

Below is a **Council Decision Checklist** designed for use at the **formal decision and adoption stage** of the Statement of Expectations (SoE). It is framed so elected members can clearly see **what they are deciding, what they must be satisfied about, and what has legal significance**.

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## Council Decision Checklist

### Statement of Expectations (LGWSA 2025 – WSCCO)

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#### A. Threshold Legal Decisions (Council must be satisfied)

##### 1. Statutory compliance

- Council is satisfied the SoE complies with **ss 224–229 of the LGWSA 2025**.
- The SoE includes *all mandatory content* required by s 227(1).
- The SoE does **not** include any prohibited matter under s 228.
- The SoE is consistent with:
  - LGWSA
  - WSCCO constitution
  - Transfer Agreement / foundation documents

##### **Council resolution required:**

That the Statement of Expectations is compliant with the Local Government (Water Services) Act 2025.

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##### 2. Financial independence protection

- Council has determined whether the WSCCO is financially independent.
- If financially independent:
  - The SoE expressly protects that independence.
- Council is satisfied no expectation could be interpreted as budgetary control.

##### **Council resolution required:**

That nothing in the Statement of Expectations is intended to compromise the financial independence of the WSCCO.

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#### B. Core Policy Decisions (Council intent)

##### 3. Time horizon and scope

- Council confirms the SoE applies for **at least 10 consecutive financial years**.
- Council agrees whether expectations:
  - Apply uniformly across the period, or
  - Are staged (e.g. establishment vs steady-state), and how.

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#### 4. Level of direction vs independence

- Council confirms the SoE is:
    - Strategic and outcomes-focused, and
    - Not operationally prescriptive.
  - Council is comfortable with the balance between:
    - Shareholder expectations, and
    - Board autonomy and skill-based governance.
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### C. Mandatory Content – Council Sign-off

#### 5. Outcomes to be achieved

- Council approves the outcomes the WSCCO is expected to achieve.
  - Outcomes reflect Council priorities and community needs.
  - Outcomes are assessable but not operational.
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#### 6. Resource management & land-use alignment

- Council approves the requirements relating to:
    - Growth sequencing
    - Planning alignment
    - Support for statutory planning processes
  - Expectations respect statutory roles and do not fetter discretion.
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#### 7. Council statutory obligations

- Council confirms which of its statutory obligations (if any) the WSCCO must act in accordance with.
  - Council is satisfied these obligations are clear, lawful, and necessary.
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#### 8. Half-yearly reporting requirements

- Council approves the information it requires in half-yearly reports.
  - Reporting expectations:
    - Support oversight
    - Do not create unnecessary burden
  - Distinction from annual statutory reporting is clear.
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### D. Optional Content – Explicit Council Choices

#### 9. Establishment and transition expectations

- Council decides whether to include establishment-specific expectations.
  - If included:
    - Council agrees they are time-limited and outcome-focused.
  - Council is satisfied these do not direct operations.
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### 10. Strategic priorities for Water Services Strategy

- Council agrees which strategic priorities must be addressed in the WSS.
  - Council confirms the level of specificity expected.
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### 11. Performance measures

- Council decides whether to:
    - Specify performance measures directly, or
    - Require the WSCCO to develop them via the WSS.
  - Council is satisfied monitoring arrangements are sufficient.
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### 12. Audit or independent review

- Council decides whether to require:
    - Audit, and/or
    - Independent review of the WSS or other plans.
  - Council agrees scope and timing.
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### 13. Engagement and relationships

- Council approves expectations for:
    - Community and customer engagement
    - Mana whenua relationships
    - Collaboration with Council and other parties
  - Council is satisfied these expectations align with Tiriti obligations and best practice.
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## E. Process and Governance Confirmation

### 14. Statutory process followed

- Draft SoE was provided to the WSCCO.
  - WSCCO had a reasonable opportunity to comment.
  - Council has considered WSCCO feedback.
  - The SoE preparation process has been published.
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### 15. Interim Statement of Expectations

- Council decides whether an **Interim SoE** is required.
  - If not required, Council confirms rationale.
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### 16. Review and amendment approach

- Council agrees how and when the SoE may be reviewed.
  - Council acknowledges:
    - Only one SoE may be in force at any time.
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## F. Final Adoption

### 17. Adoption and notification

- Council resolves to formally adopt the Statement of Expectations.
- Council authorises:
  - Provision of the SoE to the WSCCO
  - Public release/publication
- Council confirms the SoE takes effect upon provision to the WSCCO.

#### **Final resolution wording (example):**

That Council adopts the Statement of Expectations for the Water Services Council-Controlled Organisation under the Local Government (Water Services) Act 2025 and directs that it be provided to the WSCCO and publicly released.

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#### Outcome

Completion of this checklist ensures:

- Lawful adoption
- Clear shareholder intent
- Defensible governance decisions
- Reduced risk of legal or governance challenge