

17. Central Plains Water Trust - Appointment / Re-appointment of Trustees

Reference / Te Tohutoro: 24/344562

Report of / Te Pou
Matua: Linda Gibb, Performance Advisor, Resources
(linda.gibb@ccc.govt.nz)

Senior Manager /
Pouwhakarae: Bede Carran, Acting General Manager Resources/Chief Financial Officer

Confidentiality

Section under the Act:	The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
Sub-clause and Reason:	s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.
Plain English Reason:	To protect the reputations of the candidates.
Report can be reviewed for potential release:	As soon as the decision is made and the candidates are informed of the Joint Council's decisions.

1. Purpose and Origin of Report Te Pūtake Pūrongo

- 1.1 This report proposes new appointments and re-appointments of trustees to the Central Plains Water Trust (CPWT) board for a period of three years ending 31 March 2027.
- 1.2 The report has been generated following a resolution passed by the Central Plains Water Joint Settlor Committee (Joint Committee) on 15 March 2024 to recommend new appointments and re-appointments of trustees to the CPWT.
- 1.3 The Joint Committee's resolution of 15 March 2024 is at **Attachment A**.
- 1.4 The decisions in this report are of low significance in relation to the Christchurch City Council's Significance and Engagement Policy. The level of significance was determined by considering the extent to which the decisions could affect the community.

2. Officer Recommendations Ngā Tūtohu

That the Finance and Performance Committee:

1. Approves the Central Plains Water Joint Settlor Committee's recommendations that the Christchurch City Council and the Selwyn District Council:
 - a. re-appoints the following trustees to the Central Plains Water Trust each for a second term of three years commencing as soon as the final decisions are made by Christchurch City Council and Selwyn District Council, and ending 31 March 2027:
 - (i) Mr Pat McEvedy;
 - (ii) Ms Elle Archer;
 - (iii) Mr Rob Lawrence; and

- (iv) Mr Les Wanhala;
- b. appoints the following new trustees to the Central Plains Water Trust each for a term of three years commencing as soon as the final decisions are made by Christchurch City Council and Selwyn District Council, and ending 31 March 2027:
 - (i) Mr Richard McDowell; and
 - (ii) Mr Murray Doak
- 2. Agrees to reserve position on the Central Plains Water Trust Board for representatives of Ngāi Tūāhuriri Rūnanga and te Taumutu Rūnanga until 31 March 2027; and
- 3. Agrees to release this report publicly as soon as the candidates have been advised of the joint decisions of the Christchurch City and Selwyn District councils.

3. Reason for Report Recommendations Ngā Take mō te Whakataurua

- 3.1 The recommendations have been made by the Joint Committee to ensure the CPWT board is well positioned to exercise good governance and meet the objectives of its Trust Deed.

4. Alternative Options Considered Ētahi atu Kōwhiringa

- 4.1 There is no alternative option readily identifiable. Declining to make the appointments would leave the CPWT board without any members.

5. Detail Te Whakamahuki

Background

- 5.1 The CPWT was settled by the Christchurch City and Selwyn District councils in 2003. Long term resource consents were issued to the Trust in 2012 for the activities of Central Plains Water Company Ltd (CPWL). The CPWT issues back-to-back water use rights to the company.
- 5.2 The Trust Deed was put in place in 2012 with an objective of promoting the development of agriculture in the Central Canterbury Plains area of New Zealand for the benefit of all of the inhabitants of the Canterbury Region by encouraging, supporting and facilitating:
 - sustainable development of the water resources of the Region;
 - agricultural and horticultural diversity in the Central Canterbury Plains area;
 - an appropriate balance of the benefits of agricultural development with enhancement of ecological, social and recreational values in the Central Plains area; and
 - providing and facilitating education to the inhabitants of the Region in relation to water issues and sustainable agricultural development.
- 5.3 Schedule 3 of the Trust Deed provides rules governing the number, appointment, payment and cessation of office of the trustees. In particular, that the two councils have the right to jointly appoint up to 12 trustees (clauses 2.1 and 2.2), the need to provide balanced representation on the CPWT board including for tangata whenua, environmental protection agencies and farmer interest groups (clause 2.3), and that the trustees appoint the chairperson (clause 2.6).
- 5.4 The Joint Committee comprises two elected members from both councils (Clrs Cotter and Peters from Christchurch City Council and Clrs Gliddon and Reid from Selwyn District Council). It was established as to engage with the CPWT on governance matters on behalf of both councils. It does not have decision-making rights itself. It makes recommendations to the councils for approvals. Decisions must be agreed by both councils to take effect.

