

Notice is given that an ordinary meeting of the Full Council will be held on:

Date: **Wednesday 30 June 2021**
Time: **9:30 am**
Meeting Room: **Tasman Council Chamber**
Venue: **189 Queen Street**
Richmond

Full Council

AGENDA

MEMBERSHIP

Mayor	Mayor T King	
Deputy Mayor	Deputy Mayor S Bryant	
Councillors	Cr C Butler	Cr D McNamara
	Cr B Dowler	Cr D Ogilvie
	Cr M Greening	Cr T Tuffnell
	Cr C Hill	Cr A Turley
	Cr C Mackenzie	Cr T Walker
	Cr K Maling	Cr D Wensley

(Quorum 7 members)

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AGENDA

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Recommendation

That apologies be accepted.

3 PUBLIC FORUM

4 DECLARATIONS OF INTEREST

5 LATE ITEMS

6 CONFIRMATION OF MINUTES

That the minutes of the Full Council meeting held on Friday, 4 June 2021, be confirmed as a true and correct record of the meeting.

7 PRESENTATIONS

Nil

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8 REPORTS

8.1 ADOPTION OF LONG TERM PLAN 2021-2031

Decision Required

Report To:	Full Council
Meeting Date:	30 June 2021
Report Author:	Jenna Neame, Acting Strategic Policy Manager
Report Number:	RCN21-06-14

1 Summary

- 1.1 The purpose of this report is for the Council to adopt its final:
- Revenue and Financing Policy 2021;
 - Long Term Plan 2021-2031 (LTP) including the Annual Plan for 2021/2022;
 - Development and Financial Contributions Policy 2021-2031; and
 - Fourteen (14) activity management plans.
- 1.2 On 4 June 2021, the Council approved a net debt limit of \$250 million and the following limits on annual increases in rates revenue for these years of the LTP:
- 4.5% for Years 1-3;
 - 7% for Years 4-5; and
 - 4.5% for Years 6-10.
- 1.3 Debt is expected to peak at \$248 million in 2023/2024 before reducing to \$234 million in 2030/2031.
- 1.4 The Council publicly notified the LTP Consultation Document and related consultations on 24 March 2021, with submissions closing on 24 April 2021. The Council received 1,719 submissions, including 14 late submissions and heard 160 submitters in support of their submissions. The Council has met the requirements of the Local Government Act 2002 in preparing and consulting on the LTP Consultation Document, supporting information and concurrent consultation documents.
- 1.5 The final LTP 2021-2031, the Development and Financial Contributions Policy and the activity management plans reflect the decisions made at the Council Deliberations meetings on 17, 18 and 19 May, and Council's 4 June 2021 meeting.
- 1.6 The final LTP needs to be audited and adopted by 30 June 2021 in order to meet the statutory deadlines and to strike the rates for the 2021/2022 year.
- 1.7 Audit NZ commenced its final review of the LTP 2021-2031 on 14 June 2021. The Audit Report will be tabled at the meeting.

2 Draft Resolution

That the Full Council:

Part A:

- 1. receives the Adoption of Long Term Plan 2021-2031 report RCN21-06-14; and**
- 2. adopts the Audit Report dated xx-June 2021 tabled at the meeting for inclusion in the Long Term Plan 2021-2031; and**
- 3. adopts the Revenue and Financing Policy (pages x – y in Attachment 1), pursuant to section 102(1) of the Local Government Act 2002; and**
- 4. adopts the Development and Financial Contributions Policy (Attachment 2), pursuant to section 102(1) of the Local Government Act 2002; and**
- 5. adopts the following Activity Management Plans (Attachments 3-16):**
 - Transportation**
 - Water Supply**
 - Wastewater**
 - Stormwater**
 - Waste Management and Minimisation**
 - Coastal Assets**
 - Rivers**
 - Environmental Management**
 - Public Health and Safety**
 - Council Enterprises**
 - Community Facilities and Reserves**
 - Property**
 - Libraries**
 - Aquatic Centre; and**
- 6. approves consequential amendments, under section 102(1) and 102(4)(b) of the Local Government Act 2002, being made to Council’s Treasury Risk Management Policy to recognise the inclusion of the Holding Company for Port Nelson Ltd and Nelson Airport Ltd in the Long Term Plan 2021-2031.**

Part B:

- 7. adopts the Long Term Plan 2021-2031 (Attachment 1) pursuant to Section 93 of the Local Government Act 2002 including the Audit Report in Resolution 2 above; and**
- 8. authorises the Mayor, Deputy Mayor, and the Chief Executive Officer to approve any minor edits or changes to the document, prior to publication; and**
- 9. notes that the Long Term Plan 2021-2031 includes the Annual Plan for 2021/2022.**

3 Purpose of the Report

3.1 The purpose of this report is for the Council to adopt its final:

- Revenue and Financing Policy 2021 (pages x – y of **Attachment 1**);
- Long Term Plan 2021-2031 (LTP) including the Annual Plan for 2021/2022 (**Attachment 1**);
- Development and Financial Contributions Policy 2021-2031 (**Attachment 2**);
- Fourteen (14) activity management plans (**Attachments 3-16**).

3.2 The report also seeks the Council's approval to update the Council's Treasury Risk Management Policy to include the new Holding Company for Port Nelson Ltd and Nelson Airport Ltd.

4 Background and Discussion

4.1 The Council publicly notified the LTP Consultation Document, supporting information and related consultations on 24 March 2021 with submissions closing on 24 April 2022. The Consultation Document and concurrent consultation were published on the Council's website and advertised through Newsline, social media channels and public notices. The Council hosted or attended 17 meetings (including three drop-in sessions) around the District during the consultation period.

4.2 The Council received 1,719 submissions on the Consultation Document and related consultations and heard from 160 submitters in support of their submission. The hearings took place over four days between 4-7 May 2021 in Richmond, Golden Bay, Motueka and via Zoom.

4.3 The Council deliberated during 17-19 May 2021 to consider the information and opinions expressed through the submissions, receive advice from staff and make decisions about changes to include in the final LTP, Schedule of Charges, Revenue and Financing Policy, Rates Remission Policy, Development and Financial Contributions Policy and activity management plans.

4.4 At the Council meeting on 4 June 2021, the Council decided:

- to execute the contractual agreements required to give effect to Revised Option A for the Waimea Community Dam;
- to maintain the Council's full share of its road renewals programme and to make an adjustment for the reduced Waka Kotahi funding only; and
- the financial caps for inclusion in the Financial Strategy.

4.5 At the 4 June 2021 Full Council meeting, the Council approved a net debt limit of \$250 million and the following limits on annual increases in rates revenue for these years of the LTP:

- 4.5% for Years 1-3;
- 7% for Years 4-5; and
- 4.5% for Years 6-10.

- 4.6 Net debt is expected to peak at \$248 million in 2023/2024 before reducing to \$234 million in 2030/2031.
- 4.7 The Council also adopted its Rate Remission Policy and Schedule of Fees and Charges 2021/2022 on 4 June 2021.
- 4.8 Volume 1 of the final LTP 2021-2031 includes:
- The Mayor and Chief Executive’s Message
 - A description of the Council’s work and a summary of the Plan for 2021-2031
 - The Council’s decisions on the Key Choices (from the Consultation Document)
 - A summary of levels of service changes
 - A description of the changes made following consultation
 - A description of the Council’s shared services with Nelson City Council
 - A financial summary
 - Rates example properties
 - A snapshot of the engagement with our community
 - The Council’s Vision, Purpose and Community Outcomes
 - Council Activities Summaries
 - Accounting Information – including the forecasting assumptions
 - Appendix – Glossary of Terms
- 4.9 Volume 2 contains the supporting policies and strategies for the LTP:
- Introduction
 - Funding Impact Statement (rates) including rating maps
 - Financial Strategy
 - Infrastructure Strategy
 - Revenue and Financing Policy
 - Summary of the Significance and Engagement Policy
 - Statement on Fostering Māori Participation in Council Decision Making Processes through Ngā Iwi/Council Partnership
 - Variations from the Water and Sanitary Services Assessment and Waste Management and Minimisation Plan.
- 4.10 Audit NZ undertook its final review of the LTP 2021-2031 starting on 14 June 2021. The Audit Report will be tabled at the meeting.

Development and Financial Contributions Policy

- 4.11 The Council consulted on:
- changing the demand measure for transport;
 - allowing remissions for Community Housing providers;

- a change to using the building footprint, rather than gross floor area in assessing eligibility for minor and small dwelling discounts;
 - changing the threshold size for a dwelling to qualify as a minor dwelling;
 - amending the definition of a bedroom; and
 - amending the special assessment criteria to increase their consistency.
- 4.12 The Council consulted on the Development and Financial Contributions Policy for 2021-2031 concurrently with the LTP Consultation Document and heard submissions on it jointly with the LTP.
- 4.13 The Council received 68 submissions on the Development and Financial Contributions Policy. At the submissions meeting the Council decided to add Te Āwhina Marae and Mohua Affordable Housing Trust to the list of Community Housing Providers, to introduce a Warehousing land use transport assessment rate of 0.3 Household Units of Demand (HUDs) per 100m² of gross floor area and to introduce a Retirement Village transport assessment rate of 0.3 HUDs per unit.
- 4.14 These changes have been made in the version of the Policy for adoption (**Attachment 2**). The Development and Financial Contributions Policy will remain as a separate document from the LTP 2021-2031.

Activity Management Plans

- 4.15 The activity management plans underpin the LTP 2021-2031. The draft Activity Management Plans were published as supporting information to the Consultation Document and some submissions were received on aspects of them.
- 4.16 The Council made several decisions at the deliberations meeting and at the Council meeting on 4 June 2021 which have been incorporated into the relevant activity management plans. The activity management plans (**Attachments 3-17**) are now ready for adoption.

Treasury Policy

- 4.17 On 17 May 2021, the Council agreed to proceed with Option C – *a new holding company established as a funding vehicle only* – for Port Nelson Ltd and Nelson Airport Ltd. The Council needs to now make consequential changes to the Council's Treasury Risk Management Policy to recognise the inclusion of the Holding Company for Port Nelson Ltd and Nelson Airport Ltd that will be formed in the next 12 months. Other than this update, there are no material changes to the Policy required.

5 Options

- 5.1 At the deliberations meetings during 17-19 of May 2021 and the Council meeting on 4 June 2021, the Council considered submissions and made decisions for inclusion in the final LTP 2021-2031. Staff have given effect to those decisions and now ask the Council to adopt the final LTP 2021-2031.
- 5.2 The Council is required by the Local Government Act 2002 to adopt its Revenue and Financing Policy and LTP 2021-2031 and set the rates prior to commencement of the new financial year on 1 July 2021. As the budgeting in the LTP 2021-2031 is dependent on the Development and Financial Contributions Policy, this also needs adoption before 1 July 2021. At this stage, the Council can only make minor wording changes to these documents if

it wants to meet its statutory deadline. Any changes would be subject to Audit NZ review and approval.

5.3 The options are outlined in the following table.

	Option	Advantage	Disadvantage
1.	<p>Recommended</p> <p>Adopt the Revenue and Financing Policy, Long Term Plan 2021-2031, Development and Financial Contributions Policy (Attachments 1 and 2), and update Appendix 1 of the Treasury Risk Management Policy to reflect the holding company for Port Nelson and Nelson Airport. Noting that only minor wording changes can be incorporated prior to adoption.</p>	<ul style="list-style-type: none"> • Enables the Council to meet its statutory deadlines for the LTP. • Enables rates to be struck for the 2021/2022 year. • Enables staff to commence the processes to implement the LTP for the 2021/2022 year in a timely manner. • Enables staff to contact submitters to inform them of the decisions the Council has made. 	<ul style="list-style-type: none"> • There are no notable disadvantages for this option.

	Option	Advantage	Disadvantage
2.	Do not adopt the Revenue and Financing Policy, Long Term Plan 2021-2031, Development and Financial Contributions Policy (Attachments 1 and 2), or update Appendix 1 of the Treasury Risk Management Policy to reflect the holding company for Port Nelson and Nelson Airport.	<ul style="list-style-type: none"> There are no notable advantages for this option. 	<ul style="list-style-type: none"> The Council will not meet its statutory deadlines for the LTP. The Council will be unable to strike rates for the 2021/2022 year. Re-work on aspects of the documents would become necessary with associated costs and staff time requirements, prior to adoption by Council at a future date. A further audit would be required prior to the Council adopting these documents which would likely increase Audit NZ fees as a consequence. Staff would not be able to commence the processes to implement the LTP for the 2021/2022 year in a timely manner.
3.	Recommended Adopt the Activity Management Plans (Attachments 3-16).	<ul style="list-style-type: none"> Enables staff to commence the processes to implement the LTP for the 2021/2022 year in a timely manner. Helps ensure that the Activity Management Plans and the LTP 2021-2031 are consistent with each other. 	<ul style="list-style-type: none"> There are no notable disadvantages for this option.

	Option	Advantage	Disadvantage
4.	Do not adopt the Activity Management Plans (Attachments 3-16).	<ul style="list-style-type: none"> There are no notable advantages for this option. 	<ul style="list-style-type: none"> Staff will not have clear direction for the delivery of services for the 2021/2022 year. The Council's intention for the delivery of its services will not be clear to the public. Re-work on aspects of the documents would become necessary with associated costs and staff time requirements, prior to adoption by Council at a future date. Staff will need to frequently seek Council decisions on many day to day aspects of service delivery and projects.

5.4 Staff recommend Option 1 and Option 3.

6 Strategy and Risks

- 6.1 Instructions to make anything more than minor wording changes to the final Revenue and Financing Policy, LTP 2021-2031 or Development and Financial and Development Contributions Policy would mean that the Council would not meet its statutory obligations. If the Council misses the 30 June deadline, it will be unable to set and assess rates in a straightforward manner for the 2021/2022 year.
- 6.2 The Council has addressed the strategic challenges and risks associated with the matters contained in the final LTP through numerous workshops and previous reports.

7 Policy / Legal Requirements / Plan

- 7.1 Sections 93-97 and Schedule 10 of the Local Government Act 2002 set out the procedures to be followed and required content for the Council's LTP. The processes undertaken and the documents attached to this report meet these requirements.
- 7.2 The Council must include its Revenue and Financing Policy **already adopted** under section 102(1) in its Long Term Plan to conform with Schedule 10, Part 1, clause (10) in the Local Government Act.
- 7.3 Section 96 of the Local Government Act 2002 makes it clear that the effect of a LTP is to provide a formal and public statement of the Council's intentions in relation to the matters

covered by the Plan. A resolution to adopt the LTP does not constitute a decision to act on any specific matter included within the Plan and (subject to following the required procedure) the Council may make decisions that are inconsistent with the contents of the LTP. No person is entitled to require the Council to implement the provisions of its LTP.

- 7.4 The LTP required consultation using a Special Consultative Procedure consistent with sections 83 and 93A of the Local Government Act 2002. The Revenue and Financing Policy and the Development and Financial Contributions Policy required consultation consistent with section 82 of the Local Government Act 2002. The consultation processes undertaken are consistent with these requirements.

8 Consideration of Financial or Budgetary Implications

- 8.1 The Council considered the overall financial impacts, rates and debt levels of the LTP 2021-2031 at its 4 June 2021 meeting and made resolutions on the rates revenue increases and net debt caps.
- 8.2 If the Council agrees to adopt the final LTP 2021-2031, the total rates income increase for 2021/2022 (after an allowance for growth) will be 4.39%, which equates to an actual increase in revenue of \$4.965 million for the year.
- 8.3 Debt is expected to peak at \$248 million in 2023/2024 before reducing to \$234 million in 2030/2031.

9 Significance and Engagement

- 9.1 There were several proposals within the LTP Consultation Document, supporting information and concurrent consultations that were of high public interest to specific communities and others that were of low to high public interest to the wider community and/or have major budgetary implications. As required by section 93 of the Local Government Act 2002, the Council consulted on the LTP Consultation Document using the Special Consultative Procedure. The Council also used similar processes to consult on concurrent consultation documents in a manner consistent with section 82 of the Local Government Act 2002.
- 9.2 The Council does not need to consult further prior to making the decisions sought in this report.

Item 8.1

	Issue	Level of Significance	Explanation of Assessment
1.	Is there a high level of public interest, or is decision likely to be controversial?	Medium/High	The decisions in the final LTP and the associated documents will be of medium/high public interest. The Council has consulted on issues and proposals in the LTP consultation document using the Special Consultative Procedure (SCP). The Council consulted on the Revenue and Financing Policy, and the Development and Financial Contributions Policy through a process consistent with the principles in section 82 of the LGA02.
2.	Are there impacts on the social, economic, environmental or cultural aspects of well-being of the community in the present or future?	Low to high	Adopting the LTP 2021-2031 has low impact on community well-being. The implementation of the LTP 2021-2031 will have a range of impacts on the community well-being of different members of our community.
3.	Is there a significant impact arising from duration of the effects from the decision?	Low	A resolution to adopt the LTP does not constitute a decision to act on any specific matter included within the LTP and (subject to following the required procedure) the Council may make decisions that are inconsistent with its contents. However, there are certain decisions that can only be made through a LTP or LTP amendment. The LTP has a ten-year time horizon (except for the Infrastructure Strategy which has a 30-year plus time horizon) and is reviewed every three years. The Annual Plan can be used to notify and consult with the community on changes to the LTP. The Council may need to amend its LTP if making large-scale or significant changes.
4.	Does this activity contribute or detract from one of the goals in the Tasman Climate Action Plan 2019 ?	Low to moderate	Adoption of the LTP 2021-2031 will designate funding towards implementation of the Tasman Climate Action Plan goals and actions.

	Issue	Level of Significance	Explanation of Assessment
5.	Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	Low	The decisions involved relate to a number of strategic assets. However, there is no proposal to change the ownership arrangements of any of the strategic assets.
6.	Does the decision create a substantial change in the level of service provided by Council?	Medium	A number of changes to levels of service in the LTP 2021-2031 and a number of the projects planned will contribute to improved levels of service. The Council provided information on these changes as supporting information to the Consultation Document.
7.	Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	High	The documents set out the Council's financial strategy, budgets and funding sources for the next ten years. A summary of the Financial Strategy was included in the Consultation Document. Information on the Council's proposed budgets, funding sources and the full Financial Strategy were made available as supporting information to the Consultation Document.
8.	Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	N/A	
9.	Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	N/A	

	Issue	Level of Significance	Explanation of Assessment
10.	Does the proposal or decision involve the Council exiting from or entering into a group of activities?	N/A	
11.	Does the proposal require inclusion of Māori in the decision-making process (consistent with s81 of the LGA)?	Yes	There has been some engagement with iwi and Māori organisations through the LTP consultation process. Staff worked together with iwi to review the LTP statement on 'Fostering Māori Participation in Council Decision Making Processes through Ngā Iwi/Council Partnership'.

10 Conclusion

- 10.1 The Council has met the requirements of the Local Government Act 2002 in preparing and consulting on the LTP Consultation Document, supporting information, and concurrent consultation documents. The audit on the final LTP 2021-2031 commenced on 14 June 2021 and the audit report will be tabled at this meeting. Adopting the final LTP 2021-2031, and the Rating Resolutions (in a separate report on this agenda), concludes this part of the three-year cycle.
- 10.2 The Council has similarly met the requirements of the Local Government Act 2002 in the preparation and consultation on the Revenue and Funding Policy, Development and Financial Contributions Policy and the various activity management plans.

11 Next Steps / Timeline

- 11.1 The LTP 2021-2031 will come into effect on 1 July 2021 and will be in force until 30 June 2024, unless there is a subsequent amendment.
- 11.2 The LTP document (**Attachment 1**) will be professionally designed, reviewed again by Audit NZ (to ensure no material changes have taken place) and published prior to 30 July 2021.
- 11.3 Council staff will send copies of the final LTP 2021-2031 to the organisations required under the Local Government Act 2002, and will make copies available in Council offices, libraries and on our website.
- 11.4 Staff will also provide responses to submitters advising them of the Council's decisions on the key choices, the concurrent consultations and the other topics included in the deliberations report.

Attachments

1. Long Term Plan 2021-2031 Volumes 1 and 2 *(Under Separate Cover)*
2. Development and Financial Contributions Policy *(Under Separate Cover)*
3. Coastal Assets Activity Management Plan 2021 *(Under Separate Cover)*
4. Council Enterprises Activity Management Plan 2021 *(Under Separate Cover)*
5. Environmental Management Activity Management Plan 2021 *(Under Separate Cover)*
6. Libraries Activity Management Plan 2021 *(Under Separate Cover)*
7. Property Activity Management Plan January 2021 *(Under Separate Cover)*
8. Public Health & Safety Activity Management Plan 2021 *(Under Separate Cover)*
9. Reserves & Facilities AMP January 2021 *(Under Separate Cover)*
10. Richmond Aquatic Centre Activity Management Plan 2021 *(Under Separate Cover)*
11. Rivers Activity Management Plan January 2021 *(Under Separate Cover)*
12. Stormwater Activity Management Plan January 2021 *(Under Separate Cover)*
13. Transportation Activity Management Plan January 2021 *(Under Separate Cover)*
14. Waste Management and Minimisation Activity Management Plan 2021 *(Under Separate Cover)*
15. Wastewater Activity Management Plan January 2021 *(Under Separate Cover)*
16. Water Supply Activity Management Plan *(Under Separate Cover)*

8.2 2021/2022 RATE SETTING REPORT**Decision Required**

Report To:	Full Council
Meeting Date:	30 June 2021
Report Author:	Matthew McGlinchey, Finance Manager
Report Number:	RCN21-06-15

Item 8.2**1 Summary**

- 1.1 Approval of the Council's work programme through the adoption of the Long Term Plan 2021-2031 determines the amount of rates funding required to complete that programme.
- 1.2 The Local Government (Rating) Act 2002 sets out the procedure for setting rates, due dates and penalties.
- 1.3 The Council is required to pass a resolution on an annual basis to set the rates, due dates and penalties for the forthcoming rating year.
- 1.4 This report is for setting the rates, due dates and penalties for the Council's 2020/2021 financial year.
- 1.5 The rates in this report are GST inclusive.
- 1.6 As is the practice, the rates resolution has been reviewed for compliance by a legal consultant.

2 Draft Resolution**That the Full Council**

1. **receives the 2021/2022 Rate Setting Report RCN21-06-15; and**
2. **sets the following rates under the Local Government (Rating) Act 2002 for the financial year commencing on 1 July 2021 and ending on 30 June 2022;**

Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST Inc.)
General Rate		Every rateable rating unit in the District	Rate in the \$ of Capital Value	0.1971 cents

A portion of the general rate is used to replenish the Council's General Disaster Fund.

Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST Inc.)
Uniform Annual General Charge (UAGC)		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 290.00

Targeted Rates

	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST Inc.)
1	Stormwater Rate		Every rateable rating unit in the District which has a land value		
		Urban Drainage Area- Stormwater Differential	Where the land is situated being rateable rating units in the Stormwater Urban Drainage Rating Area	Rate in the \$ of Capital Value	0.0459 cents
		Balance of the District- General Drainage Stormwater Differential	Where the land is situated being rateable rating units with land value, that are not in the Stormwater Urban Drainage Rating Area	Rate in the \$ of Capital Value	0.0048 cents
2	Water Supply Rates				
2.1	Water Supply Rates – Urban Water Supply Metered Connections and Rural Water Extensions to Urban Water Schemes (“The Club”)				
2.1(a)	Water Supply – Urban Water Supply Metered Connections (excluding Motueka Water Supply): Volumetric charge		Provision of service being the supply of metered water to those rating units in the District, which have metered water connections, excluding those connected to the Motueka Water Supply because they have a different targeted rate	Per m ³ of water supplied	\$ 2.42
2.1(b)	Water Supply – Urban Water Supply Metered Connections (excluding Motueka Water Supply): Service Charge		Provision of a service being a connection to a metered water supply by rating units in the District, excluding those connected to the Motueka Water Supply	Fixed amount \$ per connection (meter)	\$ 362.56
2.1(c)	Water Supply- Rural Water Extensions to Urban Water Schemes		Provision of a service being a connection to a supply of water via a rural extension to urban schemes through a lowflow restricted water connection	Extent of provision of service: 1m ³ /day (based on size of water restrictor volume). E.g. 2m ³ /day restrictor volume will be charged at two times the listed annual rate	\$714.881

The extensions that will be charged this rate are: Best Island Water Supply, Māpua/ Ruby Bay Water Supply, Brightwater/Hope Water Supply, Richmond Water Supply, Wakefield Water Supply, and any others which are referred to as the Other Rural Water Supply Extensions.

	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST Inc.)
2.2	Water Supply Rates – Motueka Water Supply Metered Connections				
2.2(a)	Water Supply – Motueka Water Supply Metered		Provision of service being the supply of metered water to	Per m ³ of water supplied	\$ 2.32

	Connections: Volumetric charge		rating units connected to the Motueka Water Supply		
2.2(b)	Water Supply – Motueka Water Supply Metered Connections: Service charge		Provision of a service being a connection to the Motueka Water Supply	Fixed amount \$ per connection (meter)	\$ 143.14
2.3	Water Supply – Rural Connections				
2.3(a)	Water Supply- Dovedale Rural Water Supply		Provision of a service being a connection to the Dovedale Rural Water Supply through a lowflow restricted water connection		
		Dovedale Differential A*		Extent of provision of service: 1m ³ /day (based on size of water restrictor volume). For example, users with a 2m ³ per day restrictor volume will be billed two of the Differential A charge	\$ 789.12
		Dovedale Differential B*		Extent of provision of service: 1m ³ /day (based on size of water restrictor volume). For example, users with a 3m ³ per day restrictor volume will be billed two of the Differential A charge and one of the Differential B charge	\$ 607.62

The Council has determined that a differential charge will be applied:

*Dovedale Differential A- includes the supply of water for up to and including the first 2m³ per day. This rate is charged based on the extent of provision of service using the size of restrictor volume, with a base of 1m³ per day. A differential of 1 per 1m³ per day will apply.

*Dovedale Differential B- includes the supply of water greater than 2m³ per day. This rate is charged based on the extent of provision of service using the size of restrictor volume, with a base of 1m³ per day. A differential of 0.77 per 1m³ per day will apply.

	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST Inc.)
2.3(b)	Water Supply- Redwood Valley Rural Water Supply		Provision of a service being a connection to the Redwood Valley Rural Water Supply through a lowflow restricted water connection	Extent of provision of service: 1m ³ /day (based on size of water restrictor volume). E.g. 2m ³ /day restrictor volume will be charged at two times the listed annual rate	\$ 543.21

2.3(c)	Water Supply- Eighty Eight Valley Rural Water Supply - Variable Charge		Provision of a service being a connection to the Eighty Eight Valley Rural Water Supply through a lowflow restricted water connection	Extent of provision of service: 1m ³ /day (based on size of water restrictor volume). E.g. 2m ³ /day restrictor volume will be charged at two times the listed annual rate	\$ 339.63
2.3(d)	Water Supply- Eighty Eight Valley Rural Water Supply- Service Charge		Provision of a service being a connection to the Eighty Eight Valley Rural Water Supply through a lowflow restricted water connection	Fixed amount \$ per rating unit	\$ 361.72
2.3(e)	Water Supply- Hamama Rural Water Supply- Variable Charge		Provision of a service being a connection to the Hamama Rural Water Supply	Rate in the \$ of Land Value	0.0452 cents
2.3(f)	Water Supply- Hamama Rural Water Supply- Service Charge		Provision of a service being a connection to the Hamama Rural Water Supply	Fixed amount \$ per rating unit	\$ 264.14
2.3(g)	Water Supply- Hamama Rural Water Supply- Fixed Charge based on set land value		Where the land is situated being rating units in the Hamama Rural Water Supply Rating Area	Rate in the \$ of set land value (which is the land value at the time capital works were completed in 2005)	0.165 cents
2.4	Water Supply Firefighting				
2.4(a)	Water Supply: Motueka Firefighting		Where the land is situated being rating units in the Motueka Firefighting Water Supply Rating Area	Fixed amount \$ per Rating Unit	\$ 38.30
	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST Inc.)
2.4(b)	Water Supply: Takaka Firefighting- Capital		Every Rating Unit in the Golden Bay Ward		
		Takaka CBD Differential	Where the land is situated being rating units in the Takaka Firefighting Water Supply Commercial CBD Rating Area	Rate in the \$ of Capital Value	0.077 cents
		Takaka Residential Differential	Where the land is situated being rating units in the Takaka Firefighting Water Supply Residential Rating Area	Fixed amount \$ per Rating Unit	\$ 52.13
		Takaka Balance of Golden Bay Ward Differential	Where the land is situated being rating units in the Takaka Firefighting Water Supply Rest of Golden Bay Rating Area	Fixed amount \$ per Rating Unit	\$ 15.33

2.4(c)	Water Supply: Takaka Firefighting- Operating		Where the land is situated being rating units in the Takaka Firefighting Water Supply Commercial CBD Rating Area and Takaka Firefighting Water Supply Residential Rating Area	Fixed amount \$ per Rating Unit	\$34.00
2.5	Water Supply- Dams				
2.5(a)	Water Supply- Dams: Wai-iti Valley Community Dam		Where land is situated and the provision of service and the activities controlled under the Tasman Resource Management Plan under the Resource Management Act 1991. This rate will apply to those rating units in the Wai-iti Dam Rating Area that are permit holders under the Resource Management Act 1991 because they are able to use the amount of augmented water as permitted by their resource consent and apply it to the land in accordance with the amount and rate specified in the resource consent	Extent of provision of service: charged at \$ per hectare as authorised by water permits granted under the Resource Management Act 1991	\$ 277.87

	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST Inc.)
3	Wastewater Rate		Provision of a service. The provision of service is measured by the number of toilets and/or urinals ("pans") connected either directly or by private drain to a public wastewater system with a minimum of one pan being charged per connected rating unit		
		First toilet or urinal ("pan")		Uniform charge in the \$ for each toilet or urinal (pan)	\$ 704.18
		2-10 toilets or urinals ("pans")		Uniform charge in the \$ for each toilet or urinal (pan)	\$ 528.13
		11 or more toilets or urinals ("pans")		Uniform charge in the \$ for each toilet or urinal (pan)	\$ 352.09
4	Regional River Works Rate		Every rateable rating unit in the District.		
		River Rating Area X Differential	Where the land is situated being rateable rating units in the River Rating Area X	Rate in the \$ of Land Value	0.0555 cents

Item 8.2

		River Rating Area Y Differential	Where the land is situated being rateable rating units in the River Rating Area Y	Rate in the \$ of Land Value	0.0555 cents
		River Rating Area Z Differential	Where the land is situated being rateable rating units in the River Rating Area Z	Rate in the \$ of Land Value	0.0128 cents

	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST Inc.)
5	Motueka Business Rate		Where the land is situated being rateable rating units in the Motueka Business Rating Area A and B and the use to which the land is put. The land usage categories as set out in the Rating Valuations Rules 2008 for actual property use that will be charged for this rate include: Commercial, Industrial, Multi use commercial/ industrial, Residential- public communal/ multi use, Lifestyle- multi use, Transport, Utility services- communications, Community services- Medical and allied, and Recreational		
		Motueka Business Area A Differential	This will apply to properties with land use categories as listed above for rateable rating units in Motueka Business Rating Area A	Rate in the \$ of Capital Value	0.0385 cents
		Motueka Business Area B Differential	This will apply to properties with land use categories as listed above for rateable rating units in Motueka Business Rating Area B	Rate in the \$ of Capital Value	0.0234 cents

6	Richmond Business Rate		Where the land is situated being rateable rating units in the Richmond Business Rating Area and the use to which the land is put. The land usage categories as set out in the Rating Valuations Rules 2008 for actual property use that will be charged for this rate include: Commercial, Industrial, Multi use commercial/ industrial, Residential- public communal/ multi use, Lifestyle- multi use, Transport, Utility services- communications, Community services- Medical and allied, and Recreational	Rate in the \$ of Capital Value	0.043 cents
	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST Inc.)
7	Ruby Bay Stopbank Rate		Where the land is situated being rateable rating units in the Ruby Bay Stopbank Rating Area	Fixed amount \$ per Rating Unit	\$ 1,072.38
8	Mapua Stopbank Rate		Where the land is situated being rateable rating units in the Mapua Stopbank Rating Area	Fixed amount \$ per Rating Unit	\$ 51.61
9	Torrent Bay Replenishment Rate		Where the land is situated being rateable rating units in the Torrent Bay Rating Area A and B		
		Torrent Bay Area A Differential	Where the land is situated being rateable rating units in the Torrent Bay Rating Area A	Fixed amount \$ per Rating Unit	\$ 857.52
		Torrent Bay Area B Differential	Where the land is situated being rateable rating units in the Torrent Bay Rating Area B	Fixed amount \$ per Rating Unit	\$ 270.79
10	District Facilities Rate		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 104.75
11	Shared Facilities Rate		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 67.15
12	Museums Facilities Rate		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 61.89

13	Refuse/ Recycling Rate		Where the land is situated being rating units in the Refuse- Recycling Rating Area	Fixed amount \$ per Rating Unit	\$ 135.51
14	Mapua Rehabilitation Rate		Every rateable rating unit in the District	Fixed amount \$ per Rating Unit	\$ 5.39
	Rate Type	Differential category	Categories of land on which Rate is set	Factors	Rate (GST Inc.)
15	Golden Bay Community Board Rate		Where the land is situated being rateable rating units in the Golden Bay Community Board Rating Area, which is the Golden Bay Ward	Fixed amount \$ per Rating Unit	\$ 20.07
16	Motueka Community Board Rate		Where the land is situated being rateable rating units in the Motueka Community Board Rating Area, which is the Motueka Ward	Fixed amount \$ per Rating Unit	\$ 19.26
17	Warm Tasman Rate		Provision of service which occurs when homeowners apply and are approved into the scheme which results in the installation of a wood burner and/or insulation into their property	Extent of provision of service: calculated per \$ of the total cost of the installed works and the administration fee charged over a 9 year period including GST and interest	\$ 0.1467
18.1	Waimea Community Dam- Environmental and Community Benefits Districtwide Rate		Every rateable rating unit in the district	Fixed amount \$ per rating unit	\$28.78
18.2	Waimea Community Dam- Environmental and Community Benefits ZOB Rate		Where the land is situated being rateable rating units in the Waimea Community Dam Zone of Benefit Rating Area	Rate in the \$ of Capital Value	0.0033 cents

and;

3. sets the dates and amounts for payment of rates in 2021/2022 as follows;

For rates other than volumetric metered water rates, rates are set as at 1 July and the Council invoices rates quarterly, with the instalment invoice dates being 1 August, 1 November, 1 February, and 1 May. Each instalment is one quarter of the total annual rates payable for the year. Rates are due and payable to the Tasman District Council. The 2021/2022 rates instalments due dates for payment are:

Instalment 1 Due Date	20-August-21
Instalment 2 Due Date	22-November-21
Instalment 3 Due Date	21-February-22
Instalment 4 Due Date	20-May-22

Volumetric metered water rates are invoiced separately from other rates. Invoices for the majority of users are issued six monthly and invoices for larger industrial users are issued monthly.

The 2020/2021 due dates for payment are as follows:

Meters invoiced in June (may include but is not limited to meters in Murchison, Upper Takaka, Pōhara, Collingwood, meters W00898, W00897, W00906, W45268, W00910, W00899)	20-July-21
Meters invoiced in July (may include but is not limited to meters in Hope, Brightwater, Wakefield, Tapawera, meters W00898, W00897, W00906, W45268, W00910, W00899)	20-August-21
Meters invoiced in August (may include but is not limited to meters in Māpua, meters W00898, W00897, W00906, W45268, W00910, W00899)	20-September-21
Meters invoiced in September (may include but is not limited to meters in Motueka, Kaiteriteri, Riwaka, meters W00898, W00897, W00906, W45268, W00910, W00899)	20-October-21
Meters invoiced in October (may include but is not limited to meters in Richmond, meters W00898, W00897, W00906, W45268, W00910, W00899)	22-November-21
Meters invoiced in November (may include but is not limited to meters W00898, W00897, W00906, W45268, W00910, W00899)	20-December-21
Meters invoiced in December (may include, but not limited to meters in Murchison, Upper Takaka, Pōhara, Collingwood, meters W00898, W00897, W00906, W45268, W00910, W00899)	20-January-22
Meters invoiced in January (may include but is not limited to meters in Hope, Brightwater, Wakefield, Tapawera, meters W00898, W00897, W00906, W45268, W00910, W00899)	21-February-22
Meters invoiced in February (may include but is not limited to meters in Māpua, meters W00898, W00897, W00906, W45268, W00910, W00899)	21-March-22
Meters invoiced in March (may include but is not limited to meters in Motueka, Kaiteriteri, Riwaka, meters W00898,	20-April-22

W00897, W00906, W45268, W00910, W00899)	
Meters invoiced in April (may include but is not limited to meters in Richmond, meters W00898, W00897, W00906, W45268, W00910, W00899)	20-May-22
Meters invoiced in May (may include but is not limited to W00898, W00897, W00906, W45268, W00910, W00899)	20-June-22

Payments received will be applied to the oldest outstanding amounts first; and

4. **authorises penalties to be added to rates that are not paid after the due date as follows;**

For rates other than volumetric metered water rates, under Section 57 and 58 of the Local Government (Rating) Act 2002 the Council prescribes a penalty of ten percent (10%) of the amount of rate instalments remaining unpaid after the due date to be added on the following dates:

Instalment 1 Penalty Date	23-August-21
Instalment 2 Penalty Date	23-November-21
Instalment 3 Penalty Date	22-February-22
Instalment 4 Penalty Date	23-May-22

For volumetric metered water rates, a penalty of 10 percent (10%) will be added to the amount of metered water rates remaining unpaid after the due date to be added on the following dates:

Meters invoiced in June	21-July-21
Meters invoiced in July	23-August-21
Meters invoiced in August	21-September-21
Meters invoiced in September	21-October-21
Meters invoiced in October	23-November-21
Meters invoiced in November	21-December-21
Meters invoiced in December	21-January-22
Meters invoiced in January	22-February-22
Meters invoiced in February	22-March-22
Meters invoiced in March	21-April-22
Meters invoiced in April	23-May-22
Meters invoiced in May	21-June-22

On 8 July 2021, a further penalty of five percent (5%) will be added to rates (including previously applied penalties) that remain unpaid from previous years on 7 July 2021. On 10 January 2022, a further penalty of five percent (5%) will be added

to any portion of previous years' rates (including previously applied penalties) still remaining unpaid on 8 January 2022.

The above penalties will not be charged on a rating unit where the Council has agreed to a programme for payment of rate arrears or where a direct debit programme is in place and payments are being honoured, in accordance with the Council's Rates Remission Policy; and

- 5. notes that the Funding Impact Statement contained in the Long Term Plan 2021/2022 includes rating maps that apply to the rates that are set based on "where the land is situated". The Funding Impact Statement also includes differential definitions that are relevant for ratepayers to understand how the rates will be applied. The rating maps and differential definitions are adopted as part of the Annual Plan, rather than as part of the rate setting process.**

3 Purpose of the Report

- 3.1 To set the Tasman District Council rates for the 2021/2022 rating year.

4 Background and Discussion

- 4.1 The Council is required to pass a resolution on an annual basis to set the rates, due dates, and penalties for the forthcoming rating year.
- 4.2 This resolution must be passed after the Long Term Plan or Annual Plan is adopted and the resolution must be consistent with the Council's Revenue and Financing Policy and the Funding Impact Statement contained in the Long Term Plan.
- 4.3 The resolution includes an increase in rates penalties for late payment which the Council has set in 2020/21 from 5% to 10%. This was initially reduced to recognise the financial challenges being faced by the community as a result of the COVID-19 pandemic. No changes from the previous year's methodologies have been included for the arrear's penalties or payment dates. For those facing financial difficulties, the Council will continue to promote payment plans as a way of avoiding future penalties.

5 Options

- 5.1 The Local Government (Rating) Act 2002 (LGRA) requires the Council to resolve to set the rates and penalties each rating year.
- 5.2 Exercising the option to not pass this rate setting resolution would mean that assessments and invoices for rates could not be issued for the 2021/2022 rating year, unless or until the rates for the year were set.
- 5.3 The Long Term Plan 2021-2031 will just have been adopted prior to this resolution being put forward. It includes the rates, due dates and penalties for 2021/2022 and therefore the rates, due dates and penalties will need to be adopted as per this report.

6 Strategy and Risks

- 6.1 There are significant financial, legal and reputational risks that would arise from not correctly following the legislated rate setting process or not setting the rates.
- 6.2 There would also be significant risks arising if the rates set were not consistent with the Funding Impact Statement in the Long Term 2021-2031.

7 Climate Change Impact Assessment

Climate Change Consideration	Assessment	Explanation of Assessment
Is this activity associated with one of the goals in	No	

Council's Climate Action Plan?	Climate Change considerations are not relevant to this report	
Will this decision affect the ability of Tasman District to proactively respond to the impacts of climate change?	NA	

8 Policy / Legal Requirements / Plan

- 8.1 The LGRA sets out the procedures local authorities need to use to set and assess rates.
- 8.2 Section 23 of the LGRA states that rates must be set by resolution; must relate to a financial year; and must be set in accordance with the relevant provisions of the local authority's Long Term Plan and Funding Impact Statement for the financial year.
- 8.2.1 The resolution states that the rates apply to the financial year commencing on 1 July 2021 and ending on 30 June 2022.
- 8.2.2 The rates are consistent with the provisions in the Funding Impact Statement contained in the Long Term Plan 2021-2031.
- 8.3 Section 23 of the LGRA also states that within 20 working days of making a resolution, a local authority must make the resolution publicly available on its internet site.
- 8.3.1 This action item has been added to this report.
- 8.4 Section 24 of the LGRA states that the local authority must state the financial year to which the rate applies and the dates by which the specified amounts must be paid in the resolution for setting a rate.
- 8.4.1 The resolution states the financial year and the due dates for payment of the rates.
- 8.5 Section 57 of the LGRA states that a local authority may, by resolution, authorise penalties to be added to rates that are not paid by the due date. The resolution must be made not later than the date when the local authority sets the rates and must state how the penalty is calculated and the date it is to be added to the unpaid rates. The penalty must not exceed 10% of the amount of the unpaid rates.
- 8.5.1 The resolution is being made on the same date the rates are set, states the percentage of the rates amounts owing that the penalty will be and states the date it is to be added to the unpaid rates. The penalties to be set do not exceed 10% of the unpaid rates.
- 8.6 Section 58 of the LGRA states that different types of penalties may be applied including a penalty on rates assessed in the financial year for which the resolution is made that are unpaid after the date specified, and a further penalty on rates assessed in a prior financial year that are unpaid on the later of:
- 8.6.1 the first day of the financial year for which the resolution is made, or
- 8.6.2 five (5) working days after the date on which the resolution is made.
- 8.7 A further penalty can be added on the rates from prior years if the rates are still unpaid six months after that penalty was added.

- 8.7.1 All permitted types of penalties are proposed to be set to encourage the timely payment of rates, and to reduce the risk that the general ratepayer is funding collection costs due to late payments by the remainder of the ratepayer base.
- 8.7.2 The penalty dates have been set taking into account these legislative requirements.
- 8.8 The Funding Impact Statement contained in the Long Term Plan 2021/2022 includes rating maps that apply to the rates that are set based on “where the land is situated”. The Funding Impact Statement also includes differential definitions that are relevant for ratepayers to understand how the rates will be applied. The rating maps and differential definitions are adopted as part of the Long Term Plan/Annual Plan, rather than as part of the rate setting process.
- 8.9 Section 93 of the Local Government Act 2002 (the LGA) states that a local authority must have adopted a Long Term Plan before the commencement of the first year to which it relates. Section 95 of the LGA states that for the first year of a Long Term Plan, the Funding Impact Statement included must be regarded as the Annual Plan of the authority for that year, and that one of the purposes of the Annual Plan is to contain the proposed annual budget and Funding Impact Statement for the year to which the Annual Plan relates.
- 8.9.1 The Council will have already adopted the Long Term Plan 2021-2031 before the rates resolution is brought forward.
- 8.9.2 The Funding Impact Statement contained in the Long Term Plan 2021-2031 is consistent with the funding mechanisms specified in the draft rates resolution.

9 Consideration of Financial or Budgetary Implications

- 9.1 The total value of rates (excluding rates penalties) planned to be collected for the 2021/2022 financial year is \$82.7 million (GST exclusive) out of a total income of \$169.4 million (GST exclusive).
- 9.2 The rates have been set to meet the Council’s budget requirements in a manner consistent with the Funding Impact Statement contained in the Long Term Plan 2021-2031.

