

Dan Cruickshank

From: Jonathan Holmes [REDACTED]
Sent: Monday, 8 May 2017 6:29 PM
To: Dan Cruickshank
Cc: Rachel Brown
Subject: PACT Lease: Submission - Not in Favour of Lease Extension

Hi Dan

Further to meeting Rachel Brown this afternoon for a very good discussion, I'd like to formally lodge a submission against the PACT Lease proposal.

Rachel recommended to prompt a dialogue and opportunity for discussion on this matter, I'd like to attend in person at any hearing that is called to discuss submissions on the PACT lease.

Rationale:

The land owned by QLDC that is leased to PACT is public land, the leasee PACT does not appear to exhibit the usual safeguards provided by organisations that manage public land and provide services to the public. When comparing PACT to other local organisations to the best of my knowledge that have leases with the QLDC or provide services to the public there appears to be significant gap with regard to the arrangements in place at PACT/Snow Farm/Merino Muster via governance and constitutional arrangements that provide for engagement and accountability for the Council as land owner and the public.

Background:

Typically organisations such as Wanaka Wastebusters through to the Upper Clutha Trail Trust have constitutions and governance that permit public engagement, provide clarity as to the services to be provided to the public, obligations on the leasee such as pest control or maintenance, etc. Typical measures might include independent appointment of trustees or directors, directors or trustees voted in, a term of tenure for directors or trustees, notifications to the public of significant changes, public meetings such as AGMs that reports can be viewed and members of the public can attend and governance structures in place such as Friends of Wanaka Wastebusters that provides direct access for the public to engage and influence how the publicly owned asset is operated. Additionally, the lease is linked to a contract for recreational services between QLDC and PACT that specifies what services are to be provided to the community, their level of performance and how these will be reported on by PACT and monitored by QLDC. Models for such things already exist within the community an example related to Wastebusters would be the kerbside recycling contract, thus a contract for service between QLDC and PACT could specify sports and recreational services and the fees to be paid by the Council, such as the waiving of the annual Rates.

I'm not aware PACT has these traditional governance and constitutional measures or a formal statement of services to be provided to the public, but would welcome the opportunity to be informed otherwise.

Suggestion:

I'd therefore suggest the Sports and Recreation group in QLDC determine an appropriate governance and constitutional arrangement, that implementing such governance and constitutional changes are a condition of the lease between QLDC and PACT and some form of written agreement between the Council and PACT as to the services and their performance level also be negotiated.

I'd just like to thank you and Rachel for providing the opportunity to explore the PACT lease proposal further and look forward to the hearing, as appropriate.

Thanks again,
Jonathan Holmes