Appointment considerations

- 5.5 The Joint Committee considers that the optimal size of the CPWT board is between five and seven members based on the nature and complexity of its business, its ownership structure and need for balanced representation and diversity.
- 5.6 Early background documents envisaged the CPWT to have no less than six and no more than eight trustees once the irrigation scheme was completed (which was in 2018), that trustees would meet four times per year, and the associated costs are acceptable to CPWL as the funder of the Trust's 'reasonable costs'.
- 5.7 The Joint Committee undertook a recruitment process commencing with newspaper advertisements before Christmas 2023, interviews, short-listing and consultation with the Chair of the CPWT. Taking into account the set of skills and capabilities that the incumbent trustees have, the following were the core skills and expertise that was sought for new appointees:
- Governance
 - Agriculture
 - Financial competency
 - Environmental / sustainability.
- 5.8 A table identifying key skills and expertise held by the incumbent and recommended trustees is at **Appendix One** to this report. It also provides a brief description of key experience held by each candidate.
- 5.9 The Joint Committee noted that the recruitment process provided a number of high quality candidates whose relative skills and competencies were assessed based on the priority needs of the CPWT, the new candidates' curriculum vitae and in person interviews. Incumbent trustees were assessed based on their performance in their first terms which was provided by the Chair of the CPWT.
- 5.10 Based on the above, the Joint Committee proposes that the following candidates are appointed/re-appointed to the CPWT board:
- Incumbents - Mr Pat McEvedy (Chairperson), Ms Elle Archer, Mr Rob Lawrence and Mr Les Wanhalla;
 - New members: Mr Richard McDowell and Mr Murray Doak.
- 5.11 The appointments would be effective immediately each for a term of three years.
- 5.12 The Joint Committee also proposes that trustee roles are made available for representatives of Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga. The Rūnanga has been asked to make an appointment but have not yet done so.
- 5.13 The Council's Policy for the Appointment and Remuneration of Directors does not apply to the Trust since appointments are the responsibility of joint councils.
- 5.14 Selwyn District Council is considering the appointments at its next meeting on 10 April 2024.

6. Policy Framework Implications Ngā Hīraunga ā- Kaupapa here

Strategic Alignment Te Rautaki Tīaroaro

- 6.1 This report is consistent with the Council's views of good governance in the local government context which is underpinned by its Policy for the Appointment and Remuneration of Directors (notwithstanding the CPWT is not required to comply that policy). It is not specifically related to the [Council's Long Term Plan \(2021 - 2031\)](#).

Policy Consistency Te Whai Kaupapa here

6.2 The decisions sought are consistent with the Council's Plans and Policies.

Impact on Mana Whenua Ngā Whai Take Mana Whenua

6.3 The decision does not involve a significant decision in relation to ancestral land or a body of water or other elements of intrinsic value, therefore this decision does not specifically impact mana whenua, their culture and traditions.

6.4 The decision may be a matter of interest to mana whenua but should not impact on our agreed partnership priorities with Ngā Papatipu Rūnanga. This is because the decisions are governance (not operational) and specifically provide for representation of mana whenua.

Climate Change Impact Considerations Ngā Whai Whakaaro mā te Āhuarangi

6.5 The decisions in this report will not contribute to adaptation to the impacts of climate change or emissions reductions as it does not lead to any change in operational activity, since they are governance decisions, not operational.

Accessibility Considerations Ngā Whai Whakaaro mā te Hunga Hauā

6.6 Not relevant to this report.

7. Resource Implications Ngā Hīraunga Rauemi

Capex/Opex Ngā Utu Whakahaere

7.1 There are no incremental costs of implementation. CPWL meets the reasonable costs of the Trust which includes an honorarium and meeting expenses.

8. Legal Implications Ngā Hīraunga ā-Ture

Statutory power to undertake proposals in the report Te Manatū Whakahaere Kaupapa

8.1 Local Government Act 2002.

9. Risk Management Implications Ngā Hīraunga Tūraru

9.1 An appropriately sized and structured board minimises risks to the delivery of the Trust's strategic outcomes, as well as those of the councils.

10. Next Steps Ngā Mahinga ā-muri

10.1 The successful candidates will be advised in writing of the Councils' decisions.

Attachments Ngā Tāpirihanga

No.	Title	Reference	Page
A	Central Plains Water Joint Settlor Committee - Resolution to recommend appointments to the Central Plains Water Trust Board	24/435583	19

In addition to the attached documents, the following background information is available:

Document Name - Location / File Link
Not applicable

Confirmation of Statutory Compliance Te Whakatūturutanga ā-Ture

Compliance with Statutory Decision-making Requirements (ss 76 - 81 Local Government Act 2002).

