

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

**Date:** Thursday 8 November 2018  
**Time:** 9.30 am  
**Meeting Room:** Tasman Council Chamber  
**Venue:** 189 Queen Street  
Richmond

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## Full Council

### AGENDA

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#### MEMBERSHIP

<b>Mayor</b>	Mayor Kempthorne	
<b>Deputy Mayor</b>	Cr King	
<b>Councillors</b>	Cr Brown	Cr McNamara
	Cr Bryant	Cr Ogilvie
	Cr Canton	Cr Sangster
	Cr Greening	Cr Tuffnell
	Cr Hawkes	Cr Turley
	Cr Maling	Cr 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 Thursday, 6 September 2018, be confirmed as a true and correct record of the meeting.

That the minutes of the Full Council meeting held on Thursday, 27 September 2018, be confirmed as a true and correct record of the meeting.

That the minutes of the Public Water Supply Bylaw Submissions Hearing and Deliberations meeting held on Tuesday, 16 October 2018, be received.

That the minutes of the Full Council meeting held on Thursday, 18 October 2018, be confirmed as a true and correct record of the meeting.

### 7 PRESENTATIONS

Nil

### 8 REPORTS

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## 8 REPORTS

### 8.1 RICHMOND WATER MAIN REALIGNMENT, LOWER QUEEN STREET

Decision Required

<b>Report To:</b>	Full Council
<b>Meeting Date:</b>	8 November 2018
<b>Report Author:</b>	Chris Blythe, Project Manager; Richard Kirby, Engineering Services Manager
<b>Report Number:</b>	RCN18-11-01

#### 1 Summary

- 1.1 There are currently two trunk water mains from the Richmond Water Treatment Plant that supply Richmond. One to the Champion Road reservoir and the other to the Queen Street reservoir. Part of the Champion Road Trunk Main lies under the Nelson Pine Industries (NPI) plant on Lower Queen Street. This is a risk to Council should this critical pipeline fail within the NPI property, affecting industrial and residential customers until a repair could be made.
- 1.2 It is therefore proposed that the water main under the Nelson Pine Industries (NPI) plant be realigned down Headingly Lane between the Richmond Water Treatment Plant and the trunk main next to Waimea Estuary. The water main under the Nelson Pine Industries (NPI) plant would be abandoned once it is realigned.
- 1.3 The realigned water main is included in the Long Term Plan 2018-28 with a budget allocation of \$1,154,600.
- 1.4 The revised estimate following detailed design has increased to \$1,500,000.
- 1.5 This report recommends deferring the Wakefield Water Treatment Plant project and allocating \$400,000 from that project to fund the anticipated shortfall in the Headingly Lane Water Main project.



## 2 Draft Resolution

That the Full Council:

1. receive the Richmond Water Main Realignment – Lower Queen Street report RCN18-11-01; and
2. approves the allocation of up to \$400,000 from the Wakefield Water Treatment Plant project to fund the estimated shortfall for the Richmond Water Main Realignment – Lower Queen Street project; and
3. notes that the funding requirements for Wakefield Water Treatment Plant project will be reviewed once the detailed design and estimate has been finalised.

### 3 Purpose of the Report

- 3.1 This report seeks approval to allocate funding from the Wakefield Water Treatment Plant project to cover the potential additional cost of realigning the water main from the Nelson Pine Industries (NPI) property down Headingly Lane.

### 4 Background and Discussion

- 4.1 There are currently two trunk water mains from the Richmond Water Treatment Plant that supply Richmond, one to the Champion Road reservoir and the other to the Queen Street reservoir. Part of the Champion Road Trunk Main lies under the Nelson Pine Industries plant on Lower Queen Street.
- 4.2 A replacement water main was intended to be installed as part of the Richmond Water Treatment Plant project in 2015 but this item was removed to enable the project to be delivered within the allocated funding for that project.
- 4.3 The replacement water main was included in the Long Term Plan 2018/28 with a budget of \$1,154,600.
- 4.4 The detailed design has resulted in a project estimate of \$1,500,000. This suggests additional funding of up to \$360,000 to \$400,000 may be needed.
- 4.5 The key reasons for the increase in price estimate are a change of scope since the LTP budget was developed. The increase in price has occurred for the following reasons;
- Change of pipe material from uPVC to HDPE to provide better pipe resilience;
  - A change of pipeline alignment to avoid the Headingly Lane / Lower Queen St intersection where services are congested;
  - The number and price for fittings and connections;
  - The need to undertake network shutdowns during construction and to liven the new pipeline;
- 4.6 It should be noted that although the estimate is now around \$1,500,000, the tendered price is expected to be within this estimate.
- 4.7 A second estimator, separate to the design consultant, is reviewing the design and undertaking an independent estimate to help inform the project estimate. This information is not available at time of writing the report and will be provided at the Council meeting.

### 5 Options

#### Option 1: Delay the project (not recommended)

- 5.1 The Council could delay the Richmond Water Main Realignment – Lower Queen Street project and request additional funding as part of 2019-20 Annual Plan process. This is a reasonable option, though Council still carries the risk of a break occurring under the NPI facility until the realigned water main can be installed.

**Option 2: Approve additional funding for the project (not recommended)**

- 5.2 Additional loan funding could be considered for the project without allocating funding from another project. This is a viable option and given the changes in the capital programme is not likely to compromise Council's funding restraints. This is not the recommended option, however equally as viable as the recommended option 3.

**Option 3: Delay another capital water project to release funding (recommended)**

- 5.3 The Wakefield Water Treatment Plant has been delayed by around 12 -18 months because more certainty is required around the range of raw water quality. This delay allows funding to be allocated to the Richmond Water Main Realignment – Lower Queen Street project. The required funding for the Wakefield Water Treatment Plant project will reviewed at a future date once the detailed design has been finalised.

**6 Strategy and Risks**

- 6.1 The Richmond Water Main Realignment – Lower Queen Street project has been delayed since 2015 and has been prioritised as a project in 2018/19 of the Long Term Plan 2018/28.
- 6.2 There are risks in delaying the project. Any break in the water main under the NPI facility would require a realigned pipe down Headingly Lane. The time delay would significantly affect water supply to the Champion Road reservoir and to Richmond as a whole whilst this work was undertaken. The cost would be greater given that it would be done as an emergency work. Depending on the location of any break, the impacts on the NPI operations could also be substantial.
- 6.3 The proposal is to complete this work in a managed environment rather than in an emergency environment.

**7 Policy / Legal Requirements / Plan**

- 7.1 There are no policy or legal matters that require further considerations.

**8 Consideration of Financial or Budgetary Implications**

- 8.1 The budgetary implications of this proposal is not considered to be significant, and has no material financial impact in this current year.
- 8.2 The funding for the Wakefield Water Treatment Plant will be reviewed once the detailed design for the plant has been completed. It will be the subject of a future Annual or Long Term Plan.

**9 Significance and Engagement**

- 9.1 The work has been included in at least two Long Term Plans and consulted upon accordingly.
- 9.2 The water network as a whole is a strategic asset, and the water main in question is a trunk main that supplies the Champion Road reservoir and the eastern side of Richmond. Having



a section of this main under a large building creates risks for the ongoing reliability and operation of the Richmond water supply.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	There may be some interest, however there is probably greater interest in Council managing its risk with a reliable water supply.
Is there a significant impact arising from duration of the effects from the decision?	Very Low	The impact is very low.
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	Yes	The water supply network is a strategic asset.
Does the decision create a substantial change in the level of service provided by Council?	No	
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
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?	No	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	

## 10 Conclusion

- 10.1 The realigned water main in Headingly Lane is a key upgrade to the Champion Road trunk main which reduces the risk with the current pipeline running under the NPI property.
- 10.2 There is an estimated project shortfall of up to \$360,000 - \$400,000 to meet the current design scope. In order to prevent having to come back to Council after tenders have closed it is recommended that up to \$400,000 additional funding be approved.

- 10.3 It is recommended that the Wakefield Water Treatment Plant project is deferred and funding released for the Richmond Water Main Realignment – Lower Queen Street project.

**11 Next Steps / Timeline**

- 11.1 The next steps will be to complete design and tender the construction work.

**12 Attachments**

Nil

## 8.2 PROPOSED SPEED LIMIT CHANGES - LOCAL CONNECTING ROADS TO STATE HIGHWAY 60

**Decision Required**

<b>Report To:</b>	Full Council
<b>Meeting Date:</b>	8 November 2018
<b>Report Author:</b>	Jamie McPherson, Transportation Manager; Robyn Scherer, Executive Assistant - Engineering
<b>Report Number:</b>	RCN18-11-02

### 1 Summary

- 1.1 At its meeting on 28 June 2018, the Council agreed to publicly consult, in partnership with the New Zealand Transport Agency (NZTA) on the proposed speed limit changes for State Highway 60 from Three Brothers roundabout to Maisey Road and a number of local connecting roads that intersect with State Highway 60.
- 1.2 The consultation was carried out from 30 July to 28 August 2018.
- 1.3 Feedback was invited via Survey Monkey administered by NZTA and through the Council's normal consultation channels, ie the website and via information provided at the Council's libraries and service centres.
- 1.4 Two hundred and twenty two (222) submissions were received. Of these, 10 people presented their submission in person to the Hearing Panel meeting on 26 September 2018.
- 1.5 After hearing submissions, the Hearing Panel deliberated and agreed to recommend to the Full Council that it approve the proposed speed limits for the local connecting roads.
- 1.6 The Panel also endorsed the NZTA proposal to lower the speed limit on State Highway 60 from McShane Road to Maisey Road.

<b>2 Draft Resolution</b>
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**That the Full Council**

- 1. receives the Proposed Speed Limit Changes - Local Connecting Roads to State Highway 60 report RCN18-11-02; and**
- 2. approves the following amendments to the Tasman District Council Speed Limits Bylaw 2016 – Schedule 1:**

<b>Road</b>	<b>Existing Speed Limit</b>	<b>Proposed Speed Limit</b>	<b>Location/Description</b>
Lower Queen Street	100 km/h	80 km/h	From end of existing 80 km/h zone 250m north west of Swamp Road, to end of road
Lansdowne Road	100 km/h	80 km/h	For its entire length
Best Island Road	100 km/h	80 km/h	For its entire length
Barnett Avenue	100 km/h	60 km/h	For its entire length
Blackbyre Road	100 km/h	80 km/h	For its entire length
River Road (Appleby)	100 km/h	60 km/h	For its entire length
Redwood Road	100 km/h	80 km/h	For its entire length
Research Orchard Road	100 km/h	80 km/h	For its entire length
Pukeko Lane	100 km/h	80 km/h	For its entire length

- 3. and notes that the new speed limits will be applied and publicised at the same time as the New Zealand Transport Agency formalises the speed limit change on SH60 from McShane Road to Maisey Road, which is likely to be in December 2018.**

**3 Purpose of the Report**

- 3.1 The purpose of this report is to request approval from the Council to make changes to the Tasman District Council Speed Limits Bylaw 2016.
- 3.2 The changes are for a reduction in the speed limits on local connecting roads that intersect with State Highway 60 from Three Brothers Corner to Maisey Road.

**4 Background and Discussion**

- 4.1 At its meeting on 28 June 2018, the Council agreed to publicly consult, in partnership with the New Zealand Transport Agency (NZTA) on the proposed speed limit changes for State Highway 60 from Three Brothers roundabout to Maisey Road and a number of local connecting roads that intersect with SH60.
- 4.2 The SH60 and adjoining roads consultation received 222 submissions. Of these, 163 were received via an electronic submission form. The remainder were received on either a hard copy form or via email sent directly to the consultation email box (SH60Safety@nzta.govt.nz) or to one of the consultation team members.
- 4.3 Submitters included the Automobile Association (AA), representing 1.6 million members. The AA supported the lowering of the speed limit to 80kmh on the section of SH60 between Three Brothers and Maisey Road as an interim measure “until such time as the route can be brought up to a standard that warrants, in the main, restoration of the current speed limit of 100kmh.” In line with that view, the AA also supported consequential lowering of speed limits on the nine local connecting roads.
- 4.4 Another submitter was the Nelson Marlborough Health (NMH) organisation. The NMH supported the proposed speed reductions. The NMH also submitted that the Transport Agency and Council work together with the local community to identify specific intersections “that are considered hazardous and to consider what other treatments, such as turning lanes, are appropriate in terms of reducing the risk of accidents.”
- 4.5 A majority of submitters agreed with the rationale presented to reduce speed limits on all the specified local roads and SH60.

**Local Connecting Roads**

- 4.6 There was considerable support for the agencies’ proposal to reduce the speed limit on nine local roads, with most people agreeing with the reasons given in the consultation document. The large number of submissions from local residents, meant that only about a fifth of respondents who provided feedback on SH60 chose not comment on any local roads. Many submitters also wrote of their familiarity with local roads.

**Lower Queen Street**

- 4.7 Approximately 78 per cent of submissions about Lower Queen Street supported the rationale for a reduced speed, with about 10 per cent providing submission judged neutral and 16 per cent of submissions opposed to a reduced speed.

**Lansdowne Road**

- 4.8 Approximately 79 per cent of submissions about Lansdowne Road supported the rationale for a reduced speed, with about 2 per cent providing submissions judged neutral and 19 per cent of submissions opposed to a reduced speed.

**Best Island Road**

- 4.9 Approximately 91 per cent of submissions about Best Island Road supported the rationale for a reduced speed, with about 3 per cent providing submissions judged neutral and 6 per cent of submissions opposed to a reduced speed.

**Barnett Avenue**

- 4.10 Approximately 91 per cent of submissions about Barnett Avenue supported the rationale for a reduced speed, with about two per cent providing submissions judged neutral and 7 per cent of submissions opposed to a reduced speed.

**Blackbyre Road**

- 4.11 Approximately 91 per cent of submissions about Blackbyre Road supported the rationale for a reduced speed, with about 3 per cent providing submissions judged neutral and 6 per cent of submissions opposed to a reduced speed.

**River Road (Appleby)**

- 4.12 Approximately 83 per cent of submissions about River Road supported the rationale for a reduced speed, with about 3 per cent providing submissions judged neutral and 14 per cent of submissions opposed to a reduced speed.

**Redwood Road**

- 4.13 Approximately 85 per cent of submissions about Redwood Road supported the rationale for a reduced speed with about 1 per cent providing submissions judged neutral and 14 per cent of submissions opposed to a reduced speed.

**Research Orchard Road**

- 4.14 Approximately 94 per cent of submissions about Research Orchard Road supported the rationale for a reduced speed with about 2 per cent providing submissions judged neutral and 4 per cent of submissions opposed to a reduced speed.

**Pukeko Lane**

- 4.15 Approximately 94 per cent of submissions about Pukeko Lane supported the rationale for a reduced speed with about 2 per cent providing submissions judged neutral and 4 per cent of submissions opposed to a reduced speed.

**SH60**

- 4.16 A detailed analysis of the submissions on SH60 showed 68 per cent to be supportive of the rationale to reduce the speed limit. Five per cent of submissions were found to be neutral, with most of these discussing the highway but without reference to speed and 26% of the submitters thought that reducing the speed for the entire length of the suggested section was unwarranted, with many of these submitters preferring a general or specified style of upgrade. Only one submitter did not submit on SH60 – leaving that section blank.

## 5 Options

- 5.1 **Option 1** – do nothing – keep the posted speed limit for the local connecting roads that intersect with State Highway 60. If NZTA approve a speed limit of 80km/h for SH60, this would mean that the connecting side roads would have a speed limit greater than the highway. It would also mean that speed derestriction signs would need to be installed on the side roads, which would not enhance safety.
- 5.2 **Option 2** – agree to the speed limit reductions listed in the table below.

Road	Existing Speed Limit	Proposed Speed Limit	Location/Description
Lower Queen Street	100 km/h	80 km/h	From end of existing 80 km/h zone 250m north west of Swamp Road, to end of road
Lansdowne Road	100 km/h	80 km/h	For its entire length
Best Island Road	100 km/h	80 km/h	For its entire length
Barnett Avenue	100 km/h	60 km/h	For its entire length
Blackbyre Road	100 km/h	80 km/h	For its entire length
River Road (Appleby)	100 km/h	60 km/h	For its entire length
Redwood Road	100 km/h	80 km/h	For its entire length
Research Orchard Road	100 km/h	80 km/h	For its entire length
Pukeko Lane	100 km/h	80 km/h	For its entire length

- 5.3 Staff recommend **Option 2**.

## 6 Strategy and Risks

- 6.1 Consultation has been carried out with Tasman District Council residents and ratepayers. The use of Survey Monkey attracted a significant number of submitters.

## 7 Policy / Legal Requirements / Plan

- 7.1 The speed limit changes will be included in Schedule 1 of the Speed Limits Bylaw 2016.

## 8 Consideration of Financial or Budgetary Implications

- 8.1 There will be minimal cost in the installation of new speed limit signage. New signage will be financed from the Roothing operations budget.
- 8.2 Minimal staff time will be required to update the Tasman District Council Speed Limits Bylaw 2016 – Schedule 1 and the Council's website.

**9 Significance and Engagement**

- 9.1 A full public consultation process was carried out along with “pop up” sessions at the Richmond Mall and attendance at the Mapua & Districts Residents Association monthly meeting.
- 9.2 With 222 people submitting to the consultation process it is clear that the proposed speed limit changes were significant to many residents.

**10 Conclusion**

- 10.1 Public consultation, in conjunction with the New Zealand Transport Agency on the proposed speed limit changes on State Highway 60 and local connecting roads that intersect with this section of highway, was very successful with 222 submissions received.
- 10.2 The majority of submitters supported the proposed changes on all the affected roads and the state highway.
- 10.3 Consequently, staff recommend the Council approves the speed limit changes to the local connecting roads.

**11 Next Steps / Timeline**

- 11.1 Once the Council has approved the proposed speed limit reductions for the local connecting roads we will work with NZTA on the timing for the changes to come into effect. We anticipate that this will be before the Christmas holiday break. Note – NZTA are required to gazette the state highway speed limit for 28 days before it can be finalised.
- 11.2 Schedule 1 of the Speed Limits Bylaw will be updated and included on the Council’s website.
- 11.3 The changes will be advertised in Newsline and via media releases in partnership with NZTA.

**12 Attachments**

Nil



### 8.3 RELOCATION OF APPLEBY FIRE STATION - CONSENT TO TRANSFER PART OF THE ROAD CORRIDOR TO FIRE AND EMERGENCY NZ

Decision Required

<b>Report To:</b>	Full Council
<b>Meeting Date:</b>	8 November 2018
<b>Report Author:</b>	Robert Cant, Programme Leader - Property Transactions
<b>Report Number:</b>	RCN18-11-03

#### 1 Summary

- 1.1 Council is aware of a proposal from Fire and Emergency New Zealand (FENZ) to relocate the Appleby Fire Station to a safer location. The preferred site is on the corner of Redwood Road, and the Moutere Highway.
- 1.2 The proposal involves Council agreeing to transfer part of the legal road corridor to FENZ. The portion of the legal road will be made available from a large 'road splay' that is much larger than is ever likely to be needed for the road. The road corridor remaining is comfortably wide enough to accommodate future roading needs.
- 1.3 Council's agreement to the transfer of this land is technically consent to the stopping of this portion of road under Section 116 of the Public Works Act 1981 (PWA). If Council agrees, this will allow staff to provide advice to FENZ that will allow it to start the land use consent process. If FENZ can obtain land use consent to establish the new building on this site, it will formally seek to acquire the land using its powers under the PWA.
- 1.4 If FENZ cannot obtain land use consent, the land will not be transferred, and FENZ will need to look at another location.
- 1.5 The powers necessary to give effect to the transfer are not delegated to staff, hence this relatively routine decision needs to be made at Council level. Staff will seek to have the delegations register amended.

<b>2 Draft Resolution</b>
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**That the Full Council**

- 1. receives the Relocation of Appleby Fire Station - Consent to Transfer Part of the Road Corridor to Fire and Emergency NZ report RCN18-11-03; and**
- 2. consents to the transfer of the portion of the road corridor on the corner of Redwood Road and the Moutere Highway, and**
- 3. delegates to the Property Services Manager the ability to sign any documents to provide consent under Section 116 of the Public Works Act 1981, and to take action to transfer the land to Fire and Emergency New Zealand using the powers available in Section 117 of the Public Works Act 1981.**

**3 Purpose of the Report**

- 3.1 To seek Council approval to allow a part of the Moutere Highway corridor to be transferred, (via a partial road stopping and subsequent sale) to Fire and Emergency New Zealand (FENZ) who require the land to establish a new fire station facility. FENZ will use the Public Works Act 1981 as the mechanism to legally effect the transfer.

**4 Background and Discussion**

- 4.1 Councillors will be aware that FENZ took over the Council's role in overseeing volunteer brigades for rural fire services in 2017.
- 4.2 Prior to the establishment of FENZ, there was a desire to relocate the Appleby Fire Station to a safer location.
- 4.3 Since FENZ was established, it has been progressing site investigations. It has a preferred site on the corner of the Moutere Highway, and Redwood Road (near the kart track).
- 4.4 This site involves a transfer of land that is currently an unformed portion of legal road, plus private land from a neighbour. The intersection at this point has a very large splay. Council's Transportation Manager advises that some of the large splay is occasionally used to store gravel for road repairs. The extra land from the splay is currently far more than is needed for this purpose.
- 4.5 A locality plan is attached (Attachment 1). The legal roads are shaded grey and a rough depiction of the FENZ land requirement is shown outlined in green. The blue area is the land FENZ are likely to seek from Council. The yellow colour represents land FENZ will acquire from Mr and Mrs Ford. The fire station site design is also attached (Attachment 2), with the same colouring.
- 4.6 Fire and Emergency New Zealand are seeking an assurance from Council that it will consent to this piece of the road corridor transferring to FENZ. The neighbours are rural fire stalwarts and have agreed also to allow private land to be available for the project.
- 4.7 Council is requested to provide a delegation to the Property Services Manager to take any action necessary, including the signing of documents to transfer the ownership to FENZ, pursuant to Section 117 of the Public Works Act. The powers necessary to give effect to the transfer are not delegated to staff, hence this relatively routine decision needs to be made at Council level. Staff will be recommending to Council that the staff delegations be updated at the next opportunity so that these routine matters can be dealt with at a management level.
- 4.8 If this recommended resolution is passed, FENZ will be advised, thus enabling it to fully investigate its ability to obtain land use and building consent on this site.
- 4.9 If FENZ is not able to obtain land use consent, it will not pursue the transfer of the land, and the land will remain legal road. If FENZ obtains land use consent, it will use its powers under the Public Works Act (PWA) to acquire the land from Council and the neighbouring private owners. Council will be paid compensation based on an independent valuation.

