

Notice is given that an ordinary meeting of the Golden Bay Community Board will be held on:

**Date:** Tuesday 12 February 2019  
**Time:** 09.30am  
**Meeting Room:** Takaka Office, 78 Commercial Street,  
**Venue:** Takaka

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## Golden Bay Community Board

### AGENDA

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#### MEMBERSHIP

<b>Chairperson</b>	A Langford
<b>Deputy Chairperson</b>	G Knowles
<b>Members</b>	D Gowland
	A Grant
	Cr S R Brown
	Cr P F Sangster

(Quorum 3 members)

Contact Telephone: 03 525 0054  
Email: [emma.gee@tasman.govt.nz](mailto:emma.gee@tasman.govt.nz)  
Website: [www.tasman.govt.nz](http://www.tasman.govt.nz)



## AGENDA

### 1 OPENING, WELCOME

### 2 APOLOGIES AND LEAVE OF ABSENCE

#### Recommendation

That apologies be accepted.

### 3 PUBLIC FORUM

### 4 DECLARATIONS OF INTEREST

### 5 CONFIRMATION OF MINUTES

That the minutes of the Golden Bay Community Board meeting held on Tuesday, 11 December 2018, be confirmed as a true and correct record of the meeting.

### 6 PRESENTATIONS

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## 6 PRESENTATIONS

### 6.1 DANGEROUS, INSANITARY AND AFFECTED BUILDINGS POLICY

Information Only - No Decision Required

**Report To:** Golden Bay Community Board  
**Meeting Date:** 12 February 2019  
**Report Author:** Emma Gee, Customer Services Officer

#### PRESENTATION

Phil Beck will make a presentation to the Golden Bay Community Board on Dangerous, Insanitary and Affected Buildings Policy.

#### Appendices

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# **Dangerous, Insanitary and Affected Buildings Policy Statement of Proposal**

**Council policy on the approach, identification, assessment, and action to be taken, to deal with dangerous, insanitary and affected buildings**

**TASMAN DISTRICT COUNCIL – DANGEROUS, INSANITARY AND AFFECTED BUILDINGS POLICY [2018 – 2023]  
[Adopted \_\_\_\_\_ 2018]**

**1. POLICY APPROACH**

- 1.1 Policy principles
- 1.2 Overall approach
- 1.3 Identifying dangerous, insanitary and affected buildings
- 1.4 Assessment of buildings
- 1.5 Taking action on dangerous, insanitary and affected buildings
- 1.6 Fixing dangerous and insanitary buildings
- 1.7 Interaction between dangerous, insanitary and affected buildings policy and other provisions of the Building Act 2004
- 1.8 Dealing with building owners
- 1.9 Recording the status of a dangerous, insanitary and affected buildings
- 1.10 Economic impact of policy

**2. PRIORITIES**

**3. HERITAGE BUILDINGS**

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**Introduction**

We are committed to ensuring that Tasman District is a safe place to live, visit, and work in. We need to make sure buildings do not pose a danger to members of the public going about their daily lives. This policy outlines how we will identify and take action on dangerous, insanitary and affected buildings in Tasman District.

**Technical Background**

The Building (Earthquake-prone Buildings) Amendment Act 2016 was introduced on 1 July 2017, and requires us to review and amend our previous *“Earthquake-prone, Dangerous and Insanitary Buildings Policy”* dated 2006.

The Building Amendment Act 2013 also requires us to amend any existing policy to take into account affected buildings.

This document sets out the policy adopted by Tasman District Council in accordance with the requirements of the Building Act 2004 (“**Act**”) [specifically sections 121 – 132A, and 222].

As required by Section 131(2) of the Act, the policy sets out:

- The approach that the Council will take in performing its functions under this Part; and
- The Council’s priorities in performing those functions; and
- How the policy will apply to heritage buildings.

We have followed the special consultative procedure (set out in section 83 of the Local Government 2002) in developing and adopting this policy.

**1. Policy approach**



## 1.1 Policy Principles

The Council is committed to ensuring Tasman District is a safe place to live, visit, and work in. This policy has a strong relationship with our vision and strategic challenges for creating and promoting a safe district for all people.

The policy is based, in part, on the *“Dangerous and Insanitary Building Provisions of the Building Act 2004 – Policy Guidance for Territorial Authorities”* published by the former Department of Building and Housing on 1 October 2005.

We don't intend to copy all the relevant sections of the Act that relate to dangerous, insanitary and affected buildings (see Table 1). However, just because a section of the Act may not be referred to or cross-referenced within this policy, it does not mean any statutory obligations are reduced, overruled, obsolete, or are of no effect.

There may be circumstances where a building may need to be assessed for being both dangerous and insanitary at the same time.

## 1.2 Overall Approach

This policy aims to ensure that:

- (i) People who use buildings do so safely and without endangering their health; and
- (ii) People who use a building can escape from the building if it is on fire; and
- (iii) In the ordinary course of events, buildings are unlikely to cause injury or death to persons on other property, or damage to other property.

Examples of what could be a dangerous, insanitary or affected building, include (but are not limited to) those listed in Table 1 below.

## 1.3 Identifying dangerous, insanitary and affected buildings

Common actions we will take to identify dangerous, insanitary, and affected buildings include:

- Respond to and investigate all building complaints received (most commonly from tenants or neighbours).
- While undertaking site inspections for another reason (e.g. in relation to a building consent), our Building Inspector may observe an issue that he/she believes needs to be referred back to the Council.
- Undertake site inspection(s) in accordance with Section 222 of the Act to determine whether a building is dangerous or insanitary.

Other possible actions, which could be unique to the different types of buildings include, but are not limited to, those identified in Table 2 below. A dangerous, insanitary or affected building could be *“part”* of a building.

<b>Dangerous</b> – Definition: Sec 121(1) Building Act 2004	<b>Insanitary</b> – Definition: Sec 123 Building Act 2004	<b>Affected</b> – Definition: Sec 121A Building Act 2004
<p>(1) “A building is <b>dangerous</b> for the purposes of this Act if,-</p> <p>(a) in the ordinary course of events (excluding the occurrence of an earthquake), the building is likely to cause-</p> <p>(i) injury or death (whether by collapse or otherwise) to any persons in it or to persons on other property; or</p> <p>(ii) damage to other property; or</p> <p>(b) in the event of fire, injury or death to any persons in the building or to persons on other property is likely.”</p>	<p>“A building is <b>insanitary</b> for the purposes of this Act if the building,-</p> <p>(a) is offensive or likely to be injurious to health because-</p> <p>(i) of how it is situated or constructed; or</p> <p>(ii) it is in a state of disrepair; or</p> <p>(b) has insufficient or defective provisions against moisture penetration so as to cause dampness in the building or in any adjoining building; or</p> <p>(c) does not have a supply of potable water that is adequate for its intended use; or</p> <p>(d) does not have sanitary facilities that are adequate for its intended use.”</p>	<p>“A building is an <b>affected</b> building for the purposes of this Act if it is adjacent to, adjoining, or nearby -</p> <p>(a) a dangerous building as defined in section 121; or</p> <p>(b) a dangerous dam within the meaning of section 153.</p> <p><b>153 Meaning of dangerous dam</b> A <b>dam</b> is dangerous for the purposes of this Act if the dam-</p> <p>(a) is a high potential impact dam or a medium potential impact dam; and</p> <p>(b) is likely to fail-</p> <p>(i) in the ordinary course of events; or</p> <p>(ii) in a moderate earthquake (as defined in the regulations); or</p> <p>(iii) in a moderate flood (as defined in the regulations).</p>
<p><b>Examples of a dangerous building</b></p>	<p><b>Examples of an insanitary building</b></p>	<p><b>Examples of an affected building</b></p>
<p>Buildings not constructed in accordance with the NZ building code. Buildings affected by a natural disaster or event (excluding earthquakes). Specified systems not being properly maintained which could affect the means of escape from fire. Buildings that have become unstable or loss of structural integrity. A ‘change of use’ has occurred (not notified by the owners) which has increased the risk to people in or around a building. Overcrowding of sleeping occupancies.</p>	<p>Buildings affected by natural disaster (excluding earthquakes) or extreme weather event. Inadequate provision of sanitary facilities for the intended use of the building. Inadequate supply of potable water for the intended use of the building. Defective or poorly maintained roof and/or wall claddings that have allowed the ingress of external moisture causing dampness likely to affect people’s health (e.g. mould or fungal growth), or decaying structural framing. Inadequate separation between sanitary facilities and food preparation areas.</p>	<p>A building, or buildings, located next to or nearby to a dangerous building (or part thereof) which is likely to collapse on an affected building, or impede the means of escape from fire.</p> <p>An affected building could be on the same property / parcel of land as the dangerous building or dam, or on a neighbouring property / parcel of land (which may or not be under separate ownership).</p>

