
Ōtākaro Limited

Statement of Intent

G71

For Financial Years 2023 to 2027

INTRODUCTION

This Statement of Intent (SOI) is submitted by the Board of Directors of Ōtākaro Limited (Ōtākaro), pursuant to the Crown Entities Act 2004. It sets out the Strategic Objectives for Ōtākaro and how Ōtākaro will achieve those Objectives for the period 1 July 2022 to 30 June 2027.



CORINNE HAINES
Chairperson



PETER TOWNSEND
Director

7 June 2022

STRATEGIC OBJECTIVES

The purpose of the company is to add value to Anchor Projects and Crown land in a manner that balances a desire to achieve good commercial outcomes against the Crown's regeneration objectives and supports the Crown's exit over time on favourable terms. The company will assist the Crown's transition to local leadership as part of the earthquake recovery. The company will also undertake any role, and take any action, to assist the Government with any projects, as agreed between the company and the Shareholding Ministers from time to time.

BUSINESS AND SCOPE

Business

Ōtākaro is a Crown company that became operational on 16 April 2016 under Schedule 4A of the Public Finance Act 1989 to take over specific functions of the Canterbury Earthquake Recovery Authority.

Scope

Ōtākaro is required to deliver Anchor Projects and a land divestment programme that is consistent with the Christchurch Central Recovery Plan and to monitor the assigned Shovel Ready Projects. It does so in a way that ensures it is viewed as a credible market participant.

The overarching responsibilities of Ōtākaro include:

- Delivery of Anchor Projects by providing procurement, design management and construction management services on behalf of the Crown
- Providing programme governance, including risk, cost and schedule management
- Divestment of Crown-owned land in central Christchurch that balances a good commercial outcome against regeneration objectives
- Managing the operations and ownership responsibilities of completed assets
- Acting in a manner consistent with recovery plans and any regeneration plans
- Undertaking any role, and taking any action, to assist the Government with any projects, as agreed between the company and the Shareholding Ministers from time to time.

Risk Appetite and Management

The activities of Ōtākaro are undertaken under robust processes, using sound judgement and effective communication.

The Board and Management encourage a culture that is risk aware, and the company seeks to understand and mitigate risk where identified.

Ōtākaro maintains an active and regularly updated register of strategic and operational risks, managing these risks through an agreed process, and with oversight from both Management and the Board.

GOVERNANCE

Ōtākaro manages its functions and operations in a way that is consistent with the company's strategy, as set by the Board. The Board provides strategic direction to the Chief Executive to ensure decisions are made in the interests of the people of Christchurch and the Crown.

The Board provides governance and the assurance that Management is delivering the expected outputs. The Chief Executive has appointed an Executive Leadership Team to assist in providing supervision and oversight of the day-to-day operational activities of the company.

FUNCTIONS AND OPERATIONS

The organisation has six core teams. The Project Development team is focused on the delivery of Anchor Projects. The Te Pae Operations Group is focused on the operational ownership and management of Te Pae. These functions are supported by the Finance and IT, Legal and Risk, People and Capability, and Communications and Stakeholder Engagement teams.

The company's activities are guided by policies and procedures that ascribe to good corporate discipline, with clear links to the Ōtākaro Purpose and to the company's Strategic Objectives. In addition, the company's Values and Behaviours support the delivery of its Purpose and Objectives.

Adaptability

The company was established with the understanding that it has a finite lifespan, subject to further determinations by the Crown; however, it has now been determined by the Crown that the company will continue its operations for the foreseeable future. Accordingly, the company's organisational structure reflects the need for adaptability. This means that the company must, in a planned manner, be able to adapt to the changing requirements of its programme and projects.

Transition to Ongoing Operations

It was originally intended that Ōtākaro will exist until the projects it is responsible for are delivered and the land is divested. In September 2021 the Shareholding Ministers of the company advised that Ōtākaro will now continue operations past the end of its current work programme. The Ministers are considering how to best utilise Ōtākaro to support the Government's infrastructure programme going forward.

Until the future role of Ōtākaro is confirmed the company is expected to continue to deliver against the expectations conveyed in the FY2021/22 Letter of Expectations.

Ōtākaro Values and Behaviours

Ōtākaro continues to strengthen its organisational culture to guide all company activities. This culture is underpinned by specific, straightforward Values and Behaviours expected of all personnel in undertaking their tasks.

The Values are expressed as:

- Keep It Simple
- Make It Happen
- Do What Is Right
- Be Agile.

By working with its personnel, specific Behaviours have been defined to 'model' and to support the Ōtākaro Values. These Behaviours include:

- Acting with purpose, and staying focused
- Doing things efficiently
- Communicating clearly, consistently and concisely
- Considering the audience
- People knowing and playing their part
- People doing what they say they will do
- Being innovative
- Doing things promptly, but properly
- Acting with integrity and respect
- Supporting one another
- Making the 'tough' calls when necessary
- Being professional and 'down to earth'
- Anticipating change.

