

REPORT 3
(1215/11/IM)

APPOINTMENTS TO COUNCIL ORGANISATIONS, COUNCIL ADVISORY GROUPS AND OTHER ORGANISATIONS

1. Purpose of Report

To approve Council representation on and appointments to Council Organisations, Council's advisory groups and other organisations.

2. Executive Summary

Council has the ability to appoint representatives to a number of Council Organisations, Council advisory groups and other organisations that it has involvement with through providing funding, strategic partnerships or by invitation. This report sets out officers' proposals in relation to appointments to those bodies. The report also recommends that Council signify its support of the Mayor for one of the metro sector representative positions on the National Council of LGNZ, and delegate to her voting responsibilities in relation to the election of the other two positions on the National Council.

3. Recommendations

It is recommended that Council:

- 1. Receive the information.*
- 2. Appoint Councillor representative(s) to the following Council Organisations.*

Council Organisation	Representation
<i>Carter Observatory Board/Carter Observatory Trust</i>	<i>One Councillor</i>
<i>Creative Communities</i>	<i>One Councillor</i>
<i>International Arts Festival Trust</i>	<i>The Mayor</i>
<i>Karori Wildlife Sanctuary Trust</i>	<i>One Councillor</i>

- 3. Agree that a Council officer be on the following council organisations and delegate to the Chief Executive the authority to make these appointments.*

Council Organisation	Representation
<i>Adam Foundation Trust</i>	<i>Chief Executive</i>
<i>Hannah Playhouse Trust</i>	<i>One officer</i>
<i>Wellington Xiamen Association</i>	<i>One officer</i>
<i>New Zealand Schools of Dance and Drama Premises Management Trust</i>	<i>One officer</i>

4. *Agree that no appointments are made to the following bodies and council organisations.*

Council Organisation
<i>Embassy Theatre Trust</i>
<i>Wellington Regional 20/20 Communications Trust</i>
<i>Lyall Bay Surf Reef Trust*</i>
<i>Sink F69 Trust*</i>
<i>Wellington City Lender of Last Resort Trust*</i>
<i>Wellington Youth Orchestra Inc*</i>

* These organisations will nevertheless remain Council Organisations.

5. *Appoint a Councillor representative, and an alternate, to the following Council advisory groups:*

Council Advisory Group	Representation
<i>Disability Reference Group</i>	<i>One Councillor</i>
<i>Environmental Reference Group</i>	<i>One Councillor</i>
<i>Pacific Advisory Group</i>	<i>One Councillor</i>
<i>Road Safety Reference Group</i>	<i>One Councillor</i>
<i>Youth Council</i>	<i>One Councillor</i>

6. *Appoint a Councillor representative to the following other groups and organisations:*

Other Organisation	Representation
<i>Art Collection Group</i>	<i>One Councillor</i>
<i>Communities for Climate Protection</i>	<i>One Councillor</i>
<i>NZ Historic Places Trust (Wellington)</i>	<i>One Councillor</i>

Other Organisation	Representation
<i>Branch Committee)</i>	
<i>Nominations Panel Representative on the Capital Primary Health Organisation</i>	<i>One Councillor</i>
<i>Wellington Independent Practitioners Association (WIPA) Community Panel</i>	<i>One Councillor</i>
<i>Wellington Region Environmental Agency</i>	<i>One Councillor</i>
<i>Wellington Regional Council Pest Management Strategy Subcommittee</i>	<i>One Councillor</i>
<i>Taxi Working Party Chair</i>	<i>One Councillor (and one alternate)</i>
<i>Quality Partnership Agreement</i>	<i>One Councillor (and one alternate)</i>

7. *Recommend to the Tawa Community Board that it nominate a Board member for the following position:*

Other Organisation
<i>Camp Elsdon</i>

8. *Agree that the Councillors appointed to these organisations and advisory groups will report back to an appropriate forum on an annual basis.*
9. *Note that Council does not set remuneration for appointees to Council Organisations as listed in this report, advisory groups and other organisations.*
10. *Agree to cast the votes allocated to Wellington City Council in favour of Mayor Prendergast for one of the three metro sector representative positions on the National Council of Local Government New Zealand.*
11. *Delegate to the Mayor the ability to cast the votes allocated to Wellington City Council for the election of the other two metro sector representative positions on the National Council of Local Government New Zealand.*

4. Background

4.1 Council Organisations

The Council is represented by councillors and/or officers on the boards of a number of organisations. The councillor positions were vacated at the end of the last triennium and, if the Council so desires, councillors can be reappointed to them for the duration of the new triennium.

