

Mercury Bay Medical Facility - Appointments Panel

TO Mercury Bay Community Board
FROM Allan Tiplady - Area Manager
DATE 26 March 2018
SUBJECT Mercury Bay Medical Facility - Appointments Panel

1 Purpose of Report

To appoint the Appointments Panel with responsibility to appoint the Trustees to the Mercury Bay Medical Facility Trust

2 Background

The process to establish the Mercury Bay Medical Facility Trust is currently being completed. The agreement for the sale and purchase of the land provides that "The vendor acknowledges that the purchaser named in this agreement intends to nominate a trust or similar entity as purchaser prior to the settlement date."

In approving the sale and purchase agreement the Council resolved:

1. *Receives the 'Mercury Bay Medical Centre' report, dated 10 June 2016.*
2. *Resolves to enter in to and authorised the Chief Executive to execute the sale and purchase agreement with Whitianga Waterways Ltd to secure an interest in an area of land on Joan Gaskell Drive Whitianga with an area of approximately 4,100m² for the sole purpose of facilitating the development of a Mercury Bay Medical Centre.*
3. *Acknowledges that the Mercury Bay Community Board will undertake appropriate research and investigation to establish the feasibility of the proposal and report back to Council on its outcome.*

3 Issue

The appointment of an Appointments Panel to appoint the Trustees to the Mercury Bay Medical Facility Trust in accord with the provision of the Trust deed.

4 Discussion

Since the sale and purchase agreement has been entered into the Deed of Trust for the Mercury Bay Medical Facility Trust has been completed in accord with the provisions of the agreement.

The Trust Deed provides that an Appointments Panel is to be established with responsibility for the appointment of the Trustees in accord with the terms of reference (Attachment A) established for it. The members of the Appointments Panel are to be appointed by the Mercury Bay Community Board. Membership is to be no less than three with a majority independent of the Community Board.

It is proposed that the membership be three people made up of one Community Board member and two independent members.

Appointment of the initial Trustees is required to be confirmed by the Appointments Panel as those who are named in the Trust Deed, with Trustees thereafter being appointed by the Appointments Panel.

5 Suggested Resolution(s)

That the Mercury Bay Community Board:

1. Receives the 'Mercury Bay Medical Facility - Appointments Panel' report dated 26 March 2018.
2. Appoints (three persons to be named including one member of the Mercury Bay Community Board) to be the members of the Mercury Bay Medical Facilities Trust Appointments Panel.

References-Tabled/Agenda Attachments

Attachment A *Mercury Bay Medical Facilities Trust Appointments Panel - Terms of Reference*

Attachment A - Appointments Panel Terms of Reference