CHIEF EXECUTIVE’S EMPLOYMENT COMMITTEE

AGENDA

Meeting to be held

TUESDAY 15 AUGUST 2017

2.00PM

In the Manawatu District Council Chambers,
135 Manchester Street, Feilding

R.G. Templer
Dr Richard Templer
Chief Executive
MEMBERSHIP

Chairperson
Councillor Michael Ford

Deputy Chairperson
tba

Members
Her Worship the Mayor, Helen Worboys
Councillor Steve Bielski
Councillor Barbara Cameron
Councillor Stuart Campbell
Councillor Shane Casey
Councillor Hilary Humphrey
Councillor Phil Marsh
Councillor Andrew Quarrie
Councillor Alison Short
Councillor Howard Voss
ORDER OF BUSINESS

1. MEETING OPENING

2. APOLOGIES

3. DECLARATIONS OF INTEREST

Notification from elected members of:

3.1 Any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting; and

3.2 Any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members’ Interests) Act 1968

4. NOTIFICATION OF LATE ITEMS:

Where an item is not on the agenda for a meeting, that item may be dealt with at that meeting if:

5.1 The committee by resolution so decides; and

5.2 The Chairperson explains at the meeting at a time when it is open to the public the reason why the item is not on the agenda, and the reason why the discussion of the item cannot be delayed until a subsequent meeting.

5. OFFICER REPORTS

5.1 APPOINTMENT OF DEPUTY CHAIRPERSON

Report of the General Manager – Corporate and Regulatory dated 10 August 2017

6. CONSIDERATION OF LATE ITEMS

7. PUBLIC EXCLUDED BUSINESS

COMMITTEE TO RESOLVE:

That the public be excluded from the following parts of the proceedings of this meeting, namely:

a) Introduction and Process
b) 2017 End of Year Chief Executive KPI Report
c) Draft KPIs 2017-18 Financial Year
d) Chief Executive - Questions and Answers
e) Council Consideration of Chief Executive Performance
f) Council Consideration of Future Chief Executive Performance Review Process
g) Chief Executive Remuneration
That the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<table>
<thead>
<tr>
<th>General subject of each matter to be considered</th>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Grounds under Section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Introduction and Process</td>
<td>Section 7(2)(a) – to protect the privacy of natural persons, including that of deceased natural persons</td>
<td>Section 48(1)(a) - the public conduct of the relevant part of the proceedings would be likely to result in a disclosure of information for which good reason for withholding that information would exist, under Section 7 of the Local Government Official Information and Meetings Act 1987.</td>
</tr>
<tr>
<td>b) 2017 End of Year Chief Executive KPI Report</td>
<td>As above</td>
<td>As above</td>
</tr>
<tr>
<td>c) Draft KPIs 2017-18 Financial Year</td>
<td>As above</td>
<td>As above</td>
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<td>d) Chief Executive - Questions and Answers</td>
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<td>e) Council Consideration of Chief Executive Performance</td>
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</tr>
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<td>g) Chief Executive Remuneration</td>
<td>As above</td>
<td>As above</td>
</tr>
</tbody>
</table>

This resolution is made in reliance on Section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interests protected by Section 6 or Section 7 of the Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public as specified above.

8. MEETING CLOSURE
Appointment of Deputy Chairperson

Purpose
To elect the deputy Chairperson for the Chief Executive’s Employment Committee.

Significance of Decision
The Council’s Significance and Engagement policy is not triggered by matters discussed in this report.

Recommendations
1. That the Chief Executive’s Employment Committee use System B of Clause 25 of Schedule 7 of the Local Government Act 2002 for the election of its Deputy Chairperson.

2. That the Chief Executive’s Employment Committee appoints Councillor ................. as its Deputy Chairperson.

Report prepared by:
Allie Dunn
Governance Team Leader

Approved for submission by:
Shayne Harris
General Manager - Corporate and Regulatory
1 Contribution to the Council Vision and Council Outcomes

1.1 Relationship to the Council Outcomes that underpin the Council’s Vision:

**Connected, vibrant and thriving Manawatu – the best rural lifestyle in New Zealand**

<table>
<thead>
<tr>
<th>Manawatu District will improve the natural environment, stewarding the district in a practice aligned to the concept of kaitiakitanga.</th>
<th>The Manawatu will attract and retain residents.</th>
<th>Manawatu district develops a broad economic base from its solid foundation in the primary sector.</th>
<th>Manawatu and its people are connected via quality infrastructure and technology.</th>
<th>Manawatu’s built environment is safe, reliable and attractive.</th>
<th>Manawatu District Council is an agile and efficient organisation.</th>
</tr>
</thead>
</table>

2 Background

2.1 The Chief Executive’s Employment Committee was established following the 8 October 2016 local elections, under the Mayoral powers set out in section 41A of the Local Government Act 2002.

