

**REPORT 2**

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**APPOINTMENTS TO COUNCIL ORGANISATIONS,  
COUNCIL ADVISORY GROUPS, EXTERNAL  
COMMITTEES AND OTHER ORGANISATIONS**

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**1. Purpose of report**

This report recommends for Council's approval, representation on and appointment of elected members and officers to:

- Council Organisations
- Council Advisory Groups
- Joint external committees
- Tawa Community Board
- Local Government New Zealand (LGNZ) Zone 4
- Other external organisations.

The appointment of elected members to Council Controlled Organisations and to the committees and subcommittees of Council will be the subject of separate reports to Council.

**2. Executive summary**

Council has the ability and, in some cases, a legal requirement under various Trust Deeds to appoint representatives to Council Organisations, Council advisory groups, external joint committees and other organisations that it has an involvement with through providing funding, strategic partnerships or by invitation. This report sets out officers' proposals in relation to the Council's representation on and the appointment of members to those bodies.

**3. Recommendations**

It is recommended that Council:

1. *Receive the information.*
2. *Agree to appoint Councillor representative(s) to the following Council Organisations:*

<b>Council Organisation</b>	<b>Representation</b>
<i>Creative Communities Local Funding Scheme</i>	<i>Two Councillors can be appointed under the terms of the contract with Creative NZ but in practice only one representative has been appointed in the past</i>

<b>Council Organisation</b>	<b>Representation</b>
<i>NZ International Arts Festival Trust</i>	<i>Mayor*</i>
<i>Porirua Harbour and Catchment Trust</i>	<i>One Councillor</i>
<i>Thomas George Macarthy Trust</i>	<i>Mayor*</i>
<i>Zealandia Guardians</i>	<i>One Councillor</i>

\* *The Mayor is automatically appointed to these positions under the relevant Trust agreement*

3. *Agree that no appointments are made to the following bodies and Council Organisations.*

<b>Council Organisation</b>
<i>Embassy Theatre Trust</i>
<i>Lyall Bay Surf Reef Trust*</i>
<i>Sink F69 Trust*</i>
<i>Wellington Regional 20/20 Communications Trust</i>
<i>Wellington Youth Orchestra Inc*</i>

\* *These organisations will nevertheless remain Council Organisations.*

4. *Agree to appoint a Councillor representative, and an alternate, to the following Council Advisory Groups:*

<b>Council Advisory Group</b>	<b>Representation</b>
<i>Accessibility Advisory Group</i>	<i>One Councillor (and one alternate)</i>
<i>Environmental Reference Group</i>	<i>One Councillor (and one alternate)</i>
<i>Pacific Advisory Group</i>	<i>One Councillor (and one alternate)</i>
<i>Safe and Sustainable Transport Reference Group</i>	<i>One Councillor (and one alternate)</i>
<i>Youth Council</i>	<i>One Councillor (and one alternate)</i>

5. *Agree to appoint a Councillor representative, and an alternate in one case, to the following groups and organisations:*

<b>Other Organisation</b>	<b>Representation</b>
<i>Art Collection Group</i>	<i>One Councillor</i>
<i>Liaison with the Wellington Multi-Cultural Council</i>	<i>One Councillor (and one alternate)</i>
<i>Waste Forum – Wellington Region</i>	<i>One Councillor and one officer</i>

6. *Agree to appoint a Councillor representative, and an alternate, to the following joint external committees:*

- *Regional Transport Committee*
- *Wellington Regional Strategy Committee*
- *Wastewater Treatment Plant and Landfill Joint Committee*
- *Wellington Regional Amenities Fund Joint Committee*

7. *Agree to appoint two Northern Ward Councillors to the Tawa Community Board for the 2013/2016 triennium.*

8. *Delegate to the Tawa Community Board the authority to appoint a Board member as a representative on Camp Elsdon.*

9. *Agree to appoint the Mayor (as presiding delegate) and three Councillors as its representatives to Local Government New Zealand Zone 4.*