10 Significance and Engagement

- 10.1 Ratepayers will have a high degree of interest in the rates they will be charged which are influenced by this resolution. However, the resolution is bringing into effect the rates that were included in the Council’s Long Term Plan 2021-2031 and consultation on the level of rates occurs as part of the Long Term Plan 2021-2031, rather than as part of the rates setting process. The Council does not need to consult further prior to adopting this rates resolution.
- 10.2 The rates resolution is the mechanism by which the planned rates for year one of the Long Term Plan are set.
- 10.3 The rates resolution is consistent with the final Funding Impact Statement included in the Long Term Plan 2021-2031.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	All ratepayers have an interest in the level of rates they will be charged, however the level of rates and how they are set are considered as part of the Long Term Plan/Annual Plan processes, not the resolution to set the rates.
Is there a significant impact arising from duration of the effects from the decision?	Low	Rates are set annually.
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	NA	
Does the decision create a substantial change in the level of service provided by Council?	NA	
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	Low	This decision enables the rates that have been budgeted for 2021/2022 2020-2021 to be set and collected. The key decision that sets the level of rates required is the adoption of the Long Term Plan/Annual Plan, not the resolution to set the rates.
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	NA	
Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	NA	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	NA	
Does the proposal require inclusion of Māori in the decision making process (consistent with s81 of the LGA)?	NA	

11 Conclusion

11.1 Staff recommend that the Council resolve to set the rates, due dates and penalty dates as required by the LGRA and as set out in this report.

12 Next Steps / Timeline

- 12.1 Once approved, rates staff will verify the rates are correctly entered into the Council's financial system rates module to be used for the 2021/2022 rates invoicing and collection processes.
- 12.2 Rates staff will ensure the rates resolution is made publicly available on the Council's website within 20 working days of the resolution date.
- 12.3 Rates staff will ensure penalty percentage changes are updated in the system.
- 12.4 Rates assessments will be issued with the first instalment by early August 2021.

Attachments

Nil

8.3 NEW DELEGATIONS**Decision Required**

Report To:	Full Council
Meeting Date:	30 June 2021
Report Author:	Trudi Zawodny, Operational Governance Manager
Report Number:	RCN21-06-16

1 Summary

- 1.1 Many of the laws under which the Council operates provide for powers and functions to be delegated. The rationale for having delegations is that effective administration occurs when decisions are made at the lowest competent level.
- 1.2 Changes to the Tasman District Council Delegations Register are proposed which will:
- 1.2.1 Allow managers to appoint subordinate staff in the case of temporary absences or leave and allow them to exercise the relevant delegations of the position.
- 1.2.2 Provide clarity and remove ambiguity in delegations to the Chief Executive Officer.
- 1.2.3 Allow the Community Boards to better achieve their role by implementing the delegations identified at the 3 March 2021 delegations workshop with the Golden Bay Community Board and representatives from the Motueka Community Board.
- 1.2.4 Better reflect iwi participation in the Saxton Field Committee.
- 1.2.5 Provide context to the operation and decision making of committees.
- 1.2.6 Improve the application of the delegation for unbudgeted capital expenditure to remove ambiguity and to improve efficiencies.
- 1.2.7 Allow the Chief Executive Officer to write off rates in accordance with the Local Government (Rating of Whenua Māori) Amendment Act 2021.
- 1.2.8 Reflect the changes in job titles or reporting lines as a result of the Council reorganisation.

2 Draft Resolution

- 1. That the Full Council**
- 1. receives the New Delegations report, RCN21-06-16; and**
- 2. adopts the full Delegations Register (Attachment 1); and**
- 3. approves the provision for Temporary Delegations:**
- 3.1 someone appointed temporarily to fill in for a more senior position inherits the delegations of that senior position for a specified period. The exercise of these types of delegations must be approved by the immediate supervisor of the delegate. They must also be time-bound, specific (i.e. financial, statutory,**

- operational), justified and recorded in the “Temporary Delegations Register” (online).
- 3.2 the power of a temporary delegation can be restricted or excluded where, for example, through the operation of legislative authority, the delegation is given directly to an appointed officer.
 - 3.3 a temporary delegation once made cannot be further sub-delegated other than by the Chief Executive Officer in the case of delegations to staff and if permissible by law.
 - 3.4 temporary delegations may also be referred to as “acting up”; and
4. approves the delegations to the Chief Executive Officer:
 - 4.1 the Council delegates to the Chief Executive Officer all powers conferred on the Council by legislation, as captured within the Delegations Register.
 - 4.2 unless explicitly stated in this Delegations Register, the Chief Executive Officer retains the authority to carry out all responsibilities, duties and powers listed within the Delegations Register, whether derived from the Council, its committees or any other subordinate decision-making body, directly from legislation or elsewhere.
 - 4.3 the Council may choose to delegate any further powers, responsibilities and duties to the Chief Executive Officer, aside from those which may not be delegated by statute. The Chief Executive Officer has the power to delegate such powers, responsibilities and duties onto any officer he or she employs, or any other contractor or advisor if permissible by law. Any powers, responsibilities and duties delegated from the Chief Executive Officer to officers, contractors or advisors will be recorded in the Delegations Register.
 - 4.5 the Chief Executive Officer, when operating within these delegations, should be mindful of the Council’s Significance and Engagement Policy and give thought to whether a matter considered to be of high significance may need to be referred to an appropriate committee or in some cases to the Council.
 - 4.6 the Chief Executive Officer, when operating within these delegations, should be mindful of the Council’s Climate Change responsiveness and give thought to whether a matter considered may need to be referred to an appropriate committee or in some cases to the Council.
 - 4.7 the Council has appointed the Chief Operating Officer as Acting Chief Executive Officer should the Chief Executive Officer not be available.
 - 4.8 the Chief Executive Officer may appoint one or more senior officers to undertake his or her functions and delegated authority during planned absences or sick leave; and
 5. approves the Community Board Terms of Reference (attachment 2); and
 6. approves the amendment to the Saxton Field Committee Terms of Reference:
 2. 6.1 iwi and stakeholders
 3. 6.2 representatives from iwi, relevant sporting codes, relevant community groups, and Sport Tasman may be invited to attend Committee meetings when required; and

7. **approves the change to Councillors Delegations:**
 - 7.1. **All Councillors, as members of the Strategy and Policy Committee, are authorised to be a Hearings Commissioner for the purpose of hearing and considering submissions to the Tasman Resource Management Plan or a change to the Plan under Schedule 1 Clauses 8B and 10 and to make recommendations to the Strategy and Policy Committee provided they hold a current accreditation certificate.**
8. **approves changes to the Tenders Panel responsibilities:**
 - 8.1. **a Tenders Panel may meet to award tenders for contracts and for land purchases which:**
 - **exceed \$1 million in value; or**
 - **where the type of procurement is a deviation from the Council’s Procurement Policy; and**
9. **approves changes to the unbudgeted capital expenditure delegations to the Chief Executive Officer:**
 - 9.1. **authorise up to 10% of the approved Activity Capital budget (included in the Annual or Long Term Plan) up to a maximum net annual value of \$1m, if it can be met within the annual capital budget for the activity.**
 - 9.2. **extend the delegation to Tier 2 Group Managers; and**
10. **approves changes to the Rates and Valuation delegations:**
 - 10.1. **authorises the Chief Executive Officer to write off rates in accordance with the Local Government (Rating of Whenua Māori) Amendment Act 2021.**
11. **Approves changes to Elected Member Payments:**
 - 11.1. **consider and approve Community Board member expense claims by the Group Manager assigned to the respective Board; and**
12. **notes the changes to Part Two – Governance:**
 - 12.1. **Section 2.0 - addition of “Health Act” under Use of Common Seal; and**
 - 12.2. **Section 4.0 - new introduction to Community Boards; and**
 - 12.3. **Section 5.1 – new introduction to Committee Structure and Appointments; and**
 - 12.4. **Section 5.2 – new introduction to Appointments to Other Organisations; and**
 - 12.5. **Section 5.4 – amendment to Audit and Risk Committee appointments; and**
13. **notes the changes to Part Three - Management**
 - 13.1. **Section 3.10 Bad Debts – addition of explanatory sentence “Administrative errors can be corrected without need to refer these to the Chief Executive Officer or Tier 2 Group Manager”; and**
 - 13.2. **Section 3.14 Schedule of Fees – addition of explanatory sentence “When these decisions are exercised they are to be recorded appropriately”; and**
 - 13.3. **Section 7.0 General Submissions – removal of duplicated content.**

3 Purpose of the Report

- 3.1 To request that the Full Council approve amendments to delegations and to adopt the Full Delegations Register.

4 Background and Discussion

- 4.1 Many of the laws under which the Council operates provide for powers and functions to be delegated. The rationale for having delegations is that effective administration occurs when decisions are made at the lowest competent level.
- 4.1.1 Delegations must be unambiguous and made in writing in order to protect both the Council and the delegate. Delegations are recorded in the Tasman District Council Delegations Register (Delegations Register).
- 4.1.2 Those with a task or function should always have the authority to carry it out effectively. No delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure the performance of any function or duty.
- 4.1.3 The act of delegating involves mutual trust and respect without which the efficiency and effectiveness of the Council would be at risk.
- 4.1.4 No-one can be compelled to exercise their delegation. If a delegate considers it is inappropriate for them to exercise a delegation in relation to a specific matter, they may refer the decision back to the delegator.
- 4.1.5 Further, nothing in the Delegations Register limits the power of anyone to carry out a function or activity that is a precursor to exercising a delegation.
- 4.2 There are six sets of proposed amendments.
- 4.2.1 Temporary Delegations
- 4.2.2 Part Two – Governance
- 4.2.3 Part Three (Management) – Chief Executive Officer’s Delegations
- 4.2.4 Part Three – Management
- 4.2.5 Part Four – Statutory Delegations
- 4.2.6 Part Five – Terms of Reference

5 Part One – General - Temporary Delegations

- 5.1 The “General” section of the Delegations Register includes the general provisions for exercising and applying delegations, sub-delegations and temporary delegations.
- 5.2 As some statutes do not permit sub-delegation, we need to be deliberate in the use of this term. The proposed wording moves the language away from using “sub-delegation”.
- 5.3 The current wording limits approvals of temporary delegations to the Chief Executive Officer, however, the Chief Executive Officer would not be able to make such approval without seeking the guidance of the delegate’s immediate supervisor. It, therefore, makes sense that the immediate supervisor should have the delegation to make this decision. This aligns with

the principle that effective administration occurs when decisions are made at the lowest competent level.

- 5.4 Contained within this section are some minor editorial changes which are to be introduced to improve the readability of the section. These are also marked in red below.
- 5.5 The new wording (in red) reflects the change in terminology and practice as described in paragraph 5.3 above.
- 5.6 Recommendation:

Current Wording	New Wording
<p>Sub-delegations</p> <p>A delegation once made cannot be further sub-delegated other than by the Chief Executive Officer in the case of delegations to staff. The power of a sub-delegation can be restricted or excluded where, for example, through the operation of legislative authority, the delegation is given directly to an appointed officer.</p>	<p>Temporary Delegations</p> <p>Someone appointed temporarily to fill in for a more senior position inherits the delegations of that senior position for a specified period. These types of delegations must be approved by the supervisor of the delegate. They must also be time-bound, specific (i.e. financial, statutory, operational), justified, and recorded in the “Temporary Delegations Register” (online).</p> <p>The power of a temporary delegation can be restricted or excluded where, for example, through the operation of legislative authority, the delegation is given directly to an appointed officer.</p> <p>A temporary delegation once made cannot be further sub-delegated other than by the Chief Executive Officer in the case of delegations to staff, and if permissible by law.</p> <p>Temporary delegations may also be referred to as “acting up”.</p>

6 Part Two – Governance

- 6.1 Added “Health Act” to section relating to Use of Common Seal.
- 6.2 Councillors’ Delegations (3.0) – amendment to section 3.2 which referenced the Regulatory Committee.

Current Wording	Recommended Wording
<p>All Councillors, as members of the Regulatory Committee, are authorised to be a Hearings Commissioner for the purpose of hearing and considering submissions to the Tasman Resource Management Plan or a change to the Plan under Schedule 1 Clauses 8B and 10 and to make</p>	<p>All Councillors, as members of the Strategy and Policy Committee, are authorised to be a Hearings Commissioner for the purpose of hearing and considering submissions to the Tasman Resource Management Plan or a change to the Plan under Schedule 1 Clauses 8B and 10 and to make</p>

recommendations to the Regulatory Committee provided they hold a current accreditation certificate.	recommendations to the Strategy and Policy Committee provided they hold a current accreditation certificate.
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- 6.3 Community Boards (4.0) – a new “introduction” has been developed to provide the context within which community boards operate and how the decision-making flows. The content is based on Christchurch City Council Delegations register¹. This is marked up in red in the Delegations Register document.
- 6.4 Committee Structure and Appointments (5.0) – Two new introductory sections (5.1) and (5.2) have been developed to provide the context within which committees operate, how the decision making flows and the roles that Elected Members (including Community Board members) have when appointed to other organisations. This is marked up in red in the Delegations Register document.
- 6.5 Table of Appointments (5.4) - Audit and Risk Committee updated to reflect Cr Greening’s resignation from the Committee and that Cr Ogilvie remains as the Acting Chair until the new Independent Chair role is filled. This is marked up in red in the Delegations Register document.

7 Part Three (Management) - Chief Executive Officer’s Delegations

- 7.1 The Delegations Register states: Delegations must be unambiguous and made in writing.
- 7.2 The following delegations are recommended to avoid any doubt as to the legitimacy of the Chief Executive Officer’s decisions made under any delegation recorded in the register, and that these will be made within the context of any legislative boundaries.

New	The Council delegates to the Chief Executive Officer all powers conferred on the Council by legislation, as captured within the Delegations Register.
New	Unless explicitly stated in this Delegations Register, the Chief Executive Officer retains the authority to carry out all responsibilities, duties and powers listed within the Delegations Register, whether derived from the Council, its committees or any other subordinate decision-making body, directly from legislation or elsewhere.
New	The Council may choose to delegate any further powers, responsibilities and duties to the Chief Executive Officer, aside from those which may not be delegated by statute. The Chief Executive Officer has the power to delegate such powers, responsibilities and duties onto any officer he or she employs, or any other contractor or advisor if permissible by law. Any powers, responsibilities and duties delegated from the Chief Executive Officer to officers, contractors or advisors will be recorded in the Delegations Register.

- 7.3 **Significance and Engagement Policy:** This wording would align the delegation with sector practice.

¹ Part D Sub-part 1

New	The Chief Executive Officer, when operating within these delegations, should be mindful of the Council's Significance and Engagement Policy and give thought to whether a matter considered to be of high significance may need to be referred to an appropriate committee or in some cases to the Full Council.
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7.4 **Climate Change:** This wording would align the delegation with sector practice.

New	The Chief Executive Officer when operating within these delegations should be mindful of the Council's Climate Change responsiveness and give thought to whether a matter considered may need to be referred to an appropriate committee or in some cases to the Full Council.
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7.5 **Acting Chief Executive Officer:** The delegation specifies roles as nominated by the Council. The recommended wording reflects the change in responsibilities made as a result of the reorganisation and reduces future rework as role titles change due to reorganisation changes.

Current Wording	Recommended Wording
<p>The Council has appointed the Environment and Planning Manager as Acting Chief Executive Officer and the Engineering Services Manager as alternate Acting Chief Executive Officer, should the Environment and Planning Manager not be available.</p> <p>The Chief Executive Officer may request any person appointed by the Full Council to act as Chief Executive Officer during temporary periods of absence from duties together with such of the Chief Executive Officer's powers as he or she considers appropriate.</p>	<p>The Council has appointed the Chief Operating Officer as Acting Chief Executive Officer should the Chief Executive Officer not be available.</p> <p>The Chief Executive Officer may appoint one or more senior officers to undertake his or her functions and delegated authority during planned absences or sick leave.</p>

8 Part Three Management

- 8.1 A Financial Delegations Policy was approved by the Chief Executive Officer on 31 March 2021. This policy provides guidance to staff on the application of financial delegations and standardises the process for determining appropriate financial delegations. When developing this policy, the delegations relating to unbudgeted capital expenditure in the Delegations Register were identified as ambiguous.
- 8.2 To improve clarity and remove inaccuracies, it is recommended to remove section 1.7 *Unbudgeted capital expenditure* from *Part Three – Management*, 1.0 *Chief Executive Officer's Delegations* as it duplicates a subsequent section and then to revise section 3.5 ***Unbudgeted Capital Expenditure*** as reflected in the table below.
- 8.3 To improve efficiencies, it is also recommended that, in addition to the Chief Executive Officer, Tier 2 Group Managers (formerly known as Departmental Managers) are delegated the authority to approve Unbudgeted Capital Expenditure within the conditions specified

below.

Current Wording	Recommended Wording
<p>Approve provided:</p> <p>a) does not exceed the greater of 10% of the project budget or is consistent with the limits outlined in the authorised expenditure schedule; and</p> <p>b) can be met within the annual capital budget for the activity without compromising the delivery of other planned capital works.</p>	<p>Authorise:</p> <p>a) up to 10% of the approved Activity Capital budget (included in the Annual or Long Term Plan) up to a maximum net annual value of \$1 million; and</p> <p>b) it can be met within the annual capital budget for the activity.</p> <p>This is not impacted by individual role financial delegations limits.</p> <p>The Chief Executive Officer or Tier 2 Group Manager should inform the Council of changes that are less than these caps if they consider it is warranted due to considerations like public or political interest.</p>

8.4 **Tenders Panel** – To improve efficiencies it is recommended that the Tenders Panel’s responsibilities are extended to include the ability to provide for the approval of land purchases.

Current Wording	Recommended Wording
<p>A Tenders Panel may meet to award tenders for contracts which:</p> <ul style="list-style-type: none"> exceed \$1 million in value; or where the type of procurement is a deviation from the Council’s Procurement Policy. 	<p>A Tenders Panel may meet to award tenders for contracts and for land purchases which:</p> <ul style="list-style-type: none"> exceed \$1 million in value; or where the type of procurement is a deviation from the Council Procurement Policy.

8.5 **Elected Members Payments** – to standardise the process for managing Community Board members expense claims, it is recommended that both Community Boards are able to have their expense claims considered and approved by the Group Manager assigned to the respective Board.

Current Wording	Recommended Wording
<p>Consider and approve Golden Bay Community Board member expense claims.</p>	<p>Consider and approve Golden Bay Community Board member expense claims.</p>

8.6 **The Local Government (Rating of Whenua Māori) Amendment Act 2021** now allows the Local Authority to write off rates. The following explanation of the changes has been taken from [Changes to the rating of Māori land \(tpk.govt.nz\)](https://www.tpk.govt.nz/changes-to-the-rating-of-maori-land):

8.6.1 Local authorities must write off outstanding rates on any land that they consider unrecoverable, including rates debt inherited from deceased owners.

- 8.6.2 Wholly unused Māori land blocks are to be non-rateable.
- 8.6.3 Local authorities are now able to remit rates on Māori land in order to encourage development, regardless of what their current policy states.
- 8.6.4 All land protected by Ngā Whenua Rāhui is non-rateable and outstanding rate arrears are to be written off.
- 8.6.5 Māori landowners can make an application to have multiple Māori land blocks that come from the same parent block to be treated as one rating unit.
- 8.6.6 Upon request, local authorities can rate individual houses on Māori land as a separate rating unit. If the houses are chosen to be rated individually, the occupant of the house becomes responsible for the rates on the house, and each homeowner will also have access to the Rates Rebate Scheme.

Section	Recommended Wording
4.4 (new) Rates write-off Local Government (Rating of Whenua Māori) Amendment Act 2021	Authority to write off rates under the conditions described in the Act.

- 8.7 Editorial changes have been made to the following sections to provide clarity:
- 8.7.1 Section 3.10 – Bad Debts added explanatory sentence “Administrative errors can be corrected without need to refer these to the Chief Executive Officer or Tier 2 Group Manager.”
 - 8.7.2 Section 3.14 – Schedule of Fees added explanatory sentence “When these decisions are exercised they are to be recorded appropriately”.
 - 8.7.3 Section 7.0 – General Submissions rewritten to remove duplicated content.

9 Part Four – Statutory Delegations

- 9.1 As a result of the Council reorganisation that will take effect from 1 July 2021, a number of editorial changes have been made throughout the Delegations Register to reflect changes in job title or reporting lines.
- 9.2 Editorial changes of this nature are permissible under the Chief Executive Officers delegation Part Three – Management, section 1.4²: *The Chief Executive Officer is authorised to amend the delegations register to reflect changes in the organisations structure.* These have not been listed separately.

10 Part Five - Terms of Reference

Community Boards Terms of Reference (Attachment 2)

- 10.1 The Local Government Commission facilitated a workshop on 20 November 2020 at which Council staff committed to reviewing the Golden Bay Community Board delegations.

² Previously section 1.1.2

Item 8.3

- 10.2 A further workshop was held on 3 March 2021 to specifically review the delegations to the Golden Bay Community Board. The workshop participants included the Golden Bay Community Board members, the Motueka Community Board Chair and a Motueka Community Board elected member representative.
- 10.3 LGA 2002 Schedule 7, Part 1, section 32, (6) states: A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.
- 10.4 The following are changes recommended to apply to the Terms of Reference and are an outcome of the workshop. They will apply to both the Motueka and Golden Bay Community Boards.

Purpose (amend)	The purpose of the community board is being an effective, authoritative, informed and respected voice of the community with influence over matters of local significance.
Objective (was "Purpose")	Added in additional reference to section 10 of the Local Government Act 2002.
Powers to Act	
5.3 (amend)	approve traffic control signs on streets (e.g. stop and give way signs etc), the design and location of bus stops and shelters in their community, provided that should the Board disagree with any technical advice tendered by Council staff that matter shall be referred to the Engineering Services Committee for decision; within budget limits and relevant engineering standards;
5.4 (amend)	approve the design and location of playground equipment, landscape and amenity works with a value of more than \$10,000 , street furniture and street planting in their community, provided that, should the Board disagree with any technical advice tendered by Council staff, the matter shall be referred to the Community Development Committee for decision;
5.6 (amend)	grant consent for the removal of trees from parks, reserves, streets or other Council land in their community, provided that should the Board disagree with any technical advice tendered by Council staff that matter shall be referred to the relevant Council Committee for decision;
Power to Recommend	
6.1 (amend)	to Council the funding mechanism to achieve preferred service levels in their community if these are higher than the Council Annual Plan. advise the Council on any recommended funding mechanism;
6.5 (new)	to Council any changes the Board would like made to the performance of Council activities within the Ward;
6.7 (amend)	Work with staff on preparing recommendations to the Strategy and Policy Committee on proposals to declare land within their

	wards as reserve and/or to classify reserves under the Reserves Act 1977;
6.8 (amend)	Work with staff on preparing recommendations to the Strategy and Policy Committee on draft content for inclusion in the draft reserve management plans for the parks and reserves within their wards;
6.9 (new)	to the Strategy and Policy Committee on preparing resource management plan changes affecting land and other resources within the Ward

Saxton Field Terms of Reference

10.5 The following changes have been requested. The amendment is in red.

Section	
	3.0 Iwi and Stakeholder
Content	Representatives from iwi, relevant sporting codes, relevant community groups, and Sport Tasman may be invited to attend Committee meetings as key stakeholders when required. However, these representatives will only have speaking rights with the agreement of the Committee Chair. The representatives will not have voting rights.

11 Options

7.1 The options are outlined in the following table.

	Option	Advantage	Disadvantage
1.	Approve the changes without amendments	This will provide Council staff with the appropriate authority to perform their tasks and functions and provide effective administration.	None.
2.	Not approve the changes	This would retain the status quo.	There is a reputational risk if the Council cannot make decisions efficiently and effectively.

7.2 Option 1 is recommended.

7.3 If the Council requires changes, given the integrated nature of many of the provisions, staff should be instructed to give effect to the directions from the Council and provide a revised document at a future date.

12 Strategy and Risks

- 7.4 There are no significant risks in adopting the amendments to the Delegations Register.
- 7.5 There are risks if decisions are made without the proper authority.
- 7.6 Delegations must be exercised responsibly in the knowledge that delegates will be held accountable. Delegates must be aware of the authority and responsibility they have.
- 7.7 There are no climate change impacts associated with these amendments.

13 Policy / Legal Requirements / Plan

- 7.8 The powers that can be delegated under the Local Government Act 2002 are set out in Schedule 7, Part 1, section 32.

14 Consideration of Financial or Budgetary Implications

- 7.9 There are no financial or budgetary implications for approving the delegations.

15 Significance and Engagement

- 7.10 Adopting delegations is considered of low to moderate significance. It does not have a high degree of public interest and it does not impact on levels of service. It is therefore not a matter that needs public consultation.

16 Conclusion

- 7.11 This report seeks the Full Council's approval of these delegations. This will enable Council staff to ensure the proper and efficient functioning of the Council as a local authority business.

17 Next Steps / Timeline

- 7.12 Once adopted, the Delegations Register will be updated and uploaded onto the Council's intranet for staff information and to the Council's website for public information.

Attachments

1. ↓	4.00 Delegations Register 30 June Draft	47
2. ↓	Draft Terms of Reference for Community Boards	201



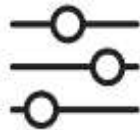
Delegations Register

30 June 2021

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Part One – General

1.0 Structure

The Delegations Register is structured in five parts:

Part One - General

This part summarises the overall purpose and structure of the Delegations Register, defines delegations, their duration and the legal basis upon which they are given.

Part Two - Governance

This part sets out the responsibilities and powers of the Council's elected members, describes the structure and appointments to Council's Committees, Subcommittees, Hearing Panels, Community Boards and Joint Committees.

Part Three - Management

This part sets out responsibilities and powers held by the Chief Executive and Senior Managers to ensure the proper and efficient functioning of the Council as a local authority business.

All delegations to staff in Part Three of this Register have been made to the Chief Executive. The Chief Executive then sub delegates as appropriate.

Part Four - Statutory Delegations

Statutory delegations may be made where:

- The responsibilities are expressly provided for in legislation; or
- The Council holds the power and delegates this responsibility to the Chief Executive
- Delegations to staff, if required by any enactment, are made through the Chief Executive by virtue of inclusion in this register.

From time to time staff position titles will change. Where the duties of the newly titled position remains substantially the same, the delegations will automatically transfer to that new position until such time as the Delegations Register is updated.

Statutory appointments occur where, by virtue of being an office holder, staff have duties and powers which are additional to any delegation. In those cases, staff are acting under appointment rather than delegation. Details of these delegations appear in the Tasman District Council's Appointments Register.

Part Five – Terms of Reference

This part contains the terms of reference for Council's Committees, Community Boards, Subcommittees, Hearing Panels and Joint Committees, including scope, financial, policy and legislative delegations

2.0 Purpose

The purpose of the Delegation Register is to set out the Tasman District Council's ('the Council') policies, procedures and delegations relating to decision making when giving effect to its statutory duties, responsibilities and powers. The Delegations Register incorporates terms of reference for committees.

Where decisions or actions under a policy of Council are delegated to a Committee or other decision-making body that has since been disestablished, that delegation will be exercised by Council.

3.0 Definition of Delegation

Delegation is the transfer of a duty or power to act on behalf of another, including the authority that the person or body making the decision would themselves have had in carrying out that duty or exercising that power.

For the purposes of administrative efficiency and expediency, in the conducting of its day-to-day business, the Council delegates certain statutory duties, responsibilities and powers to its standing committees, committees, subcommittees, joint committees, elected members and staff and in some cases other persons such as Hearing Commissioners.

Likewise, the Chief Executive delegates certain duties and responsibilities to a subordinate level. These delegations promote effective and expeditious decision-making.

Delegations avoid administrative delays and inefficiencies that might otherwise occur if all matters had to be referred to Council or the Chief Executive every time a decision needed to be made.

4.0 The Legal Basis

Council's authority to delegate to its standing committees, committees, subcommittees, elected members or staff is principally derived from Schedule 7, Clause 32 of the Local Government Act 2002 (LGA).

Schedule 7 Clause 32 of the LGA states that:

“Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of the local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except

- (a) *The power to make a rate; or*
- (b) *The power to make a bylaw; or*
- (c) *The power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-Term Plan; or*
- (d) *The power to adopt a long-term plan, annual plan, or annual report; or*
- (e) *The power to appoint a chief executive; or*
- (f) *The power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or*
- (g) *[Repealed]*
- (h) *The power to adopt a remuneration and employment policy.*

Other statutes also confer or limit the ability for the Council to delegate decision-making powers and duties. Authority and responsibility are inseparable. Those with responsibility for a task or function should always have the authority to carry it out effectively. No delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.

Delegates should willingly accept authority and responsibility for decision-making in the certain knowledge that their decisions, if made in a full, fair, and objective manner, will not be interfered with or undermined. The act of delegating involves mutual trust and respect without which the efficiency and effectiveness of the Council would be at risk. Having said that, no one can be compelled to exercise their delegation.

Nothing in this Delegations Register limits the power of anyone to carry out a function or activity that is a precursor to exercising a delegation.

5.0 Term of Delegation

Unless any delegation is expressed to be for a defined period it will continue until revoked by the Council, the Chief Executive or withdrawn by operation of law. The Delegations Register is a 'living' document and as such will be reviewed and amended from time to time. The delegation is normally to the position, not to the individual. The delegation survives any change in the occupier of any position.

6.0 Exercising Delegations

6.1 General Provisions

In the exercise of any delegation, the delegate (i.e. the person given the delegation) must comply with the requirements in this document. The laws relating to local government generally recognise that a delegation properly exercised binds Council and unless the law or the delegation expressly provides for a review/appeal then no remedy exists other than removing the delegation.

If a delegate considers it is inappropriate for them to exercise a delegation in relation to a specific matter they may refer the decision back to the delegator.

Delegations must be unambiguous and made in writing in order to protect both the Council and the delegate.

Where the terms of the delegation require, decisions made under delegated authority will be reported to the Council or a relevant Committee.

Where a delegation exists to make a decision on behalf of Council, the delegate has all the necessary powers of Council to effect that decision, including any related transitional powers prescribed by statute.

6.2 Who delegations are made to

Delegations have generally been made to the lowest organisational level, commensurate with the degree of responsibility and difficulty involved in the undertaking of the task delegated. In deciding what the lowest level for each delegation is, particular attention has been paid to the fact that along with the powers and duties contained in the delegation go the responsibilities and accountability for its correct and effective implementation and any reporting requirements.

In the exercise of any delegation, the delegate will ensure they act in accordance with:

- a) any binding statutory authority (in relation to each delegation, relevant sections of the Act will be identified); and

- b) any relevant Council policy or procedural documents (including reporting and recording requirements).

In relation to delegations to officer level, every delegation will be to a stated office or position and will be exercised in relation to the duties of their position or when an officer has been appointed in an acting capacity.

Where financial delegations have been given to Committees, Subcommittees, other decision-making bodies or staff, these delegations should be exercised within budgets; adhere to Council's policies; follow a duty of care and fiscal responsibility.

For the avoidance of doubt, delegators and supervisors of subordinate staff shall have the same powers as the delegate, unless the exercise of such delegation requires, by law, a particular qualification or registration.

The delegations to staff, if required by any enactment, are also made through the Chief Executive Officer by virtue of inclusion in this Register.

Staff will not exercise delegated authority in cases of uncertainty or where it would be preferable that policy direction be given. There are also circumstances where staff should seek peer review prior to exercising delegated authority.

6.3 Temporary Delegations

Someone appointed temporarily to fill in for a more senior position inherits the delegations of that senior position for a specified period. These types of delegations must be approved by the supervisor of the delegate. They must also be time-bound, specific (i.e. financial, statutory, operational), justified, and recorded in the "Temporary Delegations Register" (online).

The power of a temporary delegation can be restricted or excluded where, for example, through the operation of legislative authority, the delegation is given directly to an appointed officer.

A temporary delegation once made cannot be further sub-delegated other than by the Chief Executive in the case of delegations to staff, and if permissible by law.

Temporary delegations may also be referred to as "acting up".

6.4 Revoking delegations

The Council may, at any time, revoke, suspend for a period, or amend the terms and conditions of relation to any delegation it has made except in relation to decisions already taken. Where this occurs, it will be recorded by resolution of Council.

The Chief Executive may revoke or suspend for a period, or amend the terms and conditions in relation to any delegation to subordinates that they have made.



Part Two - Governance

1.0 Mayoral Delegations

The Mayor holds certain statutory powers, for example, the power to appoint the Deputy Mayor. These Mayoral powers are not listed in this document. Only those delegations that have been made and decided by the Council are included.

1.1 The Mayor is authorised to:

- 1.1.1 permit the attendance of Councillors at conferences and training opportunities, with leave of absence and appropriate expenses paid, provided budget is available.
- 1.1.2 appoint the Council's presiding delegate to the meetings of Local Government New Zealand on those occasions when they cannot attend the meeting in person.
- 1.1.3 act as proxy for the following companies:
 - Port Nelson Ltd
 - Nelson Airport Ltd
 - New Zealand Local Government Insurance Company Ltd (Civic Assurance)
 - New Zealand Local Government Funding Agency
 - Waimea Water Limited

As proxy the Mayor is instructed to vote in the best interests of Council and to take direction from Council on sensitive or controversial matters before committing Council's shareholder votes.

In the Mayor's absence the authority to act as proxy is delegated to the Deputy Mayor.

- 1.2 The Mayor, in relation to the Chief Executive's employment contract, has delegated authority to manage routine employment matters on behalf of the employer such as leave provisions.
- 1.3 The Mayor is authorised to decide on the type and size of payments to be made from the Mayor's Discretionary Fund, within the annual budget provision.

2.0 Use of the Common Seal of Council

- 2.1 The Common Seal of the Council (the Seal) will be held by the Chief Executive who will be responsible for its use.
- 2.1.1 A Council resolution is required for the Seal to be affixed to a document.
- 2.1.2 Where the affixing of the Seal is required on documents where the matter is:
- of a routine nature; or
 - urgent
- A resolution of Council under clause 1.5.2 can be made retrospectively at the next Council meeting.
- 2.2 Where the Seal of the Council is affixed to any document it shall be attested by:
- 2.2.1 the Mayor, or in his/her absence, the Deputy Mayor; and
- 2.2.2 the Chief Executive, or in his/her absence, the Acting Chief Executive.
- 2.3 Where the Seal of the Council is used to execute any Deed, the authority to apply the Seal of the Council is delegated to:
- 2.3.1 the Mayor, or in his absence Deputy Mayor, and
- 2.3.2 any one councillor by virtue of section 9 of the Property Law Act 2007 (two signatures required).
- 2.4 The Seal will be affixed to any document that is required to be executed under the Seal, including:

Warrants to enter private land on behalf of the Council	Made under the: Resource Management Act Biosecurity Act, Building Act, Health Act , Local Government Act 1974 Local Government Act 2002
Memorandum of Transfer	Pursuant to: section 80 of the Local Government (Rating) Act 2002
Regional policy statements and regional and district plans	Prepared under: Resource Management Act
Bylaws	Prepared under: Local Government Act 2002 or other relevant statutes
Any documents (e.g. covenants, caveats, or consent notices) which otherwise require the use of the Council’s Common Seal with the exception of “Deeds”	

3.0 Councillors' Delegations

- 3.1 Each member of Council who has received accreditation under the **Resource Management Act (RMA)** is authorised to be a Hearings Commissioner for the purpose of hearing and deciding notified applications under the Resource Management Act. The decision to use a Hearings Commissioner rests with the Group Manager Environmental Assurance or Resource Consents Manager in consultation with the Chair of the Regulatory Committee.
- 3.2 All Councillors, as members of the **Strategy and Policy Committee**, are authorised to be a Hearings Commissioner for the purpose of hearing and considering submissions to the **Tasman Resource Management Plan** or a change to the Plan under Schedule 1 Clauses 8B and 10 and to make recommendations to the **Strategy and Policy Committee** provided they hold a current accreditation certificate.
- 3.3 Each accredited member of the Regulatory Committee has the power to hear and determine objections lodged under Section 357 of the **RMA** in respect of staff exercising delegated authority.
- 3.4 The Chairperson of the Regulatory Committee or Strategy and Policy Committee, who may co-opt other members, can approve potential settlements by Consent Order relating to RMA proceedings.
- 3.5 The Group Manager Environmental Assurance or Group Manager Service and Strategy or Environmental Policy Manager or Resource Consent Manager or Principal Planner – Resource Consents can, following consultation with the Chairperson of the Regulatory Committee or Strategy and Policy Committee depending on the subject matter, approve potential settlements by Consent Order relating to RMA proceedings provided the settlement is in general accord with a stated Council position or, where any deviation from such a position, is the result of consensus reached at Court assisted mediation.

4.0 Community Boards

4.1 The purpose of the community board is to be an effective, authoritative, informed and respected voice of the community with influence over matters of local significance.

4.2 The objective of the community board is to carry out its role as set out in section 52 of the Local Government Act 2002, to give effect to the purpose of local government in section 10 of the Local Government Act 2002.

4.3 General

4.3.1 Any decisions made by a Community Board must be consistent with policies, procedures, standards, budgets or resolutions adopted or made by the Council (whether or not referred to in the delegations).

4.3.2 The delegations reflect the Council's view that issues specific to a Community Board should be dealt with and decided on within the affected locality, rather than by the Council as a whole.

4.3.3 Where a question arises about whether an issue is inherently local or has implications beyond the boundaries of a Community Board area (i.e. into the wider District), in this situation, the allocation of decision-making responsibilities will be determined in accordance with the following principles:

- a) Decision-making responsibility for a non-regulatory activity of the Council solely within a Community Board area may be exercised by the Community Board (local decisions) where it is consistent with the Terms of Reference for the Board or where that decision has not been delegated elsewhere (e.g. to staff or contractors); or
- b) By the Council (District decisions) if the nature of the activity is such that decision-making on a district-wide basis will better promote the interests of all communities, having regard to the following factors:
 - the impact of the decision (will it extend beyond the Community Board area); and/or
 - effective decision-making (will the decision require alignment or integration with other decisions that are the responsibility of the Council); and/or
 - the benefits of a consistent or co-ordinated approach in the Council's district (will these outweigh the benefits of reflecting the particular needs and preferences of the communities within the Community Board area); and/or
 - the significance of the activity (as assessed in accordance with the Council's Significance and Engagement Policy).

4.3.4 If the allocation of decision-making responsibilities becomes an issue to be dealt with by application of the principles referred to above, it must first be raised with the Group Manager responsible for the activity proposed, prior to the decision being referred to the Council (if required).

5.0 Committee Structure and Appointments

5.1 Council Committees, Standing Committees, Sub-Committees, other Subordinate Decision-Making Bodies and Joint Committees

- 5.1.1 The Mayor is responsible for appointing committees, sub-committees, and other subordinate decision-making bodies that is considered appropriate. They may also appoint a joint committee with another local authority or other public body.
- 5.1.2 Any of the Council's responsibilities, duties or powers other than those referred to in Part One | General | The Legal Basis on page 6, may be delegated to a committee, sub-committee or other subordinate decision-making body.
- 5.1.3 A committee or other subordinate decision-making body may appoint the sub-committees that it considers appropriate unless the Council prohibits it from doing so.
- 5.1.4 Committees or other subordinate decision-making bodies are subject in all things to the control of the Council. They must carry out all general and special directions of the Council given in relation to them. Sub-committees are subject in the same way to the committees that appointed them.
- 5.1.5 The Council or a committee is not entitled to rescind or amend a decision made under an authorised delegation. Any change to a resolution would need to be made through a Notice of Motion or new resolution.
- 5.1.6 All such bodies are, unless the Council resolves otherwise, deemed to be discharged on the coming into office of elected members at the next triennial election next after the committees, sub-committees, or other subordinate bodies were appointed. Unless such a resolution is made, delegated powers may lapse by operation of this provision.
- 5.1.7 Committees or other subordinate decision-making bodies, may delegate any of their responsibilities, duties or powers (other than those referred to in Part One | General | The Legal Basis on page 6) to a sub-committee or person, subject to any conditions, limitations, or prohibitions imposed by the Council or by the committee or body or person that made the original delegation.
- 5.1.8 These entities may, without confirmation by the Council or committee or body that made the delegation, exercise those delegations in the same way as the Council could have done.

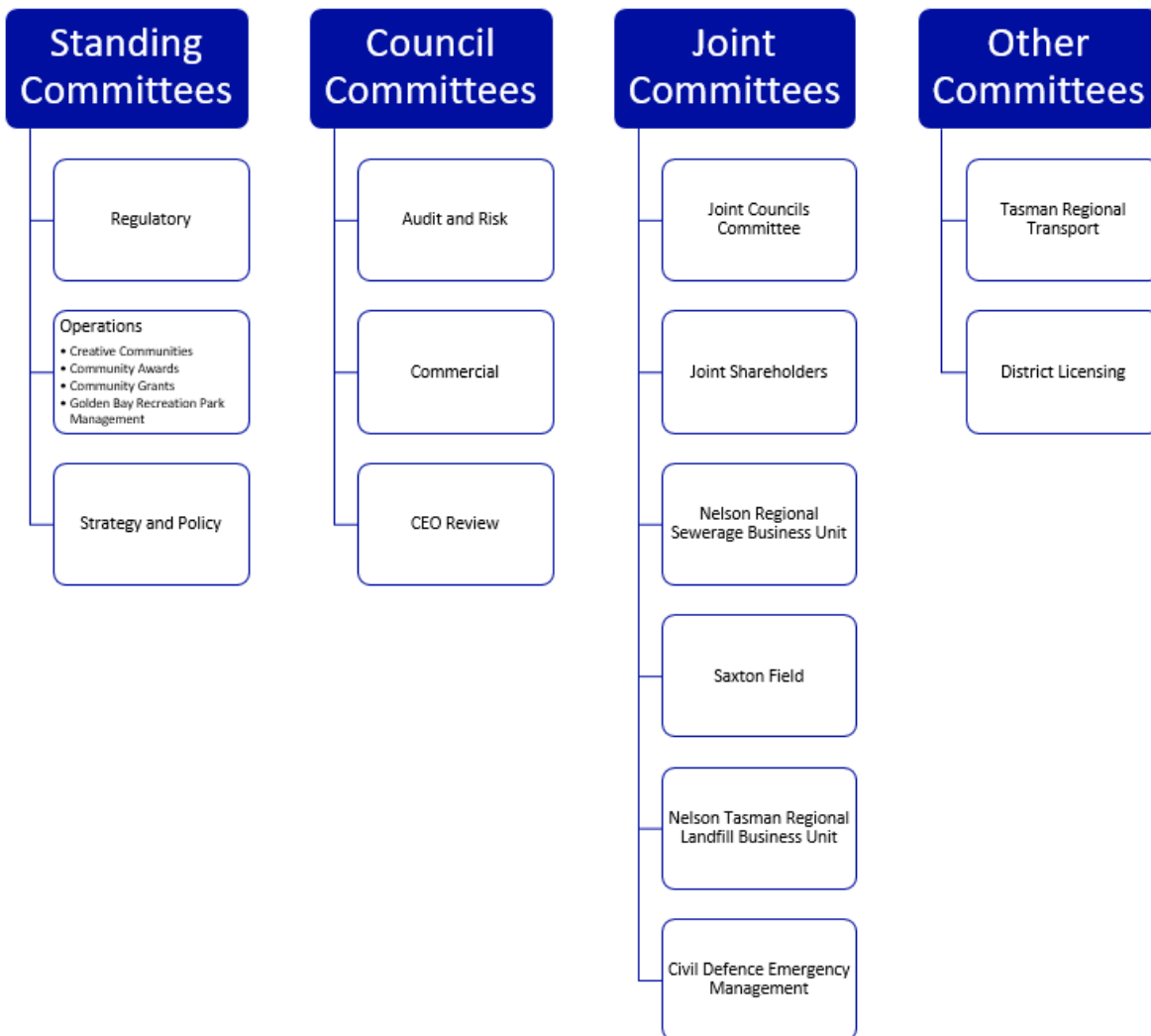
5.2 Appointments to Other Organisations

- 5.2.1 Council may appoint elected members or other persons to Council organisations or other organisations (excluding Council Controlled Organisations or Council Controlled Trading Organisations). They do not have voting or decision making roles on these organisations.
- 5.2.2 Elected members appointed to other organisations have one of both of the following roles:
- Liaison and engagement: to be an interface between Council and the organisation
 - Representation: to represent Councils financial or other interests to an organisation.
- 5.2.3 Elected members appointed to other organisations may, if necessary, report back to the relevant committee or Council on matters of interest from the relevant organisation through the Chairperson's Report or Mayors Report.

5.2.4 These are recorded in the table “REPRESENTATIVES AND APPOINTMENTS”

5.3 Committee Structure

The Committee Structure was established, and the appointments made, following the 2019 local government triennial elections. On 25 February 2021 Council established the Golden Bay Recreation Park Management Committee. Any further changes since the triennial elections will be recorded here. The power of Council to establish committees, subcommittees, other subordinate decision-making bodies and joint committees is outlined in section 30, Schedule 7 of the Local Government Act 2002. Under section 41A of the Act, the Mayor may exercise their power to establish committees of the Council and Chairpersons for those committees.



