meeting of the Committee at which internal and/or external auditors are present, the Committee shall meet with the auditors with no employees of the Council present.
- The Committee shall report to the Council in the normal manner of committee reports or as specified or requested by the Council.
- The committee has the authority to seek any information it requires from any officer or employee of the Council and is authorised to take such independent professional advice, as it considers necessary, for the account of the Council.

- While the Council does not, at present have the power to select its external auditors, the Committee shall nevertheless monitor the performance of, and ensure the independence and objectivity of, the external and internal auditors. Council, on the recommendation of the Committee, is to agree to any proposed change in internal auditors, and the internal auditors may not be removed from their position without the express consent of the Committee.
- The internal and external auditors shall be permitted to contact the Chairman of the Committee at any time, and no factors are to exist that would inhibit or deter internal or external auditors from communicating directly with the Chairman of the Committee or with each other if, in their opinion, this became necessary or desirable.
- The Committee chairperson shall call a meeting when there are Port investment issues to consider.

Responsibilities

The duties of the Audit Risk and Investment Committee are as follows:

- Periodical review of the accuracy of the Chief Executive's operational and financial reporting to the Council.
- Liaison with external and internal auditors.
- Review of the annual audit plan with the auditors.
- Review of audit findings and the annual financial statements.
- Oversight of compliance with statutory responsibilities relating to accounting policies, financial reporting, and other disclosure.
- Monitor the Council's compliance with other relevant legislation.
- Ensuring that Council's policy on contracts, tenders, and significant expenditure complies with relevant legislative and procedural requirements.
- Consideration of any special contractual purchases as delegated by the Council or Council committees.
- Review and assess the Council's risk management programme and framework.
- Confirm that the Council has policies and systems in place to govern, monitor and control adequately the Council's material risks (financial, business, and operational) and ensure that those systems are applied.
- Periodic monitoring of corporate risk assessment, particularly financial risk, and the internal controls instituted in response to such risks.
- Conducting or managing the carrying out of audits in other areas of organisational activity against Council stated criteria as requested by Council.
- Consideration of any contracts submitted by the Chief Executive.
- Consideration of any special contractual purchases as delegated by the Council.
- Act as the Regional Passenger Transport Tendering Authority (for contracts above \$400,000 [GST exclusive]).
- Meet with the Greater Wellington subcommittee (Port Investments Limited), as required, to oversee the investments of both Councils in CentrePort Limited to ensure a consistent governing arrangement by both shareholders.

Delegations

- The Committee has decision-making and financial delegations for contracts of up to \$1,000,000 (GST exclusive) but may, where considered appropriate, refer any such contracts to Council for final approval.
- Except as implied by the operating principles and responsibilities, and the delegation relating to contracts outlined above, the Committee has no general decision-making or financial delegations, but from time to time may be given such delegations by Council for specific matters.

Regional Transport Committee

Statement of Purpose

To plan and promote the establishment of an affordable, integrated, safe, responsive and sustainable land transport system for the Manawatu-Wanganui Region.

To undertake Horizons Regional Council's various responsibilities under the Land Transport Management Act 2003 and any other Act.

Committee Membership

Requirements for membership and voting rights for committee members are specified under Section 105(2) of the Land Transport Management Act 2003.

The Committee consists of the following members appointed by Horizons Regional Council:

- Two Regional Councillors, one of whom is Chairperson of Council who will be Chairperson of Committee, and a Councillor. The Substitute Chairperson will be the Deputy Chairperson of Council (with voting rights) but will not be a member of the Committee.
- Seven members representing Territorial Authorities (one from each Territorial Authority in the Region). Deputy members attending a meeting will have voting rights.
- One member representing the New Zealand Transport Agency.
- A quorum will consist of: (Advisory Membership is not included as part of the quorum).
 - half of the members physically present, where the number of members (including vacancies) is even; and
 - a majority of the members physically present, where the number of members (including vacancies) is odd.

Advisory Members and Bodies

- The Regional Advisory Group¹
- Advisory members representing land transport user groups appointed formally to the committee, but attending on an 'as required' basis.
- With endorsement from the Chair, advisory memberships may have the provision of rollover at the new triennium.

Functions of the Committee

1. As defined in the Land Transport Management Act 2003, the statutory functions of the Regional Transport Committee are to:
 - i Prepare a regional land transport plan, or any variation to the plan, for the approval of the relevant regional council;
 - ii Provide the regional council with any advice and assistance the regional council may request in relation to its transport responsibilities.

¹ Comprised of the technical transport officers from Horizons Regional Council, the seven district/city councils and New Zealand Transport Agency and is administered by Horizons Regional Council.

