

Mayor and Councillors
COUNCIL

11 NOVEMBER 2010

Meeting Status: Public

Purpose of Report: For Decision

APPOINTMENTS TO COUNCIL AND EXTERNAL ORGANISATIONS 2010-2013 TRIENNIUM

PURPOSE OF REPORT

- 1 This report seeks
 - Council's approval of a policy on the appointments to Council and external organisations;
 - Council's appointments to external organisations in accordance with the policy.

SIGNIFICANCE OF DECISION

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

BACKGROUND

- 3 Council organisations are defined as organisations in which one or more local authorities control any proportion of the voting rights or rights to appoint directors. This definition is very wide and draws in many quite small community organisations.
- 4 Under the Local Government Act 2002 (Section 57) the Council is required to approve a policy for the appointment of these positions. This policy includes criteria for deciding which organisations to appoint to, the skills required for these appointments, and the process by which they are made. Council is not required to remunerate its appointees from Council funds. The draft policy is at Appendix A.
- 5 Council Controlled Organisations are best defined as organisations that one or more local authorities control 50% or more of the voting rights or have the right to appoint 50% or more of the directors. The Kāpiti Community Centre Management Committee is the only Council Controlled Organisation that exists within the District.
- 6 There are two organisations for which conditions of their Trust Deed or Will dictate who should be appointed with no further membership for consideration. The appointment to the Kapiti Emergency Medical Services Trust (EMS) is specified as the Mayor in the Trust Deed. The Campe Estate appointment is dictated by the terms of the will of the late Mr Campe as being the Mayor, a

resident Paekākāriki-Raumati Ward Councillor and the Chief Executive. The Council is asked to confirm these appointments.

CONSIDERATIONS

Issues

- 7 Appointments to these external organisations are made for a number of reasons:
- To provide an to encourage coordinated work towards Community Outcomes;
 - To provide a means of monitoring where the Council has made a grant to that body;
 - To enable involvement where the council organisation’s activity is relevant to the Council;
 - To satisfy a request from the council organisation that the Council appoint a representative;
 - Statutory requirements or conditions of, for example, a Trust Deed.

Appointments are generally for a three year term coinciding with the triennium.

- 8 The Council needs to ensure that any person it appoints to an external organisation has the knowledge or experience relevant to the activities of the organisation and is familiar with the relevant Council policy, programmes and activities.
- 9 The following is a list of external organisations that the Council may make one or more appointments to in accordance with the Policy.

| Partnership with Tāngata Whenua | |
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| Te Whakaminenga o Kāpiti | <p>A Memorandum of Partnership and Terms of Reference have been signed. The group acts as a forum for discussion and source of advice to both the Council and Tāngata whenua. The objectives of the group are:</p> <ul style="list-style-type: none"> • to provide a forum for the exchange of views on issues that impact on the social, economic and cultural well being of Tāngata whenua; • for Tāngata whenua to provide advice to Council on resource management policies and plans; • for Council to provide Tāngata whenua with advice on broad resource management policies and plans; • to monitor the effectiveness of the Memorandum of Partnership; • to contribute to monitoring the effectiveness of resource management policies, plans and other policies. <p>Membership of Te Whakaminenga o Kāpiti is made up of the Mayor, two Councillors, and two representatives from each of</p> |

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| | the District's three Iwi. The Chief Executive and senior officers attend in support and provide advice. |
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| Organisations with a Regional Focus | |
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| Regional Land Transport Committee | Established to prepare the Regional Land Transport Strategy and associated regional programme for approval by Greater Wellington Regional Council. On 26 July 2001 the then Council resolved that it endorsed the proposals contained in the Regional Council report 01.436-Review of the Land Transport Committee which suggested in regard to membership that "...the territorial local authority representative should normally be the Mayor or the chair of the relevant committee of the Council". Previously the Mayor and one alternate . |
| Wellington Regional Strategy Committee | A Standing Committee of Greater Wellington Regional Council to oversee work towards building an internationally competitive Wellington. Two appointments required. Around the region this has generally been the Mayor and one alternate. |
| Zone 4 (Local Government New Zealand) | There are six Zones which meet four times a year. The purposes of Zones are to: be an electoral college for the appointment of National Council representatives; be working fora of <i>Local Government New Zealand</i> on a geographic basis; provide an opportunity for two-way communication between these geographic areas and <i>Local Government New Zealand</i> ; provide networking and information-sharing opportunities. The Mayor and Deputy Mayor usually attend meetings and have voting rights. |
| Urban Design Champion | As signatory to the New Zealand Urban Design Protocol (since March 2005) Council appoints a Councillor (and the Sustainable Development Manager). The Protocol proposes a commitment by central government in partnership with local government, developers, investors, and design professionals to improve the quality of towns and cities. One Councillor for appointment . |