The full Terms of Reference can be found in Part Five of this document and on the Tasman District website www.tasman.govt.nz/my-council/meetings/committee-terms-of-reference/

5.4 Appointments

TASMAN DISTRICT COUNCIL	
Mayor	Tim King
Deputy Mayor	Cr Stuart Bryant
Chief Executive	Janine Dowding

STANDING COMMITTEES	
Strategy and Policy	Chair – Cr Maling Deputy Chair – Cr Hill all other Councillors
Regulatory	Chair – Cr Wensley Deputy – Cr Ogilvie all other Councillors
Operations	Chair – Cr Bryant Deputy – Cr Mackenzie all other Councillors

COUNCIL COMMITTEES	
Audit and Risk (Reporting to Council)	Independent Chair (vacant) Acting Chair – Cr Ogilvie Crs Hill, Mackenzie Walker and 1 vacancy Independent member – Mr G Naylor
Commercial (Reporting to Council)	Chair – Cr Mackenzie Crs Butler, Hill, Maling and Ogilvie 3 appointed members - Alan Dunn; Kevin Armstrong; Roger Taylor

SUBCOMMITTEES	
CEO Review (Reporting to Council)	Mayor King Crs Bryant and Wensley
Community Awards (Reporting to Operations Committee)	Chair – Cr Wensley Crs Hill, Turley and Dowler
Community Grants (Reporting to Operations Committee)	Chair – Cr Turley Crs Bryant, Butler, Walker and Wensley

SUBCOMMITTEES

Creative Communities (Reporting to Operations Committee)	Crs Butler and Walker Plus community representatives
Golden Bay Recreation Park Management (Reporting to Operations Committee)	Chair – Cr Butler, Deputy – Cr Hill External Representatives: D McKenzie, W Packard, L Pomeroy, A Ejima

JOINT COMMITTEES OF NELSON AND TASMAN COUNCILS

Joint Committee	Mayor King Deputy Mayor Bryant all other Councillors In attendance: Chief Executive
Joint Shareholders	Mayor King Deputy Mayor Bryant Crs Maling, Mackenzie, Ogilvie and Dowler In attendance: Chief Executive, Group Manager Finance
Nelson Regional Sewerage Business Unit (NRSBU) Joint Committee	Crs Maling and Tuffnell
Nelson Tasman Regional Landfill Business Unit (NTRLBU) Joint Committee	Crs Bryant and Walker
Saxton Field Committee	Crs Maling and Tuffnell
Civil Defence Emergency Management	Mayor King Deputy Mayor Bryant In attendance: Chief Executive

OTHER COMMITTEES

Tasman Regional Transport Operates under Land Transport Management Act 2003 and its Amendments	Chair – Cr Bryant Deputy Chair – Cr Turley Crs Butler and Dowler 1 x Agency representative (full membership incl. voting rights) Mayor is <u>not</u> a member.
District Licencing Operates under the Sale and Supply of Alcohol Act 2013	Chair – Cr Ogilvie Deputy Chair – Cr Greening Three list members (appointed for five years commencing 2018):

OTHER COMMITTEES

	David Lewis; Laurence Gabites; Mike Fitzsimons Mayor is <u>not</u> a member.
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REPRESENTATIVES AND APPOINTMENTS

<u>Local Government New Zealand</u>	Mayor
Zone 5	Chief Executive
Regional Sector Group	Mayor Chief Executive
Rural and Provincial Sector	Group Manager Service and Strategy Mayor / Deputy Mayor (alternate)
Accessibility for All	Vacancy
Environment Forum	Crs Walker and Wensley
Friendly Towns	Richmond appointment – Cr Tuffnell Motueka appointment – Cr Walker
Iwi Liaison	Mayor Chief Executive
Local Boards Representation Review	Crs Butler, Hill and Walker
Mapua Waterfront Area Masterplan Working Group	Cr Turley
Motueka Aerodrome Advisory Group	Cr Dowler Alternate – Cr Ogilvie
Native Habitats Tasman	Crs Butler and Ogilvie
Nelson Tasman Business Trust	Cr Maling is a Trustee in a personal capacity.
Positive Ageing	Cr Wensley
Port Taroakohe Advisory Group	Chair Cr Butler Cr Hill
Regional TB Free	Cr Bryant
Richmond Bridge and Croquet	Cr Greening
Richmond Network Operating Framework – with the New Zealand Transport Agency	Crs Bryant, Tuffnell and Wensley
Takaka Aerodrome Advisory Group	Cr Hill
Tasman Bays Heritage Trust Appointments Committee	Mayor Chief Executive
Tasman Bio-strategy Governance Group	Crs Butler, Ogilvie and Tuffnell
Tasman Environmental Trust	Crs Mackenzie and Walker
Tasman Youth Council	Crs Walker and Hill

REPRESENTATIVES AND APPOINTMENTS

Tenders Panel	Crs Bryant, Maling and Tuffnell Chief Executive Janine Dowding
Waimea Inlet Working Group	Cr Tuffnell Alternate – Cr Wensley

5.5 Hearing Panels and Quasi-Decision Making Bodies

5.5.1 Purpose

Hearing Panels are required to conduct, consider, and determine any matter that requires a hearing or related decision under any of the following Acts:

Act	Appointed by	Authority
Reserves Act 1977	Regulatory Committee	Recommendations to that Committee or to Council (when required) for a final decision on Reserve leases, licences & easements
	Strategy and Policy Committee	Recommendations to that Committee or to Council (when required) for a final decision on Reserve classifications and Reserves Management Plans
Local Government Act 2002	Regulatory Committee	Recommendations to the Council for the Council's final decision for the purposes of the bylaws under the Act
Resource Management Act 1991	The Chair of the Regulatory or the Strategy and Policy Committee, depending on the issue, with either the: Group Manager Environmental Assurance; or Resource Consents Manager; or Regulatory Manager, or Environmental Policy Manager.	Decisions made by consensus although if necessary the majority view prevails.
Dog Control Act 1996		
Local Government Act 1974 (ss 459 and 460)		
Gambling Act 2003		

5.5.2 Resource Consent Hearings – sole hearings

Each member of Council who has received accreditation under the Resource Management Act is authorised to be a *sole* Hearings Commissioner for the purpose of hearing and deciding notified applications under the Resource Management Act:

- a) which have not attracted any, or only relatively few, submissions in opposition;

- b) where the issues are clear cut;
- c) where precedents are available;
- d) which have a favourable officer report;
- e) that have been made without notice.

5.5.3 Hearings Commissioner

The decision to use a Hearings Commissioner, whether that Commissioner is a member or Independent Commissioner, rests with the Group Manager Environmental Assurance, Group Manager Service and Strategy, or Resource Consents Manager in consultation with the Chair of the Regulatory or Strategy and Policy Committee.

Each member of the Regulatory or Strategy and Policy Committee who has received accreditation under the Resource Management Act:

- a) has the power to hear and determine objections lodged under Section 357 of the Resource Management Act in respect of staff exercising delegated authority.
- b) is authorised to hear and consider submissions under Schedule 1 and to make recommendations to the Regulatory or Strategy and Policy Committee, as applicable.

5.5.4 Tenders Panel

A Tenders Panel may meet to award tenders for contracts **and for land purchases which:**

- exceed \$1m in value; or
 - where the type of procurement is a deviation from the Council Procurement Policy
 -
- a) **Contracts or land purchases must be within an approved budget and the activity must be included in the Long Term Plan or Annual Plan.**
 - b) All decisions made by the Tenders Panel will be reported back to the appropriate standing committee at its next scheduled meeting.
 - c) Decisions will be made by consensus although if necessary the majority view prevails.
 - d) Membership comprises three elected members and the Chief Executive.
 - e) A quorum comprises two elected members.
 - f) Meetings occur as and when required.

5.6 Advisory Groups

The function of Advisory Groups is to act in an advocacy role in order for Council to gain input from the wider community, in a structured and positive environment.

Advisory groups are not decision making groups, they are the conduit for users to provide advice/recommendations to Council in their area of interest. These interests are outlined in each Advisory Groups terms of reference.

Council retains the right of autonomous strategic and operational management and is not bound by any Advisory Group process outcome.

There are five Advisory Groups:

5.6.1 Port Tarakohe Advisory Group

The group provides advice and guidance on the use and future for the port, recognising the challenges the Council has in ensuring the port facility is financially sustainable. The objectives of the group include:

- To provide a conduit for all community and Port users interests through to Council.

- To ensure community, stakeholders and all users are informed, have the opportunity for input, and are involved in the work of the group.
- To provide updates to Council and any recommendations for improvements to the operational issues of the Port, whilst respecting the financial sustainability framework Council have set.

5.6.2 Motueka Aerodrome Advisory Group

- This group works with the Council to help develop and manage aerodrome operations. The objectives of the group include:
 - Review and provide opinion on development applications or requests at Motueka Aerodrome.
 - Review the Motueka Aerodrome Development plan and recommend any changes to Council.
 - To be consulted prior to the Motueka Aerodrome component of the Long Term Plan being recommended for adoption by Council.
 - To provide feedback on any requests to change the permitted or discretionary uses at Motueka Aerodrome.
 - To review issues relating to noise at Motueka Aerodrome and recommend appropriate actions.
 - To receive condition reports on the aerodrome infrastructure and provide a link between users and the Aerodrome Operator.

5.6.3 Māpua Waterfront Area Masterplan Working Group

To provide community direction and oversight to the implementation of the Māpua Masterplan and associated action plans in a way that gives balanced consideration to the social, cultural, environmental and economic priorities of the community Māpua.

5.6.4 Takaka Aerodrome User Group

The Takaka Aerodrome is not a certificated aerodrome. Council's intention is that the aerodrome is maintained to a standard which satisfies aerodrome users and Civil Aviation Authority (CAA) requirements and functions with a minimum of ratepayer subsidy. The role of this group is to facilitate the development and coordination of procedures for the safe use of the aerodrome and associated airspace, and to provide advice and support to the Aerodrome Operator CAA Advisory Circular AC139-17 entitled "Aerodrome User Groups" is the basis for the establishment of this user group.

5.6.5 Motueka Aerodrome Operations and Safety Committee

The Motueka Operations and Safety Committee was established at the request of the Civil Aviation Authority (CAA) to address operational and safety issues at and in the vicinity of Motueka Aerodrome. The aerodrome is owned and operated by Tasman District Council. It is not a certificated aerodrome but the Tasman District Council intention is that the aerodrome be maintained to a similar standard as Civil Aviation Authority certification, as a

Item 8.3

quality assurance system. The Aerodrome Operator CAA Advisory Circular AC139-17 entitled “Aerodrome User Groups” is the basis for the establishment of this user group.

Attachment 1



Part Three - Management

1.0 Chief Executive's Delegations

- 1.1 The Council delegates to the Chief Executive all powers conferred on the Council by legislation, as captured within the Delegations Register
- 1.2 Unless explicitly stated in this Delegations Register, the Chief Executive retains the authority to carry out all responsibilities, duties and powers listed within the Delegations Register, whether derived from Council, its committees or any other subordinate decision-making body, directly from legislation or elsewhere.
- 1.3 The Chief Executive will report the exercise of these delegations to the Council when the delegation requires and as they deem necessary.
- 1.4 The Chief Executive is authorised to amend the delegations register to reflect changes in the organisation's structure.
- 1.5 The Council may choose to delegate any further powers, responsibilities and duties to the Chief Executive, aside from those which may not be delegated by statute. The Chief Executive has the power to delegate such powers, responsibilities and duties on to any officer he or she employs, or any other contractor or advisor if permissible by law. Any powers, responsibilities and duties delegated from the Chief Executive to officers, contractors or advisors will be recorded in the Delegations Register or the Temporary Delegations Register.
- 1.6 The Chief Executive when operating within these delegations should be mindful of Council's Significance and Engagement Policy and give thought to whether a matter considered to be of high significance may need to be referred to an appropriate committee or in some cases to Full Council.
- 1.7 The Chief Executive when operating within these delegations should be mindful of Council's Climate Change responsiveness and give thought to whether a matter considered may need to be referred to an appropriate committee or in some cases to Full Council.
- 1.8 The Council has appointed the Chief Operating Officer as the Acting Chief Executive should the Chief Executive not be available.
- 1.9 The Chief Executive may appoint one or more senior officers to undertake his or her functions and delegated authority during planned absences or sick leave.

2.0 Governance

	What	Authority to	Who
2.1	Common Seal	Authority to affix the Seal to any document that is required to be executed under the Seal	Chief Executive (includes Acting Chief Executive)
2.2	Official Information (LGOIMA Act 1987 with the exception of section 32)	Authority to exercise the powers of Parts II to V of the LGOIMA, including the ability to: <ul style="list-style-type: none"> ▪ refuse to release information, ▪ or refuse requests 	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers
2.3	Privacy Act Requests Part V	Authority to make a determination in respect of any request for personal information	Chief Executive (includes Acting Chief Executive) Human Resources Manager Operational Governance Manager
2.4	Disposal of Council Records	Authority to dispose of any Council records after receiving confirmation from the relevant Department Manager or, where required, to make application to another authority for disposal, so far as the exercise of this delegation is not contrary to legislative authority or Council policy	Chief Executive (includes Acting Chief Executive) Group Manager Finance
2.5	Treasury Activity	Authority to exercise the responsibilities outlined in the Treasury Risk Management Policy delegation of authority and authority limits.	Chief Executive (includes Acting Chief Executive) Group Manager Finance Finance Manager Treasury Accountant

3.0 Financial Management

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegation).	Who
3.1	Contracts (ref Revenue and Financing Policy, Financial Delegations Policy, Procurement Policy, Tenders Panel Terms of Reference)	Contract award within approved budgets and financial delegation limits	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers Tier 3 Managers
		Contract award and land purchase decisions over the Chief Executives' financial delegation limit, provided: <ul style="list-style-type: none"> ▪ the contracts or land purchases are with an approved budget; and ▪ the activity is included in the Long Term Plan or Annual Plan <p>Note: contract award and tender approvals can be directed to the Tenders Panel below the Chief Executives' financial delegation limit if necessary, and where the type of procurement is a deviation from the Council Procurement Policy.</p>	Tenders Panel
		Approval of progress payments on awarded contracts within approved budgets (excluding contracts that have been approved by Council, a Committee, or the Tenders Panel).	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers Tier 3 Managers
		Approval of progress payments on awarded contracts that have been approved by Council, an appropriate Committee, or the Tenders Panel. These are subject to individual delegations made by resolution.	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers Tier 3 Managers – Level 1 Community Infrastructure
3.2	Re-allocating operating budgets	Authority to re-allocate funding between budgets for operating expenditure provided: <ul style="list-style-type: none"> ▪ it is necessary to achieve committed outputs; and ▪ the overall end-of-year budgeted surplus or deficit will be achieved; and ▪ any likely exceedance or effect on other programmes deliverable is reported to Council or the relevant Committee; 	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers Tier 3 Managers

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegation).	Who
3.3	Reallocating project capital budgets (ref Financial Delegations Policy)	<ul style="list-style-type: none"> 10% of an approved Activity capital budget (that are included in the Annual and Long Term Plans) is possible up to a maximum net annual value of \$1m. <p>Note: This delegation is not affected by role financial delegation limits.</p>	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers
3.4	Emergency expenditure	Authority to approve contingency expenditure for an emergency including but not limited to flood events, a civil defence emergency management event, maritime oil spills or a pest animal, plant or disease outbreak	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers
		<ul style="list-style-type: none"> in the event of a Tier II Oil Spill 	On-Scene Commander
		<ul style="list-style-type: none"> in relation to civil defence matters 	Civil Defence Controller
3.5	Unbudgeted capital expenditure	<p>Authorise:</p> <p>a) up to 10% of the approved Activity Capital budget (included in the Annual or Long term Plan) up to a maximum net annual value of \$1m; and</p> <p>b) it can be met within the annual capital budget for the activity.</p> <p>This is not impacted by individual role financial delegations limits.</p> <p>The Chief Executive or Group Manager should inform Council of changes that are less than these caps if they consider it is warranted due to considerations like public or political interest.</p>	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers
3.6	Credit Card Expenditure (ref Sensitive Expenditure Policy)	Authority to approve the Mayor’s credit card expenditure (joint approval required)	Chief Executive (includes Acting Chief Executive), and Deputy Mayor
		Authority to approve the Chief Executive’s credit card expenditure (joint approval required)	Mayor, and either Group Manager Finance or the Deputy Mayor
		Authority to approve any other Council credit card held by a staff member other than himself or herself	Chief Executive (includes Acting Chief Executive)
		Authority to approve credit card expenditure for credit cards assigned to their third tier managers.	Tier 2 Group Managers

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegation).	Who
3.7	Expense claims and Sensitive Expenditure (ref Sensitive Expenditure Policy)	Authority to approve expense claims and sensitive expenditure	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers Tier 3 Managers
3.8	Purchase orders and invoices	Authority to approve purchase orders and receipted invoices in the Council's finance system, provided: <ul style="list-style-type: none"> The approved purchase order applies to a single transaction or 'commitment' The 'commitment' is not split into two or more purchase orders or invoices The whole transaction is approved by a staff member with the appropriate delegated financial authority limit. 	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers Tier 3 Managers Project Delivery / Project Managers (Tier 4 Community Infrastructure) Other staff (subject to individual role financial delegated limits)
3.9	Bank, Invest and Sign Cheques Refer Tasman District Council's Treasury and Risk Management Policy	Subject to the observance of appropriate internal controls, authority to: <ul style="list-style-type: none"> Bank, transfer, and invest funds held by the Council in accordance with Council policy Sign and countersign cheques, bills of exchange, promissory notes and other negotiable instruments, withdrawal notices or authorise electronic payments on behalf of Council; Approve payroll payments and all payroll related matters; and Approve all tax payments and tax related matters. (This delegation requires two of the delegates signing and countersigning appropriate documentation.)	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers Finance Manager Property Services Manager Financial Accountant Management Accountant Revenue Accountant
3.10	Bad Debts	Authority to take appropriate action, within Council policy, to recover debts, including, but not limited to: <ul style="list-style-type: none"> Court (excluding High Court), Tribunal proceedings, and Debt collection agencies. 	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers Finance Manager
		Authority to write off or compromise bad and doubtful debts (up to specified limits), following	Chief Executive (includes Acting Chief Executive)

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegation).	Who
		discussion with the Manager of the Department from where the debt originated. Administrative errors can be corrected without need to refer these to the Chief Executive or Tier 2 Group Manager.	Tier 2 Group Managers
3.11	Solid Waste Charges and Commercial Activity Charges	Authority to amend at any stage during the year, and advise the public of any price changes by public notification at least one month prior to the changes taking effect.	Chief Executive (includes Acting Chief Executive)
3.12	Elected Member Payments	Authority to consider and approve Elected Members' remuneration and expense claims.	Chief Executive (includes Acting Chief Executive) Group Manager Finance Finance Manager
		Consider and approve Golden Bay Community Board member expense claims.	Group Manager assigned to the respective Board
3.13	External Grants	Authority to receive and/or administer external grants or funding on behalf of the Council, including entering into a contract for the receipt of those grants or funds, subject to any Councils share being provided for in a budget and their authority is not limited by the Schedule of Financial Delegations.	Chief Executive (includes Acting Chief Executive) – unlimited amount Tier 2 Group Manager – up to financial delegated limit
3.14	Schedule of Fees	Power to reduce or waive deposit or fees.	Group Manager assigned to the respective Board
		Power to determine the amount of any refund of any deposit or fee after taking into account the actual and reasonable costs incurred in process of the permit, consent or licence. When these decisions are exercised they are to be recorded appropriately.	Group Manager Environmental Assurance Regulatory Manager Building Assurance Manager Resource Consents Manager

4.0 Rates and Valuations

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegations)	Who
4.1	Rates Remissions	Authority to consider and decide on applications made under the Policy on Remission of Excess Metered Water Rates.	Group Manager Community Infrastructure Utilities Manager Water Billing Officer
		Authority to consider and decide on remission of penalties under the Policy on Remission of Penalties	Group Manager Finance Finance Manager Revenue Accountant
		Authority to consider and decide the policy on remission of penalties a) Policy on Remission of Uniform Charges on Non-Contiguous Rating Units Owned by the Same Ratepayer. b) Policy on Remission of Rates for Land Occupied by a Dwelling that is affected by Natural Disaster. c) Policy on Remission of Rates for Land Subject to Council Initiated Zone Changes. d) Policy on Remission of Rates for School Wastewater Charges. e) Policy on Remission of Rates for Sporting, Recreation or Community Organisations. f) Policy on Remission of Rates on Low Valued Properties. g) Policy on Remission of Rates on Abandoned Land	Group Manager Finance
4.2	Rating Valuations Rating Valuations Regulations 1998 (s6)	Authority to decide on an extension to a due date for objections to rating valuations, in accordance with the Ratings Valuations Regulations 1998, either because: <ul style="list-style-type: none"> ▪ the valuation wasn't received; or ▪ for any other good reason. 	Chief Executive (includes Acting Chief Executive) Group Manager Finance
4.3	Valuations Rolls Valuations Act 1998 (s14-17)	Authority to make alterations to its Valuation Rolls to readjust valuations and entries	Group Manager Finance
4.4	Rates write-off Local Government (Rating of Whenua Maori) Amendment Act 2021	Authority to write off rates in accordance with the Act.	Chief Executive

5.0 Functional Delegations

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegations)	Who
5.1	News Media, Public Notices, Advertisements and Websites (in accordance with Council's Media and Advertising Policies)	Authority to make any statements to the news media	Chief Executive (includes Acting Chief Executive)
		a) relating to Council's business	Tier 2 Group Managers Community Relations Manager
		b) in the event of an oil spill	Regional On-Scene Commander
		c) in relation to civil defence matters	Civil Defence Emergency Management Group Controller
		Authority to delegate to an appropriate staff member a specific media task (e.g. hydrological reports issued by the Team Leader, Environmental Monitoring);	Tier 2 Group Managers
Authority to place public notices and advertisements in relevant newspapers or other publications.	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers Tier 3 Managers		
5.2	Council Property, Leases, and Licenses	<p>Authority to:</p> <p>a) Approve the leasing or granting of any license to occupy or tenancy, to vary the terms and conditions of any lease, license to occupy or tenancy, or to terminate any lease, license to occupy or tenancy involving Council land subject to affixing of the Council Seal, where appropriate;</p> <p>b) Enter into contracts for the maintenance, management and development of any council property;</p> <p>c) Enter into binding agreements for the sale and purchase of property as provided for in the Long Term Plan with schedules listing such sales or purchases being submitted to the relevant Standing Committee on a regular basis.</p> <p>d) Grant and administer stall site licenses including licenses for the occupation of legal road (including termination thereof where required for non-payment of rental or other good reason);</p>	<p>Chief Executive (includes Acting Chief Executive)</p> <p>Tier 2 Group Managers</p> <p>Property Services Manager (subject to having undertaken all relevant legislative processes and received the approval of any relevant other Council staff)</p>

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegations)	Who
		e) Sign any client authority and instruction for register by E-dealing.	
		f) Approve on behalf of Council as landowner, new surveys on land which has 'Limited as to Parcels' titles	Property Services Manager
5.3	Use of Council Property, Assets and Staff	<p>a) Approve the use of any Council building, facility or equipment by an outside person or organisation in accordance with established guidelines;</p> <p>b) Dispose (whether by tender or otherwise) of any motor vehicle or item of plant in accordance with a recognised programme of vehicle and plant replacement;</p> <p>c) Dispose (whether by tender or otherwise), and the terms thereof, of any other surplus Council asset up to a book value specified in the authorised expenditure schedule, as provided for in the Long Term Plan; and</p> <p>d) Hire out, and the terms and conditions thereof, of any Council asset and staff to outside organisations.</p>	<p>Chief Executive (includes Acting Chief Executive)</p> <p>Tier 2 Group Managers</p> <p>Property Services Manager</p>
		e) Sign easement and other documents where the correct legal processes have been followed and where Council has previously agreed to the granting of such easements.	<p>Tier 2 Group Managers</p> <p>Property Services Manager</p>
		f) Set or amend Hall Charges, in consultation with the relevant Hall Committee.	Reserves and Facilities Manager
		g) Set or amend Richmond Aquatic Centre and Community Facilities Charges	Community Partnerships Coordinator
5.4	Employment	Is responsible, on behalf of the Council, for ensuring the effective and efficient management of the Council, employing staff and negotiating the terms of employment of staff.	Chief Executive (includes Acting Chief Executive)
		Has control over all employment-related matters concerning staff, and retains authority to approve the employment of all staff.	Chief Executive (includes Acting Chief Executive)
		<p>In relation to their area of responsibility and in accordance with relevant Council policy, authority to:</p> <p>a) Determine staff hours of attendance that best suits the Council's needs;</p>	Tier 2 Group Managers

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegations)	Who
		b) Approve the temporary reallocation of duties provided they do not require an amendment to the Position Description; c) Approve overtime, including granting time off in lieu of overtime; d) Approve time-in-lieu and all types of leave, except: I. Leave identified as being at the sole discretion of the Chief Executive; and II. Leave without pay for periods in excess of two weeks; e) Approve the attendance of staff at conferences, courses or seminars; f) Take disciplinary action, excluding dismissal. g) Employ casual and temporary staff.	
		h) Third Tier Managers, in relation to their area of responsibility and in accordance with relevant Council policy, have authority to take disciplinary action (excluding dismissal) for any first or second offence allegations of misconduct.	Tier 3 Managers
5.5	RMA Authority (Resource Management Act, but excluding the powers in s168A)	Act within their scope of responsibility, as a Requiring Authority, including giving the written consent of the Council for the use of land being subject to a requirement or designation.	Group Manager Service and Strategy Group Manager Finance Group Manager Community Infrastructure Group Manager Information, Science and Technology
5.6	Street Names (Ref Street Naming Policy and Community Board Terms of reference)	Power to decide on street names for new sub divisional roads in accordance with the Council and in consultation with a Ward Councillor or the Community Board	Group Manager Environmental Assurance
5.7	Engineering projects and designs	Approve the designs for Engineering projects and subdivisions Consider and approve variations/waivers to engineering design standards in exceptional circumstances	Group Manager Community Infrastructure Utilities Manager Transportation Manager

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegations)	Who
			Rivers and Coastal Engineer Project Delivery Manager Strategic Planning Manager Development Engineer
5.8	Management of infrastructural assets Local Government Act 1974, Local Government Act 2002, Transit Act 1989, Transport Act 1962, Fencing Act 1978, Health Act 1956, Cattle Stop Order	Approve the necessary arrangements for the effective and efficient management of infrastructural assets <ul style="list-style-type: none"> ▪ Roads ▪ coastal structures ▪ bridges ▪ refuse facilities ▪ ports ▪ aerodromes ▪ stormwater ▪ water ▪ waste water ▪ river ▪ irrigation schemes <p>These decisions are to be in accordance with the provisions of the appropriate Acts and their amendments, but are subject to not exceeding budget levels approved in the annual plan.</p>	Chief Executive Group Manager Community Infrastructure Utilities Manager Transportation Manager Rivers and Coastal Engineer Property Services Manager
5.9	Council as an Affected Party	Authority to provide written approval or consent (where such approval is required) in its capacity as landowner or occupier for any application or request by any person to undertake an activity or activities on or adjacent to any Council land	Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers

6.0 Legal

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegations)	Who
6.1	Authority to Sign Legal Documents Section 226 (1) (e) of the Resource Management Act	Act as an authorised officer to sign legal documents	Group Manager Environmental Assurance Resource Consents Manager Team Leader - Land Use Consents Team Leader - Natural Resource Consents

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegations)	Who
		<p style="text-align: center;">negotiate or mediate and settle the proceedings</p> <p>i) In consultation with the Chair or Deputy Chair of the Regulatory Committee, the power to</p> <p style="padding-left: 40px;">I. initiate, conduct and dispose of prosecution proceedings (including an application for leave to withdraw a prosecution) for offences under any Act, Regulation or Bylaw which involves the Criminal Procedure Act 2011, and</p> <p style="padding-left: 40px;">II. to issue injunctions to restrain continuing breaches of the Building Act (under section 381 of the Building Act 2004) or of the Local Government Act or of any Bylaw (under section 162 of the Local Government Act 2002).</p> <p>Any proceeding will be reported to the next available Committee meeting.</p>	<p>Group Manager Environmental Assurance</p>
6.3	Legal Advice	<p>Authority to:</p> <p>a) Obtain legal advice on Council's behalf;</p> <p>b) Sign on Council's behalf any routine legal administrative document;</p> <p>c) Settle claims against Council up to a limit specified in the authorised expenditure schedule (consistent with Council's insurance excess) or in accordance with a recommendation from Council's insurers, or competent legal advice, where time constraints do not permit the matter to be referred to a meeting of Council or an appropriate Committee;</p> <p>d) Initiate proceedings to have Court costs awarded; and initiate legal proceedings to collect Court costs awarded</p>	<p>Chief Executive (includes Acting Chief Executive) Tier 2 Group Managers</p>

7.0 Submissions

	What	Authority to	Who
7.1	General Submissions	<p>Authority to make a submission:</p> <p>a) on matters of general Council interest or concern (for example on legislation or discussion documents, including to an adjoining local authority, resource consents in an adjoining local authority which could affect Council's interests) where it is not possible within the available time to refer the matter to the Council or relevant standing committee</p> <p>b) to a Board of Inquiry in relation to</p> <ul style="list-style-type: none"> ▪ a proposed national policy statement under section 49 of the Resource Management Act; ▪ a proposed national policy statement under section 50(2) of the Resource Management Act; <p>c) to the Environment Court in relation to a special tribunal's report relating to a water conservation order (section 209 of the Act);</p> <p>d) The relevant Committee also holds the authority to make a submission on these matters listed above.</p>	Tier 2 Group Managers in relation to their respective areas of responsibility

8.0 Trespass

	What	Authority to (as long as it is consistent with the limits of the schedule of financial delegations)	Who
8.1	Trespass Act 1980 (s3)	Authority to ask a trespasser to leave Council controlled property	Chief Executive Officer (includes Acting Chief Executive)
		<ul style="list-style-type: none"> ▪ Any area 	Tier 2 Group Managers
		<ul style="list-style-type: none"> ▪ Libraries 	Libraries Manager Librarians
		<ul style="list-style-type: none"> ▪ Parks and reserves 	Reserves and Facilities Manager Horticultural Officers Camp Wardens

Item 8.3

	What	Authority to (as long as it is consistent with the limits of the schedule of financial delegations)	Who
		<ul style="list-style-type: none"> ▪ Council offices and service centres 	Customer Services Manager Team Leader – Customer Services

9.0 Additional Delegations

Attachment 1

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegations)	Who
9.1	Electronic Waste Recycling	Authority to approve electronic waste recyclers for the subsidy scheme	Group Manager Community Infrastructure

10.0 Water Supply

	What	Authority to (as long as it is consistent with the Bylaws)	Who
10.1	Public Water Supply Bylaw 2016 (Amended 2019) Consolidated Bylaw Chapter 10	Initiate Phase A or B of the Water Restrictions Protocol.	Group Manager Community Infrastructure
		Initiate Phase C or D of the Water Restrictions Protocol.	Regulatory Committee Strategy and Policy Committee Operations Committee The Mayor and the three Chairs of the above Committees if a meeting of a standing committee or Full Council cannot meet in time.
		Initiate Phase E or F of the Water Restrictions Protocol.	Full Council

Schedule of Financial Delegations

Category	A	B	C	D	E	F	G	H	I
	Contract award within approved budgets ¹	Approval of purchase orders and invoices ³	Approval of progress payments on awarded contracts that <u>have</u> been approved by Council, an appropriate Committee or Tenders Panel ⁴	Debt right-off, fee waivers or discounts	Emergency expenditure approval	Authorised to bank, transfer and invest funds and sign cheques	Reallocating capital budgets	Reallocating operating budgets - allowed as long as within overall direct operating cost budget.	Receipt and/or administer external grants or funding on behalf of the Council, including entering into a contract for the receipt of the funds
Approval of expense claims and sensitive expenditure ⁷		Approve leasing/granting of leases & licenses							
Approval of progress payments on awarded contracts (excluding contracts approved by Council, a Committee or Tenders Panel), within approved budgets		Enter contracts for management of council property							
Expenditure type	Capex and Opex limit	Capex and Opex limit	Capex and Opex limit	Capex and Opex limit	Capex and Opex limit	Capex and Opex limit	Capex and Opex limit	Opex	Capex and Opex limit
Tenders Panel	Exceed \$1m in value ⁶	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Chief Executive	\$1m	\$1m	Subject to individual delegations made by resolution	\$100,000	\$1m	Yes	Yes ⁸	Yes	Unlimited
Tier 2 Group Managers	\$500,000	\$500,000	Subject to individual delegations made by resolution	\$50,000	\$500,000	Yes	Yes ⁸	Yes	\$500,000
Tier 3 - level 1 (Community Infrastructure)	\$300,000	\$300,000	Subject to individual delegations made by resolution	\$0	\$0	For permitted managers only	\$0	Yes	N/A
Tier 3 - level 2 (Other) ⁹	\$50,000	\$50,000	N/A	\$0	\$0	For permitted managers only	\$0	Yes	N/A
Project Delivery / Project Managers (Tier 4 Community Infrastructure) ⁵	\$0	\$50,000	N/A	\$0	\$0	No	\$0	N/A	N/A
Other Staff ²	\$0	\$20,000 maximum and subject to individual review	N/A	\$0	\$0	For permitted staff only	\$0	N/A	N/A

Notes:

1. Approved budgets means:
 - for operating expenditure, the overall Activity Balance (as shown in the Annual Activity Balance Report) operating expenditure budget
 - For capital expenditure, an individual project or programme's budgets for capital expenditure. Approved capital budgets includes any reallocated budget in line with the delegation provided for in column G.
 - A carry over report will be done annually around September
2. Subject to individual sub-delegation from managers and justification of the need to retain the delegation - up to \$20,000 maximum.
3. These limits apply to a single transaction or 'commitment'. A commitment cannot be split into two or more purchase orders or invoices. The whole transaction must be approved by a staff member with the appropriate delegated financial authority limit.
4. The financial limits covering the approval of progress payments for contracts approved by Council, Tenders Panel or committee, may include an amendment to delegated limits for staff set by way of resolution.
Financial delegation limits set by way of resolution are applicable to a contract and are time bound. They are not applicable for 'business as usual' approval of payments and purchase orders.
5. The group 'Project Delivery/Project Managers (Tier 4 Engineering)' include the following positions: Activity Planning Programme Leader, Asset Systems Team Leader, Road Maintenance Programme Leader, Team Leader - Water Supply and Wastewater, Team Leader Stormwater & Waste Management, Project Manager.
6. As per the Tenders Panel terms of reference, contracts/ tender approvals can also be directed to the Tenders Panel below \$1m in value if necessary, and where the type of procurement is a deviation from the Council Procurement Policy.
7. All Sensitive Expenditure, including expense claims and travel need to be managed in accordance with the Sensitive Expenditure and Reimbursement of Work Related Expenses policies and require manager/ 'one-up' approval. This is one up from the person who has, or could be perceived to receive the benefit.
8. 10% of an approved Activity capital budget (that are included in Annual and Long Term Plans) is possible up to a maximum net annual value of \$1m. This delegation is not affected by role financial delegation limits.
9. 'Tier 3 - level 2 (Other)' roles will have maximum delegated financial authority limit of \$50,000; with the exception of the Finance Manager, Reserves and Facilities Manager and Property Services Manager roles which have a \$100,000 financial delegated limit.



Part Four - Statutory Delegations

Statutory Delegations

Statutory delegations to staff may be made where:

- The responsibilities are expressly provided for in legislation; or
- The Council holds the power and delegates this responsibility to the Chief Executive
- Delegations to staff, if required by any enactment, are made through the Chief Executive by virtue of inclusion in this register

Statutory appointments occur where, by virtue of being an office holder, staff have duties and powers which are additional to any delegation. In those cases, staff are acting under appointment rather than delegation. Details of these delegations appear in the Tasman District Council's Appointments Register (internal use only).

From time to time staff position titles will change. Where the duties of the newly titled position remains substantially the same, the delegations will automatically transfer to that new position until such time as the Delegations Register is updated.

Amusement Devices Regulations 1978		
1	Power to inspect and licence amusement devices	Building Assurance Manager, Building Inspector, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Compliance, Team Leader Building Inspectors

Aquaculture Reform (Repeals and Transitional Provisions) Act 2004		
2	ss.10, 20,21 Power to review deemed coastal permits (and related procedures as provided for in the Act).	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
3	s.37 Power to request an aquaculture decision.	Group Manager Environmental Assurance, Resource Consents Manager
4	s.44B Power to notify Trustee to negotiate.	Group Manager Environmental Assurance
5	44(1)(b) Power to notify CEO of Ministry of Primary Industries when the allocation of authorisations to Trustee is completed	Group Manager Environmental Assurance
6	44(4) Power to extend period for negotiation	Group Manager Environmental Assurance

Aquaculture Reform (Repeals and Transitional Provisions) Act 2004		
7	44B(2)(b) Power to notify consent applicants to negotiate	Group Manager Environmental Assurance
8	44D(2)(b) Power to allocate authorisations to Trustees in accordance with agreement	Group Manager Environmental Assurance
9	s. 53 Power to approve off-site farm amendments.	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Natural Resources Consents

Biosecurity Act 1993		
11	s.82 Power to make recommendations to Council to approve and amend a pest management plan or declare a small scale management programme in accordance with section 82 of this Act.	Strategy and Policy Committee
12	s.103 Power to appoint authorised person.	Group Manager Environmental Assurance

Building Act 2004		
13	s.34 Power to issue a project information memorandum.	Building Assurance Manager, Building Consent Officer, Building Technical Officer, Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Senior Building Technical Officer, Team Leader Building Consents, Team Leader Building Inspectors, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
14	s.36 Power to issue development contribution notice.	Building Assurance Manager, Development Contributions Administrator, Group Manager Environmental Assurance, Regulatory Manager
15	s.37 Power to issue certificate if resource consent required.	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents

Building Act 2004		
16	s.38 Power to provide network utility operators or statutory authority copy of Project Information Memorandum	Building Assurance Manager, Building Consent Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Inspectors, Team Leader Compliance Monitoring
17	s.39 Power to advise Heritage New Zealand Pouhere Taonga	Building Consent Officer, Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Senior Building Technical Officer, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
18	s.46 Power to give notice to Fire and Emergency New Zealand (FENZ).	Administration Officer - Regulatory, Building Assurance Manager, Building Technical Officer, Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Compliance Monitoring, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Technical Lead
19	s.48 Power to request further information following receipt of application for building consent.	Building Assurance Manager, Building Inspector, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
20	s.48-52 Power to process and grant applications for building consent.	Building Assurance Manager, Building Consent Officer, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents, Technical Lead
21	s.59 Power to pay building consent levy.	Building Assurance Manager, Group Manager Environmental Assurance
22	s.62 Power to recover unpaid levies.	Building Assurance Manager, Group Manager Environmental Assurance

Building Act 2004		
23	s.67/68 Power to grant waivers or modifications.	Building Assurance Manager, Building Consent Officer, Building Inspector, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
24	s.71-73 Power in respect to building on land subject to natural hazard.	Building Assurance Manager, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents, Technical Lead
25	s.75-77 Power in respect of buildings over boundaries.	Building Assurance Manager, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents, Technical Lead
26	s.91-95 Power to process and approve Code Compliance Certificate.	Building Assurance Manager, Building Inspector, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
27	s.95A Power to refuse to issue code compliance certificate	Building Assurance Manager, Building Inspector, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
28	s.96-99 Power to process and approve certificates of acceptance.	Building Assurance Manager, Building Consent Officer, Building Inspector, Building Inspector - Compliance, Building Officer Compliance, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead

Building Act 2004		
29	ss.102,104,104A,106,107,109,111 Power in respect of compliance schedules	Building Assurance Manager, Building Inspector, Building Inspector - Compliance, Building Officer Compliance, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Compliance, Team Leader Building Inspectors, Technical Lead
30	ss.112,113,115,116 Power in relation to alterations to buildings and changes of use	Building Assurance Manager, Building Consent Officer, Building Inspector, Building Inspector - Compliance, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
31	ss.124, 126, 127, 129, 130 Power in relation to dangerous, affected, earthquake-prone or insanitary buildings.	Building Assurance Manager, Building Consent Officer, Building Inspector, Building Inspector - Compliance, Building Officer Compliance, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Compliance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
32	s.133AG Power to identify potentially earthquake prone buildings	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
33	s.133AH Power to request engineering assessment	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
34	s.133AI Power to cancel request for assessment	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
35	s.133AJ Power to grant extension of time	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead

Building Act 2004		
36	s.133AK Power to determine whether a building is earthquake prone	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
37	s.133AL Power to issue EPB notice	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
38	s.133AN Power to grant EPB exemption notice	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
39	s.133AO Powers in relation to heritage buildings	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
40	s.133AP Power to affix or remove or replace notice	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
41	s.133AQ Power to assess information and act accordingly	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
42	s.133AR Power to impose safety requirements	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
43	s.133AT Power in relation to earthquake prone buildings	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
44	s.136, 138 Power to approve or refuse to approve the classification of dams	Building Assurance Manager, Group Manager Environmental Assurance
45	s.143, 145 Power to approve or refuse to approve a dam safety assurance programme.	Building Assurance Manager, Group Manager Environmental Assurance
46	s.154, 156 Power in relation to dangerous dams.	Building Assurance Manager, Group Manager Environmental Assurance

Building Act 2004		
47	s.164, 167 Power in relation to notices to fix building work	Building Assurance Manager, Building Inspector, Building Inspector - Compliance, Building Officer Compliance, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Compliance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
48	s.177, 180 Power to apply to the Chief Executive of the Department of Building and Housing for a determination.	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
49	s.215, 241 Power to apply for accreditation	Group Manager Environmental Assurance
50	s.219 Power to impose a fee or charge	Building Assurance Manager, Group Manager Environmental Assurance
51	s.220, 221 Power to seek Court order on default and recover costs.	Building Assurance Manager, Group Manager Environmental Assurance
52	s.222 Powers of territorial authority to carry out inspections	Building Assurance Manager, Building Inspector, Building Inspector - Compliance, Building Officer Compliance, Senior Building Technical Officer, Team Leader Building Compliance, Team Leader Building Consents, Team Leader Building Inspectors
53	s.363A Power to allow public use of premises before issue of code compliance certificate in some circumstances	Building Inspector, Building Inspector - Compliance, Building Officer Compliance, Building Technical Officer, Group Manager Environmental Assurance, Team Leader Building Inspectors
54	s.371B Power to appoint enforcement officers authorised to issue infringement notices under s372 of the Building Act 2004	Building Assurance Manager, Group Manager Environmental Assurance, Team Leader Building Compliance, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead

Building Act 2004		
55	s.436 Power to issue code compliance certificates in respect of building work carried out under building consent granted under former Act (Transitional provision)	Building Assurance Manager, Building Inspector, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead
56	Schedule 1(2) Power to grant discretionary exemptions	Building Assurance Manager, Building Inspector - Compliance, Building Officer Compliance, Building Technical Officer, Group Manager Environmental Assurance, Senior Building Technical Officer, Team Leader Building Consents

Camping-Grounds Regulations 1987		
57	Power to register	Group Manager Environmental Assurance, Regulatory Manager, Team Leader Environmental Health
58	Regulation 11 Power to grant consents to erect or place a relocatable home on a relocatable home park site	Regulatory Committee
59	Power to grant exemptions under regulation 14	Group Manager Environmental Assurance

Covid-19 Recovery (Fast Track Consenting) Act 2020		
60	Power to respond to and provide information to the Minister for the Environment, in consultation with the Mayor and Chair of Operations and Regulatory Committees	Strategic Planning Manager, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Resource Consents Manager

Dog Control Act 1996		
61	ss.11 and 12 Power to appoint dog control officers and dog rangers	Group Manager Environmental Assurance
62	s.21 Power to classify any person as a probationary owner.	Group Manager Environmental Assurance, Regulatory Manager
63	s. 22 Power to hear and determine objections to classification as a probationary owner.	Regulatory Committee

Dog Control Act 1996		
64	s.23A Power to require dog owner education	Group Manager Environmental Assurance, Regulatory Manager
65	s.25 Power to disqualify any person from being the owner of any dog	Group Manager Environmental Assurance, Regulatory Manager
66	s.26 Power to hear and determine objections to disqualification	Regulatory Committee
67	s.31 Power to classify any dog as a dangerous dog	Group Manager Environmental Assurance, Regulatory Manager
68	s.31(3) Power to hear and determine objections to classification of a dog as dangerous	Regulatory Committee
69	s.32(1)(a) Power to consent to the disposal of a dangerous dog	Administration Officer - Regulatory, Group Manager Environmental Assurance, Regulatory Manager
70	s.33A Power to classify a dog as menacing	Group Manager Environmental Assurance, Regulatory Manager
71	s.33B Power to hear and determine objections to classification of a dog as menacing.	Regulatory Committee
72	s.33C Power to identify a dog being of a breed listed in Schedule 4	Administration Officer - Regulatory, Group Manager Environmental Assurance, Regulatory Manager
73	s.33D Power to hear and determine objections to classification of a dog as belonging to a breed listed in Shedule 4 and classified as menacing	Regulatory Committee
74	s.35 Power to provide register information and to determine whether or not a dog should be delivered into the custody of a Dog Control Officer or Dog Ranger	Administration Officer - Regulatory, Group Manager Environmental Assurance, Regulatory Manager
75	s.39 Power to issue refunds or reduce fees	Administration Officer - Regulatory, Group Manager Environmental Assurance, Regulatory Manager
76	s.40 Power to require a written statement that a dog is a working dog of a specified class and to require production of a certificate that a dog has been neutered	Administration Officer - Regulatory, Group Manager Environmental Assurance, Regulatory Manager

