

STAFF REPORT

TO: Chair and Members, Corporate Services Committee
FROM: Corporate Services Manager
DATE: 3 September 2010
SUBJECT: **Memorandum of Understanding: Tasman Bays Heritage Trust Report RFN10-09-07**

PURPOSE

To authorize the signing of the revised Memorandum of Understanding (MOU) between the Nelson City Council (NCC), Tasman District Council (TDC) and the Tasman Bays Heritage Trust (TBHT).

BACKGROUND

In 1 July 2000 an MOU with an expiry date of 30 June 2009 was entered into between NCC, TDC and TBHT. Since the expiry of this MOU staff of both councils, including the NCC legal adviser in conjunction with the Chair of the TBHT, has been working on a new MOU. This proposed MOU is attached as Appendix A.

The proposed MOU was discussed at the Joint Shareholders Committee meeting of 30 July 2010 and after discussion the following resolution was passed:

“Recommendation to Nelson City Council and Tasman District Council

That subject to receiving a formal resolution from the board of Tasman Bays Heritage Trust, the draft memorandum of Understanding as amended by clause 11 “Disputes” becoming clause 2 and rewritten and retitled “Good faith” and the word “email” being inserted after the words “registered mail” in clause 12, be approved for signing

King/Thomas”

DISCUSSION

The proposed MOU was passed to the TBHT Board who have advised the following:

“I am pleased to confirm that at the board meeting held on Monday 30 August, the following resolution was carried:

That the amended draft MOU from Nelson City Council and Tasman District Council (10 August 2010) be approved.”

As a point of clarification the proposed MOU is 10 years with an expiry date of 30 June 2019.

OPTIONS

Option 1

Reject the recommendation from the Joint Shareholders Committee. If this option is preferred, in accordance with the policy of both Councils, the matter would be referred back to the Joint Shareholders Committee for further consideration.

Option 2

Accept the Memorandum of Understanding subject to acceptance by the Nelson City Council.

RECOMMENDATION

THAT the Corporate Services Committee approve for signing the Memorandum of Understanding between the Nelson City Council, Tasman District Council and the Tasman Bays Heritage Trust dated 30 July 2010, subject to a similar resolution being passed by the Nelson City Council.

Murray Staite
Corporate Services Manager