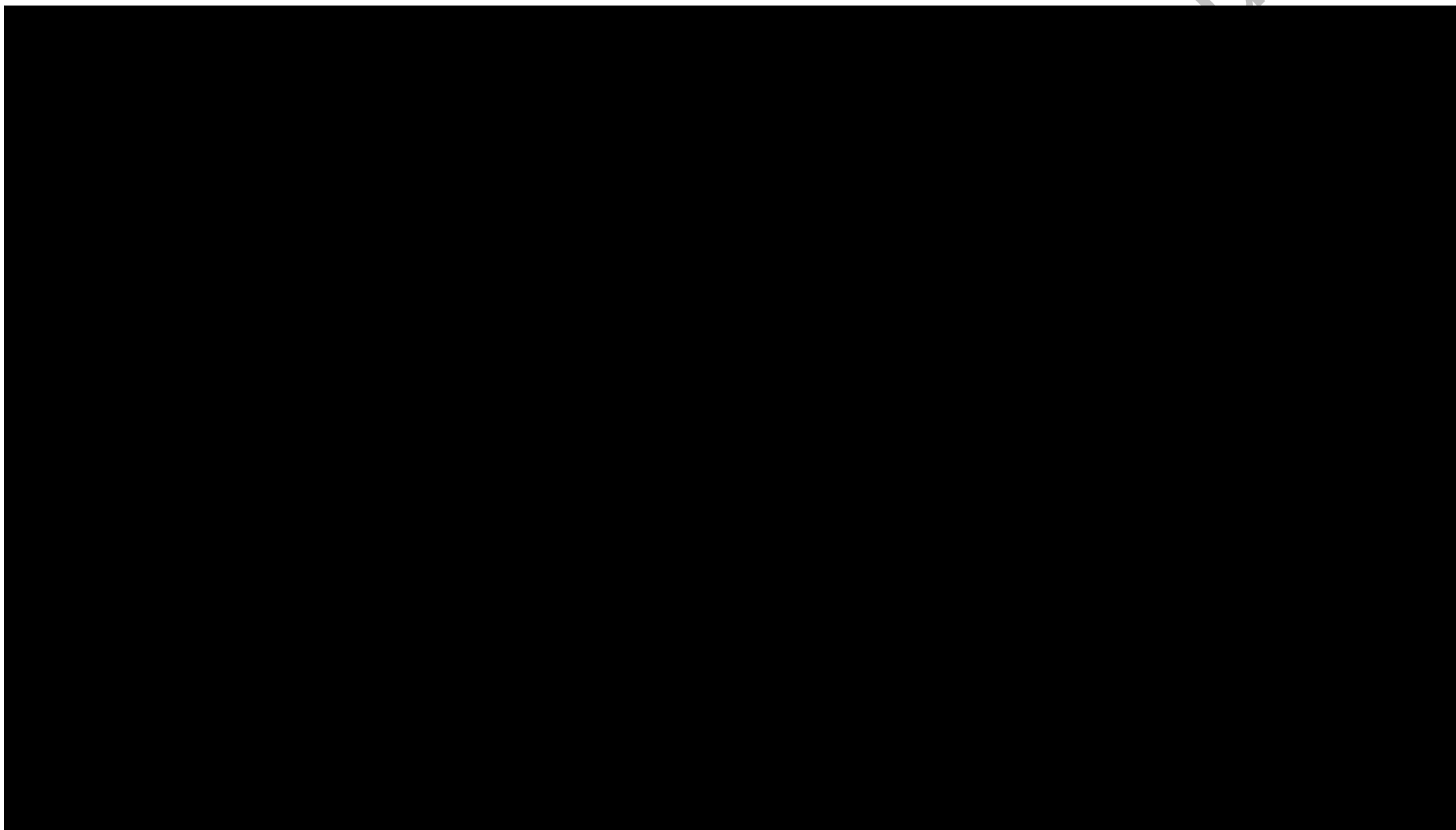
(a) This report contains:

- (i) sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages; and
- (ii) adequate consideration of the views and preferences of affected and interested persons bearing in mind any proposed or previous community engagement.

(b) The information reflects the level of significance of the matters covered by the report, as determined in accordance with the Council's significance and engagement policy.

Signatories Ngā Kaiwaitohu

Author	Linda Gibb - Performance Monitoring Advisor CCO
Approved By	Russell Holden - Head of Finance Bede Carran - Acting General Manager Resources/Chief Financial Officer



CPW Joint Settlor Committee

TO: CPW Joint Settlor Committee
FOR: Trustee appointment meeting
FROM: Councillor Lydia Gliddon
DATE: 15th March 2014
SUBJECT: Trustee appointment recommendation

RECOMMENDATION

"That the Central Plains Water Joint Settlor Committee recommends Christchurch City Council and Selwyn District Council appoint new and incumbent trustees listed commencing as soon as the final decisions are ratified at respective councils for a 3-year term, ending 31 March 2027"

- Mr Richard McDowell
- Mr Murray Doak
- Mr Pat McEvedy
- Mr Rob Lawrence
- Ms Elle Archer
- Mr Les Wanhala

Moved Lydia
Second Pauline
CARRIED


Councillor Lydia Gliddon

Item 17

Attachment A