

**CENTRAL PLAINS WATER JOINT COMMITTEE
AGENDA**

MONDAY 13 AUGUST 2012

AT 2PM

IN COMMITTEE ROOM 2, SECOND FLOOR, CIVIC OFFICES, 53 HEREFORD STREET

Committee: Councillor Jeff Bland (Selywn District Council) (Chairperson)
Mayor Bob Parker (Christchurch City Council)
Councillor Helen Broughton (Christchurch City Council)
Councillor Sally Buck (Christchurch City Council)
Councillor Pat McEvedy (Selwyn District Council)
Councillor Sarah Walters (Selwyn District Council)

In Attendance: Ian Thomson, Senior Solicitor - Legal Services Unit
Douglas Marshall, Manager Corporate Services
Tracey Hobson, Committee Adviser

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CENTRAL PLAINS WATER JOINT COMMITTEE 13. 8. 2012**1. APOLOGIES**

Nil.

2. CONFIRMATION OF OPEN MINUTES – CENTRAL PLAINS WATER JOINT COMMITTEE MEETING OF 11 JUNE 2012

Attached.

MINUTES FROM A JOINT MEETING BETWEEN SELWYN DISTRICT COUNCIL AND CRISTCHURCH CITY COUNCIL ON CENTRAL PLAINS WATER HELD AT THE SELWYN DISTRICT COUNCIL OFFICES, ON MONDAY 11 JUNE 2012 STARTING AT 2PM

PRESENT

Christchurch City Councillor Sally Buck
Selwyn District Councillors Sarah Walters and Pat McEvedy

IN ATTENDANCE

Christchurch City Council – I Thompson (Legal Services), Ms T Hobson (Committee Adviser)

Selwyn District Council – Mayor K Coe (until 2.35pm), P L Davey (Chief Executive), D D Marshall (Manager Corporate Services), P Rogers (Adderley Head – legal counsel) and Mrs S Elder (Executive Assistant)

APOLOGIES

Apologies were tabled and received from Councillor Helen Broughton – Christchurch City Council and Councillor Jeff Bland – Selwyn District Council.

The Chief Executive advised that as a quorum was present the meeting would proceed.

Councillor Walters was asked to chair the meeting in the absence of Councillor Bland.

RESOLUTION TO EXCLUDE THE PUBLIC

Moved – Councillor Buck / Seconded – Councillor McEvedy

‘That the public be excluded from the following proceedings of this meeting, namely items 1

The general subject matter to be considered while the public is excluded, the reason of passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

CENTRAL PLAINS WATER JOINT COMMITTEE 13. 8. 2012**3. PROCESS FOR THE APPOINTMENT OF TRUSTEES TO THE CENTRAL PLAINS WATER TRUST**

Attached.

REPORT

TO: Chief Executives of Christchurch City Council and Selwyn District Council

FOR: Christchurch City/Selwyn District Councils Joint Standing Committee for Central Plains Water Project Issues
– 13 August 2012

FROM: Douglas Marshall

DATE: 31 July 2012

SUBJECT: **Process for the Appointment of Trustees to the Central Plains Water Trust**

1. RECOMMENDATION

That the joint standing committee for the Christchurch City/Selwyn District Councils on Central Plains Water Project Issues recommend to the 2 respect councils that:

1. a trustee appointment committee consisting of Councillors (4 to be named) and an external appointee (to be named) be established to interview and select a maximum of 9 trustees for the Central Plains Water Trust.
2. That the existing Central Plains Water trustees be encouraged to register their interest in a further term as a trustee.

2. PURPOSE

The purpose of this report is to consider how Selwyn District Council and Christchurch City Council appoint trustees to the Central Plains Water Trust in the future.

3. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

The subject of this report is not one which requires an assessment against either Council's significance policy.

4. HISTORY/BACKGROUND

There are currently seven trustees on the Central Plains Water Trust. The majority of these trustees have been with the Trust since the declaration of the Trust in April 2003.

It has been acknowledged for some time that once Central Plains Water Project have achieved all the necessary resource consents (which it now has) there will be need to look at the skill set required of the trustees as the project moves forward and determine what individuals should be appointed to the Trust who have those skill sets.

