



AGENDA

RĀRANGI TAKE

NOTICE OF THE INAUGURAL MEETING OF

CAPITAL PROJECTS AND TENDERS COMMITTEE

to be held on **Tuesday 11 February 2020** commencing at **3.00 pm**
in the Council Chambers, 36 Weld Street, Hokitika

Chairperson: Cr Carruthers

Members: His Worship the Mayor
Cr Hartshorne
Kw Tumahai

Cr Hart
Kw Madgwick



Council Vision:

We work with the people of Westland to grow and protect our communities, our economy and our unique natural environment.

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. NGĀ WHAKAPAAHA APOLOGIES

(includes leave of absence notification)

2. 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 (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.

3. ADOPT TERMS OF REFERENCE

- Report to Committee – Adopting Terms of Reference

4. INTRODUCTION TOPICS

- **Current Large Projects Update**
Capital Projects Manager
- **Future Projects Update**
Capital Projects Manager
- **Transport Update**
Transportation Manager
- **External Funding Projects**
 - Tourism Infrastructure Fund– Property & Projects Supervisor
 - Sports Hub Update – Operations Manager
- **Unbudgeted Projects for Approval**
 - Pensioner Housing Repairs – Chief Executive
- **Contract Management**
 - Policies, New or Renewal Project Contracts – Capital Project Manager
- **Tenders**
Group Manager: District Assets
- **West Coast Wilderness Trail**
 - Governance Structure – Chief Executive

5. PENSIONER HOUSING – BATHROOM UPGRADES

- To be tabled on the day

6. KA MATATAPU TE WHAKATAUNGA I TE TŪMATANUI RESOLUTION TO GO INTO PUBLIC EXCLUDED

(to consider and adopt confidential items)

Resolutions to exclude the public: Section 48, Local Government Official Information and Meetings Act 1987.

The general subject of the matters to be considered while the public are 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 the resolution are as follows:

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
1	Purchase of Land	Good reasons to withhold exist under Section 7	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason or withholding exists. Section 48(1)(a)

DATE OF NEXT COMMUNITY DEVELOPMENT COMMITTEE MEETING
12 MAY 2020
COUNCIL CHAMBERS, 36 WELD STREET, HOKITIKA

Report



DATE: 11 February 2020
TO: Capital Projects and Tenders Committee
FROM: Capital Project Manager

ADOPTING TERMS OF REFERENCE

1 SUMMARY

- 1.1 The purpose of this report is to present the Terms of Reference for the Capital Projects and Tenders Committee.
- 1.2 This issue arises from the establishment of the Capital Projects and Tenders Committee in November 2019.
- 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 May 2018, which are set out in the Long Term Plan 2018-28. These are stated on Page 2 of this agenda.
- 1.4 This report concludes by recommending that the Capital Projects and Tenders Committee adopt the Terms of Reference presented.

2 BACKGROUND

- 2.1 With the establishment of the Council Committees there is a need to develop suitable terms of reference for each of these committees. This committee's main focus is on capital projects and tenders for the Westland District Council (WDC). Creating detailed terms of reference is critical, as they define the vision, objectives, scope and deliverables for the committee.

3 CURRENT SITUATION

- 3.1 The Capital Projects and Tenders Committee has been established and as part of this process there is a need to adopt a Terms of Reference for this committee to function effectively.

4 OPTIONS

- 4.1 Option One: That the Terms of Reference are adopted as they are.
- 4.2 Option Two: Amend the Terms of Reference and adopt these amended Terms of Reference.

5 SIGNIFICANCE AND ENGAGEMENT

- 5.1 This is a low level of significance as this is administrative in nature.

6 ASSESSMENT OF OPTIONS (INCLUDING FINANCIAL IMPLICATIONS)

- 6.1 Adopting a Terms of Reference will ensure that Council meets responsibilities and the Capital Projects and Tenders Committee has established guidelines to function effectively.
- 6.2 There are very limited financial implications for adopting either of the two options as the impact will remain small. The Capital Projects and Tenders committee itself shall be overseeing large expenditures for WDC and as such, the Terms of Reference for this committee need to be very clear. Any amendments to the presented Terms of Reference will thus be evaluated against its financial implication in the long term.

7 PREFERRED OPTION(S) AND REASONS

- 7.1 Option one: Adopt the Community Development Committee Terms of Reference as presented.