10. *Agree that the Councillors appointed to these organisations and advisory groups will report back to an appropriate forum on an annual basis.*

11. *Note that officer appointments have been made by the Chief Executive (under delegated authority from Council) to the following Council Organisations and that these arrangements will continue.*

<b>Council Organisation</b>	<b>Representation</b>
<i>Adam Foundation Trust</i>	<i>Chief Executive *</i>
<i>Hannah Playhouse Trust</i>	<i>One officer</i>
<i>New Zealand Schools of Dance and Drama Premises Management Trust</i>	<i>One officer</i>
<i>Wellington Xiamen Association</i>	<i>One officer</i>

*\* The Chief Executive is automatically appointed under the terms of the Trust*

12. *Note that no remuneration is payable for people appointed to any of the above positions.*

## **4. Background**

### **4.1 Council Organisations**

The Council is represented by elected members and/or officers on the boards of a number of organisations and bodies. The councillor positions were vacated at the end of the 2010/2013 triennium and, if the Council so decides, councillors can be reappointed to them for the duration of the new triennium.

In some cases the appointments are required because of board membership criteria set out in trust deeds or constitutions. These documents may or may not stipulate that appointees must be councillors. In other cases the Council has elected to appoint councillors, usually at the request of the entities concerned.

The Council should note that any entity whose board includes a Council appointee, whether a councillor, officer or external person, is automatically classified a Council Organisation under the Local Government Act 2002. This brings with it performance monitoring obligations involving consideration of the contribution which such an entity makes to the strategic outcomes of the Council.

In the case of entities where such an appointment is at the discretion of the Council, these obligations can be avoided simply by not making the appointment. Where an obligation to appoint exists but that right is not exercised, they cannot be avoided. In the case of the latter, a change to the relevant trust deed or constitution would need to be executed if the Council wishes to avoid its monitoring obligations.

Officers have reviewed the need for appointments to the organisations that, by virtue of appointments made to them in the last triennium (whether driven by trust deed or other requirements, or made at the Council's discretion), were categorised as Council Organisations. Officers' advice is as follows:

- Table A below lists those Council Organisations where it is being recommended that the Council makes a councillor appointment
- Table B below lists those Council Organisations and other organisations where it is being recommended the Council need not make any appointment
- Table C below lists other bodies and organisations where it is being recommended that the Council makes a councillor appointment
- Table D below lists the Council's Advisory Groups where it is being recommended that the Council makes a councillor appointment
- Table E below lists those Council Organisations where the Chief Executive has delegated authority from Council to appoint Council officers to the positions.

The entities in Tables A and C will automatically become Council Organisations if the recommendations are implemented. Whether those listed in Table B will remain Council Organisations if the Council decides not to make an

appointment depends on the appointment rights that flow (or not) from their Trust Deeds, Rules or Constitutions.

## **4.2 Advisory Groups**

Council has established a number of advisory groups that assist in the policy formulation process in distinct subject areas. The current groups are the Accessibility Advisory Group, Environmental Reference Group, Pacific Advisory Group, Safe and Sustainable Transport Reference Group and Youth Council. These groups generally meet on a monthly basis. It is recommended that a Councillor and an alternate be appointed to each. See Table E below for more detailed information on these groups.

## **4.3 External Committees**

### **Regional Transport Committee**

The Greater Wellington Regional Council (GWRC) has invited Wellington City Council to nominate a representative and an alternate to its Regional Transport Committee (RTC). Membership of the RTC is made up of one person from each territorial authority in the region, a representative from the New Zealand Transport Agency and two representatives from GWRC. The alternative member may attend and vote at meetings of the RTC, but only in the event that the appointed member is unable to attend.

Transport has consistently been rated a key issue for residents in terms of the future of the city, and it remains a critical aspect of what makes a successful city. Representation on the Regional Transport Committee will provide a mechanism for better aligning our strategic objectives in relation to transport. The Committee is administered by the GWRC.