**5 Options****5.1 Option 1:** Approve the transfer (road stopping) and sale to FENZ. **This is the recommended option.**

The Council's Transportation Manager advises the land sought by FENZ is genuinely surplus. All future road requirements can be accommodated within the legal road corridor that will remain. There will still be at least 10 metres (between the existing road edge and the new FENZ site) for the storage of gravel and any future widening of the intersection. Council will receive a fair market value for the land (the land is zoned rural).

**5.2 Option 2:** Decline the transfer of a portion of the road corridor to FENZ.

If this is the decision, FENZ will need to find another suitable site. This is not recommended, as FENZ has been looking at locations for many months. The site proposed is the clear preference for Council staff, FENZ, and the private land owners are supportive of the location.

**6 Strategy and Risks****6.1** The public are unlikely to notice any difference in their use of either road. Issues surrounding the operation of the fire station itself will be considered in the land use application process. As such this part of the process is considered to have low risk.**7 Policy / Legal Requirements / Plan****7.1** There is no policy to cover this type of scenario. As explained above, planning requirements will be considered when FENZ seeks land use consent.**7.2** The road stopping of the part of the unformed legal road is undertaken with the approval of the Minister for Land Information, using the powers in section 116 of the Public Works Act 1981 (PWA). Fire and Emergency New Zealand will seek the Minister's consent to the stopping, but the Council's consent is also required. When the transfer is made and the portion of the road corridor is legally stopped, the Council is then able to deal with the sale of the land, using the powers available in Section 117 of the PWA.**7.3** The ability to provide consent to a stopping of a road when requested by the Minister for Land Information is provided for in Section 116 of the PWA. The further ability to deal with the stopped road is in Section 117 of the PWA. Approval under these sections is not currently delegated to staff. It is appropriate for this to be considered in future, as these decisions relate to routine matters that are best managed at a staff level.**8 Consideration of Financial or Budgetary Implications****8.1** The cost of the PWA process will be covered by FENZ, and they will also pay for all survey and valuation costs. A formal agreement will be signed to confirm this. Council will be paid fair market value for the land. As such, the project has no cost and a small financial benefit for the Council.

## 9 Significance and Engagement

- 9.1 The proposal is not something that is likely to generate public interest and is of low significance. Formal consultation is not considered necessary.
- 9.2 FENZ will have to go through a formal process to establish a fire station in this zoning, but that is not part of this decision.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	There is some local public interest in the relocation of the fire station. The decision to allow Council land to assist FENZ is likely to have general community support.
Is there a significant impact arising from duration of the effects from the decision?	No	
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No	While roads are a strategic asset this is 'as a whole', and does not apply to isolated small parcels of surplus road.
Does the decision create a substantial change in the level of service provided by Council?	No	
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
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?	No	FENZ will liaise with the adjacent landowners to buy their land.
Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	

**10 Conclusion**

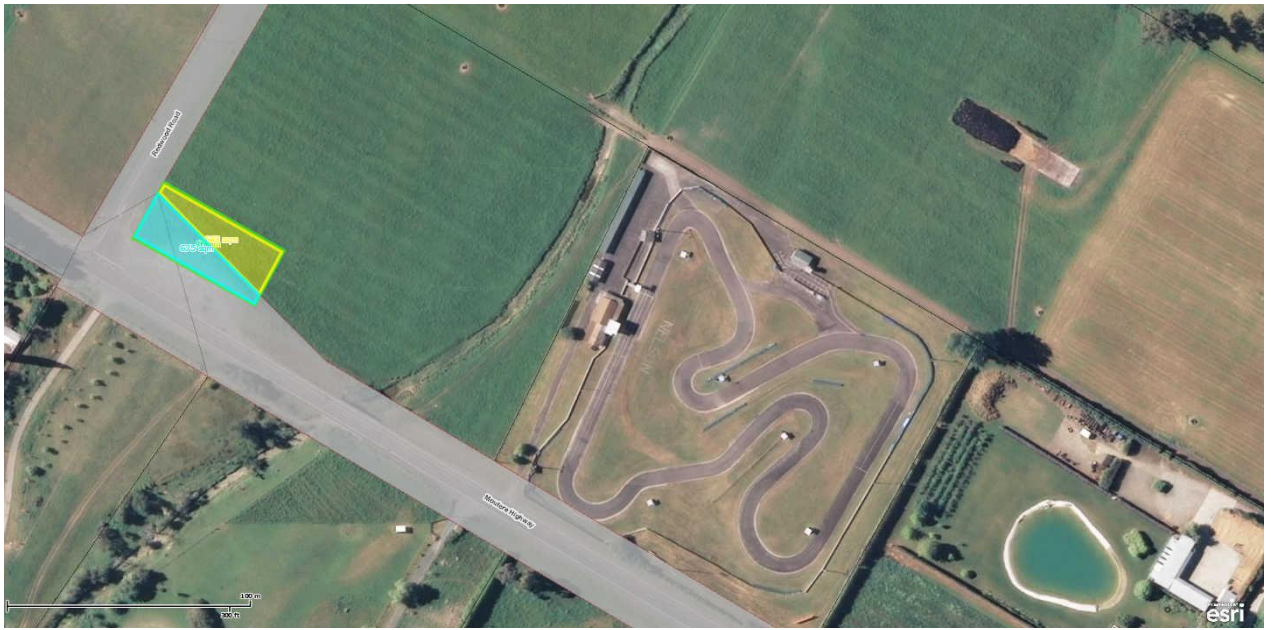
10.1 The relocation of this fire station is considered desirable and worthy of support from the Council, in the community interest. There is essentially no downside to this decision to make the surplus road land available to FENZ. Giving FENZ the certainty that it has the land available enables it to move forward with a land use application.

**11 Next Steps / Timeline**

- 11.1 If the Council provides consent to the transfer of part of the legal road to FENZ, FENZ will be advised and will start the land use consent process. If land use consent is obtained a formal PWA process will be commissioned by FENZ, when Council's written consent will be provided to formally proceed with the road stopping and transfer of the land.
- 11.2 If FENZ is not able to obtain land use consent for the land it is seeking to acquire, it would not proceed with the PWA action. The land would remain an unformed portion of legal road.

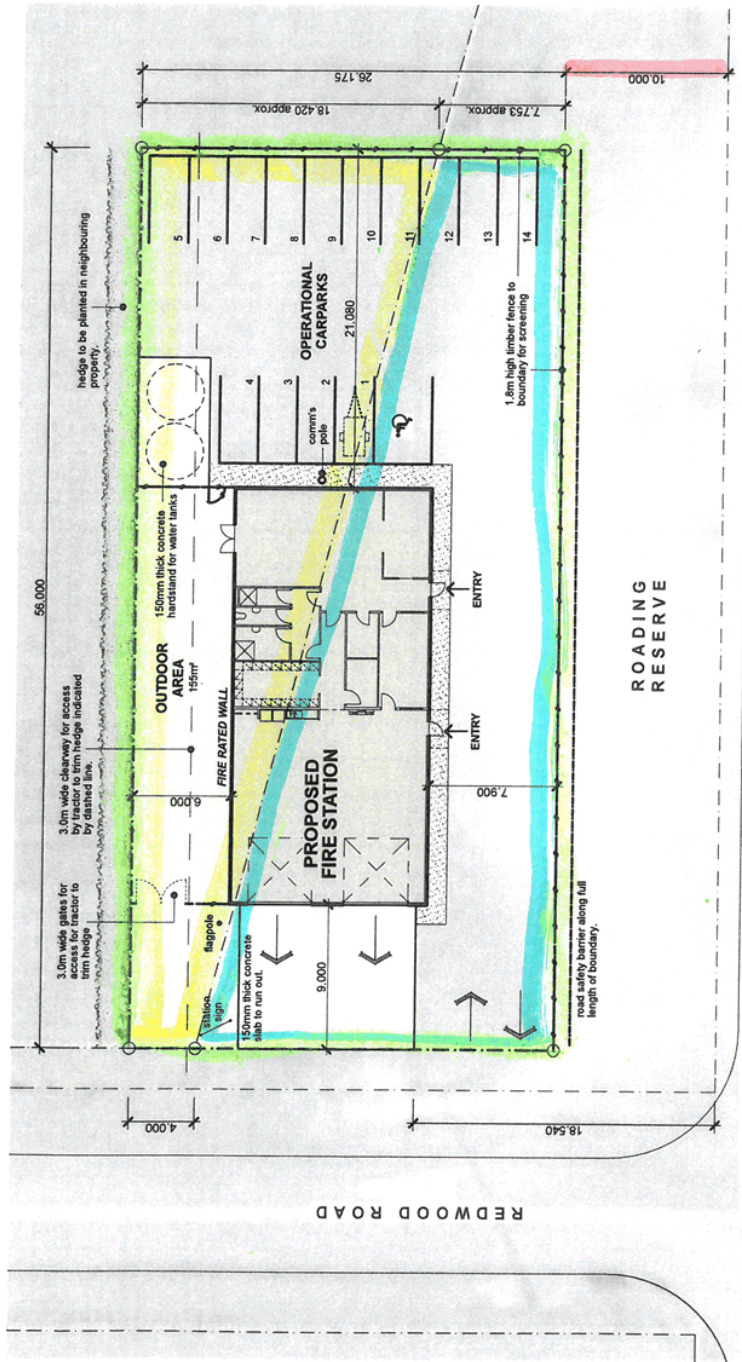
**12 Attachments**

- |    |                                    |    |
|----|------------------------------------|----|
| 1. | FENZ Appleby Station Site Location | 23 |
| 2. | FENZ Appleby Station Design        | 25 |









**SITE PLAN**  
SCALE 1:250

**SITE DATA**  
 Snow Zone/Loading = NS / 2kPa  
 Wind Zone = High Wind Zone  
 Wind Region = A  
 Earthquake Zone = Zone 3  
 Durability Zone = Zone B

**LEGAL DESCRIPTION**  
 Part of:  
 140 Moutere Highway  
 Moutere  
 Lot 1 DP 2795  
 Title NL84/29

**SITE AREAS**  
 New Station Site Area = 1,438m<sup>2</sup>  
 Area of Rooding Reserve Occupied = 835m<sup>2</sup>  
 Area of Neighbouring Site Occupied = 600m<sup>2</sup>  
 Area of Rooding Reserve Remaining = 1,054m<sup>2</sup>



**msd**  
ARCHITECTURE

**ARZ**  
ARCHITECTURE

MIKE SOWMAN DESIGN LTD  
 A PO Box 236, Dunedin  
 B PO 1080  
 C info@msd.co.nz  
 D www.msdsign.co.nz

DO NOT SCALE OFF DRAWINGS DIMENSIONS TO BE VERIFIED ON SITE PRIOR TO CONSTRUCTION  
**SKETCH SCHEME 8**

**8.2**

SCALE 1:250 @ A3  
 DATE SEPTEMBER 2018  
 JOB NUMBER CN17-1711  
 PRINT DATE 24/09/2018

**FIRE AND EMERGENCY NEW ZEALAND**  
**VOLUNTEER STATION - APPLEBY**  
 MOUTERE HIGHWAY - NELSON





**8.4 AERODROME CHARGES - ANNUAL LUMP SUM FEES****Decision Required**

<b>Report To:</b>	Full Council
<b>Meeting Date:</b>	8 November 2018
<b>Report Author:</b>	Mark Johannsen, Property Services Manager
<b>Report Number:</b>	RCN18-11-04

**1 Summary**

- 1.1 This report seeks approval to improve Council's Aerodrome pricing regime by introducing further options to the 2018/19 Aerodrome Fees and Charges Schedule. The reasons for this are:
- (a) To meet customer needs by adding a fixed annual lump sum fee option available to recreational users of Motueka and Takaka Aerodromes.
  - (b) To correct an oversight by introducing an option for an annual lump sum fee for commercial users of Takaka Aerodrome. This option is already available to commercial operators of Motueka Aerodrome, and this option has been requested by our Takaka commercial operators.
- 1.2 The request for an annual lump sum option for private recreational aircraft users has been raised in the past, and similarly commercial users at Takaka Aerodrome have recently raised an annual lump sum fee option for consideration. These requests are supported as the options will provide an improvement for our customers and better administrative efficiency for Council.
- 1.3 We have consulted recently with the Motueka Aerodrome Operations and Safety Committee and Advisory Group respectively, and with the Takaka Aerodrome Advisory Group. There has been a high level of interest in this with members of the Advisory Groups responses being unanimously supportive.
- 1.4 The 2018/19 Schedule of Charges was adopted along with the Long Term Plan. A Council resolution is required for these proposed additions of annual lump sum fee options.

**2 Draft Resolution****That the Full Council**

- 1. receives the Aerodrome Charges - Annual Lump Sum Fees Report RCN18-11-04; and**
- 2. approves the adoption of the following annual lump sum fees for Motueka and Takaka Aerodromes to be added to the 2018/19 Fees and Charges Schedule:**
  - Low user (up to 50 landings per annum) \$150 per annum including GST;**
  - Medium user (over 50 landings per annum) \$600 per annum including GST; and**
- 3. approves the adoption of the following Commercial Operators Charges for Takaka Aerodrome:**
  - Aircraft: \$90 per month per aircraft (\$1080 per annum) including GST;**
  - Helicopter: \$50 per month per aircraft (\$600 per annum) including GST;**
  - Microlight/Homebuilt/Glider: \$70 per month per aircraft (\$840 per annum) including GST pro-rated for the balance of the year; and**
- 4. approves that the new fees are effective from 1 December 2018 and pro-rated for the balance of the 2018/19 year.**

**3 Purpose of the Report**

- 3.1 To seek approval to implement a new annual lump sum fee option for recreational users of Motueka and Takaka Aerodromes, and add a new annual lump sum fee option for commercial users of Takaka Aerodrome.

**4 Background and Discussion**

- 4.1 This report seeks approval to improve Council's pricing regime by introducing further options to the 2018/19 Aerodrome Fees and Charges Schedule. The reasons for this are:
- (a) To meet customer needs by adding a fixed annual lump sum fee option available to recreational users of Motueka and Takaka Aerodromes.
  - (b) To correct an oversight by introducing an option for an annual lump sum fee for commercial users of Takaka Aerodrome. This option is already available to commercial operators of Motueka Aerodrome, and this option has been requested by our Takaka commercial operators.
- 4.2 The current general aviation fee at both aerodromes for single landings is \$9. The proposed changes are in recognition of our customer requests and will benefit Council from the reduction in administering the single payment, predominantly cash-based honesty box system. There are a number of single users who prefer to pay an annual fee rather than individual payments for each landing.
- 4.3 Currently payments are made by recording the aircraft registration on an envelope and placing the envelope (with cash) in an honesty box. This needs to be emptied regularly via a specific site visit, the money reconciled and then banked. There is a mobile phone funds transfer option but this is still clumsy for the small fee involved at each landing event.
- 4.4 A more flexible approach of an annual lump sum fee option would assist our varied customers. There are a number of permutations of aircraft ownership and usage. The following examples are shown this to illustrate this point:
- The Aero Club - two aircraft and multiple users.
  - A single user with two aircraft.
  - One user using both Motueka and Takaka Aerodromes on a regular basis.
- 4.5 There is no on-site supervision at the aerodromes so any system is inherently honesty-based. We have recently installed a monitoring tool to overview the operational use of Motueka Aerodrome and this is providing good data on the volume of landings at the facility.
- 4.6 The request for an annual lump sum option for private recreational aircraft users has been raised in the past, and similarly commercial users at Takaka Aerodrome have recently raised this for consideration.
- 4.7 We have consulted recently with the Motueka Aerodrome Operations and Safety Committee and Advisory Group respectively, and with the Takaka Aerodrome Advisory Group. There has been a high level of interest in this which has been unanimously supportive.

**Proposed Fees:**

- 4.8 Several aerodromes have annual lump sum fees in the \$100-\$200 range. Based on this it is recommended that Council charges \$150 per annum for low recreational users (up to 50 landings per year) and \$600 per annum for medium recreational users (over 50 landings per year). These figures are inclusive of GST.

These charges have been assessed based on staff knowledge of typical usage patterns and the early data from our monitoring software.

The table below shows the proposed recreational fee structure for both Motueka and Takaka Aerodromes:

Recreational Type	Annual Charge including GST	Pro-rated charge from 01 December 2018
Low user (up to 50 landings)	\$150	\$87.50
Medium user (above 50 landings)	\$600	\$350

Fees will be reduced by 50% for a second aircraft owned by a single individual user.

Except for the 2018/19 year the Annual Charge option is only available at the full year price (it will not be pro-rated for a part year).

- 4.9 The above figures compare with the current Motueka Aerodrome commercial lump sum fee of \$90 per month equating to \$1080 per annum (including GST).

The proposed commercial annual lump sum option for Takaka Aerodrome is on the same basis as the previously adopted Motueka Aerodrome fees, and is as follows:

Commercial Type	Annual Charge including GST	Pro-rated charge from 01 December 2018
Aircraft	\$1080	\$630
Helicopter	\$600	\$350
Microlight/Homebuilt/ Glider	\$840	\$490

- 4.10 The above charges will be subject of the annual fees and charges review process with landings data from our monitoring software used as a basis for assessing fair annual fee levels. The 2018/19 Schedule of Charges is attached as Attachment 1.

<b>5 Options</b>
------------------

- 5.1 Option 1: Add a provision for annual lump sum fees with immediate effect. This is the preferred option.

Advantages:

- Council has been requested previously to implement this option.
- Provides a more flexible approach to provide better customer service and convenience for users for a one-off payment rather than a \$9 cash payment on site.

- This approach is more administratively efficient for Council because it reduces the number of individual cash transactions.

Disadvantages:

- There are no apparent disadvantages as the single transaction payment option is still available for any user who prefers this.

## 5.2 Option 2: Continue with the current fees and charges.

Advantages:

- This is a status quo option and will stay in effect until 30 June 2019.

Disadvantages:

- For the reasons stated above, aerodrome users are requesting an annual lump sum fee option so this will not meet our customer requirements.

## 6 Strategy and Risks

- 6.1 There are no risks with implementing this option to commence during this 2018/19 financial year.

## 7 Policy / Legal Requirements / Plan

- 7.1 The 2018/19 Schedule of Charges was adopted along with the Long Term Plan. A Council resolution is required for these proposed additions of annual lump sum fee options.

## 8 Consideration of Financial or Budgetary Implications

- 8.1 There are no financial costs apart from internal administration to include the new fee options in the 2018/19 Schedule of Charges. With the annual lump sum option and the new onsite monitoring of aircraft landings, we anticipate increasing income in the order of up to \$10k per annum.

## 9 Significance and Engagement

9.1 This is considered of low significance as this only introduces another payment option for users and is not mandatory. We have been previously requested by users to provide this option for payment.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	Users of the aerodrome have requested this option. It is optional.
Is there a significant impact arising from duration of the effects from the decision?	Low	Users have still got options on how their landing fees are paid.
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	Yes	The transportation system includes aerodromes and as a whole is listed as a Strategic Asset. However the new fee is considered of low significance as it is optional.
Does the decision create a substantial change in the level of service provided by Council?	No	
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
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?	No	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	



**10 Conclusion**

- 10.1 It is recommended that provision be made for the option of annual lump sum fees for Motueka and Takaka Aerodromes with immediate effect. These will provide a consistent fee structure for both aerodromes.

**11 Next Steps / Timeline**

- 11.1 If the recommendation is adopted, annual lump sum fees for recreational users will be implemented with effect from 1 December 2018.
- 11.2 User Groups will be informed.
- 11.3 The 2018/19 Schedule of Charges will be amended to incorporate the new fee options and this will be updated on Council's website.

**12 Attachments**

1. Schedule of Fees 2018-19 Motueka and Takaka Aerodromes

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## COMMERCIAL CHARGES

## Aerodrome charges

Motueka Aerodrome	Charges from 1 July 2018 including GST
General aviation user charges (through honesty box or EFTPOS)	Per landing
Aircraft type:	
• Single Engine	\$9.00
• Twin Engine	\$11.00
• Helicopter	\$5.00
• Microlight / Homebuilt	\$9.00
• Glider	\$9.00
Commercial operators charges (invoiced monthly)	
Aircraft type:	
• Single Engine	\$90.00/month/aircraft
• Twin Engine	\$110.00/month/aircraft
• Helicopter	\$50.00/month/aircraft
• Microlight / Homebuilt	\$70.00/month/aircraft
• Glider	\$70.00/month/aircraft
Aircraft Parking Charges for Visiting Aircraft using tie downs.	
(Commercial Operators Charges are invoiced monthly)	
Small Engine	\$7.00/day or \$600.00 pa
Twin Engine	\$9.00/day or \$800.00 pa
Helicopter	\$7.00/day or \$600.00 pa
Microlight/Homebuilt	\$6.00/day or \$450.00 pa
Glider	\$6.00/day or \$450.00 pa
NB: Parking charges not paid through honesty box will incur a \$25.00 Administration fee	

Takaka Aerodrome	Charges from 1 July 2018 including GST
General Aviation User Charges (through honesty box or EFTPOS)	Per landing
Aircraft type:	
Single Engine/Helicopter/Glider/Microlight	\$9.00
Twin Engine	\$11.00
Commercial Operators Charges (invoiced monthly)	
Single Engine/Helicopter/Glider/Microlight	\$9.00
Twin Engine	\$11.00
Note: * Charges that have to be invoiced by the Aerodrome Management Committee will incur \$25.00 administration fee	

Council will be undertaking a review of its aerodromes activity. This review will be along the lines of the review of Port Tarakohe. The emphasis will be on ensuring that these activities are financially self-sustaining. This is likely to result in an increase in fees and charges as these businesses move to funding depreciation and any rates funding is removed.

**8.5 UPGRADE OF CIVIC FACILITIES AT RICHMOND OFFICE****Decision Required**

<b>Report To:</b>	Full Council
<b>Meeting Date:</b>	8 November 2018
<b>Report Author:</b>	Mark Johannsen, Property Services Manager
<b>Report Number:</b>	RCN18-11-05

**1 Summary**

- 1.1 As a result of the growth that the District has experienced and the requirement for the provision of increased Council services, there is a demand for more civic and office space. Recent high-interest meetings have exposed deficiencies in the civic area particularly regarding the limitations of space available for public involvement.
- 1.2 The “civic” area is defined as the Council Chamber, kitchenette, Wangapeka and Heaphy Meeting Rooms, Mayoral suite, Councillors’ Lounge and the adjacent public foyer areas. Similarly there is continuing demand for office space. We need to provide for this staff growth by creating better efficiency of the floor space within the existing building envelope.
- 1.3 Coupled with this is a demand for improved technology in the Council Chamber to assist with enhancing community access and involvement. An immediate need is the replacement of our audio system - the current one having reached its end of life.
- 1.4 In reviewing the whole project we considered that the civic area should be progressed first.
- 1.5 Staff propose that a working group comprising four Councillors and key staff be formed to provide input into the design and technology options. The preferred option would come back to Full Council for a final decision before proceeding.

