

Tom Didovich

From: John Rofe
Sent: Wednesday, 7 October 1998 7:49 AM
To: Tom Didovich
Cc: Allan Rutledge
Subject: Establishment of national trust organisation
Importance: High

Tom,

I have been noting the progress that has been made towards the Strategic Option of formation of a Trust. Regrettably I currently lack the detailed understanding that I now require in order to advise you adequately.

I note the urgency. However if we are to look for a fast track process we must have a clear understanding of the rationale and ensure that our process stands the test of subsequent scrutiny. This means we must get the whole argument down on one piece of paper to see how it stacks.

Can we start from first principles. An issue paper should be put forward to focus the appropriate people on the issue. It should encapsulate all the opportunities, benefits, costs and drawbacks of a trust and it should cover the trust deed, the way the organisation would work and the alignment with Waitakere's Agenda 21, Greenprint, and pathway plans. If alignment is weak I don't think we will get the degree of urgency allocated to the project, given the other issues being dealt with and the timing of the election. (the next formal council meeting for business is in December - although urgent meetings can be called for ad hoc matters)

The issues paper should cover:

1. Intent of legislation. Correct me if I am wrong, but the intent of the legislation seems to be to prohibit TLAs from having a role in animal welfare. If this is so, you will need to cover the reasons why Waitakere City should set up an organisation that is unique. Uniqueness has a greater degree of risk attached. Will the City have to defend why it did something that was contrary to the legislation?
2. State the full objects of the Trust. Include your forecast for the revenue earning potential and an explanation of how the Trust proposes to deal with "national" obligations for a welfare service. (or is the national Trust merely a device for establishing WCC in animal welfare, and if so, why is that necessary?).
3. A synopsis of the legal position. It is my understanding that the LGA has prohibited TLAs from operating in the areas of other TLAs without their express approval. Please cover off to what degree a TLA controlled Trust may vary this.

Tom, I suggest that you prepare this in the format of an SMG issues paper and let Allan and I have a draft ASAP so we can critique it.

Major projects, or projects with a risk attached, are typically being subjected to peer review in WCC now. The length of the peer review process can be expected to depend on the completeness and clarity of the file of information that has been compiled by the sponsoring manager. So please ensure that you establish a complete file with all supporting reasoning and documentation in it - in order to speed that process up - should the SMG establish that a peer review is necessary.

Frankly, I don't know yet whether the Trust requires approval by full Council. Can you include in your paper the details of any political support the proposal has received thus far. Also please note in your paper any mention of it at Advisory Board, SMG, Council meeting or committee meeting. This will help develop the shortest track to approval. I know the Mayor and certain councillors are aware of it but to what degree have they received briefing papers or committed support.

Sorry this is so long-winded but we should get all of your cards onto the table soonest so we can see what else we need - and how the PAO can best help.

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Regards,
John