

SOUTHLAND DISTRICT COUNCIL

MILFORD COMMUNITY TRUST

INAUGURAL MEETING

18 APRIL 2007

Minutes of the inaugural meeting of the Milford Community Trust held in the Turnbull Room, Te Anau Hotel and Villas, Te Anau, on Wednesday 18 April 2007, commencing at 5:00 PM.

PRESENT Trustees J Taylor (Chairperson), J Robson, M Schuck, J Steele, H Thomas, R Wilson, and Councillor A D Ridley,

IN ATTENDANCE

Southland District Council

Her Worship the Mayor	(From 6:30 PM)
Mr D Adamson	Chief Executive
Mr P Culling	Group Manager, Customer and Financial Services
Mr L Forbes	Legal Executive
Mr G Jones	Resources Engineer
Mr K Dohig	Communications Officer
Mr D Reid	Senior Area Officer Te Anau

Department of Conservation

Mr R Kemper	Te Anau Area Manager
Mrs J Haanen	Milford Community Relations Officer
Mrs B Lomax	Former Milford Community Relations Officer

Environment Southland

Mr L McKenzie	Chief Executive Officer
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The Group Manager, Customer and Financial Services, tabled an information folder containing background papers for discussion and information purposes.

1. APOLOGIES

Moved Trustee Ridley, seconded Trustee Robson,
And RESOLVED THAT THE APOLOGY FOR LATENESS FROM
MEMBER STEELE BE SUSTAINED.

2. **WELCOME AND INTRODUCTIONS**

Trustees in turn introduced themselves to the meeting giving a brief background to their history, and aspirations for the future of the trust.

Staff introduced themselves to the meeting identifying their role in the respective organisations.

5.25 PM – Trustee Steele arrives

3. **BACKGROUND TO THE TRUST**

Information relating to the background to the formation of the trust was contained in the information folder.

In speaking to the information Mr Adamson outlined the Southland District Council's proposed delegation to the Trust and said that it would be up to the trust to assess the need and formulate infrastructure and other projects to meet the needs of the Milford Community.

Mr McKenzie outlined Environment Southland's involvement in the formation of the Trust and the Regional Council's commitment to the Trust concept. He said that Trust concept as a Council Controlled Organisation in this case was unique and that it would work because of the commitment to the concept by the constituent organisations.

Mr Kemper outlined the Department of Conservation's involvement. Milford was unique in that it was a living community within the confines of the National Park. He said that under the National Parks Act the department had an obligation to make available the national park asset to all. The department was also charged with maintaining the standards and quality of the asset. He said that the Milford Development Authority and the Milford Sound Planning Group had played their role in developing Milford to the community it was today and had created expectations of further infrastructure improvement. He saw the role of the Trust to develop those expectations.

The meeting then discussed if this would be an opportune time to discuss the functions and operations of the Milford Development Authority and the work of the Milford Sound Planning Group so that the work of the trust did not overlap the role of the Milford Development Authority.

Agreed by consensus that this issue be placed on the agenda for the next meeting.

BACKGROUND ON STATUTORY AUTHORITIES

This information was contained in the information folder for the benefit of the trustees

Southland District Council

In addition to the information in the information folder Mr Adamson emphasised the following functions as it would affect the Trusts operation:-

- Roles and responsibilities of Council staff
- Expectations of Politicians and staff
- Revision of the District Plan
- Civil Defence
- Role of Venture Southland.

Environment Southland

In addition to the vision papers in the information folder Mr McKenzie emphasised the following functions as it would affect the Trusts operation:-

- Resource Management Act
- Bio Security Act
- Coastal Policy
- Cruise ship agreement
- Civil Defence
- Flood risk assessment

Department of Conservation

In addition to the information in the information folder Mr Kemper spoke to and elaborated on the following issues:-

- DOC Statutory Framework
- DOC Functions
- DOC “Core Business”
- Funding Milford Community Trust projects from the Concessionaire activity fee
- Roles of the DOC – Milford Community Trust relationship.