Health and Safety

Ōtākaro has zero tolerance for anything that endangers the health, safety and wellbeing of people. As a Crown company operating in a construction environment, Ōtākaro intends to be a leader of health and safety and in ensuring compliance with the Health and Safety at Work Act 2015.

Ōtākaro is committed to a culture that holds safety as a core part of the Company's identity. The Company does this through:

- The Board and Management modelling behaviours expected from the Company's staff and its contractors
- Establishing best practice health and safety approaches in the field and in the office environment, monitoring adherence to these practices and taking immediate corrective actions if required
- Ensuring that the Company, and those who are working for the Company, meet all health, safety and environmental regulatory obligations.

“As a Crown Company operating in a construction environment, Ōtākaro intends be a leader of Health and Safety and in ensuring compliance with the Health and Safety at Work Act 2015.”

Capability Development

Ōtākaro supports its staff to achieve the Company’s objectives and purpose by:

- Developing staff for their current roles, providing flexibility to move staff to other roles in the Company, and preparing staff for their next career steps
- Regularly reviewing the capability of its people to align the available skills with the requirements of the project development lifecycles
- Achieving high levels of staff engagement
- Providing a safe environment for staff
- Delivering services required to achieve the Company’s objectives in a cost-effective manner
- Providing staff with reliable, secure and cost-effective technology
- Providing a sound financial and internal control environment.

Ōtākaro as a Good Employer

The successful delivery of the Anchor Projects, operational excellence and the Crown’s central Christchurch land divestment objectives depend on the technical, commercial, financial and investment/divestment expertise of Ōtākaro. It is important that the company attracts and retains skilled staff, is a good employer and offers an attractive place to work, with a culture that is valued by employees and supports the company to deliver on its Strategic Objectives and Purpose.

Consistent with the State Services Commission Guidance on Expectations for Pay and Employment Conditions in the State Sector, Ōtākaro employment policies aim to ensure that the company respects its equal-opportunity responsibilities.

ASSESSMENT OF PERFORMANCE

Ōtākaro will assess its performance by setting performance targets for the company’s activities through to 2027, including specific goals for the Anchor Projects, land divestment, and financial and operational efficiency, as set out below.

1. Delivery of Anchor Projects

Progress towards the Anchor Project Objective is set annually by the company’s Statement of Performance Expectations (SPE), and reported in the Ōtākaro Limited Annual Report, including adding value to Crown Anchor Projects by delivering the projects:

- Safely
- On budget
- To schedule, and
- To the desired quality.

Our approach to ensuring a high standard of health and safety management on all of our projects needs to respond to changes in our projects and work types over time. This is measured by the Total Recordable Injury Frequency Rate (TRIFR) per 200,000 hours worked.

2. Monitoring of Shovel Ready Projects

Ōtākaro is committed to monitoring the company's 12 assigned funding agreements for Shovel Ready Projects in Canterbury. Ōtākaro monitors the operational and service performance for Infrastructure Reference Group (IRG) build partners as described in this section. The build partners' responsibility is for operational and service performance of the construction; the company's role is to monitor performance to ensure that contractually agreed service levels are being met.

3. Divestment of Crown Land While Balancing Good Commercial Outcomes with the Crown's Regeneration Objectives

Progress towards one of the key Strategic Objectives for Ōtākaro is to divest Crown-owned land in central Christchurch in a manner which balances a desire to achieve good commercial outcomes against the Crown's regeneration objectives. Any regeneration objectives are set annually by the company's SPE, and reported in the Ōtākaro Limited Annual Report, including, depending on market conditions:

- a. Setting sales forecast targets to divest of the remaining land parcels in the SOI period
- b. Annual Reports will include a case study on how Ōtākaro adds value to Anchor Projects and Crown land in a manner that balances a desire to achieve good commercial outcomes against the Crown's regeneration objectives and supports the Crown's exit over time on favourable terms.

4. Employee Health and Wellbeing

Ōtākaro is committed to retaining a highly engaged workforce. This is undertaken through various initiatives (this includes ensuring all employees have active learning and development plans in place).

5. Demonstrating Good Commercial Outcomes (including Te Pae)

Ōtākaro is to add value to Anchor Projects and Crown land in a manner that balances a desire to achieve good commercial outcomes against the Crown's regeneration objectives and supports the Crown's exit over time on favourable terms.

Ōtākaro also manages the operation of Te Pae as the building owner. Ōtākaro's role is to monitor performance of the Te Pae operator to ensure that agreed service levels are being met in a cost-effective manner.

6. Transition to Local Leadership

Ōtākaro is committed to assist the Crown's transition to local leadership as part of the earthquake recovery. This is achieved through formal transfer of completed assets to the Christchurch City Council.

