



Minutes of a meeting of the Governance and Finance Committee

Held via Audio-Visual (Zoom)

On Thursday 21 May 2020, commencing at 9.04a.m.

Present: Councillor R Sanson (Chairperson), Her Worship the Mayor R Reese, Councillors Y Bowater, T Brand, M Courtney, J Edgar, K Fulton, M Lawrey, B McGurk, G Noonan, R O'Neill-Stevens, P Rainey, and T Skinner, and Mr J Murray and Mr J Peters

In Attendance: Chief Executive (P Dougherty, Group Manager Environmental Management (C Barton), Group Manager Community Services (R Ball), Group Manager Corporate Services (N Harrison), Group Manager Strategy and Communications (N McDonald), Team Leader Governance (R Byrne) and Governance Adviser (E Stephenson)

Apologies : Nil

Karakia Timatanga

The Chairperson gave the opening karakia.

1. Apologies

There were no apologies.

2. Confirmation of Order of Business

The Chairperson advised that the Nelson Regional Development Agency - Statement of Expectation 2020/21 and update on review of Nelson Regional Development Agency operations report would be considered as the last item in the open agenda.

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 27 February 2020

Document number M6721, agenda pages 9 - 13 refer.

Resolved GF/2020/009

That the Governance and Finance Committee

- 1. Confirms the minutes of the meeting of the Governance and Finance Committee, held on 27 February 2020, as a true and correct record.***

O'Neill-Stevens/Bowater

Carried

6 Chairperson's Report

The Chairperson presented her report (A2387481), which had been distributed previously.

Resolved GF/2020/010

That the Governance and Finance Committee

- 1. Receives the Chairperson's Report (A2387481) .***

Lawrey/McGurk

Carried

Attachments

- 1 A2387481 - Governance and Finance Committee Chairperson's Report 21 May 2020

7. Nelson Centre of Musical Arts - Strategic Presentation

Roger Taylor, Trust Board Chairperson, Jan Trayes, Trustee, and James Donaldson, Director, of the Nelson Centre of Musical Arts provided a PowerPoint presentation and answered questions regarding staff morale, project-based funding, online teaching and events and the date of the Centre's AGM.

Her Worship the Mayor said she would arrange for Council's Communications team to contact the Centre to help them make connections.

Attachments

- 1 A 2389140 - Nelson Centre of Musical Arts PowerPoint Presentation

7. Bishop Suter Trust - Strategic Presentation

Julie Catchpole, Suter Director, accompanied by Jeff Morris, Suter Commercial Manager, and representatives of the Bishop Suter Trust gave a strategic presentation on the Bishop Suter Trust. They noted that much had changed from its six monthly review because of the impact of COVID-19. The Trust's collection was developing and they were hoping to make it available online and play their part to rebuild the economy.

8. The Bishop Suter Trust Half Year Performance Report to 31 December 2019 and Draft Statement of Intent 2020/2025

Document number R15859, agenda pages 165 - 220 refer.

Julie Catchpole, Suter Director, accompanied by Jeff Morris, Suter Commercial Manager, and representatives of the Bishop Suter Trust answered questions regarding conversations with staff on the Community Arts Hub; access to the government subsidy and other funding; budget reforecasting; the number of days the Museum was open for; opportunities to build local visitor numbers and measuring carbon emissions and reduction.

Councillor Noonan, seconded by Councillor Edgar moved the officer's recommendation.

That the Governance and Finance Committee

1. *Receives the report The Bishop Suter Trust Half Year Performance Report to 31 December 2019 and Draft Statement of Intent 2020/2025 (R15859) and its attachments (A2351668, A2351670 and A2315613); and*
2. *Notes the delivery of the Bishop Suter Trust draft Statement of Intent 2020/2025 (A23501670) as required under the Local Government Act 2002; and*
3. *Provides the following comments and feedback to the Bishop Suter Trust:*
 - a) that the Draft Statement of Intent meets the Committee's expectations; or*
 - a) requests the Board considers ...*

Noonan/Edgar

Discussion took place on the Committee's feedback on the Statement of Intent and it was agreed that Council's expectations should be more clearly addressed and a timeline around measurement of carbon emissions and reduction be included in the Statement of Intent. The motion was amended with the agreement of the mover and seconder.

Acting Group Manager Community Services, Mark Preston-Thomas, was asked to give the following feedback to the Trust:

- There was a lack of information relating to governance succession
- A request for confirmation that staff were paid the living wage
- The cost of solar panel installation and additional funding required.

Resolved GF/2020/011

That the Governance and Finance Committee

- 1. Receives the report The Bishop Suter Trust Half Year Performance Report to 31 December 2019 and Draft Statement of Intent 2020/2025 (R15859) and its attachments (A2351668, A2351670 and A2315613); and***
- 2. Notes the delivery of the Bishop Suter Trust draft Statement of Intent 2020/2025 (A23501670) as required under the Local Government Act 2002; and***
- 3. Provides the following comments and feedback to the Bishop Suter Trust:***
 - a) requests the Board better reflects the Statement of Expectation and considers including a timeline around measurement of carbon emissions and reduction in the Statement of Intent.***

Noonan/Edgar

Carried

The meeting was adjourned from 10.31a.m. until 10.35a.m. at which time Her Worship the Mayor left the meeting.