Table 1: Definitions and examples of dangerous, insanitary and affected buildings

<b>Identifying dangerous, insanitary and affected buildings</b>		
<b>Dangerous buildings</b>	<b>Insanitary buildings</b>	<b>Affected buildings</b>
<p>We may seek the advice of Fire and Emergency New Zealand (FENZ) under Sec 121(2)(a) and (b) of the Act, and must have due regard to that advice.</p>	<p>We may refer, and seek the assistance and guidance of, Council’s Environmental Health Officers.</p> <p>We may liaise with the Nelson Marlborough Public Health Service (Medical Officer of Health).</p> <p>We may use any other appropriate measures to investigate, and assist in determining, if a building is offensive or likely to be injurious to health, or any other provisions stated in Sec 123 of the Act.</p>	<p>We will assess if a building(s), or part thereof, is affected for the purposes of the Act if it is adjacent to, adjoining, or nearby to a <b>dangerous building</b> (Sec 121) or a <b>dangerous dam</b> (Sec 153).</p> <p>We may instruct the owner(s) of the dangerous building or dam to seek their own specialist structural engineering advice, from a chartered professional engineer [CPEng] to identify the likely effects their building may have on any affected building(s) or part thereof a building.</p>
<b>Assessment of buildings</b>		
<b>Dangerous buildings</b>	<b>Insanitary buildings</b>	<b>Affected buildings</b>
<p>Assessment will include:</p> <ul style="list-style-type: none"> <li>• If the building is occupied;</li> <li>• The use of the building;</li> <li>• If the building is likely to cause injury or death to people;</li> <li>• If the building is likely to damage other property;</li> <li>• If the condition of the building will present a danger to the health of the occupants;</li> <li>• If the building constitutes a fire hazard, including affecting the means of escape from fire.</li> <li>• Assess the risk of harm to persons outside, or in close proximity to, a dangerous building but on the same property.</li> </ul> <p>We will also assess if the building(s), or part of the building, presents an <i>immediate</i> danger (Sec 129 of the Act).</p>	<p>Assessment will include:</p> <ul style="list-style-type: none"> <li>• If the building is occupied or inhabited, (irrespective of whether this may be temporary / transient, or permanent).</li> <li>• The use of the building.</li> <li>• Are there adequate sanitary facilities for the intended use of the building?</li> <li>• Is there an adequate supply of potable water for the intended use of the building?</li> <li>• Likelihood of moisture penetration and vulnerability to dampness.</li> <li>• Lack of natural and/or artificial light.</li> <li>• Provision of adequate natural and/or mechanical ventilation.</li> <li>• Defects in roof and walls (e.g. moisture ingress that may cause dampness and subsequent decay of structural or non-structural elements).</li> <li>• If the building is likely to be injurious to health (e.g. dampness in a building that has caused decay, mould, or fungal growth).</li> </ul>	<p>Assessment will include:</p> <ul style="list-style-type: none"> <li>• If the affected building is occupied;</li> <li>• The use of the affected building;</li> <li>• If the dangerous building or dam is likely to cause injury or death to people in the affected building;</li> <li>• Assess the slope of the land, and corresponding location and proximity between the dangerous building or dam and the affected building(s);</li> <li>• Assess the likely mode of collapse of the dangerous building, or part of the building, and how this impacts on the affected building;</li> <li>• If the dangerous building or dam presents a fire hazard to an affected building, including the means of escape from fire;</li> <li>• Assess if the whole of the building is affected, or only a part thereof.</li> </ul> <p><i>Rule of thumb:</i> for determining an affected building that is “nearby”, this will be taken as 1.5 x height of the dangerous building (or part thereof) on level or gently sloping ground. This</p>

	<p>We will also assess if the building(s), or part thereof, is in an <i>immediate</i> insanitary condition (Sec 129 of the Act).</p>	<p>factor will increase by 'X' for moderate or steeply sloping ground.</p>
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Table 2: Identifying, and assessment, of dangerous, insanitary and affected buildings

## 1.4 Assessment of buildings

The assessment could include any of the items listed in Table 2 above. The list is not exhaustive, and buildings will be assessed on a case-by-case basis.

We will record our observations and findings from the site inspections either on an in-house check sheet, or by using the MBIE rapid building assessment forms (e.g. if the assessment is as a result of a natural disaster or event), or electronic inspection report (as part of the Council's operating system).

Backcountry accommodation buildings managed by the Department of Conservation ("DoC") will not be declared insanitary in relation to potable water, provided there is clear signage that meets the Department of Conservation "Hut Service Standards" (QD Code VC/1199, version 2, dated 14 May 2014, section 2.7) indicating that treatment of water is recommended.

## 1.5 Taking action on dangerous, insanitary and affected buildings

The actions we will take on dangerous, insanitary and affected buildings are summarised in Table 3 below, along with options for building owners.

## 1.6 Fixing dangerous and insanitary buildings

Taking action to fix any dangerous and/or insanitary building is the responsibility of the building owner(s). Regardless, there may be circumstances that require us to take action or carry out work (e.g. if we believe a building is an *immediate* danger or insanitary condition). If we do have to take action or carry out work in accordance with Sections 126 and 129 of the Act:

- The owner of the building is liable for the costs of the work or action taken; and
- We may recover those costs from the owner; and
- The amount recoverable by the Council may become a charge on the land on which the building is situated or the work was carried out.

A notice issued under Section 124(2)(c) and 125 of the Act must state, amongst other items, whether the owner of the building has to obtain a building consent in order to carry out the work required by the notice. This will depend on the circumstances of each dangerous and/or insanitary building.

