



AGENDA

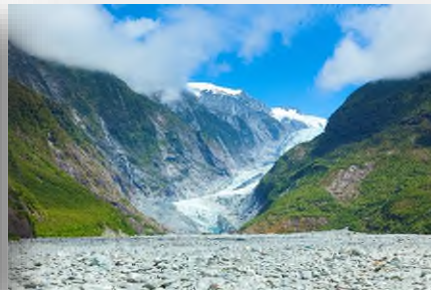
RĀRANGI TAKE

NOTICE OF THE INAUGURAL MEETING OF THE

Council Controlled Organisation Oversight Committee

to be held on **Wednesday, 29 January 2025** commencing at **1 pm** in the Council Chambers, 36 Weld Street, Hokitika and via Zoom

Chairperson:	Stephen Reindler	
Members:	Her Worship the Mayor	Deputy Mayor Cassin
	Cr Burden	Kw Tumahai
	Kw Madgwick	



In accordance with clause 25B of Schedule 7 of the Local Government Act 2002, members may attend the meeting by audio or audio-visual link.

Council Vision

By investing in our people, caring for the environment, respecting the Mana Whenua Cultural heritage, and enabling investment, growth, and development we will enrich our district and the people that reside here.

Purpose

The Council is required to give effect to the purpose of local government as prescribed by section 10 of the Local Government Act 2002. That purpose is:

- (a) To enable democratic local decision-making and action by, and on behalf of, communities; and
- (b) To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

1. INTRODUCTIONS:

1.1 Chairperson

1.2 Mayor and Committee Members

1.3 Board Chair of Destination Westland Ltd and Westroads Limited

2. NGĀ WHAKAPAAHA APOLOGIES

(includes leave of absence notification)

3. WHAKAPUAKITANGA WHAIPĀNGA DECLARATIONS OF INTEREST

Members need to stand aside from decision-making when a conflict arises between their role as a Member of the Council and any private or other external interest they might have. This note is provided as a reminder to Members to review the matters on the agenda and assess and identify where they may have a pecuniary or other conflict of interest, or where there may be a perception of a conflict of interest.

If a member feels they do have a conflict of interest, they should publicly declare that at the start of the meeting or of the relevant item of business and refrain from participating in the discussion or voting on that item. If a member thinks they may have a conflict of interest, they can seek advice from the Chief Executive or the Group Manager Corporate Services Risk and Assurance (preferably before the meeting). It is noted that while members can seek advice the final decision as to whether a conflict exists rests with the member.

4. PŪRONGO KAIMAHI STAFF REPORTS

- Council Controlled Organisation Oversight Committee – Terms of Reference
Lesley Crichton, Group Manager Corporate Services and Risk Assurance

5. ESTABLISH THE MEETING SCHEDULE

6. FUTURE AGENDA ITEMS

6.1 Committee Workplan

**DATE OF NEXT COUNCIL CONTROLLED ORGANISATION OVERSIGHT COMMITTEE MEETING – TBC
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA AND VIA ZOOM**

Report to Committee



DATE: 29 January 2025
TO: Council Controlled Organisation Oversight Committee
FROM: Group Manager, Corporate Services and Risk Assurance

COUNCIL CONTROLLED ORGANISATION (CCO) OVERSIGHT COMMITTEE TERMS OF REFERENCE (TOR)

1. Summary

- 1.1. The purpose of this report is to present the draft CCO Oversight Committee Terms of Reference for adoption.
- 1.2. This issue arises as Council has established a committee to provide oversight on Westland District Councils CCO's.
- 1.3. Council seeks to meet its obligations under the Local Government Act 2002 and the achievement of the District Vision adopted by the Council in June 2024, which are set out in the Enhanced Annual Plan 2024/2025. Refer page 2 of the agenda.
- 1.4. This report concludes by recommending that Committee adopt the Council Controlled Organisation Oversight Committee Terms of Reference, attached as **Appendix 1**.

2. Background

- 2.1 The reason the report has come before the Committee is due to the CCO review carried out by PwC that resulted in the amalgamation of Westland Holdings Ltd (WHL) into Destination Westland Ltd (DWL) as at 30 June 2024, and a new subcommittee of Council being established to provide oversight over the remaining Council Controlled Organisations.

3. Current Situation

- 3.1. The current situation is that the Council adopted the ToR at Council meeting 27 June 2024. The ToR provide the committee with clear instructions of the work that Council require the Committee to undertake.
- 3.2. The ToR were provided to the Independent Chair through the recruitment process. The Elected Members that have been approved by Council to sit on the Committee, have reviewed the ToR as part of the adoption process.

4. Options

- 4.1. Option 1: The Committee adopts the CCO Oversight Committee Terms of Reference.
- 4.2. Option 2: The Committee do not approve the Terms of Reference.

5. Risk Analysis

5.1. Risk has been considered and the following risks have been identified: Strategic risk – The Oversight Committee must have a clear mandate to ensure that Council and ratepayers are provided with information that they can trust to enable an open and transparent relationship.

6. Health and Safety

6.1. Health and Safety has been considered and no items have been identified.

7. Significance and Engagement

7.1. The level of significance has been assessed as being low. The report is administrative in nature.

7.2. No public consultation is considered necessary.

8. Assessment of Options (including Financial Considerations)

8.1. Option 1: That the Committee adopts the CCO Oversight Committee Terms of Reference.

To operate efficiently the Committee must have an adopted ToR.

The ToR were written to address the issues that were raised by Elected Members during the CCO review. These included the perception of a lack of transparency in the business undertaken by the CCO's by Elected Members and the Westland Ratepayers.

The ToR will enable the committee to produce a work plan and provide focus on the actions that Council has delegated the committee to carry out.

It is assumed that the ToR may be required to be changed over time if any further changes are made to the CCO structure or business undertaken by the CCO's, and by adopting the ToR as is now, does not affect the ability to recommend any changes for Council to consider.

8.1.1. There are no financial implications to this option.

8.2. Option 2: That the Committee do not approve the Terms of Reference.

To operate efficiently the Committee must have an adopted ToR.

8.2.1. There are no financial implications to this option.

9. Preferred Option(s) and Reasons

9.1. The preferred option is Option 1.

9.2. The reason that Option 1 has been identified as the preferred option is that it provides the Committee with a clear outline of the expectations of the work that Council expects the Committee to undertake. Without ToR's there is no direction for the Committee to work towards.

10. Recommendation(s)

10.1. That the report be received.

10.2. That Committee adopt the CCO Oversight Committee Terms of Reference.

Lesley Crichton

Group Manager, Corporate Services and Risk Assurance

Appendix 1: Council Controlled Organisation Oversight Committee Terms of Reference.



TERMS OF REFERENCE FOR THE COUNCIL CONTROLLED ORGANISATION OVERSIGHT COMMITTEE

Title	Council Controlled Organisation Oversight Committee
Authorising Body	Mayor/Council
Status	Standing Committee
Quorum	Chair plus 2 members (must include 1 Councillor)
Adopted by Council	27 June 2024 & Amended 28 November 2024
Administrative Support	Chief Executive Office

This document outlines the Terms of Reference for the Council Controlled Organisation Oversight Committee.

The Chief Executive will be responsible for coordinating agendas and be the principal point of contact for committee members.

1. Purpose

The purpose of the Council Controlled Organisation Oversight Committee is to have a general overview of the strategy, direction and priorities of the Council Controlled Organisations, and monitor the performance and delivery on strategic outcomes of Council Controlled Organisations by:

- Review of CCO strategy documents
- Review of Statement of Intents
- Recommending to Council on the content of annual letters of expectations
- Monitor performance of each of the organisations
- Promoting a culture of openness and continuous improvement.

2. Responsibilities

Review of Strategy documents

- Ensure that the strategy documents align with Council direction and policy.
- Making recommendations to Council regarding approval of strategic plans and business plans.
- Review CCO requests for major transaction approval and recommend appropriate actions by Council.
- Monitor performance and risks related to the delivery of strategic outcomes.

Statements of Intent

- Recommend to Council on the content of the annual letters of expectations to each CCO.
- Review draft Statement of Intents (Sol) to ensure that the Sol provides clarity and direction for both the CCO's and Council.
- Recommendation of adopting of Sol's to Council.

Accountability and monitoring

- Review of Sol and recommending adoption to Council.
- Review of the CCO Annual Report, which must include a comparison of its actual and intended performance (as set out in its statement of intent) and audited financial statements and recommending adoption to Council.
- Review of half-yearly report for shareholders on the operations during the half year including information required by its Sol and financial information.
- Review of quarterly management accounts.

Director appointments and board evaluations

- Identify director appointments that have the requisite skills, knowledge and experience for the respective CCO board in line with the Council Controlled Organisation Director Appointment Policy.
- Make recommendations to Council for the appointment.
- Carry out director reviews and board reviews.
- Review remuneration and make recommendations to Council.

Other Matters

- Report half-yearly to Council on the performance against financial and non-financial KPI's as required in the Sol.
- Review CCO policies and suggest relevant changes.

3. Delegated Authority

- To appoint a specialist consultant or recruitment advisor to assist with shortlisting suitable candidates if required.
- To reappoint suitable directors without further approval from Council.

The CCO Oversight Committee can recommend to Council

- Recommendations as to the content of letters of expectation.
- Approval of strategic plans.
- Adoption of Statement of Intents.
- Adoption of Annual Reports.
- Appointment of suitable director appointments.
- Remuneration changes.

Power to delegate

The CCO oversight committee may not delegate any of its responsibilities, duties or powers.

4. Committee Meetings, records and reporting structure

- The committee will meet at least quarterly in each financial year.
- One meeting must consider the CCO's draft annual report prior to adoption of the annual reports by Council.
- Minutes of the committee be presented to the Council for its consideration.
- Report to the Council at least twice a year on the performance of the CCO's.
- The committee will be attended by a representative of External Audit for one meeting each year.

Role of Chair

The role of Chair is key to achieving committee effectiveness, to achieve this;

- The Chair should take ownership of, and have final say in, the decisions about what business will be pursued at any particular meeting.
- The Chair should ensure that after each meeting appropriate reports (minutes) are prepared from the CCO Oversight Committee to the Council.
- Encourage good, open relationships between the CCO Oversight Committee, CE, Elected members and internal and external auditors.

Committee Membership

- Independent Chair
- Her Worship the Mayor
- Deputy Mayor Cassin
- Cr Burden
- Kw Madgwick
- Kw Tumahai

The Committee Chair will usually be the spokesperson on matters of public interest within the committee's scope of work. Some issues may be of such public interest that it is more appropriate for the Mayor to be the spokesperson. On technical matters or where the status is still at the staff proposal level, senior staff may be the appropriate spokesperson. Where necessary and practical the Mayor, Committee Chair and senior staff will confer to determine the most appropriate course of action for advising the public.

The Committee shall record minutes of all its proceedings.

Adopted by Council – 27 June 2024

Updated 28.11.24 to reflect the changes in the Quorum - Adopted by Council 28 November 2024