Her Worship the Mayor returned to the meeting at 10.39a.m.

9. The Bishop Suter Trust - COVID-19

Document number R17021, agenda pages 221 - 224 refer.

Following discussion, Acting Group Manager Community Services, Mark Preston-Thomas, confirmed that revised financials would be provided for the final Statement of Intent 2020/25.

Resolved GF/2020/012

That the Governance and Finance Committee

- 1. Receives the report The Bishop Suter Trust - COVID-19 (R17021) and its attachment (A2381965).***

Fulton/Rainey

Carried

10. COVID-19 Update Report - Impacts on Governance and Finance Activities

Document number R16982, agenda pages 225 - 228 refer.

Her Worship the Mayor commented on the lack of financial reporting in the agenda and suggested establishing a regular update briefing for all Elected Members. She noted that informal discussions had been taking place with the Chair and Deputy Chair of the Audit and Risk Subcommittee and felt it would be useful to continue with those and then from that, establish a briefing paper on issues to allow ongoing governance monitoring and oversight.

It was noted that more information on events funding and rates income would be useful before Annual Plan Deliberations.

Resolved GF/2020/013

That the Governance and Finance Committee

- 1. Receives the report COVID-19 Update Report - Impacts on Governance and Finance Activities (R16982).***

McGurk/O'Neill-Stevens

Carried

11. Policy review: Appointments of directors/trustees to Council's Council Controlled Organisations and Council Controlled Trading Organisations

Document number R14809, agenda pages 229 - 242 refer.

Group Manager Corporate Services, Nikki Harrison, presented the report.

Discussion took place on best practice and conflicts of interest relating to the appointment of Elected Members to boards and Her Worship the Mayor provided background on the issue.

The recommendation was moved by Councillor Rainey and seconded by Councillor Courtney.

That the Governance and Finance Committee

1. *Receives the report Policy review: Appointments of directors/trustees to Council's Council Controlled Organisations and Council Controlled Trading Organisations (R14809) and its attachments (A284857) and (A2354796); and*
2. *Confirms the current policy for Appointment of Directors/Trustees of Council Controlled Organisations and Council Controlled Trading Organisations (A284857).*

Rainey/Courtney

Further discussion took place regarding the ability to appoint the best person for the role, reputational risk, public perception and checks and balances in the recruitment process. The value of alignment between Nelson City Council and Tasman District Council (TDC) appointment policies was highlighted, noting the discussion at a recent Joint Shareholders Committee meeting and a wider review of the policy was suggested. Views for and against the motion were expressed and discussion took place on the options.

An amendment to the motion was indicated and the meeting was adjourned from 11.30a.m. until 11.43a.m. to allow an amendment to be crafted.

Her Worship the Mayor reiterated the need for alignment in both Councils' policies to allow both Councils to appoint to Port Nelson Ltd and the Nelson Airport Ltd and the value of a wider review, which may highlight different changes to those proposed. It was confirmed that the previous policy would remain in place if no decision was made and the Mayor moved a motion, seconded by Councillor Edgar, to leave the matter to lie on the table.

Item of business to lie on the table

GF/2020/014

That the Governance and Finance Committee

- 1. Leaves the item Policy review: Appointments of directors/trustees to Council's Council Controlled Organisations and Council Controlled Trading Organisations to lie on the table and not be further discussed at this meeting.***

Her Worship the Mayor/Edgar

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Abstained</u>
Her Worship the Mayor Reese	Cr Lawrey	Cr Courtney
Mr Murray	Cr O'Neill-Stevens	
Mr Peters	Cr Rainey	
Cr Bowater	Cr Sanson (Chairperson)	
Cr Brand	Cr Skinner	
Cr Edgar		
Cr Fulton		
Cr McGurk		
Cr Noonan		

The motion was carried 9 - 5.

12. Nelmac Limited Half yearly report to 31 December 2019

Document number R14845, agenda pages 243 - 251 refer.

Resolved GF/2020/015

That the Governance and Finance Committee

- 1. Receives the report Nelmac Limited Half yearly report to 31 December 2019 (R14845) and its attachment (A2352112).***

O'Neill-Stevens/Skinner

Carried

13. Nelson Regional Development Agency - half yearly report to 31 December 2019 (Agenda Item 7)

Document number R15887, agenda pages 14 - 29 refer.

Resolved GF/2020/016

That the Governance and Finance Committee

- 1. Receives the report Nelson Regional Development Agency - half yearly report to 31 December 2019 (R15887) and its attachments (A2355510, A2359751).***

Edgar/Bowater

Carried

14. Nelson Regional Development Agency - Statement of Expectation 2020/21 and update on review of Nelson Regional Development Agency operations (Agenda Item 8)

Document number R13760, agenda pages 30 - 164 refer.

