

### 13. APPOINTMENT OF COUNCIL REPRESENTATIVES TO OUTSIDE BODIES

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The purpose of this report is to seek appointment of the Council's representatives to the organisations to which the Council makes appointments.

#### BACKGROUND

In the 1998-2001 term the Council appointed a total of 50 representatives to some 31 organisations, 43 of whom were elected members. The remainder were staff (3), former elected members (2) and private individuals. The following organisations were added to the list during the 1998-2001 term:

Canterbury Hockey Foundation  
Canterbury Volunteer Centre  
Christchurch Science and Technology Trust Board  
Destination Christchurch Trust

#### PRESENT COUNCIL POLICY

The present Council policy governing these appointments is as follows:

*"That the Council appoint formal representatives on outside organisations only where the proposed appointment will be of clear public benefit or benefit to the Council, or where the appointment is required for statutory reasons, or under the provisions of the relevant Trust Deed or Constitution etc of the organisation concerned."*

#### GENERAL INFORMATION ON THE ORGANISATIONS

Contact has been made with the organisations to which the Council makes appointments to determine the constitutional position relating to Council representation and also to seek their views on the need for ongoing Council involvement. As well, general information on the commitment of each appointment has been obtained. The time commitment is the minimum requirement in each case. Any additional commitment would be at the discretion of the appointee. The outcome of this consultation is summarised below:

##### Age Concern

The constitution provides for Council representation but the representative need not be an elected member. Age Concern would be disappointed if representation were discontinued as a formal link with the Council would be lost. The relationship provides a conduit for information to the City Council on issues affecting older people, internationally, nationally and locally. The minimum commitment is 1½ hour each quarter, plus some meeting preparation.  
Current representative: Councillor Keast

##### Arts Centre Trust

The trust's constitution provides for the appointment of one City Councillor. The trust board meets six weekly at 4pm on a Tuesday. Meetings: 2 hours. Meeting preparation: 1 hour.  
Current representative: Councillor Crighton

##### Aurora Centre Trust Board

The trust deed provides for three of the seven members of the board of trust to be appointed by the Christchurch City Council, following consultation with the Fendalton/Waimairi Community Board, at least one of whom shall be a Christchurch City Councillor. The remaining trustees are appointed by the Burnside High School Board of Trustees. The deed also provides for the members of the Board appointed by the Council to:

- hold office for a term expiring on 31 October in the year of local body elections; and
- at any time to be removed by the Christchurch City Council and another person appointed in their place

The board meets on the second Monday of the month. Meetings: 1-2 hours. Preparation: 1 hour max. One of the Council representatives also serves on the liaison committee which meets weekly with Burnside High School. These meetings are held on a Thursday and take one hour.

Present representatives: Councillor Wright, Mrs Margaret Murray, Mr Brian Law

These appointments were considered by the Fendalton/Waimairi Community Board at its meeting on 20 November. The Board recommends that the current representatives be reappointed. Both the outside representatives are available for reappointment.

### **Canterbury Development Corporation Trust**

The CDC Trust was formed in August 1995 primarily to hold the shares in the Canterbury Development Corporation and to appoint the directors. The Trust is administered by a Board with a maximum of four trustees who hold office for a term of three years. Half of the Board is appointed by the Christchurch City Council and the remaining half by the trustees. The Chairman of the trust is appointed by the Christchurch City Council. The trust meets only as required.

Current representatives: Councillor James (Chairperson) and Councillor Harrow

### **Canterbury Hockey Foundation**

In 2000 the Council resolved to make an annual inflation-adjusted grant of \$80,000 to the Canterbury Hockey Foundation towards replacement of the artificial turf surfaces at Porritt and Nunweek Parks. The grant was conditional upon (inter alia) Canterbury Hockey forming a body to control the construction and replacement of artificial surfaces and the Council funding being paid to this body. The Canterbury Hockey Foundation was formed to meet this condition. The trust's constitution provides for a seven member board including one nominee of the Christchurch City Council. The Council's representative does not need to be an elected member. In March 2001, the previous Council appointed Mr Kevin Boyce, Principal, St Michael's Church School, as its representative on the foundation.

The commitment is not an onerous one as the trust board meets on an as required basis, generally 3-4 times per year. Meetings are approximately one hour in length and there is minimal meeting preparation.

