

Mayor and Councillors
COUNCIL

4 OCTOBER 2012

Meeting Status: **Public**

Purpose of Report: For Decision

**ESTABLISHMENT OF THE WELLINGTON REGIONAL
AMENITIES FUND**

PURPOSE OF REPORT

- 1 This report outlines the implementation plan for the establishment of the Wellington Regional Amenities Fund (the Fund).
- 2 The report recommends to Council that it endorse the establishment of a Joint Committee to oversee the Fund, agree it's Terms of Reference (refer Appendix 2) and appoint a representative to the Committee.

SIGNIFICANCE OF DECISION

- 3 This report does not trigger the Council's Significance Policy.

BACKGROUND

- 4 The Kāpiti Coast District Council has previously agreed to support the establishment of a Wellington Regional Amenities Fund (the Fund) (Resolution KCDC 12/06/215 refers). Four other councils have also agreed to participate - Wellington, Hutt and Upper Hutt City Councils and Masterton District Council.
- 5 The Fund is intended as a 'top up' funding mechanism for entities that provide regional benefits primarily in the arts, culture and environmental attractions and events sectors. The Fund will ensure that regionally significant entities can be developed or sustained in the Wellington Region to contribute to the Region's quality of life, attractiveness to residents and visitors, and economy.
- 6 The proposal to support the Fund has been incorporated into the 2012 Long Term Plan. Wellington City Council, Hutt and Upper Hutt City and Masterton District Councils have also included funding for the Fund in their 2012 – 22 Long Term Plans. Hutt City and Masterton District Councils have only approved funding for the set up year of the Fund and will consider further funding for subsequent years.
- 7 Appendix 1 sets out the size of the Fund and the forecast contribution of each council over the set-up year and five years of the Fund, with all councils participating including Hutt City and Masterton District Councils. Kāpiti's contribution will be \$48,000 in 2012/13, \$96,000 in 2013/14, \$108,000 in 2014/15, \$120,000 in 2015/16, \$132,000 in 2016/17 and \$145,500 in 2017/18.

CONSIDERATIONS

Issues

- 8 Now that the five Councils have included the funding for the Fund in their 2012 Long Term Plans, the focus is on the implementation phase of the Fund so that it can “go live” on 1 January 2013 (see Appendix 2 letter from Mayor Wade-Brown refers). A cross-council working group, with representatives from participating councils, is now working to finalise arrangements for implementing the Fund.
- 9 It is recommended that a Joint Committee comprising a representative from each of the participating councils should be established by resolution of each Council. The Joint Committee will have responsibility to govern the Fund, consider recommendations and approve successful applications to the Fund. Draft Terms of Reference for Joint Committee are set out in Appendix 2.
- 10 A key step is recruitment of the Fund Manager who will be charged with developing criteria for assessing applications, developing financial systems for the collection and holding of funds and Fund distribution, processing applications for recommendation to the Joint Committee, and setting up communication processes. The position will initially be for a fixed term of up to one year. The Fund Manager will be located in Wellington City Council. The position will be re-evaluated once the Fund is up and running and systems for operating the Fund are in place.
- 11 An early appointment to the position of Fund Manager will ensure the smooth implementation of the Fund and the distribution of funds to successful applicants early in 2013.
- 12 A cross-council Officers Group will also be established with a representative from each of the participating councils to liaise with and support the Fund Manager. In conjunction with the Fund Manager the Officers Group will make recommendations to the Joint Committee and will act as their Council’s point of contact for the Fund.
- 13 The establishment of an independent selection panel which was originally proposed has been reconsidered following the decision by Porirua City and Carterton and South Wairarapa District Councils not to join the Fund. This has also taken the Fund out of the specific ambit of the Mayoral Forum.
- 14 The Fund will be reviewed by all participating councils ahead of the 2013/14 annual plan as a consequence of Masterton District and Hutt City Councils agreeing to apportion funds for the set up year only.
- 15 This is important for participating Councils who have committed funds to see the Fund in operation. It means the Fund can begin supporting regionally significant entities to contribute to the region’s vibrancy, attractiveness and economy.

