

Minutes of a meeting of the Nelson City Council/Tasman District Council Joint Shareholders Committee

Held in the Tasman District Council Chamber, Queen Street, Richmond

On Friday 5 April 2013, commencing at 2.00pm

Present: His Worship the Mayor of Tasman R Kempthorne (Chairperson), His Worship the Mayor of Nelson A Miccio, Tasman District Councillors T King and G Glover, Nelson City Councillors A Boswijk and D Shaw

In Attendance: Tasman District Council: Chief Executive (L McKenzie), Corporate Services Manager (M Drummond)

Nelson City Council: Chief Executive (C Hadley), Executive Manager Support Services (H Kettlewell), and Administration Adviser (E-J Ryan)

Apology: His Worship the Mayor of Nelson A Miccio (for early departure)

1. Confirmation of Order of Business

There were no alterations to the order of business.

2. Interests

Councillors Glover and Shaw declared that they were members of the Nelson Regional Sewerage Business Unit Joint Committee, but that this did not constitute a conflict of interest with any agenda item.

No other conflicts of interest with any agenda items were declared.

3. Confirmation of Minutes

23 November 2012

Document number 1415934, agenda pages 7-11 refer.

Resolved

THAT the minutes of a meeting of the Nelson City Council/Tasman District Council Joint Shareholders Committee, held on 23 November 2012, be confirmed as a true and correct record.

Boswijk/Shaw

Carried

4. Nelson Regional Sewerage Annual Report 2011/12 and Business Plan 2013/14

Document number 1471115, agenda pages 12-76 refer.

Donna Hiser, Chairperson of the Nelson Regional Sewerage Business Unit, John Thiart, Nelson City Council Engineering Adviser, and Andrew Bishop, Nelson City Council Management Accountant, joined the meeting.

Ms Hiser presented the Nelson Regional Sewerage Business Unit Annual Report 2011/12 and Business Plan 2013/14. She explained that the Annual Report 2011/12 was late, due to delays involved with the valuation and audit process, but that a process had been agreed with the auditors to prevent this happening again.

Ms Hiser discussed the main points in the Annual Report. She explained that the auditors had noted that the Memorandum of Understanding was outdated and did not reflect current practices. Ms Hiser explained that this issue had been raised with the Chief Executives of both Councils and that it would be addressed in the near future.

The Committee discussed the Memorandum of Understanding and the governance of the Nelson Regional Sewerage Business Unit. It was agreed that a review of the governance model was desirable, and that it would be beneficial to include a preliminary assessment of governance options, given that background work had taken place at both Councils on this issue.

Resolved

THAT the Joint Shareholders Committee request the Chief Executives of Nelson City and Tasman District Councils to prepare a brief for a review of the governance model of the Nelson Regional Sewerage Business Unit and its operational support needs in consultation with the Chair of the Nelson Regional Sewerage Business Unit Joint Committee, and report back to the next meeting of the Joint Shareholders Committee on the brief and on a preliminary assessment of the options.

His Worship Mayor Kempthorne/Boswijk

Carried

Ms Hiser presented the Business Plan 2013/14. She explained that the plant upgrades were largely complete, but that two components had been deferred in order to carry out further analysis. She said that analysis had indicated that these components were no longer required, and the budgets associated with these components would be realised as a saving in 2014.

Ms Hiser added that the operations and maintenance contract tender process was currently underway, and that the contract would include a review of plant management.

Recommendation to the Nelson City and Tasman District Councils:

THAT the Nelson Regional Sewerage Business Unit Annual Report 2011/12 (1448078) be received;

AND THAT the Nelson Regional Sewerage Business Unit Business Plan 2013/14 (1464617) be adopted.

King/Boswijk

Carried

5. Tasman Bays Heritage Trust Draft Statement of Intent and Half Yearly Report 2013/14

Document number 1475666, agenda pages 77-104 refer.

Terry Horne, Chairperson of the Board, and Peter Millward, Chief Executive Officer, joined the meeting. Mr Horne presented the half yearly report, and in particular noted the impact of the renegotiation of banking facilities, and the requirement to earthquake-strengthen the Isel Park storage facility building.