In some cases the appointments are required because of board membership criteria set out in trust deeds or constitutions. These may or may not stipulate that appointees must be councillors. In other cases the Council has elected to appoint councillors, usually at the request of the entities concerned.

The Council should note that any entity whose board includes a Council appointee, whether a councillor, officer or external person, is automatically classified a Council Organisation under the Local Government Act 2002. This brings with it performance monitoring obligations involving consideration of the contribution which such an entity makes to the strategic outcomes of the Council.

In the case of entities where such an appointment is at the discretion of the Council, these obligations can be avoided simply by not making the appointment. Where a obligation to appoint exists but that right is not exercised, they cannot be avoided. In the case of the latter, a change to the relevant trust deed or constitution would need to be executed if the Council wishes to avoid its monitoring obligations.

Officers have reviewed the need for appointments to the organisations that, by virtue of appointments made to them in the last triennium (whether driven by trust deed or other requirements, or made at the Council's discretion), were categorised as Council Organisations. Officers' advice is as follows:

- Table A below lists those entities where it is being recommended that the Council makes a councillor appointment
- Table B below lists those entities where it is being recommended that the Council gives delegated authority to the Chief Executive to appoint an officer
- Table C below lists those entities to which it is being recommended the Council need not make any appointment.

The entities in Tables A and B will automatically become Council Organisations if the recommendations are implemented. Whether those listed in Table C will remain Council Organisations if the Council decides not to make an appointment depends on the appointment rights that flow (or not) from their Trust Deeds, Rules or Constitutions.

4.2 Advisory Groups

Council has established a number of advisory groups that assist in the policy formulation process. Council has established five groups to provide advice on distinct subject areas. The current groups are the Disability Reference Group, Youth Council, Pacific Advisory Group, Road Safety Reference Group and Environmental Reference Group. These groups generally meet on a monthly basis. It is recommended that a Councillor be appointed to each.

4.3 Other External Organisations

Appointment to external organisations has been judged against criteria including whether:

- representation is a legal requirement
- the Council funds the organisation
- the organisation has significant fit with Council's strategic goals
- there are additional tangible benefits to Wellington City Council/Wellington City.

5. Discussion

5.1 Councillor Appointments

Table A lists those council organisations where it is recommended that a councillor appointment is made:

Table A

Organisation	Activity	Reason for recommendation
Carter Observatory Board/Carter Observatory Trust	To maintain, operate and control the Carter Observatory, which is the national astronomical observatory of New Zealand, and to promote and carry out activity related to astronomy	<p>There are two bodies which currently exist for the operation and control of the Carter Observatory. The first is the Carter Observatory Board to which the WCC is entitled under the Carter Observatory Act 1938 to nominate to the relevant Minister of the Crown one member of the Board. The Board however is no longer responsible for the Carter Observatory, the funding for which transferred to the Carter Observatory Trust in 2007.</p> <p>The WCC are entitled to make an appointment to this Trust and</p>

		given the Observatory's contribution to Wellington's tourism and the Council's recent investment in its upgrade, a councillor appointment is considered appropriate. The legislation that created the Carter Observatory Board is expected to be repealed in 2008 and will leave only the Trust in existence.
Creative Communities Scheme	To allocate funding provided by Creative New Zealand for the benefit of community arts in the city of Wellington	The Scheme Agreement with Creative New Zealand allows the Council to appoint up to 50% of the members of the Assessment Committee that considers applications for funding. The Council has previously appointed one councillor, which is considered consistent with the Council's support for the arts and gives it a say in the distribution of \$100,000+ of government funding.
International Arts Festival Trust	To establish, organise, promote and maintain a Festival of the Arts, to be known as the International Festival of the Arts, for the benefit of the citizens of New Zealand to be centred in Wellington	Under the terms of the Trust Deed as amended the Mayor is a member of the Board by virtue of her office so long as she accepts the position. Given the Festival's contribution to tourism, city marketing and events objectives, it is considered appropriate that the Mayor continues on the Board.
Karori Wildlife Sanctuary Trust	To establish and maintain a secure native wildlife sanctuary in and around the Karori Reservoir location with the objective of conserving and restoring examples of New Zealand's natural heritage and providing facilities for recreation and tourism	The Council has a right under the Trust Deed as amended to appoint two representatives and has previously elected to appoint one councillor and one external person. In light particularly of the Trust's plans for expansion of the sanctuary experience, it is considered appropriate that a councillor continues on the Board