Dog Control Act 1996		
77	s.46 Power to issue a replacement label or disc	Administration Officer - Regulatory, Group Manager Environmental Assurance, Regulatory Manager
78	s.66 Power to commence proceedings in accordance with Section 21 of the summary Proceedings Act 1957 where an infringement notice has been issued	Group Manager Environmental Assurance, Regulatory Manager
79	s.69 Power to dispose of any dog	Group Manager Environmental Assurance, Regulatory Manager
80	s.71-73 Power to authorise retention of a dangerous dog	Group Manager Environmental Assurance, Regulatory Manager

Food Act 2014		
81	All the Council's powers, duties and functions conferred or imposed upon Council under the Food Act 2014	Regulatory Committee
82	s.54, Clause 3, Schedule 4 Power to refuse application for registration.	Environmental Health Officer, Regulatory Manager, Team Leader Environmental Health
83	S.55 Power to require further information and allow further time before determining whether or not to register a food control plan.	Environmental Health Officer, Regulatory Manager, Team Leader Environmental Health
84	ss. 55-57, 60-61 Power to register food control plan or not to register, and impose and vary conditions, and decide duration	Environmental Health Officer, Regulatory Manager, Team Leader Environmental Health
85	ss.59 Power to determine and advise date of registration	Administration Officer - Regulatory, Environmental Health Officer, Regulatory Manager, Team Leader Environmental Health
86	ss.62-63, 65, Cl.4-6, 9, Sch.4 Power to suspend operations under registered food control plan and give directions	Regulatory Manager, Team Leader Environmental Health
87	ss.67, 69-70, Cl.10, Sch.4 Power to cancel registration and give directions	Group Manager Environmental Assurance, Regulatory Manager
88	s.84 Power to refuse application for registration of food business subject to national programme	Environmental Health Officer, Regulatory Manager, Team Leader Environmental Health

Food Act 2014		
89	s.85 Power to require further information and allow further time before determining whether or not to register the food business to which the applicant's application for registration relates.	Environmental Health Officer, Regulatory Manager, Team Leader Environmental Health
90	ss. 86-89 Power to register business subject to national programme or not to register, and impose and vary conditions.	Environmental Health Officer, Regulatory Manager, Team Leader Environmental Health
91	ss.90-91, 93 Power to suspend operations of business subject to national programme and give directions.	Regulatory Manager, Team Leader Environmental Health
92	ss.95-97 Power to cancel registration business subject to national programme and give directions	Group Manager Environmental Assurance, Regulatory Manager
93	s.250 Power to file charging document	Group Manager Environmental Assurance
94	s.331 Power to apply for Compliance Order	Group Manager Environmental Assurance

Food Hygiene Regulations 1974		
95	Regulation 6 Power to issue certificates of exemption.	Group Manager Environmental Assurance

Freedom Camping Act 2011		
96	s.39 Power to decide the return of seized or impounded property	Group Manager Environmental Assurance, Regulatory Manager
97	s.40 Power to dispose of seized or impounded property	Group Manager Environmental Assurance, Regulatory Manager

Gambling Act 2003 and associated regulations		
98	Power to have a policy relating to gambling venues within Tasman District	Strategy and Policy Committee

Health Act 1956		
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99	s.28 Power to appoint environmental health officer.	Group Manager Environmental Assurance
100	s.41 Power to issue cleansing order.	Group Manager Environmental Assurance
101	s.42 Power to issue repairs or cleansing order.	Group Manager Environmental Assurance, Regulatory Manager, Team Leader Environmental Health
102	s.45 Powers in relation to the determination of a closing order	Regulatory Committee
103	s.48 Powers in relation to issuing a demolition order	Regulatory Committee
104	s.54 Powers in relation to the restriction and control of the carrying on of offensive trades	Regulatory Committee
105	s.58 Powers in relation to the restriction and control over the establishment or alteration of stock yards	Regulatory Committee

Health (Hairdressers) Regulations 1980

106	Regulation 4 Power to issue certificates of exemption.	Group Manager Environmental Assurance, Regulatory Manager
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Health (Registration of Premises) Regulation 1966

107	Clause 3 Power to issue certificates of registration.	Group Manager Environmental Assurance, Regulatory Manager, Team Leader Environmental Health
108	Regulation 9 Powers in relation to the service of notice and the hearing of submission made by the recipient of any such notice	Regulatory Committee

Heavy Vehicle Regulation 1974

109	s.10(5) Powers relating to prohibiting heavy vehicles on specific roads	Regulatory Committee
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Housing Accords and Special Housing Areas Act 2013 (ref RMA '91)		
110	s.26 Power to require an applicant to submit a request for a plan change or variation	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager
111	s.29 Power to decide to notify persons in accordance with the provisions of Section 29	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager
112	s.30 Power to determine whether a formal hearing is needed and to determine hearing date, time and location.	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Principal Resource Consents Advisor, Resource Consents Manager
113	s.34 Power to direct infrastructure providers to provide information.	Consent Planner, Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
114	s.36 (subject to s.34(2)) Power to grant or refuse resource consent	Consent Planner, Group Manager Environmental Assurance, Environmental Policy Manager, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
115	s.37 Power to include conditions on resource consents	Consent Planner, Group Manager Environmental Assurance, Environmental Policy Manager, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
116	s.53 Power to notify and hold a hearing on review	Group Manager Environmental Assurance, Environmental Policy Manager, Principal Resource Consents Advisor, Resource Consents Manager

Housing Accords and Special Housing Areas Act 2013 (ref RMA '91)		
117	s.58 Power to grant a Certificate of Compliance	Consent Planner, Group Manager Environmental Assurance, Environmental Policy Manager, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
118	s.77 Power to set charges, provide estimates, remit the whole or any part of any charge	Group Manager Environmental Assurance, Environmental Policy Manager, Resource Consents Manager

Housing Improvement Regulations 1947		
119	Power to act in lieu of local authority	Group Manager Environmental Assurance, Regulatory Manager, Team Leader Environmental Health

Impounding Act 1955		
120	ss.8-9 Power to appoint pound-keeper and deputy.	Group Manager Environmental Assurance
121	s.46(1) and Form 3 Power to sign notice to the owner of impounded stock.	Group Manager Environmental Assurance, Regulatory Manager
122	s.46(2) and Form 4 Power to sign notice of impounding and of proposed sale of impounded stock.	Group Manager Environmental Assurance, Regulatory Manager

Land Transport Act 1998		
124	s.128D Power to appoint parking wardens.	Group Manager Environmental Assurance
125	Power to waive fines.	Group Manager Environmental Assurance, Regulatory Manager

Land Transport Management Act 2003		
126	All Council's powers, duties and functions as conferred or imposed upon it under the act and associated regulation and rules (as related to the functions of the committee).	Strategy and Policy Committee

Litter Act 1979		
127	s.5 Power to appoint Litter Control Officers.	Group Manager Environmental Assurance
128	s.8 Power to appoint Litter Wardens.	Group Manager Environmental Assurance
129	Section 10 Power to serve or cause to be served a notice to clear litter pursuant to sub-section (1) of this Section and to hear any objections to the requirements of such notice made pursuant to sub-section (3) of this section.	Regulatory Committee

Local Electoral Act 2001		
130	s.12 Authority to exercise the powers and carry out the duties conferred by this Act.	Operational Governance Manager
131	Parts 1A and 2 All Council's powers, duties and functions conferred or imposed upon it under Parts 1A and 2 of the Local Electoral Act 2002, in relation to the functions of the Committee.	Strategy and Policy Committee

Local Government (Rating Act) 2002		
132	s.27(5) Power to decide whether to divide rating units and the methodology for division.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Revenue Accountant
133	s.28(2) Power to decide whether the disclosure of the name of any person is necessary to identify a rating unit.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Rates Officer, Revenue Accountant
134	s.28(3) Authority to determine a fee for being supplied a copy of Rating Information Database (RID) data.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Revenue Accountant
135	s.29 Authority to determine objections to the Rating Information Database.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Revenue Accountant, Team Leader Utilities Administration

Local Government (Rating Act) 2002		
136	s.35 Authority to remove a name from the Rating Information Database.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Finance Officer - Accounts Receivable and Revenue, Finance Officer - Banking and Revenue, Finance Officer - Rates and Revenue, Rates Officer, Revenue Accountant, Revenue Officer, Utilities Billing Officer, Water Billing Officer
137	s.39 Authority to determine objections to rates records.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Revenue Accountant
138	s.40 Authority to correct errors in the Rating Information Database and Rate Records.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Finance Officer - Accounts Receivable and Revenue, Finance Officer - Banking and Revenue, Finance Officer - Rates and Revenue, Rates Officer, Revenue Accountant, Revenue Officer, Utilities Billing Officer, Water Billing Officer
139	s.52(2) Authority to agree methods of payments for rates.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Rates Officer, Revenue Accountant
140	s.54 Authority not to collect small amounts.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Revenue Accountant
141	s.61 Authority to collect unpaid rates from the owner.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Finance Officer - Banking and Revenue, Rates Officer, Revenue Accountant, Revenue Officer

Local Government (Rating Act) 2002		
142	s.62 Authority to collect unpaid rates from persons other than the owner.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Finance Officer - Banking and Revenue, Rates Officer, Revenue Accountant, Revenue Officer
143	s.63 Authority to commence legal proceedings for the recovery of rates that are in default.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager
144	s.67 Authority to commence rating sale or lease provisions.	Chief Executive (includes Acting Chief Executive), Group Manager Finance
145	s.72 Authority to sell land by private treaty.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Property Services Manager
146	ss.77-83 Authority to sell abandoned land.	Chief Executive (includes Acting Chief Executive), Group Manager Finance
147	ss.85, 87, 114-115 Authority to administer rate remission and postponement policies.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Finance Officer - Accounts Receivable and Revenue, Finance Officer - Banking and Revenue, Finance Officer - Rates and Revenue, Rates Officer, Revenue Accountant, Revenue Officer, Utilities Billing Officer, Water Billing Officer
148	s.99 Authority to apply for charging orders.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Revenue Accountant
149	s.135 Authority to sign documents for court proceedings.	Chief Executive (includes Acting Chief Executive), Group Manager Finance, Finance Manager, Property Services Manager

Local Government Act 1974		
150	s.342(1)(b) & Sch.10 Cl.11, 11A&B Power to temporarily stop or close any road or part thereof in the manner and upon the conditions set out in section 342(1)(b) and Schedule 10 clauses 11, 11A and 11B.	Group Manager Community Infrastructure, Transportation Manager
151	s.326(10) Power to sign the receipt to be endorsed on the memorandum of charge in respect of road betterment.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure
152	s.335(1) Power to give notice requiring the occupier/owner to pay money to the Council for the cost of construction of a vehicle crossing by the Council.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Transportation Manager
153	s.335(9) Power to give notice to the occupier/owner of the Council's intention to remove a vehicle crossing at the Council's expense.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Transportation Manager
154	s.355 Power to give notice requiring the removal of overhanging trees.	Chief Executive (includes Acting Chief Executive), Compliance and Investigations Officer, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Reserves and Facilities Manager, Team Leader Compliance Monitoring, Transportation Manager
155	s.374 Powers in relation to transport shelters	Regulatory Committee
156	Tenth Schedule Powers in relation to road stopping	Regulatory Committee
157	s.461(1) Power to furnish certificate of land served by a private drain.	Chief Executive (includes Acting Chief Executive), Consent Planner, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Utilities Manager
158	468(1) Power to give notice to occupier to remove tree roots obstructing public drains	Chief Executive (includes Acting Chief Executive), Compliance and Investigations Officer, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Environmental Information Manager, Team Leader Compliance Monitoring, Utilities Manager

Local Government Act 1974		
159	s.511 Power to order removal of obstruction from water course.	Chief Executive (includes Acting Chief Executive), Compliance and Investigations Officer, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Environmental Information Manager, Team Leader Compliance Monitoring, Utilities Manager
160	All Council's powers, duties and functions conferred or imposed upon it under the Local Government Act, in relation to the operational functions of the Committee (e.g. roading, public transport and land drainage)	Operations Committee

Local Government Act 2002		
161	s.106(2B) Power to amend development contributions, and to notify the decision under section 106(2C)	Strategic Policy Manager, Group Manager Service and Strategy, Group Manager Environmental Assurance, Regulatory Manager
162	s.150A Power to recover actual and reasonable costs in respect of a development contributions objection	Chief Executive (includes Acting Chief Executive), Group Manager Service and Strategy, Group Manager Community Infrastructure, Group Manager Environmental Assurance
162	s.163 Power to authorise removal of works.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Group Manager Environmental Assurance
164	ss.167-168 Power to decide on seized and impounded property and any disposition.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Group Manager Environmental Assurance
165	s.171 Power to authorise entry on to land (other than a dwelling house).	Strategic Planning Manager, Chief Executive (includes Acting Chief Executive), Group Manager Service and Strategy, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Environmental Information Manager, Project Delivery Manager, Regulatory Manager, Resource Consents Manager, Rivers and Coastal Engineer, Team Leader Compliance Monitoring, Team Leader Environmental Health, Transportation Manager, Utilities Manager

Local Government Act 2002		
166	s.173 Power to enter land in an emergency.	Strategic Planning Manager, Building Inspector, Building Inspector - Compliance, Building Officer Compliance, Building Technical Officer, Compliance and Investigations Officer, Chief Executive (includes Acting Chief Executive), Group Manager Service and Strategy, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Environmental Information Manager, Project Delivery Manager, Property Services Manager, Regulatory Manager, Resource Consents Manager, Rivers and Coastal Engineer, Team Leader Building Compliance, Team Leader Building Inspectors, Team Leader Compliance Monitoring, Team Leader Environmental Health, Transportation Manager, Utilities Manager
167	s.175 Power to recover costs of damage.	Chief Executive (includes Acting Chief Executive), Tier 2 Group Managers
168	s.177 Power to appoint Enforcement Officer.	Group Manager Environmental Assurance
169	s.179 Power to authorise the contracting out of regulatory functions subject to discussion with the Mayor and relevant Chairperson.	Chief Executive (includes Acting Chief Executive), Group Manager Environmental Assurance
170	s.181 Power to authorise construction of works on private land.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Group Manager Environmental Assurance
172	ss.185-186 Power to authorise works in default of instruction.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Group Manager Environmental Assurance
173	s.187 Power to recover cost of works	Chief Executive (includes Acting Chief Executive), Tier 2 Group Managers
174	ss.193-194 Power to restrict/stop water service.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Utilities Manager

Local Government Act 2002		
175	s.196 Power to authorise discharge of trade waste.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Group Manager Environmental Assurance, Utilities Manager
176	s.198 Power to determine and impose a development contribution in respect of residential units of demand under the Development Contributions Policy prepared in accordance with section 106 of the Local Government Act 2002.	Strategic Policy Manager, Administration Officer - Regulatory, Building Assurance Manager, Chief Executive (includes Acting Chief Executive), Consent Planner, Group Manager Service and Strategy, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Regulatory Manager, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
177	Joint power to determine and impose a development contribution in respect of non-residential units of demand and any other matters under the Development Contributions Policy prepared in accordance with section 106 of the Local Government Act 2002. (Must be authorised by two (2) of the following roles: Chief Executive, Group Manager Service and Strategy, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Regulatory Manager, Strategic Planning Manager)	Strategic Policy Manager Chief Executive (includes Acting Chief Executive), Group Manager Service and Strategy, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Regulatory Manager, Strategic Policy Manager
178	Joint power to decide on any other matters under the Development Contributions Policy prepared in accordance with section 106 of the Local Government Act 2002. (Must be authorised by two (2) of the following roles: Chief Executive, Group Manager Service and Strategy, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Regulatory Manager, Strategic Planning Manager, Development Engineer)	Strategic Policy Manager, Chief Executive (includes Acting Chief Executive), Development Engineer, Group Manager Service and Strategy, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Regulatory Manager
179	s.199H and Sch.13A Cl.2 Power to select a development contributions commissioner	Group Manager Environmental Assurance
180	s.199I Power to provide information upon request of development contribution commissioner and to appear at objection hearing on behalf of the Council	Strategic Policy Manager, Development Engineer, Regulatory Manager, Senior Activity Planning Advisor

Local Government Act 2002		
181	s.201A Power to amend Schedule of Assets and determine form of disclosure	Strategic Policy Manager, Group Manager Community Infrastructure
182	s.207A and s.207B Power to enter into, and respond to, a development agreement	Strategic Policy Manager, Group Manager Community Infrastructure, Group Manager Environmental Assurance, Resource Consents Manager
183	s.215 Power to apply for Removal Order.	Group Manager Environmental Assurance
184	Sch.13, Cl. 1(4) Power to decide to receive late development contribution submission	Strategic Policy Manager, Group Manager Environmental Assurance, Resource Consents Manager
185	All Council's powers, duties and functions conferred or imposed upon it under the Local Government Act, in relation to the functions of the Committee (e.g. Part 8 provisions relating to Bylaws and Development Contribution appeals)	Regulatory Committee
186	All Council's powers, duties and functions conferred or imposed upon it under the Local Government Act, in relation to the functions of the Committee (e.g. Part 9 provisions relating to offences, penalties, infringement offences and legal proceedings in relation to water metering)	Operations Committee

Local Government Official Information and Meetings Act 1987		
187	s.44A Power to issue land information memoranda.	Customer Services Manager, Customer Services Officer, Group Manager Environmental Assurance, Team Leader Customer Services

Marine Protection Rules		
188	130B.5(2) Power to require additional information to support an application for approval of a site marine oil spill contingency plan	Regulatory Manager
189	130B.10(3)(b)(ii) Power to approve modifications to site marine oil spill contingency plan	Regulatory Manager

Maritime Transport Act 1994		
190	ss.33D & 33G Authority to appoint Harbourmasters and Enforcement Officers	Group Manager Environmental Assurance
191	s.33I Power to carry out works for the purpose of ensuring maritime safety.	Harbourmaster, Transportation Manager
192	s.33J & 33L Authority to remove Wrecks and Abandoned Ships	Harbourmaster, Regulatory Manager
193	s.270(1) Power to issue marine protection document by way of approval of a site marine oil spill contingency plan (“site plan document”) in accordance with rule 130B.7 of the Marine Protection Rules	Regulatory Manager
194	s.272(1) Power to suspend or impose conditions on site plan document	Regulatory Manager
195	s.272(3) Power to suspend site plan document for a further period or impose further conditions	Regulatory Manager
196	s.275(1) Powers to amend or revoke site plan document as requested in writing by holder of site plan document, and to amend site plan document to correct clerical errors or obvious mistakes	Regulatory Manager
197	s.275(2) Power to amend or revoke site plan document to reflect that privileges or duties relating to the document are no longer being carried out or are able to be carried out	Regulatory Manager
198	ss.300, 305, 311, 318(3) Authority to carry out the functions and powers of Regional On Scene Commanders	Regulatory Manager
199	s.318(1) Authority to appoint of Regional On Scene Commanders	Chief Executive (includes Acting Chief Executive), Group Manager Environmental Assurance
200	s.396(1) Power to require holder of site plan document to undergo, or carry out, inspections or audits considered necessary relating to that plan	Regulatory Manager

Maritime Transport Act 1994		
201	s.396(2) Power to carry out an inspection or audit in respect of any person holding, or required to hold, a site plan document	Regulatory Manager
202	s.396(3a) Power to require information relevant to an inspection or audit	Regulatory Manager

Psychoactive Substances Act 2013		
203	Power to have a policy relating to the sale of approved products within Tasman District.	Strategy and Policy Committee

Navigation Safety Bylaw 2015		
204	Power to issue licences under the Navigation Safety Bylaw 2015 and grant exemptions etc.	Administration Officer - Regulatory, Group Manager Environmental Assurance, Harbourmaster, Regulatory Manager

Public Works Act 1981		
205	s.19(8) Power to sign compensation certificates.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
206	s.23(1) (c) & First Schedule Power to sign notices of intention to take land for essential work to include all preceding steps as prescribed under this Act.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
207	s.26(1)(c)(ii) Power to sign requests to take land by proclamation.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
208	s.26(1)(c)(iii) Power to make a statutory declaration to a company requested to take land by proclamation.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
209	s.52(4) Power to sign requests to Minister of Conservation/Minister of Transport to declare that land already held for a public work be held for another public work.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager

Public Works Act 1981		
210	s.52(7) Power to make a statutory declaration that the Council is authorised by law to undertake work for which it is proposed to set crown land aside.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
211	s.107 & s.109 Power to execute certificates of grants for land.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
212	s.111 Powers of entry onto private land for other survey and investigation purposes	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Group Manager Environmental Assurance, Property Services Manager
213	s.115(9) Power to sign certificates or notices of discharge.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
214	s.204(1) Power to prepare a special roll of ratepayers for a poll in respect of a proposed irrigation scheme.	Chief Executive (includes Acting Chief Executive), Chief Operating Officer

Reserves Act 1977		
215	Power to grant or decline permits (other than leases and licences) for activities on Council reserves.	Group Manager Community Infrastructure, Reserves and Facilities Manager
216	Power to require bonds for any use on Council Reserves.	Group Manager Community Infrastructure, Reserves and Facilities Manager
217	Power to make decisions on the location of floodlights on sports grounds, subject to any resource consents.	Group Manager Community Infrastructure, Reserves and Facilities Manager
218	Power to authorise the planting and removal of trees from any reserve or other property under the Community Infrastructure Group's control.	Group Manager Community Infrastructure, Reserves and Facilities Manager
219	s.6(3) Power to revoke a Gazette notice and issue a fresh notice or amend the original notice.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
220	s.8(9) Power to appoint rangers.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure Group Manager Environmental Assurance
221	s.14 Power to declare land vested in the local authority to be a reserve.	Strategy and Policy Committee

Reserves Act 1977		
222	s.14(4) Power to gazette resolution to declare vested land to be reserve.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
223	s.15(1) Power to authorise or decline to authorise, by Gazette notice, the exchange of land in any reserve or any part(s) of a reserve for any other land to be held for purposes of that reserve.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
224	s.15(3) Power to do all things necessary to effect any exchange authorised by the local authority under Section 15(1) of the Act including the payment or receipt of any money by way of equality of exchange.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
225	s.16(1) N.B. 16(2) and 16(2A) unaffected Power to classify, by Gazette notice, according to their principal or primary purpose all reserves.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure
226	s.16(4) Power to, before classifying any reserve under subsection (1), give public notice in accordance with section 119 specifying the classification proposed,	Chief Executive (includes Acting Chief Executive), Group Manager Service and Strategy, Group Manager Community Infrastructure,
227	s.18(2)(e) Power to decide whether the indigenous flora and fauna and natural environment shall as far as possible be preserved (Historic Reserves)	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Reserves and Facilities Manager
228	ss.19(2)(a) and 19(3)(a) Power to decide whether the indigenous flora and fauna and natural environment shall as far as possible be preserved (Scenic Reserves)	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Reserves and Facilities Manager
229	s.24(a) Power to change the purpose of a reserve	Strategy and Policy Committee
230	s.25(1) Upon revocation of the reservation of any public reserve (or part of one) pursuant to Section 24 Reserves Act, power to dispose of that land in such manner and for such purpose as the Council (on behalf of the Minister) specifies	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager
231	s.40 Power to exercise the functions of an administering body under the Reserves Act 1977	Strategy and Policy Committee

Reserves Act 1977		
232	s.41 Power to initiate reserve management plan reviews and appoint hearing panels, and to recommend to Council the adoption of a draft plan for consultation or to approve a final plan.	Strategy and Policy Committee
233	s.42(1) Power to give or decline to give express written consent to the cutting or destruction of trees and bush on any historic, scenic, nature, or scientific reserve. Authority to determine terms and conditions subject to which written consent is given.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Reserves and Facilities Manager
234	ss.44(1)&(2) Power to allow a person to use a reserve, or any building, vehicle, boat, caravan, tent, or structure situate thereon, for purposes of permanent or temporary personal accommodation; and allow that person, building, vehicle, boat, caravan, tent or structure to remain for a total period of more than 4 weeks during the period commencing on 1 November in any year and ending with 31 March.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Reserves and Facilities Manager
235	s.45 Power to give or decline to give prior approval to administering body to erect, or authorise any voluntary organisation or educational institution to erect shelters, huts, cabins, lodges etc., on any recreation or scenic reserve.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager
236	s.48 Power to act on behalf of Tasman District Council in relation to granting of rights of way and other easements.	Regulatory Committee
237	s.48(1) Power to consent or refuse consent to administering body granting rights of way and other easements over any part of a vested reserve for any of the purposes specified in section 48(1). Power to impose such conditions as it thinks fit in giving the consent.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager
238	s.48A Power to act on behalf of Tasman District Council in relation to use of reserve for communications station.	Regulatory Committee

Reserves Act 1977		
239	<p>s.48A(1)</p> <p>Power to consent or refuse consent to administering body granting a licence over a vested reserve to any person or department of State: (a) To erect, maintain and use buildings, dwellings, masts and other structures and plant and machinery; and (b) To construct, maintain, and use tracks and engage in other works – for any of the purposes specified in section 48A(1).</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
240	<p>s.48A(3)</p> <p>Power to approve terms and conditions determined by the administering body.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
241	<p>s.49</p> <p>Power to grant or decline to grant in writing any qualified person a right to take specified specimens of flora or fauna or rock mineral from a reserve for scientific or educational purposes. Form opinion as to whether qualified person has the necessary credentials. Impose conditions on the grant in writing.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
242	<p>s.50(1)</p> <p>Power to authorise or decline to authorise any person to take and kill any specified kind of fauna that may be found in any scenic or historic reserve. Authorise or decline to authorise the use of firearms, traps, nets or other like objects within reserve for the foregoing purposes.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure Reserves and Facilities Manager</p>
243	<p>s.51(1)</p> <p>Power to authorise or decline to authorise in writing an administering body to introduce indigenous flora or fauna or exotic flora into any scenic reserve for any of the purposes referred to in section 51(1). Impose conditions on the giving of the authorisation.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Reserves and Facilities Manager</p>
244	<p>s.52(1)</p> <p>Power to declare by Gazette notice that any two or more reserves, or parts of two or more reserves and the whole of one or more other reserves, are to be united to form one reserve.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure</p>
245	<p>s.53</p> <p>Powers under section 53 in respect of recreation reserves</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure Reserves and Facilities Manager</p>

Reserves Act 1977		
246	<p>s.54(1)</p> <p>Power to give or decline to give prior consent to administering body, in the case of a recreation reserve vested in it, to grant leases for any of the purposes specified in paragraphs (a), (b), (c) and to grant a lease or licence for any of the purposes specified in paragraph (d) and to exercise all powers of the Minister referred to in the First Schedule that pertain to leases under Section 54(1)(a), (b), (c) and (d).</p> <p>Give or decline prior consent to administering body permitting, in a lease, the erection of buildings and structures for sports, games or public recreation not directly associated with outdoor recreation.</p> <p>Consent or decline consent to variations or amendments to leases and consent to the carrying out of any other necessary actions arising out of the leases consistent with the First Schedule, Reserves Act.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
247	<p>s.55-58A</p> <p>Powers and leasing powers for recreation, scenic, nature and historic reserves.</p>	<p>Regulatory Committee</p>
248	<p>ss.55(2)(a),(d),(e),(f),(g),(i).</p> <p>Power to give or decline to give prior consent to the setting apart of areas for, and the construction or development of, public facilities and amenities in scenic reserves.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
249	<p>s.56(1)</p> <p>Power to give or decline prior consent to administering body, in the case of a scenic reserve vested in it, to grant leases or licences for the purposes set out in Section 56(1) and to exercise all powers of the Minister referred to in the First Schedule, Reserves Act.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
250	<p>s.56(2)</p> <p>Power to give public notice in accordance with Section 119 of the Reserves Act.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>

Reserves Act 1977		
251	<p>s.58A(1)</p> <p>Power to give or decline prior consent to administering body, in the case of a historic reserve vested in it, to grant leases or licences for the purposes specified in that subsection. Consent or decline consent to variations or amendments to leases and licences and consent to the carrying out of any other necessary actions arising out of the leases and licences, consistent with the First Schedule, Reserves Act.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
252	<p>s.59A(1)</p> <p>In accordance with Part IIB Conservation Act 1987, power to grant or refuse a concession in respect of any reserve controlled or managed by an administering body under Section 28 Reserves Act so that the administering body may apply Part IIIB as if references in that part to a conservation area were references to the Minister of Conservation and to the Director-General of Conservation are references to an administering body.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
253	<p>s.61</p> <p>Powers (including leasing) in respect of local purpose reserves.</p>	<p>Regulatory Committee</p>
254	<p>s.64</p> <p>Administering body may purchase land on derred payments.</p>	<p>Regulatory Committee</p>
255	<p>s.67(1)(b)</p> <p>Power to consent or decline consent to lease of recreation reserve set apart for race course purposes, to a racing club.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure Property Services Manager, Reserves and Facilities Manager</p>
256	<p>s.73</p> <p>Powers in relation to leasing of recreation reserves for farming, grazing, afforestation, or other purposes.</p>	<p>Regulatory Committee</p>

Reserves Act 1977		
257	<p>s.73(1)</p> <p>Power to consent or decline prior consent to an administering body granting a lease of recreation reserve in the circumstances specified in Section 73(1), where the reserve is vested in the administering body, and consent or decline consent to an administering body granting a lease in the circumstances specified in Section 73(1) in all other cases. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under Section 73(1).</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
258	<p>s.73(2)</p> <p>Power to consent or decline prior consent to an administering body granting a lease of recreation reserve for afforestation where the reserve is vested in the administering body, and consent or decline consent to an administering body granting a lease of recreation reserve for afforestation purposes in all other cases. Exercise all powers of the Minister referred to it in the First Schedule that pertain to leases under Section 73(2).</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
259	<p>s.73(3)</p> <p>Power to form opinion as to whether recreation reserve is not likely to be used for purposes of recreation reserve. Consent or decline consent to administering body granting leases of whole or part of reserve vested in administering body. rant or decline to grant leases of whole or part of a reserve held under an appointment to control and manage. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under Section 73(3).</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure Reserves and Facilities Manager</p>
260	<p>s.73(5)</p> <p>Power to consent or decline consent in writing to a member of an administering body becoming the lessee of any land under the control of that body.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager</p>
261	<p>s.73(6)</p> <p>Power to consent or decline consent to surrender lease.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure Property Services Manager, Reserves and Facilities Manager</p>
262	<p>s.74</p> <p>Powers in relation to licences to occupy reserves temporarily.</p>	<p>Regulatory Committee</p>

Reserves Act 1977		
263	s.74(1)(b)(ii) Power to consent or decline consent to granting of licence to occupy historic, scenic or scientific reserve.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager
264	s.106-108 Power to initiate a bylaw and appoint hearings panels and adopt a draft bylaw for consultation, and to recommend to the Council that it adopt a final bylaw.	Regulatory Committee
265	s.121 Where under the provisions of the Reserve Act consent or approval is required, power to give consent or approval subject to such conditions as are thought fit.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Property Services Manager, Reserves and Facilities Manager
266	Power to act on behalf and in lieu of the Council in regard to exercising the relevant delegations issued to local authorities by the Minister of Conservation on 8 July 2013.	Strategy and Policy Committee, Regulatory Committee
267	The power to exercise the delegations in relation to reserves issued to local authorities by the Minister of Conservation on 8 July 2013.	Strategy and Policy Committee

Resource Management Act 1991		
268	excl.s.168A Authority to act within their scope of responsibility, as a Requiring Authority, including giving the written consent of the Council for the use of land being subject to a requirement or designation.	Chief Executive (includes Acting Chief Executive), Tier 2 Group Managers
269	s.10(2)(b) Power to granting a time extension to existing use.	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents
270	s.27 Power to supply information as requested by the Minister	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Regulatory Manager, Resource Consents Manager
271	s.34A Power to delegate powers and functions to employees and other persons	Chief Executive (includes Acting Chief Executive), Group Manager Environmental Assurance

Resource Management Act 1991		
272	<p>s.34A(1)</p> <p>Power to appoint and delegate the functions and powers of the Council to one or more Hearing Commissioners to hear and decide on any application for resource consent or to hear and recommend on any private plan change request that was accepted by Council. Such appointments shall be made following following consultation with the Chairperson of the Regulatory Committee.</p>	<p>Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner – Resource Consents</p>
273	<p>s.36</p> <p>Power to fix administrative charges</p>	<p>Regulatory Committee</p>
274	<p>s.36 & 36AAA</p> <p>Power to set additional charges, provide estimates, and make decisions on non-performance pending payment of charge.</p>	<p>Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents</p>
275	<p>s.36AAB</p> <p>Power to remit the whole or part of any charge, and to not commence or continue processing resource consent applications or private plan change applications if insufficient money has been paid as required by Council's schedule of charges. Note: When using this provision the application remains effectively "on hold" until the correct payment is made by the applicant.</p>	<p>Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Natural Resources Policy, Team Leader Resource Consents, Team Leader Subdivision Consents, Team Leader Urban & Rural development</p>
276	<p>s.36(7)</p> <p>Power to not commence or continue processing resource consent applications if insufficient money has been paid as required by Council's schedule of charges. Note: When using this provision the application remains effectively "on hold" until the correct payment is made by the applicant.</p>	<p>Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Natural Resources Policy, Team Leader Resource Consents, Team Leader Subdivision Consents, Team Leader Urban & Rural development</p>
277	<p>s.37</p> <p>Power to extend or waive time periods.</p>	<p>Consent Planner, Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents</p>

Resource Management Act 1991		
278	s.38 Authorisation of Enforcement Officer.	Group Manager Environmental Assurance
279	ss.41B & 41C In consultation with the Chairperson of a hearing panel or a sole Commissioner, power to issue directions or requests to applicants and/or submitters, including to provide briefs of evidence before commencement of a hearing, and to direct certain procedural aspects of the hearing before the hearing	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Resource Consents Advisor, Resource Consents Manager
280	s.41D The power to strike out a submission.	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner – Resource Consents
281	s.42 Power to respond to requests to protect sensitive information.	Group Manager Environmental Assurance, Group Manager Service and Strategy, Principal Resource Consents Advisor, Resource Consents Manager, Principal Planner – Resource Consents
282	s.42A Power in relation to requiring or commissioning a report on any matter described in section 39(1).	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents
283	ss.58(2) & (7) If so directed by a national planning standard, power to amend any planning document.	Group Manager Service and Strategy, Environmental Policy Manager
284	s.87BA Power to decide and give notice on boundary activities	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
285	s.87BB Power to decide and give notice on deemed marginal or temporary permitted activities	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents

Resource Management Act 1991		
286	<p>Section 87E</p> <p>In consultation with the Chairperson or deputy chair of the Regulatory Committee, power to grant or decline requests for applications to be determined by the Environment Court instead of by the Consent Authority.</p>	Group Manager Environmental Assurance, Resource Consents Manager
287	<p>s.87F</p> <p>Power in relation to providing a report on applications that are to be determined by the Environment Court.</p>	Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents
288	<p>s.88(3)</p> <p>Power to determine that an application is incomplete.</p>	Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
289	<p>s.91</p> <p>Power to determine not to proceed with processing an application pending applications for additional consent(s).</p>	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
290	<p>s.91A, s.91B, s.91C</p> <p>Power to agree and give notice, in relation to requests to suspend processing of consent applications</p>	Consent Planning, Group Manager Environmental Assurance, Principal Planner – Resource Consents, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
291	<p>s.92(2)</p> <p>Power to request further information from applicants.</p>	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
292	<p>s.92(2)</p> <p>Power to commission report for further information.</p>	Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents

Resource Management Act 1991		
293	s.92A Power to set time limit for further information where the applicant agrees to provide it.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
294	ss.95, 95A & 95D Power to determine whether to publicly notify an application for resource consent, and to decide whether the activity will have, or is likely to have adverse effects on the environment that are more than minor.	Group Manager Environmental Assurance, Environmental Information Manager, Resource Consents Manager, Principal Planner – Resource Consents
295	ss.95A and 95D Power to determine whether to publicly notify an application for resource consent, including whether special circumstances exist.	Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents
296	ss. 95B, 95E, 95F, 95G Power to determine whether to limited notify an application for resource consent, including whether special circumstances exist.	Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
297	s.97(4) Power to adopt an earlier closing date	Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents
298	s.99 Power to fix a pre-hearing meeting and attend to all associated matters regarding notification, conduct and reporting excepting the powers of declining to process an application or submission under subsection (8).	Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
299	s.99 Power to decline to process an application or to consider a submission under subsection (8).	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents
300	s.99A Power to refer matters to mediation prior to a hearing.	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents

Resource Management Act 1991		
301	s.100 Power to determine that a formal hearing is or is not needed in accordance with Section 100, except where the delegated officer is processing the application.	Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents
302	s.101 Power to fix hearing date, time and place.	Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager
303	s.102 & 103 Power to make a decision to establish a joint/combined hearing.	Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager
304	s.104-104D, 106 & 107 Power to grant a resource consent for applications which were processed on either a public or limited notified basis not requiring a hearing (follow a decision made pursuant to Section 100 of the Act) and the power to grant a resource consent on any application processed on a non-notified basis.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
305	s.104-104D, 106 & 107 Power to decline any resource consent application not requiring a hearing. Power to decline an application (including for a controlled activity) on the basis that it is considered that the Council has insufficient information to enable it to make a decision on the application.	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents
306	s.108 Power to impose conditions on resource consents.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
307	ss.108A & 109 Power to make decisions in relation to bonds or covenants.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents
308	s.110 Power to authorise refund of money paid when activity does not proceed.	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents

Resource Management Act 1991		
309	s.114(2)(b) Power to determine what other authorities and persons should be notified of decisions on resource consent applications.	Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager
310	ss.114(7)&(8), s.116B Power to give notice in relation to applications involving an exchange of reserve land	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents
311	s.119A Authority to allow staff to process changes and reviews to restricted coastal activity consents subject to criteria in the Act.	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents
312	s.124 Power to permit the exercise of consent while applying for renewal.	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents
313	s.125 Power to extend the period in which a resource consent lapses, except where the delegated officer processed the application.	Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents
314	s.126 Power to cancel unexercised consents.	Group Manager Environmental Assurance, Regulatory Manager, Resource Consents Manager, Principal Planner – Resource Consents
315	s.127 Power to decide who is adversely affected by an application to change or cancellation of a consent condition.	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents
316	ss.128-132 Power to initiate and determine a review of a resource consent, except if a hearing is required.	Group Manager Environmental Assurance, Regulatory Manager, Resource Consents Manager, Principal Planner – Resource Consents
317	s.133A Power to issue amended consent which corrects minor mistakes or defects in the consent, except where the delegated officer is processing the application. And where it relates to a decision made by a Hearing Panel, to do so in consultation with the Chair of the Hearings Committee or sole Commissioner who made the original decision.	Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents

Resource Management Act 1991		
318	s.134(3) Power to receive on behalf of the Council written notice of transfer of whole or part of a land use consent.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Administration Officer, Resource Consents Manager, Senior Resource Consents Administration Officer, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
319	s.135 Power to receive on behalf of the Council written notice of transfer of whole or part of a coastal permit.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Administration Officer, Resource Consents Manager, Senior Resource Consents Administration Officer, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
320	ss.136(1),(2)(a) & (2)(b)(i) Power to receive on behalf of the Council written notice of transfer of a water permit.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Administration Officer, Resource Consents Manager, Senior Resource Consents Administration Officer, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
321	s.136 Power to approve transfer of water permits to another site, except if a hearing is required.	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Natural Resources Consents
322	s.137 Power to receive on behalf of the Council written notice of transfer of whole or part of a discharge permit and the power to decide on transfers of discharge permits to other sites, except if a hearing is required.	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Natural Resources Consents
323	s.138 Power to accept the surrender or part surrender of a resource consent or refuse surrender of part of a resource consent and to accept that a person need not complete any work to give effect to the consent.	Group Manager Environmental Assurance, Regulatory Manager, Resource Consents Manager

Resource Management Act 1991		
324	s.138A Authority for staff to consider special provisions relating to coastal permits for dumping or incineration.	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
325	s.139 Power to issue Certificates of Compliance.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
326	s.139A Power to issue existing use certificates.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents
327	s.142 In consultation with the Chairperson or deputy chair of the Regulatory Committee, power to request that the Minister make a direction that a matter is or is part of a proposal of national significance.	Group Manager Environmental Assurance, Group Manager Service and Strategy
328	s.147 Power to provide views to Minister on a matter of national importance.	Group Manager Environmental Assurance, Group Manager Service and Strategy,
329	s.149E Authorisation to make a submission to the EPA on a matter of national importance that has been called in and publicly notified.	Group Manager Environmental Assurance, Group Manager Service and Strategy,
330	s.149G Power in relation to providing a report to the Environmental Protection Agency when commissioned to do so.	Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents, Principal Planner – Resource Consents
331	s.149K Authorisation to provide the Minister with suggestions for members of a Board of Inquiry.	Group Manager Environmental Assurance, Group Manager Service and Strategy

Resource Management Act 1991		
333	s.149V In consultation with the Chairperson or deputy chair of the Regulatory Committee, power to appeal to the High Court (on points of law) against a decision of a Board of Inquiry or Environment Court.	Group Manager Environmental Assurance, Group Manager Service and Strategy
334	s.168A Powers of a Requiring Authority as provided for in Part 8 (designations for Public Works)	Operations Committee
335	ss.168A & 169 Power to decide whether to notify a notice of requirement for a designation.	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner – Resource Consents
336	s.171 Power to make recommendations to a requiring authority including reasons for the recommendation, except when a hearing is required.	Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
337	s.174 Power to appeal to the Environment Court against a decision of a Requiring Authority subject to consultation with Regulatory Committee Chairperson and Deputy.	Group Manager Environmental Assurance, Group Manager Service and Strategy
338	s.176 Authority to act within scope of responsibility, as a Requiring Authority under the Resource Management Act, including giving the written consent of the Council for the use of land being subject to a requirement or designation but excluding the powers in Section 168A.	Chief Executive (includes Acting Chief Executive), Tier 2 Group Managers
339	s.176A Power to request changes to outline plans under subsection (3).	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
340	ss.181 & 182(1) Power to agree to alter a designation.	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Team Leader Land Use Consents, Principal Planner – Resource Consents

Resource Management Act 1991		
341	s.181(3) Power to give notice of a minor alteration to any Council designation, and under section 182 of the Act to give notice requesting removal of any Council designation from the Tasman Resource Management Plan and subject to reporting to Council of any action taken under this delegation.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Group Manager Service and Strategy
342	s.182(5) Power to decline removal of designation.	Group Manager Environmental Assurance, Group Manager Service and Strategy, Resource Consents Manager, Principal Planner – Resource Consents
343	s.184 Power to decide on lapsing of designations.	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner – Resource Consents
344	s.187-189A Powers of a Heritage Protection Authority	Operations Committee
345	ss.189A & 190 Power to decide whether to notify a notice of requirement for a heritage order.	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents
346	s.191 Power to make recommendations to a heritage protection authority including reasons for the recommendation, except when a hearing is required.	Group Manager Environmental Assurance, Group Manager Service and Strategy, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
347	s.195A Power to alter a heritage order.	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Team Leader Land Use Consents
348	s.198BA In consultation with the Chairperson or deputy chair of the Regulatory Committee, power to grant or decline requests for requirements to be determined by the Environment Court instead of by the Consent Authority.	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents

Resource Management Act 1991		
349	s.198C Power in relation to providing a report on requirements that are to be determined by the Environment Court.	Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consentsp
350	s.220 Power to impose conditions on resource consents.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
351	s.221 Authorisation to issue a consent notice.	Consent Planner, Group Manager Environmental Assurance, Principal Resource Consents Advisor, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
352	s.198BA In consultation with the Chairperson or deputy chair of the Regulatory Committee, power to grant or decline requests for requirements to be determined by the Environment Court instead of by the Consent Authority.	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
353	s.222 Power to issue a completion certificate.	Compliance and Investigations Officer, Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Compliance Monitoring, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
354	s.223 Power to approve any survey plan (subject to Section 243).	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents

Resource Management Act 1991		
355	s.224(c) Power to certify compliance as an “authorised officer” with specified conditions prior to deposit of survey plan.	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Subdivision Consents
356	s.224(f) Power to certify compliance under Section 116A of the Building Act.	Building Consent Officer, Building Inspector, Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
357	s.234 Power to vary esplanade reserves.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure
358	s.235 Power to agree to the creation of esplanade strips	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure
359	s.239(2) Power of certification of specified interest upon vesting	Group Manager Community Infrastructure, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
360	ss.240-241 & 243 Power to cancel covenants and conditions.	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
361	s.245 Power to approve survey plans for reclamation.	Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Resource Consents, Team Leader Subdivision Consents
362	s.281 Power to agree to waiver of notice.	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager, Principal Resource Consents Advisor, Regulatory Manager, Resource Consents Manager

