

OPEN AGENDA



Chief Executive Review Committee

Te Komiti Arotake a te Tumuaki

Notice is hereby given that an ordinary meeting of the Chief Executive's Review Committee will be held in the Council Chambers, Ōtorohanga District Council, 17 Maniapoto Street, Ōtorohanga on **Tuesday, 19 March 2024 commencing at 1.00pm.**

Tanya Winter, Chief Executive

12 March 2024

Membership

Chairperson	His Worship the Mayor, Max Baxter
Deputy Chairperson	Deputy Mayor, Annette Williams
Councillor	Jaimee Tamaki
Councillor	Roy Johnson

Quorum

A majority of members (including any vacancies).

Delegations from Ōtorohanga District Council to the Committee

Power to act:

1. To decide all matters arising under Section 42 and Clauses 33, 34, 35 and 36 of Schedule 7 of the Local Government Act 2002 and all matters arising from Council's employment agreement with the Chief Executive, except for:
 - i The appointment of a Chief Executive; and
 - ii The re-appointment of a Chief Executive for a second term under Clause 34 of Schedule 7 of the Local Government Act 2002; and
 - iii The termination of employment of the Chief Executive.
2. Lead the annual review of the Chief Executive's performance in accordance with the process set out in the Chief Executive's employment contract, ensuring involvement of the full Council.
3. To decide whether to use an external consultant for the purpose of fulfilling these delegations, and, if so, the selection of an external consultant. It is expected that this is done in consultation with Chief Executive.
4. To handle all routine Chief Executive contract/employment matters not dealt with by the Mayor.

Power to recommend:

5. To make recommendations to Council on the initial employment, re-employment, remuneration, resignation, or dismissal of the Chief Executive.
6. In association with the annual performance review, to undertake a review of the Chief Executive's remuneration package and make recommendations to Council on an annual basis.
7. To recommend to Council any professional/personal development opportunities for the Chief Executive.

ORDER OF AGENDA**OPENING FORMALITIES**

Commencement of meeting Te tīmatanga o te hui	3
Opening prayer/reflection/words of wisdom Karakia/huritao/whakataukī	3
Apologies Ngā hōnea	3
Late items Ngā take tōmuri	3
Declaration of conflict of interest Te whakapuakanga pānga taharua	3
Confirmation of minutes (28 November 2023) Te whakaū i ngā meneti	3

DECISION REPORTS | NGĀ PŪRONGO WHAKATAU

No reports.

INFORMATION ONLY REPORTS | NGĀ PŪRONGO MŌHIOHIO ANAKE

No reports.

PUBLIC EXCLUDED | TAKE MATATAPU

Item 3: Resolution to exclude the public for Item PE10: Six-month review of the Chief Executive's KPIs 2023-24	9
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CLOSING FORMALITIES

Closing prayer/reflection/words of wisdom Karakia/huritao/whakataukī	12
Meeting closure Katinga o te hui	12

PLEASE NOTE

The reports attached to this Open Agenda set out recommendations and suggested resolutions only. Those recommendations and suggested resolutions DO NOT represent Ōtorohanga District Council policy until such time as they might be adopted by Council resolution. This Open Agenda may be subject to amendment either by the addition or withdrawal of items contained therein.

OPENING FORMALITIES**COMMENCEMENT OF MEETING | TE TĪMATANGA O TE HUI**

The Chairperson will declare the meeting open.

OPENING PRAYER/REFLECTION/WORDS OF WISDOM | KARAKIA/HURITAO/WHAKATAUKĪ**APOLOGIES | NGĀ HŌNEA**

A member who does not have leave of absence may tender an apology should they be absent from all or part of a meeting. The meeting may accept or decline any apologies. For clarification, the acceptance of a member's apology constitutes a grant of 'leave of absence' for that specific meeting(s). At the finalisation of this agenda, no apologies were received. If an apology is tendered to the meeting the following resolution is recommended: *That the Chief Executive Review Committee receive and accept the apology from ... for ... (non-attendance/early departure/late arrival).*

LATE ITEMS | NGĀ TAKE TŌMURI

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be dealt with at a subsequent meeting on the basis of a full agenda item. It is important to note that late items can only be dealt with when special circumstances exist and not as a means of avoiding or frustrating the requirements in the Act relating to notice, agendas, agenda format and content. Should a late item be raised, the following recommendation is made: *That Chief Executive Review Committee accept the late item ... due to ...and confirm the order of the meeting as indicated in the agenda with the late item ... to be heard ...*

