

Section 57 Local Government Act 2002 – Appointment of Directors

1. A local authority must adopt a policy that sets out an objective and transparent process for –
 - a. The identification and consideration of the skills, knowledge, and experience required of directors of a council organisation; and
 - b. The appointment of directors to a council organisation; and
 - c. The remuneration of directors of a council organisation.

Appointment &
Remuneration of
Directors for Council
Organisations Policy

Definition

A Council organisation (CO) is defined as a company in which equity securities including any form of voting rights at a meeting of the shareholders of the company are held, directly controlled, indirectly controlled, or where a local authority has the right, directly or indirectly, to appoint one or more of the directors of the organisation.

For the purpose of this policy, with reference to Section 6(3)(b) of the Local Government Act (2002), a director includes a trustee, manager or office holder, however described, of an organisation. This shall include any person appointed by Council resolution to a CO.

An 'organisation' means any partnership, trust, arrangement for the sharing of profits, union of interest, co-operation, joint venture, or other similar arrangement; but does not include a company, or a committee or joint committee of a local authority.

Introduction

The Hauraki District Council either owns or has an interest in a number of COs. (Appendix One).

Skills

- Section 57(2) of the Local Government Act 2002 requires that the Council may appoint a person to a directorship of council organisations only if the Council considers the person has the skills knowledge and experience to:
- Guide the organisation given the nature and scope of its activities; and
- Contribute to the achievement of the objectives of the organisation;
- The Council considers that any person that it appoints to be a director of a CO should, as a minimum, have the following skills:
- An understanding of governance issues;
- Either business experience or other experience that is relevant to the activities of the organisation (or both);
- Sound judgement;
- A high standard of personal integrity; and
- The ability to work as a member of a team.

Appointment Process

When a position of Council representative becomes vacant any CO the Hauraki District Council will formally appoint a suitably qualified and/or skilled elected member of the Council to fill the vacancy.

Conflicts of Interest

Hauraki District Council expects that directors of council organisations will avoid situations where their actions could give rise to a conflict of interest. To minimise these situations the council requires directors to follow the provisions of the Hauraki District Council's Code of Conduct or, in the absence of a code of conduct, the New Zealand Institute of Directors' Code of Ethics. Directors may be dismissed by Hauraki District Council for breaches of this code.

Remuneration

Payments in accordance with the remuneration policy of Hauraki District Council except where the council has formally resolved otherwise.

Appendix One

Hauraki District Council - Council Organisations Indicative List

Creative NZ
Joint Golden Cross Mine and Closure Committee
Tourism Coromandel
Hauraki Gulf Forum
Safer Hauraki Community Council
Waihi Mine Forum Consultative Committee
Paeroa Domain Users Group
Rotokohu Sports Ground Management Committee
Mackaytown Reserve Committee
Netherton Reserve Committee
Centennial Park Trust Board
Golden Cross Mine Community Consultative Group
Positive Paeroa
Paeroa Swimming Pool Users Group
Community Corrections Liaison Committee
Waihi Community Swimming Baths
Waihi Arts Centre and Museum
Whiritoa Emergency Management Com
Mining Liaison Committee
Gilmour Park Advisory Committee
Morgan Park Field Assessment Team
Go Waihi
Mangatarata Reserve Committee
Kerepehi Reserve Committee
Waitakaruru Reserve Committee
Hugh Hayward Domain Committee
Turua Reserve Committee
Patetonga Reserve Committee
Kaihere Reserve Committee
Regional Partnership Programme
Waitawheta Camp Committee