**2 Draft Resolution****That the Full Council**

1. receives the Upgrade of Civic Facilities at Richmond Office Report RCN18-11-05; and
2. approves staff initiating work to develop a design and implementation plan for the civic area areas; and
3. forms a six member working group comprising three Councillors - CR\_\_\_\_\_, CR\_\_\_\_\_, CR\_\_\_\_\_, Property Services Manager, Information Services Manager and the Corporate Services Manager to develop and review the options for upgrading the civic area based on option 3; and
4. notes that once a preferred design option is identified the option, staging, likely costs and resourcing implications will be reported back to Full Council for a final decision.

**3 Purpose of the Report**

- 3.1 To seek your approval to undertake a design development process for the civic area of the Council premises at 189 Queen Street, Richmond which includes exploring technology improvement options.

**4 Background and Discussion**

- 4.1 As a result of the growth that the District has experienced and the requirement for the provision of increased Council services, there is a demand for more civic and office space. Recent high-interest meetings have exposed deficiencies in the civic area particularly regarding the limitations of space available for public involvement.
- 4.2 The “civic” area is defined as the Council Chamber, kitchenette, Wangapeka and Heaphy Meeting Rooms, Mayoral suite, Councillors’ Lounge and the adjacent public foyer areas. Similarly, there is continuing demand for office space. We need to provide for this staff growth by creating better efficiency of the floor space within the existing building envelope.
- 4.3 The facilities associated with the civic function are no longer fully fit for purpose and are in need of modernising and reconfiguration to allow for improved public participation and the implementation of contemporary technology.
- 4.4 It is considered that the priority is to progress improvements in the civic area followed by the reconfiguration of the staff space to create more efficient space utilisation.
- 4.5 The current Council Chambers, attached meeting rooms and general facilities within are dated with limited functionality. Recent high-interest meetings have exposed the size limitations of the Chambers and the inability to make use of the adjoining rooms to open up additional gallery space for the public.

- 4.6 A number of problems are evident. These are as follows:
- (a) The size, shape and limited functionality of the Chambers. There is insufficient space for the public gallery, media and staff.
  - (b) Accessibility for people with limited mobility is poor.
  - (c) General acoustics require improvement within the Chamber. Noise issues have been problematical such as heavy rain on the roof and activity within the kitchenette during meetings. Another issue is the lack of soundproofing for confidential business sessions whereby it is possible to hear meetings from the kitchenette and immediate foyer.
  - (d) Lighting issues such as glare on the western side of the Chamber.
  - (e) Exposed cabling on the floor.
  - (f) The Wangapeka and Heaphy Meeting Rooms have limited capacity when accommodating large groups.
- 4.7 In respect of technology, the current systems are basic with the Chamber speaker system near the end of its functional life. Procurement of parts and repairs is increasingly difficult.
- 4.8 A review of the space also offers the opportunity to incorporate live streaming of Council meetings. There are more frequent calls for streaming and/or connectivity to allow wider input into meetings.
- 4.9 In the age-friendly policy submissions we received a suggestion to provide Skype facilities available at our service centres for presenting during the public fora at Council or Committee meetings.
- 4.10 It is considered timely to look at the issues holistically, with a view to undertake a package of improvements contemporaneously.
- 4.11 The key design outcomes generally are:
- Meeting functional space requirements such as accommodating 50 members of the public, four tier 2 senior managers, two tier 3 managers, waiting space for up to six presenters and media space.
  - Modern accessibility levels for physically impaired people.
  - Provision of large sized meeting rooms suitable for external parties and for full departmental meetings.
  - Provision of contemporary technology.
- 4.12 We propose to develop designs for the civic area and options for technology improvements to meet the organisation's requirements and to determine the costings and appropriate staging of works.
- 4.13 In the meantime we will continue to take interim measures to keep the technology functional to extend its life in anticipation of the wider work providing for equipment to meet the aspirations of the community and embodied in the digital strategy.
- 4.14 Staff request that a working group comprising four Councillors and staff is formed to provide input into the initial design and technology requirements. This group would then report back to a workshop and ultimately with the preferred option to Full Council in early-mid 2019 with the likely costs and a funding proposal.

<b>5 Options</b>
------------------

- 5.1 **Option 1:** Status quo (and only address technology failures through like for like replacement or repairs and maintenance).

Advantages:

- Costs will be minimised and spread over a number of financial years meaning a minimal (if any) upfront cost.

Disadvantages:

- Reactive work is not an optimal method of asset management and has the risk of delays in procuring parts or equipment.
- Likely to cost more over time with repair costs leading to ultimate replacement.
- There will be no new or improved technology deployed.
- This approach will not support the digital strategy.

- 5.2 **Option 2:** Upgrade the civic area now and improve the technology over time such as the speaker system in year one, streaming in year two etc.

Advantages:

- Costs that are related to technology are staged over a number of financial years.
- The civic area physical works are completed to improve the functionality.

Disadvantages:

- This approach is piecemeal and will not result in a single quantum improvement to the facilities.
- The overall costs are anticipated to be higher.

- 5.3 **Option 3: This is the recommended option.** To develop a range options for the design and technology for the civic area for Council consideration.

Advantages:

- Current layout is not fit for purpose. A redesign would provide much needed space for the public, staff and media for both regular and large meetings.
- Holistic approach to upgrading all aspects of the facilities to a current accommodation and technological standard saving both budget and time in the long term
- Opportune as speaker system is obsolete and overdue for replacement.
- Will also include the implication and costs related to options. That would include capital costs, running costs, any savings, additional resourcing required to support technology initiatives etc.
- Will be able to look at staging options for the identified scope of works.

Disadvantages:

- The Development of comprehensive options will require an up front investment.
- Once an option is agreed there will be an associated cost in upgrading the civic area and technology.



**6 Strategy and Risks**

- 6.1 A full upgrade of the space and equipment should meet Council's and the community's needs for the next 10-20 years.
- 6.2 There is a risk that the physical works and technological improvements may not be affordable or practical in which case they will not proceed.

**7 Policy / Legal Requirements / Plan**

- 7.1 Depending on the extent of the works a building consent may be required.
- 7.2 The design brief will ensure Council access for various groups in the community such as the physically impaired.

**8 Consideration of Financial or Budgetary Implications**

- 8.1 There is an accommodation budget available within Corporate Services for the planning and feasibility analysis for improvements to the office and civic area layout of \$108k.
- 8.2 Once a preferred design and costing is completed a report will be brought to Full Council for a decision including the options for funding.
- 8.3 Any proposal will also cover off the impacts on running costs including technology costs on current budgets and resourcing levels need to properly leverage improvements.

**9 Significance and Engagement**

- 9.1 It is considered that the project is of low public significance and it is primarily an operational matter. Engagement with Councillors and key staff will occur in the design process.

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	Low	Some of our community will be interested in the final option and costs. However this report relates to approval to initiate a design and feasibility process which already has an approved budget.
Is there a significant impact arising from duration of the effects from the decision?	No	
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	No	
Does the decision create a substantial change in the level of service provided by Council?	No	This report relates to approval to initiate design and feasibility process. If upgrades to the physical space and technology are approved then this will create an improved level of service for the community.
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
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?	No	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	

## 10 Conclusion

- 10.1 Currently Council is challenged regarding the provision of a modern civic area that is capable of providing sufficient seating for various attendees, accessibility for physically impaired people and large meeting rooms. Staff recommend Option 3 - commencing a design options process to address the need to bring the building up to a functional standard. This includes replacing and enhancing the technology in the Council Chamber.

**11 Next Steps / Timeline**

- 11.1 An architect will be briefed.
- 11.2 Preliminary designs will be presented to a workshop.
- 11.3 The final design and costings will be reported back to Full Council for a decision. This is likely to be in the March-June quarter of 2019.

**12 Attachments**

Nil



**8.6 CORPORATE SERVICES QUARTERLY REPORT TO END OF SEPTEMBER 2018****Information Only - No Decision Required**

<b>Report To:</b>	Full Council
<b>Meeting Date:</b>	8 November 2018
<b>Report Author:</b>	Mike Drummond, Corporate Services Manager
<b>Report Number:</b>	RCN18-11-06

**1 Summary**

- 1.1 This report covers activity in the Corporate Services Department for the period 1 July 2018 to end of September 2018.
- 1.2 **Financials** – The financial result for the three months to the end of September shows a favourable variance to budget of \$84k. The budget overall is on track for the year. There will be some pressure from the increased professional fees arising from the latest funding proposal for the Waimea Community Dam.
- 1.3 **Human Resources** – Since the last report, a new Finance Manager and Principal Legal Advisor have been appointed, and the position of Senior Management Accountant has recently been filled. There has also been a recruitment into both the Information Services and Property Services teams.
- 1.4 **Risk Management** – A review of the department’s policies is underway as part of a wider Council review. The Asbestos Management Plan and Policy have been finalised.
- 1.5 **Information Services** - The new Call Care Customer Service Requests system went live in late September, and the AlphaOne system went live with the Building Assurance team on 1 October 2018. The latest three-year Orthophotography and LiDAR data tender was completed in early October updating the imagery and contour data used in our maps, plans and online systems such as Top of the South Maps. The Council PABX upgrade will be completed by the end of October and will allow us to simplify and update legacy telephone technology at our branch offices and main office.
- 1.4 **Property Services** – There continues to be good progress on the backlog of commercial and Council property leases, licences and encumbrances.
- 1.5 **Commercial Activities** – As at the September year to date, commercial activities are tracking favourably with a trading surplus of \$1.49m for the quarter.
- 1.6 **Finance Section** – the Finance team have been focusing on the 2018 Annual Report; the Annual Plan 2019-2020 and the 2018/19 first rates instalment.
- 1.7 **Legal Section** – the new Principal Legal Advisor’s primary focus has been to establish a broad understanding of the legal issues affecting the Council, and to build strong working relationships with internal and external stakeholders alike.

- 1.8 **Council Controlled Organisations and other** – The Statement of Intent 2018-19 for Nelson Airport Limited (NAL) and the final Port Nelson Limited (PNL) Statement of Corporate Intent have been received, as well as the PNL Annual Report. The Local Government Funding Agency dividend payment for the 2017-18 year has been paid to Council, and the 2018 Annual report received. We have also received Richmond Unlimited's Audited Annual Accounts for the year ending 31 March 2018 and Strategic Plan 2018 – 2020. We are working with Nelson City Council to finalise a joint policy that covers the appointment and remuneration of jointly-appointed independent members to joint committees and business units. We have received a Riskpool call payable in July 2019.

<b>2 Draft Resolution</b>
---------------------------

**That the Full Council**

- 1. receives the Corporate Services Quarterly Report to end of September 2018 report RCN18-11-08; and**
- 2. notes the documents that have been signed under delegation as set out in section 8.2.**

### 3 Purpose of the Report

- 3.1 To provide Councillors with a quarterly update on the activities and performance of the Corporate Services Department.

### 4 Background and Discussion

#### 4.1 Department Overheads

##### Corporate Services Department

##### Overhead Expenditure Statement

For the year to September 2018

\$000's Actual 2018	Overall Corporate	\$000's YTD Actual September 2018	\$000's YTD Forecast September 2018	\$000's YTD Variance	\$000's Total Budget 2018/19
<b>Operating Income</b>					
1,197	General Rates	240	240	0	961
366	Fees & Recoveries	85	23	62	90
28	Sundry Income	7	7	0	30
<b>1,591</b>	<b>TOTAL Operating Income</b>	<b>333</b>	<b>271</b>	<b>62</b>	<b>1,082</b>
<b>Operating Expenses</b>					
3,293	Wage Related Expenses	917	955	38	3,821
1,049	Maintenance	346	372	25	1,023
1,327	General Operating Costs	578	588	10	1,485
823	Professional Fees	190	131	(59)	646
153	Employee Benefits	40	43	3	173
68	Employment Related Expenses	22	18	(4)	75
188	Overheads	42	42	0	167
154	Loan Interest	42	47	5	190
(2)	Financial Expenses	0	1	1	2
1,060	Depreciation	264	264	0	1,055
(6,585)	Overhead Recoveries	(1,838)	(1,836)	2	(7,343)
<b>1,528</b>	<b>TOTAL Operating Expenses</b>	<b>603</b>	<b>625</b>	<b>21</b>	<b>1,293</b>
<b>63</b>	<b>SURPLUS (DEFICIT) FROM OPERATIONS</b>	<b>(270)</b>	<b>(354)</b>	<b>84</b>	<b>(211)</b>

- 4.1.1 The result for the three months to the end of September shows a favourable variance to budget of \$84k. Fees and recoveries include receipts for historic infringements and fines which were not budgeted. The overall budgeted deficit for the year (\$211k) is being met from the carried forward activity surplus balance.
- 4.1.2 The positive wage related variance is not unexpected due to staff vacancies and transition to retirement provisions. It is expected that staff costs will increase over the remainder of the year as new staff come on board and several retirements occur.
- 4.1.3 The adverse variance on professional fees is influenced by the costs involved in negotiating and giving effect to the revised funding proposal for the Waimea dam.

**5 Human Resources****5.1 Legal**

Lucy Clark joined Council on 6 August in the role of Principal Legal Advisor. An update on her work to date is included further in this report.

**5.2 Finance**

Russell Holden, Finance Manager resigned to move to Darwin Australia mid-August. Following a successful recruitment process, we were very pleased to welcome Matt McGlinchey (previously Senior Management Accountant) into the role.

Recruitment for a Senior Management Accountant has just been completed with the successful applicant, Josh Douglas, starting with Council on 12 November.

Through the Chartered Accountants Australia and NZ (CAANZ) Student Achiever Programme, we have also successfully recruited finance student Emma Kennedy for the summer period (November to February). This programme places finance students into the workforce over the summer break, creating a key opportunity for both Council and the student. The student learns about the great career options available in local government, and we get to engage with potential future finance staff. Emma is local to the Nelson/Tasman area and looking forward to her work experience placement.

**5.3 Property/Commercial**

Following the resignation of the Administration Officer – Property Services (Commercial Activities), a replacement was successfully recruited with Jane Park joining Council 20 August.

**5.4 Information Services**

Brent Smith replaced Nicky Kolk as an Information Management Administrator in the IS team at the beginning of September. Brent will be working with Council staff on our document management and intranet systems.

We are currently in the final stages of confirming a placement for our vacant Senior Systems Engineer role. This role will work in the IS Operations team on complex technology roadmap projects such as updating legacy IT infrastructure and facilitating our move to the Cloud.

Due to my involvement with the Waimea Community Dam project, the Information Services Manager, Peter Darlington, has been assisting over the last quarter as Acting Corporate Services Manager. This is to ensure that the day to day management of the department is less impacted by current management workloads.

**6 Risk Management****6.1 Policies**

The Strategic Policy team are conducting a Council-wide review of policies that are out of date. The Corporate Services Department has a number of policies due for review over the Finance, Information Services and Property areas. We recently prioritised the top two of these to be updated as a high priority, based on the associated risk to Council if they remained out of date. These are the Policy on Structures on Esplanades and the Policy on Funding of Capital Works. A review and update of these has commenced.



## 6.2 Asbestos Management Plan and Policy

Work to develop an Asbestos Management Plan and Policy has been completed. The Policy is now on the Council Policy Register and copies of the policy and plan are available from the Council intranet. These documents outline the measures Council has put in place to identify asbestos and asbestos containing material, and control exposure to the risks associated with it. Regular updates on progress with this work have also been reported through to the Audit and Risk Committee.

## 7 Information Services (IS) Update

### 7.1 Call Care Customer Service Requests Integration

The new Call Care Customer Service Requests system went live in late September. The updated system allows our Call Care afterhours service to enter service requests directly into the system to be actioned. Previously, they had to email afterhours requests through to the Customer Services team to manually process causing delays and inaccuracy in our performance data.

### 7.2 AlphaOne Digital Building Consents System

The AlphaOne system went live with the Building Assurance team on Monday 1 October 2018. Information Services staff were heavily involved in this project. Firstly, with configuring the mobile inspection tablets and building administrator desktops to work in the system, and secondly, in designing the data gateways and flows between three systems - AlphaOne, our MagiQ Local Government system, and the SilentOne document management system, to ensure our information is kept accurate and up to date. The Alpha One System integration to council's debtor system has not gone as smoothly as expected and staff are working through the issues.

### 7.3 Orthophotography and LiDAR Tender

The latest three-year Orthophotography and LiDAR data tender was completed in early October 2018. This tender updates the imagery and contour data used in our maps, plans and online systems such as Top of the South Maps. We run this tender as a shared service with Nelson City Council to ensure we get the best price we can, and that our data is collected using identical standards and protocols for our shared systems. Tasman District Council IS staff take a lead role in running this process and ensuring our mapping systems are up to date with the latest information. Land Information New Zealand invest and collaborate with us on this as a shared data process. We received \$70,800 in funding from them for the 2017-2018 financial year data update, and would expect similar for future updates.

### 7.4 PABX(Phone System) Upgrade

The Council PABX upgrade will be completed by the end of October 2018. This upgrade has arisen due to growth in the organisation leading to a point where the older PABX could no longer be expanded. The new PABX remains within our Nippon Electric Company (NEC) technology platform providing the most cost-effective upgrade path and allowing us to reuse as much of our telephony equipment as possible. The new PABX will move from older analogue phone line connections to digital ones and will allow us to rationalise, simplify and update legacy telephone technology at our branch offices as well as the main Richmond office.

<b>8 Property Services Update</b>
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**8.1 Property Services Team**

8.1.1 There continues to be good progress on the backlog of commercial and Council property leases, licences and encumbrances. Good progress has been made with the registration of easements on the Great Taste Trail. All community leases that require renewal, except those in Motueka Ward, were sent out in mid-October. We are awaiting the review of the Motueka Reserve Management Plan before addressing the Motueka Ward's community leases. The team are now handling an increased workload from land acquisitions on behalf of Engineering Services.

8.1.2 The Commercial Portfolio Manager is continuing to work with members of the Commercial Committee to progress the business plans and strategies for Motueka Aerodrome, Port Tarakohe and Collingwood Holiday Park.

8.1.3 The overall focus of the team is to progress outstanding unresolved issues, while continuing to support the ongoing Council-wide property needs.

8.1.4 As at the September year to date, commercial activities are tracking favourably with a trading surplus of \$1.49m for the quarter. More detail on the commercial portfolio is covered in section 9 of this report.

**8.2 Documents Signed Under Delegation**

The following documents have been signed under delegation for the period 1 July 2018 to 30 September 2018:

- Grazing Licence on Newport Road (unformed road)
- 4 x Consent as adjoining owner to establishment of boundaries where old boundary wasn't well enough defined for modern survey.
- Mytton Heights – road legalisation project – Purchase Agreement (also Compensation Certificate)
- 5 x Great Taste Cycle Trail Authority Form to allow easement to be registered.
- Agreement to acquire corner snipe on Berryfield Drive
- 6 x Great Taste Cycle Trail – Agreement to allow new section of cycle trail
- Land for stormwater in Murchison – Agreement to acquire (also Compensation Certificate)
- 2 x Street furniture licence – Queen Street, Richmond
- Easement surrender for redundant easement Jubilee Park
- Access easement near Easby Park – signing easement
- Consent to surrender redundant easement Naumai Street
- Motueka Valley Highway Licence to Occupy where garage encroaches onto road berm
- Baton Valley Road bach - Licence to Occupy document
- Hunt Terrace Wakefield - Licence to Occupy surplus road land
- Sunday market Decks Reserve – one year Licence to Occupy
- Cornwall Park Golden Bay – renewal of Licence to Occupy for Kayak company
- 2 x coffee cart Licences to Occupy - Richmond and Collingwood
- Lower Queen Street agreement to acquire land for stormwater
- Encumbrance for pipes to run under legal road Baton Road

**9 Commercial Activities**

- 9.1 The financial results for Commercial activities are reported in full through the Commercial Committee. The last reports went to the Committee on 31 August 2018, and these confidential reports are available to Councillors on request. To follow is a high level summary of commercial activities for the September 2018 quarter. These will be considered by the Commercial Committee at the 9 November 2018 meeting.
- 9.2 **Holiday Parks**
- 9.2.1 The net deficit from trading operations for the September 2018 quarter was \$129k, which is a positive variation of \$15k on forecast.
- 9.2.2 Negotiations are continuing regarding the proposed buyback of the Pohara Holiday Park. This is now to be funded in the 2018-2019 financial year.
- 9.3 **Commercial property holdings**
- 9.3.1 The net surplus from operations for the September 2018 quarter was \$9k. This is a negative variation of \$25k on forecast, and is primarily due to higher than expected maintenance costs at the start of the financial year.
- 9.4 **Forestry**
- 9.4.1 The net surplus from trading operations for the September 2018 quarter was \$2.018m, which is a positive variation of \$1.481m on forecast. This is due to higher revenues being received from Rabbit Island and Borlase Forests at the start of the financial year than were forecast. Some of this revenue reflects the continued extraction of salt water damaged trees at Rabbit Island. Effectively the programme has been front end loaded and will flatten out in the second half of the year.
- 9.5 **Port Tarakohe**
- 9.5.1 The net trading deficit for the year to date September 2018 quarter was \$91k being a \$3k negative variance compared to the year to date budget.
- 9.5.2 Marina income was \$15k above forecast but countered by mussel income being \$22k below forecast.
- 9.5.3 The Port Tarakohe Advisory Group met on 4 September 2018. There was a subsequent meeting on 2 October with the Marina Association regarding the current level of fees.
- 9.6 **Aerodromes**
- 9.6.1 The net surplus from trading operations for the September 2018 quarter was \$22k. This is distorted by the transfer of the balance funds from the Takaka Aerodrome Management Committee to Council following the transfer of the operational management of the aerodrome, which was effective from 01 July 2018. If this one-off transaction is ignored, the actual year to date trading position is in line with forecast.
- 9.6.2 Meetings were held with the Motueka Aerodrome Operations and Safety Committee and Motueka Aerodrome Advisory Group on 19 September 2018.
- 9.6.3 Council took control of full operational management of Takaka Aerodrome from 1 July 2018 and the new Takaka Aerodrome User Group met on 4 September 2018.

