

Terms of Reference for the Enterprise Committee

Enterprise Committee (EC)

Amended by Council resolution CN22-04-01

1.0 Purpose and Areas of Responsibility

The Enterprise Committee's function is to monitor and improve the performance of the Council's commercial and semi-commercial activities. It also reviews new commercial investments including those within the commercial portfolio. This includes recommendations on investments and resourcing to manage the financial and nonfinancial risks associated with these activities.

The Committee is expected to identify opportunities that will increase the portfolio and may also recommend to Council disposal of poor performing assets and investments.

The Enterprise Committee's areas of responsibility are:

Forestry including forestry activities on reserve land.	Commercial campgrounds (Motueka, Murchison, Pohara, Collingwood)
Aerodromes (Motueka, Takaka)	Property managed on a commercial basis including the Mapua Wharf precinct
The Motueka Harbour and Coastal Works Reserve Fund	Port Motueka and Port Tarakohe
Council Controlled Organisations and Council Controlled Trading Organisations, excluding Waimea Water Limited and Tasman Bays Heritage Trust	

2.0 Responsibilities

- 2.1 Ensure that operational strategies, capital works programmes and activity management plans for the activities within the commercial portfolio as a whole support appropriate returns on investment after balancing risks, commercial and community outcomes.
- 2.2 Ensure quick flexible decision making to support taking advantage of commercial opportunities as they arise.
- 2.3 Recommend to the Council an overall financial strategy, performance measures and resourcing for the portfolio, for inclusion in the Annual and Long Term Plans.
- 2.4 Monitor and improve the performance of Council's commercial portfolio including identifying further opportunities to increase the portfolio.
- 2.5 Receive and monitor quarterly financial reports in relation to the commercial portfolio and ensure where possible that the best medium to long term rates of return are being achieved.
- 2.6 Review on a regular basis the overall governance and investment structure for the portfolio and consider whether other governance or investment structures would deliver enhanced returns.

- 2.7 Receive and consider reports from both staff and the Council's legal advisors on strategies, and investments along with the identification and mitigation of financial and operational risk.
- 2.8 Make recommendations to the Council on new investments, disposals, business opportunities and other matters in relation to the commercial portfolio.

3.0 Powers

- 3.1 Authorise any transactions in relation to the commercial portfolio that comply with the Council's LTP, Annual Plan, Treasury Policy or authorised contracts which are outside the delegated authority of Council staff.
- 3.2 Authorise any transactions in relation to The Motueka Harbour and Coastal Works Reserve that comply with the reserve funds policy.
- 3.3 Obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the Council's expense.
- 3.4 Recommend to the Council action on any matter in relation to the commercial portfolio.
- 3.5 Approve business cases for projects or works that are within the Council's Long Term Plan or Annual Plan and which fall within the approved fiscal envelope.

4.0 Limitations

The Committee may not:

- 4.1 Authorise legal action.
- 4.2 Authorise expenditure that falls outside the approved budgets in the Annual Plan, Long Term Plan or Financial Reforecasts.

5.0 Administration

- 5.1 The expectation is that members of the public wanting to speak to a matter on the Agenda should be given that opportunity.
- 5.2 Meets quarterly and may meet between the quarterly meetings at the discretion of the chair to attend to urgent business.
- 5.3 A quorum comprises 4 members 3 of whom must be elected members.
- 5.4 Membership shall comprise:
 - 5.4.1 5 Elected members appointed by Council
 - 5.4.2 3 independent members appointed in accordance with Council's Policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units. The independent members are appointed for a term of 5 years from the date of appointment or such other terms as Council resolves and are eligible for reappointment in accordance with Council's Policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units.
 - 5.4.3 The Chair shall be appointed by Council
- 5.5 Reports to the Council.