
REPORT 2

PORIRUA HARBOUR AND CATCHMENT JOINT COMMITTEE

1. Purpose of report

This report informs the Council on the Joint Porirua Harbour and Catchment Committee. The term of reference, the committee's delegations and appointments to the committee need to be approved by Council.

2. Executive summary

The 'Porirua Harbour and Catchment Strategy and Action Plan' (the Strategy) aims to address the key issues facing the Harbour - excessive sedimentation rates, pollutants and ecological degradation.

The governance arrangements for implementing, monitoring and reviewing the strategy could be significantly enhanced with interagency governance coordination.

A new joint Porirua Harbour and Catchment Committee, with recognised statutory interests in the harbour and its catchment, has been proposed by the Mayor and Chairs of the stakeholder partners.

The Committee will be responsible for overseeing, supporting, and monitoring progress toward achieving the Strategy. The Strategy is reported on annually to feed into the annual report round. Terms of reference (attached as appendix one), the committee's delegations and appointments to this committee need to be approved by the Council.

Porirua City Council have agreed the terms of reference and made its appointments at its meeting 22 May 2014. Greater Wellington Regional Council will consider the terms of reference and make appointments at its Council meeting later in June 2014.

3. Recommendations

Officers recommend that the Council:

1. *Receive the information.*
2. *Agree the Porirua Harbour and Catchment Joint Committee Terms of Reference and the delegations outlined in the terms of reference that are included as appendix one.*

3. *Note Porirua City Council has agreed the terms of reference and made its appointments at its meeting 22 May 2014. GWRC will consider the terms of reference and make appointments at their Council meeting on June 26th 2014.*
4. *Agree to appoint one Wellington City Councillor, as the Wellington City appointee to the Joint Committee.*
5. *Agree in accordance with clause 30(7) Schedule 7 of the Local Government Act, that the Porirua Harbour and Catchment Joint Committee is not deemed to be discharged following each triennial election.*

4. Background

Porirua City Council with Greater Wellington Regional Council, Wellington City Council and Ngati Toa Rangatira, represented by Te Runanga o Toa Rangatira, are the key stakeholders of the Porirua Harbour and Catchment Strategy and Action Plan (the Strategy).

The Strategy was officially launched in April 2012. Implementation of the identified actions has been occurring collaboratively since. The Strategy is reported on annually.

The Porirua Harbour comprises the Onepoto Arm, the Pauatahanui Inlet and the outer harbour. The harbour catchment includes Porirua Stream, with 70% of Porirua Stream catchment in the Wellington City district.

The Strategy aims to address the key issues facing the Harbour - excessive sedimentation rates, pollutants and ecological degradation –the ‘Big Three’.

5. Discussion

Current Strategy Governance

Progress in implementing the strategy has been reported quarterly to a Strategy Oversight Group of council and runanga officers, and annually to the respective councils.

The experience of the past few years suggests that the governance arrangements for implementing, monitoring and reviewing the strategy could be significantly enhanced. Each council separately receive reports and updates on the strategy implementation. While significant work has and continues to occur at an officer level to coordinate strategy implementation initiatives, at present there is minimal governance collaboration or input in the delivery and review of the strategy.

Limited opportunities currently exist at a governance level to discuss and consider the effectiveness of actions or programmes related to the strategy.

Committee Purpose

Having considered these issues a new joint Porirua Harbour and Catchment Committee with recognised statutory interests in the harbour and its catchment has been proposed by the Mayor and Chairs of the key stakeholders.

The Committee shall have responsibility for overseeing, supporting, monitoring and reporting progress toward achieving the intent of Strategy. As well as representing the interests of its members in the strategy.

The Committee shall meet as required.

It is important for this Council to be represented to ensure governance level collaboration in the delivery of the strategy programmes, including funding recommendations to give effect to the strategy. Representation on the Committee will demonstrate Wellington City Council's commitment of the Strategy's aims of the protection, enhancement and restoration of Porirua Harbour.

Authorising the Committee

The Local Government Act 2002 (Schedule 7 Clause 30) enables Council to establish a governance structure of committees, subcommittees, joint committees or other subordinate decision-making bodies that will assist the Council to effectively perform and fulfil its responsibilities over the triennium.

The terms of reference (appendix one) for the committee have been agreed with the key stakeholders. Now the Council need to approve the terms of reference and make the appointments following the process the terms of reference prescribes.

Porirua City Council has agreed the terms of reference and made their appointments at their meeting 22 May 2014. GWRC will consider the terms of reference and make appointments at its Council meeting on June 26th 2014.

Administrating the Committee

While Porirua City Council will provide the administrative and servicing support for the joint committee, governance costs associated with establishing and running the committee will be covered by each agency within their respective existing governance programmes.

To assist with the continued and smooth functioning of this joint committee across triennial elections, it is recommended that Council resolves that the joint committee is not discharged at the end of each triennium. The partners to the joint committee would however each make new appointments to the committee at the start of each triennium.

5.1 Consultation and Engagement

The Mayor has consulted with the Chairs of the Regional Council and the Te Runanga O Toa Rangatira, and the Mayor of Porirua City Council on the

establishment of the joint committee. The committee's proposed Terms of Reference has been agreed with all parties.

6. Conclusion

A new joint Porirua Harbour and Catchment Committee with recognised statutory interests in the harbour and its catchment is proposed and has agreement of the Mayors and Chair of the Joint Councils.

Improved interagency governance coordination and collaboration on the Strategy is also expected to improve each agencies effectiveness and efficiency in their involvement in this programme.

Contact Officer: Nicci Wood, Senior Advisor, Strategy and External Relations

SUPPORTING INFORMATION

1) Strategic fit / Strategic outcome

The 'Porirua Harbour and Catchment Strategy and Action Plan' (the Strategy) was approved by Wellington City Council in 2012.

2) LTP/Annual Plan reference and long term financial impact

There are no or very minor financial implications associated with this paper. Any changes to existing projects will be put forward to the draft Long term Plan

3) Treaty of Waitangi considerations

The Te Runanga O Toa Rangatira are a key stakeholder in the Strategy

4) Decision-making

This is not a significant decision.

5) Consultation

The committee's proposed Terms of Reference has been agreed with all parties

6) Legal implications

The establishment of the new joint Porirua Harbour and Catchment Committee follows the requirements of the new section 41A of the Local Government Act 2002 which came into force on 12 October 2013.

7) Consistency with existing policy

This report is consistent with policy

Appendix 1

 <p>PORIRUA HARBOUR AND CATCHMENT JOINT COMMITTEE</p>	Authorising Bodies	Porirua City Council; Greater Wellington Council; Wellington City Council
	Status	Joint Committee (PCC; TROTR; GWRC; WCC)
	Title	Porirua Harbour and Catchment Joint Committee
	Approval Date	
	Administrative Support	GM Strategy and Planning, Porirua City Council

Purpose

The purpose of the Porirua Harbour and Catchment Joint Committee (Harbour Committee) is to oversee the development, monitoring, review and implementation of the Porirua Harbour and Catchment Strategy (Harbour Strategy).

NOTE:

It is anticipated that Greater Wellington Regional Council will, within the current triennium, also establish a Porirua Harbour Whaitua (catchment) Committee (PHWC). The PHWC will be a non-statutory advisory body, and will not be a committee under the Local Government Act.

The PHWC will exist alongside the Porirua Harbour and Catchment Joint Committee (Harbour Committee). It is anticipated that appointed members of the Harbour Committee will become members and representatives for their respective organisations on the PHWC.

Membership of the PHWC will also draw from the community. The PHWC will exist with the specific focus of producing a Whaitua Implementation Programme (WIP). The WIP will amongst other matters provide recommendations back to GWRC on the review of regional council planning provisions, and the use of regulatory and non-regulatory tools, relating to the management of land and water resources within the Porirua Harbour catchment.

The Harbour Committee will operate alongside the PHWC retaining its membership and functions specific to overseeing the monitoring, review and implementation of the Porirua Harbour and Catchment Strategy. Outcomes of the WIP process may be integrated with future reviews of the Porirua Harbour and Catchment Strategy.

Status

The Joint Committee is a joint standing committee under clause 30(1)(b) of Schedule 7 of the Local Government Act 2002.

In accordance with clause 30(7) of Schedule 7 of the Local Government Act, the Joint Committee is not deemed discharged following each triennial election.

Specific Responsibilities

The Porirua Harbour and Catchment Joint Committee shall have responsibility for:

1. **Porirua Harbour and Catchment Strategy- monitoring and review:** Overseeing the monitoring and review of the Porirua Harbour and Catchment Strategy and its supporting Action Plan programme.
2. **Monitoring and reporting** to Porirua City, Wellington City and Greater Wellington Regional Council on:
 - a. **Progress toward achieving outcomes** specified within the Harbour Strategy;
 - b. **Implementation, delivery and effectiveness** of agreed programmes and initiatives;
 - c. **Effectiveness and efficiency of interagency coordination** in developing and delivering effective and efficient Harbour Strategy programmes, including options and recommendations for council consideration;
 - d. **Issues arising** concerning harbour and catchment health, and related options and recommendations for council consideration.
3. **Strategy Implementation modifications and refinements:** Providing recommendations on programmes and actions (including modifications or refinements to existing or approved programmes) and related funding and timing matters that are required to support and/or give effect to the Harbour Strategy.
4. **Requesting** reports from Porirua City, Wellington City and/or Greater Wellington Regional Council, as appropriate, on projects and programmes that affect the Harbour, including projects and programmes run by Council Controlled Organisations and other business delivery units of the member organisations of the Committee.
5. **Representing** the interests of its members in the Harbour Strategy.