**10 Finance Section Update**

- 10.1 This report covers a busy period of activity for the Finance team, who have been focusing on:
- the 2018 Annual Report
  - the Annual Plan 2019-2020
  - the 2018/19 first rates instalment
- 10.2 The Audit team were on site from 19 August for three weeks. We have completed the Annual Report with a clean audit opinion provided to Council. The Annual Report went to Full Council on 18 October and was adopted.
- 10.3 There was the expected rush of rates enquiries for the first instalment for the 2018/19 year. August is the busiest month for the rates team with significant public enquiries, information updates, and payment plan and direct debit alterations. This was heightened further this year by the need to answer ratepayer's queries about new rates and the movement in rates driven by the 2017 three-yearly property revaluation.
- 10.4 As there are a number of new types of rates this year, an information insert explaining the new rates was included with the first instalment. The Waimea Community Dam Zone of Benefit rate has been of particular interest with the community and has generated several queries.
- 10.5 Finance also managed the compilation and consolidation of the Carry Over and Activity reporting that went to the 27 September Full Council meeting.
- 10.5 The Finance team are facing increasing pressure on staff resources flowing through from the upgrade of the MagiQ financial system modules last year. We assess that the upgraded system is requiring a 0.5 FTE in additional resource, particularly in the debtors and purchase order areas.
- 10.6 In February, Parliament passed the Rates Rebate (Retirement Village Residents) Amendment Act 2018 which amended the Rates Rebate Act 1973 to extend the rebate scheme to certain retirement village residents. A new software patch was rolled out by Council's software provider early this financial year to enable processing of the retirement village resident applications. Rates staff have been in correspondence with the administrators at the retirement villages in the District over the past months, and recently the Rates Officer and the Customer Services Manager met with a number of village administrators to provide information and facilitate an easy application process. Customer Service Officers will be visiting some of the villages in the coming weeks to help residents who need assistance to complete their application forms. Residents have until 30 June 2019 to apply for a rebate for the current rating year. There are still some retirement village residents that are not captured by the current legislation. The Department of Internal Affairs has started to explore options for amending the Rates Rebate Act 1973 to ensure that residents with the currently ineligible structure will be eligible for the scheme, with the aim of getting any necessary amendment passed so that eligible residents are still able to apply for a rebate for the 2018/19 rating year.
- 10.7 Finance staff recently promoted the option of receiving Council's rates and water rates by email, rather than post. To date, more than 1500 ratepayers have signed up for the service.

This will ensure some savings for Council through reduced postage and printing costs. Ratepayers can sign up for this service through the Council website.

## **11 Legal Update**

11.1 Our new Principal Legal Advisor, Lucy Clark, started at the beginning of August 2018, following a six week period where the role was empty following the previous Principal Legal Advisor's departure. Between August 2018 and October 2018, Lucy Clark's primary focus within her role has been to establish a broad understanding of the legal issues affecting the Council and to build strong working relationships with internal and external stakeholders alike. Examples of legal advice and support provided in this period include:

- Advice in relation to the Golden Bay Grandstand matter
- Guidance for elected members on conflicts of interest
- Advice in relation to, amongst other things, local government decision making process
- General advice in relation to Local Government Official Information Management Act requests and contractual interpretation.

## **12 CCO's and Other**

### **12.1 Nelson Airport Limited (NAL)**

12.1.1 The Statement of Intent 2018-19 for Nelson Airport Limited (NAL) was presented and received at the Joint Shareholders Committee meeting held on 21 August.

12.1.2 At the same meeting, the Committee resolved to reappoint Mathew Clarke as a Director of NAL for a further three year term.

12.1.3 The proposed changes to the company Constitution were also presented to the Committee. The recommendation to both councils was that they vote their respective shareholding in support of the amended Constitution at the Company's 2018 Annual Shareholder Meeting. We have assisted NAL by drafting a special shareholders' resolution for the meeting.

12.1.4 The Committee also approved an increase in the directors' remuneration of approximately 10% for the 2018/19 year.

### **12.2 Port Nelson Ltd (PNL)**

12.2.1 The final Port Nelson Limited (PNL) Statement of Corporate Intent was considered and received by the Joint Shareholders Committee at its 21 August 2018 meeting. A copy is available on request, or can be downloaded from their website.

12.2.2 The PNL 2018 Annual Report was received at the Annual General Meeting on 26 September 2018. Port Nelson has seen strong cargo volume growth for the second year running which has delivered an operating profit of \$27.1m, compared to the \$22.8m reported in 2017. The Net Profit After Tax (NPAT) result was \$14m. At the meeting the Port Nelson Chair announced that in light of the year's strong result, a further \$1.5m dividend payment would be made to shareholders in addition to the full year declared dividend of \$5.5m.

### 12.3 Local Government Funding Agency Ltd (LGFA)

12.3.1 The Local Government Funding Agency (LGFA) declared a dividend payment of 5.14% for the 2017-18 year. This was paid to Council on 7 September and equated to a dividend amount of \$95,911 for our holding of 1,865,979 shares. This income goes into the Treasury cost centre and is used to offset Council borrowing costs.

12.3.2 At the end of July we received the **LGFA Quarterly Report** to shareholders for the June 2018 quarter. Key highlights for the June quarter include:

- The LGFA bond curve (interest rates) fell over the quarter with yields declining between 5 bps (2019s) and 20 bps while the 2033 bond yield fell 12 bps (0.12%).
- The LGFA issued \$490m of bonds during the quarter. LGFA bonds outstanding as at 30 June 2018 were \$8.119 billion (including \$400m of LGFA treasury stock).
- Long dated on-lending to council borrowers was \$386.5m including \$212.7m of bespoke maturity loans (55% of total lending) during the quarter. The average term of on-lending during the quarter was 6.18 years.
- LGFA market share of 70% for the rolling 12-month period to June 2018 was down from 83% a year ago due to Christchurch City Holdings, Dunedin City Treasury and Auckland Council issuing in their own name over the last year.
- Short-term lending to councils remained well supported by councils with loans outstanding of \$244m as at 30 June 2018.
- LGFA Net Operating Gain (unaudited) for the 12 month period to June 2018 was \$11.834m or \$0.953m above budget.
- Stratford and Westland District Councils joined as non-guarantors during the quarter, bring total membership to 56 council members. The LGFA are expecting at least another five councils to join in the coming year.

12.3.3 We received the **LGFA 2018 Annual Report**. It has been another strong year for the LGFA with several achievements summarised as follows:

- Longer dated borrowing options are now available to an increased number of council borrowers. By 30 June 2018, LGFA had loans outstanding of \$7.96 billion to 56 participating councils. This is an increase of \$180m in loans with three new council members added over the past year.
- For the 12-month period to 30 June 2018, the LGFA provided 70% of the local government sector borrowing.
- The financial strength of the LGFA was enhanced with a net operating profit of \$11.8m for the 2017/18 year. A \$1.285m dividend was declared by the Board for the year ended 30 June 2018.

12.3.4 The **LGFA Annual General Meeting** will be held on 21 November 2018 in Wellington. The Mayor, acting under delegated authority, will be appointing the Chairperson of the meeting as Council's proxy to vote Council's shares on re-electing an Independent Director of the Company; a non-Independent Director of the Company; re-election of Hamilton City Council as a Nominating Local Authority;

re-election of Tauranga City Council as a Nominating Local Authority, and on changes to the foundation policies of the Company.

- 12.3.5 A report on the changes to the **LGFA Foundation policies** was presented to Council at the 27 September Full Council meeting. A resolution was passed at that meeting for the Mayor or his proxy to vote Council's shares in the LGFA, at the LGFA Annual General Meeting, in favour of the proposed changes to the LGFA Foundation documents.

#### 12.4 **Richmond Unlimited (Promote Richmond Incorporated)**

- 12.4.1 We have received the Audited Annual Accounts for the year ending 31 March 2018; the Strategic Plan 2018 – 2020, and the Chairperson's report. A copy of the Plan is available to Councillors on request.

#### 12.5 **Joint Council Policy on the Appointment and Remuneration of Jointly-Appointed Independent Members on Committees**

- 12.5.1 We have been working with Nelson City Council on a joint council policy that covers appointment and remuneration for jointly-appointed independent members on joint committees, such as the Nelson Tasman Regional Landfill Business Unit, the Nelson Regional Sewerage Business Unit and the Saxton Field Committee.
- 12.5.2 A separate report to this meeting has been prepared on the draft policy and proposed amendments to the governing documents of these committees.

#### 12.6 **Civic Financial Services – Riskpool Call**

- 12.6.1 Civic Financial Services Ltd is owned by local government and supplies local government with a range of financial services. Prior to 1997, NZ councils tried to buy suitable liability insurance, but the cover they wanted was not always available and the pricing for the cover that was available was becoming increasingly unattractive. To address this problem Riskpool was launched. Riskpool is a mutual liability fund that operates for the benefit of its members. Members are exclusively councils and council controlled organisations. Contributions are levied according to each member's risk profile, claims experience and management of risk. The fund buys reinsurance to meet claim and defence costs.
- 12.6.2 Riskpool offered public liability and professional indemnity insurance cover for twenty years. Due to support from the sector dropping, particularly from the larger councils, the decision was made that new covers from Riskpool would not be offered from 1 July 2017. Without support from the sector, Riskpool was not able to offer the competitively priced cover it had been able to offer in the past.
- 12.6.2 Members were advised last year that further additional contributions from members (calls) would be required.
- 12.6.3 As at 30 June 2018, Riskpool's accounts show a deficit of \$7.4m. The deteriorating claims experience in 2017-18 means that Riskpool needs to make at least one interim call before a final call is made on winding up. The call will be \$6m payable on 1 July 2019, split \$3m each to fund years 7 and 10.
- 12.6.4 The amount of this call for Council will be \$45,656.25 payable on 1 July 2019 (or earlier). An invoice for this amount will be sent to Council in May 2019.

- 12.6.5 Another and hopefully final call from Riskpool is likely in 2022 or 2023. It is expected that the amount of that call will be less than this one.
- 12.6.6 We have received the Riskpool 2018 Annual Report. This report and all previous reports are available from the Riskpool website [www.riskpool.org.nz](http://www.riskpool.org.nz). Also on the website are member's financial information by fund year for the period from July 2017 to June 2018.

### 13 Council Credit Rating

- 13.1 The annual review of the Council's credit rating by Standard and Poors Global (S&P), commenced on 18 September 2018. Representatives met with the Mayor, Chief Executive, Corporate Services Manager, Finance Manager, and other Council staff to discuss a comprehensive agenda provided by S&P for the visit.
- 13.2 Credit ratings are opinions about credit risk, and S&P Ratings express their opinion about the ability and willingness of an issuer, such as a corporation or state or local government entity, to meet its financial obligations in full and on time.
- 13.3 We were advised by S&P on 30 October 2018, that Council's credit rating has been increased from AA- with a positive outlook to AA with a stable outlook.
- 13.4 The AA rating indicates investment grade, and an entity with a very strong capacity to meet its financial commitments. AA is the second highest rating on the scale. The AA rating is subdivided into AA+, AA and AA- .
- 13.5 The new rating of AA with a stable outlook is good news for Council and supports the approach we have taken in our financial strategy since 2015. In the rationale for the new rating it is pleasing to see that S&P have noted that the rating is supported by our robust financial management, a high level of liquidity, and the robust local government framework we work within. They do note some short term weakness in our budgetary performance during the Waimea Community Dam construction period. This comment and others in relation to the dam project are not unexpected.
- 13.6 The improved rating has taken into account the increased cost of the dam and the inherent risk in undertaking the project. All other things being equal, an increase in rating from this point will require Council driving our forecast debt levels lower.

### 14 Attachments

Nil



## 8.7 ADOPTION OF CONSOLIDATED BYLAW - CHAPTER 3 - CONTROL OF ALCOHOL IN PUBLIC PLACES 2018

**Decision Required**

<b>Report To:</b>	Full Council
<b>Meeting Date:</b>	8 November 2018
<b>Report Author:</b>	Graham Caradus, Team Leader - Environmental Health
<b>Report Number:</b>	RCN18-11-07

### 1 Summary

- 1.1 This is the final report that recommends Council adopting a replacement Consolidated Bylaw, Chapter 3, Control of Alcohol in Public Places 2018 (the Draft Bylaw).
- 1.2 The current Tasman District Council Consolidated Bylaw, Chapter 3, Control of Liquor in Public Places 2012 (the existing Bylaw) expires on 18 December 2018.
- 1.3 The Draft Bylaw must be adopted by 18 December 2018 if the existing controls are to be retained.
- 1.4 The Environment and Planning Committee of Council (EPC) approved the Draft resolution in report REP18-09-02 on 6 September 2018 that allowed the special consultative procedure to be undertaken.
- 1.5 The Hearing Committee agreed in written instructions provided to staff, to proceeding directly to the Council with a final report that will note that only two submissions were received during consultation, and that both were in support of the proposed bylaw. The Hearing Committee advised staff that in view of only support for the proposed bylaw being received, that no public hearing was necessary, and staff should present the draft bylaw for formal adoption by the Council.

<b>2 Draft Resolution</b>
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**That the Full Council receives the Adoption of Consolidated Bylaw - Chapter 3 - Control of Alcohol in Public Places 2018 RCN18-11-07; and**

- 1. determines that a Bylaw is the most appropriate way of addressing issues relating to the control of alcohol in public places; and**
- 2. determines that the Bylaw is the appropriate form of Bylaw; and**
- 3. determines that there are no implications under the New Zealand Bill of Rights Act; and**
- 4. agrees to the adoption of the Tasman District Council Consolidated Bylaw, Chapter 3, Control of Alcohol in Public Places 2018; and**
- 5. agrees to revoke the Tasman District Council Consolidated Bylaw, Chapter 3, Control of Liquor in Public Places 2012**
- 6. agrees that the new Bylaw will come into force on 17 December 2018.**

**3 Purpose of the Report**

- 3.1 To facilitate continuity and effectiveness of the Tasman District Council Consolidated Bylaw, Chapter 3, Control of Liquor in Public Places 2012 (the existing bylaw), by replacing it with a new bylaw that will be known as the Tasman District Council Consolidated Bylaw, Chapter 3, Control of Alcohol in Public Places 2018 (the draft Bylaw).

**4 Background and Discussion**

- 4.1 The Local Government (Alcohol Reform) Amendment Act 2012 (LGA amendment) imposed an expiry of the existing bylaw. The current replacement by the draft bylaw has been timed to ensure the process is completed prior to that expiry of the existing bylaw on 18 December 2018.
- 4.2 The Council brought the existing bylaw into effect on 14 December 2012. Previous iterations of the existing bylaw had commenced in 2004, and have been subsequently amended three times. All versions of the bylaw resulted from requests by Police to allow them to control perceived issues with alcohol related crime or disorder in the district.
- 4.3 Replacement of the existing bylaw with the draft bylaw was commenced with report REP 18-09-02 to the EPC on 6 September 2018. No changes other than of an administrative nature have been made to the draft bylaw, when compared to the existing bylaw. Most of those changes have been made to meet current legislative requirements. All of the times and areas that alcohol is controlled in public places by the bylaw, remain identical to those in the existing bylaw.
- 4.4 The LGA amendment in section 147A (3) establishes three matters that Council must be satisfied with before making the new bylaw. Those matters are:
- 4.4.1 *the bylaw can be justified as a reasonable limitation on people's rights and freedoms; and*
  - 4.4.2 *a high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made; and*
  - 4.4.3 *the bylaw is appropriate and proportionate in the light of that likely crime or disorder.*
- 4.5 Public consultation was commenced on 14 September on the Draft bylaw and included a statement of proposal that contained the draft bylaw, and the summary of information that was to be publicized. Consultation ceased on 16 October 2018. Only two submissions were received during the consultation period, and these were from Council's regulatory partners in alcohol harm reduction, namely NZ Police and Nelson Marlborough District Health Board. Both submissions support the draft bylaw and are attached. Both submitters subsequently advised in writing that they would withdraw their respective requests to be heard at a public hearing.
- 4.6 The Hearing Committee established by resolution 7 of report REP 18-09-02, namely Councilors' Brown, Maling, Ogilvie, and Wensley, have each replied in writing to a staff email. They advised they were comfortable with staff proceeding directly to the Council with a final report that will note the two submissions in support, and agreement from the Hearing Committee that no public hearing is necessary, and that staff should present the draft bylaw for formal adoption by the Council.

- 4.7 A copy of the draft Bylaw is attached.

## 5 Options

- 5.1 If a bylaw controlling alcohol in public places is intended to remain in effect, the draft bylaw must be adopted by 18 December 2018. Failure to renew the bylaw by this date would leave us with no local control of alcohol consumption in public places.
- 5.2 The proposed draft bylaw is identical to the existing bylaw in terms of the time and location of controls imposed. The existing bylaw has been in place for more than five years. Only positive comment has been received about the provisions of the existing bylaw.
- 5.3 Only submissions in support were received during the special consultative procedure for the draft bylaw.

## 6 Strategy and Risks

- 6.1 If a bylaw controlling alcohol in public places is desired by Council, the current process will allow that to be completed by the 18 December 2018 deadline imposed by the LGA amendment.
- 6.2 In future, for any new bylaw to be established controlling consumption of alcohol in public places, it will be necessary to meet very stringent conditions relating to evidence of increased crime and disorder due to consumption of alcohol in the specific area under consideration.
- 6.3 The risk of increased levels of crime and disorder as well as alcohol related harm to health, in the absence of the proposed bylaw, are identified in the two submissions received. Both submitters are considered to be in a knowledgeable and authoritative position on alcohol related harm in Tasman District.

## 7 Policy / Legal Requirements / Plan

- 7.1 The LTP is not impacted by the continuation of the bylaw.
- 7.2 The TRMP does not link in any way to the effects of the draft bylaw.
- 7.3 No Council Policies are impacted by the effects of the draft bylaw.
- 7.4 The mandated process defined in the LGA for making the draft bylaw has been followed, including development of the Statement of Proposal including the draft bylaw.
- 7.5 The required period of public consultation has been undertaken.

## 8 Consideration of Financial or Budgetary Implications

- 8.1 Whilst the draft bylaw is produced by Council, and administrative processes associated with giving the bylaw legal effect are undertaken by Council, enforcing the practical and coercive aspects of the bylaw is undertaken entirely by Police.

## 9 Significance and Engagement

Issue	Level of Significance	Explanation of Assessment
Is there a high level of public interest, or is decision likely to be controversial?	moderate	Enforcement of the bylaw will impact on the behaviour of a small percentage of the community, but bring improvement in enjoyment of public places for most.
Is there a significant impact arising from duration of the effects from the decision?	moderate	This iteration of the bylaw will run for 5 years, but renewal for a further 10 year period will be a relatively simple administrative matter.
Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	To a minor extent	Council owns the signage advising of the existence of the bylaw throughout the district.
Does the decision create a substantial change in the level of service provided by Council?	No	Maintaining signage for the bylaw is an established and ongoing cost.
Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	No	Within broad parameters, the cost of signage maintenance does not vary greatly.
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	No	
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?	No	
Does the proposal or decision involve Council exiting from or entering into a group of activities?	No	

## 10 Conclusion

- 10.1 The passing of the draft bylaw will provide a seamless continuation of the powers provided to control consumption of alcohol in public places by the existing bylaw, and is ardently recommended by staff working in alcohol harm reduction related fields.

**11 Next Steps / Timeline**

- 11.1 If creation of this new bylaw is agreed by Council as per the recommendations, it will be brought into effect on 17 December 2018. Submitters will be advised and thanked for their participation.
- 11.2 Within a week of a decision to adopt the new bylaw, notification pursuant to section 157 of the LGA will be commenced.
- 11.3 December 2023: complete first review prior to five years since adoption to allow 10 year review cycle to commence.

**12 Attachments**

- |    |  |    |
|----|--|----|
| 1. | NMDHB submission   | 63 |
| 2. | Nelson Bays Police submission  | 67 |
| 3. | Consolidated Bylaw - Chapter 3 - Control of Alcohol in Public Places | 71 |



# **Tasman District Council Consolidated Bylaw: Control of Alcohol in Public Places 2018**

**16 October 2018**

For more information please contact:  
Jane Murray  
NMDHB Public Health Service  
Email: [jane.murray@nmdhb.govt.nz](mailto:jane.murray@nmdhb.govt.nz)  
Phone: (03) 543 7805

**Submitter details**

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Control of Alcohol in Public Places 2018 Bylaw.
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to NMH.

**Specific Comments**

4. NMH cares about the achievement of equitable health and wellbeing for the population we serve. Alcohol-related harms are major contributors to inequities in health and wellbeing outcomes. Alcohol is not an ordinary commodity. It is an intoxicant, toxin, and addictive psychotropic drug. Alcohol has been normalised and largely accepted by society, and causes more harm than any other drug in society. Alcohol is linked to anti-social behaviour. Direct impacts of antisocial behaviour on people's quality of life include fear, alarm and distress to victims and witnesses. Indirect impacts include disruption to local businesses and public transport services.<sup>1</sup> In severe cases people may feel too scared to leave their homes, or walk through some public spaces, leading to isolation.
5. Bylaws are an avenue for addressing some antisocial behaviour. The Council's Control of Alcohol in Public Places 2018 Bylaw aims to reduce alcohol-related harm, damage, disorder and crime to improve community safety. NMH supports the proposed changes and the continuation of the bylaw to prohibit the consumption of alcohol and restricts the possession of alcohol in some public places in the district.

<sup>1</sup> House of Commons committee of public accounts. (2007). Tackling anti-social behaviour, 2006-7  
<http://www.publications.parliament.uk/pa/cm200607/cmselect/cmpublicacc/246/246.pdf>. Accessed 11.08.2016



**Conclusion**

6. NMH thanks the Tasman District Council for the opportunity to comment on the Control of Alcohol in Public Places 2018 Bylaw.
7. NMH does wish to be heard on its submission.

Yours sincerely



Peter Bramley  
**Chief Executive**  
peter.bramley@nmhs.govt.nz



19351



15 October 2018

Mr Graham CARADUS  
Environmental Health  
Tasman District Council

**RE: Submission for request to be heard at Public Hearing in consideration in the review of the Tasman District Council Control of Liquor in Public Places Bylaw 2012.**

Mr Caradus

Please accept this letter as a request to be heard in support of the Tasman District Council Control of Liquor in Public Places bylaw if a public hearing is to take place.

