

## HAWKE'S BAY REGIONAL COUNCIL

Wednesday 26 March 2008

### SUBJECT: PORTFOLIOS

#### INTRODUCTION:

1. The purpose of this paper is to confirm the Terms of Reference and Portfolio Holders, as shown in Appendix 1.

#### COMMENT:

2. An outcome of the Strategic Planning Workshop held on 25 and 26 February 2008 was the establishment of a Portfolio structure for the strategic areas that Council has identified at that workshop.
3. Portfolio holders for each strategic area were identified at the workshop and further discussion took place at a workshop on Thursday 13 March 2008. A draft Terms of Reference was also considered at the latter workshop.
4. The Terms of Reference has been refined since the workshop to incorporate further staff feedback and councillor comment.
5. The Sustainability portfolio requires further discussion as to what it means for the Council so it is not appropriate to assign a Councillor to that portfolio at this stage.

#### DECISION-MAKING PROCESS:

6. Council is required to make a decision in accordance with Part 6 Sub-Part 1, of the Local Government Act 2002 (the Act). Staff have assessed the requirements contained within this section of the Act in relation to this item and have concluded the following:
  - 6.1. Sections 97 and 98 of the Act do not apply as these relate to decisions that significantly alter the service provision or affect a strategic asset.
  - 6.2. Sections 83 and 84 covering special consultative procedure do not apply.
  - 6.3. The decision does not fall within the definition of the Council's policy on significance.
  - 6.4. An alternative option is not to have a portfolio structure. They are however aligned to the strategic goals and it would provide more effective governance input into issues based around interests.
  - 6.5. The regional community are not directly affected by the establishment of a portfolio structure within Council.
  - 6.6. Section 80 of the Act covering decisions that are inconsistent with an existing policy or plan does not apply.
  - 6.7. Council can exercise its discretion under Section 79 (1) (a) and 82 (3) of the Act and make a decision on this issue without conferring directly with the community or others having given due consideration to the nature and significance of the issue to be considered and decided, and also the persons likely to be affected by or have an interest in the decisions to be made.

#### RECOMMENDATIONS:

1. That Council:
  - 1.1. Agree that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the

decision due to the nature and significance of the issue to be considered and decided.

**1.2.** Confirm the Portfolio Holder for each strategic area as follows:

Portfolio	Portfolio Holder	Staff Contact
Water Futures	Christine Scott	Murray Buchanan / Helen Codlin
Renewable Energy	Tim Gilbertson	Murray Buchanan / Helen Codlin
Regional Infrastructure (including biofuels)	Kevin Rose	Mike Adye / Helen Codlin
Land Use Change	Ewan McGregor	Murray Buchanan / Helen Codlin
Climate Change	Liz Remmerswaal	Mike Adye
Sustainability	<i>To be assigned further discussion as to definition and scope</i>	Helen Codlin
Regional Futures Scenarios	Eileen Von Dadelszen	Helen Codlin
Investment Strategy	Alan Dick	Paul Drury
Partnership with Maori	Mike Mohi	Viv Moule
Regional Leadership	Rex McIntyre	Andrew Newman
Open Space	Neil Kirton	Graham Hansen
Economic Development	Neil Kirton	Helen Codlin

**1.3.** Consider and adopt the Terms of Reference, subject to any further changes the Council may make.



**Helen Codlin**  
**STRATEGIC DEVELOPMENT MANAGER**

**Andrew Newman**  
**CHIEF EXECUTIVE**

ENCL: APPENDIX 1 – TERMS OF REFERENCE FOR PORTFOLIO HOLDERS

## COUNCILLOR PORTFOLIOS

### TERMS OF REFERENCE

#### Purpose

The purpose of establishing Councillor portfolios is to:

- Ensure an effective governance input into issues based around interests
- Provide an effective way of advising and informing the Chairman and Council on the issue
- Provide a key Councillor contact for staff seeking informal Council input on the portfolio topic

#### Role of the Portfolio Holder

The role of the portfolio holder is mainly to keep a watching brief on issues surrounding the topic and progress on identified Council actions, and to keep the Chairman and the Council informed on an informal basis. The portfolio holder should liaise with Committee Chairs to ensure consistent political direction and outcomes. The Chairman or relevant Committee Chair remains the Council's spokesperson on the issue.

#### RELATIONSHIPS - GOVERNANCE AND MANAGEMENT

Care must be taken by the portfolio holder not to blur governance with operational matters, and vice versa with staff:

- The portfolio holder may pass on to relevant Senior Managers information that they may consider relevant to that portfolio.
- The portfolio holder may have informal discussions with identified key staff and act as a sounding board for staff
- The portfolio holder may attend seminars and conferences with key staff subject to prior agreement of the Chairman.
- The portfolio holder should be careful to avoid directing staff, noting however that the Council can and should hold the CEO accountable for delivery against agreed goals and objectives.
- The portfolio holder should recognise the workload commitments of the key staff member and that the portfolio area is one part of their responsibilities.

Portfolio	Portfolio Holder	Staff Contact
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