Delegations

The Harbour Committee shall have the following delegated powers and be jointly accountable to its Authorising Bodies (Porirua City Council, Greater Wellington Regional Council and Wellington City Council) for the exercising of these powers.¹

In exercising the delegated powers, the Harbour Committee will:

- Operate within policies, plans, standards or guidelines that have been established and approved by its Authorising Bodies;
- Operate having regard to the overall priorities of its Authorising Bodies;
- Operate having regard to the needs of local communities; and
- Operate within approved budgets set by its Authorising Bodies.

The Harbour Committee shall have delegated authority to:

1. Recommend to its Authorising Bodies an annual programme, and proposed budget, for consideration in the development of any annual and/or long term plan;
2. Recommend to its Authorising Bodies any significant change/s in budget or scope of any approved annual programme;
3. Recommend organisational contribution toward strategy implementation, including timing, budget, and delivery specifications.

¹ Local Government Act 2002, Schedule 7, Clause 32

The Chairperson of the Harbour Committee shall have delegated authority to:

- Represent the Committee to the media on matters related to the Harbour Strategy.

Members of the Committee shall have delegated authority to:

- Represent their Authorising Body in discussions with other agencies on Harbour Strategy delivery
- Represent their Authorising Body on matters relating to the Harbour Strategy to the media.

Power to Delegate

The Harbour Committee may not delegate any of its responsibilities, duties or powers.

Membership

The Joint Committee will comprise 5 persons in total.

The chairperson and members of the Harbour Committee will consist of:

- 2 elected representatives of Porirua City Council (which shall include the Chair of the Committee to be selected by Porirua City Council);
- 1 elected representative of Wellington City Council
- 1 elected representative of Greater Wellington Regional Council
- 1 representative of Te Runanga O Toa Rangatira

A deputy chair shall be appointed by the Committee once formed.

Each member will, appoint their representative(s) and pursuant to clause 30(9) of Schedule 7 of the Act, retains the power to discharge the member. Each representative is appointed for a term that expires on the date of the next local government triennial election.

Quorum

The quorum at any meeting of the Committee shall be not less than **3 members**, comprising of at least one member from Porirua City Council.

Frequency of Meetings

The Harbour Committee shall meet as required.

Relationships with Other Parties

- Council
- Te Komiti
- Te Runanga O Toa Rangatira
- Greater Wellington Regional Council
- Wellington City Council
- Porirua Harbour and Catchment Community Trust
- Other agencies providing advice or other support to the Strategy

The Porirua City Council Chief Executive will be responsible for servicing and providing support to the Harbour Committee in the completion of its duties and responsibilities.

The Chief Executive generally appoints a General Manager to provide these functions on his/her behalf.

Contacts with Media and Outside Agencies

The Harbour Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Harbour Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of their authorising or representative body on matters outside of the Committee's delegations.

The General Manager of Strategy and Planning (Porirua City Council) will manage the formal communications between the Harbour Committee and its constituents and for the Committee in the exercise of its business.

Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff.

Conduct of Affairs

The Harbour Committee shall conduct its affairs in accordance with the *Local Government Act 2002*, the *Local Government Official Information and Meetings Act 1987*, the *Local Authorities (Members' Interests) Act 1968*, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Porirua City Council Standing Orders, but it should be noted that:

- At any meeting of the Harbour Committee at which no resolutions or decisions are made, the provisions of Standing Orders relating to public access do not apply.
- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Harbour Committee may be held in accordance with Standing Orders.
- The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in *the Local Government Official Information and Meetings Act 1987* s.48.

The Harbour Committee shall record minutes of all its proceedings and present the minutes to each of its members' next available Council meeting following the Committee meeting.

²

² **Induction Programme**

To ensure members have the requisite skills, a compulsory, robust induction programme will be coordinated and provided by Porirua City Council after each triennial election. The following minimum training programmes are recommended for the Porirua Harbour and Catchment Joint Committee members:

- In house training and site visits