I reference my letter dated 19<sup>th</sup> August 2018 (copy attached).

As the Alcohol Harm Prevention Officer for Nelson Bays Police I support the continuation of the Tasman District Council Control of Liquor in Public Places bylaw.

It believe it is in the best interests of the general public for the bylaw to continue. Further to that I believe a high level of alcohol related crime, disorder and harm will likely arise in the area concerned if the bylaw is not continued.

As the Alcohol Harm Prevention Officer for Nelson Bays Police I would like the opportunity to be heard if a public hearing is to take place in regards to the Tasman District Council Control of Liquor in Public Places

Yours sincerely

Kyle BRUNING  
Sergeant KBB498  
Alcohol Harm Prevention Officer  
Nelson Bays Police



19 August 2018

Mr Graham CARADUS  
Environmental Health  
Tasman District Council

**RE: Submission for consideration in the review of the Tasman District Council Control of Liquor in Public Places Bylaw 2012.**

My name is Sergeant Kyle BRUNING. I have been in the Police for 12 years, all of which has been spent in the Nelson Bays area. For the past 2 years I have been the Alcohol Harm Prevention Officer for Nelson Bays Police.

My role, essentially, is to ensure the object of the Sale and Supply of Alcohol Act 2012 is met.

Section 4 of the Sale and Supply of Alcohol Act 2012 states;

*(1) The object of this Act is that—*

*(a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and*

*(b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*

*(2) For the purposes of subsection (1), the harm caused by the excessive or inappropriate consumption of alcohol includes—*

*(a) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and*

*(b) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).*

As mentioned in the Tasman District Council, Control of Liquor in Public Places Bylaw 2007, *“The purpose of this bylaw is to enhance the safety of the public and allow their responsible enjoyment of public places in the District. It provides for liquor control in specified public places, at specified dates and times, with the aim of reducing alcohol related behaviour and offences.”*

Clearly this is directly in line with the object of the Sale and Supply of Alcohol Act 2012.

The bylaw is an extremely valuable tool for Nelson Bays Police. It enables police to adopt a proactive and preventative approach to alcohol consumption within the specified areas therefore reducing alcohol related harm to the community.

Previously, in 2007, 2008 and 2012 Police requested additional areas and times to be included in the bylaw which had initially commenced in 2004.

These additional areas and times were requested as Police were continuing to experience issues with alcohol related crime, disorder and harm within the Tasman District.

Sergeant Steve SAVAGE who previously held the Alcohol Harm Prevention Officer role for Nelson Bays Police stated in a previous report that *“the implementation of local liquor ban bylaws had an almost immediate affect on the areas included in the bylaw. Soon after implementation the identified trouble spots were transformed, alcohol related harm decreased, and the community was a lot safer”*.

Police believe the existing Tasman District Council Control of Liquor in Public Places Bylaw 2012 contains the specified areas and times of concern for Police. There are currently no further areas within the Tasman District in which police are experiencing a high level of alcohol related crime or disorder.

I have recently received some alcohol related crime data for the Tasman District from Police National headquarters in Wellington. This data is difficult to analyse but clearly shows some crime is still occurring within the area.

What the data does not show is the number of crimes, disorder or amount of alcohol related harm that has been prevented as a result of the Bylaw. Whilst it is difficult to show how much alcohol related harm has been prevented, it is accepted by Police nationally that Control of Liquor in Public Place Bylaws significantly reduce alcohol related harm within those specified public places.

As a police officer of 12 years experience in the Nelson Bays area, including the last 2 years as the Alcohol Prevention Officer, I, and the Nelson Bays Police, believe the Control of Liquor in Public Places Bylaw 2012 is one of the best tools police have to keep our community safe.

Police believe it is in the best interests of the general public to continue the Bylaw. This will allow the Police to maintain the proactive, preventative approach and allow the continuance of responsible enjoyment of public places within the Tasman District.

Further to that Police believe that a high level of alcohol related crime, disorder and harm will likely arise in the area to which the bylaw is intended to apply if the Bylaw is not continued.

Nelson Bays Police recommend and request that the Tasman District Council, Control of Liquor in Public Places Bylaw 2012 is continued without amendment.

Yours sincerely

  
Kyle BRUNING  
Sergeant KB6A98  
Alcohol Harm Prevention Officer  
Nelson Bays Police



Tasman District Council  
Draft Consolidated Bylaw

Chapter 3

CONTROL OF ALCOHOL  
IN PUBLIC PLACES

2018

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The Tasman District Council in pursuance of the powers contained in the Local Government Act 2002, the Bylaws Act 1910, and any other authority enabling it in this behalf hereby makes the following Bylaw.

## 1 TITLE AND COMMENCEMENT

- (a) This Bylaw shall be known as the Consolidated Bylaw — Chapter 3 - Control of Alcohol in Public Places 2018.
- (b) The Bylaw shall come into effect on 17 December 2018

## 2 INTERPRETATION

**Act** means the Local Government Act 2002 as amended, including by the Local Government (Alcohol Reform) Amendment Act 2012.

**Alcohol** has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.

**Alcohol ban** means a bylaw made under section 147 of the Local Government Act 2002

**A limited amount of alcohol** means no more than three standard drinks per person.

**Chief Executive** means the person for the time being exercising the functions of the Chief Executive of the Council.

**Council** means the Tasman District Council.

**Enforcement Officer** has the same meaning as the definition in section 243 of the Act, and in relation to an alcohol ban, means a constable.

**Hours** means:

- (a) For the Kaiteriteri and environs Alcohol Ban Area; from 1 December until 1 March the following year inclusive every year, between 4.00 pm and 7.00 am the following day, and; from 2 March to 30 November inclusive every year, between 7.00 pm and 7.00 am the following day.
- (b) For Motueka CBD Area Alcohol Ban, Richmond CBD Alcohol Ban Area, and Takaka and environs Alcohol Ban Area, 24 hours per day.
- (c) For the Riwaka and environs Alcohol Ban Area from 1 December until 1 March the following year inclusive every year, 24 hours per day, and; from 2 March to 30 November inclusive every year, between 7.00 pm and 7.00 am the following day.
- (d) For all other areas in which an alcohol ban is established by this bylaw between 7.00 pm and 7.00 am the following day.

**Licensed premises** has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012

**Low risk activity** means those situations, occasions, activities or events that Council or Council Officers consider are unlikely to lead to alcohol related harm.

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1.

**Infringement offence**

- (a) means an offence specified as such by regulations under section 259(a) of the Act; and
- (b) includes a breach of an alcohol ban.

**Public Place**

- (a) means a place that is open to or is being used by the public, whether free or on a payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but
- (b) does not include licensed premises.

**Schedule A Public Place** means a public place within the area described in Schedule A hereto.

**3 PROHIBITED ACTS**

No person shall:

- (a) bring alcohol into;
- (b) possess alcohol in; or
- (c) consume alcohol in;

any Schedule A Public Place at any time during the hours specified in respect of that public place, within that schedule.

**4 ADDITION OR DELETION OF PUBLIC PLACES**

**4.1 Resolution of the Council**

The Council may from time to time by resolution adopted following the use of the special consultative procedure in accordance with Section 83 of the Act, add to Schedule A hereto other public places to which the provisions of this Bylaw shall then apply for any period specified in the resolution, or amend the period applying in respect of any listed public place, or in like manner may delete from Schedule A those public places in respect of which it considers this Bylaw should no longer apply.

**4.2 Public Notice of Resolution**

Every resolution made pursuant to Clause 4.1 above shall be publicly notified at least 14 days before it shall take effect.

**5 EXEMPTIONS**

**5.1 Taking Alcohol To or From Premises**

This Bylaw does not prohibit, regulate, or control, in the case of alcohol in an unopened container,—

- (a) the transport of the alcohol from licensed premises next to a public place, if—
  - (i) it was lawfully bought on those premises for consumption off those premises; and
  - (ii) it is promptly removed from the public place; or
- (b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place; or
- (c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors; or
- (d) the transport of the alcohol from premises next to a public place to a place outside the public place it
  - (i) the transport is undertaken by a resident of those premises; and
  - (ii) the alcohol is promptly removed from the public place.

## 5.2 Licensed Premises

This Bylaw does not prohibit the possession of or consumption of alcohol in any public place, or part of a public place, where such is authorised by a licence issued under the Sale and Supply of Alcohol Act 2012.

## 5.3 Council Permission

- 5.3.1 Any person may apply to the Council for prior written permission for any low risk activity involving a limited amount of alcohol that would be in breach of any prohibition under clause 3 of this Bylaw.
- 5.3.2 The process for obtaining the Council's permission is by application on the form contained in Schedule B to this Bylaw.
- 5.3.3 Written permission in accordance with this section of the Bylaw may be granted by Council, the Chief Executive of Council, or any Tasman District Council staff member that holds a current appointment as a Licensing Inspector pursuant to section 197 of the Sale and Supply of Alcohol Act 2012.
- 5.3.4 Written permission granted in accordance with this section of the Bylaw may include conditions relating to:
  - (i) The date and time the exemption applies;
  - (ii) The person or number of persons that are required for running the activity during the period the exemption applies;
  - (iii) The nature of the activity associated with the exemption;

---

3.

- (iv) The numbers of persons that may attend the event while the exemption applies;
- (v) What controls may be required to ensure anyone under the age of 18 will not have access to alcohol at the activity;
- (vi) How much alcohol will be available;
- (vii) What host responsibility provisions will apply, including provision of food, low or non-alcoholic drinks, and alternative transport options.

## **6 POWERS OF ARREST, SEARCH AND SEIZURE**

Powers of arrest, search and seizure are provided to Police by section 169 of the Act.

## **7 SPECIFIED EVENTS**

### **7.1 Prohibition of Vehicles and Consumption or Possession of Alcohol**

The Council may, where it considers it appropriate for the safe and effectual holding in any public place or part of a public place of any public event, function or gathering, by resolution publicly notified no less than 14 days before the event:

- (a) prohibit the consumption of alcohol in the specified public place during that period or periods, the bringing of alcohol into the specified public place during that period or periods, and the possession of alcohol in the specified public place during that period or periods;
- (b) and may also in conjunction with the prohibition relating to alcohol in (a) above prohibit the presence or use of any vehicle in a public place.

## **8 CONSTABLES MAY REQUIRE CERTAIN INFORMATION**

A constable who believes on reasonable grounds that a person is committing or has committed an infringement offence may direct the person to give the constable his or her name, address, and date of birth.

## **9 BREACH OF BYLAW AND PENALTY**

Any person who acts in breach of any provision of this Bylaw commits an offence against this Bylaw and is liable to an infringement fine as set out in the Local Government (Alcohol Ban Breaches) Regulations 2013

**10 REPEAL**

On the day on which this bylaw shall come into operation, the Tasman District Council Consolidated Bylaw Chapter 3 Control of Liquor in Public Places Bylaw 2012 shall be deemed to be repealed.

**11 DATE BYLAW MADE**

This Bylaw was made by the Tasman District Council at a meeting of the Council on 8 November 2018.

The common seal of the Tasman District Council is attached in the presence of:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chief Executive

## 12 ADVICE NOTE

The following powers, definitions and processes relating to a bylaw controlling alcohol in public places, are copied and pasted from the Local Government Act 2002, as amended by the Local Government (Alcohol Reform) Amendment Act 2012 and the Local Government (Alcohol Ban Breaches) Regulations 2013. This advice note does not form part of the Bylaw, but is included to assist with the interpretation of this Bylaw.

### Relevant Provisions of the Local Government Act 2002

#### 169 Powers of arrest, search, and seizure in relation to alcohol bans

(1) In this section and in sections 169A and 170,—

**alcohol** has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012

**alcohol ban** means a bylaw made under section 147

**offence** means a breach of an alcohol ban

**restricted place** means a public place (within the meaning of section 147(1)) in respect of which an alcohol ban is in force.

(2) A constable may, without warrant,—

(a) for the purpose of ascertaining whether alcohol is present, search—

(i) a container (for example, a bag, case, package, or parcel) in the possession of a person who is in, or entering, a restricted place; or

(ii) a vehicle that is in, or is entering, a restricted place:

(b) seize and remove any alcohol (and its container) that is in a restricted place in breach of an alcohol ban:

(c) arrest any person whom the constable finds committing an offence:

(d) arrest any person who has refused to comply with a request by a constable—

(i) to leave a restricted place; or

(ii) to surrender to a constable any alcohol that, in breach of an alcohol ban is in the person's possession.

(3) Alcohol or a container seized under subsection (2)(b) is forfeited to the Crown if the person from whom the alcohol or container is seized pays the infringement fee.]

*[Matters of proof in relation to bylaws prohibiting alcohol in public place]*

**169A Proving substance is alcohol in relation to alleged breach of alcohol ban**

- (1) In this section, labelled trade container means a container that is of a type sold in the ordinary course of trade, and is labelled to the effect that it contains 1.15% or more ethanol.
- (2) This subsection applies to a substance in respect of which a breach of alcohol ban is alleged to have been committed if the substance was in a container at the time the offence is alleged to have been committed, and—
  - (a) the container was a labelled trade container; or
  - (b) the container was not a labelled trade container but appeared to contain alcohol, and when it was opened the substance smelled like alcohol; or
  - (c) the defendant has at any time made to a constable an admission to the effect that the substance was alcohol.
- (3) If, in any proceedings for a breach of alcohol ban, it is proved that subsection (2) applies to the substance in respect of which the breach is alleged to have been committed, the substance must be presumed to be alcohol unless the defendant—
  - (a) proves that it was not; or
  - (b) has [[served on the prosecution]] notice in writing at least 20 working days before the hearing that he or she disputes that the substance was alcohol.]

**239A Breaches of alcohol bans**

- (1) Section 21 of the Summary Proceedings Act 1957 applies to a breach of a bylaw made under section 147 as if—
  - (a) the breach were an infringement offence within the meaning of that Act; and
  - (b) the person who has committed the breach has committed the offence; and
  - (c) the references in subsection (9) of that section to a defendant's being found guilty of, or pleading guilty to, an infringement offence for which an infringement notice has been issued were references to the person's being found to have committed, or admitting to having committed, the breach;— and Part 3 and section 208 of that Act apply accordingly.
- (2) Proceedings in respect of a breach of a bylaw made under section 147 cannot be commenced by filing a charging document under section 14 of the Criminal Procedure Act 2011.
- (3) Subsection (2) overrides subsection (1) and section 21(1)(a) of the Summary Proceedings Act 1957.]

---

7.

**243 Interpretation**

(1) In this subpart,—

**alcohol ban** means a bylaw made under section 147

**enforcement officer**, in relation to an alcohol ban, means a constable

**infringement fee**,—

...

(b) in relation to a breach of an alcohol ban, means the amount prescribed by regulations under section 259(b) as the infringement fee for the breach

**infringement offence**

(a) means an offence specified as such by regulations under section 259(a); and

(b) includes a breach of an alcohol ban.

(2) The definition in subsection (1) of "enforcement officer" overrides the definition of that term in section 5.]

**244 Proceedings for infringement**

**offences**

(1) ...

(2) A person who is alleged to have committed a breach of an alcohol ban—

(a) may be served with an infringement notice under section 245; and

(b) must not be proceeded against under the Criminal Procedure Act 2011.]

**245 Issue of infringement notices**

(1) An infringement notice may be served on a person if an enforcement officer—

(a) observes a person committing an infringement offence; or

(b) has reasonable cause to believe that an infringement offence is being or has been committed by that person.

...

[(2A) An infringement notice relating to a breach of an alcohol ban may be served—

(a) by a constable personally delivering it to the person alleged to have committed the breach; or

(b) by a constable personally delivering it, at a time after the person alleged to have committed the breach has been arrested for committing it, to the person; or by post addressed to the last known place of residence or business of the person alleged to have committed the breach.]



- (3) [An] infringement notice sent to a person under subsection (2)(b) must be treated as having been served on that person when it was posted.

...

**245A Constables may require certain information**

A constable who believes on reasonable grounds that a person is committing or has committed an infringement offence may direct the person to give the constable his or her name, address, and date of birth.]

---

**Relevant Provisions of the Local Government (Alcohol Ban Breaches) Regulations 2013**

- 4 Infringement fee for alcohol ban**  
The infringement fee for breaching an alcohol ban is \$250.

## SCHEDULE A

### PUBLIC PLACES

#### 1. Brightwater and environs: 7pm to 7am Alcohol Ban (Map 1)

The public places located in, or adjacent to, or encompassed by Brightwater Deviation, Lord Rutherford Road North including Ernest Place, Hollybush Drive including Threepenny Place, Wanderers Avenue, Malthouse Crescent including Lord Rutherford Park, Waimea West Road from the western end of Snowdens Bush to Ellis Street, Bryant Road to and including Snowden Place, Ellis Street including Somerville Lane, Fairfield Street and Spencer Place, River Terrace Road from Ellis Street to the eastern end of the Cattle Yards Brightwater, and;

Wai-iti Recreation Reserve, and;

Spring Grove School Reserve and Spring Grove Hall Reserve.

#### 2. Collingwood: 7pm to 7am Alcohol Ban (Map 2)

The public places located in, or adjacent to those areas in the Collingwood township in the Residential Zone, Commercial Zone, Open Space zone, including Collingwood Cemetery.

#### 3. Kaiteriteri and environs: 4pm to 7am Alcohol Ban during the period 1 December to 1 March the following year and 7pm to 7am Alcohol Ban for the remainder of the year. (Map 3.1, 3.2, 3.3)

The public places located in, or adjacent to, and the area encompassed by Rowling Road, Riwaka-Kaiteriteri Road, Inlet Road, Kaiteriteri-Sandy Bay Road to and including Breaker Bay including Martin Farm Road and the mean low water mark around Kaka Point to the Torlesse Rocks, and;

The public places on or adjacent to the foreshore north of Breaker Bay, including Honeymoon Bay, Ngaio Bay, Towers Bay, Split Apple Rock and Sandy Bay through to the boundary with the Abel Tasman National Park and;

The public places located on or adjacent to the foreshore south and west of Torless Rocks to Dummy Bay, Stephens Bay and Tapu Bay to the mean low water spring tide and, Stephens Bay Road, Cook Crescent, Anarewa Crescent, and Tapu Place

#### 4. Mapua and environs: 7pm to 7am Alcohol Ban (Map4)

The public places located in, or adjacent to, or the area encompassed by the coastline at mean low water, and McKee Memorial Recreation Reserve, Stafford Drive, Aranui Road,

and Langford Drive, but excluding Mapua Leisure Park. For clarity, this area includes McKee Memorial Scenic Reserve, McKee Memorial Recreation Reserve, Aranui Park, and Grossi Point Recreation Reserve.

## 5 Motueka and environs

### 5.1 Motueka CBD Area: 24 hour Alcohol Ban (Map 5.1a and 5.1b)

The public places located in the central business area and other areas on or encompassed by Vosper Street, Wilkinson Street, Taylor Avenue/Avalon Court, the walkway to Thopes Bush, Thorp's Bush, Woodlands Avenue, Whakarewa Street, Manoy Street, Rugby Park, Talbot Street, Pah Street, Motueka Memorial Park including the walkway to Poole Street, Poole Street, High Street, Inglis Street, and;

The public places located on or adjacent to North Street Reserve, including the saltwater baths, and;

The public places located on or adjacent to Everett Street, Massey Street, George Quay, and East Quay including the Motueka Beach Reserve, and;

The public places located on or adjacent to the skateboard park on Old Wharf Road.

### 5.2 Motueka Urban Area 7 pm to 7 am Alcohol Ban (Map 5.2)

Except for those places included in Motueka CBD Area 24 hour Alcohol Ban above, the public places on, adjacent to, or encompassed by Fearon Street, Thorp Street, Tudor Street, Taylor Avenue/Avalon Court, Thorp's Bush, Woodlands Avenue, Whakarewa Street, Grey Street, Pah Street, Atkins Street and Parker Street, and;

The public places located on or adjacent to, High Street, south of the intersection with Fearon Street, and;

The public places located on or adjacent to State Highway 60, (The Coastal Highway) up to a distance of 200 metres south of the intersection with Wharf Road, and;

The public places located on or adjacent to the Inlet walkway within 200metres of Wharf Road, and;

The public places located on or adjacent to Old Wharf Road between High Street and Thorpe Street, including the Goodman Recreation Park and Motueka Recreation Centre, and;

The public places located on or adjacent to the fore shore between the salt water baths and Staples Street including the public walkway and Motueka Quay, as well as Staples Street, between the intersection with Thorp Street and the seaward end of Staples Street.

## 6. Murchison: 7pm to 7am Alcohol Ban (Map 6)

The public places located in, or adjacent to, or the area encompassed by Waller Street east of Street number 138 for a distance of 1,520 metres to a point on the bridge over the Matakita River, then generally south 625 metres to a point on the unformed section of Hotham Street where it meets the Matakita River, then east along Hotham Street for a distance of 710 metres to the start of the Rural 2 Deferred Residential Zone, then north for a distance of 280 metres along the boundary of the Residential zone, then east towards and including the southern boundary of the Murchison Recreation Reserve, then north along the eastern boundary of the Murchison Recreation Reserve to Waller Street, and;

The public places located on or adjacent to Waller Street to the intersection with Kawatiri-Murchison Highway, and Kawatiri-Murchison Highway for a distance of 260 metres from the intersection with Waller Street, and;

The public places located in and adjacent to Fairfax Street, north of Waller Street.

## 7. Pohara and environs: 7pm to 7am Alcohol Ban (Map 7)

The public places located in or adjacent to the areas encompassed by the coastline at mean low water and, Nees Road, Rototai Road from the junction with Nees Road through to the intersection with Abel Tasman Drive, and Abel Tasman Drive to intersection with Tata Heights. For clarity, this area includes Rototai Beach Esplanade Reserve, Rototai Recreation Reserve, Clifton Recreation Reserve, Pohara Recreation Reserve, Tarakohe Harbour reclamation, Ligar Bay Esplanade Reserve, Tata Heights Reserve, Cornwall Place Reserve and Tata Beach Reserve.

## 8. Richmond and environs

### 8.1 Richmond CBD Area: 24 hour Alcohol Ban (Map 8.1)

The public places located in the central business area and other areas encompassed by Oxford Street, Gladstone Road/State Highway, McGlashen Avenue, Talbot Street and Salisbury Road, with extensions to include Washbourn Garden, all of Jubilee Park and the railway reserve from Queen Street to the southern boundary of Jubilee Park.

