

Decision released from confidential session			
Recommendation from (agenda report)	Date of meeting		
Council	15 December 2022		
Report Title and number			
Reappointment of Independent Chair to the Saxton Field Committee (R27336)			
Documents released			
Decision (CL/2022/295) and Report (R27336)			
Decision			
Resolved			
That the Council			
<ol style="list-style-type: none"> 1. <u>Receives</u> the report Reappointment of Independent Chair to the Saxton Field Committee (R27336); and 2. <u>Reappoints</u> Derek Shaw as the independent Chair of the Saxton Field Committee for a maximum period of up to the Local Government Triennial Elections in 2025, subject to Tasman District Council agreeing to his reappointment to the role; and 3. <u>Agrees</u> that the Report (R27336) and the decision be made publicly available once the role is accepted. 			

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Item 3: Reappointment of Independent Chair to the Saxton Field Committee

Council



15 December 2022

REPORT R27336

Reappointment of Independent Chair to the Saxton Field Committee

1. Purpose of Report

- 1.1 To reappoint an independent Chair to the Saxton Field Committee, which is a joint committee of Nelson City Council and Tasman District Council.

2. Recommendation

That the Council

1. ***Receives*** the report ***Reappointment of Independent Chair to the Saxton Field Committee (R27336)***; and
2. ***Reappoints*** Derek Shaw as the independent Chair of the Saxton Field Committee for a maximum period of up to the Local Government Triennial Elections in 2025, subject to Tasman District Council agreeing to his reappointment to the role; and
3. ***Agrees*** that the Report (R27336) and the decision be made publicly available once the role is accepted by Derek Shaw.

3. Exclusion of the Public

- 3.1 This report has been placed in the confidential part of the agenda in accordance with section 48(1)(a) and section 7 of the Local Government Official Information and Meetings Act 1987. The reason for withholding information in this report under this Act is to:

- Section 7(2)(a) To protect the privacy of natural persons, including that of a deceased person

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Item 3: Reappointment of Independent Chair to the Saxton Field Committee

4. Background

- 4.1 Nelson City Council and Tasman District Council established the Saxton Field Committee as a joint committee of both Councils at their respective meetings in December 2016. Both Councils agreed to re-establish the joint committee following the October 2022 local government election.
- 4.2 The Committee's purpose was "to oversee the development and management of Saxton Field on behalf of Nelson City Council and Tasman District Council".
- 4.3 The Terms of Reference for the Saxton Field Committee, approved by Council on 15 November 2018, provide for an independent Chair to be appointed to the Saxton Field Committee. The Terms of Reference are proposed to remain unchanged for the Saxton Field Committee in the current triennium. The relevant sections are:

2. Membership

Each Council must appoint two elected members to the Committee.

An independent member will be appointed in accordance with the councils' 'Policy for the appointment and remuneration of jointly-appointed independent members on committees'.

At the inaugural meeting a Chairperson will be elected for the purposes of the inaugural meeting only, and will not have a casting vote at that meeting.

The independent member will be the Chair of the Committee and will have voting rights.

If the Chair is unavailable a Chairperson will be elected from among members attending on the day.

12. Independent member

The independent member will be appointed in accordance with the councils' 'Policy for the appointment and remuneration of jointly-appointed independent members on committees'.

- 4.4 At the Nelson City Council and Tasman District Council meetings on 13 February 2020, it was resolved to:

Resolved CL/2020/006

That the Council

2. *Appoints Derek Shaw as the Independent Chair of the Saxton Field Committee for a maximum period of up to the Local Government Triennial Elections in 2022, subject to Tasman District Council agreeing to his appointment to the role*

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The Policy on the Appointment and Remuneration of Jointly-Appointed Independent Members on Committees states:

6.1. Independent members may not be reappointed for a fifth consecutive term unless there are special circumstances."

4.5 Derek Shaw has been in the role of Independent Chair of the Saxton Field Committee for one term (2020-2022).

6.2 ... where an independent member's term of appointment is about to expire and the independent member is offering themselves for reappointment, the Chief Executives of the councils (or their delegate) and the Mayors –

6.2.1. May make confidential enquiries to the Chairperson and/or other members of the committee as appropriate, including:

- Whether the skills of the incumbent add value to the work of the committee;*
- Whether there are other skills which the committee needs;*
- Whether the committee's ability to pursue a desired vision and long term strategy would be compromised by the appointment of a new independent member;*
- Whether there is a need for new skills and ideas on the committee; and*
- Whether an appointment is necessary.*

6.2.2. Must consider any information obtained and form a view on the appropriateness of reappointment or making a replacement appointment; and

6.2.3. Must recommend to each council whether reappointment is appropriate.

6.3. If reappointment is not appropriate, the appointment process outlined in Section 3 and 4 will be followed.

4.6 Derek Shaw can be reappointed for a maximum of three further consecutive terms, if agreed by both Councils and Mr Shaw.

4.7 At its meeting on 3 November 2022, Tasman District Council appointed Councillor Brent Maru and Councillor Jo Ellis to the Saxton Field Committee.

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- 4.8 At its meeting on 10 November 2022, Nelson City Council appointed Councillor Campbell Rollo and Councillor Tim Skinner to the Saxton Field Committee.
- 4.9 The first meeting of the Saxton Field Committee in the current triennium is proposed to be in the first quarter of the 2023 calendar year.

5. Discussion

- 5.1 Mayor Nick Smith and Councillor Skinner (as the Nelson City Councillor remaining from the previous Saxton Field Committee) have expressed their support for Derek Shaw to be reappointed as Independent Chair of the Saxton Field Committee for the current triennium.
- 5.2 Mayor Tim King and Councillors Brent Maru and Jo Ellis (both Councillors are Tasman District Council appointees to the Saxton Field Committee) support the re-appointment of Derek Shaw as independent chair of the committee.
- 5.3 Derek Shaw has expressed his interest in being reappointed as Independent Chair of the Saxton Field Committee for the current triennium.
- 5.4 Derek Shaw, in his time as Independent Chair of the Saxton Field Committee, has led the development of a new Reserve Management Plan, new branding, and a new Saxton Field Marketing Strategy. He has led a culture of collaboration and trust with elected members on the Committee, and with staff to develop strong strategy and plans for the future.
- 5.5 It is recommended that Derek Shaw should be reappointed as the Independent Chair of the Saxton Field Committee to continue the momentum established by the previous Committee under his leadership.

6. Options

- 6.1 The Council may choose to accept the recommended reappointment of Derek Shaw as the independent Chair of the Saxton Field Committee, or it may decline the recommendation. Officers are not aware of any reason not to reappoint him.

Option 1: Council accepts the recommendation to reappoint Derek Shaw as the independent Chair of the Saxton Field Committee (recommended option)	
Advantages	<ul style="list-style-type: none">Ensures the timely appointment of an independent Chair, consistent with Council's

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	<p>policy framework.</p> <ul style="list-style-type: none">• Provides continuity and experienced leadership for the Joint Committee for the period ahead.
Risks and Disadvantages	<ul style="list-style-type: none">• Other better candidates could be identified through a competitive recruitment process, although this is considered unlikely based on Derek Shaw's experience and achievements as Independent Chair.
Option 2: Council decides not to accept the recommendation to reappoint Derek Shaw as the independent Chair of the Saxton Field Committee	
Advantages	<ul style="list-style-type: none">• Opportunity to identify better candidates for the role, through a competitive recruitment process.
Risks and Disadvantages	<ul style="list-style-type: none">• Could lead to uncertainty and loss of momentum for the Saxton Field Committee.• Unlikely to identify a better candidate, and Derek Shaw may not remain interested in the role.• Recruitment process would not be value for money due to Derek Shaw's suitability for the role.

7. Next Steps

- 7.1 Derek Shaw, Tasman District Council and the Saxton Field Committee members will be informed of the decision.
- 7.2 The decision will be released from public excluded when Derek Shaw has accepted the role.

Author: Andrew White, Group Manager Community Services

Attachments

Nil

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Important considerations for decision making

Fit with Purpose of Local Government

The Saxton Field Committee is a joint committee, established by Nelson City Council and Tasman District Council to oversee the development of the regional facilities at Saxton Field, which are provided by both Council's for the wellbeing of their communities.

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Consistency with Community Outcomes and Council Policy

The Saxton Field Committee helps to deliver Council's Community Outcomes, in particular:

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- Our urban and rural environments are people-friendly, well planned and sustainably managed
- Our communities are healthy, safe, inclusive and resilient
- Our communities have opportunities to celebrate and explore their heritage, identity and creativity

The appointment process is consistent with the Councils' Policy on the Appointment and Remuneration of Jointly-Appointed Independent Members on Committees.

Risk

There is low risk associated with this recommendation because the reappointment has been undertaken in accordance with Council policy.

Financial impact

The Terms of Reference for the Saxton Field Committee provide that the independent Chair is remunerated in accordance with the Policy on the Appointment and Remuneration of Jointly-Appointed Independent Members on Committees. The costs of the Independent Chair will be covered from within the existing budgets of Council.

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Degree of significance and level of engagement

This matter is of low significance because the decision is likely to be of low interest to the community, apart from Saxton Field users groups. The decision is for a period of up to a three years. It does not have a major financial impact, and it does not impact on levels of service. No engagement is proposed.

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Climate Impact

This decision has no climate change implications.

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Inclusion of Māori in the decision making process

No engagement with Māori has been undertaken in preparing this report.

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Delegations

This decision is a matter for Council.

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