## 1.7 Interaction between dangerous, insanitary and affected buildings policy and other provisions of the Building Act 2004

In certain cases where a building is assessed as being *immediately* dangerous or insanitary (Section 129 of the Act), we may not require a building consent to be obtained by the owner(s) first for any building work required to remove the danger, or fix the insanitary conditions, *immediately*. However, the owners must discuss these building works with us first. If both parties agree, the owner(s) can subsequently apply for a Certificate of Acceptance (COA) as soon as practicable after completing the building works (Section 42 of the Act).

Taking action on dangerous, insanitary and affected buildings		
Dangerous buildings	Insanitary buildings	Affected buildings
<p>We will communicate (verbally if appropriate, but at the very least, in writing) with the building owner(s).</p> <p>If the building is deemed to be dangerous or insanitary, we:</p> <ul style="list-style-type: none"> <li>• May attach a notice to the building (Sec 124 &amp; 125 of the Act) requiring the owner to undertake building work to reduce or remove the danger, or prevent the building from remaining insanitary.</li> <li>• May put up a hoarding or fence to prevent people from approaching the building nearer than is safe.</li> <li>• May attach a notice warning people not to approach the building in a prominent place on, or adjacent to, the building.</li> <li>• May issue a notice (Sec 124(2)(d) of the Act) restricting entry to the building for particular purposes or restricting entry to particular people or groups of people. The notice may be issued for a maximum of 30 days, and only re-issued once for a further period of 30 days (Sec 125(1A) of the Act).</li> <li>• A copy of a notice must be issued to all people listed under Sec 125(2) of the Act.</li> <li>• May carry out work on application to the District Court (Sec 126 of the Act). The owner is liable for the costs, and the amount recoverable becomes a charge on the land.</li> <li>• Building work may include demolition of all or part of a building (Sec 127 of the Act).</li> <li>• May take any action that is necessary to remove any <i>immediate</i> danger to the safety of people, or <i>immediate</i> action that is necessary to fix insanitary conditions (Sec 129 and 130 of the Act). The owner is liable for the costs, and the amount recoverable becomes a charge on the land.</li> <li>• Will contact the owner at the end of the time period set down in the notice to gain access to the building and check whether the notice has been complied with.</li> <li>• Will pursue further enforcement action under the Act if the requirements of the notice are not met within a reasonable period of time, or for any other non-compliance matters (e.g. if the danger or insanitary conditions are as a result of unconsented building works).</li> <li>• Will consider any other statutory options available to it, including the Health Act and Resource Management Act e.t.c.</li> </ul> <p>All building owners have the right of appeal, which can include applying to MBIE for a determination (under Sec 177(3)(f) of the Act).</p> <p>Prohibition on using a dangerous or insanitary building(s) is stated in Sec 128 and 128A of the Act.</p>		<p>We will communicate (verbally if appropriate, but at the very least, in writing) with the building owner(s).</p> <p>If the building is deemed to be affected, we:</p> <ul style="list-style-type: none"> <li>• May put up a hoarding or fence to prevent people approaching the building nearer than is safe.</li> <li>• May attach a notice that warns people not to approach the building in a prominent place on, or adjacent to, the building.</li> <li>• May issue a notice restricting entry to the building for particular purposes or restricting entry to particular people or groups of people (Sec 124(2)(d) of the Act). The notice may be issued for a maximum of 30 days, and only re-issued once for a further period of 30 days (Sec 125(1A) of the Act).</li> <li>• Prohibition on using an affected building(s) as stated in Sec 128 and 128A of the Act.</li> </ul>

Table 3: Taking action on dangerous, insanitary and affected buildings



## 1.8 Dealing with building owners

We will continue to assist building owners if they are dealing with a dangerous or insanitary building situation, and provide advice on obtaining a building consent when required. We will also continue to provide information online ([www.tasman.govt.nz/property/building-and-alteration/](http://www.tasman.govt.nz/property/building-and-alteration/)), and provide a Duty Building Consent Officer service to respond to any public enquiries about the building and consenting process.

When required, we will take enforcement action when dealing with dangerous, insanitary and affected buildings. This reflects that the safety and health of people who live in, work, and visit the Tasman District is of paramount importance. This should also act as a deterrent to property owners who may create a dangerous or insanitary situation or conditions by their actions or inactions.

## 1.9 Recording the status of dangerous, insanitary and affected buildings

To record the status of a dangerous, insanitary or affected building, we will:

- Have a requisition placed on the relevant property file, which will remain as a permanent record.
- Once a notice has been complied with, an associated note will be added to the same property file to confirm compliance.
- Any Land Information Memorandum (“LIM”) will include a copy of the notice, plus associated letter, issued to the owner and any other persons listed under Section 125(2) of the Act.
- Any Section 124 notice fixed to the building also makes the information public. We will remove any such notice from the building once it has been complied with.

We will comply with the Local Government Official Information and Meetings Act 1987 and Local Government Act 2002 in granting access to information concerning dangerous, insanitary and affected buildings.

## 1.10 Economic impact of policy

The Council receives very few complaints about dangerous, insanitary or affected buildings. As such, and bearing in mind not all complaints may be upheld, the economic impact of the policy is considered low. No specific assessment has been carried out because a large range of possible variables for each case would be difficult to quantify, and any economic impact would therefore need to be considered on an individual basis.

## 2. PRIORITIES

We will prioritise buildings that have been determined to be *immediately* dangerous and/or insanitary. Immediate action will be required in these situations to reduce or remove the danger, or prevent the building from remaining insanitary. That may include prohibiting anyone occupying, approaching or using the building.

Buildings that are found to be dangerous or insanitary, but not *immediately* dangerous or insanitary, will require action within a period of not less than 10 days of the notice being given, or a period reasonably sufficient to obtain a building consent if one is required, whichever period is longer.



We will also prioritise affected buildings that have been directly or indirectly influenced by other's dangerous buildings (Section 121 of the Act). The owners of the dangerous building must act immediately to reduce or remove the danger. We may prohibit anyone occupying, approaching or using any affected building(s). This recognises the owner of an affected building may be disadvantaged by another building that is dangerous and under separate ownership, which could have a number of consequences (e.g. preventing or limiting occupation of a building, and have social, economic and environmental impacts).

### 3. HERITAGE BUILDINGS

A dangerous, insanitary or affected building could be a heritage building (reference Annex 1).

We do not wish to see the intrinsic heritage values of these buildings negatively affected by this policy, and we will take all reasonable steps to minimise the potential impacts on them. Regardless, in all cases, the overarching priority is that any building is safe for people to approach, access, use and occupy.

We will take reasonable steps to liaise with the owners of any dangerous, insanitary or affected heritage buildings, and the relevant agencies, to identify ways to address any concerns. However, this may not always be possible in the case of an *immediately* dangerous or insanitary building.

We will send a copy of any notice issued under Sections 124 and 125 of the Building Act 2004 to Heritage New Zealand Pouhere Taonga, or the relevant agency for the particular category of heritage building.

#### **Heritage building means:**

- Any building that falls under the Heritage New Zealand Pouhere Taonga Act 2014 and is recorded on the New Zealand Heritage List; or
- Any building listed as an historic heritage item in the Tasman Resource Management Plan; or
- Any historic building that has been listed as part of a plan or strategy prepared under the Conservation Act 1987; or
- Any historic building listed in a reserve management plan prepared under the Reserves Act 1977; or
- Any building within a reserve established by the Maori Land Court under the Te Ture Whenua Maori Act 1993 / Maori Land Act 1993 for historic and cultural purposes; or
- Any building of importance to tangata whenua that has been listed in an iwi management plan; or
- Any structures or buildings associated with a historic cemetery or memorial; or
- Any building managed for heritage purposes by any agency such as Heritage New Zealand, Ministry of Culture and Heritage, Department of Conservation, or the Council; or
- Any building that is subject to a heritage covenant or other protective covenant for heritage purposes.



