

3. MOTUEKA WARD		
Project update		
Site	Projects for 2010/11	Timeframe
Decks Reserve	Historical plaques (Beryl & Glenn)	The final editing has been completed and promotion of the plaques will commence shortly.
Woodlands Canal	Walkway upgrade (Glenn/Kathy)	Work will commence next week on replacing the grass surface of this walkway with a gravel path. Due to the narrowness of the walkway this work will involve closing the walkway for short periods.
Motueka Quay	Picnic area revamp (Kathy & Steve)	Archaeologist Amanda Young has been engaged to prepare a report for the Historical Places Trust consent. This project also requires a Resource Consent.
Tapu Bay	Reserve upgrade (Steve)	WIP



Report No:	RCN11-06-18
File No:	
Date:	20 June 2011
<i>Decision required</i>	

## REPORT SUMMARY

**Report to:** Tasman District Council  
**Meeting Date:** 30 June 2011  
**Report Author:** Paul Wylie, Chief Executive  
**Subject:** Community Board Delegations

### EXECUTIVE SUMMARY

In August 2010 Council considered an extensive report on Community Boards and Community Associations. That report included 16 recommendations, some of which have been adopted and implemented while others 'lie on the table'. Although the matters that remain unresolved have been the question of delegations to Community Boards. This report notes that the recent Local Government Commission determination on the merger proposal for the Nelson and Tasman councils, which includes guidance on the delegations. This guidance provides a missing piece in the jigsaw, and the report recommends that Council move immediately to provide such a delegation to the two current Community Boards.

### RECOMMENDATION/S

That the report be received and the proposed resolutions be adopted.

### DRAFT RESOLUTIONS

**THAT Tasman District Council receives the Community Board Delegations report RCN11-06-18; and**

- 8.1 THAT the Council approve in principle the delegations proposed by the Local Government Commission, with the addition of the further delegations suggested by Council staff; and**
- 8.2 THAT the proposal for delegations be immediately referred to the two Community Boards with a request that they consider the proposal urgently and provide advice to the Council in time for this to be included in the next Council meeting which is scheduled for the 11 August; and**

- 8.3 THAT Council staff be directed to complete further evaluation of the Commission's proposed delegations and that a formal report be made available to the next Council's meeting in order that the delegations can be brought into effect as soon as is practically possible; and**
- 8.4 NOTE that any unspent surplus on the Community Board targeted rates closed account accrued during the 2011/2012 year will be carried forward as a reduction in next year's targeted rate, unless the Board wishes to apply the surplus to some other function within its delegated authority.**

Report No:	RCN11-06-018
File No:	
Report Date:	20 June 2011
<i>Decision required</i>	

**Report to:** Tasman District Council  
**Meeting Date:** 30 June 2011  
**Report Author:** Paul Wylie, Chief Executive  
**Subject:** **Community Board Delegations**

## 1. Purpose

- 1.1 This report suggests immediate action to further implement some of the suggestions considered in August 2010 as part of the review of the current arrangements for Community Boards.

## 2. Background

- 2.1 The Tasman District Council has always had two community boards in two of its five wards. Community Boards exist for the Golden Bay Ward, the Motueka Ward, but do not exist for the Richmond Ward, the Lakes Murchison Ward and the Waimea Moutere Ward. Over the years there has been tension between the full Council and the two Community Boards. In particular, there has been considerable debate about the role the Community Boards should pursue and what delegations should be given to Community Boards by the full Council. More recently the costs of operating Community Boards have been a matter of debate.
- 2.2 In the past, Council has relied on the wording in the Local Government Act. Unfortunately this wording is only of limited assistance, especially as it gives no detailed indication of what could be considered as delegated responsibilities.
- 2.3 In the absence of guidance in the Act, past Councils sought legal advice from Fletcher Vautier Moore. This advice drew attention to the Council's requirement that in the absence of any other direction, delegations be only issued for the purpose of efficiency and effectiveness in the conduct of local authority's business.