### **Wellington Regional Strategy Committee**

The GWRC has also invited Wellington City Council to nominate a representative and an alternate to its Wellington Regional Strategy Committee (WRS Committee). Membership of the WRS Committee is made up of one member from each territorial authority in the region, one regional councillor and five non-local authority appointees recommended by the local government members. The alternative member may attend and vote at meetings of the WRS Committee, but only in the event that the appointed member is unable to attend.

The Wellington Regional Strategy (WRS) is a project of all nine councils in the Wellington Region. Its goal is to build an internationally competitive Wellington by developing and implementing a vision and an integrated framework to achieve sustainable development. The project has a long term outlook – to the year 2050 with a more detailed focus of action and priority for the next ten to twenty years. The role of the committee is to provide oversight of the strategic direction set out in the WRS, and of specific implementation agencies for economic development, tourism and urban development. The Committee is administered by the GWRC.

## **Wastewater Treatment Plant and Landfill Joint Committee**

The Council also needs to appoint one member and an alternate to the Wastewater Treatment Plant and Landfill Joint Committee with the Porirua City Council (PCC).

The joint committee was established in 2006 when the Joint Services Committee and Porirua Basin Drainage Authority were combined to form a single Joint Committee. The broad purpose of this joint committee is to provide the necessary overview of key infrastructure projects serving catchments across the boundaries of the two Councils. Representation on the Committee is seen as being important in gaining the necessary overview and input to infrastructural issues that may affect long term growth within the urban growth catchment area. The Committee is administered by the PCC.

## **Wellington Regional Amenities Fund Joint Committee**

The Wellington Regional Amenities Fund was established in 2012 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.

The membership of the Joint Committee is made up of one elected member each from the Kapiti Coast and Masterton District Councils and the Hutt, Upper Hutt and Wellington City Councils. Each member council 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 the member authority.

### **4.4 Tawa Community Board**

In its determination dated 3 April 2013, the Local Government Commission stipulated that the following membership would apply for each of its community boards from the date of the 2013 local authority election:

- (a) Makara-Ohariu Community Board will comprise six elected members
- (b) Tawa Community Board will comprise six elected members and two members representing Northern Ward appointed to the community board by the Council.

### **4.5 Camp Elsdon**

Camp Elsdon provides low cost accommodation for youth in a bush environment close to the cities of Porirua and Wellington. It is organised through schools, churches, sports and community groups. Tawa Community Board is one of the core members of Camp Elsdon and it is recommended that

the Council continue to have representation on the organisation through the Board.

#### **4.6 Local Government New Zealand (LGNZ) Zone 4**

Zone 4 is a regional forum developed by LGNZ that enables local authorities to address matters of common interest in the area. Zone 4 comprises all member local authorities within the area bounded by the Wellington Region with the exception of a small portion within the Tararua District.

As a member of Zone 4, Council is required to appoint its representatives for the new triennium. It is recommended that the Mayor and three councillors are appointed as the official Council representatives. All elected members are entitled to attend any meeting of Zone 4.

#### **4.7 Other External Organisations**

Appointments to other external organisations have been judged against criteria including whether:

- representation is a legal requirement
- the Council funds the organisation
- the organisation has significant fit with Council's strategic goals
- there are additional tangible benefits to Wellington City Council/Wellington City.

## **5. Discussion**

### **5.1 Council's Appointment Policy**

All appointments to Council Controlled Organisations and Council Organisations are subject to the Council's Appointments Policy.

Sections of the Policy which affect appointments to Council Organisations include:

- Appointments will be made on the basis of merit and include an assessment of the individual's skills, knowledge and experience as they apply to the entity.
- Subject to trust deed or Constitution requirements, Council will make appointments to Council Organisation boards where there is a benefit to the Council of such an appointment.

## 5.2 Councillor Appointments

Table A lists those Council Organisations where it is recommended that a councillor appointment is made:

**Table A**

<b>Organisation</b>	<b>Activity</b>	<b>Reason for recommendation</b>
Creative Communities Local Funding Scheme	To allocate funding provided by Creative New Zealand for the benefit of community arts in the city of Wellington	The Scheme Agreement with Creative New Zealand allows the Council to appoint up to 50% of the members of the Assessment Committee that considers applications for funding (i.e. up to two members). However the Council has previously appointed one councillor, which is considered consistent with the Council's support for the arts and gives it a say in the distribution of \$100,000+ of government funding.
N Z International Arts Festival Trust	To establish, organise, promote and maintain a Festival of the Arts, to be known as the NZ International Festival of the Arts, for the benefit of the citizens of New Zealand to be centred in Wellington	Under the terms of the Trust Deed (as amended) the Mayor is a member of the Board by virtue of her office so long as she accepts the position. Given the Festival's contribution to tourism, city marketing and events objectives, it is considered appropriate that the Mayor continues on the Board.
Porirua Harbour and Catchment Trust	To promote the sustainable management of Porirua Harbour and its catchment	Porirua Harbour and Catchment Trust is administered by three local authorities (WCC, PCC and GWRC). A representative from each of the three local authorities, the Chairperson of Te Runanga O Toa Rangatira and four community representatives make up the membership of the Trust.
Thomas George Macarthy Trust	The Trust gives grants to charitable or educational organisations operating in the old Wellington provincial district, defined as the area of the North island which is south of Turangi and excluding Taranaki and Hawkes Bay	The Board of Governors comprises those who from time to time hold the following positions: <ul style="list-style-type: none"> <li>• Governor General of New Zealand</li> <li>• Prime Minister of New Zealand</li> <li>• Mayor of Wellington</li> <li>• Roman Catholic Archbishop of Wellington</li> </ul>

<b>Organisation</b>	<b>Activity</b>	<b>Reason for recommendation</b>
Guardians of the Karori Sanctuary	A new Guardians of Karori Sanctuary group was established under the Karori Sanctuary Trust deed (as amended in December 2012) to appoint Karori Sanctuary Trust trustees and to provide advice and to represent stakeholders of the Trust.	The Karori Sanctuary Trust deed requires that the membership of the Guardians of the Karori Sanctuary must include one Councillor, appointed by the Council.

### 5.3 Proposal to make no appointments

Table B lists those bodies and Council Organisations where it is being recommended that the Council need not make any appointment.

**Table B**

<b>Organisation</b>	<b>Activity</b>	<b>Reason for recommendation</b>
Embassy Theatre Trust	To develop, support, encourage and enhance knowledge, awareness and an understanding of cinema and the performing arts in New Zealand with a key objective of securing a property suitable for the Wellington Film Festival	Council representation is by invitation. Ownership of the Embassy Theatre building has now vested in the Council, which has taken over landlord responsibilities from the Trust. The strategic benefit of being represented on the Trust is greatly diminished as a result.
Lyall Bay Surf Reef Trust*	To provide for and encourage a surfing pursuit for youth in Wellington, improve and facilitate aquatic recreation, and enhance environmental protection of the Lyall Bay coastline, through the development of an artificial surf reef in Lyall Bay	Under the Trust Deed, the Council is entitled to request a seat on the Trust. This position has, in the past, been filled by an officer but in recent times the invitation has not been taken up.
Sink F69 Trust*	To create an artificial reef for the benefit of marine ecosystems surrounding the purposefully sunken frigate HMNZNS Wellington, facilitating additional recreation activities created by the attraction of diving and enhancing economic and employment growth by way of increased tourism opportunities	The Council has the option under the Trust Deed to appoint at least one of the trustees but this option has never been taken up. Although the project to sink the F69 has been completed the Trust must continue to exist.

<b>Organisation</b>	<b>Activity</b>	<b>Reason for recommendation</b>
Wellington Regional 20/20 Communications Trust	To address the 'digital divide' by equipping every citizen in Wellington with the information and skills to participate in the knowledge economy, to establish an independent community network, and to undertake community initiatives.	Council officers maintain an overview of the Trust. The Trust receives some funding from the Council, and its performance can be monitored through that regime.
Wellington Youth Orchestra Inc*	To administer and promote the Wellington Youth Orchestra, to present concerts and to provide an orchestral training programme for young musicians	The Society's Constitution provides for the Council to appoint a representative on the Advisory Board. There is no strategic reason to be represented on the Trust. It receives a community grant and its performance can be monitored through that regime.

\* These organisations will nevertheless remain Council Organisations

#### **5.4 Appointments to other organisations**

Table C lists other bodies and organisations where it is being recommended that the Council makes a councillor appointment.

**Table C**

<b>Other Organisation</b>	<b>Purpose/Function of Organisation</b>	<b>Criteria for appointment</b>
Art Collection Group	This group acquires, manages and disposes of art works that the WCC purchases and displays within the council buildings.	The Furnishings Art Collection Policy was approved in April 2001 and it was determined that this group would include one Wellington City Councillor.
Waste Forum – Wellington Region	WCC was a founding member of this group and it provides a forum for Councils to discuss environmental issues and work collaboratively on a region wide projects.	The group is representative of all the Local Authorities in the region. An officer and Councillor from each Local Authority attend quarterly meetings.

#### **5.5 Council Advisory Groups**

Table D lists Council's Advisory Groups where it is being recommended that the Council makes a councillor appointment.

**Table D**

<b>Council Advisory Group</b>	<b>Purpose/Function of Organisation</b>	<b>Criteria for appointment</b>
Accessibility Advisory Group	<p>The AAG will advise the Council on issues that concern people with disabilities in Wellington. The group will respond to issues raised by the Council as well as raise concerns expressed by people with disabilities.</p> <p>The purpose of the group is also to build:</p> <ul style="list-style-type: none"> <li>• people with disabilities' knowledge of Council processes to enable them to participate in Council's decision-making processes</li> <li>• the Council's knowledge of the needs of people with disabilities, and how these can best be resolved.</li> </ul>	The group will have up to 9 members and one Councillor representative (and 1 alternate).
Environmental Reference Group	The role of the Environmental Reference Group is an advisory one. It provides the Council with a sounding board and peer review group on issues relating to the management of the natural environment.	The group will have up to 9 members and one Councillor representative (and 1 alternate).
Pacific Advisory Group	<p>The purpose of the Pacific Advisory Group (PAG) is to:</p> <ul style="list-style-type: none"> <li>• strengthen engagement between Wellington City Council and Pacific nation groups</li> <li>• build the Pacific nation groups' knowledge of Council processes to enable them to participate in Council's decision-making processes</li> <li>• build the Council's knowledge of the needs of Pacific nation groups and how these can best be met.</li> </ul>	<p>The group will comprise:</p> <p>three representatives from Samoa, two each from Nuie, Tonga, Cook Islands, Tokelau, Tuvalu and Fiji and one Councillor representative (and 1 alternate).</p>

<b>Council Advisory Group</b>	<b>Purpose/Function of Organisation</b>	<b>Criteria for appointment</b>
Safe and Sustainable Transport Reference Group	The Safe and Sustainable Transport Reference Group was established to provide Council with a sounding board and a peer review group. It also provides a first line of consultation on issues relating to road safety matters with a primary emphasis on promotion and education.	The group is well represented by a wide range of public agencies and community groups. The group has one Councillor representative (and 1 alternate).
Youth Council	The purpose of the Youth Council is to: <ul style="list-style-type: none"> <li>strengthen engagement between Wellington City Council and young people</li> <li>build young people's knowledge of Council processes to enable them to participate in Council's decision-making processes</li> <li>build the Council's knowledge of the needs of young people and how these can best be met.</li> </ul>	The Youth Council will comprise a maximum of 20 members and 1 Councillor representative (and 1 alternate).