## **Dangerous, Insanitary and Affected Buildings Policy**

### **Summary of Information**

For a variety of reasons buildings may become dangerous or insanitary, or be affected by other buildings, over their life time. These situations could occur as a result of a natural disaster or extreme weather event, or owners undertaking illegal building work, or not maintaining their buildings including essential building services and systems.

We are committed to ensuring that Tasman District is a safe place to live, visit, and work in. As such, we need to make sure buildings do not pose a danger to members of the public going about their daily lives. The policy outlines how we will identify and take action to address any dangerous, insanitary or affected buildings in Tasman District.

#### **Have your say**

Consultation is open until 22 February 2019. Head to [www.tasman.govt.nz/feedback](http://www.tasman.govt.nz/feedback) to find out more and make a submission.

Information and submission forms are also available at Tasman District Council offices and libraries.

#### **Background**

On 1 July 2017, the system for identifying and managing earthquake-prone buildings changed. As a result of this, plus other legislation passed in 2013, all Councils have to review and update their “earthquake-prone, dangerous and insanitary buildings” policies. We’ve completed that review, including introducing a new category of an “affected” building, and our proposed new policy aims to meet those statutory obligations, and hopefully meet public expectations about being able to live, visit and work in buildings without endangering their safety or health.

The new policy now excludes references to earthquake-prone buildings as this is no longer a requirement of the Building Act.

#### **Proposed policy**

The policy outlines how we will identify, assess and take action in respect of any dangerous, insanitary and affected buildings. It also confirms what is expected from owners who are ultimately responsible for managing and maintaining their own buildings.

The policy also indicates the level of importance we place on ensuring buildings are safe to live in and occupy, and where necessary, we will take appropriate enforcement action to ensure owners are made aware of their obligations and take appropriate action to reduce or remove any danger, or prevent a building remaining insanitary.

#### **Find out more**

More information, including the full proposal, is available at [www.tasman.govt.nz/feedback](http://www.tasman.govt.nz/feedback). You can also find copies at Council offices and libraries.



## 6.2 DANGEROUS KITCHEN SEATING & MOTUPIPI STREET REFUGE

Information Only - No Decision Required

**Report To:** Golden Bay Community Board  
**Meeting Date:** 12 February 2019  
**Report Author:** Emma Gee, Customer Services Officer

### PRESENTATION

Robert Deck will make a presentation to the Golden Bay Community Board on the Dangerous Kitchen seating and Motupipi Street Pedestrian Refuge.

### Appendices

Nil



### 6.3 FOREST AND BIRD 2019 SHOREBIRDS CAMPAIGN

Information Only - No Decision Required

**Report To:** Golden Bay Community Board  
**Meeting Date:** 12 February 2019  
**Report Author:** Emma Gee, Customer Services Officer

#### PRESENTATION

Cynthia McConville from Forest and Bird Golden Bay will make a presentation to the Golden Bay Community Board on Forest and Bird 2019 Shorebirds Campaign.

#### Appendices

Nil





## 6.4 DOG CONTROL BYLAW

Information Only - No Decision Required

**Report To:** Golden Bay Community Board  
**Meeting Date:** 12 February 2019  
**Report Author:** Emma Gee, Customer Services Officer

### PRESENTATION

Linda O'Connor will make a presentation to the Golden Bay Community Board on the current Dog Control Bylaw.

### Appendices

Nil



## 7 REPORTS

### 7.1 CHAIRS REPORT

Information Only - No Decision Required

**Report To:** Golden Bay Community Board  
**Meeting Date:** 12 February 2019  
**Report Author:** Emma Gee, Customer Services Officer  
**Report Number:** RGBCB19-02-1

#### 1 Summary

1.1 The Chair's report is included in the agenda.

#### 2 Draft Resolution

**That the Golden Bay Community Board receives the Chairs Report RGBCB19-02-1**

**3 Purpose of the Report**

- 3.1 The Board will discuss issues raised in Public Forum.

**4 Special Projects Funding**

- 4.1 Chair Langford would like to discuss advertising the Special Projects Funding, applications for the first round will close on 25 March 2019 and we will need time to read and assess the applications for discussion at the April meeting.

**5 Golden Bay A & P Show**

- 5.1 Chair Langford would like to congratulate the A & P Show Committee for another successful show, it was a fantastic day and enjoyed by hundreds. Chair Langford had the opportunity to witness exactly how hard the Committee work to set up the show and the clean up afterwards. The Committee do a great job working with and coordinating a wide range of people. Chair Langford really enjoyed the show and had a great time. Chair Langford would like to thanks the hard working Committee and that we are lucky to have such a great event for Golden Bay.

**6 Dogs**

- 6.1 Chair Langford has been contacted regarding the bylaw that prohibits dogs on Commercial Street between the hours of 9am and 5pm. The community are unhappy with this bylaw and wish to see it removed. Recently there was a post on the Facebook Takaka Noticeboard regarding dogs on Commercial Street and the majority of comments were strongly in favour of having the bylaw reviewed and removed. Chair Langford has spoken to Adrian Humphries, Regulatory Services Manager, and he has advised that Council would need to hear from the community regarding their opinion. If the community wish for the bylaw to be removed then Mr Humphries would approach Council for permission to bring the review forward. Mr Humphries suggested that a petition would be a good way for himself and Council to understand the level of support.

**7 Dark Sky Initiative**

- 7.1 Deputy Chair Knowles would like to discuss the possibility of Golden Bay (or parts of Golden Bay) becoming a Dark Sky Sanctuary, below is some information about sanctuary's, and Deputy Chair Knowles will update us on the process and requirements at the meeting.
- 7.2 The International Dark-Sky Association's (IDA) dark sky places program was founded in 2001, and has anointed 100 'dark sky' places globally since then, the locations distinct by whether they are a sanctuary, a reserve, a park or community. Other sanctuaries are NZ's Great Barrier Island, Cosmic Campground in New Mexico, US; Gabriela Mistral in Chile's Valle del Elqui, and Rainbow Bridge National Monument in Utah, US. What they have in common is their remoteness, and a striking view of the sky, unpolluted by light. All eyes are now looking to the Stewart Island/Rakiura night sky with the Island officially recognised for its exceptional night sky quality. The International Dark Sky Association (IDA) has confirmed