5.2 Officer Appointments

Table B lists those council organisations and bodies where it is being recommended that the Council gives delegated authority to the Chief Executive to appoint an officer.

Table B

Organisation	Activity	Reason
Adam Foundation Trust	To promote, stimulate, support and further by way of education, endowment or otherwise the appreciation of the arts, crafts and culture in all their forms and manifestations by the citizens of the city of Wellington and of the surrounding region	Under the Trust Deed, the Council is entitled to appoint one trustee, who must be the Chief Executive of the Council.
Hannah Playhouse Trust	To manage the Hannah Playhouse theatre (note: not to operate the theatre)	As a result of the Council increasing its ownership interest in the Playhouse building to 44%, the Council's right of representation under the Trust Deed has increased to 3 Board members. There is no strategic reason for such a heavy involvement on the part of Councillors and the nature of the Trust's activities is such that the Council's interest can be managed solely by an officer, who is responsible for property matters.
Wellington Xiamen Association	To encourage greater understanding of cross-cultural issues between the Chinese community and other communities in Wellington, through support for, and the development and maintenance of, the Wellington-Xiamen sister city relationship	Under the Association's Rules, the Council is entitled to appoint a councillor and an officer on to the Committee of the Association. The Association relies on funding from the International Relations budget and its performance can be monitored through that regime. It is considered an officer appointment is sufficient to monitor the Council's interest in the activities of the Association.

New Zealand Schools of Dance and Drama Premises Management Trust	To provide suitable and well maintained premises for the New Zealand Schools of Dance and Drama and other similar educational/cultural organisations	It was a condition of a previous Council resolution to give a loan to the Trust for building improvements that the Trust be asked to invite a Council representative on to the Board. It is recommended that an officer assume this appointment role as there is no strategic reason for being involved in the governance of this Trust beyond a landlord/tenant relationship.
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5.3 Proposal to make no appointments

Table C lists those bodies and council organisations to which it is being recommended the Council need not make any appointment.

Table C

Organisation	Activity	Reason for recommendation
Embassy Theatre Trust	To develop, support, encourage and enhance knowledge, awareness and an understanding of cinema and the performing arts in New Zealand with a key objective of securing a property suitable for the Wellington Film Festival	Council representation is by invitation. Ownership of the Embassy Theatre building has now vested in the Council, which has taken over landlord responsibilities from the Trust. The strategic benefit of being represented on the Trust is greatly diminished as a result.
Wellington Regional 20/20 Communications Trust	To address the 'digital divide' by equipping every citizen in Wellington with the information and skills to participate in the knowledge economy, to establish an independent community network, and to undertake community initiatives.	Council officers maintain an overview of the Trust. The Trust receives some funding from the Council, and its performance can be monitored through that regime.
Lyllal Bay Surf Reef Trust*	To provide for and encourage a surfing pursuit for youth in Wellington, improve and facilitate aquatic recreation, and enhance environmental protection of the Lyllal Bay coastline, through the development of an artificial surf reef in Lyllal Bay	Under the Trust Deed, the Council is entitled to request a seat on the Trust. This position has, in the past, been filled by an officer but in recent times the invitation has not been taken up.
Sink F69 Trust*	To create an artificial reef for the benefit of marine	The Council has the option under the Trust Deed to appoint at least one of