### 8.2 Richmond Urban Area: 7pm to 7am Alcohol Ban (Map 8.2)

The public places not included in Richmond CBD Area: 24 hour Alcohol Ban above, and located in or adjacent to the area encompassed by the northern boundary of Tasman District along the length of Champion Road and continuing on that line to the coast, and following the coast to Headingly Lane, Headingly Lane to Lower Queen Street, Lower Queen Street between Headingly Lane and the railway reserve, including those sites on the south side of the road and adjacent to that part of Lower Queen Street, south east of and including street number 375, to the railway reserve between Lower Queen Street and Ranzau Road, Ranzau

Road from the railway reserve, to the south-eastern end of the legal road, including those sections of Ranzau Road that are unformed, then from the south-eastern end of Ranzau Road, a straight line to the south-eastern end of Champion Road.

### 8.3 Aniseed Valley: 7pm to 7am Alcohol Ban (Map 8.3)

The public places located on or adjacent to Aniseed Valley Road from the point where that road crosses Aniseed Hill, to a point 700 metres past the turn off to the car park at the Hackett Reserve.

### 9. Riwaka and environs: 24 hour Alcohol Ban during the period 1 December to 1 March the following year and 7pm to 7am Alcohol Ban for the remainder of the year. (Map 9)

The public places located on or adjacent to; Main Road Riwaka north of street number 453, including Riwaka Memorial Reserve, Riwaka Recreation Reserve and Riwaka Rugby Grounds, and;

The public places located on or adjacent to Riwaka-Kaiteriteri Road from Main Road Riwaka to Tapu Bay, Factory Road, Swamp Road from Factory Road to Main Road Riwaka, School Road, Wharf Road and Green Tree Road.

### 10. Takaka and environs: 24 hour Alcohol Ban (Map 10)

The public places located in or adjacent to the areas encompassed by; Motupipi Street from the intersection with Commercial Street for a distance of 422 metres to the boundary between the Industrial and Residential Zones, the northern boundary of that Industrial zone and the adjoining Commercial zone on Commercial Street, to Reilly Street and along its length to the Takaka River, then from that point, upstream for a distance of approximately 400 metres on the true left bank, then from that point, through to and including Willow Street to a point 240 metres from the intersection with Motupipi Street, including the block of Commercially zoned land near the corner of Willow and Motupipi Streets, and;

The public places located on or adjacent to; Commercial Street north of the intersection of Reilly Street, Meihana Street between the intersection with Commercial Street and the intersection with Motupipi Street, and Motupipi Street from the intersection with Meihana Street for a distance of 680 metres.

### 11. Tapawera and environs: 7pm to 7am Alcohol Ban (Map 11)

The public places located in or adjacent to all those places in the Tapawera Village within the Residential Zone Open Space Zone, Recreation Zone, Industrial Zone and Commercial Zone, and;

The public places located on or adjacent to the Old Railway Land Tapawera, Local Purpose Reserve Tapawera, and;

The public places located on or adjacent to Tadmor Valley Road from Main Road Tapawera to the Intersection of Tapawera-Baton Road.

12. Wakefield and environs: 7pm to 7am Alcohol Ban (Map 12)

The public places located in or adjacent to the Wai-iti Recreation Reserve, and:

The public places located in or adjacent to, Wakefield—Kohatu Highway, northwards from the entrance to Edward Baigent Reserve to Clifford Road, and all of Clifford Road, and ;

The public places located in or adjacent to Wakefield Domain and Faulkners Bush, and;

The public places located on or adjacent to the urban area of Wakefield including all that land in the Residential Zone, Open Space Zone, Recreation Zone, Commercial Zone, and;

The public places located on or adjacent to Edward Street adjacent to the St John's Wakefield Church grounds and cemetery, including those church grounds and cemetery, and;

The public places located on or adjacent to the residential zone south west of Faulkners Bush and in 88 Valley, including Robson Reserve

**Brightwater Alcohol Ban Area  
Map 1**

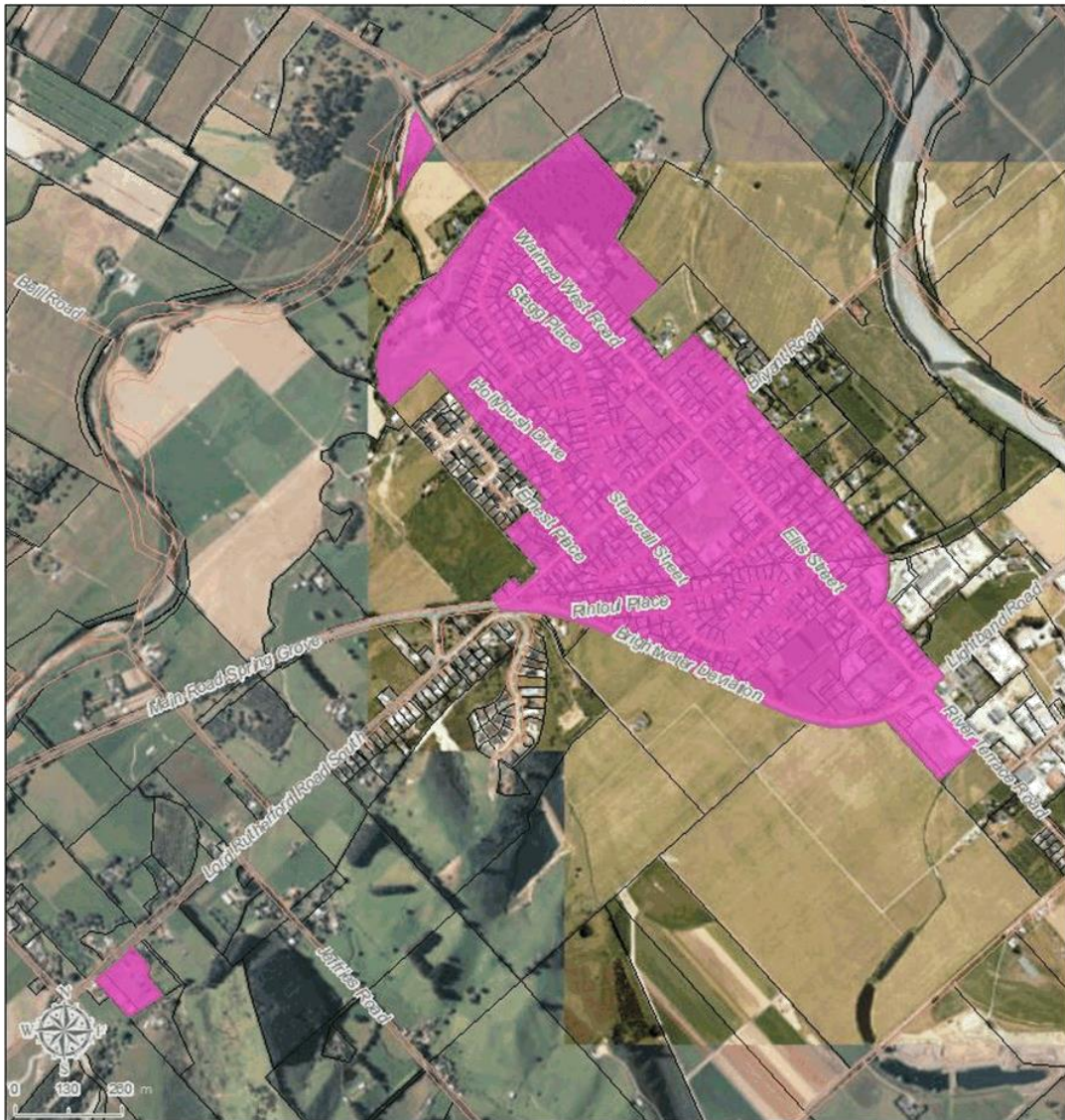
**Location:** Brightwater  
**Ban Duration:** 7pm to 7am



**Legend**

-  24 Hour
-  7pm to 7am\*
-  7pm to 7am
-  Other Alcohol Ban Areas

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**Kaiteriteri Alcohol Ban Area  
Map 3.1**

**Location:** Kaiteriteri  
**Ban Duration:** 7pm to 7am\*



\* Alcohol Ban Starts at **4pm** - During the period 1st December and 1st March the following year, inclusive every year.

**Legend**

-  24 Hour
-  7pm to 7am\*
-  7pm to 7am
-  Other Alcohol Ban Areas



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**Kaiteriteri Alcohol Ban Area  
Map 3.2**

**Location:** Marahau  
**Ban Duration:** 7pm to 7am\*



\* Alcohol Ban Starts at **4pm** - During the period 1st December and 1st March the following year, inclusive every year.

**Legend**

- 24 Hour
- 7pm to 7am\*
- 7pm to 7am
- Other Alcohol Ban Areas

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**Kaiteriteri Alcohol Ban Area  
Map 3.3**

**Location:** Stephens Bay  
**Ban Duration:** 7pm to 7am\*



\* Alcohol Ban Starts at **4pm** - During the period 1st December and 1st March the following year, inclusive every year.

**Legend**

-  24 Hour
-  7pm to 7am\*
-  7pm to 7am
-  Other Alcohol Ban Areas



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**Mapua Alcohol Ban Area  
Map 4**

**Location: Mapua  
Ban Duration: 7pm to 7am**



**Legend**

- 24 Hour
- 7pm to 7am\*
- 7pm to 7am
- Other Alcohol Ban Areas

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### Motueka Alcohol Ban Area Map 5.1a

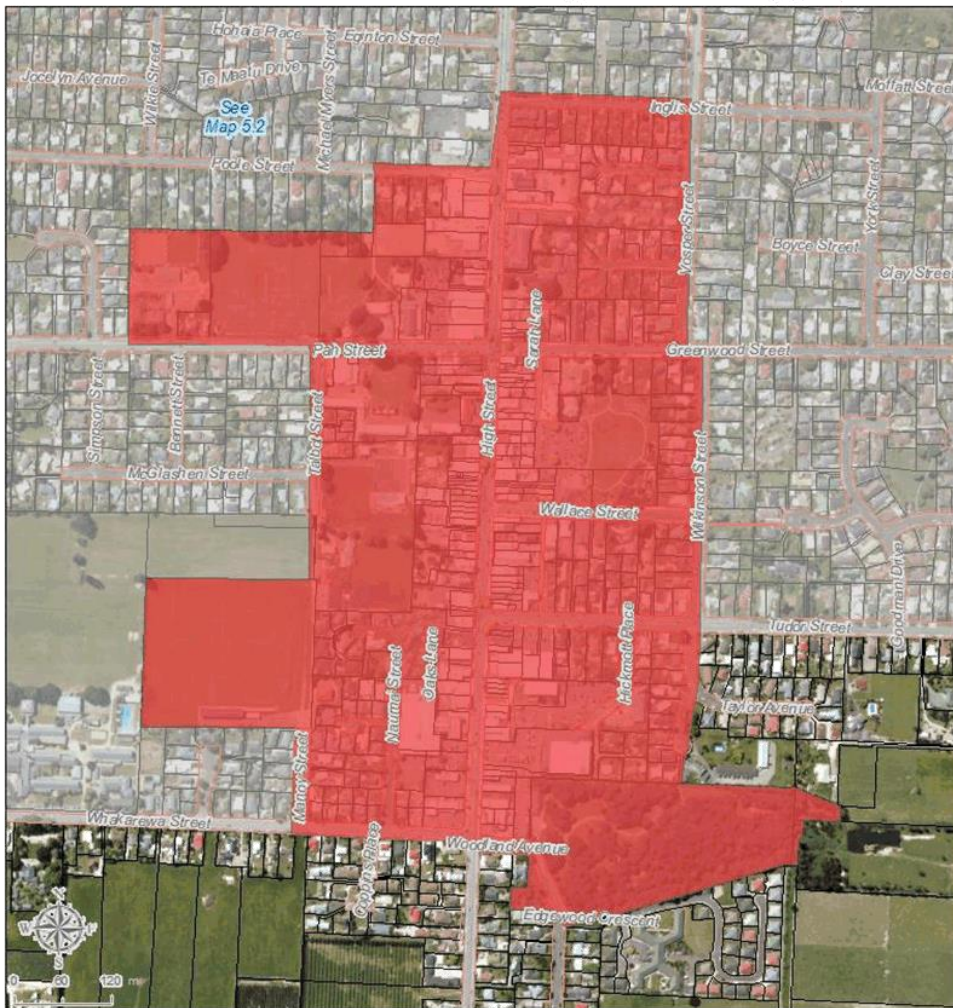
Location: Motueka  
Ban Duration: 24 Hour



#### Legend

- 24 Hour
- 7pm to 7am\*
- 7pm to 7am
- Other Alcohol Ban Areas

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**Motueka Alcohol Ban Area  
Map 5.1b**

**Location:** Motueka  
**Ban Duration:** 24 Hour



**Legend**

- 24 Hour
- 7pm to 7am\*
- 7pm to 7am
- Other Alcohol Ban Areas

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### Motueka and environs Alcohol Ban Area Map 5.2

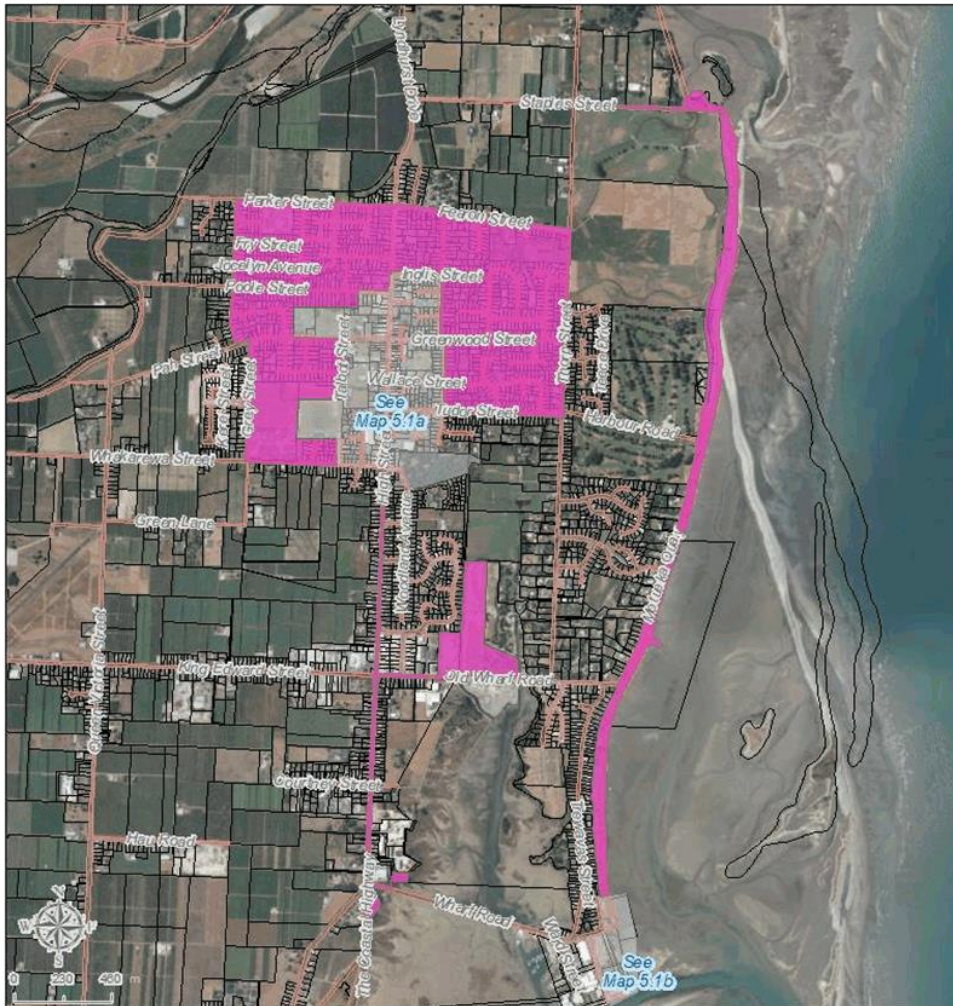
Location: Motueka Urban Area  
Ban Duration: 7pm to 7am



#### Legend

- 24 Hour
- 7pm to 7am\*
- 7pm to 7am
- Other Alcohol Ban Areas

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**Murchison Alcohol Ban Area  
Map 6**

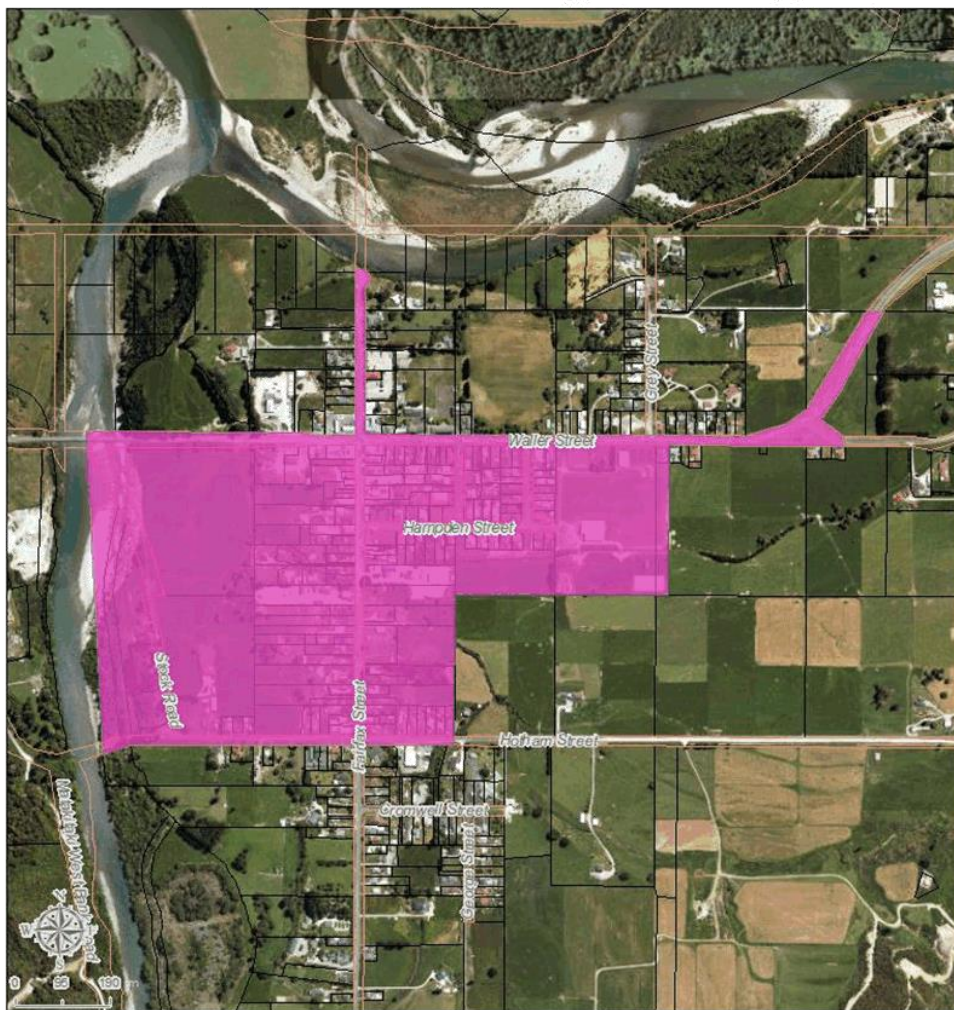
**Location:** Murchison  
**Ban Duration:** 7pm to 7am



**Legend**

- 24 Hour
- 7pm to 7am\*
- 7pm to 7am
- Other Alcohol Ban Areas

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**Pohara Alcohol Ban Area  
Map 7**

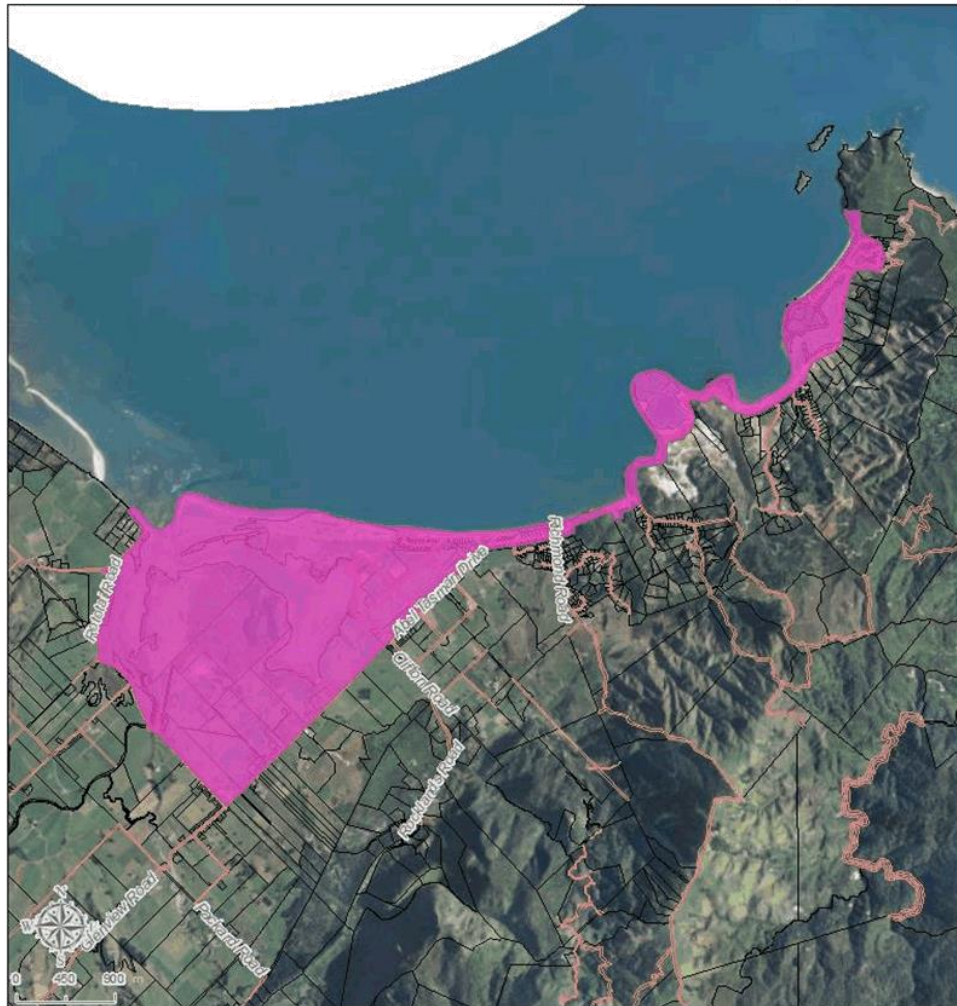
**Location: Pohara to Tata**  
**Ban Duration: 7pm to 7am**