- 2.4 In the August 2010 report it was recommended to Council that the Council work with the two Community Boards in an endeavour to further develop and identify roles for the Community Boards in providing responsibly advocacy and advice, in a manner that assists the Council to establish the priorities for expenditure funded by general rates or district-wide rates. In addition the report recommended that the 31 October 2007 ward Community Board delegations be further reviewed to explicitly provide the opportunity for ward Community Boards to recommend the establishment of targeted rates by Council to fund the provision of additional services, activities or projects available to district communities where those services would not be funded from general rates.
- 2.5 In relation to costs, the August 2010 report recommended that the Council review and refine fully costed budgets for each ward Community Board, and that the Council job costing be extended to ensure that the Council costs in association with each Community Board be carefully monitored and controlled.
- 2.6 A review of actual costs for Community Boards over the last twelve months indicates that while a budget was provided for a small amount of Chief Executive time to be charged to the Community Boards, no such charges have been incurred. Therefore it seems reasonable that the present provision of 5.5 hours per annum could be removed from future budgets.

### **3. Recent Developments**

- 3.1 Within the last few days the Local Government Commission has announced its draft reorganisation scheme for a possible merger of the Nelson and Tasman councils. As part of this draft scheme, the Local Government Commission has recommended the establishment of Community Boards across the new, enlarged district. In a new move the Commission has provided, as part of its determination a schedule detailing the 'powers' of Community Boards. A full copy of the schedule is attached as Appendix A.
- 3.2 The Commission's schedule sets out in considerable detail the responsibilities of Community Boards and specific delegated authorities. A preliminary view of the schedule indicates a prima face case for such responsibilities and delegations to be brought into being forthwith within the Tasman District Council. The August 2010 Council report recommendations are 'unfinished

business'. The Commission's schedule provides a missing piece of the puzzle and completes the delegations picture.

#### 4. Discussion

- 4.1 Previous attempts to resolve the matter of responsibility and delegation have foundered due to an absence of legislative guidance. While the determination by the Commission will not have any legal effect unless there is an ultimate merger of the two councils, there is no reason in law why the basic set of delegations proposed by the Commission could not be brought into being within the Tasman District Council forthwith.
- 4.2 As indicated above, Council staff's preliminary assessment is that it would also be reasonably practical to bring these delegations into being without further delay. I would be desirable to do this as quickly as possible to tie in with the new financial year.
- 4.3 Staff have also considered whether or not any other useful delegations could be provided to the Community Boards. The Commission's proposed delegations include (at Item 2(b)) *"the delegated authority to manage, maintain, and approve usage (including hireage charges) of community halls in their community"*. Staff suggest that this delegation could be extended to include the community markets currently operating in Motueka and Takaka. At present the operation of these markets is a matter between the Council's Property department and the individual market operators. Subject to a smooth transfer of existing arrangements, it is believed that this responsibility could be delegated to the Community Boards, and that the Community Board could be empowered to retain any profits, and to use those profits for community purposes within their ward.
- 4.4 The council commences a new financial year on the 1<sup>st</sup> July 2011. While it would be preferable to have these delegation come into being at the same time, it is felt that Community Boards should be given an opportunity to offer their views to the Council on the merits of the Commission's proposals, and the staff suggestions. Given the goodwill of all parties it is hoped that the Community Boards could consider these suggested delegations as part of their July meetings, while at the same time Council staff sort out the fine print requirements. This would allow the full Council to pass the appropriate resolutions, to put the delegations into immediate effect, at the next full Council meeting in August.

- Halls

- Markets

## 5. Financial/Budgetary Considerations

- 5.1 The delegations proposed do not involve any additional expenditure by the council. While there may need to be some more precise allocation of budgets under some of the headings there should not be any rating effect or need for expenditure other than that already budgeted for in a global sense.
- 5.2 If the annual cost currently budgeted for Chief Executive's time is removed from the budgets currently proposed for the 2011/2012 Plan, the financial effect per ratepayer property is just over 30 cents Motueka and something in excess of 50 cents in Golden Bay. Changing the targeted rates for those two Boards for such a small sum at such a late hour will be an expensive and largely meaningless exercise. However as both targeted rates are held in closed accounts, any surplus will be held in that account and therefore available to reduce the targeted rate next year.