| Partnerships with Horowhenua District | |
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| Kāpiti Horowhenua Joint Economic Development Forum | A Joint Committee with Horowhenua District Council to work together on economic issues. Three appointments required, the Mayor and two Councillors . |
| Nature Coast Enterprise | Provides economic development and tourism promotion services for Kāpiti and Horowhenua. Council's appointee need not be an Elected Member. One representative required. |

| Organisation with a Statutory Requirement | |
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| Kāpiti Island Monitoring Committee | Established by Environment Court decision and convened under court order. Two appointments required: one Councillor and one Community Board member from the area (Paraparaumu/Raumati Community Board). The Council has previously delegated to the Board the appointment of the Board member. |

| Organisations with an Environmental Focus | |
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| Friends of the Ōtaki River Group | Established to represent the community in the management and development of the Ōtaki River and its environment. The Terms of Reference provide for Council as the territorial local authority to have one representative on the Group. |
| Friends of the Waikanae River Group | Established to represent the community in the management and development of the Waikanae River and its environment. The Terms of Reference provide for Council as the territorial local authority to have one representative on the Group. |
| Keep New Zealand Beautiful | Council representation on this group is valuable in terms of planning work programmes. One Elected Member to coordinate for these groups is required. |
| Community Liaison Group Paraparaumu Airport Noise Management Plan | The terms of the Management Plan stipulate that a member of the Paraparaumu/Raumati Community Board should be one of the community representatives of the Group. The Group oversees the implementation of the Management Plan. |
| Wellington Regional Waste Forum | Established to increase awareness of environmental issues relating to the management of waste by providing a forum for local authorities to discuss matters and disseminate information. All Councils in the Wellington Region are entitled to full membership of the Agency. One Councillor is required. |

| Organisations with a Council Owned Property Focus | |
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| Paraparaumu College Community Sports Hall Committee | This Committee has two Councillors and two staff as members under a joint management agreement, which is a legal document valid until December 2029. Council is part owner of this property that was established a joint venture between the school and the community. Only one Councillor has traditionally been appointed. |
| Kāpiti Community Centre Management Committee | The Council has one Councillor on the Management Committee. The Council is also responsible for making three community appointments to the committee, none are required at this time. |
| Kāpiti Coast Multipurpose Aquatic & Recreation Centre Trust | This Trust was created to publicly fundraise for the Multipurpose Centre. The Trust must include the Mayor and two Councillors . |

| Organisations which are Contracted to provide Services | |
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| Kāpiti Safer Community Trust | The Council supports the Trust with a Community Contract. The Council is entitled to appoint a representative who need not be an elected member. The role of the Kapiti Safer Community Trust is to manage and promote existing crime prevention programs and encourage the development of new initiatives. |
| Kāpiti Health Group Trust | This is an independent body established to promote public input and debate on health issues and directions. This organisation holds a Community Contract with the Council. The trust deed allows for Council to have a representative (who need not be an elected member) on the Kāpiti Community Health Trust. If Council chooses not to make an appointment, the Trust itself will make an appointment to fill the vacancy. |
| Mahara Gallery Trust | The Trust has a Community Contract with Council to provide gallery and education services and also receives rental support and a one-to-one subsidy to match corporate sponsorship. Council makes one appointment to the Mahara Gallery Trust. The Trust has requested that this be a Councillor . (A Memorandum of Understanding has been signed with the Trust). |

| Organisations which provide a community service | |
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| Kāpiti Emergency Medical Services (EMS) Trust | The Trust Deed provides for the Mayor to be a member. The EMS Trust is a non profit charitable trust, and EMS Team-members work voluntarily to enhance the pre-hospital care of trauma and medical patients within the Kapiti region with respect to area's relative geographical isolation from base hospital facilities. |
| Campe Estate Subommittee | The Committee distributes funds from the Campe Estate to organisations that provide services which support the young people of Paekākāriki. The terms of the will require the Mayor, a resident Councillor and the Chief Executive to form the Committee. |

| Organisations with an Education Focus | |
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| Te Mana Whakahaere o Te Wananga o Raukawa | Incorporated in August 1984, the Wananga was established by the Raukawa Marae Trustees to give formal recognition to their Centre of Higher Learning. Membership of Te Mana Whakahaere o Te Wananga o Raukawa includes one member nominated by Council. |

| Other Organisations | |
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| Road Safety Advisory Group | In consultation with key community organisations, this Group provides Council with advice on priorities for road safety coordination in the District and on new areas of consultation with the community on road safety matters. Two Councillors for appointment |
| Kapiti Cycleway, Walkway and Bridleway Advisory Group | This is a voluntary group made up of relevant community groups which advises on priorities for cyclist, walking and equestrian matters on the Kāpiti Coast with reference to implementing the Cycleway, Walkway and Bridleway Strategy. The Mayor and one Councillor for appointment. |

Financial Considerations

- 10 The Council does not specifically remunerate the directors it appoints to council organisations. The remuneration of directors by the council organisation is a matter for the organisation concerned.