that Stewart Island/Rakiura has been successful in its application for the establishment of an International Dark Sky Sanctuary. IDA Dark Sky Places Program Manager Adam Dalton said the successful accreditation, which makes Stewart Island/Rakiura the fifth Dark Sky Sanctuary, and only the second island sanctuary, in the world, will have significant benefits for the Southland region. “Stewart Island/Rakiura’s pristine night skies are a rare treasure and through the sanctuary’s enacted policies the area will remain a resource in a world where access to the night sky is becoming increasingly scarce,” Dalton said. Alongside highlighting Stewart Island/Rakiura’s exceptional night sky quality, Dalton said the application demonstrated strong community and institutional support. “We at the IDA sincerely appreciate the work of all the project’s many stakeholders. Without their incredible efforts, this designation would not have been possible,” he said. The application was prepared by an independent consultant and Venture Southland in conjunction with the Stewart Island Promotion Association. Venture Southland GM for Business and Strategic Projects Steve Canny said he was thrilled with the result which promotes the Southland region as a top night sky destination. “Achieving this accolade will bring a significant increase in tourism, increase employment on the island, encourage preservation of the unspoiled natural environment and have economic benefits for the whole region,” Canny said. Stewart Island Promotion Association representative Anita Geeson agreed that the future was looking bright for Stewart Island/Rakiura. “The international recognition of a Dark Sky Sanctuary status adds to the attraction for potential visitors, offers opportunities to island tourism operators, and acknowledges the value that the Stewart Island/Rakiura community places on environmental protection,” Geeson said. Geeson said the process to becoming accredited involved a collaborative effort between Southland District Council, Department of Conservation, Stewart Island/Rakiura Community Board, Venture Southland, Rakiura Maori Lands Trust, iwi and the Stewart Island Promotion Association. To oversee the administration and advancement of Dark Sky principles on the Island, a Memorandum of Understanding between key parties has been established demonstrating unified commitment and support for the Sanctuary. Venture Southland commissioned an assessment of the Stewart Island/Rakiura night sky in 2017 as part of a project to assess astro-tourism opportunities in Southland. The results of the assessment showed the Island to be a place of outstanding sky quality, achieving the levels required to be classified as a Dark Sky Sanctuary. This outcome, along with the strong level of community support evident, put in motion the process to apply for the successful Dark Sky Sanctuary accreditation.

<b>8</b>	<b>Attachments</b>
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Nil



**7.2 GOLDEN BAY COMMUNITY BOARD REVIEW OF DELEGATIONS REPORT****Decision Required**

<b>Report To:</b>	Golden Bay Community Board
<b>Meeting Date:</b>	12 February 2019
<b>Report Author:</b>	Susan Edwards, Community Development Manager
<b>Report Number:</b>	RGBCB19-02-2

**1 Summary**

- 1.1 At its meeting on 13 November 2018, the Board asked to hold a workshop to discuss whether it wished to ask Council for additional delegations. The Board's current delegations are contained in the Delegations Register – the relevant section is attached as Attachment 1.
- 1.2 On 18 December 2018 Dennis Bush-King and I met with the Board Chair and members Grant and Knowles in a workshop to discuss potential additional delegations the Board could seek from Council. Board members discussed a report prepared for the Motueka Community Board meeting held on the same day as the workshop. The Motueka Community Board was seeking additional delegations from Council.
- 1.3 There is an opportunity for both Boards to seek new delegations from Council, including those supported by the Motueka Community Board, which covered the following areas:
  - 1.3.1 power to recommend to Council the budget allocation for Special Purpose Committees and Reserve Financial Contributions in the Boards respective wards;
  - 1.3.2 power to recommend to Council the budget allocation for the footpath renewal and maintenance programme;
  - 1.3.3 power to make recommendations to the Community Development Committee on proposals to declare land within the Boards respective wards as reserve and/or to classify reserves under the Reserves Act; and
  - 1.3.4 power to make recommendations to the Community Development Committee on draft content for inclusion in the draft reserve management plans for parks and reserves within the Boards respective wards.
- 1.4 The Motueka Community Board also considered opportunities to be involved in working parties relating to major capital works projects occurring in its ward (e.g. Motueka Library project) and to be consulted on key policy matters (e.g. Older Persons Housing review), which will also impact on its ward. Formal delegations for such matters would not be included in the Delegations Register.
- 1.5 This report discusses the matters raised by the Golden Bay Community Board at its workshop in December.

<b>2 Draft Resolution</b>
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**That the Golden Bay Community Board:**

- 1. receives the Golden Bay Community Board Review of Delegations Report ; and**
- 2. recommends to Council that the following additions are made to section 8.2 of the Delegations Register for the Golden Bay Community Board responsibilities:**
  - “8.2.9 that the Golden Bay Community Board makes recommendations to the Council on the use of the Special Purpose Committee funding requests and allocation of Reserve Financial Contributions received from subdivisions and developments in the Board’s ward, for inclusion in the Annual Plan and Long Term Plan processes.”; and**
  - “8.2.10 that the Golden Community Board makes recommendations to Council’s Engineering Services Committee on the annual work programme priorities for new and renewal footpaths within the Board’s ward, for consideration and potential inclusion in the District-wide annual work programme.”; and**
  - “8.2.11 that the Golden Bay Community Board works with staff on preparing recommendations to the Community Development Committee on proposals to declare land within their ward as reserve and/or to classify reserves under the Reserves Act 1977.” and**
  - “8.2.12 that the Golden Bay Community Board works with staff on preparing recommendations to the Community Development Committee on draft content for inclusion in the draft reserve management plans for the parks and reserves within their ward.”**
- 3. recommends to the Community Development Committee that the Golden Bay Community Board be consulted during the review of Council’s Older Persons Housing.**



**3 Purpose of the Report**

- 3.1 The purpose of this report is to enable the Board to identify any additional delegation that you may wish to seek from Council.

**4 Background and Discussion**

- 4.1 At its meeting on 13 November 2018, the Board asked to hold a workshop to discuss whether it wished to ask Council for additional delegations.
- 4.2 During the Local Government Commission presentation to the Board on local boards, a member of the public raised the issues of the current delegations to the Boards. As you are aware, a proposal for a Golden Bay Local Board has been submitted to the Local Government Commission. The Commission will consider the proposal through a formal process under the Local Government Act 2002. Council can still amend the delegations it gives the Boards, even though the Local Board proposal is underway.
- 4.3 From my investigations, it seems that the last time Council undertook a major review of the delegations to the two Community Boards, was back in August 2011, at which time Council added delegations to the Boards' responsibilities. There has been the opportunity for Boards and Council to review the delegations regularly since that time, as part of each review of/amendment to the Delegations Register. Council has added one additional "power" and that is contained in clause 8.3.1 of the Delegations Register. I have attached the full list of delegations currently contained in Council's Delegations Register in Attachment 1 to this report.
- 4.4 It will be important for the Board to consider several matters when discussing the delegations, including:
- a. the Board is a governance body, with responsibility for policy, planning and consultation processes. Staff have the role of implementing operational matters. The biggest gains for the Board and most efficient use of members' time are likely to be achieved by influencing policy and plans;
  - b. Council has made a number of delegations to staff to enable efficient processing of activities. If the Board was to seek delegations currently held by staff, it is likely to lead to additional costs and time delays;
  - c. under the Local Government Act 2002 some powers held by Council cannot be delegated to committees, subcommittees or community boards e.g. the power to:
    - i. make a rate;
    - ii. adopt a Long Term Plan, Annual Plan or Annual Report;
    - iii. make a Bylaw;
    - iv. borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
    - v. appoint a chief executive;
    - vi. adopt a remuneration and employment policy; or