Legal Considerations

16 There are no legal considerations at this stage.

Delegation

17 The Council has the authority to make decisions on these matters.

Consultation

18 The Wellington Regional Amenities Fund was consulted on as part of the 2012 Long Term Plan.

Policy Implications

19 There are no additional policy considerations. These have been dealt with during the 2012 Long Term Plan process.

Tāngata Whenua Considerations

20 There are no specific iwi considerations at this stage.

Publicity Considerations

21 There is expected be opportunities for publicity further down the track especially when the first Fund allocations are made.

RECOMMENDATIONS

22 That the Council approves the appointment of a joint committee with the other participating Councils, Upper Hutt City Council, Hutt City Council, Wellington City Council, and Masterton District Council, under section 30 (1)(b) of Schedule 7 of the Local Government Act 2002, to be known as the Wellington Regional Amenities Fund Joint Committee (Joint Committee), for the purpose of overseeing the Wellington Regional Amenities Fund (the WRA Fund).

23 That the Council approves the membership of Joint Committee comprising one elected person from each of Upper Hutt City, Hutt City, Kapiti Coast District, Masterton District and Wellington City Council (five in total).

24 That the Council appoint _____ to the Joint Committee as its representative, and appoint _____ as the alternate.

25 That the Council approves the role, delegated responsibilities and operation of the Joint Committee in accordance with the Terms of Reference attached in Appendix 2 to Report SP-12-685.

26 That the Council's contributions to the WRA Fund will be paid to Wellington City Council to be administered in accordance with the objectives of the WRA Fund and the agreed administrative arrangements.

Report prepared by:

Approved for submission by:

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Strategic Projects Manager

**Group Manager Strategy and
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ATTACHMENTS:

Appendix 1: Total forecast Fund size with all participating councils contributing over a six year period (including set-up)

Appendix 2: Letter from Mayor Wade-Brown

Appendix 3: Terms of Reference for the Wellington Regional Amenities Fund Joint Committee

Appendix One: Total Forecast Fund size with all participating councils contributing over a six year period (including set-up)

Council	Average %	2012/13 SET UP \$910,000		2013/14 YEAR ONE = \$1.82 million		2014/15 YEAR TWO = \$2.47million		2015/16 YEAR THREE = \$2.275 million		2016/17 YEAR FOUR = \$2.502 million		2017/18 YEAR FIVE = \$2.730million	
		Dollar Share	Average increase per rateable property	Dollar Share	Average inc per rateable property	Dollar Share	Average inc per rateable property	Dollar Share	Average inc per rateable property	Dollar Share	Average inc per rateable property	Dollar Share	Average inc per rateable property
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Wellington City	66%	594,000	8.01	1,188,000	16	1,336,500	18.02	1,485,000	20.02	1,633,500	22.03	1,782,000	24
Hutt City	21%	195,000	5.08	390,000	10.15	438,750	11.42	487,500	12.69	536,250	13.96	585,000	15.2
Upper Hutt City	6%	53,000	3.3	106,000	6.6	119,250	7.43	132,500	8.25	145,750	9.08	157,500	9.8
Kapiti Coast District	5%	48,000	1.98	96,000	3.96	108,000	4.46	120,000	4.95	132,000	5.45	145,500	6
Masterton District	2%	20,000	1.64	40,000	3.28	45,000	3.69	50,000	4.1	55,000	4.51	60,000	4.9
TOTALS		910,000		1,820,000		2,047,500		2,275,000		2,502,500		2,730,000	

Appendix Two: Letter from Mayor Wade-Brown

APPENDIX THREE

**TERMS OF REFERENCE FOR THE
WELLINGTON REGIONAL AMENITIES FUND JOINT COMMITTEE**

CONTENTS

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4. Status
5. Membership of Joint Committee
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8. Objectives of the WRA Fund
9. Delegated authority
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1. Definitions

- 1.1 For the purpose of these Terms of Reference:

“Act” means the Local Government Act 2002.

“Member” means a local authority that is a participant in the Wellington Regional Amenities Fund, as listed in clause 3.1.

“Representative(s)” means the Mayor or Chairperson or councillor or councillors of a Member, or alternate(s) that have been resolved by the Member authority to be a member of the Joint Committee.

"Wellington Regional Amenities Fund" and "WRA Fund" means the fund established and contributed to by the Members in accordance with their respective Long Term Plan decisions.