## 6. Significance

- 6.1 This is not a significant decision according to the Council's Significance Policy.

## 7. Recommendations

- 7.1 It is recommended that the Council approve in principle the delegations proposed by the Local Government Commission, with the addition of the further delegations suggested by Council staff.
- 7.2 No change is recommended to the 2011/2012 targeted rates on the understanding that any unspent surplus accruing during the year will be carried forward as a reduction in next year's targeted rate, unless the Board wishes to apply the small surplus to some other function within its delegated authority.
- 7.3 It is also recommended that the proposal be immediately referred to the two Community Boards with a request that they consider the proposal urgently and provide advice to the Council in time their views to be reported to the next Council meeting which is scheduled for the 11 August.
- \* 7.4 It is also recommended that Council staff be directed to complete further evaluation of the Commission's proposed delegations and that a formal report



be made available to the next Council's meeting in order that the delegation can be brought into effect as soon as is practically possible.

<b>8. DRAFT RESOLUTIONS</b>
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**THAT Tasman District Council receives the Community Board Delegations report RCN11-06-18; and**

- 8.1 THAT the Council approve in principle the delegations proposed by the Local Government Commission, with the addition of the further delegations suggested by Council staff; and**
- 8.2 THAT the proposal for delegations be immediately referred to the two Community Boards with a request that they consider the proposal urgently and provide advice to the Council in time for this to be included in the next Council meeting which is scheduled for the 11 August; and**
- 8.3 THAT Council staff be directed to complete further evaluation of the Commission's proposed delegations and that a formal report be made available to the next Council's meeting in order that the delegations can be brought into effect as soon as is practically possible; and**
- 8.4 NOTE that any unspent surplus on the Community Board targeted rates closed account accrued during the 2011/2012 year will be carried forward as a reduction in next year's targeted rate, unless the Board wishes to apply the surplus to some other function within its delegated authority.**

**Paul Wylie**  
**Chief Executive**

***Attachment:***

Appendix A – Schedule from Local Government Commission reorganisation proposal

## Schedule

### Powers of Community Boards

- (1) Community boards shall have responsibility to:
  - (a) facilitate engagement of their community in relation to policies, plans and projects proposed for their community
  - (b) 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
  - (c) advise the Council on variations in levels of service provided to their community compared to planned levels of service
  - (d) where preferred service levels in their community are higher than default levels, advise the Council on the recommended funding mechanism
  - (e) undertake activities for which a budget has been allocated by the Council to the Board.
  
- (2) Community boards shall have delegated authority, in accordance with the policies, plans and bylaws of the Council, to:
  - (a) allocate funding and operational grants to local community groups in their community
  - (b) manage, maintain and approve usage (including hireage charges) of community halls in their community
  - (c) seek funding (to be held by the Council) from external organisations which can be applied to community projects within their community
  - (d) make recommendations to the Council on the granting of leases or licences on reserves and public spaces in their community
  - (e) make recommendations to the Council on proposed developments or activities on local parks, reserves and waterways in their community
  - (f) make recommendations to the Council on submissions and objections in relation to statutory processes
  - (g) approve traffic control and constraint measures, parking restrictions and traffic control signs on streets in their community (e.g. stop and give way signs etc)
  - (h) approve the design and location of bus stops and shelters in their community
  - (i) approve the design and location of neighbourhood improvements, such as street furniture, in their community
  - (j) approve names of roads, streets and parks in their community

- (k) grant consent for the removal of trees from parks, reserves, streets or other Council land in their community
- (l) authorise, within approved budgets, board member attendance at appropriate conferences and training courses.

