



## 6. CCHL REQUEST FOR ADDITIONAL SHELF COMPANIES

<b>General Manager responsible:</b>	General Manager Corporate Services, DDI 941-8540
<b>Officer responsible:</b>	General Manager Corporate Services
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### PURPOSE OF REPORT

1. The purpose of this report is to consider a request from CCHL to establish five new subsidiary shelf companies (refer to Appendix 1 attached, memo from the Chief Executive, Bob Lineham, to the Acting Chief Executive, Christchurch City Council, dated 4 January 2006).

### EXECUTIVE SUMMARY

2. In 2001, prior to the LGA Act 2002, CCHL established three shelf companies which have now been utilised to form Jet Engine Facilities Ltd (JEFL), Christchurch City Networks Ltd (CCNL), leaving one yet to be utilised.
3. The establishment of what would in effect be five new CCTOs requires a special piece of procedure. The intent of raising the matter now rather than when a specific opportunity arises is to ensure that CCHL is able to respond in a timely manner to any new initiative. The alternative is to have to undertake a special piece of procedure each time an opportunity arises which necessitates the creation of a new subsidiary company for CCHL (every subsidiary of CCHL itself a CCTO) which would be a CCTO in terms of the Act.
4. CCHL proposes, subject to Council approval, that Council include the intention for CCHL to establish five new subsidiary shelf companies as part of our Annual Plan/amended LTCCP process which of course includes a SCP.
5. All CCTOs are governed by the LGA Act and are the subject of a statement of intent which ultimately comes before Council. Activation of the shelf companies cannot be undertaken without Council being informed. The CCHL statement of intent provides Council with appropriate safeguards for the use of these proposed shelf companies.

### FINANCIAL AND LEGAL CONSIDERATIONS

6. The establishment of these subsidiary companies (CCTOs) within CCHL will not have any direct financial impact on Council or its rates.
7. From a legal perspective, the establishment of these subsidiary shelf companies requires a special consultative procedure as they are deemed under the Act to be CCTOs.

### STAFF RECOMMENDATIONS

It is recommended that Council:

- (a) Support in principle the establishment of five new subsidiary shelf companies for CCHL.
- (b) Include this proposal as part of its amended LTCCP/Annual Plan and the special consultative procedure associated with those documents.