### **Canterbury Museum Trust Board**

In terms of the Canterbury Museum Trust Board Act 1993 the Council is entitled to appoint four persons to the Canterbury Museum Trust Board. The Act requires contributing authorities to appoint their representatives within three months of the local body elections. To meet the legal timeframe, it will be necessary for the Council to appoint its representatives at the December Council meeting.

As a guide to appointing organisations, the current Trust Board thought it would be useful to provide a description of the requirements of a position on the Trust Board, so that potential candidates can judge if the position is one with which they would feel comfortable.

#### *Demands of the Role*

The Trust Board meets monthly from 11am to 2pm on the first Tuesday of each month. Currently, there is a formal Board meeting every two months, alternating with group visits, which allow members to learn the activities that take place in the Museum, and to be updated on any issues arising. The Museum's 'business' is complex, and these visits are very useful in keeping Trustees fully informed.

In addition, there are subcommittees of the Board. These meet on average every two months, but may need to meet more often if specific issues arise.

Reading and preparation for the meetings ranges from 1-2 hours, and Board members are expected to arrive at meetings with all papers read.

For the Board to function well, it is essential that the Trustees be prepared to meet the above demands, which are not overly arduous. Members may be prevented by competing demands from attending every meeting, but should be at the majority of meetings.

From time to time, there are functions: openings, launches, markings of specific anniversaries and the like. These tend to happen only 3 or 4 times per year and, although Trustee attendance is not required, we like to encourage support from Trustees.

### *Qualities of Trustees*

These are listed in no particular order, although the first one is the single most important quality a Trustee needs.

- The understanding that the primary responsibility of a Trustee is to the Museum rather than to the appointing organisation
- An understanding of, and commitment to, the role of a Museum in its community
- The ability to represent the views of the body the Trustee is representing
- A willingness to get to know the business of the Museum
- Integrity, respect for confidentiality and good common sense.

### *Suggested Competencies*

The following is a list of competencies desired around the Board table. The first group of competencies is crucial, and Trustees should be prepared to undergo training if they do not have these competencies at the time of joining the Board.

In the second group, not every Trustee needs to have all of these qualities, but it would be desirable for each Trustee to have a reasonable number of them.

1. Core competencies
  - Financial literacy: ability to interpret financial statements and statistical information, such as balance sheet and profit and loss statements
  - Knowledge of legal requirements of Board membership: conflicts of interest, confidentiality and liability issues
  - Ability to distinguish between governance and management roles
  - Understanding of the principle of collective responsibility: that once a majority decision has been taken by the Board, all Trustees must support that decision
  - Ability to work harmoniously in a team, to recognise and value the contributions of other Board members in a diplomatic manner.
2. Other competencies:
  - Ability to see the wide perspective and think strategically
  - Organisational and structural awareness
  - Critical faculty: ability to probe facts, challenge assumptions, identify drawbacks and advantages of proposals
  - Honesty and willingness to be accountable
  - Awareness of the obligations placed on the Museum as a statutory body under the Treaty of Waitangi
  - Bi-cultural awareness
  - Multi-cultural awareness
  - Awareness of major external influences on the Museum and environment including political, economic, social and technological issues
  - Special knowledge: Awareness of any strategic, cultural or other issues that may impact on the particular operation of the Museum
  - Understanding of the community's expectations.

This is a very satisfying Board to belong to. The work of the Museum is fascinating, and the Director and his team provide excellent support to the Board. The Museum is just moving into an exciting phase of its history, as it embarks upon a major revitalisation project as part of its long-term strategic plan. There will be plenty of challenges and satisfaction over the next Board term.

Current representatives: Councillor Austin (Chair), Councillor Keast, Councillor Stewart and Mrs Sally Thompson

### **Canterbury Sports Foundation**

The Christchurch City Council has been a member of the Canterbury Sports Foundation since its inception in 1978. The constitution provides for several membership categories (including local government) and for two persons to represent the local government sector. The representatives do not have to be elected members and on occasions previous Councils have appointed one elected member and one staff member to serve in this capacity. A change to the rules would almost certainly be required if the Council elected to discontinue its membership of the foundation.

Four meetings per year plus AGM. Meetings are held on Tuesday at 12 noon and take 1½ hours. Meeting preparation: 30 minutes.

Present representatives: Mr David Buist and Councillor Corbett

### **Canterbury Technology Park Joint Venture**

Ian Hay, the current Council representative, advises that the last parcel of land has recently been sold with settlement due April 2002. Steps to wind up the joint venture will be commenced at that time. Ian is available to continue serving as the Council's representative on the trust, during the windup process.