Organisation	Activity	Reason for recommendation
	ecosystems surrounding the purposefully sunken frigate HMNZNS Wellington, facilitating additional recreation activities created by the attraction of diving and enhancing economic and employment growth by way of increased tourism opportunities	the trustees but this option has never been taken up. Although the project to sink the F69 has been completed the Trust must continue to exist.
Wellington City Lender of Last Resort Trust*	To relieve either generally or individually persons resident in the City of Wellington who are in conditions of need, hardship or distress	The Council has the right to appoint a trustee under the Trust Deed. The Trust has previously received funding from the Community Grants scheme and its performance can be monitored under that regime. There is no strategic benefit from being represented on the Trust.
Wellington Youth Orchestra Inc*	To administer and promote the Wellington Youth Orchestras, to present concerts and to provide an orchestral training programme for young musicians	The Society's Constitution provides for the Council to appoint a representative on the Advisory Board. There is no strategic reason to be represented on the Trust. It receives a community grant and its performance can be monitored through that regime.

* These organisations will nevertheless remain Council Organisations

5.4 Council Advisory Groups

Council Advisory Group	Purpose/Function of Organisation	Criteria for appointment
Disability Reference Group	<p>The DRG will advise the Council on issues that concern people with disabilities in Wellington. The group will respond to issues raised by the Council as well as raise concerns expressed by people with disabilities.</p> <p>The purpose of the group is also to build:</p> <ul style="list-style-type: none"> • people with disabilities' knowledge of Council processes to enable them to participate in Council's 	The group will have up to 9 members and one Councillor representative.

	<p>decision-making processes</p> <ul style="list-style-type: none"> the Council's knowledge of the needs of people with disabilities, and how these can best be resolved. 	
Environmental Reference Group	The role of the Environmental Reference Group is an advisory one and provides the Council with a sounding board and peer review group on issues relating to the management of the natural environment.	The group will have up to 9 members and one Councillor representative.
Road Safety Reference Group	The Road Safety Reference Group was established to provide Council with a sounding board and peer review group, and a first line of consultation on issues relating to road safety matters with a primary emphasis on promotion and education.	The group is well represented by a wide range of public agencies and community groups. The group has one Councillor representative.
Youth Council	<p>The purpose of the Youth Council is to:</p> <ul style="list-style-type: none"> strengthen engagement between Wellington City Council and young people build young people's knowledge of Council processes to enable them to participate in Council's decision-making processes build the Council's knowledge of the needs of young people and how these can best be met. 	The Youth Council will comprise a maximum of 20 members.
Pacific Advisory Group	<p>The purpose of the Pacific Advisory Group (PAG) is to:</p> <ul style="list-style-type: none"> strengthen engagement between Wellington City Council and Pacific nation groups build the Pacific nation groups' knowledge of Council processes to 	The group will comprise: three representatives from Samoa, two each from each of the Nuie, Tonga, Cook Islands, Tokelau, Tuvalu and Fiji and one elected member.

	<p>enable them to participate in Council's decision-making processes</p> <ul style="list-style-type: none"> • build the Council's knowledge of the needs of Pacific nation groups and how these can best be met. 	
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5.5 Other Organisations

Other Organisation	Purpose/Function of Organisation	Criteria for appointment
Art Collection Group	This group acquires, manages and disposes of art works that the WCC purchases and displays within the council buildings.	The Furnishings Art Collection Policy was approved in April 2001 and it was determined that this group would include one Wellington City Councillor.
Communities for Climate Protection	CCP™- NZ is a New Zealand Government initiative delivered by the International Council for Local Environmental Initiatives.	Appropriate that Council support this initiative and nominate a Councillor to act as a contact for this programme.
NZ Historic Places Trust (Wellington Branch Committee)	Works towards the recognition, protection and promotion of New Zealand's historic and cultural heritage.	Under the rules of the NZ Historic Places Trust the composition of each regional committee shall, in addition to specific members, include members as the Board sees fit, i.e. from organisations with similar aims and objectives. The Trust is pleased to have Councillor representation.
Interview Panel Representative on the Capital Primary Health Organisation	This panel has the task of appointing the community representative to the Board of Trustees of the Capital Primary Health Organisations.	The interview panel may comprise one representative from the Wellington City Council.
Wellington Independent Practitioners Association (WIPA) Community Panel	Trust works to ensure equal opportunity for access to quality health services according to need.	WIPA has previously sought Council representation on the Community Panel which discusses health services issues.
Wellington Region	WCC was a founding member of this group and it provides a forum	The group is representative of all the Local Authorities

Environmental Agency	for Councils to discuss environmental issues and work collaboratively on a region wide projects.	in the region. An officer and Councillor from each Local Authority attend quarterly meetings.
Wellington Regional Council Pest Management Strategy Subcommittee	This programme aims to minimise the spread and adverse environmental impacts of noxious plants in Wellington City.	Greater Wellington has requested that a representative from the Wellington City Council be appointed to the Subcommittee.
Taxi Working Party	The Taxi Working Party was designed to develop a more organised way of communication with the industry and to improve on the negative perception of the Council by members of the industry. The intention was to form a core representation from the industry which would discuss primarily operational issues but also potentially talk about more strategic matters	The Taxi Working Party is comprised of a small group representing the industry interest and relevant Council officers and meets approximately six monthly. It was chaired in the previous triennium by the Portfolio Leader, Transport. A Councillor representative is required to Chair and an alternate to act in their absence.
Quality Partnership Agreement	Since 1998 the Council has had a "Quality Partnership" with the Regional Council and Stagecoach. This provides for the parties to contribute to improving the quality of bus services in Wellington city, with the objective of increasing annual ridership. Since the first agreement, Mana Coach Services has been invited to join the group, and represents the Mana/Newlands operations.	The Quality Partnership Agreement 2003-2007 is administered by the GWRC and will be reviewed with a view to continuing beyond 2007. It is proposed that Council appoint an elected member to the Partnership, plus one alternate.

5.6 Tawa Community Board Nominations

Other Organisation	Purpose/Function of Organisation	Criteria for appointment
Camp Elsdon	Low cost accommodation for youth in a bush environment close to the cities of Porirua and Wellington. It is organised through school, churches, sports and community groups	The Tawa Community Board is one of the core members and Council should continue to have representation, through the community board.

5.7 Metro Sector Representatives on the National Council of Local Government New Zealand

Prior to the election, Local Government New Zealand (LGNZ) wrote to all councils, noting that nominations for positions on various LGNZ bodies were due by 30 October 2007, and that late nominations would not be accepted. The positions that were of interest to this Council were:

- metropolitan sector representative positions (three) on the National Council of LGNZ. National Council is the governing body of LGNZ, and is made up of elected members from the various sectors and zones
- Zone 4 representative on the National Council of LGNZ.

Given the timeframes involved, Council agreed to delegate to the Mayor, in consultation with the Chief Executive, the ability to nominate and/or second Wellington City and other council elected members for these positions. In the event the Mayor was nominated for one of the three metro sector representative positions.

LGNZ has now come back to councils, noting that because four nominations were received for the three metro sector positions, an election will be required. It is proposed that Council signify its support of the Mayor for one of the metro sector representative positions on the National Council of LGNZ, and delegate to her voting responsibilities in relation to the election of members to the other two positions.

6. Conclusion

It is recommended that Council considers the list of Council Organisations, council advisory groups, and other external organisations and appoint Council representatives as appropriate. It is also recommended that Council signify its support of the Mayor for one of the metro sector representative positions on the National Council of LGNZ, and delegate to her voting responsibilities in relation to the other two positions.

Contact Officer: *Michael Webster, City Secretary*

Supporting Information
<p>1) Strategic Fit / Strategic Outcome <i>This project supports Long-term outcome 7.2.B “Wellington will operate an open and honest decision making process that generates confidence and trust in the democratic system”.</i></p>
<p>2) LTCCP/Annual Plan reference and long term financial impact <i>Relates to 7.2.2: Provider: City Governance and Decision-making</i></p>
<p>3) Treaty of Waitangi considerations <i>N/A</i></p>
<p>4) Decision-Making <i>This is not a significant decision</i></p>
<p>5) Consultation a) General Consultation <i>Not required</i></p> <p>b) Consultation with Maori <i>Not required</i></p>
<p>6) Legal Implications <i>There are no legal implications</i></p>
<p>7) Consistency with existing policy <i>This report is consistent with existing Wellington City Council policy</i></p>