This report therefore considers the options that are available for trustee appointment and how the process of the appointment might be considered.

5. PROPOSAL

HOW SHOULD TRUSTEES BE APPOINTMENTED?

The appointment of trustees (this report is only referring to the appointment of trustees by the Christchurch City and Selwyn District Council) could be undertaken in one or two general ways.

1. Each Settlor (ie each Council) could appoint trustees in its own right. The number of trustees that each Settler would appoint would be 4.5 (a practical issue exists!), on the basis that there are 12 trustees and Ngai Tahu appoint 3.
2. Both Settlers could agree on a joint process for appointing trustees which is the current process.

In appointing an individual to the trust, a Settlor can view the appointment as one of meaning that the trustee will act solely in the interest of the specific settlor. In reality the trustee's responsibility is to the Trust and thus the appointments need to be on the basis of selecting individuals who the settlor believe will be able to best ensure that the trust meets its objectives.

The disadvantage of having individual settlers appointing their own trustees is that it does not allow for the considered view of both Settlers in making sure a good balance of trustees is appointed.

The alternative is to have a joint approach to trustee appointments. This has been the process used since the Trust was established and the staff of both Councils believes that this is the best way forward into the future.

A joint approach allows both Councils to take into account the skill base they believe they jointly need amongst trustees and therefore they can make appropriate appointments accordingly. It also could allow both Settlers to have a decision on a particular individual with skills they think are appropriate on appointment of say, one trustee each if that was deemed necessary although this is not felt to be likely.

Both Councils have registers they currently maintain which they hold for the purpose of appointing directors to their various CCTOs or CCOs.

Both Councils' staff believe that it would be sensible to select trustees using a public registration process. Accordingly an advertising process would be undertaken as part of the appointment of trustees.

APPOINTMENTS COMMITTEE

The establishment of an Appointments Committee to select new trustees is appropriate. The question is as to who this should be. The most logical approach is to use members of the joint standing committees. Council staff would suggest that a subset of the joint standing committee would be appropriate and would ask that 2 councillors from each council who are members of the joint standing committee put their names forward for recommending to the council as trustee appointees.

The other issue to consider is whether an individual chairperson is useful. The Selwyn District Council has been using independent chairpersons and councillors, to appoint directors to its CCTOs for a number of years. This allows a different perspective to be brought to the table for the appointment processes which Selwyn has found very helpful over the years.

The final point to note is that the appointments committee will interview the various individuals for trustee roles but their joint committee recommendation, like all joint committee recommendations, will need to be approved by the 2 councils.

INDICATIVE APPOINTMENT TIMETABLE

The following indicative timetable is proposed for the appointing of trustees:

Early September	Both councils adopt the joint committees recommendation to proceed with appointment process as outlined in this report
Late September	Advertisements placed to seek interested parties for role as Central Plains Water trustee
Early November	Interviews held to select trustees
Mid November	Joint committee make decision on trustees to be recommended to the 2 councils for appointing to trust
Early December	Both council to adopt joint committee recommendation on trustee appointments

6. OPTIONS

The joint committee has three options to consider:

Option 1 – adopt the recommendation as provided by staff;

Option 2 – adopt but with amendments;

Option 3 – decline to adopt the recommendation.

Staff support option one and therefore put forward the recommendation for adoption.

7. VIEWS OF THOSE AFFECTED/CONSULTATION

Not relevant to this report.

8. RELEVANT POLICY/PLANS

Not relevant to this report.

9. COMMUNITY OUTCOMES

Not relevant to this report.

10. NEGATIVE IMPACTS

Not relevant to this report.

11. LEGAL IMPLICATIONS

Not relevant to this report.

12. FUNDING IMPLICATIONS

There are no funding implications.

13 HAS THE INPUT/IMPACT FROM/ON OTHER DEPARTMENTS BEEN CONSIDERED?

Not relevant to this report.



Douglas Marshall
MANAGER CORPORATE SERVICES

CENTRAL PLAINS WATER JOINT COMMITTEE 13. 8. 2012**4. RESOLUTION TO EXCLUDE THE PUBLIC**

Attached.