Resource Management Act 1991		
363	ss.311 & 316 In consultation with the Chairperson or deputy chair of the Regulatory Committee, the power to apply for a declaration under Section 311 or an enforcement order (including an interim enforcement order) under Section 316 of the Resource Management Act.	Group Manager Environmental Assurance
364	s.329 Power to issue a water shortage direction.	Group Manager Environmental Assurance
365	s.330 Power to invoke emergency work provisions.	Group Manager Environmental Assurance
366	s.357-357D Power to hear objections against certain decisions	Regulatory Committee
367	s.357D Power to uphold objections to conditions of consent where there is a favourable staff recommendation.	Group Manager Environmental Assurance, Resource Consents Manager, Principal Planner – Resource Consents
369	All Council's powers, functions and duties under Parts 6 - 8, 10 and 12 of the Act	Chief Executive (includes Acting Chief Executive), Group Manager Environmental Assurance, Group Manager Service and Strategy Regulatory Committee

Resource Management Act 1991 First Schedule		
370	Clause 4 Where a Council designation is held in another district, power to respond to an invitation to designating authorities having a designation that has not lapsed, in that district, on whether the Council requires the designation to be included in that district's proposed plan, with or without modification.	Tier 2 Group Managers
371	Clause 4A Power to provide copies of planning documents to iwi and determine time for advice	Group Manager Service and Strategy, Environmental Policy Manager
372	Clauses 5 & 5A Power to fix notification date, and decide on whom public notices shall be sent in relation to a policy statement or plan or a change or variation thereto, including limited notification.	Group Manager Service and Strategy, Environmental Policy Manager, Policy Planner Team Leader Natural Resources Policy, Team Leader Urban & Rural development

Resource Management Act 1991 First Schedule		
373	<p>Clauses 7 & 51</p> <p>Power to summarise for and on behalf of the Local Authority submissions made in respect of a policy statement or plan or a change or variation thereto.</p>	<p>Group Manager Service and Strategy Environmental Policy Manager, Policy Planner, Team Leader Natural Resources Policy, Team Leader Urban & Rural development</p>
374	<p>Clause 8AA</p> <p>Power to fix a pre-hearing meeting and attend to all associated matters regarding notification, conduct and reporting except the power of declining a request for a pre-hearing meeting.</p>	<p>Group Manager Service and Strategy, Environmental Policy Manager, Team Leader Natural Resources Policy, Team Leader Urban & Rural development</p>
375	<p>Clause 10A</p> <p>Power to apply for extension of time if local authority is unable, or likely to be unable, to meet decision making obligations under Clause 10(4)(a)</p>	<p>Group Manager Service and Strategy Environmental Policy Manager</p>
376	<p>Clause 11</p> <p>Power to decide which landowners or occupiers are directly affected by the Council's decisions under Clause 9(2).</p>	<p>Group Manager Service and Strategy, Environmental Policy Manager</p>
377	<p>Clause 16</p> <p>Power to alter information and correct minor errors, or to give effect to a direction under s 55 on a national policy statement.</p>	<p>Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager</p>
378	<p>Clause 20A</p> <p>Power to correct minor errors in an operative statement or plan.</p>	<p>Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager</p>
379	<p>Clause 23</p> <p>Power to request further information or commission a report prior to modification or consideration of the plan change request.</p>	<p>Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager</p>
380	<p>Clause 24</p> <p>Power to modify a plan change request by agreement with requester, prior to its consideration by Council.</p>	<p>Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager</p>
381	<p>Clause 25</p> <p>The power to accept, reject or deal with a request to prepare or change a plan as a resource consent application, provided that any rejection or dealing with as an application for resource consent, may be subject to review by the Strategy and Policy Committee.</p>	<p>Group Manager Service and Strategy, Environmental Policy Manager</p>

Resource Management Act 1991 First Schedule		
382	<p>Clause 26</p> <p>Power to complete preparation of plan change request accepted under cl 25, and notify request.</p>	Group Manager Service and Strategy, Environmental Policy Manager
383	<p>Clause 28</p> <p>Power to send a notice to any requester not likely to continue with request.</p>	Group Manager Service and Strategy, Environmental Policy Manager
384	<p>Clause 32</p> <p>Power to certify as correct material incorporated by reference into plan following decision by Strategy and Policy Committee.</p>	Group Manager Service and Strategy, Environmental Policy Manager
385	<p>Clauses 43, 45 & 49</p> <p>Power to give public notice if Council decides to establish a collaborative group and to notify any report from a collaborative group, and any proposed planning instrument as determined under Clause 46.</p>	Group Manager Service and Strategy, Group Manager Service and Strategy, Environmental Policy Manager
386	<p>Clause 57</p> <p>Power to publicly notify a local authority decision</p>	Group Manager Service and Strategy, Environmental Policy Manager
387	<p>Clause 64</p> <p>Power to establish a review panel to consider submissions arising from a collaborative planning process. Such appointments shall be made following consultation with the Chairperson of the Strategy and Policy Committee.</p>	Group Manager Service and Strategy, Environmental Policy Manager
388	<p>Clauses 80 & 90</p> <p>Power to publicly notify Minister's decisions under the streamlined planning process</p>	Group Manager Environmental Assurance, Group Manager Service and Strategy, Environmental Policy Manager

Sale and Supply of Alcohol Act 2012		
389	<p>s.75-80</p> <p>Powers in relation to the preparation and adoption of a local alcohol policy.</p>	Strategy and Policy Committee
390	<p>s.100(f)</p> <p>Power to issue Certificates of Compliance in Regard to the Resource Management Act.</p>	Administration Officer - Regulatory, Consent Planner, Group Manager Environmental Assurance, Resource Consents Manager

Sale and Supply of Alcohol Act 2012		
391	s.100(f) Power to issue Certificates of Compliance in regard to the Building Act.	Administration Officer - Regulatory, Building Assurance Manager, Building Consent Officer, Group Manager Environmental Assurance, Regulatory Manager, Team Leader Building Compliance, Team Leader Building Inspectors, Team Leader Environmental Health
392	s.192-193 Power to appoint and discharge licensing committee members and commissioners	Regulatory Committee
393	s.196 Power to carry out the function and duties as secretary of the District Licensing Committee.	Administration Officer – Environmental Health, Team Leader – Environmental Health, Regulatory Manager
394	s.197 Power to appoint licensing inspectors.	Group Manager Environmental Assurance
395	s.199 Power to prepare annual report.	Group Manager Environmental Assurance, Regulatory Manager, Team Leader Environmental Health

Trading in Public Places Bylaw 2010		
397	Power to issue licences under the Trading in Public Places Bylaw 2010.	Administration Officer - Regulatory, Group Manager Environmental Assurance, Environmental Health Officer, Regulatory Manager, Team Leader Environmental Health

Transport Services Licensing Act 1989		
398	s.22 Power to grant, revoke or modify exemptions for approved taxi operators.	Group Manager Community Infrastructure
399	s.49 Power to register passenger services.	Group Manager Community Infrastructure
400	s.50(1) Power to reduce or waive period of notice and to decide on an application to vary a registered service.	Group Manager Community Infrastructure
401	s.52 Power to maintain register.	Group Manager Community Infrastructure

Trespass Act 1980		
403	s.3 Power to ask a trespasser to leave council controlled property	Chief Executive, Tier 2 Group Managers, Camp Warden, Horticultural Officer, Branch Librarians, Libraries Manager, Reserves and Facilities Manager, Customer Services Manager, Team Leader Customer Services
404	s.4 Power to issue a trespasser with an instruction to stay off Council controlled property with a notice under Section 4 the Act – this means that if the person comes back on the property within two years, they commit a criminal offence	Chief Executive, Tier 2 Group Managers, Customer Services Manager, Libraries Manager, Reserves and Facilities Manager

Waste Minimisation Act 2008		
405	All Council's powers, duties and functions as conferred or imposed upon it under the act (as related to the functions of the committee).	Strategy and Policy Committee



Part Five - Terms of Reference for Committees,
Subcommittees, Joint Committees, and
Advisory Groups

1.0 Standing Committees

Terms of Reference for each committee are available on the Tasman District website www.tasman.govt.nz/my-council/meetings/committee-terms-of-reference/.

Strategy and Policy Committee (SPC)

Approved by Council resolution CN19-11-12

1.0 Purpose and Areas of Responsibility

The Strategy and Policy Committee's purposes are to provide governance oversight of, guidance on and approval of:

- Council's strategy and policy programmes, services, activities and their associated projects, including the processes to prepare them and public consultation processes; and
- the physical development and growth of the Tasman District through a focus on land and resource use and the appropriate provision of infrastructure; and
- any policies and plans required under the Resource Management Act 1991 (RMA).

The primary areas of responsibility of the Committee are:

- electoral and democratic functions of local government in the Tasman District; and
- Long Term Plans, Annual Plans, Activity Management Plans, Statutory Policies, Annual Report; and
- Resource Management Act Policies and Plans.

Responsibilities include strategies, policies and decisions relating to:	
Arts, Culture and Heritage	Land Development Manual
Activity Management Plans and Infrastructure related strategies and plan	Libraries
Biosecurity	Long Term Plan (and associated policies and strategies), Annual Plans, Annual Reports and Schedule of Fees and Charges (this allows for policy and plan making processes up to but not including adoption for these documents).
Camping Grounds (excluding commercial campgrounds and holiday parks)	Museums, including Tasman Bays Heritage Trust
Climate Change and Coastal Protection Policies	Public Health Policies (e.g. Gambling Venues Policy, Psychoactive Substances Policy)
Community Housing	Reserve Financial Contributions

Responsibilities include strategies, policies and decisions relating to:	
Community Engagement and Community Relations	Reserves Management Plans and Policies and related Reserves, Trees and Cemetery Policies
Community Facilities and Community Halls	
Community Grants	Friendly Towns
Community Recreation and Events	Growth Strategy and Model
Digital Services	Resource Management Policies and Plans
Economic Development	Strategic Policies excluding the matters which must be finally approved by Full Council (e.g. under clause 32, Schedule 7, Local Government Act 2002 (LGA); section 41, Reserves Act 1977)
Electoral activities	Transport, including walkways/cycleways
Environmental Policies	Waste Minimisation and Management
Financial Policies (except that adoption of many of these is the responsibility of Full Council)	Water Safety Plans

2.0 Responsibilities

- 2.1 Govern, develop, approve, review, ensure the implementation of and monitoring of policies, plans and strategies in relation to the areas of responsibility, including the adoption of draft documents for consultation, appoint hearings panels and adopt final documents where within the remit of the Committee or to make recommendations to the Council on the final documents where Council approval is required (e.g. clause 32, Schedule 7, LGA; section 41 Reserves Act 1977).
- 2.2 Monitor policy processes and performance (including budget and performance targets) for their areas of responsibility. (NB – Council’s full financial reporting will be presented to Full Council)
- 2.3 Plan, review, implement and monitor functions, duties, and powers in respect of its areas of responsibility.
- 2.4 Ensure the Council meets all its legislative responsibilities relating to the areas of responsibility.
- 2.5 Consider reports relating to annual residents’ surveys and monitoring.

3.0 General Powers

- 3.1 Approve expenditure consistent with overall budgets and the Council’s Annual and Long Term Plans within the Committee’s areas of responsibility.
- 3.2 Act in all strategy and policy matters concerning the areas of responsibility listed, provided they do not conflict with stated policy of the Council.

- 3.3 Delegate its powers to an officer of the Council in defined areas.
- 3.4 Delegate any of its powers to any joint committee established for any relevant purpose in accordance with clause 32, Schedule 7 of the LGA.
- 3.5 Utilise the decision making and consultation provisions of sections 76 – 87 of the LGA.
- 3.6 Appoint Subcommittees, Hearing Panels or Working Groups and to give those Subcommittees power to act, in defined areas, including the decision making powers of the parent committee.
- 3.7 Consider and monitor health and safety matters relating to the functions of the Committee.

These delegations enlarge on the scope of the Strategy and Policy Committee but do not limit conferred legislative powers or those given under Council policy.

4.0 Statutory Powers

To act on behalf of the Council in relation to the following statutory provisions:

4.1 Local Government Act 2002 (LGA)

- 4.1.1 Has all the Council's powers, duties and functions conferred or imposed upon it under the LGA, in relation to the functions of the Committee (e.g. Part 6 provisions relating to planning and consultation).

4.2 Reserves Act 1977:

- 4.2.1 Section 14 – Local authority may declare land vested in it to be a reserve.
- 4.2.2 Section 24A – Change of purpose of reserve by territorial authority or regional council.
- 4.2.3 Section 40 – Functions of administering body.
- 4.2.4 Section 41 – Management Plans – To initiate reserve management plan reviews and appoint hearings panels, and to recommend to Council the adoption of a draft plan for consultation or to approve a final plan.
- 4.2.5 To act on behalf and in lieu of the Council in regard to exercising the relevant delegations issued to local authorities by the Minister of Conservation on 8 July 2013 noting that some of these powers have been sub-delegated to staff.
- 4.2.6 The power to exercise the delegations in relation to reserves issued to local authorities by the Minister of Conservation on 8 July 2013.

4.3 Resource Management Act 1991 (RMA)

- 4.3.1 Has all the Council's powers, duties and functions conferred or imposed upon it under the RMA but **excluding** the following powers:
 - 4.3.1.1 Section 86 - The power to acquire land.
 - 4.3.1.2 Section 166 - The powers of a Requiring Authority, except when the Council itself is the Requiring Authority, the Strategy and Policy Committee will exercise the powers under sections 168A and 184A.
 - 4.3.1.3 Section 187 - The powers of a Heritage Protection Authority.

4.4 Biosecurity Act 1993

- 4.4.1 Make recommendations to Council to approve and amend a pest management plan or to declare a small scale management programme in accordance with section 82 of this Act.

4.5 Psychoactive Substances Act 2013

- 4.5.1 Section 66 - Power to have a policy relating to the sale of approved products within Tasman District.

4.6 Sale and Supply of Alcohol Act 2012

- 4.6.1 Sections 75-80 - Preparation and adoption of local alcohol policy.

4.7 Waste Minimisation Act 2008

- 4.7.1 Has all the Council's powers, duties and functions conferred or imposed upon it under the Waste Minimisation Act 2008, in relation to the functions of the Committee.

4.8 Land Transport Management Act 2003 and associated regulations and rules

- 4.8.1 Has all the Council's powers, duties and functions conferred or imposed upon it under the Land Transport Management Act and associated regulations rules, in relation to the functions of the Committee.

4.9 Gambling Act 2003 and associated regulations

- 4.9.1 Power to have a policy relating to gambling venues within Tasman District.

4.10 Local Electoral Act 2001

- 4.10.1 Has all the Council's powers, duties and functions conferred or imposed upon it under Parts 1A and 2 of the Local Electoral Act 2002, in relation to the functions of the Committee.

5.0 Limitations

- 5.1 In respect of matters requiring financial input the Strategy and Policy Committee's power is limited to the extent that provision has been made in the annual budgets or in the Long Term Plan.
- 5.2 The Strategy and Policy Committee can make recommendations only to Council in respect of the following matters (clause 32(1) of Schedule 7, LGA and section 41, Reserves Act):
- 5.2.1 make a rate; or
- 5.2.3 borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
- 5.2.4 adopt a Long Term Plan, Annual Plan, or Annual Report; or
- 5.2.6 adopt policies required to be adopted and consulted on under the LGA, and/or in association with the Long Term Plan, and/or developed for the purpose of the Local Governance Statement; or
- 5.2.7 adopt a remuneration and employment policy; or
- 5.2.8 adopt a reserves management plan.

6.0 Administration

- 6.1 Membership comprises all elected members of the Council.
- 6.2 For the time being the quorum is 7.
- 6.3 Meetings are generally held six weekly.
- 6.4 The Strategy and Policy Committee has no reporting responsibility to the Council for matters within its delegation.
- 6.5 The Strategy and Policy Committee is empowered to do anything within its jurisdiction prior to making a recommendation to the Council.

Item 8.3

Attachment 1

Regulatory Committee (RC)

Approved by Council resolution CN19-11-12

1.0 Purpose and Areas of Responsibility

The Regulatory Committee's purpose is to provide governance oversight of Council's regulatory programmes, services, and activities, including bylaw development and implementation (noting Full Council only has the power to adopt bylaws) in relation to the Committee's areas of responsibility.

The primary areas of responsibility of the Committee are:

- monitoring and enforcing Council's Resource Management Act functions; and
- enforcing Council's other regulatory functions; and
- undertaking bylaw preparation processes.

Responsibilities include regulatory functions relating to:	
Animal control	Hazardous Substances and New Organisms
Biosecurity	Maritime Administration and Navigation Safety
Building Assurance	Parking and Traffic Control
Bylaws (This allows for bylaw making processes up to but not including adoption).	Public Health
Compliance and Enforcement	Reserve leases, licences and easements
Development Contributions	Resource Consents
Drinking Water Standards and Emergency Response Planning	Sale and Supply of Alcohol Administration
Food Safety	

2.0 Responsibilities

- 2.1 Govern, develop, approve, review, ensure the implementation of and monitoring of bylaws and regulatory tools in relation to the areas of responsibility, including the adoption of draft documents for consultation, appoint hearings panels and adopt final documents where within the remit of the Committee or to make recommendations to the Council on the final documents where Council approval is required (e.g. all bylaws must be adopted by Full Council under clause 32, Schedule 7, LGA).
- 2.2 Monitor regulatory processes and performance (including budget and performance targets) for their areas of responsibility. (NB – Council's full financial reporting will be presented to Full Council)
- 2.3 Plan, review, implement and monitor functions, duties, and powers in respect of its areas of responsibility.

- 2.4 Ensure the Council meets all legislative and compliance responsibilities relating to the areas of responsibility.

3.0 General Powers

- 3.1 Approve expenditure consistent with the Council's Annual or Long Term Plans within the Committee's areas of responsibility.
- 3.2 Act in all regulatory matters concerning the areas of responsibility listed, provided they do not conflict with stated policy of the Council.
- 3.3 Delegate its powers to an officer of the Council in defined areas.
- 3.4 Delegate any of its powers to any joint committee established for any relevant purpose in accordance with clause 32, Schedule 7 of the LGA.
- 3.5 Utilise the decision making and consultation provisions of sections 76 – 87 of the LGA.
- 3.6 Appoint Subcommittees, Hearing Panels or Working Groups and to give those Subcommittees power to act, in defined areas, including the decision making powers of the parent committee.
- 3.7 Consider and monitor health and safety matters relating to the functions of the Committee.

These delegations enlarge on the scope of the Regulatory Committee but do not limit those conferred powers.

4.0 Statutory Powers

To act on behalf of the Tasman District Council in relation to the following statutory provisions:

4.1 Reserves Act 1977

- 4.1.1 Section 48 – Grants of rights of way and other easements.
- 4.1.2 Section 48A – Use of reserve for communications station.
- 4.1.3 Sections 55 - 58A – Powers and leasing powers for recreation, scenic, nature and historic reserves (noting that some of these powers have been sub-delegated to staff).
- 4.1.4 Section 61 – Powers (including leasing) in respect of local purpose reserves (noting that some of these powers have been sub-delegated to staff).
- 4.1.5 Section 64 – Administering body may purchase land on deferred payments (noting that some of these powers have been sub-delegated to staff).
- 4.1.6 Section 73 – Leasing of recreation reserves for farming, grazing, afforestation, or other purposes (noting that some of these powers have been sub-delegated to staff).
- 4.1.7 Section 74 – Licences to occupy reserves temporarily (noting that some of these powers have been sub-delegated to staff).
- 4.1.8 Sections 106 - 108 Bylaws – To initiate a bylaw and appoint hearings panels and adopt a draft bylaw for consultation, and to recommend to the Council that it adopt a final bylaw.
- 4.1.9 To act on behalf and in lieu of the Council in regard to exercising the relevant delegations issued to local authorities by the Minister of Conservation on 8 July 2013 noting that some of these powers have been sub-delegated to staff.

4.2 Camping-Grounds Regulations 1985

4.2.1 Regulation 11 – The grant of consent to erect or place a relocatable home on a relocatable home park site.

4.3 Dog Control Act 1996

4.3.1 Section 22 - Hear and determine objections to classification as a probationary owner.

4.3.2 Section 26 - Hear and determine objections to disqualification.

4.3.3 Section 31(3) - Hear and determine objections to classification of a dog as dangerous.

4.3.4 Section 33B - Hear and determine objections to classification of a dog as menacing.

4.3.5 Section 33D - Hear and determine objections to classification of a dog as belonging to a breed listed in Schedule 4 and classified as menacing.

4.4 Food Act 2014

4.4.1 All the Council's powers, duties and functions conferred or imposed upon Council under the Food Act 2014.

4.5 Health Act 1956

4.5.1 Section 45 - The determination of a closing order.

4.5.2 Section 48 - The issue of a demolition order.

4.5.3 Section 54 - The restriction and control of the carrying on of offensive trades.

4.5.4 Section 58 - The restriction and control over the establishment or alteration of stock yards.

4.6 Health (Registration of Premises) Regulations 1966

4.6.1 Regulation 9 - The service of notice and the hearing of submissions made by the recipient of any such notice.

4.7 Litter Act 1979

4.7.1 Section 10 - To serve or cause to be served a notice to clear litter pursuant to sub-section (1) of this Section and to hear any objections to the requirements of such notice made pursuant to sub-section (3) of this section.

4.8 Local Government Act 1974:

4.8.1 Section 339 relating to transport shelters.

4.8.2 Tenth Schedule relating to road stopping.

4.9 Transport (Vehicular Traffic Road Closure) Regulations 1965

4.9.1 Section 6 - The power to act in the case of applications for road closures where objections to a proposed road closure are received.

4.10 Heavy Vehicle Regulations 1974:

4.10.1 Section 10(5) relating to prohibiting heavy vehicles on specific roads.

4.11 Sale and Supply of Alcohol Act 2012

- 4.11.1 Section 192 and 193 - Power to appoint and discharge licensing committee members and commissioners.

4.12 Local Government Act 2002

- 4.12.1 Has all the Council's powers, duties and functions conferred or imposed upon it under the LGA, in relation to the functions of the Committee (e.g. Part 8 provisions relating to Bylaws and Development Contribution appeals).

4.13 Resource Management Act 1991

- 4.13.1 Section 36 – power to fix administrative charges; and
- 4.13.2 All Council's powers, functions and duties under Part 6 to Part 8, Part 10, and Part 12 of the Act; and
- 4.13.3 Section 357 – 357D – power to hear objections against certain decisions.

5.0 Limitations

- 5.1 In respect of matters requiring financial input the Regulatory Committee's power is limited to the extent that provision has been made in the annual budgets and in the Long Term Plan.
- 5.2 The Regulatory Committee can make recommendations only to the Council in respect of the following matters:
 - 5.2.1 make a rate; or
 - 5.2.2 make a bylaw; or
 - 5.2.3 borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.

6.0 Administration

- 6.1 Membership comprises all elected members of the Council.
- 6.2 For the time being the quorum is 7.
- 6.3 Meetings are generally held six weekly
- 6.4 The Regulatory Committee has no reporting obligation to the Council for matters within its delegation.
- 6.5 The Regulatory Committee is empowered to do anything within its jurisdiction prior to making a recommendation to the Council.

Operations Committee (OC)

Approved by Council resolution CN19-11-12, CN20-04-17

1.0 Purpose and Areas of Responsibility

The Operations Committee's purpose is to provide governance oversight of Council's operational programmes, services, activities and projects relating to Council's environmental monitoring programmes and to Council's community facilities and infrastructural assets (excluding commercial enterprises covered by the Commercial Committee) in relation to the Committee's areas of responsibility.

The primary areas of responsibility of the Committee are:

- overseeing and monitoring and Council's operational functions; and
- overseeing and monitoring Council's capital works programme.

Responsibilities include operational activities relating to:	
Animal Control Services	Parks and Recreation Assets and Facilities
Biosecurity	Passenger Transport
Camping Grounds (excluding commercial campgrounds and holiday parks)	Ports, Wharves, Boat Ramps and Coastal Structures (excludes Port Tarakohe)
Civil Defence and Emergency Management	Property (non-commercial)
Customer Services	Refuse Collection, Disposal and Waste Minimisation
Coastal Structures	Reserve Financial Contribution disbursement
Community Housing	Rivers Management
Community Facilities and Community Halls	Roads, Walkways, Cycleways
Community Grants, Creative Communities, Community Awards and general grants matters	Special Purpose Committees (Halls and Reserves)
Digital Services	State of the Environment Monitoring and Other Monitoring Reports
Environmental Education	Stormwater Collection and Disposal Services
Landfill management and refuse collection	Sewerage Treatment and Disposal Services
Libraries	Water Supply Services
Land Drainage	

2.0 Responsibilities

- 2.1 Govern, develop, approve, ensure the implementation of and monitoring of operational activities in relation to the areas of responsibility, including making recommendations to the Council on any budget overruns.
- 2.2 Monitor regulatory processes and performance (including budget and performance targets) for their areas of responsibility. (NB – Council’s full financial reporting will be presented to Full Council)
- 2.3 Plan, review, implement and monitor functions, duties, and powers in respect of its areas of responsibility.
- 2.4 Ensure the Council meets all legislative and compliance responsibilities relating to the areas of responsibility.

3.0 General Powers

- 3.1 Approve expenditure consistent with the overall budgets and the Council’s Annual and Long Term Plans within the Committee’s areas of responsibility.
- 3.2 Act in all operational matters concerning the areas of responsibility listed, provided they do not conflict with stated policy of the Council.
- 3.3 Delegate its powers to an officer of the Council in defined areas.
- 3.4 Delegate any of its powers to any joint committee established for any relevant purpose in accordance with clause 32, Schedule 7 of the LGA.
- 3.5 Utilise the decision making and consultation provisions of sections 76 – 87 of the LGA.
- 3.6 Appoint Subcommittees, Hearing Panels or Working Groups and to give those Subcommittees power to act, in defined areas, including the decision making powers of the parent committee.
- 3.7 Consider and monitor health and safety matters relating to the functions of the Committee.

These delegations enlarge on the scope of the Operations Committee but do not limit those conferred powers.

4.0 Statutory Powers

To act on behalf of the Council in relation to the following statutory provisions:

4.1 Soil Conservation and Rivers Control Act 1941

- 4.1.1 Part 7 being the powers and duties of a Catchment Board.

4.2 Resource Management Act 1991

- 4.2.1 Sections 168A – The powers of a Requiring Authority as provided for in Part 8 (designations for Public Works).
- 4.2.2 Section 187 - 189A – The powers of a Heritage Protection Authority.

4.3 Land Drainage Act 1908

- 4.3.1 Part 3 being the powers and duties of a Local Authority.

4.4 Local Government Act 2002

4.4.1 Has all the Council's powers, duties and functions conferred or imposed upon it under the LGA, in relation to the functions of the Committee (e.g. Part 9 provisions relating to offences, penalties, infringement offences and legal proceedings in relation to water metering).

4.5 Local Government Act 1974

4.5.1 Has all the Council's powers, duties and functions conferred or imposed upon it under the Local Government Act, in relation to the operational functions of the Committee (e.g. roading, public transport and land drainage).

5.0 Limitations

5.1 In respect of matters requiring financial input the Operations Committee's power is limited to the extent that provision has been made in the annual budgets and in the Long Term Plan.

5.2 The Operations can make recommendations only to Council in respect of the following matters:

5.2.1 make a rate; or

5.2.3 borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan.

6.0 Administration

6.1 Membership consists of all elected members of the Council.

6.2 For the time being the quorum is 7.

6.3 Meetings are generally held six weekly.

6.4 The Operations Committee has no reporting responsibility to the Council for matters within its delegation.

6.5 The Operations Committee is empowered to do anything within its jurisdiction prior to making a recommendation to the Council.

7.0 Subcommittees of the Operations Committee

7.1 Community Grants Subcommittee.

7.2 Creative Communities Subcommittee.

7.3 Community Awards Subcommittee

2.0 Council Committees

Terms of Reference for each committee are available on the Tasman District website www.tasman.govt.nz/my-council/meetings/committee-terms-of-reference/.

Audit and Risk Committee (ARC)

Approved by Council resolution CN20-02-13

1.0 Purpose and Areas of Responsibility

The purpose of the Audit and Risk Committee is to assist the Council and the Chief Executive to discharge their responsibilities for audit and risk management. This includes the active oversight of all areas of Council's control and accountability in an integrated and systematic way.

In carrying out its responsibilities, the Audit and Risk Committee must at all times recognise that primary responsibility for management of Council rests with the Chief Executive.

2.0 Responsibilities

- 2.1 The Audit and Risk Committee Chair is responsible for submitting an annual report to the Council covering the Committee's operations and activities during the preceding year.
- 2.2 The Audit and Risk Committee's responsibilities are to provide oversight of:
- 2.2.1 the robustness of the internal control framework and financial management practices;
 - 2.2.2 the integrity and appropriateness of internal and external reporting and accountability arrangements;
 - 2.2.3 the robustness of risk management systems, processes, and practices;
 - 2.2.4 the internal and external audit functions;
 - 2.2.5 compliance with applicable laws, regulations, standards and best practice guidelines;
 - 2.2.6 the establishment, maintenance and effectiveness of controls to safeguard the Council's financial and non-financial assets.
- 2.3 In carrying out its oversight responsibilities the Audit and Risk Committee will have particular regard to:
- 2.3.1 financial reporting;
 - 2.3.2 external audit process;
 - 2.3.3 internal audit;
 - 2.3.4 risk management;
 - 2.3.5 the oversight and risk management responsibilities of other Council Committees.

3.0 Powers

The Audit and Risk Committee, within the scope of its role and responsibilities is authorised to:

- 3.1 obtain any information it needs from any employee and/or external party (subject to their legal obligation to protect information);
- 3.2 discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
- 3.3 request the attendance of any employee, including the Chief Executive, at committee meetings;
- 3.4 obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the Council's expense;
- 3.5 the exercise of the powers in 3.3 and 3.4 above is limited to situations where the performance of the Committee's functions would be constrained if the resources of the organisation were not available
- 3.6 Recommend to the Council action on any matter in relation to Audit and Risk activities.

4.0 Limitations

The Audit and Risk Committee has no executive powers and is directly responsible to Council.

5.0 Administration

- 5.1 The expectation is that members of the public wanting to speak to a matter on the Agenda should be given that opportunity.
- 5.2 Membership - membership of the committee shall comprise:
 - 5.2.1 5 elected members appointed by Council.
 - 5.2.2 Up to 2 external members appointed in accordance with Councils Policy on the Appointment of Directors and Trustees to Council Organisations. The independent member is appointed for a term of 3 years from the date of appointment or such other terms as Council resolves.
 - 5.2.3 The Chair shall be appointed by Council and may be the independent member.
 - 5.2.4 Any member of the committee, either elected or independent, may be considered for reappointment in the next triennium provided they have not already served two terms on the committee.
 - 5.2.5 The Chief Executive or any Council staff member may not be a member of the committee.
 - 5.2.6 The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the Council. At least one member of the committee should have accounting or related financial management experience, with an understanding of accounting and auditing standards in a public sector environment.
- 5.3 A quorum comprises 3 members 2 of whom must be elected members.
- 5.4 Meetings are quarterly.
- 5.5 The Audit and Risk Committee may meet between the quarterly meetings at the discretion of the chair to attend to urgent business.

- 5.6 A special meeting may be held to review Council's annual report and long term plan audits.
- 5.7 The Audit and Risk Committee will meet separately with the external auditors at least once a year.
- 5.8 Reports to the Council.

Commercial Committee (CC)

Approved by Council resolution CN20-02-13

1.0 Purpose and Areas of Responsibility

The Commercial Committee's function is to monitor and improve the performance of the Council's commercial and semi-commercial activities. It also reviews new commercial investments including those within the commercial portfolio. This includes recommendations on investments and resourcing to manage the financial and nonfinancial risks associated with these activities.

The Committee is expected to identify opportunities that will increase the portfolio and may also recommend to Council disposal of poor performing assets and investments.

The Commercial Committee's areas of responsibility are:

Forestry including forestry activities on reserve land.	Commercial campgrounds (Motueka, Murchison, Pohara, Collingwood)
Aerodromes (Motueka, Takaka)	Property managed on a commercial basis including the Mapua Wharf precinct
The Motueka Harbour and Coastal Works Reserve Fund	Port Motueka and Port Tarakohe

2.0 Responsibilities

- 2.1 Ensure that operational strategies, capital works programmes and activity management plans for the activities within the commercial portfolio as a whole support appropriate returns on investment after balancing risks, commercial and community outcomes.
- 2.2 Ensure quick flexible decision making to support taking advantage of commercial opportunities as they arise.
- 2.3 Recommend to the Council an overall financial strategy, performance measures and resourcing for the portfolio, for inclusion in the Annual and Long Term Plans.
- 2.4 Monitor and improve the performance of Council's commercial portfolio including identifying further opportunities to increase the portfolio.
- 2.5 Receive and monitor quarterly financial reports in relation to the commercial portfolio and ensure where possible that the best medium to long term rates of return are being achieved.
- 2.6 Review on a regular basis the overall governance and investment structure for the portfolio and consider whether other governance or investment structures would deliver enhanced returns.
- 2.7 Receive and consider reports from both staff and the Council's legal advisors on strategies, and investments along with the identification and mitigation of financial and operational risk.
- 2.8 Make recommendations to the Council on new investments, disposals, business opportunities and other matters in relation to the commercial portfolio.

3.0 Powers

- 3.1 Authorise any transactions in relation to the commercial portfolio that comply with the Council's LTP, Annual Plan, Treasury Policy or authorised contracts which are outside the delegated authority of Council staff.
- 3.2 Authorise any transactions in relation to The Motueka Harbour and Coastal Works Reserve that comply with the reserve funds policy.
- 3.3 Obtain external legal or other professional advice, as considered necessary to meet its responsibilities, at the Council's expense.
- 3.4 Recommend to the Council action on any matter in relation to the commercial portfolio.

4.0 Limitations

The Committee may not:

- 4.1 Authorise legal action.
- 4.2 Authorise expenditure that falls outside the approved budgets in the Annual Plan, Long Term Plan or Financial Reforecasts.

5.0 Administration

- 5.1 The expectation is that members of the public wanting to speak to a matter on the Agenda should be given that opportunity.
- 5.2 Meets quarterly and may meet between the quarterly meetings at the discretion of the chair to attend to urgent business.
- 5.3 A quorum comprises 4 members 3 of whom must be elected members.
- 5.4 Membership shall comprise:
 - 5.4.1 5 Elected members appointed by Council
 - 5.4.2 3 independent members appointed in accordance with Council's Policy on the Appointment of Directors and Trustees to Council Organisations. The independent members are appointed for a term of 5 years from the date of appointment or such other terms as Council resolves and are eligible for reappointment in accordance with Councils Policy on the Appointment of Directors and Trustees.
 - 5.4.3 The Chair shall be appointed by Council
- 5.5 Reports to the Council.

3.0 Subcommittees

For full Terms of Reference for each committee, please go to the Tasman District website www.tasman.govt.nz/my-council/meetings/committee-terms-of-reference/.

CEO Review (CEOR)

Approved by Council resolution CN20-02-13

1. Purpose

To oversee matters associated with the employment of the Chief Executive Officer (CEO).

2. Responsibilities and Powers

- a) Make recommendations to the Council on the initial employment, reemployment, remuneration, resignation or dismissal of the Chief Executive Officer.
- b) Negotiate, set objectives and review the performance and remuneration for the Chief Executive each year.
- c) Handle all routine CEO contract/employment matters not dealt with by the Mayor.

3. Administration

- a) The Mayor is Chairperson of the Subcommittee.
- b) A total of 3 elected members including the Mayor.
- c) A quorum comprises 2 members.
- d) Meets as required to set and review objectives, performance and remuneration.
- e) Reports to the Council

Community Awards Subcommittee (CAS)

Approved by Council resolution CN20-02-13

1. Purpose

The Community Awards Subcommittee considers applications and decides on the recipients of Outstanding Community Service Awards.

2. Responsibilities and Powers

- a) Calls for nominations for the Outstanding Community Service Awards, annually in May.
- b) Reports to the Operations Committee.
- c) Decides who the successful recipients of the Outstanding Community Service Awards will be.

3. Administration

- a) There are 5 elected members
- b) The Chairperson is appointed by Council.
- c) A quorum comprises 3 members.
- d) Meets in early July each year.
- e) The Awards Ceremony is in August each year.

- f) There is no Public Forum at these meetings.

Community Grants Subcommittee (CG)

Approved by Council resolution CN20-02-13

1. Purpose

The Community Grants Subcommittee administers Council's community grants and other funding schemes, and funding schemes that the Council administers on behalf of other organisations.

2. Responsibilities

- a) Invites applications under the grants and funding schemes administered by this Subcommittee.
- b) Collate and assesses applications received.
- c) Makes decisions on the allocation of grant funding.
- d) Reports to the Operations Committee.

3. Administration

- a) Chairperson is appointed by Council.
- b) 5 elected members.
- c) A quorum comprises 3 members.
- d) Meets periodically throughout the year following the closure of the various grants rounds (e.g. community grants, Sport New Zealand Rural Travel Fund), Special Grants Funding).
- e) There is no Public Forum at these meetings.

Creative Communities Subcommittee (CCS)

Approved by Council resolution CN20-02-13

1. Purpose

The Creative Communities Subcommittee considers local community arts applications to the Creative Communities Scheme and make grants in terms of the criteria specified by the scheme's funders, Creative New Zealand.

2. Responsibilities

- a) Invite applications from the community three times a year
- b) Collate and assessment of applications received.
- c) Prepare recommendations as to the allocation of grant funding.
- d) Report to the Operations Committee who will consider the recommendations and decide the funding allocations.

3. Administration

- a) 3 elected members, plus community representatives.
- b) The Chairperson is appointed by the Council.
- c) A quorum comprises 3 members, two of which must be Councillors.

Item 8.3

- d) Meets three times a year – late March, late July and early December (in Motueka).
- e) There is no public forum at these meetings.

Attachment 1

Golden Bay Recreation Park Management Committee

Approved by Council resolution CN21-02-11

1.0 Purpose

The Golden Bay Recreation Park Management Committee (the Committee) is to oversee management of the land (including buildings) detailed in s. 18(7) of the Reserves and Other Lands Disposal Act 1959 ("ROLD Act") on behalf of Tasman District Council (the Council).

2.0 Membership

Membership of the Committee shall comprise:

- a) two members appointed by the Tasman District Council;
- b) one person appointed by the Tasman District Council on recommendation of the Golden Bay Agricultural and Pastoral Association; and
- c) other persons, not exceeding four in number as the Tasman District Council may from time to time appoint as nominees of other sporting bodies in the Takaka Ward.

The Chairperson of the Committee will be decided by the Tasman District Council Mayor and be from one of the two members appointed by the Council in a) above.

If the Chair is unavailable, the other Council member appointed by the Council in a) above will chair the meeting.

3.0 Iwi and Stakeholders

Representatives from iwi, Youth Council, relevant sporting codes and relevant community groups, may be invited to attend Committee meetings as iwi representatives or as key stakeholders when required. However, these representatives will only have speaking rights with the agreement of the Committee Chair. The representatives will not have voting rights.

4.0 Role of the Committee

To act as a governance group by:

- i. providing recommendations to the Council on the matters set out in section 6 of these terms of reference; and
- ii. making the decisions on the matters set out in section 7 of these terms of reference; and
- iii. communicating and engaging with community organisations and user groups to determine their views as to the use and development of the Golden Bay Recreation Park; and
- iv. overseeing and monitoring progress on Council's capital works programme for the Golden Bay Recreation Park; and
- v. undertaking such other functions as may from time to time be delegated to the Committee by the Council or other Operations Committee.

5.0 Functioning of the Committee

The Committee is directly responsible and accountable to the Council via the Operations Committee for the exercise of its responsibilities. In carrying out its responsibilities, the Committee must recognise that the primary responsibility for governance of the Council rests with the elected members of the Tasman District Council and that the primary responsibility for Council operational activities rests with the Council's Chief Executive.

Quorum for the Committee is three members, including a minimum of one member appointed by the Council in 2 a) above.

Ordinary Committee meetings will be held twice per year.

Tasman District Council Standing Orders apply to Committee meetings.

Committee meetings will comply with the Local Government Official Information and Meetings Act 1987 requirements.

Minutes of Committee meetings will be referred to the Council's Operations Committee, at which point any recommendations will be considered.

6.0 Powers to Recommend

The Committee has the powers to recommend and to provide advice to Council or the Operations Committee (as appropriate) on the following matters relating to the Golden Bay Recreation Park on:

- i. the Committee's priorities and preferences for input into the relevant reserve management plan processes and other Council policy processes in so far as how they relate to the Golden Bay Recreation Park;
- ii. the priorities for expenditure, capital works projects and other proposals for reserve developments relating to the Golden Bay Recreation Park for Council to consider including in its Annual Plans and Long Term Plans;
- iii. the granting of leases or licences on the Golden Bay Recreation Park; and
- iv. the granting of a new contract for management of the Rec Park Centre, but only where there is a change to the service provider for the management contract;
- v. matters related to the reinstatement of the Grandstand to public use, including final design, community engagement processes and fundraising;
- vi. opportunities for Council to apply for funding from external agencies which can be held by Council for application to projects to be undertaken at the Golden Bay Recreation Park;
- vii. the setting of fees for use of the Golden Bay Recreation Park for inclusion in the Council's Long Term Plan and Annual Plan; and
- viii. any permanent or major development at the Golden Bay Recreation Park that may change the use of the Park's land or buildings (this power does not apply to short term or temporary uses e.g. events which are approved by staff).

7.0 Powers to decide

The Committee has the powers to decide the following matters relating to the Golden Bay Recreation Park to:

- i. approve the design and location of playground equipment, park furniture,, fencing and landscape design plans at the Golden Bay Recreation Park.
- ii. grant consent for the removal of trees from the Golden Bay Recreation Park; and
- iii. write letters of support for funding applications (funds to be held by the Council) to external organisations which can be applied to projects at the Golden Bay Recreation Park.

8.0 Notes for clarification to sections 6 and 7:

- i. In relation to the decision making powers above, the Committee must comply with relevant legislation and Council policies.
- ii. The Committee has no powers, other than those listed section 7, to decide or to act on any matters relating to the Golden Bay Recreation Park.
- iii. The Rec Park Centre is managed under contract by a separate organisation. The Committee does not have any direct decision making powers or powers to make recommendations relating to the renewal of the existing management contract for the Rec Park Centre. The renewal of the existing management contract is considered annually by Council officers in the ordinary course of events.
- iv. The Council also has general management contracts in place for upkeep and maintenance of the Golden Bay Recreation Park and these contracts will remain the prerogative of the Operations Committee and staff under delegation.
- v. There will be occasions when the Committee needs to liaise and work collaboratively with the Golden Bay Community Board on matters relating to the Golden Bay Recreation Park.

9.0 Role of the Chair

The role of the Committee Chair is to:

- i. review the agenda with staff prior to Committee meetings;
- ii. chair meetings according to Council's Standing Orders and the agreed agenda, and to assist the Committee to reach consensus on issues, options, recommendations to Council and on decisions which are within its power to make; and
- iii. undertake such other responsibilities as are outlined in Standing Orders.

10.0 Role of staff

Council staff will provide technical expertise, project management and administrative support to the Committee. Their role is to:

- i. procure, manage and provide oversight of maintenance and project works at the Golden Bay Recreation Park;
- ii. provide advice and reports to enable full consideration of the options by the Committee;
- iii. provide advice to the Committee on legal and statutory issues and obligations;
- iv. lead technical discussions on options under consideration;
- v. manage project resources (budget and staff time);

- vi. manage project issues, risks, changes and advise the Committee of issues as they arise;
- vii. provide staff reports to meetings at decision making points;
- viii. organise and manage engagement with iwi and key stakeholders and the wider community and keep the Committee briefed on key matters arising through engagement activities;
- ix. manage leases, licences and management contracts (including annual renewal of management contracts) at the Golden Bay Recreation Park;
- x. prepare and distribute agendas for Committee meetings;
- xi. maintain records of meetings, key decisions made by the Committee and reasons for decisions, so that the decision making process can be clearly understood; and
- xii. manage bookings of the land and buildings, other than for the Rec Park Centre, and advise the Management Committee of bookings as part of the staff briefing for each Committee meeting.

11.0 Varying Terms of Reference

These terms of reference may be varied by resolution of the Council.

12.0 Review of Terms of Reference

These Terms of Reference will be reviewed after each triennial election.

13.0 Remuneration

The Committee members will not receive any remuneration for their role on this Committee.

Dated: 11 February 2021

4.0 Joint Committees

Terms of Reference for each committee can also be found on the Tasman District website www.tasman.govt.nz/my-council/meetings/committee-terms-of-reference/.

Joint Shareholders Committee

Approved by Council resolution CN20-02-13

1. Membership:

- The Mayor, Deputy Mayor, Standing Committee Chairs (2 not including the Deputy Mayor), Chair of the Audit & Risk Committee and one other Councillor of Tasman District Council and the Mayor, Deputy Mayor and Committee Chairs (4) of Nelson City Council (Total of 12 Members).

2. Quorum:

The quorum at a meeting of the Joint Shareholders Committee is set at six, being half of the membership. Of that quorum of six members, at least three must be from each local authority.

