

AGENDA

Ordinary meeting of the

Joint Shareholders Committee

**Tuesday 23 August 2016
Commencing at 1.30pm
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership: Her Worship the Mayor of Nelson Rachel Reese (Chairperson), Nelson City Councillors Paul Matheson, Pete Rainey, Brian McGurk, Ian Barker, Eric Davy, His Worship the Mayor of Tasman Richard Kempthorne (Chairperson), Tasman District Councillors Tim King (Deputy Chairperson), Michael Higgins, Judene Edgar, Trevor Norriss and Stuart Bryant

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Orders:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings (SO 2.12.2)
- At the discretion of the Chair, councillors who are not Committee members may speak, or ask questions about a matter.
- Only Committee members may vote on any matter before the Committee (SO 3.14.1)

It is good practice for both Committee members and non-Committee members to declare any interests in items on the agenda. They should withdraw from the room for discussion and voting on any of these items.

1. Apologies

- 1.1 An apology has been received from Tasman District Councillor Tim King

2. Confirmation of Order of Business

3. Interests

- 3.1 Updates to the Interests Register
3.2 Identify any conflicts of interest in the agenda

4. Public Forum

5. Confirmation of Minutes

- 5.1 15 April 2016 **7 - 11**

Document number M1835

Recommendation

THAT the minutes of the meeting of the Joint Shareholders Committee, held on 15 April 2016, be confirmed as a true and correct record.

- 6. Trustee rotation and remuneration - Tasman Bays Heritage Trust **12 - 15****

Document number R6123

Recommendation

Receives the report Trustee rotation and remuneration - Tasman Bays Heritage Trust (R6123) and its attachment (A1586077);

Notes the decision of the Tasman Bays Heritage Trust Appointments Committee to:

- **Re-appoint Liz Richards as a Trustee of the Tasman Bays Heritage Trust for a period of three years, ending October 2019;**
- **Re-appoint Chris Bowater as a Trustee of the Tasman Bays Heritage Trust for a period of three years, ending October 2019;**

Confirms that Trustees' remuneration pool for the Tasman Bays Heritage Trust remains at the current level (\$62,400) for the 2016/17 financial year.

PUBLIC EXCLUDED BUSINESS

7. Exclusion of the Public

Recommendation

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Simon Orr of the Nelson Airport Ltd, and Phil Lough, Martin Byrne and Daryl Wehner of Port Nelson Ltd, remain after the public has been excluded, for Items 4 and 5 respectively of the Public Excluded agenda (Nelson Airport Limited - final Statement of Intent 2016/17 and Port Nelson Ltd Draft Statement of Corporate Intent 2016/19), as they have knowledge that will assist the Council;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that Simon Orr of the Nelson Airport Ltd, and Phil Lough, Martin Byrne and Daryl Wehner of Port Nelson Ltd possess relates to their respective organisations statement of intent.

Recommendation

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	Joint Shareholders Committee Meeting - Public Excluded Minutes - 15 April 2016	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: <ul style="list-style-type: none"> Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities. Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
2	Nelson Airport Limited - final Statement of Intent 2016/17	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: <ul style="list-style-type: none"> Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities
3	Port Nelson Ltd Draft Statement of Corporate Intent 2016/19	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: <ul style="list-style-type: none"> Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
4	Nelson Airport Director Reappointment	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: <ul style="list-style-type: none"> Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
5	Directors' Remuneration 2016 - Port Nelson Ltd and Nelson Airport Ltd	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: <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

8. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Minutes of a meeting of the Joint Shareholders Committee

Held in the Council Chamber, Civic House, 110 Trafalgar Street,
Nelson

On Friday 15 April 2016, commencing at 1.34pm

Present: His Worship the Mayor of Tasman R Kempthorne (Chairperson), Tasman District Councillors T King (Deputy Chairperson), T Norriss and S Bryant, Her Worship the Mayor of Nelson R Reese, Nelson City Councillors P Matheson, P Rainey, B McGurk, I Barker, and E Davy

In Attendance: Nelson City Councillor G Noonan, Group Manager Corporate Services Nelson City Council (N Harrison), Group Manager Community Services Nelson City Council (C Ward), Corporate Services Manager Tasman District Council (M Drummond), and Administration Adviser Nelson City Council (S Burgess)

Apologies: Tasman District Councillors M Higgins and J Edgar for attendance, and T King for lateness

1. Apologies

Resolved JSC/2016/001

THAT apologies be received and accepted from Tasman District Councillors Higgins and Edgar for attendance, and King for lateness

Norriss/Barker

Carried

2. Confirmation of Order of Business

The Chairperson advised that report four of the public excluded agenda 'Nelson Airport Ltd – Director Appointments' would not be considered at the meeting as it was a matter for Nelson City Council.