“Wellington Regional Amenities Fund Joint Committee” means the Joint Committee appointed by the Members to oversee the development of the Wellington Regional Amenities Fund.

2. Name

- 2.1 The Committee shall be known as the Wellington Regional Amenities Fund (WRA Fund) Joint Committee (Joint Committee).

3. Members

- 3.1 Each of the following local authorities is a Member:
- Kapiti Coast District Council
 - Masterton District Council
 - Hutt City Council
 - Upper Hutt City Council
 - Wellington City Council

4. Status

- 4.1 The Joint Committee is a joint standing committee under clause 30(1)(b) of Schedule 7 of the Act.
- 4.2 In accordance with clause 30(7) of Schedule 7 of the Act, the Joint Committee is not deemed discharged following each triennial election.

5. Membership of Joint Committee

- 5.1 The Joint Committee will comprise [5] persons in total.
- 5.2 Each Member will appoint one Representative, being one elected person, and will also appoint an alternate who may attend and vote at meetings in the absence of the appointed representative. Both the Representative and the alternate must be an elected person from that Member.
- 5.3 Under clause 30(9) Schedule 7 of the Act, the powers to discharge any representative on the Joint Committee and appoint his or her replacement shall be exercisable only by the Member that appointed the representative being discharged.
- 5.4 Each Representative is appointed for a term that expires on the date of the next local government triennial election.
- 5.5 It is the responsibility of each Member of the Joint Committee to ensure that they have a representative available to participate in the Joint Committee, as soon as practicable after their representative is no longer able to represent that Member for whatever reason, with the same delegated functions, duties and powers as their predecessor.
- 5.6 Each Member is responsible for remunerating its Representatives and for the cost of the Representatives' participation in the Joint Committee.

6. Purpose of Terms of Reference

6.1 The purpose of these Terms of Reference is to:

- (a) Define the role and responsibilities of the Joint Committee
- (b) Provide for the administrative arrangements of the Joint Committee.

7. Role and responsibilities of Joint Committee

7.1 The role of the Joint Committee is to govern and administer the WRAF Fund, in accordance with the objectives of the WRAF Fund.

7.2 In performing its role, the responsibilities of the Joint Committee include:

- (a) approval of criteria and priorities for the WRA Fund
- (b) to consider recommendations from the Fund Manager and Officer's Group on applications made to the WRA Fund
- (c) to approve applications for funding.

8. Objectives of the WRA Fund

8.1 Goal

The WRA Fund has been established to support eligible entities of regional significance with day to day operational expenses and new innovative projects that will achieve identified priorities for the region. The WRA Fund is focused on arts, cultural and environmental attractions and events to support and add to the attractiveness and vitality of the Wellington region.

8.2 Scope

The Fund will assist to ensure that regionally significant entities can be developed or sustained in the Wellington region to contribute to the region's quality of life; attractiveness to residents and visitors; and economy.

The Fund is intended to allow funded entities to:

- Focus more on their core business
- Reduce the amount of time spent on securing funding across the region
- Improve their ability to perform on a wider regional basis
- Improve accessibility to their services
- Ensure staffing requirements are met adequately for a fixed term.

8.3 Criteria and Priorities

Applications to the WRA Fund will be assessed against criteria and priorities for the region.

9. Delegated authority

- 9.1 The Members delegate to the Joint Committee, the powers and functions to enable it to perform its role and carry out its responsibilities in relation to the WRA Fund, except those matters reserved under Clause 32 Schedule 7 of the Act, and the appointment of new members to the Joint Committee.

10. Meetings

- 10.1 The New Zealand Standard for model standing orders (NZS 9202: 2001), or any New Zealand Standard substituted for that standard, will be used to conduct Joint Committee meetings as if the Joint Committee were a local authority and the principal administrative officer of the Wellington City Council or his or her nominated representative were its principal administrative officer.
- 10.2 The Joint Committee shall hold meetings at such frequency, times and place(s) as agreed by the Joint Committee for the performance of the functions, duties and powers delegated under this Terms of Reference.
- 10.3 In accordance with Clause 30(9)(b) Schedule 7 of the Act, the quorum shall be half of the members if the number of members (including vacancies) is an even number, or a majority of members if the number of members (including vacancies) is an odd number.