The meeting was adjourned from 12.06p.m. to 12.11p.m.

Meg Matthews, Nelson Regional Development Agency (NRDA) Chairperson, and Mark Rawson, NRDA CEO, were present for this item.

Manager Strategy, Mark Tregurtha, presented the report, noting that a review of the NRDA that had been undertaken as part of the Annual Plan, had made a number of recommendations and that as a result of COVID-19 there may be changes to its work programme. The review did not detect any major deficiencies, although it said the current Statement of Expectation could be more focused and it highlighted the importance of working with key partners Tasman District Council and iwi.

Ms Matthews and Mr Rawson answered questions regarding key recommendations in the report, noting that Project Kōkiri would bridge the gap in strategic alignment via a planned annual programme of workshops and that the COVID-19 emergency had meant rescheduling of the workshops. Discussion took place regarding the wisdom of having Statement of Expectation discussions prior to discussion with key partners.

It was clarified that there were no penalties for not meeting statutory Statement of Intent timeframes and the need for alignment, flexibility and responsiveness and a sustainable funding horizon was reiterated, together with the seriousness of the economic impact of COVID-19, with the NRDA needing to be well positioned for the new reality. The importance of alignment and doing the best job for both councils was reiterated, together with the challenges facing the NRDA and the region.

There was further discussion and questions regarding the NRDA's budget shortfall, sustainability, capacity to facilitate delivery, other funding avenues, the shift from response to longer term recovery and the key areas of Project Kōkiri.

15. Exclusion of the Public

Rob Gunn, Nelmac Ltd Chair, and Jane Sheard, Nelmac Ltd CEO, were in attendance for Items 2 and 3 (Nelmac six monthly strategic presentation and Nelmac Limited draft Statement of Intent 2020/21) and Meg Matthews, Nelson Regional Development Agency Chair and Mark Lawson Nelson Regional Development Agency CEO, for Item 8 (Nelson Regional Development Agency - Statement of Expectation 2020/21 and update on review of Nelson Regional Development Agency operations) of the Confidential agenda to answer questions and, accordingly, the following resolution was required to be passed:

Resolved GF/2020/017

That the Governance and Finance Committee

- 1. Confirms, in accordance with sections 48(5) and 48(6) of the Local Government Official Information and Meetings Act 1987, that Rob Gunn, Nelmac Ltd Chair, and Jane Sheard, Nelmac Ltd CEO, remain after the public has been excluded, for Items 2 and 3 of the Confidential agenda (Nelmac six monthly strategic presentation and Nelmac Limited draft Statement of Intent 2020/21) and for Meg Matthews, Nelson Regional Development Agency Chair and Mark Lawson Nelson Regional Development Agency CEO, for Item 8 (Nelson Regional Development Agency - Statement of Expectation 2020/21 and update on review of Nelson Regional Development Agency operations), as they have knowledge relating to those matters that will assist the meeting.***

Bowater/O'Neill-Stevens

Carried

Resolved GF/2020/018

That the Governance and Finance Committee

- 1. Excludes the public from the following parts of the proceedings of this meeting.***
- 2. 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:

Bowater/O'Neill-Stevens

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	Governance and Finance Committee Meeting - Public Excluded Minutes - 27 February 2020	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
2	Nelmac six monthly strategic presentation	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	Nelmac Limited draft Statement of Intent 2020/21	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 Centre of Musical Arts - Appointment of Trustees	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
8	Nelson Regional Development Agency -	Section 48(1)(a)	The withholding of the information is necessary:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	Statement of Expectation 2020/21 and update on review of Nelson Regional Development Agency operations	The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	<ul style="list-style-type: none"> • Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person • Section 7(2)(h) To enable the local authority to carry out, without prejudice or disadvantage, commercial activities

The meeting went into confidential session at 1.22p.m. and resumed in public session at 3.59p.m.

Following questions and discussion in the confidential section of the meeting, the Committee made the following decision in open meeting.

8. Nelson Regional Development Agency - Statement of Expectation 2020/21 and update on review of Nelson Regional Development Agency operations

Item of business to lie on the table

Resolved GF/2020/024

That the Governance and Finance Committee

- 1. Leaves the item Nelson Regional Development Agency - Statement of Expectation 2020/21 and update on review of Nelson Regional Development Agency operations to lie on the table and not be further discussed at this meeting.***

Edgar/Brand

Carried

Karakia Whakamutunga

The Chairperson gave the closing karakia.

RESTATEMENTS

It was resolved while the public was excluded:

Extension of Meeting Time

That the Governance and Finance Committee

- 1. Extends the meeting time beyond six hours, pursuant to Standing Order 4.2.***

3	PUBLIC EXCLUDED: Nelson Centre of Musical Arts - Appointment of Trustees
	<i>That the Governance and Finance Committee</i> <i>4. <u>Agrees</u> that the decisions only be made publicly available, once the Trustees have been notified; and</i> <i>5. <u>Agrees</u> that Report (R9958) and Attachment A2358179 remain confidential at this time.</i>

There being no further business the meeting ended at 4.03p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date