

Report No:	RCN11-08-01
File No:	C855
Date:	3 August 2011
<b>Decision Required</b>	

## REPORT SUMMARY

**Report to:** Full Council  
**Meeting Date:** 11 August 2011  
**Report Author** Paul Wylie, Chief Executive Officer  
**Subject:** **Submission to the Local Government Commission on its Draft Reorganisation Scheme for the Union of Nelson City and Tasman District – Report RCN11-08-01**

### EXECUTIVE SUMMARY

This report outlines a draft submission for Council's consideration on the Local Government Commission's Draft Reorganisation Scheme for the Union of Nelson City and Tasman District and the accompanying reports. The report seeks Council's agreement to a submission being sent to the Commission and including a request that Council be heard by the Commission in support of its submission.

### RECOMMENDATION/S

That the Council receives this report and adopts the draft resolutions contained in the report.

### DRAFT RESOLUTION

**THAT the Tasman District Council:**

- 1. receives the report Submission to the Local Government Commission on its Draft Reorganisation Scheme for the Union of Nelson City and Tasman District – Report RCN11-08-01**
- 2. approves Part A of the Submission to be sent to the Local Government Commission as attached in Appendix 1**
- 3. approves Part B of the Submission to be sent to the Local Government Commission as attached in Appendix 1**
- 4. agrees to the Mayor, Deputy Mayor and Chief Executive making any minor amendments to the draft submission prior to submitting it to the Local Government Commission by the closing date for submissions on 19 August 2011.**

5. **agrees to the Mayor, Deputy Mayor and Chief Executive presenting to the Local Government Commission the Council's submission on the Draft Reorganisations Scheme for the Union of Nelson City and Tasman District.**

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## **1. Purpose**

- 1.1 The purposes of this report are to:
- a. Seek agreement to the draft submission on the Draft Reorganisation Scheme for the Union of Nelson City and Tasman District, attached as Appendix 1, being sent to the Local Government Commission
  - b. Seek agreement to the Mayor, Deputy Mayor and Chief Executive making any minor amendments to the draft submission prior to submitting it to the Local Government Commission
  - c. Seek agreement to the Mayor, Deputy Mayor and Chief Executive presenting to the Local Government Commission the Council's submission on the Draft Reorganisations Scheme for the Union of Nelson City and Tasman District.

## **2. Background**

- 2.1 On 16 June 2011 the Local Government Commission (the Commission) released four reports:
- Draft Reorganisation Scheme for the Union of Nelson City and Tasman District (white report)
  - Decision on Proposal for the Union of Nelson City and Tasman District (pink report)
  - Background Report on Communities of Interest and Planning in Relation to Proposal for Union of Nelson City and Tasman District (blue report)
  - Report for the Local Government Commission on financial and service delivery matters relating to the proposal for a union of Nelson City and Tasman District prepared by Strateg.Ease (yellow report).

2.2 Submissions on the reports close on 19 August 2011.

### **3. Present Situation/Matters to be Considered**

- 3.1 At its meeting on 19 July 2011 Council asked staff to prepare a draft submission on the Commission's Draft Reorganisation Scheme for the Union of Nelson City and Tasman District and the accompanying reports, and to bring it back to this meeting for Council's consideration.
- 3.2 Councillors and staff have carefully studied the Draft Reorganisation Scheme and the reports and have identified a number matters for inclusion in the submission. Councillors have had two workshops to discuss the Commission's reports, the second of which included two community board representatives.
- 3.3 Staff have prepared the attached draft submission on the Draft Reorganisation Scheme and the supporting documents for Council's consideration (attached as Appendix 1 to this report).

### **4. Financial/Budgetary Considerations**

- 4.1 There are minimal financial considerations relating to this matter. The main costs are staff and consultants time.

### **5. Options**

- 5.1 The options for Council to consider are:
- a. Do nothing (i.e. do not prepare a submission to the Commission on the Draft Reorganisation Scheme and supporting documents)
  - b. Send the attached submission (with or without amendments) to the Local Government Commission
- 5.2 Council also has the option of whether or not to ask to be heard by the Commission in support of its submission.

### **6. Pros and Cons and Evaluation of Options**

- 6.1 The pros and cons of the options are as follows:

### **Option a – Do nothing (i.e. do not prepare a submission to the Commission on the Draft Reorganisation Scheme and supporting documents)**

6.2 There do not seem to be any benefits with this option. The key disadvantage with the option is that the Commission will not receive the views of this Council on the Draft Reorganisation Scheme and on the matters contained in it that may need amending should the proposal proceed to the poll stage. Given that Tasman District Council is one of the two Councils being amalgamated, it would be very surprising to the Commission, Tasman residents, and local government generally if the Council does not have a view on the matter and does not express that view through a submission.

6.3 This option is not recommended.

### **Option b – Send the attached submission (with or without amendments) to the Local Government Commission**

6.4 This option has the advantage of making the Commission aware of Council's views on the Draft Reorganisation Scheme and the matters that may need amending should the proposal proceed to the poll stage.

6.6 This option is recommended.

### **Consideration of whether to ask to be heard in support of the submission**

6.7 Council has the option of whether or not it wishes to be heard by the Commission in support of its submission.

6.8 Council's usual practice is to be heard in support of submissions it makes on matters that are significant to it or to its community. Council appearing in support of its submission will enable the Commission to ask any points of clarification of Council, should Commission members wish to do so.

6.9 Staff recommend that Council asks to be heard in support of its submission.

<b>7. Significance</b>
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7.1 This is not a significant decision according to the Council's Significance Policy. The matters contained in the report relate to the information provided to the Local Government Commission, not directly to Council business.

## 8. Recommendation/s

- 8.1 That the Council receives this report and adopts the draft resolutions contained in the report.

## 9. Timeline/Next Steps

- 9.1 If the Council agrees with the recommendations contained in this report, the submission will be finalised taking into account any comments made at this meeting. The submission will then be sent to the Commission by 19 August.
- 9.2 The Commission will advise the dates of any hearings of the submissions. It will then make a decision on whether to issue a final Reorganisation Scheme for the Union of Nelson City and Tasman District.
- 9.3 If the Commission issues a final Reorganisation Scheme for the union, it will be followed by a poll of electors in both Nelson City and Tasman District. The polls will need to be conducted by Councils Electoral Officers at the Councils expense. Any such poll is likely to be held sometime around March 2012.

## 10. Draft Resolution

**THAT the Tasman District Council:**

- 1. receives the report Submission to the Local Government Commission on its Draft Reorganisation Scheme for the Union of Nelson City and Tasman District – Report RCN11-08-01**
- 2. approves Part A of the Submission to be sent to the Local Government Commission as attached in Appendix 1**
- 3. approves Part B of the Submission to be sent to the Local Government Commission as attached in Appendix 1**
- 4. agrees to the Mayor, Deputy Mayor and Chief Executive making any minor amendments to the draft submission prior to submitting it to the Local Government Commission by the closing date for submissions on 19 August 2011.**

Paul Wylie  
Chief Executive