*Notes:*

*The role of a community board is set out in section 52 of the Local Government Act 2002 as follows:*

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

*Clauses 38 and 39 of Schedule 7 of the Local Government Act 2002 contain the following provisions relating to administration and expenses of community boards:*

- *Clause 38: A territorial authority within whose district the community of a community board is situated must provide the necessary administrative and other facilities for that community board.*
- *Clause 39: (1) The expenses of the performance and exercise by a community board of its responsibilities, duties, and powers must be paid by the territorial authority within whose district the community is situated. (2) The territorial authority may fix a limit within which expenditure may be incurred under subclause (1), and no community board may incur expenditure in excess of any limit so fixed without the prior approval of the territorial authority.*



Report No:	RESC11-06-06
File No:	
Date:	14 June 2011
<b>Decision Required</b>	

## REPORT SUMMARY

**Report to:** Engineering Services Committee  
**Meeting Date:** 23 June 2011  
**Report Author:** Jeff Cuthbertson, Utilities Asset Manager  
**Subject:** MOTUEKA AND POHARA WATER SUPPLIES

### EXECUTIVE SUMMARY

The proposal is to include the Motueka and Pohara Water Supply areas into the Urban Water Club. The Motueka and Pohara Water Supply areas are currently individual closed water accounts.

### RECOMMENDATION/S

That the report be received.

### DRAFT RESOLUTION

**THAT the Engineering Services Committee receives the Motueka and Pohara Water Supplies Report, RESC11-06-06 and;**

**THAT the Engineering Services Committee recommends to Council that the inclusion of the Motueka Water Supply and the Pohara Water Supply into the Urban Water Club be included in the Draft 2012 Long Term Plan as noted in the report RESC11-06-06.**

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Report No:	RESC11-06-06
File No:	
Report Date:	14 June 2011
<b>Decision Required</b>	

**Report to:** Engineering Services Committee  
**Meeting Date:** 23 June 2011  
**Report Author:** Jeff Cuthbertson, Utilities Asset Manager  
**Subject:** **MOTUEKA AND POHARA WATER SUPPLIES**

## 1. Purpose

- 1.1 The purpose of this report is to gain Engineering Services Committee approval to include Motueka and Pohara water supplies as part of the Urban Water Club.

## 2. Background

- 2.1 The Motueka and Pohara water supplies both supply pressurised water to urban communities. Firefighting water is supplied in accordance with the requirements of the New Zealand Fire Service Code of Practice. Water is supplied via water meters and its quality is in accordance with the Drinking Water Standards of New Zealand 2005.
- 2.2 Water is sold to consumers at the same metered rate and daily charge as any other urban water supply consumer in Council's Water Club.
- 2.3 **Motueka Water Supply** – Approximately 30% of Motueka township is supplied with a pressurised water supply. Water is sourced from two bores located at Fearon Street and at the Motueka Recreation Centre. Water from these two sources pressurises the reticulation with pumps. No water storage reservoirs are located within the Motueka Water Supply network.
- 2.4 Water is supplied into the reticulation network at an average working pressure of 600 Kpa (60 metres of head). Council's Urban Water Club provides for a level of service that states that at a minimum all consumers should receive water equal to or above 300 Kpa (30 metres of head).

- 2.5 The Motueka Water Supply is tested in accordance with the New Zealand Drinking Water Standards 2005. Full compliance with the Drinking Water Standards is not achieved. Two years ago a contaminant issue was identified as a result of compliance testing. All procedures following during this event complied with the requirement of the Medical Officer of Health and the Drinking Water Standards.
- 2.6 Water is provided via water meters and is charged for as per the advertised fees for consumption per m<sup>3</sup> as set out in Council's Annual Plan. It should be noted that there is no daily charge for water in Motueka as not all the township is reticulated.
- 2.7 A firefighting charge is rated in Motueka as this provides funding for both pressurised fire hydrants and the maintenance of a combination of wells and fire upstand pipes. Where there are no pressurised fire hydrants, the Fire Service must extract water from the wells and fire upstand pipes by sucking water using their fire appliances.
- 2.8 If the proposal to include Motueka water supply in the Water Club was accepted, the reticulated community would be treated like any other Urban Water Club community and be charged the daily charge. The area outside of the reticulated network would be identified solely as the fire fighting area and charged as at present.
- 2.9 Presently the Motueka water supply has its own separate "closed" budget.
- 2.10 Pohara Water Supply** – The Pohara Water Supply supplies water to the Pohara Valley residents and the Pohara camping ground. The water supply was constructed to service the Tarakohe Cement Workers Village located in the Pohara Valley. Council gained ownership of the scheme following the closure of the cement works.
- 2.11 Water is pumped from Winter Creek. Water is held at a weir adjacent to Haile Lane and allows gravity water to feed the coarse screen water filter. Treated water is then pumped to a reservoir located in Falconer Road. Water is then distributed from the reservoir to the community and the camping ground.
- 2.12 The Pohara water supply is tested in accordance with the New Zealand Drinking Water Standards 2005 and full compliance is not achieved. Any fresh in the stream can cause discoloration of the water supply which has resulted in non-compliance.