- vii. adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement;
  - d. as with any delegated power, the delegate has to act in accordance with the underlying statutory powers and, in the case of community boards (as with any committee or staff delegation), in accordance with any Council policies, rules, bylaws, etc.;
  - e. ultimately, Council will be the body that will have to defend in Court (at a cost to ratepayers) any decision made by the Board. Therefore, where the Board comes to a position on a matter that differs from any technical advice provided by staff, Council is likely to require the Board to refer the matter back to Full Council or the respective committee for a decision. You will see that this approach is consistent with some of Council's current delegations to the Boards.
- 4.5 The Board held a workshop with staff on 18 December to discuss reviewing the Board's delegations with a view to having more influence and oversight of local issues.
- 4.6 During the workshop the staff and Board members present discussed several opportunities for Council to provide additional delegations to the Board to enable them to play a greater role in the decision making process. These opportunities included:
- 4.6.1 power to recommend to Council the budget allocation for Special Purpose Committees and Reserve Financial Contributions (RFCs) in the Boards respective wards;
  - 4.6.2 power to recommend to Council the budget allocation for the footpath renewal and maintenance programme;
  - 4.6.3 power to make recommendations to the Community Development Committee on proposals to declare land within the Boards respective wards as reserve and/or to classify reserves under the Reserves Act; and
  - 4.6.4 power to make recommendations to the Community Development Committee on draft content for inclusion in the draft reserve management plans for parks and reserves within the Boards respective wards.
- 4.7 There may also be the opportunity for the Boards to be involved in working parties relating to major capital works projects occurring in their wards. There is also the opportunity for the Council to consult the Boards on key policy matters, which have the potential to impact on their wards. Formal delegations for such matters would not be included in the Delegations Register. They would generally occur on a case-by-case basis.
- 4.8 In order to get these matters formally considered by Council, it is desirable that the Board passes a resolution, which it can then forward to Council for consideration. The Motueka Community Board passed a similar resolution to the one proposed in this report, at its meeting in December 2018.
- 4.9 I will address each of the opportunities for increased delegations in turn in the following paragraphs.

**Full delegation of the RFC allocation approval, rather than a recommendation to Council**

- 4.10 The current process we use for the allocation of the Special Purpose Committees and RFCs budgets in the Long Term Plan and Annual Plan is that the staff bring a paper to the Boards, usually between August and October each year. The paper contains the likely projected Special Purpose Committees and RFCs budget for the following year and a suggested

allocation of some or all of that funding to projects. The Boards then decide whether to agree to or amend the allocations suggested by staff. The Boards regularly make some changes to the staff suggestions.

- 4.11 The staff then include the projects as agreed to by the Boards into the budgets for the upcoming Annual Plan or Long Term Plan. Staff have to complete the budgets at the latest by October (earlier for Long Term Plans).
- 4.12 The budgets then go through to Council for inclusion into the draft budgets for the Annual Plan/Long Term Plan. Council consults on them as part of the Long Term Plan and Annual Plan consultation (if there is consultation on the Annual Plan that year). There are rare occasions when the Council amends the budgets prior to including them in the draft budgets.
- 4.13 If Council receives any feedback, comments or requests through consultation relating to the RFCs, staff will bring a report back to the Board, usually in May, for discussion and any recommendations back to Full Council.
- 4.14 As noted in **paragraph 4.4 c above**, only Council can adopt a Long Term Plan or Annual Plan, so the final decision must always sit with Full Council.
- 4.15 However, if the Board has any suggestions on any ways staff could improve the process from your perspective, we would welcome receiving them. Also, I note that making recommendations to Council on RFCs allocations is not currently included in your delegated responsibilities under 8.2 in the Delegations Register. The Board can ask Council to consider allocating it that responsibility. Suggested wording for inclusion in the Board's responsibilities contained in the Delegations Register could be along the lines of:
- "8.2.9 that the Golden Bay Community Board makes recommendations to the Council on the use of the Special Purpose Committee funding requests and allocation of Reserve Financial Contributions received from subdivisions and developments in the Board's ward, for inclusion in the Annual Plan and Long Term Plan processes."
- 4.16 Please note that the above process does not apply to resource consent discussions between developers and staff and the delegation that staff have to agree to areas of land to be taken for reserves and for credit to be given for improvements undertaken by the developer. That process will remain unchanged.

#### **Footpath renewal and maintenance programme**

- 4.17 This matter is in a similar situation to the RFCs discussion above. Only Council can approve the Long Term Plan and Annual Plan, and the work programmes and budgets contained in them. The new and renewal footpath programme is part of the Long Term Plans. Staff prepare an annual work programme for the footpaths programme. The Transportation Manager will seek the Golden Bay Community Board's feedback on the priorities for the Golden Bay Ward projects within the District-wide work programme for new and renewal footpaths prior to presenting the work programme to the Engineering Services Committee.
- 4.18 Both Boards current have the following responsibility in the Delegations Register, which enables them to advise Council on project priorities:
- "8.2.2 advise the Council on the priorities and preferences of their community in respect of the level and nature of local services to be provided by the Council in their community."
- 4.19 However, if the Board considers that it would like a more specific reference to footpaths in its delegations, it could request that Council adds another responsibility along the lines of:

“8.2.10 that the Golden Community Board makes recommendations to Council’s Engineering Services Committee on the annual work programme priorities for new and renewal footpaths within the Board’s ward, for consideration and potential inclusion in the District-wide annual work programme.”

### **Reserve management plan, and reserve declaration and classification processes**

- 4.20 Staff consider that it may be useful to add a formal responsibility relating to reserve management planning, and reserve declaration and classification processes into the Delegations Register. Staff currently recently consulted and involved the Motueka Board in these matters, even though there was no formal delegated responsibility. The Golden Bay Ward Reserve Management Plan is due for review in a few years’ time and then again every 10 years. It seems appropriate for Council to add the work you will undertake into your responsibilities to ensure it continues into the future. However, it is up to the Board, as to whether you ask Council for any additional responsibilities in relation to these processes.
- 4.21 Under the Reserves Act 1977, formal adoption of reserves management plans and decisions on reserve declarations and classifications need to be made by Council. However, there is no reason why the Boards cannot have a responsibility for making recommendations to Council on proposals to declare land within their wards as reserves and on proposed classifications for reserves. Council can also consult the Boards on the content of the reserve management plans prior to draft plans being prepared.
- 4.22 If the Board wishes to add these responsibility into your delegations, suggested wording for inclusion in the Delegations Register could be along the lines of:
- “8.2.11 that the Golden Bay Community Board works with staff on preparing recommendations to the Community Development Committee on proposals to declare land within their ward as reserve and/or to classify reserves under the Reserves Act 1977.” and
- “8.2.12 that the Golden Bay Community Board works with staff on preparing recommendations to the Community Development Committee on draft content for inclusion in the draft reserve management plans for the parks and reserves within their ward.”

### **Increased involvement in and greater consultation on major capital works projects and key policy proposal affecting the Board’s ward**

- 4.23 There may also be the opportunity for both the Boards to be involved in working parties relating to major capital works projects occurring in their wards. For example, the Motueka Community Board has asked for the opportunity for the full Board to become involved in the working party for the Motueka Library project and be involved in the streetscape upgrade of High Street Motueka in a few years’ time.
- 4.24 There is also the opportunity for the Council to consult the Boards on key policy matters, which have the potential to impact on their wards. For example, the Motueka Community Board has asked to be consulted on the Older Persons Housing review. Both Boards will be consulted during the review of Council’s Older Persons Housing. The requirement to consult both Boards will be included in the project plan for the review.
- 4.25 Formal delegations for greater involvement in specific projects or key policy matters would not be included in the Delegations Register. They would generally occur on a case-by-case basis. Please note that the Delegations Register does not need to change to enable this consideration to occur.

