# Finance and Performance Committee of the whole - Terms of Reference

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| Chair | Councillor Manji |
| Deputy Chair | Deputy Mayor Turner |
| Membership | The Mayor and all Councillors |
| Quorum | Half of the members if the number of members (including vacancies) is even, or a majority of members if the number of members (including vacancies) is odd |
| Meeting Cycle | Monthly |
| Reports To | Council |

**Area of focus**

The focus of the Finance and Performance Committee is the financial and non-financial performance of the Council, including the delivery of the Council’s Capital Programme, CCHL and its subsidiaries, and any other Council Controlled Organisations.

In making recommendations or exercising its delegations, the Committee must manage the matters referred to in section 101 of the Local Government Act 2002 which includes that the Council must manage its revenues, expenses, assets, liabilities, investments, and general financial dealings prudently and in a manner that promotes the current and future interests of the community.

The Finance and Performance Committee considers and, if the matter is not within the Committee’s delegated authority, reports to Council on matters relating to:

* The delivery of the Council’s Capital Programme
* The Council’s operational and capital expenditure, including any material discrepancies from planned expenditure
* Leading and overseeing the Council’s strategic relationship with the Crown, including specific strategic projects of shared interest and interface with the Crown, including the Cost Share Agreement and matters under the Greater Christchurch Regeneration Act 2016
* The financial and non-financial performance of the Council and Council Controlled Organisations, and governance decisions related to Council Controlled Organisations
* The Council’s financial and funding policies under section 102 of the Local Government Act 2002
* Debt write-offs and status of Council debtors
* Acquisition or disposal of property where required for the delivery of the Capital Programme
* Council insurance policies and related matters and litigation
* The development of the Annual Report for consideration by Council
* Advising and supporting the Mayor to lead the development of the Long Term Plan and Annual Plan, including setting the overall parameters, strategic direction and priorities, and the development of a consultation document.
* Reviewing the delivery of services under s17A
* Submissions to external bodies relating to the area of focus of the Finance and Performance Committee

**Delegations**

The Council delegates to the Finance and Performance Committee authority to:

* Monitor the delivery of the Council’s Capital Programme, including inquiring into any material discrepancies from planned expenditure
* Monitor the financial and non-financial performance of the Council and Council Controlled Organisations, including carrying out all of the Council’s obligations under sections 65 to 72 of the Local Government Act 2002
* Exercise the Council’s powers directly as the shareholder, or through CCHL, or in respect of an entity (within the meaning of section 6(1) of the Local Government Act 2002) in relation to –
* (without limitation) the modification of constitutions and/or trust deeds, and other governance arrangements, granting shareholder approval of major transactions, appointing directors or trustees, and approving policies related to Council Controlled Organisations
* in relation to the approval of Statements of Intent and their modification (if any)
* Purchase or dispose of property where required for the delivery of the Capital Programme, in accordance with the Council’s Long Term Plan, and where those acquisitions or disposals have not been delegated to another decision-making body of the Council or staff.
* Adopt funding and financial policies other than those that must be adopted as part of the Council’s Long-Term or Annual Plans
* As may be necessary from time to time, approve amendments to the Capital Programme outside the Long Term Plan or Annual Plan processes
* Amend levels of service targets, unless the decision is precluded under section 97 of the Local Government Act 2002
* Approve debt write-offs where those debt write-offs are not delegated to staff
* Insurance matters, including considering legal advice from the Council’s legal and other advisers, approving further actions relating to the issues, and authorising the taking of formal actions.
* Authorise submissions to external bodies relating to the area of focus of the Finance and Performance Committee

At the Council meeting on 11 April 2019:  
It was **resolved** that the Council:

2. Agree that the delegations to the Finance and Performance Committee of the Whole be kept under review to reflect that it is now a committee of the whole, and make the following changes:

Section 17A Service Delivery Reviews

a. Delegates to the Finance and Performance Committee of the Whole authority to exercise all of the Council's powers under section 17A of the Local Government Act 2002, relating to service delivery reviews and decisions not to undertake a review.

Development Contributions

b. Delegates to the Finance and Performance Committee of the Whole authority to exercise all of the Council's powers in relation to development contributions, other than those delegated to the Chief Executive and Council officers as set out in the Council's Delegations Register.

i. Any single development contribution rebate in excess of $1,000,000

ii. Any application for a remission of development contribution charges as provided for in the Council's Development Contributions Policy in effect at the time

iii. Any increase in development contributions charges as provided for under section 106 (2A - C) of the Local Government Act 2002

iv. Any change to the schedule of assets for which development contributions are charged as provided for under section 201A(5) of the Local Government Act 2002.

At the Council meeting on 23 May 2019:  
It was **resolved** that the Council:

1. Revokes the following delegations to the Finance and Performance Committee of the Whole:

 Approve preferred suppliers for capital projects where the value of the contract exceeds $15 Million.

 Approve preferred suppliers and contracts from both capital and operational budgets relating to the Council’s Information Technology systems where the value of the contract exceeds $15 Million of capital expenditure or $10 Million of operational expenditure.

2. Delegates to the Finance and Performance Committee of the Whole the following:

Capital Expenditure

a. Approve the procurement plans (where applicable), preferred supplier, and contracts for all capital expenditure where the value of the contract exceeds $15 Million (noting that the Committee may sub delegate authority for approval of the preferred supplier and /or contract to the Chief Executive provided the procurement plan strategy is followed).

Operational Expenditure

b. Approve the procurement plans (where applicable), preferred supplier, and contracts, for all operational expenditure where the value of the contract exceeds $10 Million (noting that the Committee may sub delegate authority for approval of the preferred supplier and/or contract to the Chief Executive provided the procurement plan strategy is followed).

The Committee delegates to the following subcommittees or working groups the responsibility to consider and report back to the Committee:

* Insurance Subcommittee