- 2.13 Generally the water supply can cope quite well but with the additional loadings placed on the water supply during the summer holiday period (mainly from the camping ground), any disruption to the water supply causes issues.
- 2.14 The Pohara water supply has its own separate closed account. At present the account is in deficit (-\$387,884). It would appear that the account went into deficit when Council installed a new reticulation main from the Pohara Valley to secure supply to the Pohara camping ground and to provide water to Tarakohe and Ligar Bay. It appears that once the new reticulation was installed, water was provided to the Pohara camping ground but the other line to Tarakohe and Ligar Bay was never used.
- 2.15 Adding to the deficit issue is that the Pohara water supply is a closed account and with only 51 connections and consumers paying the same water rate as all other metered consumers, there is insufficient funds to pay off the loan, any interest or operations and maintenance costs.
- 2.16 The Pohara water supply has pressurised fire hydrants within the reticulated network.

### **3. Consultation**

- 3.1 It is intended to consult on this recommendation with the respective Community Board. A consultation plan will ensure that all potential properties affected by this change are informed as to the cost effects of this change.

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

- 4.1 There should be no change to the Motueka consumers that pay the m<sup>3</sup> rate.
- 4.2 The Motueka consumers that presently pay the m<sup>3</sup> rate they will also now pay the daily charge.
- 4.3 The Motueka consumers that do not pay the m<sup>3</sup> rate and are not connected to the reticulation network but are within the water supply area will not pay the fire fighting rate but pay the daily charge.
- 4.4 Motueka consumers outside the water supply area that presently pay the firefighting rate will have no extra charges.
- 4.5 There will be no change to consumers on the Pohara water supply.



- 4.6 The present debt in the Pohara water account will be absorbed into the Urban Water Club Account.

## 5. Options

- 5.1 Option 1 - It is proposed to incorporate the Motueka Water Supply and the Pohara Water Supply in the Urban Water Club.
- 5.2 If this is approved the actual change over within Council's accounting system would occur after adoption of the Long Term Plan in July 2012.
- 5.3 Option 2 - If the committee decides to leave the water schemes as they are then consideration will need to be made on how Council will fund the deficit in the Pohara water supply budget.

## 6. Pros and Cons of Options

- 6.1 Absorbing the reticulated area of the Motueka Water Supply and the Pohara Water Supply into the Urban Water Club will mean these water supply communities will reap the financial support of the Urban Water Club especially when upgrading these supplies to comply with the New Zealand Drinking Water Standards.
- 6.2 Absorbing the Pohara Water Supply into the Urban Water Club Account will result in the current financial debt being spread across the Urban Water consumers.

## 7. Evaluation of Options

- 7.1 Staff recommend Option 1 to incorporate the Motueka and Pohara Water Supplies into the Urban Water Club Account.

## 8. Significance

- \* 8.1 This is not a significant decision according to the Council's Significance Policy.

## 9. Recommendation/s

That the report is received

*Defer further discussion of  
this Report until MCB consultation*

**10. Timeline/Next Steps**

10.1 These decisions need to be made so that staff have the ability to consult and provide funding details for the 2012 Ten Year Plan.

**11. Draft Resolution**

**11.1 THAT the Engineering Services Committee receives the Motueka and Pohara Water Supplies Report, RESC11-06-06 and;**

**11.1 THAT the Engineering Services Committee recommends to Council that the inclusion of the Motueka Water Supply and the Pohara Water Supply into the Urban Water Club be included in the Draft 2012 Long Term Plan as noted in the report RESC11-06-06.**