

REPORT OF THE CITY MANAGER

1. ESTABLISHMENT OF STANDING COMMITTEES, SPECIAL COMMITTEES AND STANDING SUB-COMMITTEES RR 8669

1. Section 114P of the Local Government Act enables a local authority to appoint such standing committees, special committees and sub-committees as it considers appropriate. In turn committees may appoint sub-committees unless prohibited from doing so by the Council.
2. A committee or sub-committee is subject in all things to the control of the Council and shall carry out its directions. However, the Council cannot rescind or amend any decision made by a committee pursuant to a delegation authorising the making of that decision.
3. All committees and sub-committees are deemed to be discharged on the coming into office of a newly elected Council. The intention of this provision is that at the commencement of each term the Council should look afresh at its committee structure and review the need for subordinate arrangements.
4. It will be necessary for the Council at the present meeting to determine its standing committee structure. It is also desirable that committee membership is resolved at this meeting. If not, a further Council meeting will be urgently required to put membership in place.
5. Customarily the Council appoints the chairperson of each committee. If it fails to do so that power may be exercised by the committee itself. Any committee may from time to time appoint a deputy chairperson to act in the absence of the chairperson.
6. Since its formation in 1989 Council has operated with five to six standing committees. A range of sub-committees, working parties and other arrangements have also from time to time been in place.
7. In 1998 the Council set up a Processes and Structures Working Party “to undertake a review of Council processes and structures to identify any areas for change which may lead to improvement for the next term of the Council”. That Working Party began with advice from a report by the City Manager and then conducted meetings, prior to reporting back to Council in September 1998.
8. The Working Party agreed on the following principles as a guide to the division of responsibilities of Standing Committees:
 - (i) *Each of the significant activities as they appear in the 1998 edition of the Christchurch City Council Plan should be the responsibility of one Standing Committee, that is a significant activity should not be split between two or more Standing Committees.*

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- (ii) *Council wide processes (including public accountability) should be the responsibility of the Strategy and Resources Committee.*
 - (iii) *It is highly desirable to have not more than six Standing Committees (including Strategy and Resources) for practical and timetabling reasons. With a monthly Council cycle five Standing Committee meetings can be held one per day for the week before the Strategy and Resources Committee Monday meeting.*
 - (iv) *Standing Committees should not, within their terms of reference, have a mixture of regulatory and non-regulatory responsibilities.*
 - (v) *In dividing the significant activities between Standing Committees they should be grouped into thematic areas.*
 - (vi) *While acknowledging that workloads will never prove to be equal, they should be balanced as much as possible.*
 - (vii) *Each Standing Committee should have a membership of around eight Councillors (plus the Mayor ex officio). This gives sufficient numbers to provide for a range of perspectives while keeping the committee small enough for effective working.*
 - (viii) *Ideally each Councillor should be on two committees only.*
 - (ix) *Strategy and Resource Committee should have responsibility for Council wide processes, and therefore should include in its membership the chairperson of the other committees.*
9. In my opinion - and that of my senior colleagues - the structure recommended by the working party would serve the Council well. Inherent in the proposal is the concept of a larger proportion of business being conducted at standing committee level rather than by sub-committees.
10. Appointment of other committee sub-committees such as the Co-ordinating Committee for Traffic Safety and the Creative Committee Assessment Panel will be considered in the December 1998 round of meetings. Joint Standing Committees with the Canterbury Regional Council and other Canterbury territorial authorities will also be appointed at a subsequent meeting.
11. The delegations recorded were those made by the Council in its 1995-98 term.
12. Regarding resource management issues there is a need to establish a Council Hearings Panel (comprising all Councillors and Community Board Members) dealing with day to day hearings matters on a range of subjects in the same way that the former Resource Management Hearings Panel dealt with these matters. It is considered that the title "Council Hearings Panel" better reflects the breadth of this Committee's delegations which now go beyond purely resource management issues.

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The Legal Services Manager advises there is a need to reconstitute the former City Plan Hearings Committee (and as recommended by the former Council at its meeting on 23 September 1998) with the same membership as in the last term of the Council so that that Committee can:

- (a) Make its recommendations to the Council concerning the submissions and further submissions on the City Plan. It is anticipated that this may occur at a Council meeting to be held in December this year.
- (b) Complete some hearings on the City Plan which have not yet concluded. For example, the hearing on Montgomery Spur was adjourned pending the outcome of the Council's application for a declaration from the Environment Court on Montgomery Spur.

It is not anticipated that this Committee would need to meet throughout the full term of this Council. Regarding the appointment of non-councillors to that Committee s.114R of the Local Government Act authorises the Council to appoint a non-councillor to a committee, if, in the Council's opinion, that person has knowledge that will assist the work of the Committee.

It is also considered appropriate that a standing committee (to be called the Resource Management Committee) be appointed comprising Councillors to meet as required to:

- (a) consider proposed new variations to the City Plan and make recommendations to the Council;
- (b) to agree to consent orders on behalf of the Council with regard to appeals arising out of the Council's decisions on the City Plan submissions.
- (c) to monitor the implementation of the City Plan on an ongoing basis.

This Committee would meet throughout the term of this Council. It would be appropriate for the City Plan Hearings Committee and the Resource Management Committee to have the same chair.

- 12. The Special Committees and Standing Sub-Committees are of an administrative nature dealing with elements of Council business where a quasi judicial function is being exercised or where time does not permit a matter to be referred to the Council for decision.

- Recommendation:**
- 1. That pursuant to sections 114P, 114Q and 114R of the Local Government Act 1974 the following standing committees be established and their terms of reference defined as attached at Appendix 1 and the Council make the delegations set out in Appendix II:

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- Strategy and Resources Committee
 - Environment Committee
 - Community Services Committee
 - City Services Committee
 - Projects and Property Committee
 - Parks and Recreation Committee
 - Council Hearings Panel
 - City Plan Hearings Committee
 - Resource Management Committee
2. That the chairperson and member of each committee be appointed according to the list to be tabled by the Mayor:
- Strategy and Resources Committee
Environment Committee
Community Services Committee
City Services Committee
Projects and Property Committee
Parks and Recreation Committee
Council Hearings Panel
City Plan Hearings Committee
Resource Management Committee
3. That pursuant to section 114P of the Local Government Act 1974 the following special committees be established and the Council make the delegations set out in Appendix III:
- Recess Special Committee
 - Special Committee - Control of Public Places/
Fencing of Swimming Pools
4. That pursuant to section 114P of the Local Government Act 1974 the following standing sub-committees be established with the terms of reference/delegations as set out in Appendix IV:
- Maori Liaison Sub-Committee
 - Legislation Sub-Committee
 - City Manager Liaison Sub-Committee
 - Audit Sub-Committee
 - Metropolitan Funding Sub-Committee