3. Interests

There were no updates to the Interests Register, and no interests with items on the agenda were declared.

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 20 November 2015

Document number M1616, agenda pages 7 - 10 refer.

Resolved JSC/2016/002

THAT the minutes of the meeting of the Joint Shareholders Committee, held on 20 November 2015, be confirmed as a true and correct record.

Bryant/McGurk

Carried

5.2 20 November 2015 – Public Excluded

Document number M1617, agenda pages 11-12 refer.

Resolved JSC/2016/003

THAT the minutes of the meeting of the Joint Shareholders Committee, held on 20 November 2015, be confirmed as a true and correct record.

Davy/Barker

Carried

6. Port Nelson Ltd Half Yearly Report

Document number R5675, agenda pages 13 - 20 refer.

Group Manager Corporate Services, Nikki Harrison, presented the report

Resolved JSC/2016/004

THAT the report Port Nelson Ltd Half Yearly Report (R5675) and its attachment (A1518795) be received.

Davy/McGurk

Carried

7. Tasman Bay Heritage Trust - Statement of Intent and Half Yearly Report

Document number R5612, agenda pages 21 - 58 refer.

Group Manager Community Services, Chris Ward, presented the report. Tasman Bay Heritage Trust Chairperson, Olivia Hall, and Chief Executive, Lucinda Blackley-Jimson, joined the meeting.

Ms Blackley-Jimson spoke about building stronger working relationships with museums in the region. She advised work was being undertaken to assess the museum's collection, so that a collection policy could be formed.

In response to questions, Ms Hall provided further information on a shared iwi committee with the Suter Art Gallery, and staffing levels versus debt. She advised that after a recent strategic planning session, the Trust was still on track in terms of its Statement of Intent.

Attendance: Tasman District Councillor King joined the meeting at 1.49pm.

Resolved JSC/2016/005

THAT the report Tasman Bay Heritage Trust - Statement of Intent and Half Yearly Report (R5612) and its attachments (A1457758, A1512578, A1512577 and A1528731) be received;

AND THAT the Joint Shareholders Committee notes the delivery of the Tasman Bays Heritage Trust Draft Statement of Intent 2016/17 (A1512578) as required under the Local Government Act 2002;

AND THAT the Tasman Bays Heritage Trust draft Statement of Intent 2016/17 meets the Councils' expectations and is approved as the final Statement of Intent for 2016/17.

Rainey/Bryant

Carried

8. Nelson Airport Half Yearly Report

Document number R5378, agenda pages 59 - 78 refer.

Corporate Services Manager, Mike Drummond, presented the report. Nelson Airport Limited Chairperson, Paul Steere, and Corporate Services Manager, Simon Orr, joined the meeting.

The Committee discussed the Nelson Airport's financial performance, health and safety performance, and capital programme.

Mr Steere responded to questions about bird strikes, departure tax, security audits, and the earthquake rating of the main terminal.

Councillors raised concerns regarding the layout of parking and pick up/drop off areas. It was also suggested that public transport be considered as part of the Airport developments.

There was discussion regarding the challenge of managing growth and ensuring investment levels were appropriate.

Resolved JSC/2016/006

THAT the Joint Shareholders Committee receives the Nelson Airport Ltd - Half Yearly Report (December 2015) report.

Davy/Bryant

Carried

9. Exclusion of the Public

It was noted that reference to item four of the public excluded agenda was removed from the original recommendation as the report would not be considered.

Simon Orr and Paul Steere, of Nelson Airport Ltd, were to be in attendance for item 3 of the Public Excluded agenda to answer questions and, accordingly, the following resolution was required to be passed:

Resolved JSC/2016/007

THAT, in accordance with section 48(5) of the Local Government Official Information and Meetings Act 1987, Simon Orr and Paul Steere remain after the public has been excluded, for Item 3 of the Public Excluded agenda (Nelson Airport Ltd Statement of Intent 2016/17), as they have knowledge that will assist the Council;

AND THAT, in accordance with section 48(6) of the Local Government Official Information and Meetings Act 1987, the knowledge that Simon Orr and Paul Steere possess relates to Nelson Airport Ltd.

Bryant/Barker

Carried

Resolved JSC/2016/008

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:

Bryant/Barker

Carried

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	Nelson Airport Ltd Statement of Intent 2016/17	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: <ul style="list-style-type: none"> • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into public excluded session at 2.14pm and resumed in public session at 3.06pm.

10. Re-admittance of the Public

Resolved JSC/2016/009

THAT the public be re-admitted to the meeting.

Rainey/Bryant

Carried

There being no further business the meeting ended at 3.06pm.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

Trustee rotation and remuneration - Tasman Bays Heritage Trust

1. Purpose of Report

- 1.1 To note the decision of the Tasman Bays Heritage Trust (TBHT) Appointments Committee.
- 1.2 To set Trustees' remuneration pool for TBHT.