Mr Horne explained that earthquake strengthening of the Isel Park storage facility would be carried out next year, but that this issue had led the Trust to consider a wider long-term strategic review of the Museum. He suggested that a strategic review could consider whether the Museum exhibition and storage facilities were in the optimum locations, and whether the Trust's assets would be best served by investigating other locations.

Attendance: His Worship Mayor Miccio departed the meeting at 2.53pm.

There was general agreement that a strategic review of the property and location needs of the Museum was desirable, but a variety of viewpoints were expressed regarding whether it was preferable for this to be expressed in the draft Statement of Intent or the Strategic Plan 2013/14.

Resolved

THAT the Tasman Bays Heritage Trust be requested to alter the performance objectives in the Strategic Plan 2013/14 to reflect the need to review the property and location needs for the future operation of the Nelson Museum.

Boswijk/King

Carried

Recommendation to the Nelson City and Tasman District Councils:

THAT the Tasman Bays Heritage Trust Half Yearly Report to 31 December 2012 be received;

AND THAT the Tasman Bays Heritage Trust Statement of Intent and Strategic Plan 2013/14 (noting the amendment) be approved for signing.

Boswijk/Glover

Carried

6. Exclusion of the Public

Resolved

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, the following people remain for the following items after the public has been excluded, as they have knowledge that will assist the Committee:

- **Mr Paul Steere and Ms Kaye McNabb, for the item "Nelson Airport Limited Statement of Intent and Half Yearly Report";**
- **Mr Phil Lough, Mr Parke Pittar and Mr Daryl Wehner, for the item "Port Nelson Limited half Year Report to 31 December 2012";**
- **Mr Phil Taylor, Ms Sharon McGuire, Mr Terry Horne and Ms Lynda Keene, for the item "Nelson Tasman Tourism Statement of Intent and Half Yearly Report 2013/2014";**

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that the above-named people possess relates to:

- *Mr Paul Steere and Ms Kaye McNabb – knowledge of the commercial activities and half yearly results for Nelson Airport Limited;*
- *Mr Phil Lough, Mr Parke Pittar and Mr Daryl Wehner – knowledge of the commercial activities and half yearly results for Port Nelson Limited;*
- *Mr Phil Taylor, Ms Sharon McGuire, Mr Terry Horne and Ms Lynda Keene – knowledge of the commercial activities and half yearly results for Tourism Nelson Tasman Limited.*

King/Shaw

Carried

Resolved

THAT the public be excluded from the following parts of the proceedings of this meeting.

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:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Public Excluded Minutes – Joint Shareholders Committee – 23 November 2012 These minutes confirmed the public excluded minutes of the Joint Shareholders meeting of 14 September 2012 and also contain information regarding:	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary:
	The operation of I-Sites in the Nelson Tasman Region and the marketing		<ul style="list-style-type: none"> • Section 7(2)(h) To carry out commercial

	strategy and Tourism Nelson Tasman Limited.		activities
	The possibility of a review of Tourism Nelson Tasman Limited		<ul style="list-style-type: none"> Section 7(2)(h) To carry out commercial activities
2	<p>Nelson Airport Limited Statement of Intent and Half Yearly Report</p> <p>This report contains information relating to the commercial activities of Nelson Airport Limited, including its half yearly results.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(b) To protect information that may disclose a trade secret or the commercial position of a person
3	<p>Port Nelson Limited Half Year Report to 31 December 2012</p> <p>This report contains information relating to the commercial activities of Port Nelson Limited, including its half yearly results.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(h) To carry out commercial activities
4	<p>Nelson Tasman Tourism Statement of Intent and Half Yearly Report 2013/2014</p> <p>This report contains information relating to the commercial activities of Tourism Nelson Tasman Limited, including its half yearly results.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(c) To protect information that is subject to an obligation of confidence Section 7(2)(h) To carry out commercial activities
5	<p>Appointment of Director – Nelson Airport Limited 2013</p> <p>This report contains information relating to the candidates for the Director position on the Nelson Airport Limited Board.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons Section 7(2)(i) To carry out negotiations

King/Shaw

Carried

The meeting went into public excluded session at 3.04pm and resumed in public session at 4.24pm.

7. Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Boswijk/Glover

Carried

There being no further business the meeting ended at 4.24pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date