2.2 The Chairperson of the committee was also appointed under section 41A of the Local Government Act 2002.

2.3 The Council noted the establishment of the committee and appointment of the Chairperson at its meeting held 26 October 2016 (refer minute item MDC 16/010).

3 Discussion and Options considered

3.1 Following the establishment of the committee, and the appointment of its Chairperson, the Council at its meeting on 16 November 2016 determined the membership, terms of reference and delegations of authority for the committee.

3.2 The Council left the election of the Deputy Chairperson for the committee to undertake at its first meeting.

3.3 There are specific requirements around the voting system used for electing a deputy chairperson set out in the Local Government Act 2002. The meeting is required to choose between two systems of voting (known as System A and System B) prior to undertaking the election.

**System A**

3.4 Under System A, there is a first round of voting for all candidates, and if no candidate is successful then there is a second round of voting from which the candidate with the fewest votes in the first round is excluded. Further rounds are held as required and if two or more candidates tie for the lowest number of votes, the person to be excluded is resolved by lot.

**System B**

3.5 System B has one round of voting, and if two or more candidates tie for the most votes, the tie is resolved by lot.
3.6 System B is the recommended system of voting, as this is a straightforward voting system. The Act requires the committee to decide which method of voting it will use prior to undertaking the election.

4 Operational Implications

4.1 There are no capital / operating expenditure implications or maintenance costs associated with this report.

5 Financial Implications

5.1 There are no financial implications associated with this report.

6 Statutory Requirements

6.1 Clause 25 of Schedule 7 to the Local Government Act 2002 sets out the choices for systems of voting that must be used for electing a Deputy Chairperson of a committee. The committee must decide which system it will use prior to undertaking its election:

System A—

(a) requires that a person is elected or appointed if he or she receives the votes of a majority of the members of the local authority or committee present and voting; and

(b) has the following characteristics:

(i) there is a first round of voting for all candidates; and

(ii) if no candidate is successful in that round there is a second round of voting from which the candidate with the fewest votes in the first round is excluded; and

(iii) if no candidate is successful in the second round there is a third, and if necessary subsequent, round of voting from which, each time, the candidate with the fewest votes in the previous round is excluded; and

(iv) in any round of voting, if 2 or more candidates tie for the lowest number of votes, the person excluded from the next round is resolved by lot.

System B—

(a) requires that a person is elected or appointed if he or she receives more votes than any other candidate; and

(b) has the following characteristics:

(i) there is only 1 round of voting; and

(ii) if 2 or more candidates tie for the most votes, the tie is resolved by lot.

6.2 Clause 26 of Schedule 7 of the Local Government Act 2002 sets out requirements for appointing Chairpersons and Deputy Chairpersons:
“Chairperson of meetings

(1) The mayor or chairperson of the local authority must preside at each meeting of the local authority at which he or she is present unless the mayor or chairperson vacates the chair for a particular meeting.

(2) The chairperson of a committee must preside at each meeting of the committee at which he or she is present unless the chairperson vacates the chair for a particular meeting.

(3) The local authority may appoint a member of a committee to be the chairperson of that committee and, if the local authority, on the appointment of the committee, does not appoint a chairperson, that power may be exercised by the committee.

(4) The local authority or the committee may appoint a deputy chairperson to act in the absence of the chairperson.

(5) If the mayor or chairperson of a local authority or the chairperson of a committee is absent from a meeting, the deputy mayor or deputy chairperson (if any) of the local authority or committee must preside.

(6) However, if a deputy mayor or deputy chairperson has not been appointed, or if the deputy mayor or deputy chairperson is also absent, the members of the local authority or of the committee that are present must elect 1 of their number to preside at that meeting, and that person may exercise at that meeting the responsibilities, duties, and powers of the mayor or chairperson.”

7 Delegations

7.1 The Council has the power to appoint the Deputy Chairperson of the committee. However if the Council does not exercise that power, then the committee has the authority to elect its Deputy Chairperson.

8 Consultation

8.1 There are no community consultation requirements associated with this report.

9 Cultural Considerations

9.1 There are no cultural considerations associated with this report.

10 Conclusion

10.1 The committee needs to make its decision in two parts. Firstly, deciding which system of appointment under the Local Government Act 2002 that it will use. Having made that the decision, the committee can then call for nominations and undertake the election of its Deputy Chairperson.

11 Attachments

• There are no attachments to this report.