

# MINUTES FROM A MEETING OF THE EASTLAND COMMUNITY TRUST

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**Secretarial note.** Trustee only time was held prior to the meeting commencing.

Held on Monday, 5 August 2019 at 9:00 a.m. at Eastland Community Trust, 50 The Esplanade, Gisborne.

## **PRESENT:**

Paul Reynolds (Chairman), John Clarke, Ailsa Cuthbert, Jill Chrisp, Mayor Meng Foon, Te Raumawhitu Kupenga and Lyall Evans

## **IN ATTENDANCE:**

Eastland Community Trust staff, Chief Executive Officer - Gavin Murphy, Chief Financial Officer - Phil McLeod, and member of public Nigel Faram.

### **2.1 KARAKIA**

Te Rau Kupenga gave a Karakia to begin the meeting.

### **2.2 APOLOGIES**

Nil

### **2.3 DECLARATION OF TRUSTEES INTERESTS:**

Responsibility lies with Trustees to contact the Secretary to update their interest register if required.

Lyall Evans noted his interests in subsidiary Companies of the Trust. Te Rau Kupenga noted his interest as Trustee in Hiruharama Marae Trust and Te Kura Maori o Porirua Board of Trustees.

### **2.4 CONFIRM AGENDA & NOTIFICATION OF LATE ITEMS**

Nil

### **2.5 APPROVAL OF MINUTES AND MATTERS ARISING**

The minutes of the meeting held 1 July 2019 were taken as read.

Subject to noting, that Winston Moreton declined the opportunity to comment in beneficiary presentations, the minutes were approved by the board as a true and accurate record of that meeting.

**Unanimous Approval**

Matters arising

Winston Moreton queried the date the Trust was advised of the appointment of John Clarke in relation to the incorrect agenda of the last meeting being circulated. This has been confirmed to him by the CEO.

### **2.6 DECISION MAKING**

Trustees reviewed the draft Fraud and Corruption Policy and External Concerns, Complaints and Behaviours Policy. These policies have been reviewed by the Audit and Risk Committee.

Discussion occurred on the External Concerns, Complaints and Behaviours Policy as the draft also includes procedures. It was thought that as this is an externally focused policy, including visibility into the procedures the Trust will work through. The Policy will be renamed to reflect the procedural element and Jill Chrisp is to revisit the policy with the Audit and Risk Committee.

It was noted that applications for funding need to be non-fraudulent and our communications and application forms need to reflect this.

that, having had a recommendation from the audit and risk committee, Trustees:

- i. adopt the Fraud and Corruption Policy;

- ii. Note the External Concerns, Complaints and Behaviours Policy will be revisited and brought back to trustees after a review with Jill Chrisp;

**Unanimous Approval**

**Action Item:** *Revisit the External Concerns, Complaints and Behaviours Policy with Jill Chrisp and the Audit and Risk Committee.*

*Ensure application forms highlight no fraudulent applications can be made.*

## 2.7 BENEFICIARIES PRESENTATIONS AND PUBLIC FORUM

Nigel Faram informed trustees of the position of the Vintage Railway.

They are currently reviewing the sustainability of the organisation with BDO Gisborne, whereby they are looking to pay for volunteer hours. This identified that they would need to triple their income, which is unrealistic. This work is ongoing and will inform what is required to make the operation sustainable.

A body of work is being done with Vintage Rail, Takitimu Tug, Aviation Society and the Museum of Technology as a collective to understand the overall tourism benefits.

Other issues faced are the engineering around bridges and lines and the amount of funding these may require to keep the train operating, and the lack of younger members coming through for succession of the more advanced members.

The Vintage Railway is making an application for \$25,000 out of a total cost of \$70,000 to fund minor repairs.

**Secretarial note:** Nigel Faram left the meeting at 9:45 a.m.

Trustees noted the key issues were the extensive work required on the rail corridor to Muriwai estimated to cost \$700,000, the change to the operating model of Vintage Rail and attracting younger members to the Society.

Trustees also noted the current one-sided Licence Agreement with Kiwirail and the local Licensee's and that Activate Tairāwhiti is contributing to the current rail feasibility study.

Trustees will use the presentation and ongoing bodies of work to inform them when making a decision on the application.

## 2.8 BOARD UPDATES

### 2.7.a. Board Meeting Schedule and Calendar 2019

Noted.

### 2.7.b CEO Monthly Operational Report

The report was taken as read and with the CEO spoke to the report.

#### Health and Safety

No incidents or loss time injuries were reported during the month. There were two near misses at the iSite relating to slip hazards, action has been taken to reduce these.

Management is to consider the presentation of the Health and Safety information to provide clarity around what is being done and what has been closed out.

**Action Item:** *Dashboard reporting for clarity of health and safety matters.*

#### Financial information

The CFO is to work with the Audit and Risk Committee to update the cashflow model to provide a better understanding of the commitments made and impact on cashflows.

**Action Item:** *Improve financial reporting in conjunction with audit and risk.*

Tourism

Messaging from Te Ha has been delayed and we have not received an official program yet. Trustees were advised that the Turanga iwi are aligned around their protocol and manaakitanga for the key events.

**2.9 EXCLUSION OF PUBLIC FROM PROCEEDINGS**

**SECTION 48 - LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987**

Moved by Ailsa Cuthbert, seconded Te Raumawhitu Kupenga.

**Carried**

**SECTION 48 - LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987**

THAT: The public be excluded from the following part of the proceedings of this meeting, namely for discussion or decision:

- Item 3.1 - Approval of Minutes of 1<sup>st</sup> July 2019
- Item 3.2 - Action Items
- Item 3.3 - CEO Monthly Report
- Item 3.4 - Gisborne District Council Update (11.00a.m.).
- Item 3.5 - Strategy and Decision making
- Item 3.5.a - Airport Distribution
- Item 3.5.b - EGL Director Recruitment update
- Item 3.5.c - Tairawhiti wellbeing Fund – Pou 2 Te Poho o Rawiri Marae
- Item 3.5.d - Tairawhiti wellbeing Fund – Pou 2 Gisborne Boardriders
- Item 3.5.e - Tairawhiti wellbeing Fund – Pou 2 Mates in Tairawhiti
- Item 3.5.f - Trustee Professional Development
- Item 3.5.g - Delegated Authority Policy
- Item 3.5.h – EGL Resolution in lieu of AGM
- Item 3.6 - Distribution and Operational updates
- Item 3.6.a - FESL/Spectrum update
- Item 3.6.b - Rebrand Update
- Item 3.7 - Appendices
- Item 3.7.a - Audit Committee Minutes
- Item 3.7.b - EGL Shareholder Report
- Item 3.8. - Wellbeing workshop

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>Item No.</b>	<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter check</b>	<b>GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION</b>
Item 3.1	Approval of Minutes	Sections 7(2)(a)(b)(ii)(c)(f)(h)(i)(j)	48(1)(a)
Item 3.2	Action items	Sections 7(2)(c)(f)(h)	48(1)(a)
Item 3.3	CEO Monthly report	Sections 7(2)(a)(b)(ii)(c)(f)(h)(i)(j)	48(1)(a)
Item 3.4	GDC update	Sections 7(2)(a)(b)(ii)(c)(f)(h)(i)(j)	48(1)(a)
Item 3.5	Strategy and Decision making	Sections 7(2)(a)(b)(ii)(c)(f)(h)(i)(j)	48(1)(a)
Item 3.5.a	Airport Distribution	Sections 7(2) (b)(ii)(f)(h)	48(1)(a)
Item 3.5.b	EGL Director recruitment update	Sections 7(2)(a)(f)(c)	48(1)(a)

Item No.	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter check	GROUND(S) UNDER SECTION 48(1) FOR THE PASSING OF THIS RESOLUTION
Item 3.5.c	Tairawhiti Wellbeing fund Pou 2 Te Poho o Rawiri	Sections 7(2)(a)(f)(c)(j)	48(1)(a)
Item 3.5.d	Tairawhiti Wellbeing fund Pou 2 Gisborne Boardriders	Sections 7(2)(a)(f)(c)(j)	48(1)(a)
Item 3.5.e	Tairawhiti Wellbeing fund Pou 2 Mates in Tairawhiti	Sections 7(2)(a)(f)(c)(j)	48(1)(a)
Item 3.5.f	Trustee Professional Development	Sections 7(2)(a)(b)(ii)(c)(f)(h)(i)(j)	48(1)(a)
Item 3.5.g	Delegated Authority Policy	Sections 7(2)(a)(b)(ii)(c)(f)(h)(i)(j)	48(1)(a)
Item 3.5.h	EGL Resolution in Lieu of AGM	Sections 7(2)(a)(b)(ii)(f)(h)(i)	48(1)(a)
Item 3.6	Distribution and Operational updates	Sections 7(2)(a)(f)(c)(j)	48(1)(a)
Item 3.6.a	FESL/Spectrum update	Sections 7(2)(a)(f)(c)(j)	48(1)(a)
Item 3.6.b	Rebrand update	Sections 7(2)(f)	48(1)(a)
Item 3.7	Appendices	Sections 7(2)(a)(b)(ii)(c)(f)(h)(i)(j)	48(1)(a)
Item 3.7a	Audit Committee minutes	Sections 7(2)(a)(b)(ii)(c)(f)(h)(i)(j)	48(1)(a)
Item 3.7.b	EGL Shareholder Report	Sections 7(2)(a)(b)(ii)(c)(f)(h)(i)(j)	48(1)(a)
Item 3.8	Wellbeing engagement workshop	Sections 7(2)(f)	48(1)(a)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

Content
<b>Section 7(2)(a)</b> To protect the privacy of natural persons, including that of deceased natural persons
<b>Section 7(2)(b)(ii)</b> To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.
<b>Section 7(2)(c)</b> Protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information: <ul style="list-style-type: none"> <li>i. Would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied; or</li> </ul> Would be likely otherwise to damage the public interest.
<b>Section 7(2)(f)</b> Maintain the effective conduct of public affairs through: <ul style="list-style-type: none"> <li>ii. The free and frank expression of opinions by or between or to members of officers or employees of any local authority, or any persons to whom Section 2(5) applies, in the course of their duty; or</li> </ul> The protection of such members, officers, employees and persons from improper pressure or harassment.
<b>Section 7(2)(g)</b> maintain legal professional privilege.
<b>Section 7(2)(h)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, commercial activities.
<b>Section 7(2)(i)</b> Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

## Content

**Section 7(2)(j)** Prevent the disclosure or use of official information for improper gain or improper advantage.

- iii. That Gavin Murphy (ECT CEO), Phil McLeod (CFO) and the ECT leadership team (GMC, CM, MCE, GMT, GMED, MCM) be permitted to remain at this meeting, after the public has been excluded relating to Items 3.1 – 3.8 because of their knowledge of Trust business. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because of their roles and work performed.
- iv. That Nedine Thatcher -Swann of GDC be permitted to remain at this meeting, after the public has been excluded relating to Item 3.4 because her presentation and knowledge will be of assistance in relation to Trust matters to be discussed.
- v. That Reuben Woods of Woods Creative be permitted to remain at this meeting, after the public has been excluded relating to Item 3.6.b because of his presentation and knowledge will be of assistance in relation to Trust matters to be discussed.
- vi. That Erina Hurihanganui be permitted to remain at this meeting, after the public has been excluded relating to Item 3.8 because of her presentation and knowledge will be of assistance in relation to Trust matters to be discussed.

**Secretarial note:** There being no further open business public were excluded at 10:05 a.m. and were re-admitted at 1:10 p.m.

The public excluded minutes follow and are not publicly available. There being no further business the meeting closed at 1:10 p.m. These minutes were confirmed by Trustees on 2 September 2019.

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CHAIRMAN  
P Reynolds