3. Areas of Responsibility:

- All matters relating to jointly owned Council Controlled Organisations and Council Controlled Trading Organisations, including statements of intent, statements of corporate intent, half yearly reports, the appointment of directors and setting of directors' fees.

4. Powers to Decide:

- All matters relating to jointly owned Council Controlled Organisations and Council Controlled Trading Organisations, including statements of intent, statements of corporate intent, half yearly reports, the appointment of directors and setting of directors' fees.

5. Procedure:

- a. The Standing Orders of the Council providing administration to the committee will be applied at each meeting.
- b. The Chairperson will alternate each meeting between the Mayor of Nelson City Council and the Mayor of Tasman District Council. In the absence of either Mayor, the committee will elect a chair as its first item of business for that meeting. No deputy chairperson will be appointed.
- c. The Chairperson will not have a casting vote.
- d. These delegations/terms of reference may be varied by resolution of both Councils and any such resolution will carry the rider that it will be subject to adoption by the other Council.
- e. The power to discharge any individual member and appoint another in his or her stead must be exercised by the local authority that made the appointment.

Copies of minutes of meetings of the Joint Committee will be retained by each Council for record keeping purposes.

Joint Committee of Tasman District and Nelson City (Joint Councils Committee)

Approved by Council resolution CN20-02-13, CN20-10-23

1. **Membership:**

The Mayor, Deputy Mayor and 12 Councillors of Tasman District Council and the Mayor, Deputy Mayor and 11 Councillors of Nelson City Council (Total of 27 Members)

2. **Quorum:**

- a. The quorum at a meeting of the Joint Committee is set at 14, being a majority of members as the membership is an odd number.
- b. Of that quorum of 14 members, at least five must be from each local authority.

3. **Areas of Responsibility:**

- a. Matters relating to Statements of Expectation for all jointly owned Council Controlled Organisations and Council Controlled Trading Organisations.
- b. Receipt of six monthly presentations from Port Nelson Limited, Nelson Airport Limited and Tasman Bays Heritage Trust and from Nelson Tasman Tourism and the Nelson Regional Economic Development Agency (owned solely by Nelson City Council).
- c. Discussion of policies, initiatives or directives stemming from central Government or external agencies that involve cross-boundary issues.
- d. Implementation of the Nelson Tasman Future Development Strategy.

4. **Powers to Decide:**

- a. To determine the strategic direction to be given to jointly owned CCOs and CCTOs through Statements of Expectation.
- b. To adopt, approve, review and amend the Nelson Tasman Future Development Strategy and Implementation Plan
- c. In matters relating to the Nelson Tasman Future Development Strategy, to undertake community engagement, including all steps relating to Special Consultative Procedures or other formal consultation processes.

5. **Powers to Recommend:**

- a. All other matters requiring decision will be recommended to Nelson City and Tasman District Council subject to an equivalent resolution being adopted by the other Council.

6. **Procedure:**

- a. The Standing Orders of the Council providing administration to the committee will be applied at each meeting.
- b. The Chairperson will alternate each meeting between the Mayor of Nelson City Council and the Mayor of Tasman District Council. In the absence of either Mayor, the committee will elect a chair as its first item of business for that meeting. No deputy chairperson will be appointed.
- c. The Chairperson will not have a casting vote.
- d. These delegations/terms of reference may be varied by resolution of both Councils and any such resolution will carry the rider that it will be subject to adoption by the other Council.

- e. Copies of minutes of meetings of the Joint Committee will be retained by each Council for record keeping purposes.

Nelson Regional Sewerage Business Unit

Approved by Council resolution CN20-02-13

The Nelson Regional Sewerage Business Unit (NRSBU) is a joint committee of Nelson City Council and Tasman District Council. The NRSBU is governed by a memorandum of understanding which terminates on 30 June 2025 unless terminated earlier by resolution of both Councils.

1. Areas of Responsibility:

To manage and operate the wastewater treatment facilities at Bells Island and the associated reticulation network efficiently and in accordance with resource consent conditions to meet the needs of its customers.

2. Quorum:

The Memorandum of Understanding governing the NRSBU allows for either six or seven members to be appointed. The quorum at a meeting is either three (if six members are appointed), or four (if seven members are appointed), including at least one from each local authority.

3. Powers to decide

The Councils are agreed that the responsibility for all management and administrative matters associated with the NRSBU operation shall be with the Board, and in particular the Board shall without the need to seek any further authority from the Councils:

- a. Operate a bank account for the Business Unit.
- b. Comply with the Procurement Policy of the administering Council.
- c. Enter into all contracts necessary for the operation and management of the Business Unit in accordance with the approved budgets and intent of the Business Plan.
- d. Authorise all payments necessary for the operation and management of the Business Unit within the approved budgets and intent of the Business Plan.
- e. Do all other things, other than those things explicitly prohibited by this Memorandum of Understanding or relevant statutes, that are necessary to achieve the objectives as stated in the Strategic Plan, Asset Management Plan or Business Plan approved by the Councils.
- f. Comply with the Health and Safety Policy and requirements of the administering Council.
- g. Contribute to the sanitary services assessment process of the Councils.
- h. Contribute to and comply with the waste management plans of the Councils.
- i. Contribute to the development of the Councils' Development and Financial Contribution policies.
- j. Contribute to the Councils' Regional Policy Statement and Regional Plan Reviews.
- k. Develop and keep under review an appropriate contract for the delivery of waste collection and disposal services with each of its customers.
- l. Follow generally accepted accounting practices.

m. Follow good employment practices.

4. Powers to Recommend:

a. Any other matters under the areas of responsibility of the Business Unit.

5. Procedure:

a. The Standing Orders of the Council providing administration to the committee will be applied at each meeting.

b. The Chairperson will not have a casting vote.

c. Copies of minutes of meetings of the Joint Committee will be retained by each Council for record keeping purposes.

Saxton Field Committee

Approved by Council resolution CN20-02-13

1. Purpose

The Saxton Field Committee (the Committee) is to oversee the development and management of Saxton Field on behalf of Nelson City Council and Tasman District Council (the councils).

2. Membership

- a. Each council must appoint two elected members to the Committee.
- b. An independent member will be appointed in accordance with the councils' 'Policy for the appointment and remuneration of jointly-appointed independent members on committees'
- c. 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.
- d. The independent member will be the Chair of the Committee and will have voting rights.
- e. If the Chair is unavailable a Chairperson will be elected from among members attending on the day.

3. Iwi and Stakeholders

Representatives from iwi, relevant sporting codes, relevant community groups, and Sport Tasman may be invited to attend Committee meetings ~~as key stakeholders~~ when required. However, these representatives will only have speaking rights with the agreement of the Committee Chair. The representatives will not have voting rights.

4. Quorum

Quorum for the Committee is three members, including a minimum of one councillor each from Nelson City Council and Tasman District Council.

5. Meeting Frequency

Ordinary Committee meetings will be held at least three times per year, or as needed.

6. Areas of Responsibility

The Committee is responsible for:

- a. Considering proposals for reserve development
- b. Promotion and marketing of Saxton Field as a regional venue
- c. Capital development of Saxton Field
- d. Developing a naming and signage policy and considering requests under this policy
- e. Considering applications for leases and licenses
- f. Activities, developments and management actions provided for in the adopted Saxton Field Reserve Management Plan and associated policies
- g. Developing a work programme including any community consultation required.

7. Powers to decide

- a. Matters relating to items provided for in the approved operations, capital expenditure and maintenance budgets for Saxton Field
- b. Matters relating to marketing of Saxton Field, within approved budgets and policies
- c. Approval of applications for concessions

- d. Approval of the draft Saxton Field Reserve Management Plan for public consultation, to undertake the public consultation process and to be the Hearing Panel to hear and deliberate on the submissions for the draft Saxton Field Reserve Management Plan.

8. Powers to recommend

The Committee has powers to recommend to the Nelson City Council, and the Tasman District Council:

- a. Future capital works programmes
- b. Financial contributions for the operations, maintenance and capital development of the reserve
- c. Reserve policies for approval including the Saxton Field Reserve Management Plan and any Development Plan
- d. Leases, licenses and easements (to the relevant Council)
- e. Any other matters within the areas of responsibility noted above

All recommendations will carry the rider that it shall be subject to adoption by the other Council, unless for a matter specific to one Council.

9. Role of the Committee

- a. To act as a governance group for matters relating to Saxton Field
- b. To request, receive and consider any information relevant to the areas of responsibility
- c. To be an interface between community groups and the two councils
- d. To report to Nelson City Council, and Tasman District Council when required

10. Role of the Chair

- a. To review the agenda with staff prior to Committee meetings
- b. To chair meetings according to the agreed agenda and to assist the Committee to reach consensus on issues and options

11. Role of staff

Staff provide technical expertise, project management and administrative support to the Committee. Their role is to:

- a. Provide advice and reports to enable full consideration of the options before the Committee
- b. Provide advice to the Committee on legal and statutory issues and obligations
- c. Lead technical discussions on options under consideration
- d. Manage project resources (budget and staff time)
- e. Manage project issues, risks, changes and advise the Committee of issues as they arise
- f. Provide staff reports to meetings at decision making points
- g. Organise and manage engagement with key stakeholders and the wider community
- h. Keep Committee members briefed on key communications with key stakeholders and the public
- i. Prepare and distribute agendas for Committee meetings

- j. Maintain records of processes used, options considered, key decisions made by the Committee and reasons for decisions, so that the decision making process can be clearly understood

-

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'.

13. Remuneration

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

Reimbursement of the independent Chair's expenses relating to vehicle mileage and travel time will be done in accordance with the Tasman District Council Expenses Policy for Elected Members. To claim expenses the independent chair is required to fill out and submit a claim form to seek reimbursement. Any such claim must be made within the relevant financial year.

14. Interests

Interests should be declared at the start of Committee meetings.

15. Reporting

- a. Agendas and minutes of Committee meetings will be prepared by the council providing administration services.
- b. Minutes of Committee meetings will be received by each Council, at which point any recommendations to the Council/s will be considered.
- c. Committee meetings will comply with the Local Government Official Information and Meetings Act 1987 (Part 7, 45(1)).
- d. The Standing Orders of the council providing administration to the Committee shall be applied at each meeting.

16. Varying Terms of Reference

These terms of reference may be varied by resolution of both councils and any such resolution shall carry the rider that it shall be subject to adoption by the other council.

17. Review of Terms of Reference

These Terms of Reference will be reviewed after one year of Committee operations, and no later than the third year of the 2016-19 triennium.

18. Dissolution of the Committee

The councils may dissolve the committee at any time. Any such dissolution is completed once both councils have separately confirmed the decision by resolution.

Amendment approved 20-04-32

Nelson Tasman Regional Landfill Business Unit

Approved by Council resolution CN20-02-13

I Parties

- (1) **NELSON CITY COUNCIL**, Civic House, 110 Trafalgar Street, Nelson
- (2) **TASMAN DISTRICT COUNCIL**, 189 Queen Street, Richmond

II Background

- A. Nelson City Council (**Nelson**) and Tasman District Council (**Tasman**) are unitary authorities (jointly **the Councils**) under the Local Government Act 2002 (**the LGA**) with territorial responsibilities for promoting effective and efficient waste management and minimisation within their respective territorial boundaries (jointly **the Nelson Tasman region**) under Part 4 of the Waste Minimisation Act 2008 (**the WMA**).
- B. Nelson owns and operates the York Valley landfill at 34 Market Road, Bishopdale, Nelson. The site includes the current operational area (Gully 1) and two other areas potentially suitable for landfill operations (Gully 3 and Gully 4) (**York Valley landfill**). The legal description of the land and the location and extent of these areas are shown in [Attachment 1].
- C. Tasman owns and operates the Eves Valley landfill at 214 Eves Valley Road, Waimea West, Tasman. The site includes a closed landfill (Stage 1), the current operational area (Stage 2) and a further area potentially suitable for landfill operations (Stage 3) (**Eves Valley landfill**). The legal description of the land and the location and extent of these areas are shown in [Attachment 2].
- D. The Councils acknowledge their respective roles and responsibilities under the LGA and the WMA.
- E. Nelson and Tasman have prepared and adopted a Joint Waste Management and Minimisation Plan dated April 2012 (**the Joint Waste Plan**) pursuant to sections 43 and 45 of the WMA.
- F. The Councils have agreed to jointly make the most effective and efficient use of York Valley and Eves Valley landfill space.
- G. The Councils have reviewed options for the provision of landfill capacity in the Nelson Tasman region. They intend to jointly share in the management of the two landfills, through a Joint Committee of the Councils appointed pursuant to schedule 7 of the LGA (**the Joint Committee**).
- H. The Councils intend to enable the joint governance, management and use of York Valley Gully 1 and Eves Valley Stages 1, 2 and 3 as regional landfill facilities to accept all municipal solid waste (**waste**) generated in the Nelson Tasman region.
- I. The Councils also intend the following:
 - (i) That the York Valley landfill will be the primary regional landfill facility from 1 July 2017, to accept all waste generated within the Nelson Tasman region until Gully 1 is at capacity (anticipated to be in approximately 2031), or until expiry of the existing

resource consents for the York Valley landfill (being 31 December 2034), whichever occurs first.

- (ii) That Stage 2 of the Eves Valley landfill to have all necessary consents and approvals to accept up to one years' waste from the Nelson Tasman region in case of unforeseen temporary closure of the York Valley landfill, and that Stage 3 be retained for future use as a regional landfill facility.
- (iii) Once the Joint Committee is established, it shall have responsibility for making decisions as per Part 3 clause 10 of these terms of reference.

- J. These terms of reference accompany a deed of agreement between the Councils and set out the membership, responsibilities, operating parameters and reporting requirements of the Joint Committee, to be known as the Nelson Tasman Regional Landfill Business Unit (NTRLBU).

III Terms of Reference

Purpose

1. The purpose of the NTRLBU is to manage and operate a regional landfill facility or facilities efficiently and in accordance with:
 - the Joint Waste Plan;
 - the Long Term Plans and Annual Plans of each Council;
 - the NTRLBU Activity [Asset] Management Plan;
 - the NTRLBU Business Plan;
 - resource consent conditions for each landfill; and
 - and the Councils' Solid Waste Activity Management Plans.
2. The NTRLBU shall plan for the future needs of the community in a cost efficient and environmentally sustainable manner in accordance with the objectives of the Joint Waste Plan.
3. The NTRLBU will designate itself as a public benefit entity (PBE) for financial reporting purposes.
4. The NTRLBU is intended to be a self-funding body which provides a service to its customers, (which include the Councils under a contractual relationship independent of its establishment as a Joint Committee of the Councils) and provides income to the Councils to implement the Joint Waste Plan.

Structure of NTRLBU

5. The NTRLBU will be established as a Joint Committee of Nelson and Tasman pursuant to schedule 7 to the LGA.
6. The NTRLBU shall comprise four or five members appointed as follows:
 - (i) Two members appointed by Tasman (at least one of whom will be an elected member of the Council);
 - (ii) Two members appointed by the Nelson (at least one of whom will be an elected member of the Council);

(iii) May include one jointly appointed/independent member, who is not involved in any business related to the NTRLBU activities. This member would only be appointed if mutually agreed to by both Councils and in accordance with the Councils' Procedure for Joint Appointment of Directors/Trustees of Council Controlled Organisations and Council Controlled Trading Organisations' (2012 version, or its replacement). This member shall be appointed for a period of three years, and in such a way as to provide continuity through the triennial election period. The member shall be remunerated in accordance with the Councils' joint policy for the appointment of independent persons to joint committees.

7. The NTRLBU will include one iwi advisor, nominated by, local iwi with mana whenua at either landfill site, and appointed by both Councils. This iwi advisor shall be appointed for a period of three years, and in such a way as to provide continuity through the triennial election period. For clarity, the advisor shall not hold voting rights in the NTRLBU. Remuneration will be in accordance with the administering Council's protocol on meeting fees.
8. In appointing members to the NTRLBU, the Councils will have regard to the criteria, skills and experience required so that an appropriate mix of skills is maintained.
9. The NTRLBU will elect a Chair and Deputy Chair from its voting members at its first meeting of the triennium.

Powers and responsibilities delegated to the NTRLBU

10. The NTRLBU may without the need to seek any further authority from the Councils:
 - (i) Set fees and charges for waste disposal at the regional landfill facilities by 30 June each year; including the power to apply discounted fees and charges for the disposal of waste in bulk; and may determine other circumstances where discounted fees and charges may be applied. For clarity, the fees and charges shall be included in the draft annual Business Plan that is submitted for Council approval each year.
 - (ii) Make decisions to accept (or not accept) waste that is generated outside the Nelson Tasman region.
11. The NTRLBU may recommend the purchase of additional land for landfill facilities to the Councils.
12. The NTRLBU shall contribute to the Long Term Plan planning processes of the Councils in a timely manner, including activity management plans and infrastructure strategies. Information is to be provided in sufficient time to enable the Councils to carry out and complete their statutory planning and reporting.
13. The NTRLBU shall contribute to and comply with the Joint Waste Plan of the Councils.
14. The NTRLBU shall contribute to the development of the Councils' Development Contribution and Financial Contribution policies, where these relate to solid waste activities or planning.
15. The NTRLBU shall contribute to the Councils' Regional Policy Statement and Regional Plan reviews, where these may relate to solid waste activities or planning.
16. The NTRLBU shall contribute to Solid Waste Service Delivery reviews in accordance with section 17A of the LGA, as necessary.
17. The NTRLBU shall follow generally accepted accounting practices and comply with the accounting policies of the Administering Council.

Meetings

18. For the avoidance of doubt, the NTRLBU shall comply with the provisions of the Local Government Official Information and Meetings Act 1987 and the standing orders of the administering Council in respect of its meetings.
19. The quorum for a meeting of the NTRLBU shall be three of the members (including vacancies). There shall also be at least one member from each Council represented in the quorum.
20. The NTRLBU should aim to meet at least 4 times per year at intervals decided by it in order to meet its obligations under these terms of reference.

Planning and reporting

21. The NTRLBU will produce the following plans in respect of its operations.

1. Business Plan

The Business Plan should state the activities and intentions of the NTRLBU. It shall outline how those activities relate to the objectives of the NTRLBU as documented in the current strategic plan, the financial forecasts for the following three years, the performance targets for the coming year and any variations to fees and charges proposed for that financial year. A draft of the Business Plan for the coming year shall be presented to the Councils annually by 31 October.

After the Councils have had an opportunity to discuss and comment on the draft Business Plan the NTRLBU shall finalise the Business Plan, incorporating any changes agreed between the Councils and the NTRLBU and present the final Business Plan to the Councils by 31 May for inclusion in each Council's draft Annual Plan.

Any changes to the draft Business Plan arising out of consultation on the draft Annual Plan shall require joint agreement of the two Councils.

2. Activity Management Plan

The NTRLBU Activity Management Plan shall provide an analysis of the assets controlled and services delivered by the NTRLBU in relation to the current levels of service required by its customers, and their likely future demands. It will also provide a financial analysis of the NTRLBU operations and indicate how the assets should be managed to ensure the most cost effective and efficient service. It will also outline the manner in which the NTRLBU will provide for appropriate risk management.

The NTRLBU Activity Management Plan shall be reviewed annually and revised at least every three years in time to meet the timeframes for each Councils Long Term Plan development and Solid Waste Activity Management Plan preparation.

The NTRLBU Activity Management Plan will be submitted to the Councils for approval.

3. Annual Report

The NTRLBU shall prepare an Annual Report at the end of each financial year which shall include reporting against the performance targets and financial forecasts in the approved Business Plan.

The annual accounts and financial statements, included in the Annual Report, shall be in a manner and form approved by the NTRLBU's auditor, fairly showing the operating and financial position of the NTRLBU for the financial year, including a statement of financial performance, a statement of financial position, a statement of cash flows, and all information necessary to enable an informed assessment of the operation of the NTRLBU. The audited financial statements must be prepared in accordance with generally accepted accounting practice and in compliance with the accounting policies of the administering Council.

The draft Annual Report will be presented to the Councils by 15 September in each year.

4. Agendas for all meetings of the NTRLBU will be forwarded to the Chief Executives of the Councils.

5. Minutes of all meetings of the NTRLBU will be forwarded to the Chief Executives of the Councils and to all NTRLBU members as draft minutes once they have been reviewed for accuracy by the General Manager and/or the Chairperson.

Management and support services

22. Management and support services will be provided as follows:

- (i) The administering Council shall carry out operational, financial, secretarial and administrative activities as necessary for the NTRLBU to fulfil its purpose and responsibilities under these terms of reference and shall report to the NTRLBU. The administering Council will be Nelson.
- (ii) A General Manager of the NTRLBU will be appointed by joint agreement of the Chief Executives of the Councils and may or may not be on the recommendation of the NTRLBU. The Councils may choose to appoint an independent General Manager instead of appointing an independent member as outlined in clause 6 (iii). The General Manager shall be employed or contracted by the administering Council.
- (iii) The Chief Executives of each Council will establish and maintain a Management Group, comprising the General Manager, and at least one staff member (or representative) with either engineering and/or financial expertise. The Management Group will meet as necessary and report four times a year to the NTRLBU on the matters referred to it under this agreement, or on any other relevant matter requested by the NTRLBU.
- (iv) The Management Group shall receive all operational and financial information concerning operation of the landfills and the operating account and shall have the following tasks:
 - (a) reporting the financial position of the NTRLBU on a monthly basis to the Chief Executive of each Council, and quarterly to the NTRLBU;
 - (b) reporting operational performance;
 - (c) reporting compliance with resource consent conditions;
 - (d) making recommendations concerning the setting of fees and charges for the disposal of waste at the regional landfill facilities;
 - (e) making recommendations concerning the setting of discounted fees and charges for disposal of waste in bulk and other circumstances where discounted fees and charges may be applied;
 - (f) making recommendations on the awarding of operational contracts;
 - (g) making recommendations concerning any proposal to accept out-of-district waste for disposal at the regional landfill facilities, and the setting of fees and charges for the disposal of such waste;
 - (h) making recommendations concerning the setting of the waste management rebate for any operating year and carrying out a review of the operating account and waste management rebate during the year;
 - (i) the review of financial modelling information concerning operation of the York Valley landfill and Eves Valley landfill over the life of this agreement and any future agreement;
 - (j) making recommendations concerning any dispute that may be referred to it;
 - (k) making recommendations for waste acceptance criteria;

- (l) the carrying out of and reporting on any other tasks identified in the Joint Waste Plan concerning regional waste management and minimisation referred to it jointly by the Councils; and
- (m) providing advice or recommendations on any other matters relevant to the NTRLBU.

Discharge of members

- 23. Subject to clause 24, the members of the NTRLBU will be discharged on the coming into office of the members of the Councils elected at the triennial local body elections. The new NTRLBU members shall be appointed by resolution of the Councils at the earliest opportunity after each election.
- 24. Prior to the election, the NTRLBU may recommend to the Councils that they approve a transitional arrangement through the triennial election process for representation on the NTRLBU. For clarity, this provision only applies where both Councils have approved a transitional arrangement.
- 25. The Councils may at any time replace their appointed members, or by joint agreement remove/replace the independent member of the NTRLBU. No action to replace any member will be taken without the Councils first consulting with the NTRLBU, except where the replacement is part of a triennial election process referred to in clause 23.
- 26. Iwi may nominate at any time a replacement for the appointed iwi advisor. The replacement iwi advisor shall be appointed jointly by the Councils.

Variations

- 27. These terms of reference may be varied by joint agreement of the two Councils to enable the NTRLBU to perform in such a manner as to give effect to its purpose, and to carry out its functions and duties effectively, provided that such variation is in accordance with the accompanying agreement and meets the requirements of the LGA.

Limitations

- 28. The NTRLBU may not borrow money or undertake major financial transactions other than with the approval of both Councils.

Media

- 29. The Councils shall endeavour to agree all public or media statements concerning the activities of the NTRLBU prior to release. However this clause shall not be construed as restricting the right of each Council to discuss any aspect of the accompanying agreement or these terms of reference in open Council meetings, and to have such deliberations reported in the media, or to make statements in relation to them as each Council reasonably considers is necessary or desirable in the performance of its role as a territorial authority, or in the interests of full public debate of all issues relevant to a territorial authority, its community and its ratepayers.

5.0 Other Committees

Terms of Reference for each committee can also be found on the Tasman District website www.tasman.govt.nz/my-council/meetings/committee-terms-of-reference/.

Community Boards

Approved by Council resolution CN20-02-13

1.0 Purpose

The purpose of the community board is to be an effective, authoritative, informed and respected voice of the community with influence over matters of local significance.

2.0 Objective

To carry out its role as set out in section 52 of the Local Government Act 2002, to give effect to the purpose of local government in section 10 of the Local Government Act 2002.

3.0 Responsibilities

- 3.1 represent, and act as an advocate for, the interests of its community; and
- 3.2 consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board; and
- 3.3 maintain an overview of services provided by the Tasman District Council within the community; and
- 3.4 prepare an annual submission to the Tasman District Council for expenditure within the community; and
- 3.5 communicate with community organisations and special interest groups within the community; and
- 3.6 undertake any other responsibilities that are delegated to it by the territorial authority.

4.0 Delegated Authority

The Community Board has authority to:

- 4.1 facilitate engagement of their community in relation to policies, plans and projects proposed for their community as requested by the Council;
- 4.2 advise the Council on the priorities and preferences of their community in respect of the level and nature of local services to be provided by the Council in their community;
- 4.3 undertake activities for which a budget has been allocated by the Council to the Board;
- 4.4 seek funding (to be held by the Council) from external organisations which can be applied to community projects within their community;
- 4.5 make submissions and objections in relation to Council statutory processes and which affect interests within their community.

5.0 Powers to Act

Community boards shall have delegated authority, in accordance with any statutory powers and the policies, plans and bylaws of the Council, to:

- 5.1 allocate, within Council Policy guidelines, funding and operational grants to local community groups in their community from the Grants from Rates Programme within the budget allocated by Council;
- 5.2 manage and approve usage of any market place in their community with power to disburse any surplus, after costs, for purposes within the ward;
- 5.3 approve traffic control signs on streets (e.g. stop and give way signs etc), the design and location of bus stops and shelters in their community, **within budget limits and relevant engineering standards;**
- 5.4 approve the design and location of playground equipment, **landscape and amenity works with a value of more than \$10,000**, street furniture and street planting in their community;
- 5.5 approve names of streets and parks in their community;
- 5.6 grant consent for the removal of trees from parks, reserves, streets or other Council land in their community;
- 5.7 authorise, within approved budgets, board member attendance at appropriate conferences and training courses.

6.0 Power to Recommend

- 6.1 **To the Council** where preferred service levels in their community are higher than Council Annual Plan, **the** funding mechanism;
- 6.2 to the Council granting of leases or licences on reserves and public spaces in their community;
- 6.3 to the Council, proposed developments or activities on local parks, reserves and waterways in their community;
- 6.4 to the Council on the use and allocation of the Special Purpose Committee funding, and the use and allocation of Reserve Financial Contributions received from subdivisions and developments in their wards, for inclusion in the Annual Plan and Long Term Plan processes ;
- 6.5 **to Council any changes the Board would like made to the performance of Council activities within the Ward;**
- 6.6 to the Operations Committee annual work programme priorities for new and renewal footpaths within their wards, for consideration and potential inclusion in the District-wide annual work programme;
- 6.7 to the Strategy and Policy Committee on proposals to declare land within their wards as reserve and/or to classify reserves under the Reserves Act 1977;
- 6.8 to the Strategy and Policy Committee on draft content for inclusion in the draft reserve management plans for the parks and reserves within their wards;
- 6.9 to the Strategy and Policy Committee on preparing resource management plan changes affecting land and other resources within the Ward.

7.0 Administration

- 7.1 The Chairperson shall be voted in by resolution of the Board at its inaugural meeting of the triennium.
- 7.2 4 members are elected as members of the Community Board. The Council may resolve for the relevant ward Councillors to be members of the Community Board.
- 7.3 A quorum for the Motueka Community Board comprises 4 members and a quorum for the Golden Bay Community Board comprises 3 members for the time being.
- 7.4 The Community Boards will operate under Standing Orders, adopted at their first meeting of the triennium. This may be the Tasman District Council Standing Orders, with or without amendments.
- 7.5 Community Boards meeting:
 - 7.5.1 Golden Bay Community Board: monthly, ordinarily on the second Tuesday of the month.
 - 7.5.2 Motueka Community Board: monthly, ordinarily on a Tuesday. The Motueka Community Board may also hold 'public forum' sessions, which are not meetings under Standing Orders or LGOIMA.

8.0 Exclusion to Golden Bay Community Board's Delegations

- 8.1 All matters relating to the Golden Bay Recreation park are excluded from the Golden Bay Community Board's delegations with respect to clauses 5.0 and 6.0 of this Delegations Register

District Licensing Committee (DLC)

Approved by Council resolution CN20-02-13

The District Licensing Committee operates under the **Sale and Supply of Alcohol Act 2012** (SSAA). Each territorial authority must appoint one or more licensing committees as, in its opinion, are required to deal with licensing matters for its district (s.186 SSAA).

1.0 Responsibilities and Powers

- 1.1 Consider and determine applications for licences and manager's certificates.
- 1.2 Consider and determine applications for renewal of licences and manager's certificates.
- 1.3 Consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with section 136.
- 1.4 Consider and determine applications for the variation, suspension, or cancellation of special licences.
- 1.5 Consider and determine applications for the variation of licences (other than special licences) unless the application is brought under section 280.
- 1.6 Refer applications to the licensing authority with the leave of the chairperson for the licensing authority.
- 1.7 Conduct inquiries and to make reports as may be required of it by the licensing authority under section 175.
- 1.8 Carry out any other functions conferred on licensing committees by or under the SSAA or any other enactment. (s.187).

2.0 Administration

- 2.1 In the absence of the Chairperson, the Deputy Chairperson will preside.
- 2.2 A quorum comprises 3 members except when the Chairperson is sitting alone.
- 2.3 Meets ordinarily weekly on a Wednesday, or as required.
- 2.4 The provisions of the Local Government Official Information and Meetings Act 1987 apply other than Part 7 and section 200 of SSAA applies.

Tasman Regional Transport Committee (TRTC)

Approved by Council resolution CN20-02-13

The Tasman Regional Transport Committee operates under the **Land Transport Management Act 2003**. Under this Act the Council must:

- establish a regional transport committee; and
- as a unitary authority must have 4 persons to represent the unitary authority and 1 person to represent the NZTA.

1.0 Responsibilities

The Tasman Regional Transport Committee is tasked with preparation of the following, for approval by the Council:

- 1.1 A regional land transport plan for Tasman District, or any variations to the plan;
- 1.2 A regional fuel tax scheme for Tasman District if the regional transport committee decides to recommend a scheme; and
- 1.3 Any advice and assistance the Council may request in relation to its transport responsibilities.

2.0 Powers

The Tasman Regional Transport Committee may make recommendations only to the Council.

3.0 Limitations

- 3.1 The power to discharge or appoint members is by resolution of Council only.
- 3.2 The Tasman Regional Transport Committee has no financial responsibilities or budgets.

4.0 Administration

- 4.1 The Chair and Deputy Chair are appointed by Council resolution
- 4.2 Membership:

5 elected members appointed
1 x NZTA representative (full membership including voting rights)
Non-voting members by appointment (ordinarily 6) who act in an advisory capacity only. This ordinarily includes representatives from the Police, the Regional Economic Development Agency, Iwi, Public Health, and for Access/Mobility and Environment/Sustainability.
Nelson City Council and Marlborough District Council are ordinarily invited to nominate a non-voting representative.

- 4.3 For the time being, a quorum comprises 2 members.
- 4.4 In the absence of the Chair the Deputy Chairperson will preside.
- 4.5 The Tasman District Council Standing Orders apply to the meeting procedures with the following exceptions:
The Chairperson (or any other person presiding at the meeting):
 - 4.5.1 has the deliberative vote; and
 - 4.5.2 in the case of an equality of votes does not have the casting vote (and therefore the motion is not passed and the status quo is preserved).
- 4.6 Meets quarterly, ordinarily on a Friday.

6.0 Advisory Groups

Terms of Reference for each advisory group can also be found on the Tasman District website www.tasman.govt.nz/my-council/meetings/committee-terms-of-reference/

Port Tarakohe Advisory Group (PTAG)

Approved by Council resolution CN20-05-5

1.0 Overview

The Port Tarakohe Advisory Group (PTAG) function is an advisory role. The PTAG will be the conduit for users to provide advice/recommendations on the Port to Council, which has a vested interest in direct feedback from various stakeholders.

2.0 Membership and Quorum

- 2.1 The PTAG will consist of the following Council and Community Board Representatives:
 - 2.1.1 Up to two Councillors from Golden Bay Ward
 - 2.1.2 A member of the Council's Commercial Committee, appointed by the Committee
 - 2.1.3 A member of the Golden Bay Community Board, appointed by the Community Board
- 2.2 Plus elected representatives from each of the following interested groups:
 - 2.2.1 Marine Farming Association
 - 2.2.2 Fishing Industry
 - 2.2.3 Commercial Port users
 - 2.2.4 Marina Association
 - 2.2.5 Pohara Boating Club
 - 2.2.6 Adjoining land owners
 - 2.2.7 Manawhenua ki Mohua
- 2.3 A total of 14 members maximum
- 2.4 Invited guests at the Chair's discretion
- 2.5 Involvement from any other guest speakers, as and when required
- 2.6 Members may provide a deputy from their organisation to attend if they are unable to be present
- 2.7 Six members must be in attendance for quorum

3.0 Purpose and Objectives

- 3.1 Act in an advisory role to allow Council to seek input from the wider Community and all Port users, in a structured and positive environment, recognising the challenges Council has in ensuring the Port Facility is financially sustainable
- 3.2 The objectives include:
 - 3.2.1 To provide a conduit for all community and Port users interests through to Council
 - 3.2.2 To ensure community, stakeholders and all users are informed, have the opportunity for input, and are involved in the work of the group

3.2.3 To provide updates to Council and any recommendations for improvements to the operational issues of the Port, while respecting the financial sustainability framework Council has set

3.3 At all times the Council retains the right to autonomous strategic and operational management of the Port and is not bound by any Broad process outcome

4.0 Meetings

4.1 Meetings will be on a quarterly basis with special meetings called as required, and will aim to be no more than two hours long

4.2 The members of the Advisory group will meet their own costs

4.3 Written reports are to go out with the agenda wherever possible, but verbal agenda items will be accepted. All agendas are to be circulated at least 7 days prior to meetings

4.4 All communications will be in electronic form

4.5 Any advice or recommendations to Council by the PTAG will require a majority decision by members

4.6 The PTAG will at all times operate in accordance with the requirements of the Local Government Official Information and Meetings Act 1987

4.7 Work in a collaborative and cooperative manner using the best endeavours to reach solutions that take account of the interests of all sectors of the community

4.8 Council will extend a best endeavours basis to provide full and frank discussions around all the issues facing the Port, however all parties must recognise:

4.8.1 The sensitivity and confidentiality of operational matters

4.8.2 Members are expected to take an active part in meetings and to report on relevant issues from their respective organisations/interests

4.8.3 Communication channels with other groups and networks will be nurtured to ensure exchange of information between Council, users and the community

5.0 Chair and Agenda

5.1 The Chair of the PTAG will be a Councillor appointed by the Council to the group. The term of office will coincide with the Local Government election cycle

5.2 The Chair will liaise with Council staff to consider and set agenda

5.3 The Chair will ensure the meetings runs to time and keeps to the agenda

5.4 Agenda will include some of the following items:

5.4.1 Confirmation of minutes

5.4.2 Matters arising

5.4.3 Reports for discussion and action

5.4.4 Relevant trends and issues facing the Port

6.0 Administration and Media

6.1 The Council will provide support that includes:

6.1.1 Sending out meeting invitations and agendas

6.1.2 Collate attendance and apology lists

6.1.3 Provide minuted records

6.1.4 Undertake other administrative duties as deemed appropriate

Item 8.3

6.2 Media contact and announcements will be made by either the Chair or Council, subject to the approval by both. Any media release will be circulated to the PTAG within 2 days for their information

7.0 Review

7.1 The Terms of Reference will be reviewed every 3 years, aligned to 31 January, immediately post local government elections, or sooner if significant issues arise as determined by Council

Attachment 1

Motueka Aerodrome Advisory Group (MAAG)

Approved by Council resolution CN20-05-5

1.0 Overview

To help the Council ensure better involvement by the community and stakeholders in developing the aerodrome and in the management of its operations. The scope of the MAAG does not include matters covered by the Terms of Reference for the Motueka Aerodrome Operations and Safety Committee.

The MAAG is not a decision making group, but a community and stakeholder group that provides feedback and makes recommendations to the Council on Motueka aerodrome related matters.

2.0 Membership and Quorum

2.1 The Committee will consist of the following Representatives:

- 2.1.1 One appointed Tasman District Council Motueka Ward Councillor (Chair)
- 2.1.2 One appointed Motueka Community Board member
- 2.1.3 One Motueka Aerodrome recreational user representative
- 2.1.4 Two Motueka Aerodrome commercial user representatives
- 2.1.5 Two independent members of the public – to be appointed by the Motueka Community Board
- 2.1.6 Invited guests at the Chair's discretion

2.2 Four members must be in attendance for quorum

3.0 Purpose and Objectives

- 3.1 The function of the MAAG is a feedback and advocacy role. Council are seeking input from the wider Community and all Aerodrome users, in a structured and positive environment, while recognising the challenges Council has in ensuring the Aerodrome is financially sustainable.
- 3.2 The MAAG will be the conduit for users to provide advice, recommendations and feedback on the Aerodrome to Council, which has a vested interest in direct feedback from various stakeholder groups.
- 3.3 At all times Council retains the right to autonomous strategic and operational management of the aerodrome. It will however take into consideration, but will not be bound by any Advisory Group process outcome, feedback or recommendation.
- 3.4 The objects are to:
 - 3.4.1 To review and provide opinion on development applications or requests at Motueka Aerodrome
 - 3.4.2 To review the Motueka Aerodrome Development plan and recommend any changes to Council
 - 3.4.3 To be consulted prior to any changes to aerodrome landing or parking charges
 - 3.4.4 To receive quarterly aerodrome financial reports
 - 3.4.5 To be consulted prior to the Motueka Aerodrome component of the Long Term Plan being recommended for adoption by Council

- 3.4.6 To provide feedback on any requests to change the permitted or discretionary uses at Motueka Aerodrome
- 3.4.7 To review issues relating to noise at Motueka Aerodrome and recommend appropriate actions
- 3.4.8 To receive condition reports on the aerodrome infrastructure and provide a link between users and the Aerodrome Operator.

4.0 Meetings

- 4.1 Meetings will be on a quarterly basis with special meetings called as required, and will aim to be no more than 90 minutes in duration
- 4.2 The members of the group will meet their own costs
- 4.3 Written reports are to go out with the agenda wherever possible, but verbal agenda items will be accepted. All Agendas are to be circulated at least 5 working days prior to meetings
- 4.4 All communications will generally be in electronic form
- 4.5 Any advice, recommendations or feedback to Council will require a majority decision by members
- 4.6 The group members will at all times operate in a respectful, collaborative and cooperative manner, using their best endeavours to reach solutions that consider the interests of the aerodrome and the community as a whole
- 4.7 The Aerodrome Operator or their delegate is the Council advisory representative for the Group
- 4.8 Members are expected to take an active part in meetings and to report on relevant issues from their respective organisations/interests

5.0 Chair and Agenda

- 5.1 The Chair of the MAAG will be the Motueka Ward Councillor who is appointed by the Council to the Group. The term of office will coincide with the Local Government election cycle
- 5.2 The Chair will liaise with the Aerodrome Operator to consider and set agendas
- 5.3 The Chair will ensure the meeting runs to time and keeps to the agenda
- 5.4 Agenda will include some of the following items:
 - 5.4.1 Confirmation of minutes
 - 5.4.2 Matters arising
 - 5.4.3 Reports for discussion and action (including feedback from the Commercial Committee)
 - 5.4.4 Financial reports
 - 5.4.5 Permitted and discretionary uses
 - 5.4.6 Noise issues
 - 5.4.7 Development requests
 - 5.4.8 Development plan review
 - 5.4.9 Charges review
 - 5.4.10 Long term planning
 - 5.4.11 Infrastructure condition reports
 - 5.4.12 Next meeting date

5.4.13 Complaints

6.0 Administration and Media

6.1 The Council will provide support that includes:

6.1.1 Sending out meeting invitations and agendas

6.1.2 Collate attendance and apology lists

6.1.3 Provide minuted records to the MAAG and the Commercial Committee of Council

6.1.4 Undertake other administrative duties as deemed appropriate

6.2 Communication channels will be nurtured to ensure exchange of information between Council, users and the Community

6.3 Any media communications will be undertaken by the Aerodrome Operator or by authorised Council staff

7.0 Review

7.1 This Terms of Reference will be reviewed by Council every three years following the Local Government elections.

Māpua Waterfront Area Masterplan Working Group

Approved by Council resolution CN19-09-17

Toitū te marae a Tāne-Mahuta, toitū te marae a Tangaroa, toitū te tangata.

If the land is well, and the sea is well, the people will thrive.

1.0 Purpose and Function

To provide community direction and oversight to the implementation of the Māpua Masterplan and associated action plans in a way that gives balanced consideration to the social, cultural, environmental and economic priorities of the community Māpua.

2.0 Objectives of the Working Group

Through guiding and shaping the implementation of the action plans set out in the Māpua Waterfront Area Masterplan the Working Group will:

- 2.1 Ensure that the ecological and cultural wellbeing of the area is embedded at the heart of any development discussion.
- 2.2 Maintain and enhance the village spirit of the Māpua through any proposed development.
- 2.3 Ensure the unique history of the rohe (including pre-colonial and post-colonial settlement) is expressed in a common narrative.
- 2.4 Ensure the local community and stakeholders are kept informed of progress and have the opportunity for input into the proposed changes and solutions for the rohe.
- 2.5 To provide regular six-monthly updates to Council of progress, outcomes and outputs.

3.0 Limitations of Power

The Working Group does not have the authority to commit Council to any path or expenditure and shall operate in a manner that does not compromise Council's ability to make decisions as appropriate.

4.0 Membership

The Working Group is made up as follows:

- Council Reserves and Facilities Manager.
- Council Property Services Manager.
- Māpua and Districts Community Association – one representative.
- Māpua and Districts Business Association – one representative.
- Māpua Boat Club– one representative.
- Tamaha Sea Scouts – one representative.
- Friends of Māpua Waterfront– one representative.
- Mana Whenua - one representative for each iwi entity.

5. Selection of Members

- 5.1 Each group, as listed above, shall be responsible for nominating one member to join the Working Group. If that member is unable to attend, an alternate is able to attend to provide continuity.
- 5.2 If neither the principal representative nor the delegate can attend they may give their proxy to the secretary.

6. Voting

6.1 Each independent entity shall have one vote:

- Tasman District Council 1 vote
- Māpua and Districts Community Association 1 vote
- Māpua and Districts Business Association 1 vote
- Māpua Boat Club 1 vote
- Tamaha Sea Scouts 1 vote
- Friends of Māpua Waterfront 1 vote
- Ngāti Tama 1 vote
- Ngāti Rārua 1 vote
- Te Atiawa Iwi Trust 1 vote

Total: 9 votes

6.2 The Chairperson shall not have a vote or casting vote.

7. Scope

Selected members will be responsible for:

- 7.1 Representing the social, cultural, environmental, and economic priorities and views of the community with a focus on the benefit of the whole area to the local community, Māori, and visitors.
- 7.2 Ensuring consistency and cohesion between each of the identified Action Plan areas to recognise the interconnectivity of the waterfront area and surrounds.
- 7.3 Liaising and providing feedback from the various groups and organisations on the proposed implementation actions.
- 7.4 Liaising with Council departments on the preferred proposals for implementation.

8. Role of Chairperson

8.1 The Chairperson shall be appointed by consensus provided that a vote will occur if consensus cannot be reached.

8.2 The Chairperson shall be:

- 8.2.1 An impartial person who is it not a member of, or aligned to, any of the participating groups.
- 8.2.2 Have an interest in the enhancement of the Māpua area, its history and culture, and its community.
- 8.2.3 The appointment of the Chairperson shall be for two years and the incumbent shall be eligible for reappointment.

9. Role of Secretary

9.1 Secretarial functions will be provided by the Tasman District Council including:

- The recording of minutes and actions.
- Organisation of meetings.

- Distribution of information as required.

10. Term

The term of the Group will be for the duration of the time it takes to action the deliverables from the Māpua Waterfront Area Masterplan. The Working Group will be responsible for determining the priority of actions.

11. Operating Philosophy

The Working Group will, at all times, operate in accordance with the requirements of the Local Government Official Information and Meetings Act, and will observe the following principles at all times:

- 11.1 Promote a philosophy of integrated decision-making to achieve the diverse outcomes relevant to the broad range of interests in the waterfront area.
- 11.2 Be culturally sensitive, valuing a Te Ao Māori world-view and observing tikanga Māori principles where appropriate.
- 11.3 Recognise the interconnectivity of the waterfront area.
- 11.4 Work in a collaborative and cooperative manner using best endeavours to reach solutions that take account of the interests of all sectors of the community.
- 11.5 Members of the Group will contribute their knowledge and perspective, as well as the views or positions of the stakeholder groups that they have been chosen to represent as well as the position of Mana Whenua and act in the interests of the whole community; and
- 11.6 The Working Group will seek consensus in its decision-making where possible.
- 11.7 Give effect to the Māpua Waterfront Area Masterplan.