**Legend**

-  24 Hour
-  7pm to 7am\*
-  7pm to 7am
-  Other Alcohol Ban Areas

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**Richmond Alcohol Ban Area  
Map 8.1**

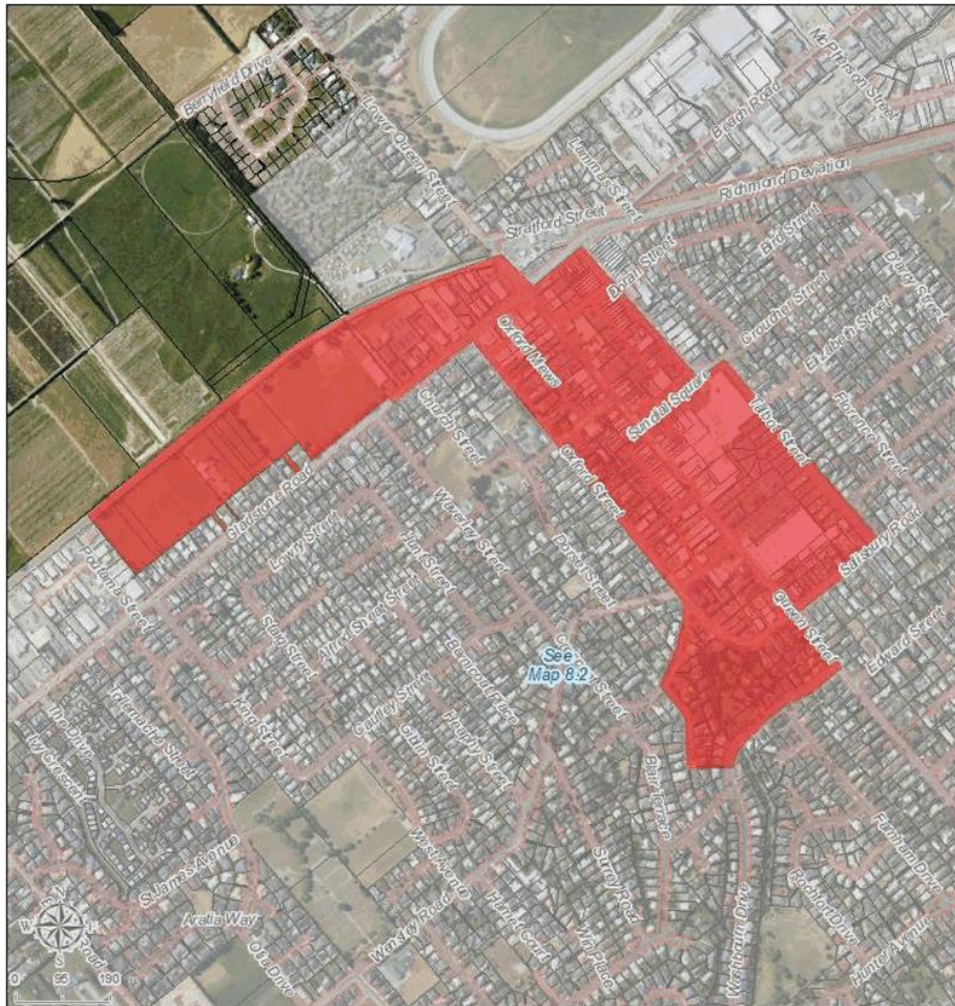
**Location: Richmond CBD Area**  
**Ban Duration: 24 Hour**



**Legend**

- 24 Hour
- 7pm to 7am\*
- 7pm to 7am
- Other Alcohol Ban Areas

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**Richmond Alcohol Ban Area  
Map 8.2**

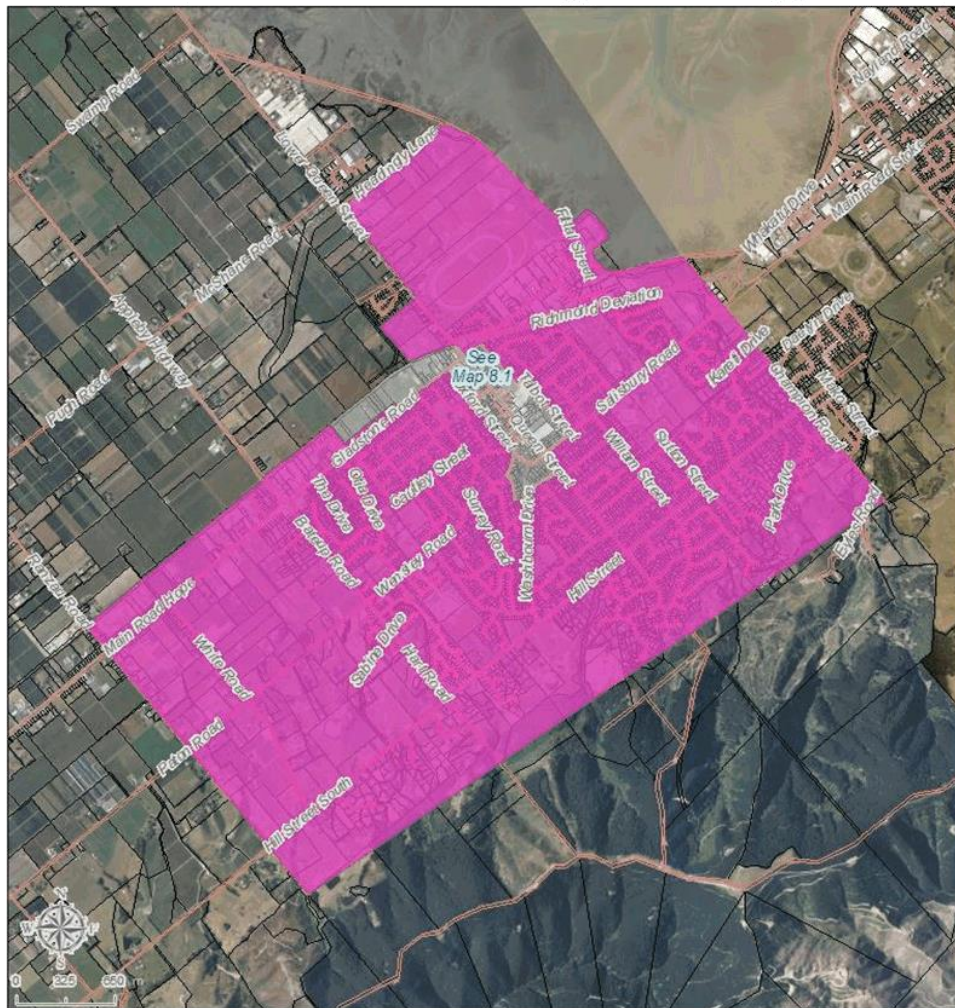
**Location:** Richmond Urban Area  
**Ban Duration:** 7pm to 7am



**Legend**

-  24 Hour
-  7pm to 7am\*
-  7pm to 7am
-  Other Alcohol Ban Areas

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**Richmond Alcohol Ban Area  
Map 8.3**

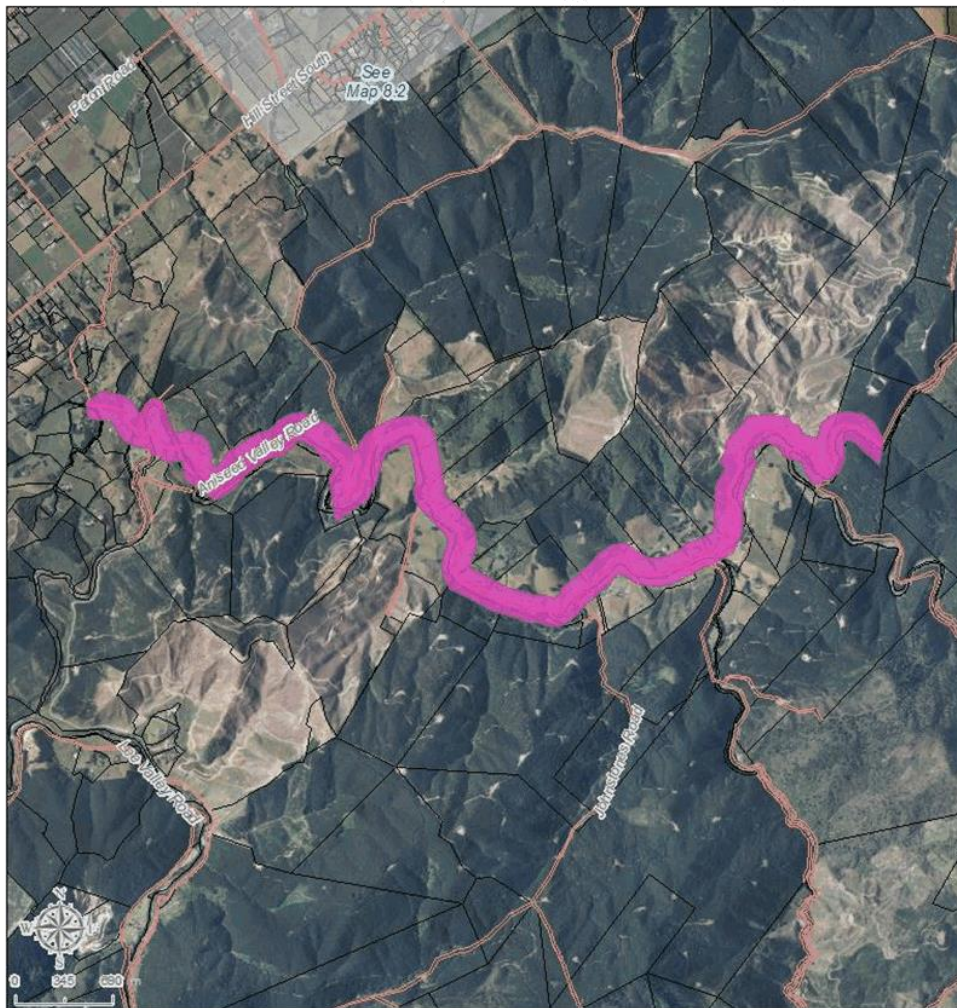
**Location:** Aniseed Valley  
**Ban Duration:** 7pm to 7am



**Legend**

-  24 Hour
-  7pm to 7am\*
-  7pm to 7am
-  Other Alcohol Ban Areas

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### Riwaka Alcohol Ban Area Map 9

**Location:** Riwaka  
**Ban Duration:** 7pm to 7am\*



\* Alcohol Ban Starts at **24 Hour** - During the period 1st December and 1st March the following year, inclusive every year.

#### Legend

-  24 Hour
-  7pm to 7am\*
-  7pm to 7am
-  Other Alcohol Ban Areas



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**Takaka Alcohol Ban Area  
Map 10**

**Location: Takaka**  
**Ban Duration: 24 Hour**



**Legend**

- 24 Hour
- 7pm to 7am\*
- 7pm to 7am
- Other Alcohol Ban Areas

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### Tapawera Alcohol Ban Area Map 11

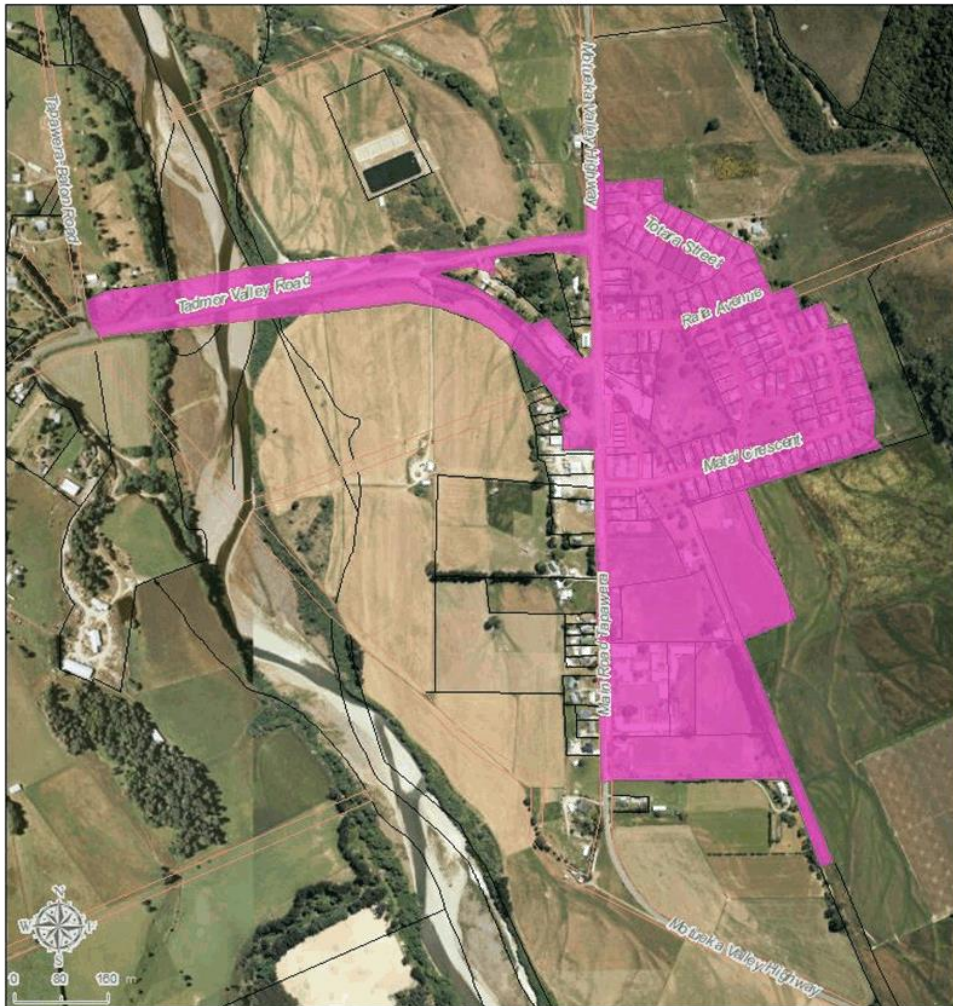
Location: Tapawera  
Ban Duration: 7pm to 7am



#### Legend

-  24 Hour
-  7pm to 7am\*
-  7pm to 7am
-  Other Alcohol Ban Areas

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## Schedule B

**Application for written permission from Tasman District Council to consume alcohol in a public place**

In accordance with section of the Tasman Consolidated Bylaw Chapter 3 Control of Alcohol in Public Places Bylaw 2018, Tasman District Council can authorise low risk" activities that would otherwise breach the alcohol ban. This form can be used to seek permission to hold an event where a limited\* amount of alcohol will be consumed in a public place (\*See notes on reverse for definitions).

The application can be sent to: Tasman District Council  
 Phone:035438400  
 Environmental Health Services  
 Fax:035439524  
 Private Bag 4  
 Richmond 7050

Or emailed to : [Regulatory.Admin@tasman.govt.nz](mailto:Regulatory.Admin@tasman.govt.nz)

Applicant details	
Full name/s: _____	Date of birth: _____
Address: _____	
Phone: Home _____	Mobile _____ Email: _____
Activity, event or occasion details	
Who will be responsible for the activity, occasion or event?	
Full name/s: _____	Date of birth: _____
Address: _____	
Phone: Home _____	Mobile _____ Email: _____
Date of activity, event or occasion: _____	
Nature of the activity, event or occasion (street party, wedding, fundraiser, sporting event): _____	
Address and if necessary map showing location (where the activity, event or occasion is taking place):	
_____	
_____	
_____	
Duration (what time it will begin and end): _____	
Number of people attending: _____	
Will anyone under the age of 18 be in attendance? Yes No	
If yes, what controls are in place to manage access to alcohol? _____	



\_\_\_\_\_
How much alcohol will be available? \_\_\_\_\_

Host responsibility details (provision for food, non-alcoholic drinks and alternative transport options): \_\_\_\_\_
\_\_\_\_\_

Printed name of applicant: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_



- "Low risk" situations are those occasions, activities or events that officers' consider are not likely to lead to alcohol-related harm.
- A "limited" amount of alcohol is interpreted as no more than three standard drinks per person.
- The applicant will need to provide a copy of the written permission issued by the Council if requested by a Council officer or member of NZ Police.
- Nothing in the written permission provided by the Council precludes action from NZ Police in the event of inconsistencies with event conditions and/or behaviour deemed offensive to the public, disruptive to the community or constituting an offence.
- If any details are incorrect or have changed, please contact the authorising officer as soon as possible.
- This application form is for permission for activities, events or occasions where there is no sale and supply of alcohol. The sale and supply of alcohol would require a special licence in accordance with the Sale and Supply of Alcohol Act 2012.
- Events that may require a special licence include sporting events, wine tastings, bus trips and parties on hired premises where alcohol is being sold or supplied, or where alcohol is complimentary and tickets are being sold for the event.

Public Place -

- (a) means a place that is open to or is being used by the public, whether free or on a payment charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it, but
- (b) does not include licensed premises



## 8.8 MAYOR'S REPORT

Information Only - No Decision Required

<b>Report To:</b>	Full Council
<b>Meeting Date:</b>	8 November 2018
<b>Report Author:</b>	Richard Kempthorne, Mayor
<b>Report Number:</b>	RCN18-11-08

### 1. Summary

- 1.1. The attached report is a commentary of the Mayor's activities for September to 31 October for Councillors' information.

### 2. Draft Resolution

**That the Tasman District Council receives the Mayor's Report RCN18-11-08.**

**1 Activities**

- 1.1 A meeting with NZTA arranged by Cr Bryant was held in Council Chambers on 17 September which I attended
- 1.2 On 17 September I attended the Age Concern Nelson AGM in Richmond
- 1.3 On 18 September I attended a regular meeting of Cawthron Foundation
- 1.4 On 19 September I officiated at the Citizenship Ceremony for 42 people from 11 different nationalities. I would like to acknowledge the support of Sandie Hutchinson and Rhian Williams at and the attendance of Councillors
- 1.5 Chief Executive and I attended a meeting at Wakatu Board Hui at Wakatu House on 19 September and brief them on key issues in Tasman
- 1.6 I met with representatives of Grey Power at the quarterly meeting which was held on 19 September
- 1.7 Cr Bryant and I attended the Emergency Services Recognition event in St Arnaud in the evening of 19 September where we thanked the emergency service volunteer personnel for their additional time during the SH1 road closure following the Kaikoura earthquake
- 1.8 I attended the Audit & Risk Committee Annual Report Council meeting in chambers on 20 September
- 1.9 On Friday 21 September I attended the Sport Tasman meeting held in Kaikoura
- 1.10 On Sunday 23 September I attended the Cathedral Suffrage Service at the Nelson Christ Church Cathedral
- 1.11 On Monday 24 September, Cr Sangster, King and I were involved in the interviews for the Commercial Committee Independent member
- 1.12 I attended the workshop with Paul Beverly held Councillors on council/iwi engagement on 24 September
- 1.13 Sport Tasman Audit & Risk meeting was held on Tuesday 25 September
- 1.14 On 25 September Chief Executive, Sharon Flood and I attended the Te Tau Ihu 2077 first steering group meeting held at Titiraukawa (Pelorus) – this group is looking at identifying a Te Tau Ihu strategy and key projects that should be supported for external funding
- 1.15 Cr Bryant and I attended the Emergency Services Recognition event in Murchison in the evening of 26 September where we thanked the emergency service volunteer personnel for their additional time during the SH1 road closure following the Kaikoura earthquake
- 1.16 The Port Nelson Annual General Meeting was held on Wednesday 26 September which I attended
- 1.17 On Thursday 27 September I chaired the Full Council meeting held in Chambers
- 1.18 In the morning of Friday 28 September, Cr Ogilvie and I met Mr John Fisher and presented a Mayoral Recognition Award for his time as committee member of Beyond The Bridge (post Cyclone Gita), Chair of Keep Motueka Beautiful and has been involved with Lions and Rebus (ex Probus)

- 1.19 I attended the Police Remembrance Day Service was held at Old St Johns Hall in Nelson on 28 September
- 1.20 On Monday 1 October I joined Mike Tasman-Jones and others at the Richmond Aquatic Centre for morning tea and presentation of awards:
  - CLM Facility of the Year;
  - Aquatics Facility of the Year;
  - Shop of the Year;
  - Café of the Year;
  - Staff member of the Year – Julie Tasker;
  - Highly Commended from Skills Active NZ
- 1.21 I attended the Cawthron Foundation meeting regarding market research on Monday 1 October – the Cawthron Foundation’s purpose is to raise philanthropic funding for science work at Cawthron
- 1.22 On Tuesday 2 October I met with Senior Sergeant Martin Tunley, based at the Richmond Police Station who is the new Area Response Manager – Tasman
- 1.23 On Wednesday 3 October I attended the “Go by Bike” breakfast party at Sundial Square which was a very well organised event
- 1.24 On 3 October I met Reuben Levermore who is the new Head of Regional Affairs at Air New Zealand and Ian Collier
- 1.25 On 4 and 5 October I attended at the LGNZ National Council Strategy meeting in Wellington
- 1.26 On Sunday 7 October attended and opened the 2018 National U13 Boys Nelson Hockey Hatch Cup Trophy
- 1.27 On Monday 8 October I was invited to the Launch of “Essential Freshwater: healthy water, fairly allocated” at Parliament
- 1.28 On Tuesday 9 October, Mayor Reese and I greeted the first flight out and the first flight in at the new Nelson Airport Terminal
- 1.29 On 9 and 10 October, I attended the Climate Change & Business Conference in Auckland
- 1.30 On Friday 12 October I attended the Equip Board Meeting which was held in Wellington
- 1.31 On Friday 12 October was the Nelson Airport Terminal Farewell (for the old terminal) which I attended
- 1.32 On Monday 15 October I was invited to the Nelson Aviation College Boeing 737-000 simulator at the Airline Integration Course Training Facility at Nelson Airport, with my grandson – I, on automatic pilot, landed the 737 at Wellington Airport
- 1.33 In the evening of Monday 15 October, Chief Executive and I attended the Wakefield Community Council meeting where we discussed many topical issues
- 1.34 On Tuesday 16 October I chaired the Council Deliberations on “Water Supply Bylaw” in Council Chambers
- 1.35 In the evening of Tuesday 16 October was the Trustpower Community Awards where I jointly presented awards including the Supreme Award for Tasman District to “Beyond the Bridge Riwaka”

- 1.36 On Wednesday 17 October I met with owners of properties at Awaroa to look at and discuss coastal erosion – Council is working with them to complete a significant sand push up to protect their properties
- 1.37 On Thursday 18 October I attended the Environment and Planning Committee meeting in Council Chambers
- 1.38 On Thursday 18 October I chaired the Full Council meeting in Council Chambers
- 1.39 On Friday 19 October myself, Dennis Bush-King, Deputy Mayor Tim King attended the Select Committee on the “Waimea Water Augmentation Scheme Bill” in Richmond and spoke to Council’s application for the Local Bill
- 1.40 On Saturday 20 October I was involved in the Upper Moutere 175<sup>th</sup> Celebration for German Settlers
- 1.41 On Sunday 21 October I attended a dinner function with the Ambassador of Federal Republic of Germany, Gerhard Thierdmann and his wife, at Moutere Inn
- 1.42 On Tuesday 23 October I attended the Thomas Cawthron Memorial Lecture on “National Capital: re-imagining earth, air, fire and water” held at the Annesbrook Church – the guest speaker was Jonathan Porritt
- 1.43 On Thursday 25 October, I attended the Engineering Services Committee meeting held in Council Chambers
- 1.44 On Thursday 25 October I chaired the Full Council meeting held in Council Chambers
- 1.45 On Monday 29 October I had the pleasure of welcoming the Duke and Duchess of Sussex at Totaranui, Abel National Park – it was wonderful to welcome to the South Island and our Abel Tasman
- 1.46 On Tuesday 30 October I attended the Sports Tasman Audit & Risk meeting
- 1.47 In the afternoon of Tuesday 30 and Wednesday 31 October, myself, Chief Executive, and Crs Brown and Wensley were involved in the Waimea CCO Director interviews held at Intepeople’s offices in Nelson, which will be reported to Council today

<b>2 Other</b>
----------------

- 2.1 On 1 November 2018, Council received advice from the Local Government Commission that it has received an application for a local board to be established in Golden Bay. The proposal would cover the current Golden Bay Ward and, if successful, would mean that the local board would replace the current Golden Bay Community Board.