Legal Considerations

- 11 Section 57 of the Local Government Act 2002 concerns the appointment of directors:

(1) A local authority must adopt a policy that sets out an objective and transparent process for-

- a. The identification and consideration of the skills, knowledge, and experience required of directors of a council organisation; and*
- b. The appointment of directors to a council organisation; and*
- c. The remuneration of directors of a council organisation.*

(2) A local authority may appoint a person to be a director of a council organisation only if the person has, in the option of the local authority, the skills, knowledge or experience to-

- a. Guide the organisation, given the nature and scope of its activities; and*
- b. Contribute to the achievement of the objectives of the organisation.*

Delegation

- 12 Council has not delegated this matter to any other body.

Publicity Considerations

- 13 There may be public interest in the council appointments.

RECOMMENDATIONS

- 14 That Council approves the Policy on the Appointment of Directors of Council Organisations, as at Appendix 1 of report CCI-10-1033.
- 15 That the Council confirms the appointment of the Mayor to the Kāpiti Emergency Medical Services Trust for the 2010-2013 triennium.
- 16 That the Council confirms the appointment of the Mayor, Cr Hilary Wooding and the Chief Executive to the Campe Estate Trust.
- 17 That the Council makes appointments to external organisations as follows:

| | Name of organisation | Recommended appointees for 2010-2013 Triennium |
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| 1 | Te Whakaminenga o Kāpiti | Mayor + Cr..... + Cr |
| 2 | Regional Land Transport Committee | Mayor + Cras alternate |
| 3 | Wellington Regional Strategy Committee | Mayor + Cras alternate |
| 4 | Zone 4 (Local Government NZ) | Mayor + Deputy Mayor |
| 5 | Urban Design Champion | Cr..... |
| 6 | Kāpiti Horowhenua Joint Economic Development Forum | Mayor + Cr.....+ Cr..... |
| 7 | Nature Coast Enterprise | Representative |
| 8 | Kāpiti Island Nature Lodge Monitoring Committee | Cr..... + Community Board Member |
| 9 | Friends of the Ōtaki River | Representative |
| 10 | Friends of the Waikanae River | Representative |
| 11 | Keep NZ Beautiful | Cr..... |
| 12 | Community Liaison Group Paraparaumu Airport Noise Management Plan | Community Board Member |
| 13 | Wellington Regional Waste Forum | Cr..... |
| 14 | Paraparaumu College Community Sports Hall Committee | Cr..... |
| 15 | Kapiti Community Centre Management Committee | Cr..... |
| 16 | Kāpiti Coast Multipurpose Aquatic and Recreation Centre Trust | Mayor + Cr..... + Cr..... |
| 17 | Kapiti Safer Community Trust | Representative |
| 18 | Kapiti Health Group Trust | Representative |
| 19 | Mahara Gallery Trust | Cr..... |

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| 20 | Kāpiti Emergency Medical Services (EMS) Trust | Mayor |
| 21 | Campe Estate Subcommittee | Mayor + Cr Wooding + Chief Executive |
| 22 | Te Mana Whakahaere o Te Wananga o Raukawa | Cr..... |
| 23 | Road Safety Advisory Group | Cr..... + Cr..... |
| 24 | Cycleway, Walkway, Bridleway Advisory Group | Cr..... |

Report prepared by:

Approved for submission by:

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ATTACHMENTS:

Appendix A – Policy on the Appointment of Directors of Council Organisations

APPENDIX A

Policy on the Appointment of Directors of Council Organisations 2010-2013

The Council will use the following criteria for considering whether or not it should appoint a director or directors to any organisation:

- a) Does the organisation allocate significant Council funding within the community?
- b) Does the organisation coordinate the activity of particular sectors or groups within the community in an area that is significant to the achievement of Councils own goals or Community Outcomes?
- c) Does the organisation have a relevance to the future social, environmental, economic and cultural wellbeing of the District?
- d) Are there any other ways or initiatives that the Council might take to coordinate or establish organisations that advance the Councils strategic goals and Community Outcomes?

Skills & Experience Required

The Council will ensure that any person that it appoints to be a director of a council organisation will have the knowledge, skills and experience relevant to the activities of the organisation and be familiar with Council policy, programmes and activities relevant to the organisation. For appointments to organisations with an annual turnover of \$500,000 or greater particular attention will be given to these criteria with a particular emphasis on skills and experience.

Appointments will generally be made by the Council at the beginning of the triennium although vacancies and new council organisations may be considered during the triennium. Any future appointments made by the Council will have regard to the criteria specified in this policy.

Remuneration

The Council does not remunerate the directors it appoints to council organisations and the remuneration of the directors by the council organisation is a matter for the organisation concerned.

These recommendations are based on practice over the last triennium and/or the special requirements of the organisation such as the dictates of its trust deed.