

Chief Executive Review Committee

Notice is hereby given that an ordinary meeting of Ōtorohanga District Council's Chief Executive Review Committee will be held in Waikōwhitiwhiti (Council Chambers), Ōtorohanga District Council, 17 Maniapoto Street, Ōtorohanga on Monday, 10 February 2025 commencing at 10.00am.

Tanya Winter, Chief Executive

24 January 2025



OPEN TO THE PUBLIC AGENDA

Committee 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).

Prayer/karakia for use in both opening and closing meetings

Mā te whakapono	<i>By believing and trusting</i>
Mā te tūmanako	<i>By having faith and hope</i>
Mā te titiro	<i>By looking and searching</i>
Mā te whakarongo	<i>By listening and hearing</i>
Mā te mahi tahi	<i>By working and striving together</i>
Mā te aroha	<i>By all being done with compassion</i>
Ka taea e tātou	<i>We will succeed</i>

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;
 - ii. The re-appointment of a Chief Executive for a second term under Clause 34 of Schedule 7 of the Local Government Act 2002;
 - 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.

Opening formalities	Ngā tikanga mihimihi	
Commencement of meeting	Te tīmatanga o te hui	4
Opening prayer/reflection/words of wisdom	Karakia/huitao/whakataukī	4
Apologies	Ngā hōnea	4
Late items	Ngā take tōmuri	4
Declaration of conflict of interest	Te whakapuakanga pānga taharua	4
Confirmation of minutes	Te whakaū i ngā meneti	5

Decision reports	Ngā pūrongo whakatau
No reports.	

Information only reports	Ngā pūrongo mōhiohio anake
No reports.	

Public excluded	Take matatapu	
Item 6	Resolution to exclude the public for Item PE13 – Chief Executive six month performance review	12

Closing formalities	Ngā tikanga whakakapi	
Closing prayer/reflection/words of wisdom	Karakia/huritao/whakataukī	14
Meeting closure	Katinga o te hui	14

This Open Agenda was prepared by Manager Governance, Kaia King and approved for distribution by Chief Executive, Tanya Winter on 24 January 2025.

Commencement of meeting**Te tīmatanga o te hui**

The Chairperson will declare the meeting open.

Opening prayer/reflection/words of wisdom**Karakia/huitao/whakataukī**

The Chairperson will invite a member to provide opening words and/or prayer/karakia.

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).

Should any apologies be received, the following recommendation is made: *That Ōtorohanga District Council receive and accept the apology from ... for ... (non-attendance, late arrival, early departure).*

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 Ōtorohanga District Council accept the late item due to 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.

A conflict can exist where:

- The interest or relationship means you are biased; and/or
- Someone looking in from the outside could have reasonable grounds to think you might be biased.

Should any conflicts be declared, the following recommendation is made: *That Ōtorohanga District Council receive the declaration of a conflict of interest from for item ... and direct the conflict to be recorded in Ōtorohanga District Council's Conflicts of Interest Register.*

Confirmation of minutes**Te whakaū i ngā meneti**

The unconfirmed Minutes of the previous meeting is attached on the following page.

Staff recommendation

That the Chief Executive Review Committee confirm as a true and correct record of the meeting, the open Minutes of the meeting held on 29 October 2024 (document number 787372).

Ōtorohanga District Council's Chief Executive Review Committee

Open Minutes of an ordinary meeting of the Chief Executive Review Committee held in Waikōwhitiwhiti (Council Chambers), Ōtorohanga District Council, 17 Maniapoto Street, Ōtorohanga on Tuesday, 29 October 2024 commencing at 10.00am.

Tanya Winter, Chief Executive

30 October 2024



OPEN TO THE PUBLIC MINUTES

Committee membership

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

Quorum

A majority of members (including any vacancies).

Opening formalities	Ngā tikanga mihimihi	
Commencement of meeting	Te tīmatanga o te hui	3
Opening prayer/reflection/words of wisdom	Karakia/huitao/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	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 5	Resolution to exclude the public for Item PE12 – Chief Executive annual performance review	4

Closing formalities	Ngā tikanga whakakapi	
Closing prayer/reflection/words of wisdom	Karakia/huritao/whakataukī	5
Meeting closure	Katinga o te hui	5

Commencement of meeting**Te tīmatanga o te hui**

His Worship the Mayor declared the meeting open at 10.00am.

Opening prayer/reflection/words of wisdom**Karakia/huitao/whakataukī**

Councillor Tamaki provided the 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 conflicts declared.

Confirmation of minutes**Te whakaū i ngā meneti**

RESOLVED CE9: That the Chief Executive Review Committee confirm as a true and correct record of the meeting, the open Minutes of the meeting held on 24 June 2024 (document number 768931).

Councillor Johnson | Deputy Mayor Williams

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 5 - Resolution to exclude the public for Item PE12 – Chief Executive annual performance review**

RESOLVED CE10: 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 PE12:	7(2)(a)	To protect the privacy of natural persons, including that of deceased natural persons.

His Worship the Mayor | Councillor Tamaki

The public were excluded from the meeting at 10.01am. ŌDC's Manager Governance, Kaia King left the meeting. ŌDC's Consultant HR Advisor, Robyn McCulloch remained in the meeting.

During the item, the Committee called Chief Executive, Tanya Winter into the meeting for a discussion at 10.04am. Upon her departure at 11.31am, the Committee had a further discussion before calling Ms Winter back into the room at 11.54am.

Ms King was called into the room at 12.00pm. Ms Winter was not present.

The public were readmitted to the meeting at 12.02pm.

Closing prayer/reflection/words of wisdom

Karakia/huritaō/whakatauki

Councillor Tamaki provide the closing karakia.

Meeting closure

Katinga o te hui

His Worship the Mayor declared the meeting closed at 12.03pm.

Decision reports**Ngā pūrongo whakatau**

There are no reports.

Information only reports**Ngā pūrongo mōhiohio anake**

There are no reports.

Public excluded**Take matatapu**

DISCLAIMER: 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 formal resolution. This Open Agenda may be subject to amendment either by the addition or withdrawal of items contained therein.

Item 6 Resolution to exclude the public for Item PE13 – Chief Executive six-month performance review

To Chief Executive Review Committee

From Kaia King, Governance Manager

Type **DECISION REPORT**

Date 10 February 2025



1. Purpose | Te kaupapa

1.1. To exclude the public from parts of the proceedings of the 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. 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 PE13: Chief Executive KPI six month performance review	Section 9(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 privacy information breaches.

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 Act breaches by the holding of the relevant part of the proceedings of the meeting with the public excluded.

Option 2: To decline to exclude the public

- 6.2. This option may potentially expose Ōtorohanga District Council and the Committee to greater risk of Privacy Act breaches.

Recommended option and rationale

- 6.3. To exclude the public for the parts of the meeting outlined in the recommendation.
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Closing prayer/reflection/words of wisdom

Karakia/huritao/whakataukī

The Chairperson will invite a Member to provide the closing words and/or prayer/karakia.

Meeting closure

Katinga o te hui

The Chairperson will declare the meeting closed.