The Commission has a set process that it follows for considering applications like this, which is outlined in the Local Government Act 2002. A press release from the Commission’s Chief Executive Officer states:

“In the first instance the Commission is required to consider whether it agrees to assess the application. This involves considering whether there is sufficient information and whether there is sufficient evidence of community support. It is expected that preliminary step will be completed before the end of the year. If the Commission agrees to assess the application, this will trigger a formal reorganisation process, including consultation with affected communities.”

- 2.2 I had the pleasure of recently joining the descendants of the first German settlers of Sarau (Upper Moutere) for the 175th anniversary. The day was celebrated amongst friends with a wonderful display which showed the history of their first arrival. They left behind their family, friends, support networks to sail away from old hierarchies, religious traditions and for many serfdom, across the oceans to arrive in to Nelson in winter. These settlers worked alongside English and Scottish emigrants establishing small industries including grain, flax mills and hops – which of course we still have today and is quickly becoming a growth industry with many independent breweries in our region. We also have to thank these settlers for planting orchards and introducing commercial winemaking to New Zealand.
- 2.3 Duke and Duchess of Sussex's visit to Abel Tasman National Park last week further affirmed what a diverse and beautiful region we live in. It was my pleasure as Mayor to help welcomed Prince Harry and Duchess Meghan who met with students from Collingwood Area, Motupipi, Central Takaka Primary, Golden Bay High, and Motueka High Schools as well as Youth Ambassadors, representatives of Iwi and Department of Conservation staff.

## Appendices

Nil





**8.9 CHIEF EXECUTIVE'S ACTIVITY REPORT****Information Only - No Decision Required**

<b>Report To:</b>	Full Council
<b>Meeting Date:</b>	8 November 2018
<b>Report Author:</b>	Janine Dowding, Chief Executive Officer
<b>Report Number:</b>	RCN18-11-09

**1 Summary**

- 1.1 This report updates Council on some key issues since my last Activity Report on 27 September 2018.
- 1.2 The updated Council Action Sheet is attached for Councillors' information.

**2 Draft Resolution****That the Full Council**

1. receives the Chief Executive's Activity Report RCN18-11-09; and
2. notes the Council Action Sheet.

### 3 Purpose of the Report

- 3.1 The purpose of this report is to advise Council about some key issues since the Full Council meeting on 27 September 2018.

### 4 Advice and Reporting

#### Waimea Dam

- 4.1 The open and in committee meeting agenda include papers on the Nelson City Council contribution to the Dam project and the Director appointments to the CCO Board.
- 4.2 Council also recently considered other negotiating positions through an in committee update report to its Extraordinary Full Council meeting on 23 October.
- 4.3 Staff are working with the Project Office to progress the work on finalising the price for the project. Various components of the project have been and are continuing to be explored. The final project price will be included in the financial close report presented to Council on 30 November 2018.
- 4.4 The Select Committee heard submissions on the Local Bill for the Waimea Community Dam on 17 and 19 October and the Mayor, Deputy Mayor and Environment and Planning Manager, Dennis Bush-King attended the session on 19 October to speak to the Council's submission. The Select Committee is due to report back to Parliament by 7 November.
- 4.5 There are no other updates for Council to consider at this time and so a Project Status Update report has not been included in the agenda for the 8 November 2018 meeting.

#### Digital Local Government Partnership

- 4.6 I have joined the executive committee for this collaboration between the Department of Internal Affairs and councils and attended my first meeting on 12 October. I will co-lead the Design and Innovation workstream and although it is early days, I am optimistic that the Council will benefit from our involvement.

### 5 Managing People

- 5.1 At the 27 September Full Council meeting Councillor McNamara raised the question of whether there should be **security guards** contracted to provide security **at the Richmond Library**. This question related to a Council resolution at the 20 September Community Development Committee meeting to make two carparks available for library staff rostered to work until closing time.
- 5.2 A security review was completed on all Council offices and libraries in early 2015. The report findings, recommendations and actions to be implemented have been reported to Council. This included a CCTV camera update funding request. The security changes implemented included the installation of staff 'safe zones', CCTV cameras, portable duress alarms and installing lockable doors between public and staff only access areas. In addition to this, personal safety, armed robbery and conflict awareness training is regularly provided to all front-line staff. There have also been a small number of library users banned or trespassed due to their inappropriate behavior in a library.

- 5.3 Libraries are a public place and a community space and our library staff do have to manage many different types of customer behaviour. However, at this point in time the use of security guards is not considered to be an appropriate response to a relatively small number of customers who are at times causing an issue for staff and other library users.
- 5.4 There have been no staff related **health and safety events** since my last report.
- 5.5 We have completed our first round of participation in **Ask Your Team** (AYT) for Local Government. The survey questions cover thirteen 'success factors' that are grouped into four themes:
- People;
  - Continuous Improvement;
  - Organisation; and
  - Stakeholders.
- 5.6 The Senior Management Team and their Third Tier Managers will be reviewing the results and developing a set of action plans. As mentioned in my previous report to Council, AYT is an online engagement and performance survey tool that has been developed with the help of Equip, branded as LGNZ's 'centre of excellence'.
- 5.7 The arrangements for **Sunday opening for the Richmond Library** are progressing. The new positions are being advertised now and appointments should be confirmed before Christmas, with an official opening early in the New Year.
- 5.8 There was also a request at the 27 September Full Council meeting for further information about the **Council's overall staff numbers**. A report on the FTE statistics as at 30 September 2018 is attached to this report.
- 5.9 I shared the **Capacity & Capability Report** (CCR) with staff and Councillors at the end of September and in October the Senior Management team held 13 focus groups with staff to gather their input on key issues and opportunities. I look forward to sharing the themes and resulting actions with you at the Council workshop on 20 November 2018.
- 5.10 We are currently at various stages of **recruiting for**:
- Weekend Supervisor – Richmond Library (new position)
  - Library Assistant Weekends x 3 – Richmond Library (new position)
  - Environmental Health Officer (replacement)
  - Collection Services Librarian (replacement)
  - Compliance & Investigations Officer – Land Management
  - Team Leader – Solid Waste & Stormwater (new position)
  - Team Leader – Water Supply & Wastewater (new position)
  - Team Leader – Utilities Administration (new position)
  - Team Leader – Resource Consents Administration (new position)
  - Building Technical Officer (replacement)
  - Team Leader – Building Compliance (replacement)

- Principal Planner – Environmental Policy (replacement)
- Consent Planner – Land Use (replacement)

5.11 Since my last report, another six **appointments** have been made:

- Compliance & Investigations Officer – Forestry (new position)
- Graduate Policy Advisor (new position)
- Senior Systems Engineer (new position)
- Consent Planner (replacement)
- Policy Planner (replacement)
- Senior Management Accountant (replacement)

## 6 Council Action Sheet

6.1 The Council Action Sheet is attached for Councillors' information.

## 7 Attachments

- |    |                                      |     |
|----|--------------------------------------|-----|
| 1. | HR Statistics September 2018         | 117 |
| 2. | Council Action Sheet - November 2018 | 119 |

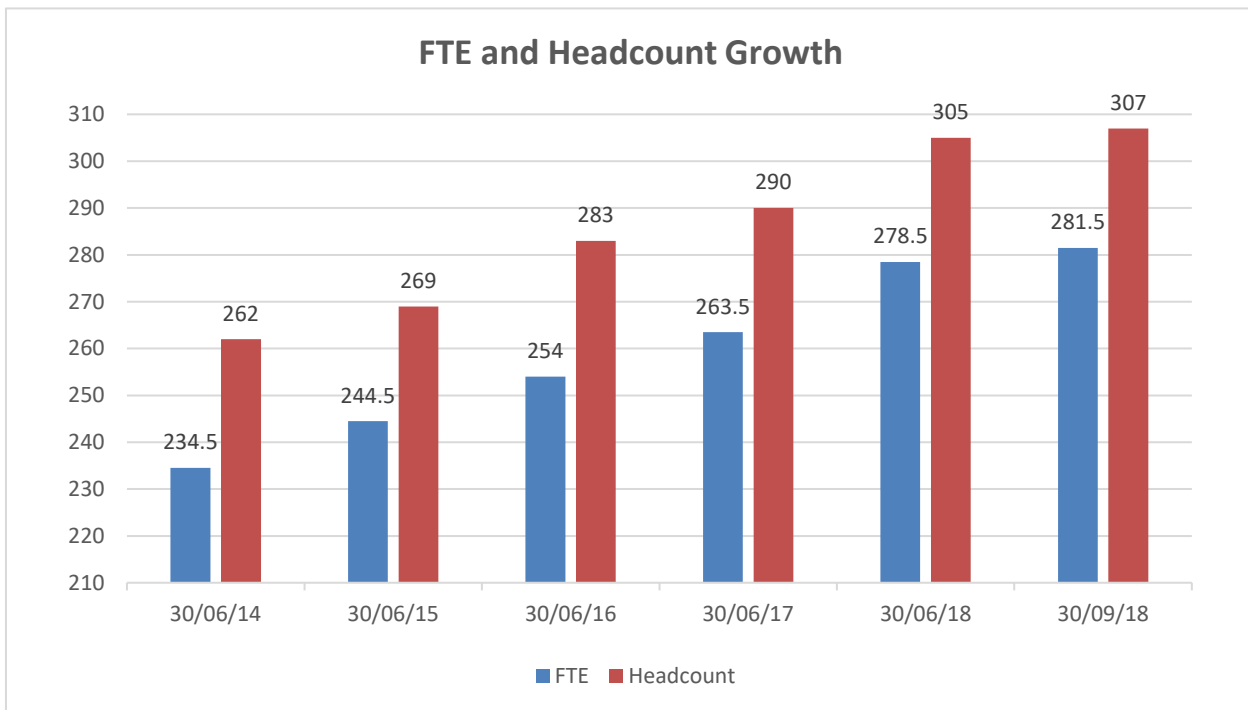
<b>1 Staff Numbers Statistics for September 2018</b>
--

	Full Time	Part time	Casual	Fixed Term
Community Development	56	29	1	3
Corporate Services	41	6		
Engineering Services	45	2		
Environment & Planning	101	9		4
Office of the CEO	8	1		1
<b>Headcount = 305</b>	<b>251</b>	<b>47</b>	<b>1</b>	<b>8</b>
<b>FTE = 278.5</b>				

	September 2018	June 2018	June 2017	June 2016	June 2015	June 2014
Community Development	89	86	84	86	80	83
Corporate Services	47	49	46	45	42	41
Engineering Services	47	47	46	43	43	40
Environment & Planning	114	113	106	102	97	92
Executive & Governance	10	10	8	7	7	6
<b>Headcount =</b>	<b>307</b>	<b>305</b>	<b>290</b>	<b>283</b>	<b>269</b>	<b>262</b>
Increase on headcount	0.7%	5.2%	2.5%	5.2%	2.6%	2.7%
<b>FTE =</b>	<b>281.5</b>	<b>278.5</b>	<b>263.5</b>	<b>254</b>	<b>244.5</b>	<b>234.5</b>
% increase on FTE	1.1%	5.7%	3.7%	3.8%	4.1%	2.7%

Activity Area	Position Title
Community Development (2 new roles)	<ul style="list-style-type: none"> <li>Online Communications Officer</li> <li>Administration Assistant – Customer Services (12 months fixed term)</li> <li>Customer Services Officer – 0.4 FTE (fixed term to assist with maternity leave cover)</li> </ul>
Corporate Services (1 new role)	<ul style="list-style-type: none"> <li>Executive Support Officer – 0.5 FTE</li> </ul> <p>Department FTEs previously included three fixed term positions that have now finished.</p>
Environment & Planning (3 new roles)	<ul style="list-style-type: none"> <li>Compliance &amp; Investigation Officer</li> <li>Environmental Monitoring Officer – replacement for a team member retiring in November</li> </ul> <p>Department FTEs previously included one fixed term position that has now finished.</p>

## 2 Staff Growth



## 3 Future FTE and Headcount Growth

There are a further 15 new positions that are in the process of being recruited.

Activity Area	Position Title
Community Development (5 new roles)	<ul style="list-style-type: none"> <li>• Graduate Policy Advisor</li> <li>• Weekend Supervisor – Richmond Library</li> <li>• Library Assistant x 3 – Richmond Library</li> </ul>
Corporate Services (2 new roles)	<ul style="list-style-type: none"> <li>• Senior Systems Engineer</li> <li>• Senior Financial Analyst</li> </ul>
Engineering Services (3 new roles)	<ul style="list-style-type: none"> <li>• Team Leader – Utilities Administration</li> <li>• Team Leader – Solid Waste &amp; Stormwater</li> <li>• Team Leader – Water Supply &amp; Wastewater</li> </ul>
Environment & Planning (5 new roles)	<ul style="list-style-type: none"> <li>• Compliance &amp; Investigation Officer (Forestry)</li> <li>• Team Leader – Resource Consents Administration</li> <li>• Administration Officer – Resource Consents (fixed term)</li> <li>• Senior Building Compliance Officer</li> <li>• Building Compliance Officer</li> </ul>

## Action Sheet – Full Council as at 27 September 2018

Item	Action Required	Responsibility	Completion Date/Status
Meeting Date 5 April 2018			
Recovery from Ex-Cyclones Fehi and Gita	Report back on the overall deficit in operating budgets affected by the weather event, including the impact on the General Disaster Reserve, Rivers Emergency and Parks and Reserves Emergency Funds.	Engineering Services Manager/Recovery Manager	Reported to 24 May 2018 Full Council meeting. Further information will be available at the end of the financial year.
Meeting Date 24 May 2018			
Chief Executive's Activity Report (RCN18-05-07)	Share further details of the Capability and Capacity Report with Councillors for their information.	Chief Executive	<b>Complete.</b> The CCR was shared with Councillors at the end of September and a workshop has been scheduled for 20 November.
Meeting Date 28 June 2018			
Waimea Community Dam - Hydroelectric Power Generation (RCN18-06-05)	Negotiate a separate agreement with the Joint Venture Partners for the provision of hydro generation in association with the proposed Waimea Community Dam.	Engineering Services Manager	<b>ON HOLD</b> - notes that progressing with detailed design and marketing scenario assessments for the hydro generation option will be delayed until the dam project is approaching financial close.
Waimea Water Augmentation Scheme - Local Bill (RCN18-06-14)	Undertake all such actions as are appropriate and necessary to support the introduction and passage of the Bill.	Chief Executive	<b>In progress.</b>

Item	Action Required	Responsibility	Completion Date/Status
Meeting Date 9 August 2018			
Ratepayer Communication Regarding the Waimea Community Dam (RCN18-08-10)	Provide updates to the community via a regular column within Newsline to enhance engagement on water management as it develops and answer questions as they arise.	Community Relations Manager	Ongoing.
Meeting Date 28 August 2018			
Waimea Community Dam Project (RCN18-08-16)	Report back on the content, process and timing for undertaking an amendment to the Long Term Plan 2018-2028 to accommodate Council's intention to not proceed with the Dam and to exit the joint venture partnership for the Dam.	Chief Executive	Action on hold, as superseded by resolution of Council at its meeting on 6 September 2018.
	Inform the Ministry for the Environment that (subject to the outcome of the Special Consultative Procedure at part 5 above) Council is unlikely to proceed with the Dam and will therefore be unlikely to require the \$7 million Fresh Water Improvement Fund contribution to the Dam project.	Mayor	Action on hold, as superseded by resolution of Council at its meeting on 6 September 2018.
Waimea Community Dam Project (RCN18-08-16)	Report back on the status of Plan Change 67 to the Tasman Resource Management Plan and complete the renewal and issue of the 329 Resource Consents, on a 'no dam' basis.	Environment and Planning Manager	Action on hold, as superseded by resolution of Council at its meeting on 6 September 2018.



Item	Action Required	Responsibility	Completion Date/Status
Meeting Date 6 September 2018			
Responsible Camping Fund Projects (RCN18-09-01)	Initiate a review of the Freedom Camping Bylaw to allow camping in non-self-contained vehicles at the Fittal Street carpark and the Kiwicamp facility site once confirmed.	Strategic Policy Manager	<b>Complete.</b>
	Further investigate and develop (if possible) a KiwiCamp facility in time to utilise the Responsible Camping Funding, and a site for the new Motueka dump station funded by the Tourism Infrastructure Fund.	Strategic Policy Manager	<b>Complete.</b>
Waimea Community Dam (RCN18-09-02)	Progress negotiations and work streams through to a final agreement for Council approval as part of the project financial close in late November 2018.	Chief Executive / Corporate Services Manager	Ongoing. Updates continue to come to Council through reports to the Full Council.
Meeting Date 27 September 2018			
Reappointment of Independent Member to Audit and Risk Committee	Confirm the appointment of Mr Graham Naylor as an independent member to the Audit and Risk Committee for a further term of three years from 1 October 2018.	Corporate Services Manager	<b>Complete.</b>
Chief Executive's Activity Report	Circulate Council's draft submission to the Local Bill to Councillors for comment and feedback before final sign off.	Chief Executive	<b>Complete.</b>

Item	Action Required	Responsibility	Completion Date/Status
	Provide an update on staff numbers and yearly comparisons in the next CE's activity report.	Chief Executive	<b>Complete.</b> Staff number statistics and a comparison to previous years were reported as an attachment to the CE's Activity Report to 8 November 2018 Full Council meeting.
	Provide to Councillors details of when the zone of benefit boundaries were agreed by the Council as part of the rating resolution.	Corporate Services Manager	<b>Complete.</b>
Meeting Date 18 October 2018			
Amendment of Freedom Camping Bylaw 2017	Publically notify the Statement of Proposal on or before 20 October 2018.	Strategic Policy Manager	<b>Complete.</b>

## 8.10 MACHINERY RESOLUTIONS REPORT

Decision Required

<b>Report To:</b>	Full Council
<b>Meeting Date:</b>	8 November 2018
<b>Report Author:</b>	Rhian Williams, Administration Assistant - Governance
<b>Report Number:</b>	RCN18-11-10

### EXECUTIVE SUMMARY

The execution of the following documents under Council Seal require confirmation by 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 RCN18-11-10 and that the execution of the following documents under the Seal of Council be confirmed:
  - Deed of covenant and Easement Instrument – Colin Longford, Julie Longford and MBC Trustee Company No 2 Ltd – The council has granted permission to the Longford's to lay pipelines and associated cabling under the road at cemetery road, Takaka. The permission has been granted in the form of a encumbrance to be noted on the Longford's adjacent title NL9A/24
  - Deed of Lease – Age Concern Nelson Tasman incorporate – Lease of 62 Oxford Street, Richmond for 5 year term for regular beneficial activities for ages local community
  - Easement in Gross, Surrender of easement in gross and Authority + instruction from for LINZ. Rm160629 – Arizona – Stage 6+7A. The Easement in Gross is created to provide sewage disposal over lots 110 and 166 Paton Road Hope. The Surrender Easement in Gross is required as the pipes are now to be within the road which will rest as part of this stage.
  - Plan Change Adoption Certificate under RMA 1991 – To fulfil Cl. 18(2) of the RMA to affix the seal of Council once a change to the Regional Coastal Plan is adopted by Council. Change 61 (Wainui Bay Spat Catching) to the Tasman Resource Management Plan was adopted by Council on 18 October 2018.
  - Deed of Lease – Solly's Freight (178) Ltd – Property file 1330621 – New lease for five years to Solly's freight Ltd for land at the end of Roses Road, Takaka. Lease is

**a renewal of existing lease that expired on 30 June 2018. New lease expired 30 June 2023.**

- **Easement – Eastwood Hill Ltd – RM160369V1 – The easement shown Q, J, H, G, KJ, Y + 22 and 215 over a Tasman District Council water pipe, located on Lot 1 DP 525994 + Lot G DP525GG4 for a new subdivision at 38 Pomona Road, Ruby Bay.**
- **Dead of Lease – Golden Bay Community Arts Council Inc. – Golden Bay Community Arts Council Inc. and TDC one year lease of 24 Commercial street, Takaka. Rent - \$1200pa + Rates commences 1 November 2018 no right of renewal.**

## 9 CONFIDENTIAL SESSION

### 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 Purchase of Mineral Rights to Sherry River Quarry

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.

### 9.3 Joint Council Policy on the Appointment and Remuneration of Jointly-Appointed Independent Members on Committees

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)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	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.

**9.4 Tasman District Council Appointments to the Waimea Dam CCO Board**

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.	<p>s7(2)(a) - The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.</p> <p>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).</p>	<p>s48(1)(a)</p> <p>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.</p>

**9.5 Proposed Waimea Community Dam - Nelson City Council \$5m Project Contribution**

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).	<p>s48(1)(a)</p> <p>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.</p>