2. Recommendation

It is recommended that the Committee:

Receives the report Trustee rotation and remuneration - Tasman Bays Heritage Trust (R6123) and its attachment (A1586077);

Notes the decision of the Tasman Bays Heritage Trust Appointments Committee to:

- ***Re-appoint Liz Richards as a Trustee of the Tasman Bays Heritage Trust for a period of three years, ending October 2019;***
- ***Re-appoint Chris Bowater as a Trustee of the Tasman Bays Heritage Trust for a period of three years, ending October 2019;***

Confirms that Trustees' remuneration pool for the Tasman Bays Heritage Trust remains at the current level (\$62,400) for the 2016/17 financial year.

3. Background

- 3.1 The Tasman Bays Heritage Trust is a joint Council Controlled Organisation. Each year the councils consider the level of the total pool

for remuneration of Trustees. The TBHT Board decides on the allocation to individual trustees and the chair.

- 3.2 Appointments to the TBHT Trust Board are made by the TBHT Appointments Committee. Current members of that committee are: Mayor Kempthorne & Lindsay Mckenzie (TDC); Councillors Mike Ward & Ian Barker (NCC); Harvey Ruru & Christine Hemi (iwi representatives).

4. Discussion

Trustee Rotation

- 4.1 Liz Richards and Chris Bowater are due to retire by rotation. Both indicated that they were willing to stand again for re-appointment. This is supported by the Chair of TBHT (attachment 1).
- 4.2 The TBHT Appointments Committee has considered these candidates and has decided to re-appoint both as Trustees for a further 3 years, accordingly the appointments have been made.

Trustees' remuneration pool

- 4.3 Generally increases are no higher than the consumer price index (cpi) movement for the year to the December quarter. In December 2015 cpi was 0.1%.
- 4.4 The Chair of the Trust Board has confirmed that the Board is happy to accept that there will be no increase in the pool this year (attachment 1).

5. Options

- 5.1 The Joint Committee can accept the recommendation regarding remuneration or can change the remuneration pool.
- 5.2 The re-appointment of Trustees is for information only.

Chris Ward
Group Manager Community Services

Attachments

Attachment 1: A1586077 - TBHT Trustees Fees and Rotations Letter

Important considerations for decision making	
1. Fit with Purpose of Local Government	TBHT provides local cultural and heritage services to Nelson and Tasman District residents and visitors in a cost effective way.
2. Consistency with Community Outcomes and Council Policy	TBHT contributes to the shared regional community outcome of 'Our communities have opportunities to celebrate and explore their heritage, identity and creativity'.
3. Risk	None
4. Financial impact	None
5. Degree of significance and level of engagement	This matter is of low significance and no consultation has taken place other than with the Chair of the Trust.
6. Inclusion of Māori in the decision making process	Maori have not been consulted on this recommendation. Iwi are represented on the Tasman Bays Heritage Trust Board.
7. Delegations	The Joint Shareholders Committee has the responsibility to decide on all matters relating to jointly owned Council Controlled Organisations. Appointments to the TBHT Board are made by the TBHT Appointments Committee.

20 June 2016

Chris Ward
Group Manager Community Services
Nelson City Council
P O Box 645
Nelson 7040

Dear Chris

Re: Rotations and Trustees Fees

Thank you for your letter dated 15 June 2016.

I can confirm that Liz Richards and Chris Bowater both wish to put themselves forward for reappointment as Trustees. The Board is in full support of their reappointments.

I would also like to confirm that the Board is in agreeance with NCC on no CPI adjustment to Director's fees this year.

There is also a slight amendment required to the table you sent regarding membership of The Tasman Bays Heritage Trust Board. Phillip Thomason is no longer a Trustee (he resigned in June 2015) and I am not noted in the table. Here is the correct information according to our records:

Name	Date First Appointed	Next Year of Rotation
Chris Bowater	2009 (reappointed 2013)	October 2016
Liz Richards	March 2009 (reappointed 2013)	October 2016
Olivia Hall	November 2012 (reappointed 11 Nov 2015)	November 2018
Darren Mark	11 November 2015	November 2018
Emma Thompson	11 November 2015	November 2018
Derek Shaw	11 November 2015	November 2018

Kind regards



Olivia Hall
Board Chair

Cc Mike Drummond, Tasman District Council

The Nelson Provincial Museum, Pupuri Taonga o Te Tai Ao
Town Acre 445, cnr Hardy and Trafalgar Streets, Nelson
Tel: +64 3 548 9588 | Fax: +64 3 548 9589

The Nelson Provincial Museum Isel Park Research Facility
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Supported by Nelson City Council and Tasman District Council