## General matters

- 4.26 The delegations in the Delegations Register currently apply to both Community Boards. When Council considers any recommendations for changes to delegations, it will need to consider the impact on the Motueka Community Board delegations as well. However, there is no reason why the delegations for the Boards could not be different, other than for administrative ease.

## 5 Options

- 5.1 The Board has the options of asking Council for additional delegations or keeping its existing delegations.
- 5.2 **Option 1 additional delegations** – the advantages of asking Council for additional delegations is that the Board has a greater say in matters which it considers are relevant to the Golden Bay Ward communities and enhanced opportunities to input community views into Council's decision making processes. The disadvantage of greater delegations or having increased input from the Board into Council's decision making processes, is that it has the potential to slow down those processes. However, such involvement is unlikely to have a major impact on timelines. The workload of the Board is likely to increase under this option.
- 5.3 **Option 2 retaining existing delegations** – the advantages of this option are that the workload of the Board is likely to be maintained at current levels. The opportunity for the Board to bring a greater understanding of community views into Council's decision making processes will be reduced.

## 6 Strategy and Risks

- 6.1 Increasing the delegations to the Board has the opportunity to enhance the relationship the Board has with Council and to increase the opportunity for local views to influence Council decision making.
- 6.2 A risk of increasing the delegations is that Council will not always adopt the recommendations of the Board. This situation is likely to occur at times, due to Council having a wider District mandate and needing to balance the needs and preferences of all the communities in the District. However, an important aspect will be the ability for the Board's view to be considered and for Council to explain its reasoning if it doesn't adopt the Board's recommendations.

## 7 Policy / Legal Requirements / Plan

- 7.1 Council has the ability to delegate some functions to community boards under the Local Government Act 2002. However, the Act states that there are some functions it cannot delegate and these have been outlined in **paragraph 4.4 above**. There are also other functions Council has under various other regulations and legislation, which Council cannot delegate (e.g. under the Reserves Act 1977).

- 7.2 The Board has the ability to ask Council to delegate to it some functions. Council will consider the Board's requests and made a decision prior to updating the Delegations Register.

## **8 Consideration of Financial or Budgetary Implications**

- 8.1 The financial or budgetary implications of the decisions sought in this report should be relatively low. There are likely to be costs relating to additional staff time associated with Council staff working with the Board on the matters potentially being delegated. However, in most cases staff are already undertaking some of these processes with the Board, so the implications should be fairly minimal. There is, however, a risk that the staff time associated with reporting to the Board under the new delegations is being under-estimated. There may also be costs associated with any consultation the Board may wish to undertake prior to making recommendations to Council on matters covered in any additional delegations. These costs should be able to be covered within the Board's existing budget.

## **9 Significance and Engagement**

- 9.1 Overall, I consider that the level of significance of the decisions the Board is being asked to make in this report is relatively low. Therefore, I consider that the Board does not need to consult the Golden Bay community prior to making the decisions sought in this report.

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 likely to be some public interest within the Golden Bay community on the request for Council to give the Board increased delegations. However, interest is likely to be fairly low overall.
Is there a significant impact arising from duration of the effects from the decision?	Low	The decision can be altered through a subsequent request to Council if the Board decides it does not want the delegations any more.
Does the decision relate to a strategic asset?	N/A	
Does the decision create a substantial change in the level of service provided by Council?	Low	If Council agrees to the additional delegations, it may improve the input from the Golden Bay Community into Council's decision making. However, it will not impact on the levels of service contained in the Long Term Plan.
Does the proposal or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	Low	Only cost is likely to be associated with additional staff time and any additional consultation the Board may wish to undertake prior to making recommendations to Council on matters covered in any additional delegations.
Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	N/A	
Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	N/A	
Does the decision involve Council exiting from or entering into a group of activities?	N/A	

## 10 Conclusion

10.1 The Board has the opportunity to seek additional delegations to it through this report. Some members of the Board has discussed delegations, which it may wish to seek from Council at a workshop held in December. This report discusses those potential delegations, prior to the Board making its recommendations through to Council.

**11 Next Steps / Timeline**

11.1 If the Board identifies and recommends specific additional delegations it would like Council to consider, then staff will put the Board's recommendations up to Council for consideration when the Delegations Register is next reviewed.

**12 Attachments**

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|--------------------------------|----|
| 1. Community Board Delegations | 41 |
|--------------------------------|----|



## **8.0 Community Boards:**

### **8.1 Purpose**

The role of Community Boards as defined in section 52 of the Local Government Act 2002, is to:

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

### **8.2 Responsibilities**

In particular, Community Boards shall have responsibility to:

- 8.2.1 facilitate engagement of their community in relation to policies, plans and projects proposed for their community as requested by the Council;
- 8.2.2 advise the Council on the priorities and preferences of their community in respect of the level and nature of local services to be provided by the Council in their community;
- 8.2.3 where preferred service levels in their community are higher than Council Annual Plan, advise the Council on any recommended funding mechanism;
- 8.2.4 undertake activities for which a budget has been allocated by the Council to the Board;
- 8.2.5 seek funding (to be held by the Council) from external organisations which can be applied to community projects within their community;
- 8.2.6 make recommendations to the Council on the granting of leases or licences on reserves and public spaces in their community;
- 8.2.7 make recommendations to the Council on proposed developments or activities on local parks, reserves and waterways in their community;
- 8.2.8 make submissions and objections in relation to Council statutory processes and which affect interests within their community.

**8.3 Powers**

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

- 8.3.1 allocate, within Council Policy guidelines, funding and operational grants to local community groups in their community from the Grants from Rates Programme within the budget allocated by Council;
- 8.3.2 manage and approve usage of any market place in their community with power to disburse any surplus, after costs, for purposes within the ward;
- 8.3.3 approve traffic control signs on streets (e.g. stop and give way signs etc), the design and location of bus stops and shelters in their community, provided that should the Board disagree with any technical advice tendered by Council staff that matter shall be referred to the Engineering Services Committee for decision;
- 8.3.4 approve the design and location of playground equipment, street furniture and street planting in their community, provided that, should the Board disagree with any technical advice tendered by Council staff, the matter shall be referred to the Community Services Committee for decision;
- 8.3.5 approve names of streets and parks in their community;
- 8.3.6 grant consent for the removal of trees from parks, reserves, streets or other Council land in their community, provided that should the Board disagree with any technical advice tendered by Council staff that matter shall be referred to the relevant Council Committee for decision;
- 8.3.7 authorise, within approved budgets, board member attendance at appropriate conferences and training courses.

**8.4 Administration**

- 8.4.1 The Chairperson shall be voted in by resolution of the Board at its inaugural meeting of the triennium.
- 8.4.2 4 members are elected as members of the Community Board. The Council may resolve for the relevant ward Councillors to be members of the Community Board.
- 8.4.3 A quorum comprises 3 members for the time being.
- 8.4.4 The Community Boards will operate under Standing Orders, adopted at their first meeting of the triennium. This may be the Tasman District Council Standing Orders, with or without amendments.
- 8.4.5 Community Boards meet as follows:
  - 8.4.5.1 **Golden Bay Community Board:**  
monthly, ordinarily on the second Tuesday of the month.
  - 8.4.5.2 **Motueka Community Board:**  
6-weekly, ordinarily on a Tuesday. The Motueka Community Board also holds 'public forum' sessions, which are not meetings under

Standing Orders or LGOIMA. These public forums are held 6-weekly, ordinarily on the second Tuesday following the Community Board meeting.



**7.3 FINANCIAL REPORT****Information Only - No Decision Required**

<b>Report To:</b>	Golden Bay Community Board
<b>Meeting Date:</b>	12 February 2019
<b>Report Author:</b>	Liz Cameron, Assistant Management Accountant
<b>Report Number:</b>	RGBCB19-02-3

**1 Summary**

- 1.1 The financial report for the period ending 31<sup>st</sup> December 2018 is attached (Attachment 1).
- 1.2 The net financial position for the year-to-date is a surplus of \$2,110.
- 1.3 Overall expenditure for the year was 46% of the budget, which is slightly behind the year-to-date budget spend (being 50% through the financial year).
- 1.4 Closed account interest earned on the Golden Bay Community Board opening surplus is \$360 (YTD).
- 1.5 YTD income from the Saturday Market totals \$397.
- 1.6 The net position for the Community Board's overall funds, as at 31 December 2018, is a surplus balance of \$38,916.

**2 Draft Resolution**

**That the Golden Bay Community Board receives the Financial Report RGBCB19-02-3**

**3 Attachments**

- |                                    |    |
|------------------------------------|----|
| 1. Financial Summary December 2018 | 47 |
|------------------------------------|----|



**TASMAN DISTRICT COUNCIL**  
Golden Bay Community Board  
December 2018

	Month Actual	Month Budget	Month Budget%	YTD Actual	Annual Budget	Annual Budget %
<b>Charges</b>						
<b>Remuneration</b>						
Chairperson Monthly Salary	1,087	1,071	101%	6,506	12,852	51%
Members (3)	1,589	1,622	98%	9,512	19,467	49%
Community Board Members Reimbursements	128	655	20%	5,247	7,854	67%
<b>Miscellaneous</b>						
	<i>pages</i>	<i>rate</i>				
Photocopying	0	0.1		-	459	0%
Community Board discretionary fund	-	1,105	0%	3,643	13,260	27%
Community Board Expenses	76	197	39%	1,215	2,366	51%
Contingency allowance	-	68	0%	-	816	0%
Cost of Elections	-	20	0%	245	245	100%
<b>Total Charges</b>	<b>2,880</b>	<b>4,777</b>	<b>60%</b>	<b>26,367</b>	<b>57,319</b>	<b>46%</b>
<b>Less</b>						
CCB rate	4,625	4,605	100%	27,720	55,259	50%
Golden Bay Market	165	128	129%	397	1,535	26%
Closed Account Interest	58	44	133%	360	525	69%
<b>Net Charges</b>	<b>1,968</b>	<b>9,553</b>		<b>2,110</b>	<b>-</b>	

**Equity**

Opening Surplus/(Deficit) Balance 1 July 2018	36,807
Net Income Surplus/(Deficit) December 2018	2,110
Closing Surplus/(Deficit) Balance 31 December 2018	<u><u>\$38,916</u></u>

**Discretionary Fund**

Paint for Banners	139
Frames for Banners	2,373
Golden Bay High School prizegiving	100
Collingwood Area School prizegiving	100
Street Tinsel	431
Donation Santa Parade & Carols	500

\$ 3,643





## 7.4 ACTION SHEET

Information Only - No Decision Required

**Report To:** Golden Bay Community Board  
**Meeting Date:** 12 February 2019  
**Report Author:** Emma Gee, Customer Services Officer  
**Report Number:** RGBCB19-02-4

### 1 Summary

1.1 The Action sheet is attached to this report.

### 2 Draft Resolution

**That the Golden Bay Community Board receives the Action Sheet RGBCB19-02-4**

<b>3 Attachments</b>
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- |                 |    |
|-----------------|----|
| 1. Action Sheet | 51 |
|-----------------|----|

## Action Sheet – Golden Bay Community Board

Item	Action Required	Responsibility	Completion Date/Status
Meeting Date: 10 July 2018			
Takaka Playground Opening	The Board to support an opening	Board	11/09-ongoing 09/10-ongoing 13/11-ongoing 11/12-still awaiting the whale to be added to the playground
Meeting Date: 09 October 2018			
Collingwood Walkway	Cr Brown agreed to speak with Mr Birse	Cr Brown	13/11-ongoing 11/12-CR Brown has tried to call, will keep trying
Meeting Date: 13 November 2018			
GBSRF Facilitated meeting	Abbie to arrange dates with Mike Tasman-Jones	Abbie Langford	21/11-pencilled in for the February Board meeting
Fenwick Road	CR Sangster to follow with Mr Klein	Cr Sangster	11/12-CR Sangster to take back to Council
Training Workshop	Abbie to work with MCB to arrange a time for another training session	Abbie Langford	11/12-Planned for the New Year 28/01- Still to confirm date
Meeting Date: 11 December 2018			
Outstanding Natural Landscapes GB	Emma to email costs information to Don Mead	Emma Gee	17/12-actioned
Pakawau Beach	Abbie to email Pakawau Residents Association	Abbie Langford	13/12-actioned, Laurie Jarrett the Chair is confident that signs are enough, he is going to ensure that dog rangers contact details are prominent

Item	Action Required	Responsibility	Completion Date/Status
Stone Sculpture	Grant to liaise with staff, Lynne Hall	Grant Knowles	15/12-Lynne Hall will speak with Mana Whenua Ki Mohua in the new year
Land Exchange	Cr Sangster to speak with land owner	Cr Sangster	
Project Devine	Emma to email special fund application forms	Emma Gee	21/01-Application form sent
Motupipi Street Refuge	Abbie and Emma to email Mike van Enter the Board does not support the refuge and more discussions with user groups is needed	Abbie/Emma	11/12-actioned

**7.5 CORRESPONDENCE****Information Only - No Decision Required**

**Report To:** Golden Bay Community Board

**Meeting Date:** 12 February 2019

**Report Author:** Emma Gee, Customer Services Officer

**Report Number:** RGBCB19-02-5

**1 Summary**

- 1.1 A list of the inwards and outwards correspondence for December 2018 and January 2019 is included in this report. A copy of the correspondence is available on Council's website, along with this agenda. A copy may also be viewed at the Takaka Service Centre.

**2 Draft Resolution****That the Golden Bay Community Board**

1. receives the Correspondence report RGBCB19-02-5

**3 Incoming Correspondence**

Date	Name	Subject
05/12/2018	Local Government Decision	Golden Bay Local Board Application Decision
11/12/2018	Golden Bay Shared Recreational Facility	Playground
11/12/2018	Jill Pearson	Grandstand
11/12/2018	Hon Eugenie Sage	Whitebaiting
24/12/2018	Chief Ombudsman	LGOIMA Request Review
18/01/2019	Tasman District Council	Pakawau Beach Reserve Update
19/01/2019	G & D Rogers	Fonterra Corner

**4 Outgoing Correspondence**

Date	Name	Subject
28/01/2019	Abbie Langford	No Dogs Bylaw

**5 Attachments**

Nil