Other operating objectives:

2. To provide a forum for the discussion of land transport issues of regional significance, and promote comprehensive and region-wide involvement.
3. To provide regional advocacy on transport issues to central government, funding agencies and other transport stakeholders.
4. To prepare regional submissions and make recommendations on transport matters to central government and other agencies, as required.
5. To actively liaise and consult with territorial authorities and other stakeholders to ensure efficient and effective land transport planning.
6. To promote the implementation of the Regional Land Transport Plan and oversee the development and implementation of any special projects or investigations set out within it.
7. To promote road safety in the region.
8. To promote a regional approach to transport planning.

This Committee meets as required, but not less than every three months.

Delegations

The Committee has delegated authority as follows:

- i. to appoint subcommittees or working groups if required; and
- ii. to undertake all statutory functions and operating objectives listed above.

Passenger Transport Committee

Statement Of Purpose

The purpose of the Passenger Transport Committee of Horizons Regional Council is to plan, implement, monitor and review the region's passenger transport services.

Committee Membership

The Committee consists of:

- a minimum of five regional councilors (with at least one member being from the Palmerston North and Whanganui constituencies);
- a quorum will consist of: (Advisory Membership is not included as part of the quorum).
 - half of the members physically present, where the number of members (including vacancies) is even; and
 - a majority of the members physically present, where the number of members (including vacancies) is odd.

Advisory Membership

Advisory members represent the region's territorial authorities, appointed formally to the Committee, but attending on an 'as required' basis. Advisory members do not have voting rights.

- one member appointed by the council to represent Horowhenua District Council
- one member appointed by the council to represent Manawatu District Council
- one member appointed by the council to represent Palmerston North City Council
- one member appointed by the council to represent Rangitikei District Council
- one member appointed by the council to represent Ruapehu District Council
- one member appointed by the council to represent Tararua District Council
- one member appointed by the council to represent Whanganui District Council

The Committee meets as required, but generally three times a year.

Objectives

The operating objectives are:

1. To investigate passenger transport needs as requested by the Regional Council and other parties.
2. To prepare the regional public transport plan (as required by the Land Transport Management Act 2003) for approval by the Regional Council.
3. To provide advice to the Regional Council on funding policy for passenger transport services in the region.
4. To manage the provision of passenger transport services and undertake a programme of service monitoring, promotion and review.

5. To report to the Regional Council on the passenger transport activities contained in the Council's Long-term Plan.
6. To maintain a register of exempt passenger transport services (as required by the Land Transport Management Act 2003).

Delegations

The Committee has delegated authority as follows:

- i. To alter, introduce or cancel passenger transport services where increased financial implications can be met from existing budgets.

Transport staff have delegated authority as follows:

- i. To register exempt passenger transport services as required by the Land Transport Management Act 2003;
- ii. To make minor alterations to passenger transport services, where these alterations will have little implication for current passengers.

Linklater Bursary Subcommittee

Statement of Purpose

The purpose of the Linklater Bursary Subcommittee is as follows:

- To consider applications and select an annual recipient for the Don Linklater Memorial Bursary.
- To monitor progress of students to ensure compliance with bursary award conditions.

Subcommittee Membership

The Subcommittee consists of three Councillors, and one staff member nominated by the Chief Executive.

The Subcommittee meets as required.

Objectives

The operating objectives are:

- To approve applications as meeting the bursary criteria.
- ~~To select one new recipient each year and confirm or otherwise continuation of previous recipients for their second or third year of award.~~
- To select up to two new recipients each year, dependent upon whether the previous recipients continue for a second or third year.
- To monitor the progress of students to ensure compliance with bursary award conditions.
- To ensure Bursary conditions and criteria are meeting the objectives for the award: to honour the memory and work of Don Linklater by encouraging courses of study in fields relevant to the work of Horizons Regional Council.

Delegations

- ~~The Subcommittee is delegated to spend \$4,000 per award; per recipient, in any one year and up to three awards may be in progress with a total commitment of \$12,000.~~
- The Subcommittee is delegated to spend \$3,000 per recipient, in any one year and up to two awards may be in progress with a total commitment of \$6,000 per year.

Manawatu River Users' Advisory Group

Statement of Purpose

The purpose of the Manawatu River Users' Advisory Group is to:

- Facilitate a better understanding among competing river interest groups and users of the Manawatu River and its tributaries.
- Coordinate, on behalf of the Council, the many varied recreational users on the Manawatu River and its tributaries.
- Provide a forum for public consultation on policy and planning issues on the Manawatu River and its tributaries being considered by the Council.

Committee Membership

The Advisory Group consists of one councillor, appointed by the Council from among Council members, and a number of appointed members representing the various parties interested in the Manawatu River.

Objectives

The operating objectives are:

- Promote the effective and efficient allocation of space and time for competing recreational users of the Manawatu River and its tributaries.
- Promote liaison and understanding of the River dynamics between the Council and other stakeholders.
- Monitor the effectiveness of any bylaws affecting the use of the Manawatu River and tributaries, navigation and safety, and promote their application.