### **Canterbury Volunteer Centre**

At its meeting on 22 July 1999 the Council approved a request for elected member representation on the board of the above organisation. While the constitution does not specifically provide for Council representation the Canterbury Volunteer Centre has appreciated the Council's involvement and would be disappointed if the Council did not reappoint an elected member to serve on the board. The board meets monthly on the fourth Wednesday from 1pm to 2.30pm. Meeting preparation: 30-45 minutes  
Current representative: Councillor Baker

### **Canterbury/Westland Sports Trust (Sport Canterbury)**

The Deed of Trust provides for an appointee of the Mayor of the Christchurch City Council to be a member of the Board of Trustees. The appointee does not have to be an elected member. However in the past the Mayor's representative has usually been a City Councillor. Councillor Condon represented the Council on the trust until his resignation in June 2001 following his appointment to the transitional board for the Recreation and Sport Agency.

Board meets two-monthly on the fourth Monday at 12.30pm. Meetings: 2-3 hours. Meeting preparation: 1 hour per week.

### **Children's Christmas Parade Trust**

The trust's constitution provides for the Council to be represented on the trust but the appointee does not have to be an elected member. Any discontinuation of Council involvement would have to be trust decision as the Christchurch City Council is one of a number of constitutional trustees. The trust would be disappointed if the Council discontinued its present level of involvement. Trustees meet approximately three times per annum and the executive committee five times per annum. Meetings are held on an as required basis and commence at 4.30pm. Meeting time: 1-1½ hours. The current Council representative, Mr Newton Dodge, has tendered his resignation from this appointment with effect from 1 December.

### **Christchurch Civic Music Council**

The Christchurch Civic Music Council was originally established by the Christchurch City Council in 1941. The constitution provides for the Christchurch City Council to have three members on general council, and for one of those three to be on the executive council. The representatives do not have to be elected members and past Councils have appointed non-elected representatives from time to time. In recent years the Council has generally appointed only one representative to this organisation. The Christchurch Civic Music Council considers that since it was originally set up by the City Council, the Council should continue to be represented on its governing bodies. Executive Council meets monthly from February to November at 5.30pm on the last Friday of each month. The Annual General Meeting is held in October. Meetings: 1½ hours. Minimal meeting preparation.  
Current representative: Councillor Evans

### **Christchurch Community Arts Council**

The Christchurch Community Arts Council constitution provides for the Council to appoint one person (not necessarily an elected member) to the executive. The executive meets monthly on the second Wednesday at 5.15pm. Meetings: 2-3 hours. Meeting preparation: 30 minutes.

The Arts Adviser, Marlene Le Cren, is the present Council representative.

### **Christchurch Ethnic Council**

The constitution does not require Council representation but the Ethnic Council would be disappointed if the City Council did not maintain the status quo. Councillor Ganda is the current Council representative.

### **Christchurch Garden City Trust**

The constitution provides for the Council to be represented on the trust at elected member level. As well the constitution provides for the unit of the Council having jurisdiction over the city's parks to appoint a representative. The trust would be disappointed if the Council discontinued its present level of involvement. Given it receives a major annual grant from the Council the trust considers Council representation is appropriate to monitor spending and also to give the Trust a voice at the Council table. The Trust meets monthly, usually in the middle of each month. Meetings: 1<sup>1</sup>/<sub>2</sub> hours. Meeting preparation: 30 minutes maximum.

Current representative and Chairperson of the Trust: Councillor Sheriff

The Parks and Waterways Unit's representative is Warwick Scadden.

### **Christchurch Heritage Trust**

The constitution provides for the Council to appoint one representative. The appointee does not need to be an elected member but the trust would prefer this level of representation. The trust meets monthly usually in the fourth week of the month. Meetings: 2 hours. Meeting preparation: 15 minutes

Current representative: Councillor Crighton

### **Christchurch Olympic City Committee**

There is no constitutional requirement for the Council to be represented on the Christchurch Olympic City Committee. Membership dates back to 1991 when the then Council resolved to accept Olympic City designation from the NZ Olympic and Commonwealth Games Association.

The Council also adopted the Parks and Recreation Committee's recommendation that the Chairman of that Committee or his/her nominee chair the Christchurch Olympic City Committee. The Christchurch Olympic City Committee would be disappointed if the Council discontinued its involvement. Generally, the Committee only meets in the years in which Olympic and Commonwealth Games are held on an as required basis.

Current representatives: Mr David Buist (Chair) and Councillor Baker

### **Christchurch Safer Community Council**

The Safer Christchurch Community Council constitution (23 June 1994) provides for one Christchurch City Council representative appointed by the Mayor. The appointee does not have to be an elected member. However, in the past the Mayor's representative has usually been a City Councillor. Safer Christchurch meets on the last Friday of each month at 10am at Mancan House, Cambridge Terrace. Meetings are 1<sup>1</sup>/<sub>2</sub>-2 hours. Meeting preparation: 1 hour.

Current representative: Mrs Sally Thompson

### **Christchurch Science Technology Trust Board**

There is no constitutional requirement for the Council to be represented on the trust board. In 2000 the Council accepted an invitation from the trust for a City Councillor to become a member of the board. The board would be disappointed if the Council reversed this decision. The trust receives substantial funding support from the Council and believes that elected member representation on the board is appropriate to monitor spending. The board meets monthly on the fourth Monday at 5.30pm. 1<sup>1</sup>/<sub>2</sub>-2 hours. Meeting preparation: 45 minutes.

Current representative: Councillor Harrow

### **Citizens' Advice Bureau**

There is no constitutional requirement for the Christchurch City Council to serve on the governing body. However, the Citizens' Advice Bureau would like its present association with the Council to continue. Generally, the Management Committee meets on the first Monday of each month (except January) at 12 noon. Meetings: 2-3 hours. Meeting preparation: 1-1½ hours.  
Current representative: Councillor Sheriff

### **Destination Christchurch Trust**

The Destination Christchurch Canterbury NZ Trust was set up in 1998. Its role is to own the company which operates the visitor marketing business (Christchurch and Canterbury Marketing Ltd), to appoint the directors and review their performance in achieving the aims of the trust. This is the same model used for the Canterbury Development Corporation. The trust meets only as required and the trustees' duties are not time-consuming. Councillors Anderton and James are the current trustees.

### **Kate Sheppard Memorial Award Trust**

The trust's constitution provides for the Council to be represented on the trust but the appointee does not have to be an elected member. The trust would be disappointed if the Council discontinued its involvement. As the trust meets only 2-3 times a year the commitment is not a demanding one. Meetings are usually held at 5.30pm and run for about 1½ hours.  
Current representative: Mrs Sally Thompson

### **Keep Christchurch Beautiful**

There is no constitutional requirement for the Council to be represented on the governing body. Councillor Evans is the current Council representative on the executive and is also the local government representative on Keep New Zealand Beautiful. The Committee meets monthly from February to December at 3.30pm on the final Friday of each month. Meetings: 1½ hours. Minimal meeting preparation.

### **Kingslea Community Liaison Committee**

The Children, Young Persons and their Families Regulations 1996 provide for two persons to be appointed by the Council to the above Committee. The Council appoints one of the representatives and the Burwood/Pegasus Community Board the other. The Committee meets quarterly at Kingslea at 5pm, usually on the second or third Wednesday of the month. Meetings: 1½ hours. Meeting preparation: Minimal.  
Current representative: Councillor Anderton

### **Mayor's Welfare Fund Charitable Trust**

The trust deed provides for the Council to nominate one Councillor to serve on the trust. The Mayor is the Chairperson of the trust. In the last term the Deputy Mayor deputised for the Mayor and chaired the trust. The trust meets quarterly in February, May, August and November at 10am on the third Thursday of the month. Meetings: 2 hours. Minimal meeting preparation.  
Current representative: Councillor Harrow

### **Music Centre of Christchurch Trust**

The trust's constitution provides for the Christchurch City Council to be represented on the trust by an elected member. The trust appreciates the contribution the Council's representative makes to its deliberations. The trust meets monthly on the last Wednesday of the month (except December). Meetings: 2 hours. Minimal meeting preparation.  
Current representative: Councillor Evans

### **Orton Bradley Trust**

The trust was set up by an Act of Parliament in 1972 and trustees, of which the Christchurch City Council is one, are specified in the Act. Council representation is therefore mandatory. However, the representative does not have to be an elected member. Craig Oliver currently serves in this capacity. The trust would be disappointed if the present representation were changed as Craig Oliver's professional input is valued and appreciated by the trust board. The board meets monthly from February to November in the final week of the month. Meetings: 3 hours. Meeting preparation: 1 hour. Craig Oliver is happy to continue to act as Council representative.

### **Recovered Materials Foundation**

The constitution provides for the Christchurch City Council to appoint two trustees. The trustees do not have to be elected members. The current Council representatives are Councillor O'Rourke and Mr Ian Howell and their appointments expire on 16 January 2002. In June 1999 the RMF Board appointed Councillor Buck as an advisory trustee. The Council subsequently authorised Councillor Buck to attend meetings of the RMF in her capacity as an advisory trustee as a representative of the Council. Currently the board meets monthly at 12 noon on the third Wednesday of each month from February to December. Meetings: 2<sup>1</sup>/<sub>2</sub>-3 hours. Meeting preparation: 45 minutes.

### **Riccarton Bush Trust**

The Council makes six appointments to the trust and the practice has been for the Council to appoint three representatives (one nominated by the Fendalton/Waimairi Community Board) and the Riccarton/Wigram Community Board the remaining three. In the past these appointments have been made every three years following the local body elections. However, as the Riccarton Bush Act 1914 provides for board members to hold office for five years it will be necessary to comply with the provisions of the Act and to make the new appointments when the current terms expire. The current Council appointees to the trust together with their terms of office are listed below:

<i>Appointee</i>	<i>Appointment Date</i>	<i>Term Expires</i>
Mr David Buist	10 December 1998	9 December 2003
Councillor Ishwar Ganda	10 December 1998	9 December 2003
Councillor Barbara Stewart	25 February 1999	24 February 2004

### **REMUNERATION**

In the past, meeting allowances for meetings of outside bodies have been paid at the Community Board daily remuneration rate (currently \$155) rather than the Council daily rate (\$195).

To quantify the potential exposure of the Council to meeting claims, the claims lodged by Councillors during the 2000/01 financial year were checked and the following information extracted. The figures shown in brackets are the comparative costs for a similar exercise undertaken in 1998.

No of claims	155	(145)
Total cost at \$145 per meeting	\$22,475	(\$19,575 @ \$135 per meeting)
No of organisations for which claims were lodged	15	(15)

Councillor meeting payments for three organisations, the Riccarton Trust Board (\$5,510), the Canterbury Museum Trust Board (\$3,335) and the Recovered Materials Foundation (\$4,350) accounted for \$13,195 (59%) of these costs. Based on the 1997/98 and 2000/01 figures, the annual cost of these meeting payments for the 2001-04 term should be in the order of \$25,000.

### **PROPOSED APPOINTMENTS**

A schedule listing the proposed appointments to outside organisations is attached.

The City Manager comments:

During consideration of this item at the Committee meeting there was discussion about circumstances in which Councillors appointed to outside organisations find themselves in a position of actual or perceived conflict of interest. This is seen to arise in circumstances where a Councillor has been appointed to an outside agency which competes with other agencies for Council funding. Two separate issues were identified: first the apparent conflict of interest if a Councillor is thought to be both part of the body applying for funding and part of the Council awarding it; secondly, concerns that a Councillor has, or is seen to have, access to confidential information on other agencies which are 'competing' for Council funds and thereby able to give the agency which they are a member of an advantage.

One of the strengths of the Council's operation is the extent to which elected members develop extensive networks which are useful both in informing the Council's own decision-making and in influencing the decisions of other organisations in the city. It therefore seems desirable to respond to the concerns not by preventing Councillors being represented on outside organisations but rather by managing what might be seen to be the conflict of interests which might arise. This might be achieved by the Council adopting a policy along the following lines:

"In the case of outside bodies which could be reasonably expected to apply to the City Council for funding Councillors will not normally be appointed if they are members of the Council Committee or Subcommittee which would determine the funding application or make such recommendation to the City Council.

On being appointed to outside organisations Councillors will be requested to give a voluntary undertaking not to attend (parts of) meetings or otherwise receive confidential information relating to 'competing' organisations. The purpose of this is to minimise the risk of any perception of conflict of interests."

- Recommendation:**
1. That the Council continue its association with the organisations listed in the above report, but that representation be reassessed if the circumstances of any organisation change.
  2. That the persons listed in the attached schedule be appointed to represent the Council on the organisations to which the Council makes appointments.
  3. That the level of remuneration of Councillors who claim payment for attendance at meetings of outside bodies be at the Community Board rate, ie \$155.
  4. That the Council recommend to the Recovered Materials Foundation that Councillor Chrissie Williams be appointed an advisory trustee.
  5. That the policy recommended by the City Manager, set out in the final two paragraphs of his comments, be adopted.