

4. TRANSWASTE CANTERBURY LIMITED - DIRECTORS

General Manager responsible:	General Manager City Environment, DDI 941-8656
Officer responsible:	City Water & Waste Manager
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PURPOSE OF REPORT

1. The purpose of this report is to seek confirmation of the extension of Mr Gill Cox's term as a director on the Board of Transwaste Canterbury Limited (TCL) and to allow the Committee to also discuss a term for the appointment of Councillor Sally Buck as a director on the Board of TCL.

EXECUTIVE SUMMARY

2. Members will recall that at the informal discussion of Committee members held on Thursday 15 February 2007 a consensus view was expressed that the current term of Mr Gill Cox as a Director should be extended for a further year until 18 March 2008.
3. Current TCL Board directors as appointed by the Joint Committee are: Mr Gill Cox (Interim Chairman TCL) 18 March 2007, Mr Gerald Clemens 17 September 2009, Councillor Robbie Brine 17 March 2008, Councillor Sally Buck (no term specified).
4. At the meeting of the Canterbury Regional Landfill Joint Committee on 12 February 2007 the Committee resolved:
 - "1. To appoint Councillor Sally Buck as the Councillor director representative of Christchurch City Council on the Board of Transwaste Canterbury Limited.
 2. To record its appreciation for the outstanding contribution made by Denis O'Rourke to the Canterbury Waste Subcommittee and to the Board of Transwaste Canterbury Limited."
5. As a consequence of the replacement of Mr Denis O'Rourke by Councillor Sally Buck the TCL Board at its meeting on 16 February 2007 confirmed Mr Gill Cox as interim Chairman until 30 June 2007. It should be noted that as from 1 July 2007 the chairmanship of the Board will pass for a two year period to the private sector partners (Class A directors) as per the shareholders agreement.
6. Given that Mr Cox's current term of appointment expires on 18 March 2007 it is appropriate that the Joint Committee confirm his extension for a further year prior to that date. Mr Cox has advised he is agreeable to this extension.
7. At the meeting on 12 February 2007 Councillor Sally Buck was appointed as a director on the Board of TCL. The meeting did not specify a term for her appointment. It should be noted that it was the policy of the previous Joint Committee to appoint Councillor directors for a three year term with a small extension of time to cover the triennial election period. It is on this basis that the current term to 17 March 2008 for Councillor Robbie Brine was determined. Given the above criteria, a term of until 12 March 2011 would have been set for the appointment of Councillor Buck. It should be noted that this previous policy allowed for Councillor appointments to be reviewed by the Joint Committee should a Councillor director resign from their position as a Councillor or not be re-elected.

FINANCIAL AND LEGAL CONSIDERATIONS

Cost

8. There is no direct financial implications for the above as Director's fees are paid by Transwaste Canterbury Limited and are budgeted for by that company.

Legal

9. It is desirable that Mr Cox's term be confirmed prior to its current expiry on 18 March 2007 and not be delayed until the next scheduled meeting of the Joint Committee on 16 April 2007. The Constitution for the Joint Committee and the Shareholder Agreement gives the Joint Committee the power to appoint four (Class B Directors) of the eight directors on the Board of TCL.

STAFF RECOMMENDATIONS

It is recommended:

- (a) That the term of Mr Gill Cox as Director on the Board of Transwaste Canterbury Limited be extended to 17 March 2008.
- (b) That the Committee give consideration as to whether it wishes to confirm a definitive term for the appointment of Councillor Sally Buck as a Director on the Board of Transwaste Canterbury Limited to 12 March 2011 in line with the policy of the previous Joint Committee.