7. Financial and Operational Efficiency

Each year the Board will plan the future resourcing levels of the company, depending on:

- Progress made towards achieving the Anchor Projects objective
- Any new initiatives or expansion of existing initiatives, and
- The degree to which Crown investment is actively monitored, based on the current level of risk and the level of support the Government requires.

Over the next four years, Ōtākaro will continue to ensure operational expenditure is appropriate for the scale and scope of activities as set by the Government. The company may also determine that some functions are no longer required or can be performed more effectively by other Government agencies.

Details of Ōtākaro forecasts and financial statements are provided in its SPE for the current and upcoming fiscal years. Ōtākaro also expects to see steady improvements in its operational efficiency.

Governance

Organisation Form

Incorporated under the Companies Act 1993, Ōtākaro is a Crown-owned company listed under Schedule 4A of the Public Finance Act 1989, and subject to the Crown Entities Act 2004, the Official Information Act 1982 and the Ombudsmen Act 1975.

Its shareholders are the Associate Minister of Finance and the Minister for Land Information, who each hold 50% of the share capital.

Board of Directors

The Board of Directors is committed to a high standard of corporate governance and regulatory compliance in guiding and monitoring the company's activities. The Board currently comprises five non-executive Directors appointed by the Shareholding Ministers, following Cabinet approval. Under the company's Constitution there must be no fewer than two, and no more than five, Directors.

The Board has an Audit and Risk Committee to help Directors carry out their duties and fulfil their responsibilities. It provides recommendations, counsel and information on accounting, reporting, risk management and responsibilities under legislation. The Committee's Terms of Reference also cover the role of oversight of internal audit.

As a company established under Schedule 4A of the Public Finance Act 1989, there are additional legal obligations for Ōtākaro Directors to satisfy in addition to those specified by the Companies Act.

The Chief Executive, who is accountable to the Board, has responsibility for the management, operation and administration of Ōtākaro. The company has in place a suite of policies that underpin its business strategies, Objectives and mandate, and which provide a link to day-to-day company operations.

Shareholding Ministers

Ōtākaro maintains regular liaison with key officials and engages with Shareholding Ministers, as required. Ōtākaro is open and proactive, and cooperates with the Treasury, which monitors the company's commercial and financial performance.

Ōtākaro operates in accordance with the relevant expectations set out in the Treasury's Owner's Expectations, particularly regarding operating in a financially responsible manner, following the 'no surprises' policy, adhering to thresholds requiring Ministerial consultation and in responding to Official Information Act requests. The Constitution of Ōtākaro also requires that the Shareholding Ministers must approve all Major Transactions (i.e., those transactions greater than \$25m).

Ōtākaro complies with Cabinet Office Circular Investment Management and Asset Performance in the State Services (CO (19) 6), as a Tier 2 Investment Intensive Agency.

Crown Entities Act Requirements

Ōtākaro is subject to various sections of the Crown Entities Act, as set out in its Constitution, including the collective duties of the Board to the Crown and Shareholding Ministers, Crown entity subsidiaries and interface with the Companies Act 1993. In addition, the company must comply with directions from Shareholding Ministers to support a whole of government approach or under statute. The Crown Entities Act also requires the provision of information, sets certain employment requirements, and specifies restrictions on financial products, borrowing and the giving of guarantees and indemnities.

Other Statutory Requirements

Under the Public Audit Act 2001, the Controller and Auditor General is the auditor of Ōtākaro. Ōtākaro also has a role representing the Crown under the Greater Christchurch Regeneration Act 2016.

ADDITIONAL INFORMATION

Ōtākaro works proactively, transparently and collaboratively with the Treasury, Christchurch City Council and Matapopore Charitable Trust (as mandated representatives of Te Ngāi Tūāhuriri Rūnanga) as it relates to Anchor Projects; and Project Owners, Crown Infrastructure Partners, and the Treasury as it relates to Shovel Ready Projects.

Appendix – List of Projects

The Anchor Projects that Ōtākaro is responsible for, including those that deliver new public open spaces in the central city, include:

- Canterbury Earthquake National Memorial (completed)
- Te Papa Ōtākaro/Avon River Precinct, North Frame and Margaret Mahy Family Playground (completed)
- East Frame Public Realm (completed) and Residential Precinct
- South Frame Public Realm
- An Accessible City (Completed)
- Te Pae Christchurch Convention Centre Precinct
- Parakiore Recreation and Sport Centre
- Bus Interchange (completed)

Ōtākaro has been assigned the following roles:

- Shovel Ready Projects in Canterbury – Monitoring and funding Twelve Shovel Ready Projects.
- To assist the Government with any projects, as agreed from time to time between the company and the Shareholding Ministers.