

AP 2030



CHARTER



To Guide the Relationship between the City of Nanaimo and the Nanaimo Port Authority

The Port of Nanaimo is a major employer and economic generator within the Nanaimo region and occupies a major proportion of the waterfront lands within the City of Nanaimo.

The City of Nanaimo is the local government for the community, and provides municipal services and access essential to the efficient operation of the Port.

The City of Nanaimo regulates development and land use adjacent to the Port of Nanaimo. The development activities of lessees and tenants on properties controlled by the Port Authority are subject to a Project Review Process which was agreed to by the City of Nanaimo and the Port Authority.

The City and the Nanaimo Port Authority are both committed to the economic development of the region, the generation of jobs, the efficient movements of goods and people and the preservation and enhancement of the natural environment.

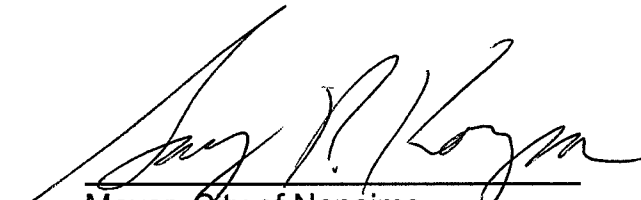
The City and the Port Authority acknowledge the importance of each other and the necessity of a good working relationship, and commit to this Charter to guide that relationship.

1. The Port Authority and the City acknowledge the independence of one another, and the obligation of each party to act in a manner that is consistent with its enabling legislation and obligations.
2. The Port Authority and the City commit to continuing open and effective communication on matters of mutual interest. The parties are committed to notifying and consulting with one another on physical developments and management policies that may affect both parties.
3. The President and CEO of the Port Authority and the City Manager of the City shall meet on a regular basis to review current issues that are relevant to the two organizations. The Chair of the Port Authority's Board of Directors, and the Mayor of the City, shall also meet at mutually agreeable times.
4. Following these meetings, the Port Authority Board of Directors and the City Council will receive reports from their respective officials, and will give the direction deemed appropriate on issues that support the joint interests of the two organizations.

In the event of a dispute, the City and the Port Authority shall attempt, earnestly and in good faith, to resolve their differences together, before resorting to an arbitrator, tribunal or court.

5. The City and the Port Authority agree to work together in the following areas of mutual interest, and, to the extent possible, on the development of joint plans in each of the following areas:

- promotion of the business of the Port of Nanaimo and the community
- enhancement of the marine environment
- provision of access to the waterfront and activities of the Port for citizens, where such access is considered appropriate by the Port and the City
- effective management of the use of the harbour, including recreational use, where considered appropriate and desirable by the Port and the City
- promotion of tourism and tourist activities in the harbour
- funding and provision of effective road access and utility services for the efficient operation of the Port
- provision of access to water for key public services
- funding and provision of effective policing and emergency services, including emergency planning and disaster response, in the Port and adjacent area of the City
- ensuring that development on Port lands is compatible with both the economic development of the City and the interests of the City
- ensuring that development in the City is compatible with the economic development of the Port and the interests of the Port
- ensuring effective public consultation on significant decisions relating to Port and adjacent lands in the City



Mayor, City of Nanaimo



Chairman, Nanaimo Port Authority

November 24, 2004