## **5.6 Local Government New Zealand**

In addition to the required appointment of members to Zone 4, nominations have recently been called by LGNZ for various positions on its National Council.

The following people have been declared elected unopposed to those positions:

### **Zone 4 Representative on National Council**

Adrienne Staples, Mayor, South Wairarapa District Council

### **Chair, Metropolitan Sector**

Penny Hulse, Deputy Mayor, Auckland Council

### **Metropolitan Sector Representatives on National Council**

Len Brown, Mayor, Auckland Council

Dave Cull, Mayor, Dunedin City Council

Stuart Crosby, Mayor, Tauranga City Council

## 5.7 Officer Appointments

Table E lists those Council Organisations and bodies where it is being recommended that the Council gives delegated authority to the Chief Executive to appoint an officer.

**Table E**

<b>Organisation</b>	<b>Activity</b>	<b>Reason</b>
Adam Foundation Trust	To promote, stimulate, support and further by way of education, endowment or otherwise the appreciation of the arts, crafts and culture in all their forms and manifestations by the citizens of the city of Wellington and of the surrounding region	Under the Trust Deed, the Council is entitled to appoint one trustee, who must be the Chief Executive of the Council.
Hannah Playhouse Trust	To manage the Hannah Playhouse Theatre (note: not to operate the theatre)	As a result of the Council increasing its ownership interest in the Playhouse building to 44%, the Council's right of representation under the Trust Deed has increased to 3 Board members. There is no strategic reason for such a heavy involvement on the part of Councillors and the nature of the Trust's activities is such that the Council's interest can be managed solely by an officer, who is responsible for property matters.
New Zealand Schools of Dance and Drama Premises Management Trust	To provide suitable and well maintained premises for the New Zealand Schools of Dance and Drama and other similar educational/cultural organisations	It was a condition of a previous Council resolution to give a loan to the Trust for building improvements that the Trust be asked to invite a Council representative on to the Board. It is recommended that an officer assume this appointment role as there is no strategic reason for being involved in the governance of this Trust beyond a landlord/tenant relationship.

<b>Organisation</b>	<b>Activity</b>	<b>Reason</b>
Wellington Xiamen Association	To encourage greater understanding of cross-cultural issues between the Chinese community and other communities in Wellington, through support for, and the development and maintenance of, the Wellington-Xiamen sister city relationship	Under the Association's Rules, the Council is entitled to appoint a councillor and an officer on to the Committee of the Association. The Association relies on funding from the International Relations budget and its performance can be monitored through that regime. It is considered an officer appointment is sufficient to monitor the Council's interest in the activities of the Association.

### **5.7 Consultation and Engagement**

None required.

### **5.8 Financial considerations**

There are no financial considerations.

### **5.9 Climate change impacts and considerations**

There are no climate change impacts or considerations.

### **5.10 Long-term plan considerations**

No long-term plan considerations are required.

## **6. Conclusion**

It is recommended that Council considers the list of Council Organisations, council advisory groups, joint committees and other external organisations and appoints Council representatives as appropriate.

Contact Officer: *Anusha Guler, Manager Democratic Services*

## Supporting Information

### **1) Strategic fit / Strategic outcome**

*This project supports Outcome 1.1: Governance, information and engagement: “We want to involve people and maintain their confidence in our decision-making”*

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

*This project relates to C534: Elections, Governance and Democratic Process.*

### **3) Treaty of Waitangi considerations**

*There is no Treaty of Waitangi considerations.*

### **4) Decision-Making**

*This is not a significant decision.*

### **5) Consultation**

#### **a) General Consultation**

*Not required.*

#### **b) Consultation with Maori**

*Not required.*

### **6) Legal Implications**

*There are no legal implications.*

### **7) Consistency with existing policy**

*This report is consistent with existing Wellington City Council policy.*