6.30 PM - Her Worship the Mayor Arrives

5. **TRUST DEED, TRUSTEE RESPONSIBILITIES, MEMBERS INTERESTS ETC**

Mr Forbes spoke to the draft trust deed as outlined in the information folder. He advised members that the draft trust deed had been prepared with support and approval from the Department of Conservation, Environment Southland, and the Southland District Council.

Trustees questioned the charitable notation of the proposed Trust versus and ordinary trust. Explanations were given that the charitable notation was to ensure the protection of the Tax exempt status of the Trust.

Trustees then questioned the trustee's liability in decision making and acting on behalf of the Trust and asked if the Southland District Council had this aspect of the Trustees operation covered.

Trustees were then asked if they would be prepared to sign the draft Trust Deed.

Resolution

**Moved Trustee Schuck, seconded Trustee Wilson,
And RESOLVED THAT THE TRUSTEES OF THE MILFORD
COMMUNITY TRUST ACCEPT THE DRAFT TRUST DEED AS
PRESENTED, AND THAT THE TRUST DEED BE EXECUTED BY
THE TRUSTEES.**

Agreed by consensus that the following issues be researched by staff and presented to the next meeting of the trust.

- *Tax advice on the tax free charitable status of the Trust*
- *Advice on insurance cover for Trustees liability*

6. **FINANCES AND FUNDING**

The Group Manager, Customer and Financial Services tabled a paper outlining the sources of revenue that would be available to the trust and information relating to the proposed trustee remuneration. He also outlined that the finances for the trust would be controlled by a separate account worked through the Southland District Council financial system.

The former DOC Milford Community Relations Officer, (Mrs Lomax) elaborated on how the implied concession activity fee outlined in the statement of proposal would be applied.

It was noted by the meeting that the funding of operations and projects carried out by the trust would be calculated on a case by case basis depending on the assessment of who benefited from the proposed operation or project.

6. **FINANCES AND FUNDING CONT'D**

Proposed Trustee Remuneration

The meeting discussed the proposed trustee remuneration for the trustees.

Agreed by consensus that the Chairperson meet individually with individual trustees to discuss their thoughts and report back to the next meeting of the Trust.

7. **THE MAJOR ISSUES**

The Resources Engineer elaborated on the major issues that had been previously identified as outlined in the information folder. The Resources Engineer advised that these may not be the only issues as there could be other major issues that had yet to be identified. Specific issues elaborated on were:-

- Flood Protection
- Risk Management Perspective
- Milford Sound Planning Group Recommendations
- Infrastructure Assessment and Development
- Activity Management Plans

The Trustees questioned the availability of Hazard reports relating to Milford Issues. The Department of Conservation advised that these were in draft form and would be presented to the Committee.

Agreed by consensus that the Department would provide a menu of the hazard reports to the next meeting.

8 **NEXT STEPS ACTIONS AND TIMEFRAMES**

Memorandum of Understanding

Trustees were advised that the Memorandum of Understanding between the Director General of Conservation and the Southland District Council was yet to be finalised and signed off. The draft was included in the information folder.

The Chief Executive, Southland District Council, undertook to have the memorandum of understanding agreed prior to the next meeting and to communicate the completion of this action to the Chairperson.

8 **NEXT STEPS ACTIONS AND TIMEFRAMES CONT'D**

Next Ordinary Meeting

Agreed that the next ordinary meeting of the Trust would be held in Te Anau. Area Officer to ascertain from Trustees suitable date and time for meeting to be convened. Items for the agenda to include:-

- *Trustees Indemnity Insurance*
- *Tax advice on the Charitable Status of the Trust*
- *Trustee remuneration*
- *Memorandum of understanding with Department of Conservation*
- *DOC hazard reports*
- *Set strategic planning day.*

Strategic Planning Day

Agreed by consensus that a strategic planning day with a facilitator be organised at the next meeting to determine the Trust's priorities. This meeting to include a presentation on the functions and responsibilities of the Milford Development Authority.

9. **CONCLUSION**

The meeting concluded with the Department of Conservation Area Manager making a presentation of behalf of the Department to the Trustees.

The meeting closed at 9:05 PM.

CONFIRMED

CHAIRPERSON

DATED