8 RECOMMENDATION(S)

- A) **THAT** the Terms of Reference are adopted
- B) **THAT** the Terms of Reference are amended and adopted

Dominique Tharandt
Capital Projects Manager

Appendix 1: Capital Projects and Tenders Committee Terms of Reference

TERMS OF REFERENCE FOR THE CAPITAL PROJECTS AND TENDERS COMMITTEE

	Authorising Body	Mayor / Council
	Status	Standing Committee
	Title	Capital Project and Tenders Committee
	Approval Date	11 February 2020
	Administrative Support	Chief Executive Office

Purpose

The purpose of the Capital Projects & Tenders Committee is to ensure that all major capital expenditure (as defined in the WDC Tender Policy) is supported by a quality proposal, advances the councils strategic objectives and is financially sustainable. In addition, the Committee is to ensure tender evaluations are robust and appropriate decisions taken to advance capital projects.

Responsibility

The Capital Projects and Tenders Committee is responsible for considering all capital expenditure proposals within the Long Term Plan, with a particular focus on:

- The contribution each proposal would be to achieve the Strategic Plan objectives
- Financial sustainability of each proposal
- Ensuring the prioritisation of projects reflects the community needs
- Approving project tenders post tender evaluation

In connection with each Project, the Committee shall receive regular reports from management containing such information it deems relevant to fulfil its mandate, including but not limited to information concerning:

- Project timetable, critical path events and progress to completion
- Major project milestones, including variance analysis and mitigation strategies
- Key issues or disputes and proposed mitigation strategies
- Project budget updates, showing actual expenditures versus budget, use of contingencies and projected final expenditures
- Assist with bridging project barriers outside the influence of staff

Report to the full Council on a regular basis concerning all large Capital Project updates as required.

DELEGATIONS TO THE COMMITTEE:

The Capital Projects and Tenders Committee shall have the following delegated powers and be accountable to Council for the exercising of these powers. In exercising the delegated powers, the committee will operate within:

- Policies, plans, standards or guidelines that have been established and approved by Council;
- The overall priorities of Council;
- The needs of Iwi and the local communities; and
- The approved budgets for the activity.

The Capital Projects and Tenders Committee shall have delegated authority to:

- Power to co-opt other members as appropriate
- All powers necessary to perform the Committee's responsibilities Except:
 - Powers that the Council cannot legally delegate or has retained for itself
 - Where the Committee's responsibility is limited to making a recommendation only
 - The approval of expenditure not contained within approved budgets (excluding emergency expenditure)
 - Approval of expenditure
 - The approval of final policy
 - Deciding significant matters for which there is high public interest and which are controversial
 - The commissioning of reports on new policy where that policy programme of work has not been approved by the Council
 - Power to establish subcommittees

Power to Delegate

The Capital Projects and Tenders Committee may not delegate any of its responsibilities, duties or powers.

Membership

The Capital Projects and Tenders Committee will comprise the following, one of which will be the chairperson:

Chairperson (Appointed by the Mayor)
(3) Councillors
Iwi Representatives

Chairperson

The Chairperson is responsible for:

- The efficient functioning of the Committee;
- Setting the agenda for Committee meetings in conjunction with the Chief Executive Officer; and
- Ensuring that all members of the Committee receive sufficient timely information to enable them to be effective Committee members.

The Chairperson will be the link between the Committee and Council staff.

Quorum

The quorum at any meeting of the Committee shall be Chairperson and any two members.

Frequency of Meetings

The Committee shall meet as required but not less than quarterly.

Relationships with Other Parties

The Chief Executive is responsible for servicing and providing support to the Committee in the completion of its duties and responsibilities. The Chief Executive shall assign council staff as required to provide these functions on his/her behalf.

The Chairperson may request the Chief Executive and staff in attendance to leave the meeting for the duration of the discussion. The Chairperson will provide minutes for that part of the meeting.

Contacts with Media and Outside Agencies

The Committee Chairperson is the authorised spokesperson for the Committee in all matters where the Committee has authority or a particular interest.

Committee members, including the Chairperson, do not have delegated authority to speak to the media and/or outside agencies on behalf of Council on matters outside of the Committee's delegations.

The Chief Executive will manage the formal communications between the Committee and its constituents and for the Committee in the exercise of its business. Correspondence with central government, other local government agencies or other official agencies will only take place through Council staff and will be undertaken under the name of the District Council.

Conduct of Affairs

The Committee shall conduct its affairs in accordance with the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987, the Local Authorities (Members' Interests) Act 1968, Council's Standing Orders and Code of Conduct.

Public Access and Reporting

Notification of meetings to the public and public access to meetings and information shall comply with Standing Orders, but it should be noted that:

- Workshop meetings solely for information and discussions and at which no resolutions or decisions are made may be held in accordance with Standing Orders.
- Extraordinary meetings of the Committee must be held in accordance with Standing Orders.

The public may be excluded from the whole or part of the proceedings of the meeting and information withheld on one or more of the grounds specified in s.48 of the Local Government Official Information and Meetings Act 1987.

The Committee shall record minutes of all its proceedings.

Adopted by Council: