

Proposed Repeal of Resolution – Croc Trophy Resource Agreement

I hereby give Notice of my intention to move at the Council meeting scheduled for Tuesday 24th June 2014 the repeal of the following resolution passed at Council Meeting on Tuesday 3rd June 2014:-

That Council:

1. agrees to support the Crocodile Trophy for \$10,000 (ex GST) per year for a term of three (3) years with a Resource and Performance Agreement dated 1 July 2014 to 30 June 2017. This will be guaranteed for the first year with the second and third years subject to agreed upon outcomes being met (sic).
2. delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise any minor amendments in relation to the Execution of the Agreement.

Further I advise that if my motion is successful I intend to move the following motion:-

That Council:

1. support in principle the Crocodile Trophy Event for \$10,000 (ex GST) per year for a term of three (3) years with a Resource and Performance Agreement dated 1 July 2014 to 30 June 2017. This will be guaranteed for the first year with the second and third years subject to agreed upon outcomes being met.
2. That subject to Council reviewing and agreeing to the resource agreement attaching to the funding arrangement Council authorise the Mayor and the Chief Executive officer to execute the resource agreement for and behalf of Council.

Background

I personally remain supportive of the proposed funding arrangement for the Croc Trophy of \$10000 per annum.

However at the Council meeting held on 3rd June 2014 a number of Councillors, including me, expressed concern that from governance and probity perspective Council should not be expected to support and sign off on, resource agreements that none of the Councillors had ever seen or had the opportunity to review.

The response as I understood things was the Resource Agreements including that for the Croc Trophy funding would be provided the following day.

When I followed up the supply of the agreements I was advised that no Resource Agreement has been drafted for the Croc Trophy. In my opinion the original resolution is therefore "ultra vires" in that in the second part the Chief Executive Officer is purportedly authorised "to finalise any minor amendments in relation to the Execution of the

Agreement." How could the Chief Executive Officer be authorised to make minor amendments to a Resource Agreement that apparently did not exist at the time of decision?



5th June 2014

Councillor Terry Melchert