12. General:

The Working Group shall advise the Council on the prioritisation of actions within the Masterplan so Council Officers will submit funding requests through the Council's Annual Plan/Long Term Plan process for the Council's consideration.

13. Meeting Schedule

The Working Group shall determine the frequency of the meetings but they shall be a minimum of bi-monthly (every two months).

Takaka Aerodrome User Group

Approved by Council resolution CN20-05-5

1.0 Overview

The Takaka Aerodrome is vested into the Tasman District Council (Council). It is not a certificated aerodrome. Council's intention is that the aerodrome is maintained to a standard which satisfies aerodrome users and Civil Aviation Authority (CAA) requirements and functions with a minimum of ratepayer subsidy. CAA Advisory Circular AC139-17 entitled "Aerodrome User Groups" sets out the guidelines for the establishment of such groups and has been used as the basis for this terms of reference. Prior to the establishment of this User Group, the aerodrome has been managed by a local Management Committee which has had responsibility for aerodrome maintenance, collection of fees and rentals, plus financial management. The formation of this User Group effective from 1 July 2017 will transfer those functions to Council.

2.0 Membership and Quorum

2.1 The User Group will consist of the following:

- 2.1.1 Golden Bay Ward Councillors
- 2.1.2 Golden Bay Community Board member
- 2.1.3 Aerodrome Operator or their delegate
- 2.1.4 "Golden Bay Air" representative
- 2.1.5 Commercial aerodrome users
- 2.1.6 Recreational aerodrome users
- 2.1.7 Aerodrome maintenance contractor(s)
- 2.1.8 Unmanned Aerial Vehicle operators which are registered with Takaka Aerodrome
- 2.1.9 Persons occupying or leasing property at Takaka Aerodrome
- 2.1.10 Adjoining land owners
- 2.1.11 Invited guests and representatives of CAA when required
- 2.1.12 Invited guests at the Chair's discretion

2.2 Four members must be in attendance for quorum

3.0 Purpose and Objectives

3.1 The purpose of the Takaka Aerodrome User Group (TAUG) is to facilitate the development and coordination of procedures for the safe use of the aerodrome and associated airspace, and to provide advice and support to the Aerodrome Manager on issues pertaining to Takaka Aerodrome

3.2 The objectives include:

- 3.2.1 To encourage best practice for the health and safety of all users of Takaka Aerodrome and the associated airspace
- 3.2.2 To act as a forum for aerodrome users to discuss any operational or safety issues at Takaka Aerodrome, or to the type of operations conducted at the aerodrome and suggest ways to address / resolve / improve
- 3.2.3 To review and provide opinion on development applications or requests at Takaka Aerodrome
- 3.2.4 To be consulted prior to any changes to aerodrome landing or parking charges
- 3.2.5 To receive quarterly aerodrome financial reports

- 3.2.6 To be consulted prior to the Takaka Aerodrome Long Term Plan being recommended for adoption
- 3.2.7 To consider any requests to change the permitted or discretionary uses at Takaka Aerodrome
- 3.2.8 To review issues relating to noise at Takaka Aerodrome and recommend appropriate actions
- 3.2.9 To receive condition reports on the aerodrome infrastructure and provide a link between users and the Aerodrome Manager

3.3 Specific tasks include:

- 3.3.1 Administer tests and review the Takaka Aerodrome Emergency Plan
- 3.3.2 Establish, administer and review a Takaka Aerodrome Memorandum of Understanding

4.0 Meetings

- 4.1 Meetings will be on a quarterly basis with special meetings called as required, and will aim to be no more than one hour in duration
- 4.2 The members of the Committee will meet their own expenses
- 4.3 Written reports are to go out with the agenda wherever possible, but verbal agenda items will be accepted. Agendas are to be circulated at least seven days prior to the meeting
- 4.4 All communications will generally be in electronic form
- 4.5 Any advice or recommendations to Council will require a majority decision by members. The facilitator shall have a casting vote
- 4.6 If there is concern over the implications of any follow up action, the Aerodrome Manager should consult with CAA before carrying out the proposed action
- 4.7 Members are expected to take an active part in meetings and to report on relevant issues from their respective organisations/ interests
- 4.8 Where there is concern over the implications of any follow up action the Aerodrome Manager should consult with CAA before carrying out the proposed action

5.0 Chairperson and Agenda

- 5.1 The Chair will be elected by the members of the TUAG
- 5.2 The term of office will coincide with the Local Government election cycle
- 5.3 Should the Chairperson be absent from any meeting, either a Councillor or the Golden Bay Community Board representative will deputise as Chairperson for that meeting
- 5.4 The Chair will liaise with the Aerodrome Manager prior to setting the agenda
- 5.5 The Chair will provide good meeting practice and lead the Group to obtain consensus and meet the Group's objectives
- 5.6 Agenda will include some or all of the following items:
 - 5.6.1 Confirmation of minutes
 - 5.6.2 Actions from previous meeting
 - 5.6.3 Matters arising
 - 5.6.4 Reports for discussion and action
 - 5.6.5 Airport Operational issues
 - 5.6.6 Airspace issues
 - 5.6.7 Review of any safety incidents or accidents
 - 5.6.8 Aerodrome security and safety issues
 - 5.6.9 Proposed amendments to aerodrome layout or proposed works on the aerodrome

- 5.6.10 Review of published aerodrome data and operational procedures contained in the AIPNZ
- 5.6.11 Review and coordinate feedback on any airspace amendment proposals
- 5.6.12 Requirements for any rules to accommodate an organisation with special needs such as helicopters and helicopter training etc
- 5.6.13 Any type of activity commencing on or off the aerodrome which may have an impact on aerodrome operations
- 5.6.14 An activity which previously had special procedures developed for it and is no longer operating
- 5.6.15 Financial reports
- 5.6.16 Infrastructure condition
- 5.6.17 Charges review
- 5.6.18 Noise issues
- 5.6.19 Long Term planning
- 5.6.20 Development requests
- 5.6.21 Permitted and discretionary uses
- 5.6.22 Memorandum of understanding review
- 5.6.23 Emergency plan test or review
- 5.6.24 Next meeting date

6.0 Administration and Media

- 6.1 The Council will provide support that includes:
 - 6.1.1 Sending out meeting invitations and agendas
 - 6.1.2 Collate attendance and apology lists
 - 6.1.3 Provide minuted records
 - 6.1.4 Undertake other administrative duties as deemed appropriate
- 6.2 Communication channels will be nurtured to ensure exchange of information between Council, users and the community. Communication on behalf of the group will be made by the Aerodrome Manager or Council staff.
- 6.3 Any media communication will be undertaken by the Aerodrome Manager or by authorised Council staff.

7.0 Review

- 7.1 The Terms of Reference will be reviewed in alignment with the Local Government election cycle.

Motueka Aerodrome Operations and Safety Committee

Approved by Council resolution CN20-05-5

1.0 Overview

The Motueka Operations and Safety Committee was established at the request of the Civil Aviation Authority (CAA) to address operational and safety issues at and in the vicinity of Motueka Aerodrome. The aerodrome is owned and operated by Tasman District Council. It is not a certificated aerodrome but the Tasman District Council intention is that the aerodrome be maintained to a similar standard as Civil Aviation Authority certification, as a quality assurance system. CAA advisory circular AC139-17 entitled “Aerodrome User Groups” contains guidelines which are applicable for this committee.

2.0 Membership and Quorum

2.1 The Committee will consist of the following Representatives:

- 2.1.1 Aerodrome Operator or their delegate
- 2.1.2 Nelson Drag Racing Association representative
- 2.1.3 Commercial aerodrome user
- 2.1.4 Recreational aerodrome user
- 2.1.5 Council’s aerodrome maintenance contractor(s)
- 2.1.6 Unmanned Aerial Vehicle operators which are registers with Motueka Aerodrome
- 2.1.7 Persons occupying or leasing property at Motueka Aerodrome
- 2.1.8 Invited guests and representatives of CAA when required
- 2.1.9 Invited guests at the Chair’s discretion

2.2 Four members must be in attendance for quorum

3.0 Purpose and Objectives

3.1 Purpose is to facilitate the development, implementation, monitoring, review and coordination of procedures for the safe use of the aerodrome and associated airspace.

3.2 The objectives are to:

- 3.2.1 Encourage best practice for the health and safety of all users of Motueka Aerodrome and associated airspace
- 3.2.2 Act as forum for aerodrome users to discuss any operational or safety issues at Motueka Aerodrome, and suggest ways to address/resolve/improve or mitigate

3.3 Specific tasks include:

- 3.3.1 To review and recommend to the Aerodrome Manager, any changes for the shared use of the aerodrome with the Nelson Drag Racing Association events at Motueka Aerodrome, and to conduct the annual debrief with the Nelson Drag Racing Association
- 3.3.2 Administer, test and review the Motueka Aerodrome Emergency Plan, in conjunction with the Aerodrome Manager who has responsibility for its implementation
- 3.3.3 Administer and review the Motueka Aerodrome Memorandum of Understanding which covers best practice for aircraft use at and in the vicinity of Motueka Aerodrome

- 3.3.4 Conduct the annual debrief after the Nelson Drag Racing Association calendar of events has been completed

4.0 Meetings

- 4.1 Meetings will be on a quarterly basis and will aim to be no more than one hour in duration
- 4.2 Special meetings will be called as required, including for the following:
 - 4.2.1 Following an incident or accident or where a serious issue is raised
 - 4.2.2 When a new operator or new type of operation is proposed for the aerodrome
 - 4.2.3 When major works are proposed for the aerodrome
- 4.2 The members of the Committee will meet their own costs
- 4.3 Written reports are to go out with the agenda wherever possible, but verbal agenda items will be accepted. All agendas are to be circulated at least 5 working days prior to meetings
- 4.4 All communications will generally be in electronic form
- 4.5 Any advice, recommendations or feedback to Council will require a majority decision by members. The Chair shall have a casting vote
- 4.6 The Committee members will at all times operate in a collaborative and cooperative manner, using their best endeavours to reach solutions that consider the interests of the aerodrome and the community as a whole
- 4.7 Members are expected to take an active part in meetings and report on relevant issues from their respective organisations/interests
- 4.8 Communication channels will be nurtured to ensure the timely exchange of information between Council, users and the community

5.0 Chair and Agenda

- 5.1 The Committee shall elect the meeting Chair from its membership. Re-election will occur every two years
- 5.2 Should the Chair be absent from any meeting, the Aerodrome Operator will deputise as Chair for that meeting
- 5.3 The Chair will liaise with the Aerodrome Operator prior to the setting of the agenda
- 5.4 The Chair will provide good meeting practices and lead the Committee to obtain consensus and meet the Committee's objectives
- 5.4 Agenda will include some of the following items:
 - 5.4.1 Confirmation of Minutes
 - 5.4.2 Actions from previous meeting
 - 5.4.3 Matters arising
 - 5.4.4 Reports for discussion and action
 - 5.4.5 Airport Operational issues
 - 5.4.6 Airspace issues
 - 5.4.7 Review of any safety incidents or accidents
 - 5.4.8 Aerodrome security and safety issues
 - 5.4.9 Proposed amendments to aerodrome layout or proposed works on the aerodrome
 - 5.4.10 Review of published aerodrome data and operational procedures contained in the AIPNZ

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- 5.4.11 Review and coordinate feedback on any airspace amendments proposals
- 5.4.12 Requirements for any rules to accommodate an organisation with special needs such as helicopters and helicopter training etc.
- 5.4.13 Any type of activity commencing on or off the aerodrome which may have an impact on aerodrome operations
- 5.4.14 An activity which previously had special procedures developed for it and is no longer operating
- 5.4.15 Nelson Drag Racing Association event report or debrief
- 5.4.16 Memorandum of understanding review
- 5.4.17 Emergency plan text or review
- 5.4.18 Next meeting date

Attachment 1

6.0 Administration and Media

- 6.1 The Council will provide support that includes:
 - 6.1.1 Sending out meeting invitations and agendas
 - 6.1.2 Collate attendance and apology lists
 - 6.1.3 Provide minuted records
 - 6.1.4 Undertake other administrative duties as deemed appropriate
- 6.2 Communications on behalf of the group will be issued by the Aerodrome Operator or Council staff

7.0 Review

- 7.1 This Terms of Reference will be reviewed by Council at least every three years following the Local Government elections

Version Control

Version	Date	Content
3.00	November 2019	Full register adopted by Council Resolution CN19-11-12
4.00	30 June 2021	Full Register
		<p>Part One – General</p> <ul style="list-style-type: none"> Updated Temporary Delegations (previously labelled Sub-delegations) <p>Part Two – Governance</p> <ul style="list-style-type: none"> Section 2.0 – Added “Health Act” under Use of Common Seal Section 3.2 – amended committee name from Regulatory to Strategy and Policy Section 4.0 - new preamble and moved ToR to Part Five Section 5.1 - new preamble Section 5.2 - new section Appointments to Other Organisations Section 5.4 – Updated Audit and Risk membership Section 5.5.4 Tenders Panel – extended responsibilities to include land purchases <p>Part Three – Management</p> <ul style="list-style-type: none"> Section 1.0 – updated Chief Executive delegations Section 3.1 – updated Tenders Panel Section 3.5 – amendment to unbudgeted capital expenditure Section 3.10 – Bad Debts added explanatory paragraph. Section 3.12 – Elected Members Payments now applied to all Community Boards Section 3.14 – Schedule of Fees added explanatory paragraph. Section 4.4 – new authority to write-off rates Section 7.0 – General Submissions rewritten to remove duplication. <p>Part Four – Statutory Delegations</p> <ul style="list-style-type: none"> Updated with new role titles Removed repealed sections LGA 2002 s.183; RMA 1991 s.149Q & s.360D; <p>Part Five – Terms of Reference</p> <ul style="list-style-type: none"> Updated Saxton Field ToR Updated Community Board ToR, and relocated from Governance Section



Terms of Reference for Community Boards

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Attachment 2

Community Boards

1.0 Purpose

The purpose of the community board is to be an effective, authoritative, informed and respected voice of the community with influence over matters of local significance.

2.0 Objective

To carry out its role as set out in section 52 of the Local Government Act 2002, to give effect to the purpose of local government in section 10 of the Local Government Act 2002.

3.0 Responsibilities

- 3.1 represent, and act as an advocate for, the interests of its community; and
- 3.2 consider and report on all matters referred to it by the territorial authority, or any matter of interest or concern to the community board; and
- 3.3 maintain an overview of services provided by the Tasman District Council within the community; and
- 3.4 prepare an annual submission to the Tasman District Council for expenditure within the community; and
- 3.5 communicate with community organisations and special interest groups within the community; and
- 3.6 undertake any other responsibilities that are delegated to it by the territorial authority.

4.0 Delegated Authority

The Community Board has authority to:

- 4.1 facilitate engagement of their community in relation to policies, plans and projects proposed for their community as requested by the Council;
- 4.2 advise the Council on the priorities and preferences of their community in respect of the level and nature of local services to be provided by the Council in their community;
- 4.3 undertake activities for which a budget has been allocated by the Council to the Board;
- 4.4 seek funding (to be held by the Council) from external organisations which can be applied to community projects within their community;
- 4.5 make submissions and objections in relation to Council statutory processes and which affect interests within their community.

5.0 Powers to Act

Community boards shall have delegated authority, in accordance with any statutory powers and the policies, plans and bylaws of the Council, to:

- 5.1 allocate, within Council Policy guidelines, funding and operational grants to local community groups in their community from the Grants from Rates Programme within the budget allocated by Council;
- 5.2 manage and approve usage of any market place in their community with power to disburse any surplus, after costs, for purposes within the ward;
- 5.3 approve traffic control signs on streets (e.g. stop and give way signs etc), the design and location of bus stops and shelters in their community, within budget limits and relevant engineering standards;

- 5.4 approve the design and location of playground equipment, **landscape and amenity works with a value of more than \$10,000**, street furniture and street planting in their community;
- 5.5 approve names of streets and parks in their community;
- 5.6 grant consent for the removal of trees from parks, reserves, streets or other Council land in their community;
- 5.7 authorise, within approved budgets, board member attendance at appropriate conferences and training courses.

6.0 Power to Recommend

- 6.1 **To the Council** where preferred service levels in their community are higher than Council Annual Plan, **the** funding mechanism;
- 6.2 to the Council granting of leases or licences on reserves and public spaces in their community;
- 6.3 to the Council, proposed developments or activities on local parks, reserves and waterways in their community;
- 6.4 to the Council on the use and allocation of the Special Purpose Committee funding, and the use and allocation of Reserve Financial Contributions received from subdivisions and developments in their wards, for inclusion in the Annual Plan and Long Term Plan processes ;
- 6.5 **to Council any changes the Board would like made to the performance of Council activities within the Ward;**
- 6.6 to the Operations Committee annual work programme priorities for new and renewal footpaths within their wards, for consideration and potential inclusion in the District-wide annual work programme;
- 6.7 to the Strategy and Policy Committee on proposals to declare land within their wards as reserve and/or to classify reserves under the Reserves Act 1977;
- 6.8 to the Strategy and Policy Committee on draft content for inclusion in the draft reserve management plans for the parks and reserves within their wards;
- 6.9 to the Strategy and Policy Committee on preparing resource management plan changes affecting land and other resources within the Ward.

7.0 Administration

- 7.1 The Chairperson shall be voted in by resolution of the Board at its inaugural meeting of the triennium.
- 7.2 4 members are elected as members of the Community Board. The Council may resolve for the relevant ward Councillors to be members of the Community Board.
- 7.3 A quorum for the Motueka Community Board comprises 4 members and a quorum for the Golden Bay Community Board comprises 3 members for the time being.
- 7.4 The Community Boards will operate under Standing Orders, adopted at their first meeting of the triennium. This may be the Tasman District Council Standing Orders, with or without amendments.
- 7.5 Community Boards meeting:
 - 7.5.1 Golden Bay Community Board: monthly, ordinarily on the second Tuesday of the month.

7.5.2 Motueka Community Board: monthly, ordinarily on a Tuesday. The Motueka Community Board may also hold ‘public forum’ sessions, which are not meetings under Standing Orders or LGOIMA.

8.0 Exclusion to Golden Bay Community Board’s Delegations

8.1 All matters relating to the Golden Bay Recreation Park are excluded from the Golden Bay Community Board’s delegations with respect to clauses 5.0 and 6.0 of this Delegations Register

8.4 ADOPTION OF THE REGIONAL LAND TRANSPORT PLAN**Decision Required**

Report To:	Full Council
Meeting Date:	30 June 2021
Report Author:	Drew Bryant, Activity Planning Advisor - Engineering Services
Report Number:	RCN21-06-17

1 Summary

- 1.1 The Tasman Regional Transport Committee (RTC) recommended on 1 June 2021 that the Full Council approve the final Te Taihu Regional Land Transport Plan 2021-31 (RLTP), (**Attachment 1**). The Committee also recommended that the Full Council approves submission of the final RLTP to Waka Kotahi (New Zealand Transport Agency). The resolution is included in the minutes (**Attachment 3**) and is also shown below. The report on the RLTP to the RTC has been included in **Attachment 2**.

Moved Cr Dowler/Cr Butler**TRTC21-06-5****That the Tasman Regional Transport Committee**

- 1. receives the Regional Land Transport Plan Approval report RTRTC21-06-3; and**
- 2. recommends to the Full Council that it approves the Connecting Te Taihu Regional Land Transport Plan 2021-31 contained in Attachment 1 of report RTRTC21-06-3; and**
- 3. recommends that the Full Council submits the Regional Land Transport Plan to Waka Kotahi, the New Zealand Transport Agency, by 30 June 2021; and**
- 3. authorises the Regional Transport Committee Chair and Engineering Services Manager to make changes to the Regional Land Transport Plan before submitting it to Full Council for approval to reflect:**
 - (a) changes to the Te Taihu Regional Land Transport Plan 2021-31 that are agreed to by the Committee and recorded in the minutes of this meeting; and**
 - (b) minor editorial changes; and**
 - (c) minor changes requested by Nelson City Council and Marlborough District Council that have no financial implications on Tasman District Council.**

CARRIED

- 1.2 The Council can decide to approve the RLTP without modification or refer the RLTP back to the RTC with a request that the RTC reconsider one or more aspects. The Council cannot

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make changes to the RLTP. Should the RLTP be referred back to the RTC, the deadline to submit to Waka Kotahi would be at risk.

- 1.3 The RLTP has now been updated to reflect a small number of typographical amendments. These amendments have been approved by the RTC chairperson and the Engineering Services Manager.
- 1.4 The RLTP has been developed in collaboration with Nelson City Council, Marlborough District Council and Waka Kotahi. The programme within the RLTP has been discussed at a number of workshops with the Regional Transport Committees of all three councils and Tasman District Council through its Long Term Plan development process.
- 1.5 The RLTP is in alignment with the Long Term Plan.
- 1.6 In order to secure investment, the final RLTP is required to be submitted to Waka Kotahi by 30 June 2021.

2 Draft Resolution

That the Full Council

- 1. receives the Adoption of the Regional Land Transport Plan report RCN21-06-17; and**
- 2. approves the final Te Taihu Regional Land Transport Plan 2021-31; and**
- 3. approves the submission of the final Te Taihu Regional Land Transport Plan 2021-31 to Waka Kotahi, the New Zealand Transport Agency by 30 June 2021.**

3 Attachments

- | | | |
|----|---|-----|
| 1. | Te Taihu Regional Land Transport Plan 2021-31 (<i>Under Separate Cover</i>) | |
| 2. | ↓ Report to the Regional Transport Committee | 209 |
| 3. | ↓ Regional Transport Committee Minutes, 1 June 2021 | 219 |

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Tasman Regional Transport Committee - 1 June 2021

7.2 REGIONAL LAND TRANSPORT PLAN APPROVAL

Decision Required

Report To:	Tasman Regional Transport Committee
Meeting Date:	1 June 2021
Report Author:	Drew Bryant, Activity Planning Advisor - Engineering Services
Report Number:	RTRTC21-06-3

1 Summary

- 1.1 This report requests that the Tasman Regional Transport Committee recommends to Full Council that it:
 - approve the final Connecting Te Taiuhu Regional Land Transport Plan 2021-31 (Attachment 1); and
 - submit the Te Taiuhu Regional Land Transport Plan 2021-31 to Waka Kotahi, the New Zealand Transport Agency, to seek funding from the National Land Transport Fund (NLTF).
- 1.2 The Te Taiuhu Regional Land Transport Plan 2021-31 has been developed over the past year in conjunction with our partners Nelson City Council, Marlborough District Council and Waka Kotahi, and covers Te Taiuhu (top of the South Island).
- 1.3 Te Taiuhu Regional Land Transport Plan 2021-31 meets the requirements of Land Transport Management Act 2003. Te Taiuhu Regional Land Transport Plan 2021-31 also uses the template developed by Transport Special Interest Group (a group representing Regional Council transport activities).
- 1.4 The Te Taiuhu Regional Land Transport Plan 2021-31 is broken into six major sections:
 - Strategic Context looks at what is happening in Te Taiuhu and how it is effecting transport
 - Strategic Framework outlines outcomes, objectives and targets and how they work together
 - Objectives and Policies section outlines the policies that contribute to the objectives
 - Priorities section identifies areas in Te Taiuhu that will be prioritised over the next 10 years and how they will be addressed
 - Programming and funding and the Financial Forecast shows the high level funds and timing for key programmes
 - Monitoring section outlines the measure that will be used to show performance against objectives.

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Tasman Regional Transport Committee - 1 June 2021

REGIONAL LAND TRANSPORT PLAN APPROVAL

- 1.5 The draft Regional Land Transport Plan was released for public consultation on 17 February 2021 and closed 17 March 2021 during which the Council received 37 individual submissions containing 86 specific comments. In addition, Marlborough District Council and Nelson City Council received another six and 43 submissions respectively.
- 1.6 In response to submissions, the Regional Transport committee recommended a small number of changes be made at its meeting on 20 April 2021 (refer RTRTC21-04-1). The most significant of these were to bring forward:
 - Key elements of stage 2 of the Regional Public Transport Plan, which required approval of both Tasman and Nelson Full Councils; and
 - Projects in the walking and cycling programme, which required Tasman's Full Council approval.
- 1.7 The public transport changes were approved by both Council(s), but Tasman's Council did not approve the recommended changes to the walking and cycling programme. The revised Te Taihū Regional Land Transport Plan 2021-31 incorporates all of the recommended changes, except the revised walking and cycling programme.

2 Draft Resolution
That the Tasman Regional Transport Committee

1. receives the Regional Land Transport Plan Approval report RTRTC21-06-3; and
2. recommends to the Full Council that it approves the Connecting Te Taihū Regional Land Transport Plan 2021-31 contained in Attachment 1 of report RTRTC21-06-3; and
3. recommends that the Full Council submits the Regional Land Transport Plan to Waka Kotahi, the New Zealand Transport Agency, by 30 June 2021.
3. authorises the Regional Transport Committee Chair and Engineering Services Manager to make changes to the Regional Land Transport Plan before submitting it to Full Council for approval to reflect:
 - (a) changes to the Te Taihū Regional Land Transport Plan 2021-31 that are agreed to by the Committee and recorded in the minutes of this meeting; and
 - (b) minor editorial changes; and
 - (c) minor changes requested by Nelson City Council and Marlborough District Council that have no financial implications on Tasman District Council.

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Tasman Regional Transport Committee - 1 June 2021

REGIONAL LAND TRANSPORT PLAN APPROVAL**3 Purpose of the Report**

- 3.1 This report requests that the Tasman Regional Transport Committee recommends to Full Council that it:
- approve the final Connecting Te Taihu Regional Land Transport Plan 2021-31 (RLTP); and
 - submit the RLTP to Waka Kotahi, the New Zealand Transport Agency, to seek funding from the National Land Transport Fund (NLTF).

4 Background and Discussion

- 4.1 The Land Transport Management Act 2003 (LTMA) requires Unitary Authorities to prepare a RLTP every six years.
- 4.2 The RLTP sets out how the region's land transport system will develop and identifies proposed regional transport activities for investment (local and/or central government) over the next ten years. It includes policy and activities related to road maintenance and improvements, public transport services and infrastructure, walking and cycling infrastructure, road safety education and transport planning.
- 4.3 The RLTP is a joint document with NCC, TDC, MDC and Waka Kotahi to enable the key transport objectives and policies to provide a joint voice when competing for central government funding. The joint document is titled "Connecting Te Taihu".
- 4.4 A number of joint Te Taihu Regional Transport Committee workshops and briefings have been held (26 May 2020, 7 September 2020, 7 December 2020 and 27 January 2021) to understand the key issues, opportunities and benefits facing the region from a transport perspective. Workshops have been a mixture of face-to-face and virtual zoom attendance.
- 4.5 The RLTP contains the region's strategic objectives focusing on land transport. The Plan also includes the Council's and Waka Kotahi's regional transport programme for ten years. The Council is required (under the Land Transport Management Act 2003) to adopt a RLTP every six years. The RLTP works programme is reviewed every three years. The Council is required to carry out the three-year mid-term review by 30 April 2024.
- 4.6 The RLTP provides the mechanism for the Council to seek investment funding from the National Land Transport Fund (NLTF) through submission of its work programme to Waka Kotahi.
- 4.7 Waka Kotahi and the Department of Conservation are required under the Land Transport Management Act 2003 to also use the Council's RLTP as the mechanism for seeking funding for their projects.

Consultation

- 4.8 A draft RLTP was released for public consultation on 17 February 2021 and closed 17 March 2021 during which the Council received 37 individual submissions containing 86

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REGIONAL LAND TRANSPORT PLAN APPROVAL

specific comments. In addition, Marlborough District Council and Nelson City Council received another six and 43 submissions respectively.

4.9 Staff identified six main themes from submissions including.

- Environment
- Mode Choice
- Safety
- Electrification
- Planning
- Comments on significant projects

4.10 In addition, the RTC specifically requested further information from staff on:

- State Highway underpasses
- Public transport
- Mode shift.

4.11 In response to submissions, the RTC approved a number of changes to the RLTP. RTC also recommend that the Council consider bring forward aspects of the walking and cycling programme as well as aspects of the public transport plan in the LTP deliberations.

4.12 Full Council resolved to advance bus frequencies on the proposed Nelson, Motueka and Wakefield routes from 2026/27 (year 6) to 2023/24 (year 3) but declined to bring forward any of the proposed walking and cycling programme.

5 Document Overview

5.1 In developing this RLTP staff have used best practice guidelines developed by the Transport Special Interest Group (TSIG) in partnership with Waka Kotahi, and have used a new Waka Kotahi RLTP template.

5.2 The RLTP reflects a business case focus guided by the Investment Logic Map (ILM) developed at a Joint Te Taihu RTC workshop held on the 7 September 2020.

5.3 The Land Transport Management Act 2003 requires the RTC to develop the RLTP to be consistent with the Government Policy Statement on Land Transport (GPS).

5.4 The GPS sets out national land transport objectives and the results the Government wishes to achieve from allocation of the National Land Transport Fund.

5.1 The RLTP is broken into six major sections:

- Strategic Context looks at what is happening in Te Taihu and how it is effecting transport
- Strategic Framework outlines outcomes, objectives and targets and how they work together



Tasman Regional Transport Committee - 1 June 2021

REGIONAL LAND TRANSPORT PLAN APPROVAL

- Objectives and Policies section outlines the policies that contribute to the objectives
- Priorities section identifies areas the Te Taihū that will be prioritised over the next 10 years and how they will be addressed
- Programming and funding and the Financial Forecast shows the high level funds and timing for key programmes
- Monitoring section outlines the measure that will be used to show performance against objectives.

Problem Statements

- 5.5 Waka Kotahi now requires all activities seeking inclusion into the National Land Transport Plan (NLTP) to be developed using a business case approach. As the RLTP is a direct input into the NLTP, a business case approach enables Waka Kotahi to ensure that the right investments are made to meet strategic regional priorities.
- 5.6 The problem statements have been developed by the Technical Advisory Group (TAG) and refined at a joint Te Taihū RTC workshop. The problem statements are:
- **Growth:** The transport network is unable to cope with the demands of sustained populations and economic growth and in constraining access to social and economic activities.
 - **Safety:** User behaviour and roads are no longer fit for purpose and cause death and serious injury crashes.
 - **Mode Choice:** Current transport form and design constrains access for healthy, safe and sustainable transport choices.
 - **Resilience:** The susceptibility of our network leads to loss of access for the community.
 - **Environmental Impact:** Vehicle use is contributing to atmospheric and terrestrial pollution.
- 5.7 These problem statements fit well with the problem statements developed for the Tasman AMP and have a high degree of strategic alignment.

Objectives, Policies and Performance Measures

- 5.8 The Draft RLTP has five strategic objectives for Te Taihū that align to the GPS 2021. The five objectives are high level and generic to all three regions:
- **Mode** - Communities have access to a range of travel choices to meet their social, economic, health and cultural needs.
 - **Safety** - Communities have access to a safe transport system.
 - **Environmental Outcomes** - An environmentally sustainable transport system that is integrated with well planned development, enabling the efficient and reliable movement of people and goods to, from, and throughout the region.
 - **Resilient** - Communities have access to a resilient transport system.

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- Economic Prosperity - Supporting economic growth through providing better access across the Te Taihu's key journey routes.

5.9 The Draft RLTP's objectives, policies and performance measures align well with the Council's Draft Transportation Activity Management Plan and Draft Long Term Plan.

Significant Projects

5.10 Key projects over \$2M in cost must be identified and prioritised in the RLTP. The table below outlines these projects proposed for Te Taihu and their priority.

Priority	Activity	Description	A/O
1	Interisland Resilient Connection Project (IREX)	Construction of an overbridge to support the upgrade of the Interislander ferries.	MDC
		Upgrade two roundabouts to couple with traffic flows.	Waka Kotahi
2	Richmond Future Transport Project	Changes to the transport network in Richmond to achieve the outcomes of the Richmond Programme Business Case.	TDC
		Changes to the State Highway in Richmond to achieve the outcomes of the Richmond Programme Business Case	Waka Kotahi
2	Nelson Future Access Project	Multi-modal transport changes that supports a thriving CBD; a world-class waterfront; and a safe, accessible and resilient transport system.	NCC
		Crossing changes in Tahunanui Drive.	Waka Kotahi
4	Nelson/Tasman Public Transport Improvements	Improvements to the routes, frequency and fares to increase the patronage of the service	NCC/TDC
5	SH1 Inland Alternative Route Waipara to Renwick	Ensure speeds are safe and appropriate	Waka Kotahi
6	SH60 Richmond to Motueka	Packaged safety interventions	Waka Kotahi
7	Berryfield/Lower Queen Intersection Upgrade	Upgrade the intersection at McShane Road and Lower Queen Street to cater for residential and commercial growth in Richmond West	TDC
8	Washington Valley Road	Vehicle traffic use will be reduced in favour of public transport and active modes, like walking and cycling.	NCC
8	Victory- Waimea Road active mode route	Vehicle traffic use will be reduced in favour of public transport and active modes, like walking and cycling.	NCC
10	SH6 Nelson to Blenheim	Ensure speeds are safe and appropriate	Waka Kotahi
11	SH6 Richmond to Wakefield	Packaged safety interventions	Waka Kotahi
12	SH6 Blenheim to Nelson [Additional Scope]	Packaged safety interventions	Waka Kotahi
13	SH1 Blenheim to Seddon	Safety Management	Waka Kotahi

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5.11 Prioritisation of these projects was based on a series of joint Te Taihū Regional Transport Committee workshops and briefings have been held (26 May 2020, 7 September 2020, 7 December 2020 and 27 January 2021) to understand the key issues, opportunities and benefits facing the region from a transport perspective.

Other Activities

5.12 In addition to the significant projects, the RLTP document includes all other transport activities that all three Councils, Waka Kotahi and DOC propose to undertake.

5.13 These activities have been included in Activity Management Plans (AMP) for TDC, NCC, MDC and DOC. Activities on state highways come from Waka Kotahi.

5.14 The councils, Waka Kotahi and DOC have programmes of work tailored to specific issues in their area. Some of the key programmes are:

- Road resurfacing improvements
- Walking and cycling infrastructure
- Public transport improvements
- Projects to cater for growth
- Cycle safety improvements
- Intersection safety improvements
- Walking and cycling infrastructure
- State Highway safety improvements
- Resilience improvements

6 Options

6.1 The RTC has three options:

- a) Recommend the RLTP to Full Council for approval, or
- b) Recommend the RLTP, with changes, to Full Council for approval, or
- c) Do not recommend the RLTP to Full Council for approval.

	Option	Advantages	Disadvantages
a.	Recommend for Approval	<ul style="list-style-type: none"> • Meet timeframes, including for Waka Kotahi funding approval • Provide certainty to Transport AMP development 	

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		<ul style="list-style-type: none"> Provides certainty to other Top of the South councils 	
b.	Recommend for approval with changes	<ul style="list-style-type: none"> Meet timeframes, including for Waka Kotahi funding approval Provide certainty to Transport Activity Management Plan development 	<ul style="list-style-type: none"> May be difficult to coordinate with other Te Taihu councils May be difficult for staff to give advice on substantial changes May require further consultation if changes are substantial
c.	Decline recommending for approval	<ul style="list-style-type: none"> May be able to include further documents that central government are releasing. 	<ul style="list-style-type: none"> May miss timeframes May have to create separate documents to the other Te Taihu councils

6.2 Staff recommend Option a).

7 Strategy and Risks

- 7.1 The RLTP and the LTP processes are run at similar times with the deadline dates both being 30 June 2021. Due to consultation timing and Council approvals, there may be changes made to the LTP that cannot be incorporated into the RLTP. If there are any inconsistencies between the two plans, the RTC can make changes to RLTP after adoption.
- 7.2 The RLTP is written as a joint document for all of the Council's in Te Taihu. Staff have worked hard to achieve alignment and consensus across all Councils. Should any Council wish to make a last minute change, this will cause disparity between Councils. Minor changes to the document can be made, but any changes with financial implications will be difficult to make at this stage in the process.

8 Policy / Legal Requirements / Plan

The Council is required under the Land Transport Management Act 2003 (LTMA) to adopt a RLTP every six years and to review the Plan mid-term. The LTMA has a number of key requirements that need to be included in the RLTP, which the proposed plan meets.

- 8.2 The RTC, when preparing the RLTP and its mid-term review, must consult in accordance with sections the principles of 82 and 83 of the Local Government Act (LGA) 2002. The process followed meets these requirements.
- 8.3 Once the Full Council has received the RLTP recommended to it by the Committee, it must either:
- Approve the RLTP, without modification, and submit it to Waka Kotahi; or



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- Refer the RLTP back to the Regional Transport Committee with a request that the Committee reconsider one or more aspects of the RLTP.
- 8.4 Should Council refer the RLTP back to the Committee rather than approve it, it will not be possible to meet the deadline for submitting the RLTP to Waka Kotahi. An urgent Committee meeting will be needed to consider the matters raised by Full Council and approve any changes. It will be challenging to coordinate this with the other Te Taihū councils. It is possible Waka Kotahi would withhold funding for Council's subsidised transport activities until the RLTP is approved and submitted to them.

9 Consideration of Financial or Budgetary Implications

- 9.1 The RLTP includes activities that are included in the LTP for which Council is seeking Waka Kotahi funding. If Council changes the LTP, the RLTP will be updated to be consistent.
- 9.2 The RLTP provides the mechanism for the Council to seek funding from the NLTF. Council's proposed programme will be assessed for funding approval to be subsidised by Waka Kotahi at a rate of 51%.
- 9.3 The Council is required to meet the deadlines set by Waka Kotahi in order to secure the NLTF. The Council's deadline for submitting the final RLTP is 30 June 2021.

10 Significance and Engagement

- 1.1 The RTC, when preparing the RLTP, must consult in accordance with sections the principles of 82 and 83 of the Local Government Act (LGA) 2002. The consultation process followed meets these requirements.
- 1.2 Staff do not consider that the changes made to the RLTP require further consultation.

11 Conclusion

- 11.1 The RLTP has been developed through a collaborative effort by Te Taihū councils. There is common over-arching strategic content at the front end of the draft RLTP plus the Council's separate locally focused works programme.
- 11.2 The RLTP has been updated to reflect the changes in Government priorities and issues identified through public consultation. It is now ready to be approved and submitted to Waka Kotahi.

12 Next Steps / Timeline

- 12.1 If the RTC recommends the RLTP for approval by Full Council, a report will be included in the Full Council Meeting on 30 June 2021.

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12.2 Following the Full Council meeting, the RLTP will be submitted to Waka Kotahi on the same day to ensure the 30 June 2021 deadline is met.

13 Attachments

1. Te Taihu Regional Land Transport Plan



MINUTES
of the
TASMAN REGIONAL TRANSPORT COMMITTEE MEETING
held
1.30 pm, Tuesday, 1 June 2021
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Councillors S G Bryant (Chair), C Butler, B Dowler, A Turley, Jane Murray, Senior Sargeant, Grant Andrews and Andrew James (Waka Kotahi)

In Attendance: Engineering Manager (R Kirby), Transportation Manager (J McPherson), Activity Planning Advisor, Transportation (D Bryant) Transportation Planning Officer (C Scott) Executive Support Officer (C Vass) and Executive Assistant (L Turpie)

Part Attendance:

- 1 **OPENING, WELCOME**
- 2 **APOLOGIES AND LEAVE OF ABSENCE**
Ms E Speight

Moved Cr Butler/Cr Dowler
TRTC21-06-1

That apologies be accepted.
CARRIED

3 PUBLIC FORUM

Mr Guy Davies and Mr Richard English spoke about the Takaka Hill roadworks and the time taken for completion. Mr Davies advised that he lives on the Takaka Hill and has been a civil engineering contractor all of his working life. Mr English lives in Pohara and has fifty years of civil engineering industry experience having worked for central and local governments as well as private contractors and consultants and has his own consultancy practice.

Mr Davies advised that they are representing the frustration of the local community over the Takaka Hill repairs and have seen the most abysmal waste of taxpayers money of inaction and have had enough. We are amazed there is no timeline for the end of the works. This road is the lifeline of the community and it shows total disregard for the community by NZTA. We are here today as well as our local representatives to support us and speak to NZTA to advise there are not enough resources or machinery. The road is closed at night and they work on just one section, we ask why are they not working on all of the road? Over the weekends not a soul is working on the road, they should be working day and night to finish the road, this has been three years in the making.

Mr English said that this was a debacle, a farce and an embarrassment to the engineering profession. It should only have taken 18 months and has now been three years and still not finished and may continue out to 2022 which is totally ridiculous. As an example the Kaikoura earthquake and subsequent road rebuild undertaken took less time.

NZTA keep saying it is a changing and complex job, but it is just an ordinary job it is not unusual and it is obvious there are not enough resources and is a complete mismanagement by NZTA, in short an absolute disgrace. He said he has asked several times for a critical path programme without success.

We are asking the Councillors to investigate this programme and ask for more resources to be put onto the job. It was noticed today coming over the hill at 11.30am not one person was working. Mr Davies said he challenges anyone to observe the work as he lives on the road he said he rarely sees anyone working, just one person on a machine.

This is causing a financial hardship to the Golden Bay business community. The cost to the community is huge what we need is the Councillors to stand with us and confront NZTA and ask them why this project has taken so long and what they can do about it.

4 DECLARATIONS OF INTEREST

5 CONFIRMATION OF MINUTES

Moved Cr Dowler/Cr Turley
TRTC21-06-2

That the minutes of the Tasman Regional Transport Committee meeting held on Tuesday, 20 April 2021, be confirmed as a true and correct record of the meeting.

CARRIED

6 PRESENTATIONS

6.1 Waka Kotahi (NZTA) Update

Mr Andrew James on behalf of Ms E Speight talked through the Waka Kotahi Tasman Update presentation. He advised there was a change of Setting of Speed Limits 2021 which closes at the end of June for submissions. A question was asked about previous consultations on Hope to Wakefield and how this was progressing, Mr James said this was progressing quickly and has

just come through another stage of approval. Mr James said that they are improving and recording the Asset Management Data Standard. In response to a question Andrew said some of this information would be made available to the public and would be easier for people to understand.

Mr James said that Waka Kotahi are reviewing the feedback received from the community engagement and will publish a summary regarding the Motueka High Street Safety improvements. In response to another question about trees in High Street Motueka and the possibility of changing the type of tree, Mr James advised there would be further discussion with the community.

Turley, re presentation by the school concerned about safety getting children safely across the road. Andrew said that there would be more space on the Arrow Street crossing. (SH6 Wakefield pedestrian crossings) There will be quite a few improvements said Andrew.

In response to a question about the SH6 Brightwater temporary works which has closed the free turn and people from Wakefield feel it is a safety concern., Mr James said he will follow up with the contractors.

In response to questions about the Takaka Hill roadworks, Mr James said Waka Kotahi is in a commercial environment and they are disappointed with the progress on the site. He said there has been extensive contract negotiations and over the last two months we have seen additional resources on site and have a commitment that the two lanes will be open by Christmas. We are continuing to put commercial pressure on the contractor.

In response to a question about a critical path programme, Mr James responded that there is a critical path program and Waka Kotahi have been advised that the two lanes this will be finalised by Christmas.

Mr James responded to a question about whether there were any contractual problems between Waka Kotahi and the Contractor with resources, he stated he could not comment on commercial contracts.

Moved Cr Butler/Cr Turley
TRTC21-06-3

That the Tasman Regional Transport Committee:

- 1. strongly urge Waka Kotahi to establish a timeline and end date for completion of the Takaka Hill repairs and opening to two lanes; and**
- 2. recommend Waka Kotahi complete the Takaka Hill project within 100 days; and**
- 3. strongly urge Waka Kotahi to provide ongoing regular public communication about the progress on the completion of the Takaka Hill project.**

CARRIED

7 REPORTS

7.1 Chairman's Report

Moved Cr Butler/Cr Turley

TRTC21-06-4

That the Tasman Regional Transport Committee receives the Chairman's Report RTRTC21-06-2;

CARRIED

7.2 Regional Land Transport Plan Approval

Mr Drew Bryant presented the Regional Land Transport Plan which was taken as read.

Mr Bryant explained that the report is asking the Tasman Regional Transport Committee to recommend approval to the Full Council, which is unique and incorporates all three Top of the South Councils

Last year we had a number of combined workshops to determine the outcome of this document and looked at the strategic overview of the transport network covering the top of the south. The document has not changed since you last saw it just some minor wording changes regarding science and technology and takes into account the public transport document changes asked by the Council. Mr Bryant advised that this has gone through the LTP process as well as through Nelson City Council, Marlborough City Council and Waka Kotahi for comment.

In response to a question if it was possible to do some of the Salisbury Road walking and cycling trails, Mr Bryant said we could discuss with Waka Kotahi the potential to include some of these projects, but that they have not been disregarded. Mr McPherson said that the Full Council and Long Term Plan negotiation talks agreed they would wait until external funding was known.