DECLARATION OF CONFLICT OF INTEREST | TE WHAKAPUAKANGA PĀNGA TAHARUA

Members are reminded to stand aside from decision making when a conflict arises between their role as an elected member and any private or external interest they may have. Should any conflicts be declared the following recommendation is made: *That the Chief Executive Review Committee receive the declaration of a conflict of interest from ... for item ... and direct the conflict to be recorded in Council's Conflicts of Interest Register.*

CONFIRMATION OF MINUTES (28 NOVEMBER 2023) | TE WHAKAŪ I NGĀ MENETI

The unconfirmed open minutes of the meeting held on 28 November 2023 are attached.

That the Chief Executive Review Committee confirm as a true and correct record of the meeting, the unconfirmed open minutes of the Committee's meeting held on 28 November 2023.

OPEN MINUTES

Chief Executive Review Committee Te Komiti Arotake a te Tumuaki

Chairperson
Deputy Chairperson and Kāwhia Tihiroa Councillor
Councillor
Councillor

His Worship the Mayor, Max Baxter
Deputy Mayor, Annette Williams
Jaimee Tamaki
Roy Johnson

Minutes of an ordinary meeting of the Chief Executive Review Committee held at The Business Collective, 12 Hinewai Street, Ōtorohanga commencing at 12.57pm.

Tanya Winter
CHIEF EXECUTIVE

5 December 2023

Purpose: To assist and advise Council in its responsibility and ownership for risk management, control and compliance framework, and its external accountability and responsibilities.

ORDER OF BUSINESS**OPENING FORMALITIES**

Commencement of meeting Te tīmatanga o te hui	3
Opening prayer/reflection/words of wisdom Karakia/huritao/whakataukī	3
Apologies Ngā hōnea	3
Late items Ngā take tōmuri	3
Declaration of conflict of interest Te whakapuakanga pānga taharua	3
Confirmation of minutes (3 October 2023) Te whakaū i ngā meneti	3

DECISION REPORTS | NGĀ PŪRONGO WHAKATAU

No reports.

INFORMATION ONLY REPORTS | NGĀ PŪRONGO MŌHIOHIO ANAKE

No reports.

PUBLIC EXCLUDED | TAKE MATATAPU

Resolution to exclude the public	4
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CLOSING FORMALITIES

Closing prayer/reflection/words of wisdom Karakia/huritao/whakataukī	4
Meeting closure Katinga o te hui	4

ATTENDANCE REGISTER**Elected members present**

Committee: His Worship the Mayor Max Baxter, Deputy Mayor Annette Williams and Councillors Roy Johnson and Jaimee Tamaki. Observers: Cathy Prendergast.

Elected members absent

None.

Council staff present for meeting

Manager Governance Kaia King.

Council staff present for specific items

None.

External parties present

ODC's HR Consultant, Greg Tims (Greg Tims & Associates).

OPENING FORMALITIES**COMMENCEMENT OF MEETING | TE TĪMATANGA O TE HUI**

His Worship the Mayor declared the meeting open at 12.57pm.

OPENING PRAYER/REFLECTION/WORDS OF WISDOM | KARAKIA/HURITAO/WHAKATAUKĪ

Councillor Tamaki provided an opening karakia.

APOLOGIES | NGĀ HŌNEA

There were no apologies as all members were present.

LATE ITEMS | NGĀ TAKE TŌMURI

There were no late items.

DECLARATION OF CONFLICT OF INTEREST | TE WHAKAPUAKANGA PĀNGA TAHARUA

There were no declarations.

CONFIRMATION OF MINUTES (3 OCTOBER 2023) | TE WHAKAŪ I NGĀ MENETI

Resolved CE2: That the Chief Executive Review Committee confirm as a true and correct record of the meeting, the unconfirmed open minutes of the Committee's meeting held on 3 October 2023.

His Worship | Tamaki

DECISION REPORTS | NGĀ PŪRONGO WHAKATAU

There were no reports.

INFORMATION ONLY REPORTS | NGĀ PŪRONGO MŌHIOHIO ANAKE

There were no reports.