11. Voting

- 11.1 In accordance with clause 32(4) Schedule 7 of the Act, at meetings of the Joint Committee each Member's Representative has full authority to vote and make decisions within the delegations of this Terms of Reference on behalf of that Member without further recourse to that Member.
- 11.2 Each Representative has one equal vote. Decisions will be made by simple majority.

12. Election of Chairperson and Deputy Chairperson

- 12.1 On the constitution or reconstitution of the WRAF Joint Committee the representatives shall elect a Chairperson and may elect a Deputy Chairperson.
- 12.2 The term of office of an appointed Chairperson or Deputy Chairperson ends on the date of the next local government triennial election.

13. Administration arrangements

- 13.1 The administering authority for the Joint Committee is Wellington City Council.
- 13.2 The administrative costs of servicing the Joint Committee will be met within the allocated funding of the WRA Fund.
- 13.3 The WRA Fund Manager (Fund Manager), who will be located at Wellington City Council, will service the Joint Committee and will have the following functions:
- Management and administrative support for the Joint Committee
 - Prepare draft criteria and priorities for the WRA Fund for approval by the Joint Committee
 - Initial assessment of applications
 - Report to the Joint Committee with recommendations
 - Develop and maintain key relationships within the arts, culture and environmental sectors
 - Relationship management with successful applicants
 - Distribution of funds
 - Coordinate the collection, holding and distribution of funds
 - Monitor, evaluate and report on the WRA Fund
 - Research and promotion of the WRA Fund
 - Approve all papers to the Joint Committee and ensure decisions are signed off at critical times.
- 13.4 A cross-council WRA Fund Officers Group (Officers Group) will be established with a representative from each of the Members. The Officers Group will act as their council's point of contact for the WRA Fund, and the Joint Committee. In conjunction with the Fund Manager the Officers Group will:
- Prepare draft criteria and priorities of the WRA Fund
 - Assess applications and make recommendations to the Joint Committee.

14. Funding

- 14.1 Each Member will provide funding to the WRA Fund to the level agreed in their 2012-22 Long Term Plan.
- 14.2 The financial administration of the WRA Fund will be carried out by Wellington City Council on behalf of the Members.
- 14.3 Each Member will be invoiced by Wellington City Council at the establishment of the Fund, and the beginning of each new financial year thereafter, until such time as the WRA Fund is wound up.

- 14.4 Contributions will be specifically tied to the WRA Fund and cannot be used for any other purpose. The funds will be held in an interest bearing money market deposit account.

15. Reporting

- 15.1 All reports to the Joint Committee shall be presented via the Chairperson.
- 15.2 Following each meeting of the Joint Committee, the Fund Manager shall prepare a summary report of the business of the meeting and submit that report, for information to each Member authority following each meeting. Such report will be in addition to any formal minutes prepared by the Administering Authority.

16. Good faith

- 16.1 In the event of any circumstances arising that were unforeseen by the Members or the Representatives at the time of adopting these Terms of Reference, the Members and the Representatives hereby record their intention that they will negotiate in good faith to add to or vary this Terms of Reference so to resolve the impact of those circumstances in the best interests of:

- (1) The Members collectively
- (2) The Wellington regional community represented by the Members collectively.

17. Variations

- 17.1 Any Member may propose a change to the Terms of Reference by putting the wording of the proposed change to a meeting of the Joint Committee for consideration and comment.
- 17.2 Once a proposed change to these Terms of Reference has been considered by the Joint Committee, these Terms of Reference are not amended until each Member adopts the revised Terms of Reference giving effect to the proposed change.
- 17.3 Notwithstanding clause 19.2, the Joint Committee may itself amend the Terms of Reference, where the changes will not materially affect the commitment of any individual Member, or the scope of the Joint Committee's role and responsibilities.

18. Review

- 18.1 In [March] each year, the Fund Manager and the Officers Group will report to the Joint Committee on the operation of the WRA Fund during the financial year to date, and whether the WRA Fund is sustainable for the next financial year. If it is considered that the WRA Fund is not sustainable, the Joint Committee will report back to the Members with a recommended course of action.