Jamie clarified decisions the Council can make regarding their own funding, the Council has more funding than what Waka Kotahi can match, so decisions have to be made by the Council as to how to invest this money. These questions still need to be discussed.

Moved Cr Dowler/Cr Butler

TRTC21-06-5

That the Tasman Regional Transport Committee

- 1. receives the Regional Land Transport Plan Approval report RTRTC21-06-3; and**
- 2. recommends to the Full Council that it approves the Connecting Te Taihu Regional Land Transport Plan 2021-31 contained in Attachment 1 of report RTRTC21-06-3; and**
- 3. recommends that the Full Council submits the Regional Land Transport Plan to Waka Kotahi, the New Zealand Transport Agency, by 30 June 2021; and**
- 3. authorises the Regional Transport Committee Chair and Engineering Services Manager to make changes to the Regional Land Transport Plan before submitting it to Full Council for approval to reflect:**
 - (a) changes to the Te Taihu Regional Land Transport Plan 2021-31 that are agreed to by the Committee and recorded in the minutes of this meeting; and**
 - (b) minor editorial changes; and**
 - (c) minor changes requested by Nelson City Council and Marlborough District Council that have no financial implications on Tasman District Council.**

CARRIED**7.3 Regional Public Transport Plan Approval**

Mr Drew Bryant presented the Regional Public Transport Plan which was taken as read.

He said that we have joined together with Nelson City Council for a combined Tasman Regional Transport Plan and a public consultation received multiple submissions which mostly supported the plan. A resolution to Full Council to bring forward the frequencies of the bus timetable, which has now been improved and put into this document, routes, times of the bus timetable remains relatively unchanged.

The committee expressed their appreciation for all of the work that has been put into these reports and the uniqueness of working together with other Councils. Well done and thank you to all of the staff involved.

Moved Cr Dowler/Cr Butler
TRTC21-06-6

That the Tasman Regional Transport Committee

- 1. receives the Regional Public Transport Plan Approval report RTRTC21-06-4; and**
- 2. recommends to the Full Council that it approves the Nelson Tasman Regional Public Transport Plan 2021-31 contained in Attachment 1 of report RTRTC21-06-4; and**
- 3. recommends that the Full Council submits the Nelson Tasman Regional Public Transport Plan 2021-31 to Waka Kotahi, the New Zealand Transport Agency, by 30 June 2021; and**
- 4. authorises the Regional Transport Committee Chair and Engineering Services Manager to make changes to the Nelson Tasman Regional Public Transport Plan 2021-31 before submitting it to Full Council for approval to reflect:**
 - (a) minor editorial changes; and**
 - (b) minor changes requested by Nelson City Council that have no financial implications for Tasman District Council.**

CARRIED**8 CONFIDENTIAL SESSION**

The meeting concluded at 2.40pm

Date Confirmed:

Chair:

8.5 ADOPTION OF THE REGIONAL PUBLIC TRANSPORT PLAN

Decision Required

Report To:	Full Council
Meeting Date:	30 June 2021
Report Author:	Drew Bryant, Activity Planning Advisor - Engineering Services
Report Number:	RCN21-06-18

Item 8.5

1 Summary

- 1.1 The Tasman Regional Transport Committee (RTC) recommended on 1 June 2021 that the Full Council approve the final Nelson/Tasman Public Transport Plan 2021-31 (RPTP), (**Attachment 1**). They also recommended that the Full Council approves submission of the final RPTP to Waka Kotahi, the New Zealand Transport Agency. The resolution is included in the minutes (**Attachment 3**) and is also shown below. The report on the RPTP to the RTC has been included in **Attachment 2**.

Moved Cr Dowler/Cr Butler
TRTC21-06-1

That the Tasman Regional Transport Committee

- 1. receives the Regional Public Transport Plan Approval report RTRTC21-06-4; and**
- 2. recommends to the Full Council that it approves the Nelson Tasman Regional Public Transport Plan 2021-31 contained in Attachment 1 of report RTRTC21-06-4; and**
- 3. recommends that the Full Council submits the Nelson Tasman Regional Public Transport Plan 2021-31 to Waka Kotahi, the New Zealand Transport Agency, by 30 June 2021; and**
- 4. authorises the Regional Transport Committee Chair and Engineering Services Manager to make changes to the Nelson Tasman Regional Public Transport Plan 2021-31 before submitting it to Full Council for approval to reflect:**
 - (a) minor editorial changes; and**
 - 1 (b) minor changes requested by Nelson City Council that have no financial implications for Tasman District Council.**

CARRIED

- 1.2 The RPTP has been developed in collaboration with Nelson City Council. The programme within the RPTP has been discussed at a number of workshops with the Regional Transport Committees and Tasman District Council through its Long Term Plan development process.
- 1.3 The RPTP has now been updated to reflect bringing forward the bus frequency to 2023 and a small number of typographical amendments. These amendments have been approved by the RTC chairperson and the Engineering Services Manager.

Item 8.5

- 1.4 The Council has two options as with regards to:
 - 1.4.1 Adopt the RPTP, or
 - 1.4.2 Adopt the RPTP with minor changes.
- 1.5 Staff recommend adopting the RPTP without changes. If the Council makes changes, they will need to be minor to allow staff time to submit to Waka Kotahi and not affect the Regional Land Transport Plan or the Long Term Plan.
- 1.6 In order to secure investment, the final RLTP is required to be submitted to Waka Kotahi by 30 June 2021.

2 Draft Resolution

That the Full Council

- 1. receives the report Adoption of the Regional Public Transport Plan report RCN21-06-18; and**
- 2. approves the final Nelson/Tasman Regional Public Transport Plan 2021-31; and**
- 3. approves the submission of the final Nelson/Tasman Regional Public Transport Plan 2021-31 to the Waka Kotahi, New Zealand Transport Agency by 30 June 2021.**

3 Attachments

- | | | |
|----|--|-----|
| 1. | Nelson-Tasman Regional Public Transport Plan (<i>Under Separate Cover</i>) | |
| 2. | ↓ Report to the Regional Transport Committee | 229 |
| 3. | ↓ Regional Transport Committee Meeting Minutes, 1 June 2021 | 237 |

Item 8.5



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7.3 REGIONAL PUBLIC TRANSPORT PLAN APPROVAL

Decision Required

Report To:	Tasman Regional Transport Committee
Meeting Date:	1 June 2021
Report Author:	Drew Bryant, Activity Planning Advisor - Engineering Services
Report Number:	RTRTC21-06-4

1 Summary

- 1.1 The purpose of this report is to seek a recommendation to approve the Nelson Tasman Regional Public Transport Plan 2021-31 from the Regional Transport Committee to Full Council.
- 1.2 The Nelson Tasman Regional Public Transport Plan 2021-31 has been developed over the past year in conjunction with Nelson City Council to meet the requirements of Land Transport Management Act 2003.
- 1.3 The key parts of the Nelson Tasman Regional Public Transport Plan 2021-31 are:
 - The current public transport services are financially successful, but patronage is limited with timings and routes being the biggest issues
 - A new public transport service will commence in 2023 that consolidates the routes but makes the timing of all routes more regular.
 - The service will expand to include routes to Motueka and Wakefield.
 - New terminal and facilities will be provided to support the new routes.
 - Community transport services will be used to support rural area areas that do not have public transport services.
 - Low or zero emission buses will be used to reduce carbon emissions.
- 1.4 The draft Regional Public Transport Plan was released for public consultation on 17 February 2021 and closed 17 March 2021 during which a total of 143 individual submissions were received by both councils.
- 1.5 In response to submissions, the Regional Transport Committee recommended a small number of changes to the final Regional Public Transport Plan at its meeting on 20 April 2021 (refer RTRTC21-04-2). The most significant of these is to bring forward bus service frequency. Nelson and Tasman Full Councils have approved these changes and they have been incorporated into the revised Regional Public Transport Plan (Attachment 1).
- 1.6 The Tasman Regional Transport Committee is asked to recommend to the Full Council that it approve the final Regional Public Transport Plan, and submit it to Waka Kotahi, as required by the Land Transport Management Act 2003.

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REGIONAL PUBLIC TRANSPORT PLAN APPROVAL

2 Draft Resolution

That the Tasman Regional Transport Committee

- 1. receives the Regional Public Transport Plan Approval report RTRTC21-06-4; and**
- 2. recommends to the Full Council that it approves the Nelson Tasman Regional Public Transport Plan 2021-31 contained in Attachment 1 of report RTRTC21-06-4; and**
- 3. recommends that the Full Council submits the Nelson Tasman Regional Public Transport Plan 2021-31 to Waka Kotahi, the New Zealand Transport Agency, by 30 June 2021; and**
- 4. authorises the Regional Transport Committee Chair and Engineering Services Manager to make changes to the Nelson Tasman Regional Public Transport Plan 2021-31 before submitting it to Full Council for approval to reflect:**
 - (a) minor editorial changes; and**
 - (b) minor changes requested by Nelson City Council that have no financial implications for Tasman District Council.**

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REGIONAL PUBLIC TRANSPORT PLAN APPROVAL**3 Purpose of the Report**

- 3.1 This report requests that the Tasman Regional Transport Committee recommends to Full Council that it:
- approves the final Nelson Tasman Regional Public Transport Plan 2021-31 (RPTP); and
 - submits the RPTP to Waka Kotahi, the New Zealand Transport Agency, as part of its funding bid to the National Land Transport Fund (NLTF).

4 Background and Discussion

- 4.1 The RPTP sets out the joint Tasman District Council (TDC) and Nelson City Council (NCC) intentions and policies regarding public transport in Nelson and Tasman for the next 10 years. The RPTP takes into account relevant national and local policies, and the public transport funding from Waka Kotahi likely to be available to the Councils.
- 4.2 The councils have taken a collaborative approach to this review to deliver an integrated public transport service. Existing public transport services operate as one network, and some of these services cross the regional boundary. Both Councils seek to improve public transport coverage and service levels to fully support mode shift and sustainable growth, and, in so doing, provide a regionally integrated network.
- 4.3 Over the consultation period from 17 February 2021 to 17 March 2021, the Council received 41 individual submissions. A further 102 submissions were received by Nelson City Council, bring the total number of submissions on the RPTP to 143.
- 4.4 At the deliberation on 20 April, the RTC recommended to Full Council that aspects of the bus service frequency to Nelson, Wakefield and Motueka be brought forward from stage 2 (in 2026) to stage 1 (in 2023).
- 4.5 Full Council considered this recommendation at the Long Term Plan deliberations meeting and approved the recommendation. The changes have now been included in the RPTP document in Attachment 1.

Stages timing

- 4.6 The table below identifies the step changes in Stages 1 and 2 of the RPTP as currently proposed.

Prior to Step Change 1	<ul style="list-style-type: none"> • Super stops at Richmond, Stoke, Tahunanui, Hospital and Nelson • Regional branding of the services • Community Transport services to Wakefield, Motueka and Golden Bay
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- | | |
|--------------------------------------|---|
| Step Change 1 -
July 2023 | <ul style="list-style-type: none"> • New urban routes 7am and 7pm, 7 days per week on a 30 minute frequency • Hourly weekend service • Stoke demand responsive service • Single urban fare • Weekday service to Motueka (4 daily) and Wakefield (6 daily) • Council support of community transport services to Wakefield and Motueka end • Bus stop improvements elsewhere |
| Step Change 2 -
July 2026 | <ul style="list-style-type: none"> • Park and ride facility |
| Step Change 3 -
July 2029 | <ul style="list-style-type: none"> • Additional buses at peak times • Weekend bus service to Motueka (4 daily) and Wakefield (6 daily) |

Routes

- 4.7 The graphic below illustrates the new routes as currently proposed in the RPTP. This image was provided to the public as part of the public consultation for the RPTP.



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4.8 Some of the routes may require minor adjustments prior to starting the new services in 2023.

5 Options

- 5.1 The RTC has three options:
- a) Recommend the RPTP to Full Council for approval, or
 - b) Recommend the RPTP, with changes, to Full Council for approval, or
 - c) Decline to recommend the RPTP to Full Council for approval.

	Option	Advantage	Disadvantage
a.	Recommend for Approval	<ul style="list-style-type: none"> • Meet timeframes for funding approval • Provide certainty for Transport Activity Management Plan development and funding applications to Waka Kotahi 	

REGIONAL PUBLIC TRANSPORT PLAN APPROVAL

		<ul style="list-style-type: none"> Provides certainty to Nelson City Council 	
b.	Recommend for approval with changes	<ul style="list-style-type: none"> Meet timeframes for funding approval Provide certainty to Transport Activity Management Plan development 	<ul style="list-style-type: none"> Changes may be difficult to coordinate with Nelson City Council Limited opportunity for staff to provide advice to the committee on substantial changes May require further consultation if changes are substantial
c.	Decline recommending for approval	<ul style="list-style-type: none"> May be able to include further documents that central government are releasing. 	<ul style="list-style-type: none"> May miss timeframes, which would jeopardise funding May have to create separate documents to the other top of south councils

5.2 Staff recommend Option a).

6 Strategy and Risks

- 6.1 The RPTP and the LTP processes are run at similar times with the deadline dates both being 30 June 2021. Due to consultation timing and Council approvals, there may be changes made to the LTP that cannot be incorporated into the RPTP. If there are any inconsistencies between the two plans, the RTC can make changes to RPTP after adoption.
- 6.2 The RPTP has been written as a joint document for Tasman and Nelson. Staff have worked hard to achieve alignment and consensus across all Councils. Should any Council wish to make a last minute change, this will cause disparity between Councils. Minor changes to the document can be made, but any changes with financial implications will be difficult to make at this stage in the process.

7 Policy / Legal Requirements / Plan

The Council is required under the Land Transport Management Act 2003 (LTMA) to adopt a RPTP every six years and to review the Plan mid-term. The RPTP content meets the requirements of the LTMA.

8 Consideration of Financial or Budgetary Implications

- 8.1 The RPTP only represents activities that are included in the LTP. If Council changes the LTP, the RPTP will be updated to be consistent.



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- 8.2 Together with the Regional Land Transport Plan, the RPTP provides the mechanism for the Council to seek funding from the NLTF for its public transport activities. Council's proposed programme will be assessed for funding approval to be subsidised by Waka Kotahi at a rate of 51%.

9 Significance and Engagement

- 9.1 The RTC, when preparing the RPTP, must consult in accordance with sections the principles of 82 and 83 of the Local Government Act (LGA) 2002. The consultation process followed meets these requirements.
- 9.2 Staff do not consider that the changes made to the RPTP require further consultation.

10 Conclusion

- 10.1 The RPTP has been developed through a collaborative effort by TDC and NCC. The final RPTP document makes some changes to take into account the public feedback in advancing parts of the draft plan and, Full Councils consideration of this during the LTP deliberations.
- 10.2 Approval of the RPTP for consultation is required to ensure that Tasman District Council gain investment funding from Waka Kotahi to undertake its public transport services.

11 Next Steps / Timeline

- 11.1 If the RTC recommend that the RPTP be adopted by Full Council, the process to finalise the RPTP is as follows:
- 30 June 2021: Full Council meeting to approve the final RPTP document; and
 - 30 June 2021: Officers submit the final RPTP document to Waka Kotahi.

12 Attachments

1. Nelson Tasman Regional Public Transport Plan 2021-31

Page 7



MINUTES
of the
TASMAN REGIONAL TRANSPORT COMMITTEE MEETING
held
1.30 pm, Tuesday, 1 June 2021
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Councillors S G Bryant (Chair), C Butler, B Dowler, A Turley, Jane Murray, Senior Sargeant, Grant Andrews and Andrew James (Waka Kotahi)

In Attendance: Engineering Manager (R Kirby), Transportation Manager (J McPherson), Activity Planning Advisor, Transportation (D Bryant) Transportation Planning Officer (C Scott) Executive Support Officer (C Vass) and Executive Assistant (L Turpie)

Part Attendance:

- 1 **OPENING, WELCOME**
- 2 **APOLOGIES AND LEAVE OF ABSENCE**
Ms E Speight

Moved Cr Butler/Cr Dowler
TRTC21-06-1

That apologies be accepted.
CARRIED

3 PUBLIC FORUM

Mr Guy Davies and Mr Richard English spoke about the Takaka Hill roadworks and the time taken for completion. Mr Davies advised that he lives on the Takaka Hill and has been a civil engineering contractor all of his working life. Mr English lives in Pohara and has fifty years of civil engineering industry experience having worked for central and local governments as well as private contractors and consultants and has his own consultancy practice.

Mr Davies advised that they are representing the frustration of the local community over the Takaka Hill repairs and have seen the most abysmal waste of taxpayers money of inaction and have had enough. We are amazed there is no timeline for the end of the works. This road is the lifeline of the community and it shows total disregard for the community by NZTA. We are here today as well as our local representatives to support us and speak to NZTA to advise there are not enough resources or machinery. The road is closed at night and they work on just one section, we ask why are they not working on all of the road? Over the weekends not a soul is working on the road, they should be working day and night to finish the road, this has been three years in the making.

Mr English said that this was a debacle, a farce and an embarrassment to the engineering profession. It should only have taken 18 months and has now been three years and still not finished and may continue out to 2022 which is totally ridiculous. As an example the Kaikoura earthquake and subsequent road rebuild undertaken took less time.

NZTA keep saying it is a changing and complex job, but it is just an ordinary job it is not unusual and it is obvious there are not enough resources and is a complete mismanagement by NZTA, in short an absolute disgrace. He said he has asked several times for a critical path programme without success.

We are asking the Councillors to investigate this programme and ask for more resources to be put onto the job. It was noticed today coming over the hill at 11.30am not one person was working. Mr Davies said he challenges anyone to observe the work as he lives on the road he said he rarely sees anyone working, just one person on a machine.

This is causing a financial hardship to the Golden Bay business community. The cost to the community is huge what we need is the Councillors to stand with us and confront NZTA and ask them why this project has taken so long and what they can do about it.

4 DECLARATIONS OF INTEREST

5 CONFIRMATION OF MINUTES

Moved Cr Dowler/Cr Turley
TRTC21-06-2

That the minutes of the Tasman Regional Transport Committee meeting held on Tuesday, 20 April 2021, be confirmed as a true and correct record of the meeting.

CARRIED

6 PRESENTATIONS

6.1 Waka Kotahi (NZTA) Update

Mr Andrew James on behalf of Ms E Speight talked through the Waka Kotahi Tasman Update presentation. He advised there was a change of Setting of Speed Limits 2021 which closes at the end of June for submissions. A question was asked about previous consultations on Hope to Wakefield and how this was progressing, Mr James said this was progressing quickly and has

just come through another stage of approval. Mr James said that they are improving and recording the Asset Management Data Standard. In response to a question Andrew said some of this information would be made available to the public and would be easier for people to understand.

Mr James said that Waka Kotahi are reviewing the feedback received from the community engagement and will publish a summary regarding the Motueka High Street Safety improvements. In response to another question about trees in High Street Motueka and the possibility of changing the type of tree, Mr James advised there would be further discussion with the community.

Turley, re presentation by the school concerned about safety getting children safely across the road. Andrew said that there would be more space on the Arrow Street crossing. (SH6 Wakefield pedestrian crossings) There will be quite a few improvements said Andrew.

In response to a question about the SH6 Brightwater temporary works which has closed the free turn and people from Wakefield feel it is a safety concern., Mr James said he will follow up with the contractors.

In response to questions about the Takaka Hill roadworks, Mr James said Waka Kotahi is in a commercial environment and they are disappointed with the progress on the site. He said there has been extensive contract negotiations and over the last two months we have seen additional resources on site and have a commitment that the two lanes will be open by Christmas. We are continuing to put commercial pressure on the contractor.

In response to a question about a critical path programme, Mr James responded that there is a critical path program and Waka Kotahi have been advised that the two lanes this will be finalised by Christmas.

Mr James responded to a question about whether there were any contractual problems between Waka Kotahi and the Contractor with resources, he stated he could not comment on commercial contracts.

Moved Cr Butler/Cr Turley
TRTC21-06-3

That the Tasman Regional Transport Committee:

1. **strongly urge Waka Kotahi to establish a timeline and end date for completion of the Takaka Hill repairs and opening to two lanes; and**
2. **recommend Waka Kotahi complete the Takaka Hill project within 100 days; and**
3. **strongly urge Waka Kotahi to provide ongoing regular public communication about the progress on the completion of the Takaka Hill project.**

CARRIED

7 REPORTS

7.1 Chairman's Report

Moved Cr Butler/Cr Turley

TRTC21-06-4

That the Tasman Regional Transport Committee receives the Chairman's Report RTRTC21-06-2;

CARRIED

7.2 Regional Land Transport Plan Approval

Mr Drew Bryant presented the Regional Land Transport Plan which was taken as read.

Mr Bryant explained that the report is asking the Tasman Regional Transport Committee to recommend approval to the Full Council, which is unique and incorporates all three Top of the South Councils

Last year we had a number of combined workshops to determine the outcome of this document and looked at the strategic overview of the transport network covering the top of the south. The document has not changed since you last saw it just some minor wording changes regarding science and technology and takes into account the public transport document changes asked by the Council. Mr Bryant advised that this has gone through the LTP process as well as through Nelson City Council, Marlborough City Council and Waka Kotahi for comment.

In response to a question if it was possible to do some of the Salisbury Road walking and cycling trails, Mr Bryant said we could discuss with Waka Kotahi the potential to include some of these projects, but that they have not been disregarded. Mr McPherson said that the Full Council and Long Term Plan negotiation talks agreed they would wait until external funding was known.

Jamie clarified decisions the Council can make regarding their own funding, the Council has more funding than what Waka Kotahi can match, so decisions have to be made by the Council as to how to invest this money. These questions still need to be discussed.

Moved Cr Dowler/Cr Butler

TRTC21-06-5

That the Tasman Regional Transport Committee

- 1. receives the Regional Land Transport Plan Approval report RTRTC21-06-3; and**
- 2. recommends to the Full Council that it approves the Connecting Te Taihu Regional Land Transport Plan 2021-31 contained in Attachment 1 of report RTRTC21-06-3; and**
- 3. recommends that the Full Council submits the Regional Land Transport Plan to Waka Kotahi, the New Zealand Transport Agency, by 30 June 2021; and**
- 3. authorises the Regional Transport Committee Chair and Engineering Services Manager to make changes to the Regional Land Transport Plan before submitting it to Full Council for approval to reflect:**
 - (a) changes to the Te Taihu Regional Land Transport Plan 2021-31 that are agreed to by the Committee and recorded in the minutes of this meeting; and**
 - (b) minor editorial changes; and**
 - (c) minor changes requested by Nelson City Council and Marlborough District Council that have no financial implications on Tasman District Council.**

CARRIED**7.3 Regional Public Transport Plan Approval**

Mr Drew Bryant presented the Regional Public Transport Plan which was taken as read.

He said that we have joined together with Nelson City Council for a combined Tasman Regional Transport Plan and a public consultation received multiple submissions which mostly supported the plan. A resolution to Full Council to bring forward the frequencies of the bus timetable, which has now been improved and put into this document, routes, times of the bus timetable remains relatively unchanged.

The committee expressed their appreciation for all of the work that has been put into these reports and the uniqueness of working together with other Councils. Well done and thank you to all of the staff involved.

Moved Cr Dowler/Cr Butler
TRTC21-06-6

That the Tasman Regional Transport Committee

- 1. receives the Regional Public Transport Plan Approval report RTRTC21-06-4; and**
- 2. recommends to the Full Council that it approves the Nelson Tasman Regional Public Transport Plan 2021-31 contained in Attachment 1 of report RTRTC21-06-4; and**
- 3. recommends that the Full Council submits the Nelson Tasman Regional Public Transport Plan 2021-31 to Waka Kotahi, the New Zealand Transport Agency, by 30 June 2021; and**
- 4. authorises the Regional Transport Committee Chair and Engineering Services Manager to make changes to the Nelson Tasman Regional Public Transport Plan 2021-31 before submitting it to Full Council for approval to reflect:**
 - (a) minor editorial changes; and**
 - (b) minor changes requested by Nelson City Council that have no financial implications for Tasman District Council.**

CARRIED**8 CONFIDENTIAL SESSION**

The meeting concluded at 2.40pm

Date Confirmed:

Chair:

8.6 MAYOR'S UPDATE REPORT**Information Only - No Decision Required**

Report To:	Full Council
Meeting Date:	30 June 2021
Report Author:	Tim King, Mayor
Report Number:	RCN21-06-19

1 Summary

- 1.1 Welcome to today's meeting.
- 1.2 After a lengthy and thorough consultation period, it will be good to finalise our Long Term Plan for 2021-2031 at today's meeting. I would like to take this opportunity to thank the many residents who submitted to our consultation document and to the Councillors, the Leadership Team and Council staff who spent many, many hours getting us to this point.
- 1.3 The process has not been easy, and I know that our strategy won't please everyone, but we have reached a balance which will help guide us through the next ten years.
- 1.4 With the three waters reforms, the RMA review, freshwater reforms, future development strategy and all the other policy work emanating from central government, the hard mahi is not over. I expect that we will have more clarity around the three waters reforms in the next couple of months.
- 1.5 The Chief Executive, Cr Maling and I are attending the Local Government New Zealand conference in Blenheim next month and no doubt the three waters reforms and the RMA review will be hot topics for discussion. I will report back in my next update on any progress.
- 1.6 I attach a letter from Hon James Shaw (Associate Minister for the Environment) and Hon Nanaia Mahuta (Minister of Local Government) regarding the National Policy Statement for Indigenous Biodiversity. Rob Smith's Environmental Management team are working on this topic which we know as "Native Habitats Tasman" and he reported on progress with the work to the Operations Committee meeting on 24 June 2021.

2 Draft Resolution

That the Full Council receives the Mayor's Update Report RCN21-06-19.

3 Mayoral Activity

- 3.1 Thirty-four new citizens swore their oath of allegiance at a citizenship ceremony on 12 May 2021. Countries of origin include Thailand, the US, England, Germany, Switzerland, Samoa, Indonesia, the Philippines, Ireland, the Netherlands, Sweden, Wales and one Australian. Ranzau School pupils led the national anthem and provided two of their own songs. Our Kaumatua Harvey Ruru presented the opening karakia and blessing and Martin Tunley from the New Zealand Police and David MacDonald from the Multi-Cultural Council also spoke.
- 3.2 Nelson City Mayor, Rachel Reese, Marlborough District Mayor, John Leggett and I along with our respective Chief Executives met with chairs of the Te Taihu iwi on 14 May 2021. The purpose of the meeting was to initiate dialogue with the chairs as a group as the three councils focus on strengthening our relationships with iwi.
- 3.3 Along with Deputy Mayor Bryant and Councillor Mackenzie, I attended the monthly Tapawera & Districts Community Council meeting on 18 May 2021. The Community Council had a number of issues for discussion including the Dart River crossing, local road maintenance issues, future development and a proposed new community hub for Tapawera.
- 3.4 Councillor Ogilvie and I had a zoom meeting with John Mackey from Audit New Zealand on 20 May 2021 regarding their audit of the draft Long Term Plan and the associated consultation document and asset management plans.
- 3.5 The Council's Chief Executive, Janine Dowding and I met with our Kaumatua, Harvey Ruru and Whaea Jane du Feu to update them on the three waters reforms.
- 3.6 I met with two representatives from the Department of Corrections on 25 May 2021. They provided an update on the range of activities they carry out in our region and how they are engaging with the community.
- 3.7 Mayor Reese and I attended the Industry Training Awards ceremony on 27 May 2021 where we jointly presented the graduates with their certificates.
- 3.8 Janine Dowding and I met with Pip Jamieson and Warren Gilbertson from MBIE regarding the regional strategic partnership fund on 1 June 2021.
- 3.9 A further workshop was held with the Local Government Commission and the members of the Golden Bay Community Board on 2 June 2021 where we further refined the Terms of Reference for the Board.
- 3.10 Janine Dowding, Graham Naylor and I met on 4 June 2021 to short list applicants for the external member vacancy on the Audit and Risk Committee. We are interviewing for the position on 9 July 2021.
- 3.11 The quarterly meeting with Greypower was held on 8 June 2021. Items for discussion included the traffic congestion on Lower Queen Street, stormwater retention, Māori representation on the Council and the burning of coal in some schools in our District.
- 3.12 I attended the funeral of former FENZ staff member, Tim Bennion on 9 June 2021. Tim, who died suddenly, worked in our District for much of his career with the New Zealand Fire Service and had a close involvement with the Waimea Rural Fire Authority.
- 3.13 I welcomed guests to the second Top of the South Forestry Awards on Friday 11 June 2021 and also presented the Outstanding Environmental Management Award, which our Council sponsors, to Warwick Winn. Over 550 people attended the awards and there were many very deserving winners in a range of categories.

- 3.14 The Project Kōkiri Leadership team met on 14 June 2021. Items for discussion included a presentation from MBIE regarding the regional strategic partnerships fund and to review the updated draft of the Project Kōkiri five year economic development plan for our region. The draft plan will be circulated for consultation in the very near future.
- 3.15 I met with Reuben Levermore from Air New Zealand on 16 June 2021. This was an opportunity to catch up on Air New Zealand's flight commitments for our region.

4 Attachments

- | | |
|---|-----|
| 1. ↓ Letter from central government regarding NPS Indigenous Biodiversity | 247 |
|---|-----|

Hon James Shaw

Minister of Climate Change
Associate Minister for the Environment (Biodiversity)



11 June 2021

Local authorities
Local Government New Zealand

Dear local authorities,

Progress on the National Policy Statement for Indigenous Biodiversity

Thank you for your continued work to protect indigenous biodiversity in your regions and districts. We recognise this work can be challenging and we have heard your calls for improved clarity on the progress of the National Policy Statement for Indigenous Biodiversity (NPSIB).

Almost 4,000 of our native plants and wildlife are currently threatened or at risk of extinction. The NPSIB will be crucial part of our Government's plan to halt the loss of indigenous biodiversity and protect what is unique about Aotearoa New Zealand.

The requirement to protect areas with significant habitats of indigenous biodiversity has existed under the Resource Management Act (RMA) for several decades. However, we acknowledge that local councils are at different stages in the process of meeting this requirement. Part of the reason for this is that no previous Government has provided guidance to councils on how they should identify those areas of significant indigenous biodiversity.

In most cases, the NPSIB requirement to identify Significant Natural Areas (SNAs) is not new. A large number of councils have already identified the equivalent areas. Many others are legally required to do so because the regional policy statement applying in their region requires it.

The NPSIB will provide standardised ecological criteria and process that would apply across the country on how SNAs should be identified. The criteria can be used to ensure consistency between local plans, and effective implementation of the RMA and the Aotearoa New Zealand Biodiversity Strategy.

The NPSIB will also enable councils and tangata whenua to work together to identify and protect biodiversity on Māori land. It will also ensure that the processes councils will need to follow to identify and manage an SNA is transparent and inclusive. Put simply, the NPSIB will provide councils with the regulatory tools to identify and protect SNAs.

Since public consultation concluded in March 2020, officials have been working through the 7000+ submissions and further developing the policy to ensure the NPSIB hits the right

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balance of protecting biodiversity while providing for the social, economic, environmental and cultural wellbeing of people and communities.

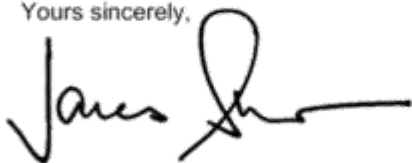
The next phase of development is to test this thinking through an exposure draft process in the coming months. We will be looking for feedback on the workability and practicality of implementation of the proposal. This will be an opportunity to work together to get this important work right. Our intention is to finalise the NPSiB by the end of this year.

Following gazettal, the implementation of the NPSiB will focus on supporting councils, iwi/Māori and other landowners to work together to identify, protect and restore the ngahere and the precious native plants and animals that live there. An implementation plan will also be developed to support local communities. The government's intention is to release this alongside the final NPSiB.

As New Zealanders, we all love getting out in nature. We also need development to occur in a way that meets the needs of current and future generations. One should not come at the expense of the other. That's what the NPSiB will help to ensure.

Once finalised, the NPSiB will be crucial to our efforts to reverse the decline of Aotearoa New Zealand's unique biodiversity and protect our natural taonga for generations to come. The NPSiB has been decades in the making and we look forward to working with you as it is finalised and we turn our attention to its implementation.

Yours sincerely,



Hon James Shaw
Associate Minister for the Environment
(Biodiversity)



Hon Nanaia Mahuta
Minister of Local Government

8.7 CHIEF EXECUTIVE'S UPDATE REPORT**Decision Required**

Report To:	Full Council
Meeting Date:	30 June 2021
Report Author:	Janine Dowding, Chief Executive Officer
Report Number:	RCN21-06-20

1 Purpose of the Report

- 1.1 The purpose of this report is to provide the Council with an update on some key activity since my last report on 20 May 2021. A copy of the Council Action sheet is attached for the Council's reference.
- 1.2 This report also includes a request that Council pass a resolution to approve the appointment of Fiona Wilson, Chief Executive of the Nelson Regional Development Agency as a non-voting adviser to the Tasman Regional Transport Committee representing the community's interests in economic sustainability, replacing the former NRDA Chief Executive, Mark Rawson.

2 Draft Resolution**That the Full Council:**

1. **receives the Chief Executive's Update Report RCN21-06-20; and**
2. **approves the appointment of Fiona Wilson, Chief Executive of the Nelson Regional Development Agency as a non-voting adviser to the Tasman Regional Transport Committee representing the community's interests in economic sustainability, replacing the former NRDA Chief Executive, Mark Rawson.**

3 Waimea Community Dam

- 3.1 The Nelson City Council negotiations and signing of the funding agreement have been completed. The Nelson City Council's contribution of \$5m has been received.
- 3.2 The revised Option A agreements have been completed and executed by Council, Crown Irrigation Investments Ltd, Waimea Water Ltd and Waimea Irrigators Ltd.

4 Long Term Plan

- 4.1 This meeting marks the conclusion of the development of the Long Term Plan (LTP) 2021-2031 with the request for the Council to adopt the final LTP and supporting information.
- 4.2 This has been a particularly challenging LTP to prepare, noting that work commenced more than 18 months ago before the presence of Covid-19.
- 4.3 The LTP Consultation Document raised the four big choices for the community to provide their views and feedback. There was a good level of public interest which has informed the decisions that the Council has made to reach this final version of the LTP.
- 4.4 The LTP has required considerable commitment and input from staff and elected members, as well as input from the community. I thank you all for your contribution and look forward to moving forward with implementation.

5 Port and Airport Holding Company

- 5.1 Once both council shareholders have adopted their respective LTPs, it is anticipated that a joint letter of expectation (LoE) from this Council and Nelson City Council will be sent to the boards of both companies setting out the shareholders expectations around the formation of the holding company. Matters likely to be included are:
 - the expected approach to establishing and transitioning to the holding company;
 - that neither council has the capacity to lead the transition project and are comfortable to assign the lead with appropriate reporting and delegations;
 - that given their larger resources Port Nelson Ltd is likely to take a lead role in the transition project with Nelson Airport Ltd. There will be a level of ongoing involvement from both councils given the local government legislative framework;
 - the recommendation that a transition project team is to be established consisting of Tasman District Council/Nelson City Council (Mike Drummond and Nikki Harrison), the Chief Executives of the Port and Airport and the Chief Financial Officers of the port and airport; and
 - confirmation that the costs to date and future transition costs will be recovered from the holding company once it is formed and capitalised.

6 Organisation Change Update

- 6.1 In my last report, I updated you on the organisational restructure. Good progress has been made and we are on track for the planned implementation date of 5 July 2021.

- 6.2 Interviews are taking place for the Chief Operating Officer on 23 and 24 June 2021. I hope we will have successfully appointed to this role by the time of this Full Council meeting.

7 Information Services

- 7.1 Information Services continues to support workplace flexibility with enhancements to existing WiFi to improve coverage, the continued replacement of end-of-life desktop systems with laptops and the migration of technology services to the Cloud.
- 7.2 Once the LTP is adopted by the Council, work will commence on IT transformation activity that will provide the Council with a range of new and improved technology that will support increased workplace flexibility, increased efficiency and, ultimately, enhanced services for residents, ratepayers and visitors to our region.
- 7.3 The vulnerability of IT systems to cyberattack has been demonstrated with the recent attack on Waikato DHB. The advice of security professionals is that any discussions regarding our Cybersecurity capability should be held in committee.
- 7.4 The Council's Cybersecurity Manager provided the Audit & Risk Committee with a summary of the findings of a recent external audit of our cybersecurity position. This presentation included a more general discussion about the increase in cyberattacks and how increased awareness was informing our approach.

8 Local Government Reforms

- 8.1 In a Council workshop on 17 June 2021, staff provided a summary of the many local government reforms currently underway. The signaled changes and considerable uncertainty are very challenging from an organisational and district planning perspective.
- 8.2 In addition, these changes draw on staff resources and while the Government has made a large investment in resources for central government departments to respond to the resulting workload impacts, there is no such recognition for councils.
- 8.3 The reforms are also resulting in large numbers of government department vacancies so we are competing for staff in areas where there was already a shortage. This is being felt across the local government sector.

9 Tasman Regional Transport Committee

- 9.1 At the Full Council meeting on 10 September 2020, the Council approved the appointment of Mark Rawson, the then Chief Executive of the Nelson Regional Development Agency (NRDA) as a non-voting adviser to the Tasman Regional Transport Committee representing the community's interests in economic sustainability. Since then, Mr Rawson has left the NRDA and the new Chief Executive is Fiona Wilson.
- 9.2 In his capacity as Chair of the Tasman Regional Transport Committee, Deputy Mayor, Stuart Bryant has recommended that the Council transfer that appointment to the new Chief Executive of NRDA, Ms Fiona Wilson. A resolution to that effect is included in this report.

10 Human Resources Update

- 10.1 As Councillors are aware, the consent planning team continues to be understaffed with resulting impacts on timeframes and customer expectations. The shortage of planners is affecting the entire sector and extends to the availability of consultant planners. As a high growth district the implications for Tasman are more extreme. A number of options are being explored but ultimately we will need to ensure that we are competitive in retaining and attracting staff.
- 10.2 Earlier this month I advised you of the resignation of our Kaihautū Te Waari Carkeek. I would like to acknowledge his contribution to this Council and district over the last 18 months.
- 10.3 Harvey Ruru has kindly agreed to provide part time interim Kaihautū support for the next three months. Harvey and Kaumātua Jane du Feu remain available to support and advise the Council and elected members.
- 10.4 Collective Agreement bargaining meetings with the PSA Union have commenced and given this is a mid-term negotiation for a salary grade variation, we anticipate concluding bargaining by early-July. The members' ratification process can then take place.
- 10.5 During the month of July our annual performance conversation (appraisal) process will conclude for this 12-month cycle and any salary adjustments will be combined with the market movements agreed to in this year's Collective Agreement negotiations mentioned above.
- 10.6 Recruitment continues to remain consistent and it is pleasing that a number of our recent vacancies have resulted from internal promotions and transfers to other roles within the Council. We are currently at various stages of recruiting for a:
- Operational Governance Manager (replacement)
 - Executive Support Officer (replacement)
 - Executive Assistant to Environment & Planning Manager (replacement)
 - Library Assistant – Takaka (part time replacement)
 - Policy Planner – Natural Resources (replacement)
 - Building Support Officer (replacement)
 - Recruitment Officer – fixed term, 6 months (new position)
 - Management Accountant (replacement)
 - Biosecurity Officer (replacement)
 - Property Services Manager (replacement)
 - Maori Liaison Officer, fixed term (new position)
 - PMO Manager (new position)
 - Chief Operating Officer (new position)
- 10.7 Since my last report, another 13 appointments have been made:
- Consent Planner – Natural Resources (replacement)
 - Project Manager – Wetlands Restoration, fixed term (new position)

- Building Support Officer (replacement)
- Library Assistant – Motueka (replacement)
- Catchment Enhancement Officer (replacement)
- Compliance & Investigation Officer – Freshwater (new position)
- Executive Assistant to Chief Executive Officer (replacement)
- Executive Assistant to Chief Operating Officer (new position)
- Executive Assistant to Chief Information Officer (new position)
- PMO Coordinator (replacement)
- PMO Analyst (replacement)
- Administration Officer – Property Services (replacement)

11 Health, Safety and Wellbeing

- 11.1 There have been seven events reported by staff since my last report including trips and falls, an electrical short and a near miss on the road involving a fallen tree.
- 11.2 There were also two near miss events involving drones being operated by staff: one was a near miss with a light aircraft approaching at low altitude and the second resulted in a drone colliding with power lines during a slip survey.
- 11.3 I am concerned for staff and elected members who experience offensive behavior or correspondence through the course of undertaking their roles. I acknowledge that some who interact with Council can be dealing with unwelcome decisions or frustration with Council rules or processes, and we are committed to improving their experience.
- 11.4 The psychological impact of abusive or offensive behavior is a serious issue, particularly when it is frequent or repetitive. I seek your support in presenting a low tolerance for anti-social behaviour from the public. I encourage you to watch the attached YouTube video created by Hamilton City Council in October last year highlighting the verbal abuse front-line staff face.

[Speaking up and standing together - YouTube](#)

12 Iwi General Managers

- 12.1 On 26 May 2021, I met with the General Managers/Chief Executives of Te Tau ihu iwi.
- 12.2 The purpose of the meeting was to explore ways that we could work more collaboratively at an operational level. We have agreed to a hui of the three councils and iwi of Te Tau ihu and I anticipate that this will take place in the next two months.

13 Council Action Sheet

- 13.1 The action sheet is attached for your information.

Attachments

1. [Council Action Sheet](#)

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Action Sheet – Full Council as at 30 June 2021

Meeting Date / Item	Action Required	Responsibility	Completion Date/Status
7 November 2019			
Moutere-Waimea Ward Reserves	Report back to Full Council (in committee) including legal advice and other matters relevant to any decision to initiate the process to declare as reserve Council land not currently protected under the Reserves Act.	Policy Advisor	In progress. Kerensa Johnson presented to the Council at a briefing on 29 July 2020. Staff will meet with Wakatu as directed at that briefing and a further report will be presented at a later date.
13 February 2020			
Appointment of Advisers to the Tasman Regional Transport Committee	<ul style="list-style-type: none"> Continue discussions with iwi and the NRDA regarding the appointment of advisers to the Tasman Regional Transport Committee 	Engineering Services Manager	Iwi discussions regarding an iwi representative are ongoing.
25 February 2021			
Hangar Houses, Motueka Aerodrome	<ul style="list-style-type: none"> Timeline for review of the Motueka Aerodrome Development Plan 	Corporate and Governance Services Manager	
Best Island – Access to Residential Properties	<ul style="list-style-type: none"> Report to Full Council regarding funding options including target rating 	Engineering Services Manager	
Chief Executive's Activity Report	<ul style="list-style-type: none"> Standard process for Council workshops 	Chief Executive	A process has been developed and will be implemented once it has been socialised with staff and elected members.
8 April 2021			

Item 8.7

Meeting Date / Item	Action Required	Responsibility	Completion Date/Status
Motueka Wastewater Treatment Plant – request for additional funding	<ul style="list-style-type: none">Review the \$380,000 shortfall from the NRSBU budget in the next two years as and when the NRSBU schedule the respective capital investment.	Engineering Services Manager	

Attachment 1

8.8 MACHINERY RESOLUTIONS REPORT

Decision Required

Report To:	Full Council
Meeting Date:	30 June 2021
Report Author:	Claire Galsworthy, Executive Support Officer - Executive and Council Services
Report Number:	RCN21-06-21

EXECUTIVE SUMMARY

The execution of the following documents under Council Seal require confirmation by the Council.

RECOMMENDATION/S

That the report be received and that the execution of the documents under the Seal of Council be confirmed.

DRAFT RESOLUTION

That the Tasman District Council

1. **receives the Machinery Resolutions report and that the execution of the following documents under the Seal of Council be confirmed:**
 - a) **Deed of Lease – Huia Rugby Club Inc. – BC 200119P – Land at Sports Park Motueka, 12 Manoy Street. Club intends to construct new clubhouse on land in near future. Community lease for \$230 incl. GST per annum. No changes until building commences.**
 - b) **Deed of Lease – Aorere Futures Trust Inc. – Community lease, 5-year lease commencing on 1 February 2021 – No rights of renewal.**
 - c) **Letter of Offer from Westpac NZ: multi option credit line (\$30m facility amendment). Westpac offer accepted to amend Tasman District Council’s MOCL facility from \$12 expiring in Mar-22 to \$30m expiring May-26**
 - d) **Deed of Encumbrance – Nelson Hops NZ Ltd. – 65 Korere-Tophouse Road, Motupiko, St Arnaud. Formalise occupation – registering it to property title.**
 - e) **Deed of Lease – Riwaka Rugby Club Inc. – New 5-year community lease, \$230 incl. GST per annum**

9 CONFIDENTIAL SESSION

1. 9.1 Procedural motion to exclude the public

The following motion is submitted for consideration:

That the public be excluded from the following part(s) of the proceedings of this meeting. 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 follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

9.2 Land Purchase - Richmond West Stormwater, Water and Active Transport Infrastructure

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.