PUBLIC EXCLUDED | TAKE MATATAPU

Item 2: Resolution to exclude the public

Resolved CE3: That the Chief Executive Review Committee exclude the public, with the exception of HR consultant Greg Tims who is assisting Council with the Chief Executive recruitment process and Councillor Prendergast, from the following parts of the proceedings of this meeting confirming:

- a This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act where a risk of prejudice is minimised by the holding of the whole or the relevant part of the proceedings of the meeting in public; and,
- b The general subject of each matter to be considered while the public is excluded and the reason for passing this resolution in relation to each matter and the specific grounds for the passing of this resolution are as follows:

General subject of each matter to be considered				Ground(s) under section 48(1) for the passing of this resolution	Interest
Item	PE2:	Chief	Executive	7(2)(a)	To protect the privacy of natural persons, including that of deceased natural persons.
recruitment					

His Worship | Johnson

The public were excluded from the meeting at 12.58pm and readmitted to the meeting at 1.07pm.

CLOSING FORMALITIES

CLOSING PRAYER/REFLECTION/WORDS OF WISDOM | KARAKIA/HURITAO/WHAKATAUKI

Councillor Tamaki provided a closing karakia.

MEETING CLOSURE | KATINGA O TE HUI

His Worship declared the meeting closed at 1.07pm.

DECISION REPORTS | NGĀ PŪRONGO WHAKATAU

There are no reports.

INFORMATION ONLY REPORTS | NGĀ PŪRONGO MŌHIOHIO ANAKE

There are no reports.

PUBLIC EXCLUDED | TAKE MATATAPU

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Item 3: Resolution to exclude the public for Item PE10: Six-month review of the Chief Executive's KPIs 2023-24

To: The Chairperson and Members of the Chief Executive Review Committee

From: Kaia King, Manager Governance

Date: 19 March 2024

Relevant community outcomes: Engaged Empowered Responsible



1 Purpose | Te Kaupapa

- 1.1 To exclude the public from parts of the proceedings of the Chief Executive Review Committee meeting.

2 Executive Summary | Whakarāpopoto Matua

- 2.1 All formal meetings are open to the public however, there are some parts of the meeting where the public can be excluded. Council must provide a good reason if to exclude the public from a Council or committee meeting - this also includes the media.
- 2.2 A resolution must be made at a time when the meeting is open to the public stating the general subject of each matter, the reason for passing that resolution in relation to the matter, and the grounds on which the resolution is based.

3 Staff recommendation | Tūtohutanga a ngā Kaimahi

That the Chief Executive Review Committee exclude the public from the following parts of the proceedings of this meeting confirming:

- a This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 7 of that Act where a risk of prejudice is minimised by the holding of the whole or the relevant part of the proceedings of the meeting in public; and,
- b The general subject of each matter to be considered while the public is excluded and the reason for passing this resolution in relation to each matter and the specific grounds for the passing of this resolution are as follows:

General subject of each matter to be considered	Ground(s) under section 48(1) for the passing of this resolution	Interest
Item PE10: Six-month review of the Chief Executive's KPIs	7(2)(a)	To protect the privacy of natural persons, including that of deceased natural persons.

4 Context | Horopaki

- 4.1 Public excluded agendas and minutes are not available to the public. Where possible, Council will release public information which has been considered during the public excluded part of a meeting.

5 Considerations | Ngā whai whakaarotanga

Significance and engagement

- 5.1 No community consultation is required under the Significance and Engagement Policy.

Impacts on Māori

- 5.2 Staff consider this report does not have a direct impact on Iwi/Māori greater than any other member of the public.

Risk analysis

- 5.3 This report seeks to reduce the risks associated with protecting the privacy of a person.

Policy and plans

- 5.4 There are no policies or plans relevant to this report.

Legal

- 5.5 Resolutions to exclude the public are made under Section 48 of the Local Government Official Information and Meetings Act 1987.

Financial

- 5.6 There are no financial impacts resulting from the recommendation.

6 Discussion | He Kōrerorero

Option 1: To exclude the public from the meeting

- 6.1 This option seeks to reduce the risk of privacy breaches by the holding of the whole or the relevant part of the proceedings of the meeting in public.

Option 2: To decline to exclude the public

- 6.2 This option would not mitigate the risk of privacy breaches and may potentially expose Ōtorohanga District Council to greater risk.

Recommendation option and rationale

- 6.3 To exclude the public for the parts of the meeting outlined in the recommendation.

CLOSING FORMALITIES

CLOSING PRAYER/REFLECTION/WORDS OF WISDOM | KARAKIA/HURITAO/WHAKATAUKĪ

The Chairperson will invite a member to provide the closing words.

MEETING CLOSURE | KATINGA O TE HUI

The Chairperson will declare the meeting closed.