

OPEN

Nelson Marlborough Institute of Technology Limited
(the Company)

Minutes of a meeting of the Board of Directors
(Board)

Monday 23 May 2022 at 11.30 am
NMIT Nelson Campus, Room L108

PRESENT

Board: T Johnston (Chair), P Smith, J Edgar, T Grant, P Cowper, K Grant

In Attendance: W Jackson (Chief Executive), B Johnston (Company Secretary/Executive Director Finance & Campus Services), O Hall (Executive Director Ōritetanga, Teaching and Learners), K Redgrove (Board Secretary)

In Part Attendance: S Town (Chief Executive, Te Pūkenga)

1. Welcome, Karakia and Apologies

RESOLVED:

That apologies for absence be accepted from C Newton and the resignation of J Wilson is formally noted, effective 16 May 2022.

2. Declarations of Interests and Disclosures

Board members noted J Wilson's resignation from the Board tendered by J Wilson, effective 16 May 2022 and acknowledged the special position of her role, being the endorsed representative of the eight iwi from Te Tau Ihu. Consideration would need to be given on how this function could continue to maintain relationships with iwi partners, particularly through the transitional process over the next six months. It was suggested that the General Managers for each iwi should be contacted for their views on how that could be achieved, given that a formal Board Director role would not be an enduring one. This would likely sit outside the usual appointment process and it was agreed this would be raised with S Town of Te Pūkenga when he joined the meeting in its confidential session.

3. RESOLUTION TO EXCLUDE THE PUBLIC

RESOLVED:

- 1. That members of the public and press be excluded from the remainder of the meeting and that the NMIT Board move In-committee.**
- 2. Furthermore, NMIT resolves that the Chief Executive, Board Secretary, Executive Directors (full attendance) and Stephen Town of Te Pūkenga be permitted to remain at the meeting after the public have been excluded because of their specific knowledge in relation their respective subject matter reports and expertise. This knowledge will be of assistance in relation to the matters above to be discussed.**

Resolutions will be made in reliance on section 48(1) of the Local Government Official Information and Meetings Act 1987 (**LGOIMA**) and the particular interests protected by section 9 of the Official Information Act 1982 which would be prejudiced by the holding of the relevant parts of the proceedings of the meeting in public.

| Item No. | General Subject of each matter to be considered | Reason for passing resolution in relation to each matter | Grounds under section 48(1) for the passing of the resolution. |
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| 4. | Te Pukenga Amalgamation | <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(b)(ii) of the Official Information Act - protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and</p> | <p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)</p> |

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| | | industrial negotiations); | |
| 5. | Minutes of NMIT Board Meeting – 12 April 2022 Action Items | <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(b)(ii) of the Official Information Act - protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> | That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies) |

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| | | <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p> | |
| 6. | Chief Executive's Report | <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(j) of the Official Information Act - enable any public service agency or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations);</p> <p>Section 9(2)(b)(ii)</p> <p>protect information where the making available of the information</p> <p>would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.</p> | <p>That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies)</p> |

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| | | <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p> | |
| 7. | CE Performance Review | <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p> | That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies) |
| 8. | Health, Safety and Wellbeing Report | <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p> | That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies) |

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| 9. | Risk Management | Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities | That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies) |
| 10. | Review of Policies | | |
| 11. | Complaints and Misconduct Report | <p>Section 9(2)(i) of the Official Information Act – enable the organisation holding the information to carry out, without prejudice or disadvantage, commercial activities</p> <p>Section 9(2)(a) of the Official Information Act – to protect the privacy of natural persons, including that of deceased natural persons</p> | That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9 of the OIA noting Te Pūkenga (and its subsidiaries) is specified, in Schedule 2 of LGOIMA, as a body to which Part 7 LGOIMA applies) |

The meeting moved into a public excluded session at 12 pm and resumed in a public session at 3.49 pm.

12. Resolutions to be released to the public

Nil.

13. Administrative

13.1 Minutes of NMIT Board Meeting 12 April 2022 – Open

RESOLVED:

That the minutes of the NMIT Board Meeting 12 April 2022 – Open - be confirmed as a true and accurate record.

13.2 Action Items of NMIT Board Meeting

It was agreed that there should be active encouragement for staff, learners and SANITI to make submissions to the existing Draft Carparking Strategy released by Nelson City Council for consultation. This would inform not only how parking in the city would be organised but also bus routes and frequency.

The importance of receiving hardship funding administered by SANITI for students, was noted, particularly during the winter months.

14. SANITI Update

The report was noted.

15. Items for Information:

15.1 Common Seal Report to 31 March 2022

15.2 Common Seal Report to 30 April 2022

It was raised that future reports should note both signatories, to align with the Common Seal Policy.

15.3 Academic Committee Update – 16 March 2022

15.4 Board Workplan 2022 (for information only)

15.5 Table of Commonly Used Acronyms (for information only)

RESOLVED:

That the Common Seal Reports to 31 March and 30 April 2022 and the Academic Committee Update 16 March 2022, be noted.

16. Karakia Whakamutunga

The meeting closed with a karakia whakamutunga. at 4 pm.

Confirmed as a correct record on:

Chairperson – T Johnston

Date of Signature: