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# Delegations Register

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30 June 2021

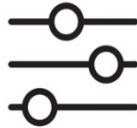


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## Tasman District Council Delegations Register – Part One General

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## Part One – General

## 1.0 Structure

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The Delegations Register is structured in five parts:

### **Part One - General**

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

### **Part Two - Governance**

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

### **Part Three - Management**

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

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

### **Part Four - Statutory Delegations**

Statutory delegations may be made where:

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

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

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

### **Part Five – Terms of Reference**

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

## 2.0 Purpose

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

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

## 3.0 Definition of Delegation

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

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

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

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

## 4.0 The Legal Basis

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

Schedule 7 Clause 32 of the LGA states that:

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

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

(g) *[Repealed]*

(h) *The power to adopt a remuneration and employment policy.*

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

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

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

## **5.0 Term of Delegation**

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

## **6.0 Exercising Delegations**

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### **6.1 General Provisions**

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

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

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

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

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

### **6.2 Who delegations are made to**

Delegations have generally been made to the lowest organisational level, commensurate with the degree of responsibility and difficulty involved in the undertaking of the task delegated. In deciding what the lowest level for each delegation is, particular attention has been paid to the

fact that along with the powers and duties contained in the delegation go the responsibilities and accountability for its correct and effective implementation and any reporting requirements.

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

- a) any binding statutory authority (in relation to each delegation, relevant sections of the Act will be identified); and
- b) any relevant Council policy or procedural documents (including reporting and recording requirements).

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

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

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

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

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

### 6.3 Temporary Delegations

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

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

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

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

### 6.4 Revoking delegations

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

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





## **Part Two - Governance**

## 1.0 Mayoral Delegations

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

1.1 The Mayor is authorised to:

1.1.1 permit the attendance of Councillors at conferences and training opportunities, with leave of absence and appropriate expenses paid, provided budget is available.

1.1.2 appoint the Council's presiding delegate to the meetings of Local Government New Zealand on those occasions when they cannot attend the meeting in person.

1.1.3 act as proxy for the following companies:

- Port Nelson Limited
- Nelson Airport Limited
- New Zealand Local Government Insurance Company Ltd (Civic Assurance)
- New Zealand Local Government Funding Agency
- Waimea Water Limited
- Infrastructure Holdings Limited, and
- any other company that may be incorporated to be a Council Controlled Organisation of Tasman District Council

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

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

1.2 The Mayor, in relation to the Chief Executive's employment contract, has delegated authority to manage routine employment matters on behalf of the employer such as leave provisions.

1.3 The Mayor is authorised to decide on the type and size of payments to be made from the Mayor's Discretionary Fund, within the annual budget provision.

## 2.0 Execution of Documents

### 2.1 Use of Common Seal

- 2.1.1. The Common Seal of the Council (Seal) will be held by the Chief Executive who will be responsible for its use.
- 2.1.2. The Seal must be applied to the following documents:

Disposal (by way of conveyance, transfer, or lease) of land required for road	Section 345 Local Government Act 1974
Warrants to enter private land on behalf of the Council	Section 174 Local Government Act 2002
Memorandum of Transfer	Pursuant to: Section 80 of the Local Government (Rating) Act 2002
Regional policy statements and regional and district plans	Prepared under: Resource Management Act
Bylaws	Prepared under: Local Government Act 2002 or other relevant statutes
Any documents which Council determines by resolution to require the use of the Seal.	

### Warrants

- 2.1.3. Where the Seal of the Council is affixed to any warrant, the warrant must be signed by (whether or not required by an enactment) the Chief Executive, or in his/her absence, the Acting Chief Executive.

### Other documents

- 2.1.4. Where the Seal of the Council is affixed to any other document that is not a warrant, the document must be signed by:
- 2.1.4.1. the Mayor, or in his/her absence, the Deputy Mayor; and
- 2.1.4.2. the Chief Executive, or in his/her absence, the Acting Chief Executive.

## 2.2. Contracts

### Deeds

- 2.2.1. Any contract that is in the form of a deed, must be signed by:
- 2.2.1.1. the Mayor, or in his absence Deputy Mayor (or where neither the Mayor and the Deputy Mayor are available, by another Councillor), and
- 2.2.1.2. any one other Councillor
- (in accordance with section 9 of the Property Law Act 2007).

### Other Contracts

- 2.2.2. Unless otherwise resolved by Council, all contracts, agreements and other documents (including any Public Corporate Authority and Instruction for an

Electronic Transaction at Land Information New Zealand) may be signed by a Council officer in accordance with his/her delegated authority.

### 3.0 Councillors' Delegations

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

## 4.0 Community Boards

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

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

### 4.3 General

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

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

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

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

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

## 5.0 Committee Structure and Appointments

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

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

### **5.2 Appointments to Other Organisations**

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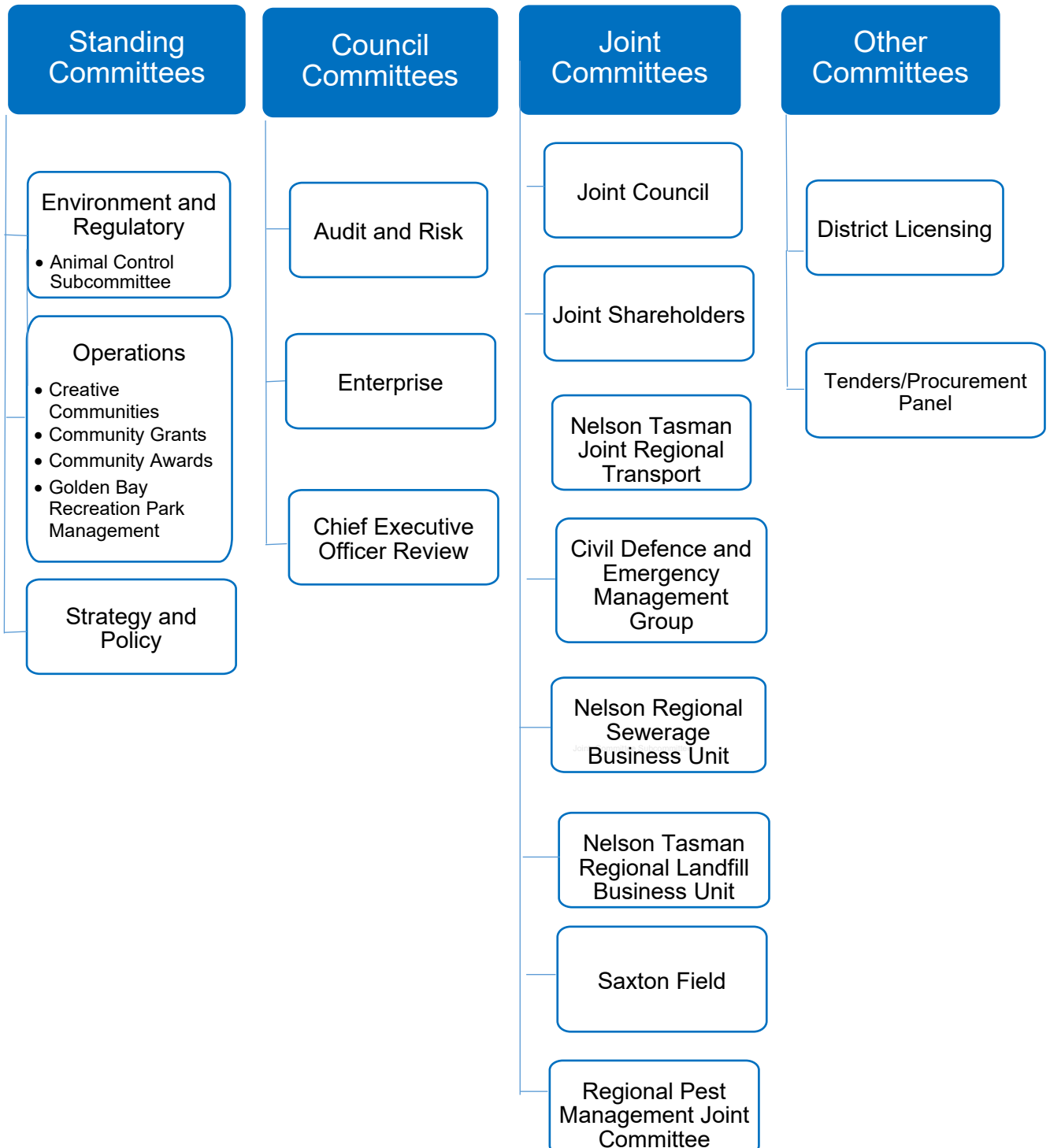
- 5.2.1 Council may appoint elected members or other persons to Council organisations or other organisations (excluding Council Controlled Organisations or Council Controlled Trading Organisations). They do not have voting or decision-making roles on these organisations.
- 5.2.2 Elected members appointed to other organisations have one of both of the following roles:
- Liaison and engagement: to be an interface between Council and the organisation
  - Representation: to represent Councils financial or other interests to an organisation.

5.2.3 Elected members appointed to other organisations may, if necessary, report back to the relevant committee or Council on matters of interest from the relevant organisation through the Chairperson’s Report or Mayors Report.

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

### 5.3 Committee Structure

The Committee Structure was established on 3 November 2022. The power of Council to establish committees, subcommittees, other subordinate decision-making bodies and joint committees is outlined in section 30, Schedule 7 of the Local Government Act 2002. Under section 41A of the Act, the Mayor may exercise their power to establish committees of the Council and Chairpersons for those committees.



The full Terms of Reference can be found in [Part Five](#) of this document.

## 5.4 Appointments

MEMBERSHIP	
<b>TASMAN DISTRICT COUNCIL</b>	<p>Mayor <b>King</b></p> <p>Deputy Mayor <b>Bryant</b></p> <p>all other Councillors</p> <p>1 x non-voting, advisory appointed iwi representative (the three standing committee iwi representatives will rotate and each be appointed for one year of the three year term)</p> <ul style="list-style-type: none"> <li>• vacancy</li> </ul>
STANDING COMMITTEES	
<b>STRATEGY AND POLICY COMMITTEE</b>	<p>Mayor <b>King</b></p> <p>Chair – Councillor <b>Maling</b></p> <p>Deputy Chair – Councillor <b>Butler</b></p> <p>all other Councillors</p> <p>1 x appointed iwi representative</p> <ul style="list-style-type: none"> <li>• vacancy</li> </ul>
<b>ENVIRONMENT AND REGULATORY COMMITTEE</b>	<p>Mayor <b>King</b></p> <p>Chair – Councillor <b>Hill</b></p> <p>Deputy Chair – Councillor <b>Maru</b></p> <p>all other Councillors</p> <p>1 x appointed iwi representative</p> <ul style="list-style-type: none"> <li>• vacancy</li> </ul>
<b>OPERATIONS COMMITTEE</b>	<p>Mayor <b>King</b></p> <p>Chair – Councillor <b>Mackenzie</b></p> <p>Deputy Chair – Councillor <b>Walker</b></p> <p>all other Councillors</p> <p>1 x appointed iwi representative</p> <ul style="list-style-type: none"> <li>• vacancy</li> </ul>



OTHER COUNCIL COMMITTEES	
<p><b>AUDIT AND RISK COMMITTEE</b> (Reporting to Council)</p>	<p>Mayor (<i>ex officio</i>)</p> <p>Chair – appointed independent member - Graham <b>Naylor</b></p> <p>4 x Councillors:</p> <ul style="list-style-type: none"> <li>• Deputy Mayor <b>Bryant</b></li> <li>• Councillor <b>Butler</b></li> <li>• Councillor <b>Mackenzie</b></li> <li>• Councillor <b>Walker</b></li> </ul> <p>1 x appointed independent member:</p> <ul style="list-style-type: none"> <li>• Graeme <b>McGlinn</b></li> </ul>
<p><b>ENTERPRISE COMMITTEE</b> (Reporting to Council)</p>	<p>Mayor <b>King</b></p> <p>Chair – Councillor <b>Dowler</b></p> <p>4 x Councillors:</p> <ul style="list-style-type: none"> <li>• Councillor <b>Mackenzie</b></li> <li>• Councillor <b>Hill</b></li> <li>• Councillor <b>Maling</b></li> <li>• Councillor <b>Kininmonth</b></li> </ul> <p>3 x appointed independent members:</p> <ul style="list-style-type: none"> <li>• Kevin <b>Armstrong</b></li> <li>• Matt <b>Griffin</b></li> <li>• Manoli <b>Aerakis</b></li> </ul>
<p><b>TENDERS/PROCUREMENT PANEL</b></p>	<p>Mayor (<i>ex-officio</i>)</p> <p>3 x appointments</p> <ul style="list-style-type: none"> <li>• Chair - Deputy Mayor <b>Bryant</b></li> <li>• Councillor <b>Maling</b></li> <li>• Councillor <b>Kininmonth</b></li> </ul>
<p><b>GOLDEN BAY RECREATION PARK MANAGEMENT COMMITTEE</b> (Reporting to Operations Committee)</p>	<p>Mayor (<i>ex-officio</i>)</p> <p>Chair – Councillor <b>Hill</b></p> <p>Deputy Chair – Councillor <b>Butler</b></p> <p>4 x external representatives</p> <ul style="list-style-type: none"> <li>• Rugby</li> <li>• Netball</li> <li>• Football</li> <li>• A &amp; P Association</li> </ul>

<b>SUBCOMMITTEES</b>	
<p><b>CEO REVIEW SUBCOMMITTEE</b> (Reporting to Council)</p>	<p>Mayor <b>King</b> (Chair) 2 x Councillors</p> <ul style="list-style-type: none"> <li>• Councillor <b>Mackenzie</b></li> <li>• Deputy Mayor <b>Bryant</b></li> </ul>
<p><b>COMMUNITY AWARDS SUBCOMMITTEE</b> (Reporting to Operations Committee)</p>	<p><i>Mayor (ex-officio)</i> Chair - Councillor <b>Butler</b> 3 x Councillors</p> <ul style="list-style-type: none"> <li>• Councillor <b>Maru</b></li> <li>• Councillor <b>Ellis</b></li> <li>• Councillor <b>Kininmonth</b></li> </ul>
<p><b>COMMUNITY GRANTS SUBCOMMITTEE</b> (Reporting to Operations Committee)</p>	<p><i>Mayor (ex-officio)</i> Chair Councillor <b>Walker</b> 4 x Councillors</p> <ul style="list-style-type: none"> <li>• Deputy Mayor <b>Bryant</b></li> <li>• Councillor <b>Daikee</b></li> <li>• Councillor <b>Hill</b></li> <li>• Councillor <b>Shallcrass</b></li> </ul>
<p><b>CREATIVE COMMUNITIES SUBCOMMITTEE</b> (Reporting to Operations Committee)</p>	<p><i>Mayor (ex-officio)</i> Councillor <b>Butler</b> (Chair) Councillor <b>Walker</b> Plus community representatives</p>
<p><b>ANIMAL CONTROL SUBCOMMITTEE</b> (Reporting to Environment and Regulatory Committee)</p>	<p><i>Mayor (ex-officio)</i> Chair – Councillor <b>Hill</b> 2 x Councillors</p> <ul style="list-style-type: none"> <li>• Councillor <b>Maling</b></li> <li>• Deputy Mayor <b>Bryant</b></li> </ul>
<b>JOINT COMMITTEES OF NELSON AND TASMAN COUNCILS</b>	
<p><b>Joint Committee of Nelson and Tasman Council (Joint Committee)</b></p>	<p>Mayor <b>King</b> Deputy Mayor <b>Bryant</b> all other Councillors</p>

Tasman District Council Delegations Register – Part Two Governance

<p><b>Joint Shareholders Committee</b></p>	<p>Mayor <b>King</b>  Deputy Mayor <b>Bryant</b>  3 x Standing Committee Chairs</p> <ul style="list-style-type: none"> <li>• Councillor <b>Maling</b></li> <li>• Councillor <b>Mackenzie</b></li> <li>• Councillor <b>Hill</b></li> </ul> <p>1 x Councillor</p> <ul style="list-style-type: none"> <li>• Councillor <b>Dowler</b></li> </ul>
<p><b>Nelson Tasman Joint Regional Transport Committee</b>  (Reporting to Council)  Operates under the Land Transport Management Act 2003 and its Amendments</p>	<p><i>Mayor (ex-officio)</i>  Chair – Deputy Mayor <b>Bryant</b>  1 x Councillor</p> <ul style="list-style-type: none"> <li>• Councillor <b>Dowler</b></li> </ul> <p>2 x Alternates:</p> <ul style="list-style-type: none"> <li>• Councillor <b>Butler</b></li> <li>• Councillor <b>Ellis</b></li> </ul> <p>1 x Waka Kōtahi representative – Emma <b>Speight</b> (with voting rights)</p>
<p><b>Nelson Regional Sewerage Business Unit (NRSBU)</b></p>	<p><i>Mayor (ex-officio)</i>  2 x Councillors</p> <ul style="list-style-type: none"> <li>• Councillor <b>Maling</b></li> <li>• Councillor <b>Dowler</b></li> </ul> <p>1 x Independent Member</p> <ul style="list-style-type: none"> <li>• Tallat <b>Mehmood</b></li> </ul> <p>1 x Industry Representative (non-voting)</p> <ul style="list-style-type: none"> <li>• Philip <b>Wilson</b></li> </ul>
<p><b>Nelson Tasman Regional Landfill Business Unit (NTRLBU)</b></p>	<p><i>Mayor (ex-officio)</i>  2 x Councillors</p> <ul style="list-style-type: none"> <li>• Deputy Mayor <b>Bryant</b></li> <li>• Councillor <b>Walker</b></li> </ul> <p>1 x iwi representative</p> <ul style="list-style-type: none"> <li>• Andrew <b>Stephens</b></li> </ul>

Tasman District Council Delegations Register – Part Two Governance

<p><b>Saxton Field Committee</b></p>	<p><i>Mayor (ex-officio)</i> Independent Chair – Derek <b>Shaw</b> 2 x Councillors</p> <ul style="list-style-type: none"> <li>• Councillor <b>Maru</b></li> <li>• Councillor <b>Ellis</b></li> </ul>
<p><b>Civil Defence and Emergency Management Group</b></p> <p><i>Please note s.12 (2) of the Civil Defence and Emergency Management Act 2002 states that a Civil Defence and Emergency Management Group is not deemed to be discharged following a triennial election. This Committee is included for completeness.</i></p>	<p>Mayor <b>King</b> Deputy Mayor <b>Bryant</b> (non-voting unless Mayor is absent)</p>
<p><b>Regional Pest Management Joint Committee</b></p>	<p><i>Mayor (ex-officio)</i> 3 x Councillors</p> <ul style="list-style-type: none"> <li>• Councillor <b>Butler</b></li> <li>• Deputy Mayor <b>Bryant</b></li> <li>• Councillor <b>Kininmonth</b></li> </ul>
<p><b>Nelson Tasman Joint Waste Review Working Party</b></p>	<p><i>Mayor (ex-officio)</i> 3 x members</p> <ul style="list-style-type: none"> <li>• Councillor <b>Mackenzie</b></li> <li>• Councillor <b>Maru</b></li> <li>• Councillor <b>Daikee</b></li> </ul> <p>3 x appointed iwi representatives</p> <ul style="list-style-type: none"> <li>• vacancy</li> <li>• vacancy</li> <li>• vacancy</li> </ul>
<p><b>Nelson Tasman Joint Cemetery Working Group</b></p>	<p>2 x members Councillor <b>Maling</b> Councillor <b>Kininmonth</b></p>

OTHER COMMITTEES	
<p><b>District Licensing Committee</b></p> <p>Operates under the Sale and Supply of Alcohol Act 2013</p>	<p><i>Mayor (ex-officio)</i></p> <p>Chair – Councillor <b>Maru</b></p> <p>Deputy Chair – Councillor <b>Ellis</b></p> <p>3 x appointed members:</p> <ul style="list-style-type: none"> <li>• David Lewis</li> <li>• Laurence Gabites</li> <li>• Mike Fitzsimons</li> </ul>
REPRESENTATIVES AND APPOINTMENTS	
<p><b><u>Local Government New Zealand</u></b></p> <p><b>Zone 5</b></p>	<p>Mayor (Chair)</p> <p>Chief Executive</p>
<p><b>Regional Sector Group</b></p>	<p>Mayor</p> <p>Chief Executive</p>
<p><b>Rural and Provincial Sector</b></p>	<p>Mayor / Deputy Mayor (alternate)</p>
<p><b>Project Kōkiri Leadership Group</b></p>	<p>Mayor</p>
<p><b>Nelson Tasman Climate Forum</b></p>	<p>1 x member</p> <ul style="list-style-type: none"> <li>• Councillor <b>Walker</b></li> </ul> <p>1 x alternate</p> <ul style="list-style-type: none"> <li>• Councillor <b>Butler</b></li> </ul>
<p><b>Accessibility 4 All (A4A) Forum</b></p>	<p>1 x appointment</p> <ul style="list-style-type: none"> <li>• Councillor <b>Daikee</b></li> </ul>
<p><b>Brightwater – Wakefield Community Facilities Project Advisory Group</b></p>	<ul style="list-style-type: none"> <li>• Deputy Mayor <b>Bryant</b></li> <li>• Councillor <b>Mackenzie</b></li> <li>• Councillor <b>Shallcrass</b></li> </ul>
<p><b>Friendly Towns</b></p>	<p>Motueka appointment</p> <p>Councillor <b>Walker</b> - Kiyosato</p> <p>Richmond appointment</p> <ul style="list-style-type: none"> <li>• Councillor <b>Ellis</b> – Fujimi Machi</li> </ul>
<p><b>Iwi Liaison</b></p>	<p>Mayor</p> <p>Chief Executive</p>
<p><b>Motueka Aerodrome Advisory Group</b></p>	<p>1 x Chairperson (Motueka Ward councillor)</p>

Tasman District Council Delegations Register – Part Two Governance

	<ul style="list-style-type: none"> <li>• Councillor <b>Dowler</b></li> </ul> <p>1 x alternate</p> <ul style="list-style-type: none"> <li>• Councillor <b>Walker</b></li> </ul> <p>1 x Motueka Community Board member (appointed by the Motueka Community Board)</p> <ul style="list-style-type: none"> <li>• David Armstrong</li> </ul> <p>Plus 1 x recreational user representative, 2 x commercial user representatives and 2 x independent members of the public (to be appointed by the Motueka Community Board)</p>
<b>Native Habitats Tasman</b>	<p>2 x appointments</p> <ul style="list-style-type: none"> <li>• Councillor <b>Butler</b> (Chair)</li> <li>• Councillor <b>Daikee</b></li> </ul>
<b>Nelson Tasman Business Trust</b>	Cr Kit Maling is a Trustee in a personal capacity
<b>Positive Ageing</b>	<p>1 x appointment</p> <ul style="list-style-type: none"> <li>• Councillor <b>Kininmonth</b></li> </ul>
<b>Port Tarakohe Advisory Group</b>	<p>Up to 2 councillors from the Golden Bay Ward</p> <ul style="list-style-type: none"> <li>• Councillor <b>Butler</b> (Chair)</li> <li>• Councillor <b>Hill</b></li> </ul> <p>1 x member of the Enterprise Committee, appointed by the Enterprise Committee</p> <p>1 x Golden Bay Community Board member, appointed by the Community Board</p>
<b>Regional TB Free</b>	<p>1 x appointment</p> <ul style="list-style-type: none"> <li>• Deputy Mayor <b>Bryant</b></li> </ul>
<b>Richmond Bridge and Croquet</b>	<p>1 x appointment</p> <ul style="list-style-type: none"> <li>• Councillor <b>Ellis</b></li> </ul>
<b>Richmond Unlimited</b>	<p>1 x appointment</p> <ul style="list-style-type: none"> <li>• Councillor <b>Ellis</b></li> </ul>
<b>Streets for People</b>	<p>5 x appointments</p> <ul style="list-style-type: none"> <li>• Deputy Mayor <b>Bryant</b></li> <li>• Councillor <b>Dowler</b></li> <li>• Councillor <b>Daikee</b></li> <li>• Councillor <b>Mackenzie</b></li> </ul>

Tasman District Council Delegations Register – Part Two Governance

	<ul style="list-style-type: none"> <li>• Councillor <b>Walker</b></li> </ul>
<b>Tākaka Aerodrome User Group</b>	1 x Chairperson <ul style="list-style-type: none"> <li>• Councillor <b>Hill</b></li> </ul>
<b>Tasman Bays Heritage Trust Appointments Committee</b>	Mayor Chief Executive
<b>Tasman Bio-Strategy Governance Group</b>	3 x appointments <ul style="list-style-type: none"> <li>• Councillor <b>Butler</b> (Chair)</li> <li>• Councillor <b>Ellis</b></li> <li>• Councillor <b>Maru</b></li> </ul>
<b>Tasman Environmental Trust</b>	1 x appointment <ul style="list-style-type: none"> <li>• Councillor <b>Mackenzie</b></li> </ul>
<b>Tasman Youth Council</b>	2 x appointments <ul style="list-style-type: none"> <li>• Councillor <b>Walker</b></li> <li>• Councillor <b>Shallcrass</b></li> </ul>
<b>Waimea Inlet Coordinating Group</b>	1 x appointment <ul style="list-style-type: none"> <li>• Councillor <b>Ellis</b></li> </ul> 1 x alternate <ul style="list-style-type: none"> <li>• Councillor <b>Kininmonth</b></li> </ul>
<b>Waimea South Community Facility Charitable Trust</b>	Councillor <b>Mackenzie</b> Councillor <b>Shallcrass</b>

<b>Association/Community Group</b>	<b>Liaison Appointee</b>
<b>Moutere/Waimea Ward</b>	
<b>Brightwater Recreation Reserve Committee</b>	Councillor <b>Shallcrass</b>
<b>Dovedale Recreation Reserve Committee</b>	Councillor <b>Mackenzie</b>
<b>Equestrian Trust Board</b>	Councillor <b>Ellis</b>
<b>Māpua Health Centre Board</b>	Councillor <b>Kininmonth</b>
<b>Moutere Hills Recreation Reserve/Community Centre Committee</b>	Councillor <b>Kininmonth</b>

Tasman District Council Delegations Register – Part Two Governance

<b>Ngātimoti Hall Management Committee</b>	Councillor <b>Kininmonth</b>
<b>Ngātimoti Recreation Reserve Committee</b>	Councillor <b>Kininmonth</b>
<b>Spring Grove Recreation Reserve Committee</b>	Councillor <b>Shallcrass</b>
<b>Waimea West Recreation Reserve Committee</b>	Councillor <b>Shallcrass</b>
<b>Wakefield Recreation Reserve Management Committee</b>	Councillor <b>Shallcrass</b>
<b>Wakefield Health Centre Board</b>	Councillor <b>Mackenzie</b>
<b>Richmond Ward</b>	
<b>Hope Recreation Reserve Committee</b>	Councillor <b>Maling</b>
<b>Keep Richmond Beautiful Committee</b>	Councillor <b>Daikee</b>
<b>Richmond Bridge and Croquet Club Committee</b>	Councillor <b>Ellis</b>
<b>Richmond Unlimited Committee</b>	Councillor <b>Ellis</b>
<b>Lakes/Murchison Ward</b>	
<b>Murchison Recreation Reserve Committee</b>	Deputy Mayor <b>Bryant</b>
<b>Stanley Brook Recreation Reserve Committee</b>	Deputy Mayor <b>Bryant</b>
<b>Tapawera Recreation Reserve Committee</b>	Deputy Mayor <b>Bryant</b>
<b>Lake Rotoiti Community Facility Committee</b>	Deputy Mayor <b>Bryant</b>



## 5.5 Hearing Panels and Quasi-Decision Making Bodies

### 5.5.1 Purpose

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

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

### 5.5.2 Resource Consent Hearings – sole hearings

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

- a) which have not attracted any, or only relatively few, submissions in opposition;
- b) where the issues are clear cut;
- c) where precedents are available;
- d) which have a favourable officer report;
- e) that have been made without notice.

### 5.5.3 Hearings Commissioner

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

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

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

### 5.5.4 Tenders/Procurement Panel

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- a) The Tenders/Procurement Panel may meet to award tenders for contracts and for land purchases which:
  - i. exceed \$1M in value in accordance with Council's Procurement Policy or Procurement Strategy; or
  - ii. where the type of procurement is a deviation from Council's Procurement Policy or Procurement Strategy and appropriate reasons exist for the deviation (noting this may include decisions in relation to contracts and purchases below \$1M in value); or
  - iii. providing that in all cases, the contract or land purchase are included in a budget and activity in the Council's Long-Term Plan or Annual Plan, or are within a budget approved by Council;
- b) all decisions made by the Tenders/Procurement Panel will be reported back to the appropriate standing committee at its next scheduled meeting (currently this is the Operations Committee);
- c) membership comprises three elected members and the Chief Executive;
- d) a quorum comprises two elected members;
- e) meetings occur as and when required and in accordance with the requirements of the Local Government Act 2002, the Local Government Official Information and Meetings Act 1987 and Council's Standing Orders.

### 5.6 Advisory Groups

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

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

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

There are five Advisory Groups:

### 5.6.1 Port Tarakohe Advisory Group

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

- To provide a conduit for all community and Port users interests through to Council.
  - To ensure community, stakeholders and all users are informed, have the opportunity for input, and are involved in the work of the group.
  - To provide updates to Council and any recommendations for improvements to the operational issues of the Port, whilst respecting the financial sustainability framework Council have set.
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### 5.6.2 Motueka Aerodrome Advisory Group

This group works with the Council to help develop and manage aerodrome operations. The objectives of the group include:

- Review and provide opinion on development applications or requests at Motueka Aerodrome.
  - Review the Motueka Aerodrome Development plan and recommend any changes to Council.
  - To be consulted prior to the Motueka Aerodrome component of the Long Term Plan being recommended for adoption by Council.
  - To provide feedback on any requests to change the permitted or discretionary uses at Motueka Aerodrome.
  - To review issues relating to noise at Motueka Aerodrome and recommend appropriate actions.
  - To receive condition reports on the aerodrome infrastructure and provide a link between users and the Aerodrome Operator.
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### 5.6.3 Takaka Aerodrome User Group

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

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### 5.6.4 Motueka Aerodrome Operations and Safety Committee

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

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

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## 5.6.5 Brightwater – Wakefield Community Facilities Project Advisory Group

### 1. Background

The project is to develop ‘a multi-purpose community facility to serve Brightwater & Wakefield communities’. The TDC 10-Year Plan 2021-2031 assigns the project to a 2026-29 timeframe and allows a nominal sum of \$8.6m to fund the work. Early engagement on the review of the 10 Year Plan indicates the communities expect an earlier project delivery date.

Work to date has focused on early community engagement and the completion of a Needs Analysis, conducted in 2022 by Global Leisure Group. Community engagement has included the establishment of the Waimea South Community Facility Charitable Trust in 2022, consultation meetings with the Wakefield Community Council, the Brightwater Community Association, Wanderers Sports Club and wider community groups and individuals. The Needs Analysis report is to be adopted by the Council and its recommendations progressed through a feasibility study, or studies.

### 2. Objectives

The objective of the current phase of the project is to assist and inform Council to conduct a feasibility study.

In the likelihood that the project will proceed as two separate pieces of work in Brightwater and Wakefield, as recommended in the Needs Analysis report and supported at a meeting of key partners in June 2023, we agree to establish a advisory group to bring together key community partners and the TDC, to oversee the feasibility study (or studies). We believe input from this group into the feasibility study, and beyond, is critical for maintaining a strong community-driven focus that better engages with people and their needs.

### 3. Scope

The scope of the advisory group’s work will be:

- a. To establish a working partnership between community stakeholders and TDC staff, including clear lines of responsibility and reporting between the community partners in Brightwater and Wakefield, the advisory group and the TDC.
- b. To confirm the status of the project as a single or split provision, and to assist and inform the Council in commissioning and conducting a feasibility study (or studies). With the funding obtained through the government’s Better Off Fund, this phase of the project/s may extend to design and costings of preferred facility options.
- c. To explore options for the future governance of the completed facilities, aligned with community hub models, as recommended in the Needs Analysis report.

### 4. Advisory Group Structure

The advisory group will comprise:

- Two members from the Waimea South Community Facility Charitable Trust
  - Two members from the Brightwater Community Association
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- Three members from the Tasman District Council
- The group may co-opt other members by unanimous agreement.

## **5. Advisory Group Process**

The advisory group will establish an operational framework suitable to fulfilling its objectives, including:

- a. Meetings: frequency, procedures, venues
- b. Roles: chair, secretary or other roles as considered desirable
- c. Reporting: meeting minutes and resolutions, standards of reporting, recipients of reports, procedures for media releases and other public communications. As a guideline, it is recommended that no media or social media messaging is published under this group's name; any releases will be written and published by the TDC as the major stake holder/financer.
- d. Disputes: agree on a Code of Conduct and a resolution procedure for disputes/disagreements within the group

## **6. Deliverables**

- a. Advisory group structure. The advisory group is established and functioning well to fulfil all its objectives.
- b. Project status. The project's status as a single or split provision between Brightwater and Wakefield is decided, and is approved by the TDC
- c. Feasibility study. The feasibility study is completed to an agreed timeframe and standard.
- d. Future options. Options for future governance of completed facilities have been fully scoped, and recommendations presented to stakeholders.

## **7. Timeframe**

Timeframes to deliver the advisory group's functions are:

- a. Group Structure and operations established: July 2023
- b. Project status confirmed: July 2023
- c. Feasibility Study:
  - Commissioning: July - September 2023
  - Undertaking the study: September – December 2023
  - Initial reporting to stakeholders: December 2023 – January 2024
  - Final report: February 2024
  - Inclusion in revised TDC 10-Year Plan: June 2024
- d. Future options:
  - Scoping exercise: September – December 2023
  - Recommendations to stakeholders: February 2024
  - Preferred option agreed: June 2024
  - Preferred option established: At a future date

## **8. Costs**

Advisory group members may incur costs in fulfilling their role. These will be pre-approved and reimbursed by the TDC.

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**9. Reporting**

The advisory group will report to the TDC, the Waimea South Community Facility Charitable Trust and Brightwater Community Association at regular intervals, by agreed report.

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## **Part Three - Management**

## 1.0 Chief Executive's Delegations

- 1.1 The Council delegates to the Chief Executive all powers conferred on the Council by legislation, as captured within the Delegations Register
- 1.2 Unless explicitly stated in this Delegations Register, the Chief Executive retains the authority to carry out all responsibilities, duties and powers listed within the Delegations Register, whether derived from Council, its committees or any other subordinate decision-making body, directly from legislation or elsewhere.
- 1.3 The Chief Executive will report the exercise of these delegations to the Council when the delegation requires and as they deem necessary.
- 1.4 The Chief Executive is authorised to amend the delegations register to reflect changes in the organisation's structure.
- 1.5 The Council may choose to delegate any further powers, responsibilities and duties to the Chief Executive, aside from those which may not be delegated by statute. The Chief Executive has the power to delegate such powers, responsibilities and duties on to any officer he or she employs, or any other contractor or advisor if permissible by law. Any powers, responsibilities and duties delegated from the Chief Executive to officers, contractors or advisors will be recorded in the Delegations Register or the Temporary Delegations Register.
- 1.6 The Chief Executive when operating within these delegations should be mindful of Council's Significance and Engagement Policy and give thought to whether a matter considered to be of high significance may need to be referred to an appropriate committee or in some cases to Tasman District Council.
- 1.7 The Chief Executive when operating within these delegations should be mindful of Council's Climate Change responsiveness and give thought to whether a matter considered may need to be referred to an appropriate committee or in some cases to Tasman District Council.
- 1.8 The Council has appointed the Chief Operating Officer as the Acting Chief Executive should the Chief Executive not be available.
- 1.9 The Chief Executive may appoint one or more senior officers to undertake his or her functions and delegated authority during planned absences or sick leave.
- 1.10 In the interregnum period, the Acting Chief Executive Officer may make governance decisions on behalf of the Council in respect of urgent matters, in consultation with the Mayor Elect, during the period from the day following the Electoral Officer's declaration of results for the 2022 Tasman District Council Election, until the first meeting of the new Council (the interim period).
- 1.11 All decisions made in the interim period under this delegation to the Acting Chief Executive Officer be reported to the first ordinary meeting of the new Council.



## 2.0 Governance

	What	Authority to	Who
2.1	Common Seal	Authority to affix the Common Seal in accordance with Part Two – Governance, Execution of Documents item 2.1 Use of Common Seal	Chief Executive (includes Acting Chief Executive)
2.2	Official Information  (LGOIMA Act 1987 with the exception of section 32)	Authority to exercise the powers of Parts II to V of the LGOIMA, including the ability to: <ul style="list-style-type: none"> <li>▪ refuse to release information,</li> <li>▪ or refuse requests</li> </ul>	Chief Executive (includes Acting Chief Executive)  Tier 2 Group Managers  Legal and Democracy Services Manager  Senior Legal Advisor  Democracy Services Officer  Legal and Democracy Support Officer
2.3	Privacy Act Requests  Part V	Authority to make a determination relating to parts 4 to 6 of the Privacy Act 1993 in respect of any request for personal information	Chief Executive (includes Acting Chief Executive)  People, Safety & Wellbeing Manager  Legal and Democracy Services Manager  Senior Legal Advisor  Democracy Services Officer
2.4	Disposal of Council Records	Authority to dispose of any Council records after receiving confirmation from the relevant Department Manager or, where required, to make application to another authority for disposal, so far as the exercise of this delegation is not contrary to legislative authority or Council policy	Chief Executive (includes Acting Chief Executive)  Group Manager Finance
2.5	Treasury Activity	Authority to exercise the responsibilities outlined in the Treasury Risk Management Policy delegation of authority and authority limits.	Chief Executive (includes Acting Chief Executive)  Group Manager Finance  Finance Manager

Tasman District Council Delegations Register – Part Three Management

	<b>What</b>	<b>Authority to</b>	<b>Who</b>
			Treasury Accountant

### 3.0 Financial Management

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

Tasman District Council Delegations Register – Part Three Management

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

Tasman District Council Delegations Register – Part Three Management

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegation).	Who
		Authority to approve the Chief Executive's credit card expenditure (joint approval required)	Mayor, and either Group Manager Finance or the Deputy Mayor
		Authority to approve any other Council credit card held by a staff member other than himself or herself	Chief Executive (includes Acting Chief Executive)
		Authority to approve credit card expenditure for credit cards assigned to their third tier managers.	Tier 2 Group Managers
3.7	Expense claims and Sensitive Expenditure (ref Sensitive Expenditure Policy)	Authority to approve expense claims and sensitive expenditure	Chief Executive (includes Acting Chief Executive)  Tier 2 Group Managers  Tier 3 Managers
3.8	Purchase orders and invoices	<p>Authority to approve purchase orders and receipted invoices in the Council's finance system, provided:</p> <ul style="list-style-type: none"> <li>▪ The approved purchase order applies to a single transaction or 'commitment'</li> <li>▪ The 'commitment' is not split into two or more purchase orders or invoices</li> <li>▪ The whole transaction is approved by a staff member with the appropriate delegated financial authority limit.</li> </ul>	<p>Chief Executive (includes Acting Chief Executive)</p> <p>Tier 2 Group Managers</p> <p>Tier 3 Managers</p> <p>Project Delivery / Project Managers (Tier 4 Community Infrastructure)</p> <p>Other staff (subject to individual role financial delegated limits)</p>
3.9	<p>Bank, Invest and Sign Cheques</p> <p>Refer Tasman District Council's Treasury and Risk Management Policy</p>	<p>Subject to the observance of appropriate internal controls, authority to:</p> <ul style="list-style-type: none"> <li>▪ Bank, transfer, and invest funds held by the Council in accordance with Council policy</li> <li>▪ Sign and countersign cheques, bills of exchange, promissory notes and other negotiable instruments, withdrawal notices or authorise electronic payments on behalf of Council;</li> <li>▪ Approve payroll payments and all payroll related matters; and</li> </ul>	<p>Chief Executive (includes Acting Chief Executive)</p> <p>Tier 2 Group Managers</p> <p>Finance Manager</p> <p>Property Services Manager</p> <p>Financial Accountant</p>

Tasman District Council Delegations Register – Part Three Management

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegation).	Who
		<ul style="list-style-type: none"> <li>▪ Approve all tax payments and tax related matters.</li> </ul> <p>(This delegation requires two of the delegates signing and countersigning appropriate documentation.)</p>	<p>Management Accountant</p> <p>Revenue Accountant</p>
3.10	Bad Debts	<p>Authority to take appropriate action, within Council policy, to recover debts, including, but not limited to:</p> <ul style="list-style-type: none"> <li>▪ Court (excluding High Court),</li> <li>▪ Tribunal proceedings, and</li> <li>▪ Debt collection agencies.</li> </ul>	<p>Chief Executive (includes Acting Chief Executive)</p> <p>Tier 2 Group Managers</p> <p>Finance Manager</p>
		<p>Authority to write off or compromise bad and doubtful debts (up to specified limits), following discussion with the Manager of the Department from where the debt originated.</p> <p>Administrative errors can be corrected without need to refer these to the Chief Executive or Tier 2 Group Manager.</p>	<p>Chief Executive (includes Acting Chief Executive)</p> <p>Tier 2 Group Managers</p>
3.11	Solid Waste Charges and Commercial Activity Charges	<p>Authority to amend at any stage during the year, and advise the public of any price changes by public notification at least one month prior to the changes taking effect.</p>	<p>Chief Executive (includes Acting Chief Executive)</p>
3.12	Elected Member Payments	<p>Authority to consider and approve Elected Members' remuneration and expense claims.</p>	<p>Chief Executive (includes Acting Chief Executive)</p> <p>Chief Operating Officer</p> <p>Group Manager Finance</p> <p>Legal and Democracy Services Manager</p> <p>Finance Manager</p>
3.13	External Grants	<p>Authority to receive and/or administer external grants or funding on behalf of the Council, including entering into a contract for the receipt of those grants or funds, subject to any Councils share being provided for in a budget and their authority is not limited by the Schedule of Financial Delegations.</p>	<p>Chief Executive (includes Acting Chief Executive) – unlimited amount</p> <p>Tier 2 Group Manager – up to financial delegated limit</p>

Tasman District Council Delegations Register – Part Three Management

	<b>What</b>	<b>Authority to</b> (as long as it is consistent with the limits of the Schedule of Financial Delegation).	<b>Who</b>
3.14	Schedule of Fees	Power to reduce or waive deposit or fees.	Group Manager – Environmental Assurance
		Power to determine the amount of any refund of any deposit or fee after taking into account the actual and reasonable costs incurred in process of the permit, consent or licence.  When these decisions are exercised they are to be recorded appropriately.	Group Manager Environmental Assurance Regulatory Manager Building Assurance Manager Resource Consents Manager
3.15	Execute Documents	Authority to execute documents (including agreements and memoranda of understanding), where the document relates to an operational matter and where the authority not already provided by an existing delegation, pursuant to the general powers of the Council under the Local Government Act 2002. The exercise of this delegation shall be reported to the Council in the Chief Executive Update.	Chief Executive (Including Acting Chief Executive)

## 4.0 Rates and Valuations

	<b>What</b>	<b>Authority to</b> (as long as it is consistent with the limits of the Schedule of Financial Delegations)	<b>Who</b>
4.1	Rates Remissions	Authority to consider and decide on applications made under the Policy on Remission of Excess Metered Water Rates.	Group Manager Community Infrastructure Utilities Manager Water Billing Officer
		Authority to consider and decide on remission of penalties under the Policy on Remission of Penalties	Group Manager Finance Finance Manager Revenue Accountant
		Authority to consider and decide the policy on remission of penalties a) Policy on Remission of Uniform Charges on Non-Contiguous Rating Units Owned by the Same Ratepayer.	Group Manager Finance

Tasman District Council Delegations Register – Part Three Management

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

## 5.0 Functional Delegations

	<b>What</b>	<b>Authority to</b> (as long as it is consistent with the limits of the Schedule of Financial Delegations)	<b>Who</b>
5.1	News Media, Public Notices, Advertisements and Websites  (in accordance with Council's	Authority to make any statements to the news media <ul style="list-style-type: none"> <li>a) relating to Council's business</li> </ul>	Chief Executive (includes Acting Chief Executive)  Tier 2 Group Managers  Community Relations Manager



Tasman District Council Delegations Register – Part Three Management

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

Tasman District Council Delegations Register – Part Three Management

	<b>What</b>	<b>Authority to</b> (as long as it is consistent with the limits of the Schedule of Financial Delegations)	<b>Who</b>
5.3	Use of Council Property, Assets and Staff	a) Approve the use of any Council building, facility or equipment by an outside person or organisation in accordance with established guidelines;	Chief Executive (includes Acting Chief Executive)
		b) Dispose (whether by tender or otherwise) of any motor vehicle or item of plant in accordance with a recognised programme of vehicle and plant replacement;	Tier 2 Group Managers Property Services Manager
		c) Dispose (whether by tender or otherwise), and the terms thereof, of any other surplus Council asset up to a book value specified in the authorised expenditure schedule, as provided for in the Long Term Plan; and	
		d) Hire out, and the terms and conditions thereof, of any Council asset and staff to outside organisations.	
		e) Sign easement and other documents where the correct legal processes have been followed and where Council has previously agreed to the granting of such easements.	Tier 2 Group Managers Property Services Manager
		f) Set or amend Hall Charges, in consultation with the relevant Hall Committee.	Reserves and Facilities Manager
		g) Set or amend Richmond Aquatic Centre and Community Facilities Charges	Community Partnerships Coordinator
5.4	Employment	Is responsible, on behalf of the Council, for ensuring the effective and efficient management of the Council, employing staff and negotiating the terms of employment of staff.	Chief Executive (includes Acting Chief Executive)
		Has control over all employment-related matters concerning staff, and retains authority to approve the employment of all staff.	Chief Executive (includes Acting Chief Executive)
		In relation to their area of responsibility and in accordance with relevant Council policy, authority to: a) Determine staff hours of attendance that best suits the Council's needs; b) Approve the temporary reallocation of duties provided they do not require an amendment to the Position Description;	Tier 2 Group Managers

Tasman District Council Delegations Register – Part Three Management

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegations)	Who
		c) Approve overtime, including granting time off in lieu of overtime; d) Approve time-in-lieu and all types of leave, except: <ul style="list-style-type: none"> <li>I. Leave identified as being at the sole discretion of the Chief Executive; and</li> <li>II. Leave without pay for periods in excess of two weeks;</li> </ul> e) Approve the attendance of staff at conferences, courses or seminars; f) Take disciplinary action, excluding dismissal. g) Employ casual and temporary staff.	
		h) Third Tier Managers, in relation to their area of responsibility and in accordance with relevant Council policy, have authority to take disciplinary action (excluding dismissal) for any first or second offence allegations of misconduct.	Tier 3 Managers
5.5	RMA Authority (Resource Management Act, but excluding the powers in s168A)	Act within their scope of responsibility, as a Requiring Authority, including giving the written consent of the Council for the use of land being subject to a requirement or designation.	Group Manager Service and Strategy Group Manager Finance Group Manager Community Infrastructure Group Manager Information, Science and Technology
5.6	Street Names (Ref Street Naming Policy and Community Board Terms of reference)	Power to decide on street names for new sub divisional roads in accordance with the Council and in consultation with a Ward Councillor or the Community Board	Group Manager Environmental Assurance
5.7	Engineering projects and designs	Approve the designs for Engineering projects and subdivisions Consider and approve variations/waivers to engineering design standards in exceptional circumstances	Group Manager Community Infrastructure Utilities Manager Transportation Manager Rivers and Coastal Engineer Project Delivery Manager

Tasman District Council Delegations Register – Part Three Management

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

## 6.0 Legal

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

Tasman District Council Delegations Register – Part Three Management

	<b>What</b>	<b>Authority to</b> (as long as it is consistent with the limits of the Schedule of Financial Delegations)	<b>Who</b>
			Team Leader - Subdivision Consents  Consent Planner
6.2	Legal Proceedings	<p>Authority to:</p> <p>a) Commence court proceedings, where:</p> <ul style="list-style-type: none"> <li>▪ there are exceptional circumstances; and</li> <li>▪ time does not permit consideration by Council; and</li> <li>▪ where such action is necessary to protect or further Council's interests; and</li> <li>▪ subject to prior discussion with the Mayor</li> <li>▪ In all other instances, the ability to commence court proceedings is confined to the Council.</li> </ul> <p>b) Vote on behalf of Council, where a resolution of Council is not a prerequisite</p>	Chief Executive (includes Acting Chief Executive)
		<p>c) Impose or remove statutory land charges;</p> <p>d) Release statutory land charges, subject to confirmation, for Council's financial security, or that all monies owing to the Council have been repaid</p>	Tier 2 Group Managers
		<p>e) Release or alter loans, mortgages and to impose or remove statutory land charges, subject to confirmation, for Council's financial security, or that all monies owing to the Council have been repaid;</p>	Chief Executive (includes Acting Chief Executive)  Group Manager Finance
		<p>f) File in the name of the Council a Statement of Defence or other appropriate response, to any proceedings against the Council, commenced in any Court or Tribunal</p>	Chief Executive (includes Acting Chief Executive)  Tier 2 Group Managers  Legal and Democracy Services Manager
		<ul style="list-style-type: none"> <li>▪ in relation to policy statement and plan proceedings, including the authority to negotiate or mediate and settle the proceedings</li> </ul>	Environmental Policy Manager
		<ul style="list-style-type: none"> <li>▪ in relation to resource consent proceedings, including the authority to negotiate or mediate and settle the proceedings</li> </ul>	Resource Consents Manager

Tasman District Council Delegations Register – Part Three Management

	What	Authority to (as long as it is consistent with the limits of the Schedule of Financial Delegations)	Who
		<p>The power to:</p> <ul style="list-style-type: none"> <li>a) initiate, conduct and dispose of prosecution proceedings (including an application for leave to withdraw a prosecution) for offences under any Act, Regulation or Bylaw which involves the Criminal Procedure Act 2011; and</li> <li>b) issue injunctions to restrain continuing breaches of the Building Act (under section 381 of the Building Act 2004) or of the Local Government Act or of any Bylaw (under section 162 of the Local Government Act 2002); and</li> <li>c) apply for an enforcement order under section 316 of the Resource Management Act; and</li> <li>d) apply for a declaration under section 311 of the Resource Management Act; and</li> </ul> <p>subject to any proceedings being actioned with legal advice and reported to the next available Environment and Regulatory Committee meeting.</p>	<p>Group Manager Environmental Assurance</p>
6.3	Legal Advice	<p>Authority to:</p> <ul style="list-style-type: none"> <li>a) Obtain legal advice on Council's behalf;</li> <li>b) Sign on Council's behalf any routine legal administrative document;</li> <li>c) Settle claims against Council up to a limit specified in the authorised expenditure schedule (consistent with Council's insurance excess) or in accordance with a recommendation from Council's insurers, or competent legal advice, where time constraints do not permit the matter to be referred to a meeting of Council or an appropriate Committee;</li> <li>d) Initiate proceedings to have Court costs awarded; and initiate legal proceedings to collect Court costs awarded</li> </ul>	<p>Chief Executive (includes Acting Chief Executive)  Tier 2 Group Managers</p>

## 7.0 Submissions

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

## 8.0 Trespass

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

## Tasman District Council Delegations Register – Part Three Management

What	Authority to (as long as it is consistent with the limits of the schedule of financial delegations)	Who
		Team Leader – Customer Services

### 9.0 Additional Delegations

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

### 10.0 Water Supply

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

### 11.0 Specific Delegations by Resolution

Prior to the 26 October 2023 Tasman District Council meeting, specific Executive Leadership Team (ELT) delegations (for example to sign a specific document) were not recorded in the Delegations Register. In order to cover situations where ELT positions, functions and titles had changed since a 2021 restructure, and to allow current ELT members to carry out roles



## Tasman District Council Delegations Register – Part Three Management

referred to in previous resolutions, an omnibus resolution was passed at the 26 October 2023 Tasman District Council meeting:

*CN23-10-1*

*That the Tasman District Council*

- 1. receives the Transfer of Executive Leadership Team delegations made by specific resolution report RCN23-10-4; and*
- 2. authorises the same delegations held by the former respective members of the Executive Leadership Team before the organisational re-structure in 2021, to be held by the current respective members of the Executive Leadership Team, where they are currently carrying out the same role and functions as the former member, which were authorised by a previous Council resolution within the last five years from the date of this report; and*
- 3. delegates authority to the Chief Executive Officer to hold and exercise those same delegations as the current members of the Executive Leadership Team.*

Following the 26 October 2023 Tasman District Council meeting, all specific ELT delegations by resolution will be recorded in the Delegations Register (as in the table below):

	Meeting	Resolution (authority to)	Who
11.1	Tasman District Council - 26 October 2023	Authorises the same delegations held by the former respective members of the Executive Leadership Team before the organisational re-structure in 2021, to be held by the current respective members of the Executive Leadership Team, where they are currently carrying out the same role and functions as the former member, which were authorised by a previous Council resolution within the last five years from the date of this report (26 October 2023.)	The current Executive Leadership Team Members
11.2	Tasman District Council - 26 October 2023	Delegates authority to the Chief Executive Officer to hold and exercise those same delegations as the current members of the Executive Leadership Team	Chief Executive Officer

## Schedule of Financial Delegations

Category	A	B	C	D	E	F	G	H	I
	Contract award within approved budgets <sup>1</sup>	Approval of purchase orders and invoices <sup>3</sup>	Approval of progress payments on awarded contracts that <u>have</u> been approved by Council, an appropriate Committee or Tenders/Procurement Panel <sup>4</sup>	Debt write-off, fee waivers or discounts	Emergency expenditure approval	Authorised to bank, transfer and invest funds and sign cheques	Reallocating capital budgets	Reallocating operating budgets - allowed as long as within overall direct operating cost budget.	Receipt and/or administer external grants or funding on behalf of the Council, including entering into a contract for the receipt of the funds
		Approval of expense claims and sensitive expenditure <sup>7</sup>							
		Approval of progress payments on awarded contracts (excluding contracts approved by Council, a Committee or Tenders/Procurement Panel), within approved budgets <sup>10</sup>				Approve leasing/granting of leases & licenses			
						Enter contracts for management of council property			
Expenditure type	Capex and Opex limit	Capex and Opex limit	Capex and Opex limit	Capex and Opex limit	Capex and Opex limit	Capex and Opex limit	Capex and Opex limit	Opex	Capex and Opex limit
Tenders/Procurement Panel	Exceed \$1m in value <sup>6</sup>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Chief Executive	\$1m	\$1m	Subject to individual delegations made by resolution	\$100,000	\$1m	Yes	Yes <sup>8</sup>	Yes	Unlimited
Tier 2 Group Managers	\$500,000	\$500,000	Subject to individual delegations made by resolution	\$50,000	\$500,000	Yes	Yes <sup>8</sup>	Yes	\$500,000
Tier 3 - level 1 (Community Infrastructure)	\$300,000	\$300,000	Subject to individual delegations made by resolution	\$0	\$0	For permitted managers only	\$0	Yes	N/A
Tier 3 - level 2 (Other) <sup>9</sup>	\$50,000	\$50,000	N/A	\$0	\$0	For permitted managers only	\$0	Yes	N/A
Project Delivery / Project Managers (Tier 4 Community Infrastructure) <sup>5</sup>	\$0	\$50,000	N/A	\$0	\$0	No	\$0	N/A	N/A
Other Staff <sup>2</sup>	\$0	\$20,000 maximum and subject to individual review	N/A	\$0	\$0	For permitted staff only	\$0	N/A	N/A

Notes:

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



## Part Four - Statutory Delegations

## Statutory Delegations

Statutory delegations to staff may be made where:

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

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

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

<b>Amusement Devices Regulations 1978</b>		
1	Power to inspect and license amusement devices	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Compliance, Team Leader Building Inspections, Team Leader Building Consents Technical Lead - Building Assurance, Senior Building Technical Officer, Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Building Officer - Compliance, Building Officer - Compliance (COAs & Discretionary Exemptions), Trainee Building Technical Officer

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

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Aquaculture Reform (Repeals and Transitional Provisions) Act 2004</b>		
6	44(4) Power to extend period for negotiation	Group Manager - Environmental Assurance
7	44B(2)(b) Power to notify consent applicants to negotiate	Group Manager - Environmental Assurance
8	44D(2)(b) Power to allocate authorisations to Trustees in accordance with agreement	Group Manager - Environmental Assurance
9	s. 53 Power to approve off-site farm amendments.	Group Manager - Environmental Assurance, Resource Consents Manager, Team Leader Natural Resources Consents, Senior Planner - Natural Resources, Consent Planner - Natural Resources

<b>Biosecurity Act 1993</b>		
11	s.100E Power to make recommendations to Council to approve and amend a pest management plan or declare a small scale management programme in accordance with section 82 of this Act.	Strategy and Policy Committee
12	s.103 Power to appoint inspectors and authorised persons.	Chief Executive (includes Acting Chief Executive)

<b>Building Act 2004</b>		
13	s.34 Power to issue a project information memorandum.	Group Manager - Environmental Assurance, Building Assurance Manager, Resource Consents Manager, Team Leader Building Consents, Team Leader Building Inspections, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Building Technical Officer, Senior Planner - Land use, Senior Planner - Natural Resources, Senior Planner - Subdivisions, Consent Planner - Subdivisions, Consent Planner - Natural Resources, Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Trainee Building Technical Officer
14	s.36 Power to issue development contribution notice.	Group Manager - Environmental Assurance, Regulatory Manager, Building Assurance Manager, Development Contributions Administrator

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Building Act 2004</b>		
15	s.37 Power to issue certificate if resource consent required.	Group Manager - Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Planner - Land Use, Senior Planner - Natural Resources, Senior Planner - Subdivisions, Consents Officer - Land Use, Consents Officer - PIMs, Consent Planner - Natural Resources
16	s.38 Power to provide network utility operators or statutory authority copy of Project Information Memorandum	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Inspections, Team Leader Compliance and Investigations, Team Leader Compliance and Investigations - (Land and Air), Team Leader Compliance and Investigations - (Water and Waste), Senior Building Technical Officer, Building Technical Officer - Processing, Building Technical Officer - Inspections, Building Technical Officer - Contractor, Trainee Building Technical Officer
17	s.39 Power to advise Heritage New Zealand Pouhere Taonga	Group Manager - Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Planner - Land Use, Senior Planner - Subdivisions, Senior Planner - Natural Resources, Consent Planner - Subdivisions, Consent Planner -Natural Resources, Consents Officer - Land Use, Consents Officer - PIMs, Senior Building Technical Officer, Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Trainee Building Technical Officer

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Building Act 2004</b>		
18	s.46 Power to give notice to Fire and Emergency New Zealand (FENZ).	Group Manager - Environmental Assurance, Resource Consents Manager, Building Assurance Manager, Team Leader Compliance and Investigations - (Water and Waste), Team Leader Compliance and Investigations - (Land and Air), Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Planner - Land Use, Senior Planner - Natural Resources, Senior Planner – Subdivisions, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Land Use, Technical Lead - Building Assurance, Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Trainee Building Technical Officer, Consents Officer - Land Use, Consents Officer – PIMs, Administration Officer - Regulatory
19	s.48 Power to request further information following receipt of application for building consent.	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Senior Building Technical Officer, Technical Lead - Building Assurance, Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Trainee Building Technical Officer
20	s.48-52 Power to process and grant applications for building consent.	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Senior Building Technical Officer, Technical Lead - Building Assurance, Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Building Officer – Compliance, Trainee Building Technical Officer
21	s.59 Power to pay building consent levy.	Group Manager - Environmental Assurance, Building Assurance Manager
22	s.62 Power to recover unpaid levies.	Group Manager - Environmental Assurance, Building Assurance Manager



Tasman District Council Delegations Register – Part Four Statutory Delegations

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

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Building Act 2004</b>		
28	s.96-99 Power to process and approve certificates of acceptance.	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Senior Building Technical Officer, Technical Lead - Building Assurance, Building Officer - Compliance, Building Officer - Compliance (COAs & Discretionary Exemptions), Building Technical Officer, Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Trainee Building Technical Officer
29	ss.102,104,104A,106,107,109,111 Power in respect of compliance schedules	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Compliance, Team Leader Building Inspections, Senior Building Technical Officer, Technical Lead - Building Assurance, Building Officer - Compliance
30	ss.112,113,115,116 Power in relation to alterations to buildings and changes of use	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Senior Building Technical Officer, Technical Lead - Building Assurance, Building Technical Officer – Processing, Building Technical Officer – Inspections, Building Officer – Compliance, Trainee Building Technical Officer
31	ss.124, 126, 127, 129, 130 Power in relation to dangerous, affected, earthquake-prone or insanitary buildings.	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Compliance, Team Leader Building Consents, Team Leader Building Inspections, Senior Building Technical Officer, Technical Lead - Building Assurance, Building Officer – Compliance, Building Technical Officer – Processing, Building Technical Officer – Inspections, Trainee Building Technical Officer
32	s.133AG Power to identify potentially earthquake prone buildings	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
33	s.133AH Power to request engineering assessment	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Building Act 2004</b>		
34	s.133AI Power to cancel request for assessment	Group Manager -Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
35	s.133AJ Power to grant extension of time	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
36	s.133AK Power to determine whether a building is earthquake prone	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
37	s.133AL Power to issue EPB notice	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
38	s.133AN Power to grant EPB exemption notice	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
39	s.133AO Powers in relation to heritage buildings	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
40	s.133AP Power to affix or remove or replace notice	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
41	s.133AQ Power to assess information and act accordingly	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
42	s.133AR Power to impose safety requirements	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
43	s.133AT Power in relation to earthquake prone buildings	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspectors, Technical Lead - Building Assurance

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Building Act 2004</b>		
44	s.136, 138 Power to approve or refuse to approve the classification of dams	Group Manager - Environmental Assurance Building Assurance Manager,
45	s.143, 145 Power to approve or refuse to approve a dam safety assurance programme.	Group Manager - Environmental Assurance Building Assurance Manager,
46	s.154, 156 Power in relation to dangerous dams.	Group Manager - Environmental Assurance Building Assurance Manager,
47	s.164, 167 Power in relation to notices to fix building work	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Compliance, Team Leader Building Consents, Team Leader Building Inspections, Senior Building Technical Officer, Technical Lead - Building Assurance, Building Officer - Compliance, Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Trainee Building Technical Officer
48	s.177, 180 Power to apply to the Ministry of Business, Innovation and Employment for a determination.	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Technical Lead - Building Assurance
49	s.215, 241 Power to apply for accreditation	Group Manager - Environmental Assurance
50	s.219 Power to impose a fee or charge	Group Manager - Environmental Assurance, Building Assurance Manager
51	s.220, 221 Power to seek Court order on default and recover costs.	Group Manager - Environmental Assurance, Building Assurance Manager
52	s.222 Powers of territorial authority to carry out inspections	Building Assurance Manager, Team Leader Building Compliance, Team Leader Building Inspections Senior Building Technical Officer, Technical Lead - Building Assurance, Building Officer - Compliance
53	s.363A Power to allow public use of premises before issue of code compliance certificate in some circumstances	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Inspections, Technical Lead - Building Assurance, Building Officer - Compliance, Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Trainee Building Technical Officer

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Building Act 2004</b>		
54	s.371B Power to authorise persons and officers to issue infringement notices under s372 of the Building Act 2004	Chief Executive (includes Acting Chief Executive)
55	s.436 Power to issue code compliance certificates in respect of building work carried out under building consent granted under former Act (Transitional provision)	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents, Team Leader Building Inspections, Senior Building Technical Officer, Technical Lead - Building Assurance, Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Trainee Building Technical Officer
56	Schedule 1(2) Power to grant discretionary exemptions	Group Manager - Environmental Assurance, Building Assurance Manager, Team Leader Building Consents Senior Building Technical Officer, Technical Lead - Building Assurance, Building Officer - Compliance, Building Officer - Compliance (COAs & Discretionary Exemptions), Building Technical Officer - Inspections, Building Technical Officer - Processing, Building Technical Officer - Contractor, Trainee Building Technical Officer

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

<b>Dog Control Act 1996</b>		
61	ss.11 and 12 Power to appoint dog control officers and dog rangers	Chief Executive (includes Acting Chief Executive)
62	s.21 Power to classify any person as a probationary owner.	Group Manager - Environmental Assurance, Regulatory Manager
63	s. 22 Power to hear and determine objections to classification as a probationary owner.	Environment and Regulatory Committee Animal Control Subcommittee

Tasman District Council Delegations Register – Part Four Statutory Delegations

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

Tasman District Council Delegations Register – Part Four Statutory Delegations

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

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

Tasman District Council Delegations Register – Part Four Statutory Delegations

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

<b>Freedom Camping Act 2011</b>		
	s. 32 Power to appoint persons to be enforcement officers and issue warrants to enforcement officers	Chief Executive (includes Acting Chief Executive)
96	s.39 Power to decide the return of seized or impounded property	Group Manager - Environmental Assurance, Regulatory Manager
97	s.40 Power to dispose of seized or impounded property	Group Manager - Environmental Assurance, Regulatory Manager

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

<b>Hazardous Substances and New Organisms Act 1996</b>		
	s.12 and s.100 Power to appoint enforcement officers and issue warrants	Chief Executive (includes Acting Chief Executive)



Tasman District Council Delegations Register – Part Four Statutory Delegations

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

<b>Health (Hairdressers) Regulations 1980</b>		
106	Regulation 4 Power to issue certificates of exemption.	Group Manager - Environmental Assurance, Regulatory Manager

<b>Health (Registration of Premises) Regulation 1966</b>		
107	Clause 3 Power to issue certificates of registration.	Group Manager - Environmental Assurance, Regulatory Manager, Team Leader Environmental Health
108	Regulation 9 Powers in relation to the service of notice and the hearing of submission made by the recipient of any such notice	Environment and Regulatory Committee

<b>Heavy Vehicle Regulation 1974</b>		
109	s.10(5) Powers relating to prohibiting heavy vehicles on specific roads	Environment and Regulatory Committee

<b>Housing Improvement Regulations 1947</b>		
119	Power to act in lieu of local authority	Group Manager - Environmental Assurance,

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Housing Improvement Regulations 1947</b>		
		Regulatory Manager, Team Leader Environmental Health

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

<b>Land Transport Act 1998</b>		
124	s.128D Power to appoint parking wardens and to issue warrants of appointment.	Chief Executive (includes Acting Chief Executive)
125	Power to waive fines.	Group Manager - Environmental Assurance, Regulatory Manager

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

<b>Litter Act 1979</b>		
127	s.5 Power to appoint Litter Control Officers.	Chief Executive (includes Acting Chief Executive)
128	s.8 Power to appoint Litter Wardens.	Chief Executive (includes Acting Chief Executive)
129	Section 10 Power hear any objections to the service of a notice to clear litter to the occupier of private land pursuant to this section.	Environment and Regulatory Committee

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Local Electoral Act 2001</b>		
131	<p>Parts 1A and 2</p> <p>All Council's powers, duties and functions conferred or imposed upon it under Parts 1A and 2 of the Local Electoral Act 2002, in relation to the functions of the Committee.</p>	Strategy and Policy Committee

<b>Local Government (Rating Act) 2002</b>		
132	<p>s.27(5)</p> <p>Power to decide whether to divide rating units and the methodology for division.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant
133	<p>s.28(2)</p> <p>Power to decide whether the disclosure of the name of any person is necessary to identify a rating unit.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant, Rates Officer
134	<p>s.28(3)</p> <p>Authority to determine a fee for being supplied a copy of Rating Information Database (RID) data.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant
135	<p>s.29</p> <p>Authority to determine objections to the Rating Information Database.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant, Team Leader Utilities Administration
136	<p>s.35</p> <p>Authority to remove a name from the Rating Information Database.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Team Leader - Revenue Administration, Senior Revenue Accountant, Senior Rates Officer, Finance Officer - Accounts Receivable and Revenue, Finance Officer - Banking and Revenue, Finance Officer - Rates and Revenue, Rates Officer, Revenue Officer, Utilities Billing Officer, Water Billing Officer
137	<p>s.39</p> <p>Authority to determine objections to rates records.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant

Tasman District Council Delegations Register – Part Four Statutory Delegations

Local Government (Rating Act) 2002		
138	s.40 Authority to correct errors in the Rating Information Database and Rate Records.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant, Finance Officer - Accounts Receivable and Revenue, Finance Officer - Banking and Revenue, Finance Officer - Rates and Revenue, Rates Officer, Revenue Officer, Utilities Billing Officer, Water Billing Officer
139	s.52(2) Authority to agree methods of payments for rates.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Team Leader - Revenue Administration, Senior Revenue Accountant
140	s.54 Authority not to collect small amounts.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant
141	s.61 Authority to collect unpaid rates from the owner.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant, Team Leader - Revenue Administration
142	s.62 Authority to collect unpaid rates from persons other than the owner.	Chief Executive (includes Acting Chief Executive) Group Manager - Finance, Finance Manager, Senior Revenue Accountant, Senior Rates Officer, Team Leader - Revenue Administration, Revenue Officer
143	s.63 Authority to commence legal proceedings for the recovery of rates that are in default.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant
144	s.67 Authority to commence rating sale or lease provisions.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance
145	s.72 Authority to sell land by private treaty.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Enterprise and Property Services Manager
146	ss.77-83 Authority to sell abandoned land.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Local Government (Rating Act) 2002</b>		
147	ss.85, 87, 114-115 Authority to administer rate remission and postponement policies.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant, Finance Officer - Accounts Receivable and Revenue, Finance Officer - Banking and Revenue, Finance Officer - Rates and Revenue, Rates Officer, Revenue Officer, Utilities Billing Officer, Water Billing Officer
148	s.99 Authority to apply for charging orders.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Senior Revenue Accountant
149	s.135 Authority to sign documents for court proceedings.	Chief Executive (includes Acting Chief Executive), Group Manager - Finance, Finance Manager, Enterprise and Property Services Manager

<b>Local Government Act 1974</b>		
	s.327A Power to send notice of cancellation to the Registrar-General of Land or Registrar of Deeds of building line restriction imposed under this act - in situations where the restrictions are rendered redundant by the TRMP or any subsequent plan	Chief Executive (includes Acting Chief Executive), Chief Operating Officer, Group Manager - Community Infrastructure, Group Manager - Service and Strategy, Manager - Environmental Assurance
150	s.342(1)(b) & Sch.10 Cl.11, 11A&B Power to temporarily stop or close any road or part thereof in the manner and upon the conditions set out in section 342(1)(b) and Schedule 10 clauses 11, 11A and 11B.	Group Manager - Community Infrastructure, Transportation Manager
151	s.326(10) Power to sign the receipt to be endorsed on the memorandum of charge in respect of road betterment.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure
152	s.335(1) Power to give notice requiring the occupier/owner to pay money to the Council for the cost of construction of a vehicle crossing by the Council.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Transportation Manager
153	s.335(9) Power to give notice to the occupier/owner of the Council's intention to remove a vehicle crossing at the Council's expense.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Transportation Manager

Tasman District Council Delegations Register – Part Four Statutory Delegations

Local Government Act 1974		
153a	s.348 Powers of council with respect to private roads and private ways	Group Manager - Environmental Assurance Resource Consents Manager Team Leader - Subdivision Consents Senior Planner - Subdivision Consent Planner - Subdivision Consent Planner - Subdivision Approvals
154	s.355 Power to give notice requiring the removal of overhanging trees.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Group Manager - Environmental Assurance, Reserves and Facilities Manager, Transportation Manager, Team Leader Compliance and Investigations - (Land and Air), Team Leader Compliance and Investigations- (Water and Waste), Senior Compliance and Investigations Officer, Compliance and Investigations Officer
155	s.374 Powers in relation to transport shelters	Environment and Regulatory Committee
156	Tenth Schedule Powers in relation to road stopping	Environment and Regulatory Committee
157	s.461(1) Power to issue a certificate to confirm land is served by a private drain.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Group Manager - Environmental Assurance, Water and Waste Manager, Team Leader - Land Use Consents, Team Leader - Subdivision Consents, Team Leader - Natural Resources, Senior Planner – Subdivisions, Senior Planner - Natural Resources, Consent Planner – Subdivisions, Consent Planner -Natural Resources, Consent Planner - Subdivision Approvals
158	468(1) Power to give notice to occupier to remove tree roots obstructing public drains	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Group Manager - Environmental Assurance, Environmental Information Manager, Water and Waste Manager Team Leader Compliance and Investigations - (Land and Air), Team Leader Compliance and Investigations- (Water and Waste), Senior Compliance and Investigations Officer, Compliance and Investigations Officer

Tasman District Council Delegations Register – Part Four Statutory Delegations

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

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

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



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

Tasman District Council Delegations Register – Part Four Statutory Delegations

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

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

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

<b>Maritime Transport Act 1994</b>		
190	ss.33D & 33G Authority to appoint Harbourmasters and Enforcement Officers	Chief Executive (includes Acting Chief Executive), Group Manager - Environmental Assurance

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

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Maritime Transport Act 1994</b>		
202	s.396(3a) Power to require information relevant to an inspection or audit	Regulatory Manager

<b>Psychoactive Substances Act 2013</b>		
203	S 66 Power to adopt a policy relating to the sale of approved products within Tasman District.	Strategy and Policy Committee

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

<b>Public Works Act 1981</b>		
205	s.19(8) Power to sign compensation certificates.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager
206	s.23(1) (c) & First Schedule Power to sign notices of intention to take land for essential work to include all preceding steps as prescribed under this Act.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager
207	s.26(1)(c)(ii) Power to sign requests to take land by proclamation.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager
208	s.26(1)(c)(iii) Power to make a statutory declaration to a company requested to take land by proclamation.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager
	s.48 Power to grant any person any easement, in, through, over, or under any land held for a public work	Chief Executive (includes Acting Chief Executive), Chief Operating Officer Group Manager - Community Infrastructure, Group Manager - Service & Strategy
209	s.52(4) Power to sign requests to Minister of Conservation/Minister of Transport to declare that land already held for a public work be held for another public work.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager
210	s.52(7) Power to make a statutory declaration that the Council is authorised by law to undertake work for which it is proposed to set crown land aside.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager
211	s.107 & s.109 Power to execute certificates of grants for land.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Public Works Act 1981</b>		
212	s.111 Powers of entry onto private land for other survey and investigation purposes	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Group Manager - Environmental Assurance, Enterprise and Property Services Manager
213	s.115(9) Power to sign certificates or notices of discharge.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager
214	s.204(1) Power to prepare a special roll of ratepayers for a poll in respect of a proposed irrigation scheme.	Chief Executive (includes Acting Chief Executive), Chief Operating Officer

<b>Reserves Act 1977</b>		
215	Power to grant or decline permits (other than leases and licences) for activities on Council reserves.	Group Manager - Community Infrastructure, Reserves and Facilities Manager
216	Power to require bonds for any use on Council Reserves.	Group Manager - Community Infrastructure, Reserves and Facilities Manager
217	Power to make decisions on the location of floodlights on sports grounds, subject to any resource consents.	Group Manager - Community Infrastructure, Reserves and Facilities Manager
218	Power to authorise the planting and removal of trees from any reserve or other property under the Community Infrastructure Group's control.	Group Manager - Community Infrastructure, Reserves and Facilities Manager
219	s.6(3) Power to revoke a Gazette notice and issue a fresh notice or amend the original notice.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager
220	s.8(9) Power to appoint rangers.	Chief Executive (includes Acting Chief Executive),
221	s.14 Power to declare land vested in the local authority to be a reserve.	Strategy and Policy Committee
222	s.14(4) Power to gazette resolution to declare vested land to be reserve.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Enterprise and Property Services Manager
223	s.15(1) Power to authorise or decline to authorise, by Gazette notice, the exchange of land in any reserve or any part(s) of a reserve for any other land to be held for purposes of that reserve.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Enterprise and Property Services Manager
224	s.15(3) Power to do all things necessary to effect any exchange authorised by the local authority under Section 15(1) of the Act including the payment or receipt of any money by way of equality of exchange.	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Enterprise and Property Services Manager

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Reserves Act 1977</b>		
225	s.16(1) N.B. 16(2) and 16(2A) unaffected Power to classify, by Gazette notice, according to their principal or primary purpose all reserves.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure
226	s.16(4) Power to, before classifying any reserve under subsection (1), give public notice in accordance with section 119 specifying the classification proposed,	Chief Executive (includes Acting Chief Executive), Group Manager - Service and Strategy, Group Manager - Community Infrastructure,
227	s.18(2)(e) Power to decide whether the indigenous flora and fauna and natural environment shall as far as possible be preserved (Historic Reserves)	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Reserves and Facilities Manager
228	ss.19(2)(a) and 19(3)(a) Power to decide whether the indigenous flora and fauna and natural environment shall as far as possible be preserved (Scenic Reserves)	Chief Executive (includes Acting Chief Executive), Group Manager Community Infrastructure, Reserves and Facilities Manager
229	s.24(a) Power to change the purpose of a reserve	Strategy and Policy Committee
230	s.25(1) Upon revocation of the reservation of any public reserve (or part of one) pursuant to Section 24 Reserves Act, power to dispose of that land in such manner and for such purpose as the Council (on behalf of the Minister) specifies	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager
231	s.40 Power to exercise the functions of an administering body under the Reserves Act 1977	Strategy and Policy Committee
232	s.41 Power to initiate reserve management plan reviews and appoint hearing panels, and to recommend to Council the adoption of a draft plan for consultation or to approve a final plan.	Strategy and Policy Committee
233	s.42(1) Power to give or decline to give express written consent to the cutting or destruction of trees and bush on any historic, scenic, nature, or scientific reserve. Authority to determine terms and conditions subject to which written consent is given.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Reserves and Facilities Manager

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<b>Reserves Act 1977</b>		
234	<p>ss.44(1)&amp;(2)</p> <p>Power to allow a person to use a reserve, or any building, vehicle, boat, caravan, tent, or structure situate thereon, for purposes of permanent or temporary personal accommodation; and allow that person, building, vehicle, boat, caravan, tent or structure to remain for a total period of more than 4 weeks during the period commencing on 1 November in any year and ending with 31 March.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Reserves and Facilities Manager
235	<p>s.45</p> <p>Power to give or decline to give prior approval to administering body to erect, or authorise any voluntary organisation or educational institution to erect shelters, huts, cabins, lodges etc., on any recreation or scenic reserve.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager
236	<p>s.48</p> <p>Power to act on behalf of Tasman District Council in relation to granting of rights of way and other easements.</p>	Environment and Regulatory Committee  Where public notification is not required: Group Manager - Community Infrastructure, Group Manager - Environment Assurance, Group Manager - Service & Strategy Enterprise and Property Services Manager
237	<p>s.48(1)</p> <p>Power to consent or refuse consent to administering body granting rights of way and other easements over any part of a vested reserve for any of the purposes specified in section 48(1). Power to impose such conditions as it thinks fit in giving the consent.</p>	Environment and Regulatory Committee
238	<p>s.48A</p> <p>Power to act on behalf of Tasman District Council in relation to use of reserve for communications station.</p>	Environment and Regulatory Committee
239	<p>s.48A(1)</p> <p>Power to consent or refuse consent to administering body granting a licence over a vested reserve to any person or department of State: (a) To erect, maintain and use buildings, dwellings, masts and other structures and plant and machinery; and (b) To construct, maintain, and use tracks and engage in other works - for any of the purposes specified in section 48A(1).</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager
240	<p>s.48A(3)</p> <p>Power to approve terms and conditions determined by the administering body.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Reserves Act 1977</b>		
241	<p>s.49</p> <p>Power to grant or decline to grant in writing any qualified person a right to take specified specimens of flora or fauna or rock mineral from a reserve for scientific or educational purposes. Form opinion as to whether qualified person has the necessary credentials. Impose conditions on the grant in writing.</p>	<p>Chief Executive (includes Acting Chief Executive) Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager</p>
242	<p>s.50(1)</p> <p>Power to authorise or decline to authorise any person to take and kill any specified kind of fauna that may be found in any scenic or historic reserve. Authorise or decline to authorise the use of firearms, traps, nets or other like objects within reserve for the foregoing purposes.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure Reserves and Facilities Manager</p>
243	<p>s.51(1)</p> <p>Power to authorise or decline to authorise in writing an administering body to introduce indigenous flora or fauna or exotic flora into any scenic reserve for any of the purposes referred to in section 51(1). Impose conditions on the giving of the authorisation.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Reserves and Facilities Manager</p>
244	<p>s.52(1)</p> <p>Power to declare by Gazette notice that any two or more reserves, or parts of two or more reserves and the whole of one or more other reserves, are to be united to form one reserve.</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure</p>
245	<p>s.53</p> <p>Powers under section 53 in respect of recreation reserves</p>	<p>Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure Reserves and Facilities Manager</p>



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

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Reserves Act 1977		
252	<p>s.59A(1)</p> <p>In accordance with Part IIB Conservation Act 1987, power to grant or refuse a concession in respect of any reserve controlled or managed by an administering body under Section 28 Reserves Act so that the administering body may apply Part IIIB as if references in that part to a conservation area were references to the Minister of Conservation and to the Director-General of Conservation are references to an administering body.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager
253	<p>s.61</p> <p>Powers (including leasing) in respect of local purpose reserves.</p>	Environment and Regulatory Committee
254	<p>s.64</p> <p>Administering body may purchase land on derred payments.</p>	Environment and Regulatory Committee
255	<p>s.67(1)(b)</p> <p>Power to consent or decline consent to lease of recreation reserve set apart for race course purposes, to a racing club.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure Enterprise and Property Services Manager, Reserves and Facilities Manager
256	<p>s.73</p> <p>Powers in relation to leasing of recreation reserves for farming, grazing, afforestation, or other purposes.</p>	Environment and Regulatory Committee
257	<p>s.73(1)</p> <p>Power to consent or decline prior consent to an administering body granting a lease of recreation reserve in the circumstances specified in Section 73(1), where the reserve is vested in the administering body, and consent or decline consent to an administering body granting a lease in the circumstances specified in Section 73(1) in all other cases. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under Section 73(1).</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager
258	<p>s.73(2)</p> <p>Power to consent or decline prior consent to an administering body granting a lease of recreation reserve for afforestation where the reserve is vested in the administering body, and consent or decline consent to an administering body granting a lease of recreation reserve for afforestation purposes in all other cases. Exercise all powers of the Minister referred to it in the First Schedule that pertain to leases under Section 73(2).</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager

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<b>Reserves Act 1977</b>		
259	<p>s.73(3)</p> <p>Power to form opinion as to whether recreation reserve is not likely to be used for purposes of recreation reserve. Consent or decline consent to administering body granting leases of whole or part of reserve vested in administering body. Grant or decline to grant leases of whole or part of a reserve held under an appointment to control and manage. Exercise all powers of the Minister referred to in the First Schedule that pertain to leases under Section 73(3).</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure Reserves and Facilities Manager
260	<p>s.73(5)</p> <p>Power to consent or decline consent in writing to a member of an administering body becoming the lessee of any land under the control of that body.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager
261	<p>s.73(6)</p> <p>Power to consent or decline consent to surrender lease.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager
262	<p>s.74</p> <p>Powers in relation to licences to occupy reserves temporarily.</p>	Environment and Regulatory Committee
263	<p>s.74(1)(b)(ii)</p> <p>Power to consent or decline consent to granting of licence to occupy historic, scenic or scientific reserve.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager
	<p>s.93 and s.8(9)</p> <p>Power to issue warrant or instrument of appointment</p>	Chief Executive (includes Acting Chief Executive)
264	<p>s.106-108</p> <p>Power to initiate a bylaw and appoint hearings panels and adopt a draft bylaw for consultation, and to recommend to the Council that it adopt a final bylaw.</p>	Environment and Regulatory Committee
265	<p>s.121</p> <p>Where under the provisions of the Reserve Act consent or approval is required, power to give consent or approval subject to such conditions as are thought fit.</p>	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Enterprise and Property Services Manager, Reserves and Facilities Manager
266	<p>Power to act on behalf and in lieu of the Council in regard to exercising the relevant delegations issued to local authorities by the Minister of Conservation on 8 July 2013.</p>	Strategy and Policy Committee, Environment and Regulatory Committee
267	<p>The power to exercise the delegations in relation to reserves issued to local authorities by the Minister of Conservation on 8 July 2013.</p>	Strategy and Policy Committee

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Resource Management Act 1991		
	<p>Schedule 12 Part 16 RMA (NBEA 2023 Amendments)</p> <p>s.39</p> <p>Determination of “Affected Resource Consent”. Resource consents that can only be granted for a limited duration, the consent must not exceed 5 years after the date that the relevant rules have legal effect.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Natural Resources Consents, Senior Consent Planner - Natural Resources Consent Planner - Natural Resources</p>
268	<p>excl.s.168A</p> <p>Authority to act within their scope of responsibility, as a Requiring Authority, including giving the written consent of the Council for the use of land being subject to a requirement or designation.</p>	<p>Chief Executive (includes Acting Chief Executive), Tier 2 Group Managers</p>
269	<p>s.10(2)(b)</p> <p>Power to granting a time extension to existing use.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents Team Leader - Land Use</p>
270	<p>s.27</p> <p>Power to supply information as requested by the Minister</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Regulatory Manager, Resource Consents Manager</p>
272	<p>s.34A(1)</p> <p>Power to appoint a Commissioner or Commissioners. Such appointments shall be made following consultation with the Chairperson of the Environment and Regulatory or of the Strategy and Policy Committee.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner - Resource Consents</p>
274	<p>s.36 &amp; 36AAA</p> <p>power to provide fee estimates, and make decisions on non-performance pending payment of charge.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents</p>
275	<p>s.36AAB(1)</p> <p>Power to remit the whole or part of any charge, and to not commence or continue processing if insufficient money has been paid as required by Council’s schedule of charges. Note: When using this provision the request remains effectively “on hold” until the correct payment is made by the requestor.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Natural Resources Policy, Team Leader Subdivision Consents, Team Leader Urban &amp; Rural Policy</p>

Tasman District Council Delegations Register – Part Four Statutory Delegations

Resource Management Act 1991		
276	<p>s.36AAB(2)</p> <p>Power to not commence or continue processing resource consent applications if insufficient money has been paid as required by Council's schedule of charges. Note: When using this provision the application remains effectively "on hold" until the correct payment is made by the applicant.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Environmental Policy Manager Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Natural Resources Policy, Team Leader Resources Consents, Team Leader Subdivision Consents, Team Leader Urban &amp; Rural Policy</p>
277	<p>s.37</p> <p>Power to extend or waive time periods.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Planner – Subdivisions, Senior Planner -Land Use, Senior Planner - Natural Resources, Consent Planner – Subdivisions, Consent Planner -Natural Resources, Consent Planner - Land Use</p>
278	<p>s.38</p> <p>Power to appoint and authorise Enforcement Officers.</p>	<p>Chief Executive (includes Acting Chief Executive)</p>
279	<p>ss.41B &amp; 41C</p> <p>In consultation with the Chairperson of a hearing panel or a sole Commissioner, power to issue directions or requests to applicants and/or submitters, including to provide briefs of evidence before commencement of a hearing, and to direct certain procedural aspects of the hearing before the hearing</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner - Resource Consents</p>
280	<p>s.41D</p> <p>The power to strike out a submission.</p>	<p>Commissioner or Hearing Panel</p>
281	<p>s.42</p> <p>Power to respond to requests to protect sensitive information.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Resource Consents Manager, Environmental Policy Manager, Principal Planner - Resource Consents, Team Leader - Urban &amp; Rural Policy, Team Leader - Natural Resources Policy</p>

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Resource Management Act 1991</b>		
282	<p>s.42A</p> <p>Power in relation to requiring or commissioning a report on any matter described in section 39(1).</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader - Urban &amp; Rural Policy, Team Leader - Natural Resources Policy, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents</p>
283	<p>ss.58l(2) &amp; (7)</p> <p>If so directed by a national planning standard, power to amend any planning document.</p>	<p>Group Manager - Service and Strategy, Environmental Policy Manager</p>
284	<p>s.87BA</p> <p>Power to decide and give notice on boundary activities</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Natural Resources, Senior Consent Planner – Subdivisions, Senior Consent Planner - Land Use, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Land Use, Consents Officer - Land Use, Consents Officer - PIMs</p>
285	<p>s.87BB</p> <p>Power to decide and give notice on deemed marginal or temporary permitted activities</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Natural Resources, Senior Consent Planner – Subdivisions, Senior Consent Planner - Land Use, Consent Planner – Subdivisions, Consent Planner - Land Use, Consent Planner - Natural Resources, Consents Officer - Land Use, Consents Officer - PIMs</p>
286	<p>Section 87E</p> <p>In consultation with the Chairperson or deputy chair of the Environment and Regulatory Committee, power to grant or decline requests for applications to be determined by the Environment Court instead of by the Consent Authority.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager</p>

Tasman District Council Delegations Register – Part Four Statutory Delegations

Resource Management Act 1991		
287	s.87F Power in relation to providing a report on applications that are to be determined by the Environment Court.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
288	s.88(3) Power to determine that an application is incomplete.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Natural Resources, Senior Consent Planner – Subdivisions, Senior Consent Planner - Land Use
289	s.91 Power to determine not to proceed with processing an application pending applications for additional consent(s).	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Subdivisions, Senior Consent Planner - Natural Resources, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Land Use
290	s.91A, s.91B, s.91C Power to agree and give notice, in relation to requests to suspend processing of consent applications	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Natural Resources, Senior Consent Planner - Subdivisions, Consent Planner – Subdivisions, Consent Planner -Natural Resources, Consent Planner - Land Use
291	s.92(1) Power to request further information from applicants.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner – Subdivisions, Senior Consent Planner - Natural Resources, Consent Planner - Land Use, Consent Planner - Natural Resources, Consent Planner - Subdivisions

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Resource Management Act 1991</b>		
292	s.92(2) Power to commission report for further information.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consents Planner - Land Use, Senior Consents Planner - Natural Resources, Senior Consents Planner - Subdivisions
293	s.92A Power to set time limit for further information where the applicant agrees to provide it.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner – Subdivisions, Senior Consent Planner - Natural Resources, Senior Consent Planner - Land Use, Consent Planner – Subdivisions, Consent Planner -Natural Resources, Consent Planner - Land Use
294	ss.95, 95A & 95D Power to determine whether to publicly notify an application for resource consent, and to decide whether the activity will have, or is likely to have adverse effects on the environment that are more than minor.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Natural Resources, Senior Consent Planner - Subdivisions
295	ss.95A and 95D Power to determine whether to publicly notify an application for resource consent, including whether special circumstances exist.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner – Subdivisions, Senior Consent Planner - Natural Resources
296	ss. 95B, 95E, 95F, 95G Power to determine whether to limited notify an application for resource consent, including whether special circumstances exist.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner – Subdivisions, Senior Consent Planner - Natural Resources



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<b>Resource Management Act 1991</b>		
297	s.97(4) Power to adopt an earlier closing date	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
298	s.99 Power to fix a pre-hearing meeting and attend to all associated matters regarding notification, conduct and reporting excepting the powers of declining to process an application or submission under subsection (8).	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
299	s.99 Power to decline to process an application or to consider a submission under subsection (8).	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents
300	s.99A Power to refer matters to mediation prior to a hearing.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents
301	s.100 Power to determine that a formal hearing is or is not needed in accordance with Section 100, except where the delegated officer is processing the application.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
302	s.101 Power to fix hearing date, time and place.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents
303	s.102 & 103 Power to make a decision to establish a joint/combined hearing.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents
304	s.104-104D, 106 & 107 Power to grant a resource consent for applications which were processed on either a public or limited notified basis not requiring a hearing (follow a decision made pursuant to Section 100 of the Act) and the power to grant a resource consent on any application processed on a non-notified basis.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Subdivisions, Senior Consent Planner - Natural Resources, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Land Use

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Resource Management Act 1991</b>		
305	<p>s.104-104D, 106 &amp; 107</p> <p>Power to decline any resource consent application not requiring a hearing. Power to decline an application (including for a controlled activity) on the basis that it is considered that the Council has insufficient information to enable it to make a decision on the application.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents</p>
306	<p>s.108</p> <p>Power to impose conditions on resource consents.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Subdivisions, Senior Consent Planner - Natural Resources, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Land Use</p>
307	<p>ss.108A &amp; 109</p> <p>Power to make decisions in relation to bonds or covenants.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Subdivisions, Senior Consent Planner - Natural Resources, Consent Planner – Subdivisions, Consent Planner -Natural Resources, Consent Planner - Land Use</p>
308	<p>s.110</p> <p>Power to authorise refund of money paid when activity does not proceed.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents</p>
309	<p>s.114(2)(b)</p> <p>Power to determine what other authorities and persons should be notified of decisions on resource consent applications.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents</p>
310	<p>ss.114(7)&amp;(8), s.116B</p> <p>Power to give notice in relation to applications involving an exchange of reserve land</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents</p>
311	<p>s.119A</p> <p>Authority to allow staff to process changes and reviews to restricted coastal activity consents subject to criteria in the Act.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents</p>

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Resource Management Act 1991</b>		
312	s.124 Power to permit the exercise of consent while applying for a new consent.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
313	s.125 Power to extend the period in which a resource consent lapses, except where the delegated officer processed the application.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
314	s.126 Power to cancel unexercised consents.	Group Manager - Environmental Assurance, Regulatory Manager, Resource Consents Manager, Principal Planner - Resource Consents
315	s.127 Power to decide who is adversely affected by an application to change or cancellation of a consent condition.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
316	ss.128-132 Power to initiate and determine a review of a resource consent, except if a hearing is required.	Group Manager - Environmental Assurance, Regulatory Manager, Resource Consents Manager, Principal Planner - Resource Consents
317	s.133A Power to issue amended consent which corrects minor mistakes or defects in the consent, except where the delegated officer is processing the application. And where it relates to a decision made by a Hearing Panel, to do so in consultation with the Chair of the Hearings Committee or sole Commissioner who made the original decision.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
318	s.134(3) Power to receive on behalf of the Council written notice of transfer of whole or part of a land use consent.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Team Leader - Resource Consents Administration, Senior Consent Planner - Land Use, Senior Consent Planner - Subdivisions, Senior Consent Planner - Natural Resources, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Land Use, Senior Resource Consents Administration Officer, Resource Consents Administration Officer

Tasman District Council Delegations Register – Part Four Statutory Delegations

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

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<b>Resource Management Act 1991</b>		
324	<p>s.138A</p> <p>Authority for staff to consider special provisions relating to coastal permits for dumping or incineration.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Natural Resources, Consent Planner -Natural Resources</p>
325	<p>s.139</p> <p>Power to issue Certificates of Compliance.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Natural Resources, Senior Consent Planner - Subdivisions, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Land Use</p>
326	<p>s.139A</p> <p>Power to issue existing use certificates.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Subdivisions, Senior Consent Planner - Natural Resources, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Land Use</p>
327	<p>s.142</p> <p>In consultation with the Chairperson or deputy chair of the Environment and Regulatory Committee, power to request that the Minister make a direction that a matter is or is part of a proposal of national significance.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy</p>
328	<p>s.147</p> <p>Power to provide views to Minister on a matter of national importance.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy,</p>
329	<p>s.149E</p> <p>Authorisation to make a submission to the EPA on a matter of national importance that has been called in and publicly notified.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy,</p>

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Resource Management Act 1991</b>		
330	s.149G Power in relation to providing a report to the Environmental Protection Agency when commissioned to do so.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
331	s.149K Authorisation to provide the Minister with suggestions for members of a Board of Inquiry.	Group Manager - Environmental Assurance, Group Manager - Service and Strategy
333	s.149V In consultation with the Chairperson or deputy chair of the Environment and Regulatory Committee, power to appeal to the High Court (on points of law) against a decision of a Board of Inquiry or Environment Court.	Group Manager - Environmental Assurance, Group Manager - Service and Strategy
334	s.168A Powers of a Requiring Authority as provided fo in Part 8 (designations for Public Works)	Operations Committee
335	ss.168A & 169 Power to decide whether to notify a notice of requirement for a designation.	Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner - Resource Consents
336	s.171 Power to make recommendations to a requiring authority including reasons for the recommendation, except when a hearing is required.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
337	s.174 Power to appeal to the Environment Court against a decision of a Requiring Authority subject to consultation with Environment and Regulatory Committee Chairperson and Deputy.	Group Manager - Environmental Assurance, Group Manager - Service and Strategy
338	s.176 Authority to act within scope of responsibility, as a Requiring Authority under the Resource Management Act, including giving the written consent of the Council for the use of land being subject to a requirement or designation but excluding the powers in Section 168A.	Chief Executive (includes Acting Chief Executive), Tier 2 Group Managers

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Resource Management Act 1991</b>		
339	s.176A Power to request changes to outline plans under subsection (3) and (2)(c).	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner – Subdivisions, Senior Consent Planner - Natural Resources, Consent Planner – Subdivisions, Consent Planner -Natural Resources, Consent Planner - Land Use, Consents Officer - Land Use, Consents Officer - PIMs
340	ss.181 & 182(1) Power to agree to alter a designation.	Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents
341	s.181(3) Power to give notice of a minor alteration to any Council designation, and under section 182 of the Act to give notice requesting removal of any Council designation from the Tasman Resource Management Plan and subject to reporting to Council of any action taken under this delegation.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Group Manager - Service and Strategy
342	s.182(5) Power to decline removal of designation.	Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Resource Consents Manager, Principal Planner - Resource Consents
343	s.184 Power to decide on lapsing of designations.	Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner - Resource Consents
344	s.187-189A Powers of a Heritage Protection Authority	Operations Committee
345	ss.189A & 190 Power to decide whether to notify a notice of requirement for a heritage order.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents
346	s.191 Power to make recommendations to a heritage protection authority including reasons for the recommendation, except when a hearing is required.	Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents

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<b>Resource Management Act 1991</b>		
347	s.195A Power to alter a heritage order.	Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents
348	s.198B In consultation with the Chairperson or deputy chair of the Environment and Regulatory Committee, power to grant or decline requests for requirements to be determined by the Environment Court instead of by the Consent Authority.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents
349	s.198C Power in relation to providing a report on requirements that are to be determined by the Environment Court.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents
350	s.220 Power to impose conditions on resource consents.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Natural Resources, Senior Consent Planner – Subdivisions, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Land Use
351	s.221 Authorisation to issue a consent notice.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Natural Resources, Senior Consent Planner – Subdivisions, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Land Use



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Resource Management Act 1991		
352	<p>s.198B</p> <p>In consultation with the Chairperson or deputy chair of the Environment and Regulatory Committee, power to grant or decline requests for requirements to be determined by the Environment Court instead of by the Consent Authority.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Natural Resources, Senior Consent Planner - Subdivisions, Consent Planner – Subdivisions, Consent Planner - Natural Resources</p>
353	<p>s.222</p> <p>Power to issue a completion certificate.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Team Leader Compliance and Investigations - (Land and Air), Team Leader Compliance and Investigations- (Water and Waste), Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Natural Resources, Senior Consent Planner – Subdivisions, Senior Compliance and Investigations Officer, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Consent Planner - Subdivision Approvals, Compliance and Investigations Officer</p>
354	<p>s.223</p> <p>Power to approve any survey plan (subject to Section 243).</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents Senior Consent Planner - Land Use Senior Consent Planner - Natural Resources Senior Consent Planner - Subdivisions, Consent Planner - Subdivision Approvals, Consent Planner - Subdivisions</p>
355	<p>s.224(c)</p> <p>Power to certify compliance as an “authorised officer” with specified conditions prior to deposit of survey plan.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents Team Leader Subdivision Consents, Senior Consent Planner - Land Use Senior Consent Planner - Natural Resources Senior Consent Planner - Subdivisions Consent Planner - Subdivision Approvals, Consent Planner - Subdivisions</p>

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<b>Resource Management Act 1991</b>		
356	s.224(f) Power to certify compliance under Section 116A of the Building Act.	Group Manager - Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Team Leader Building Consents, Team Leader Building Inspections, Senior Consent Planner - Land Use, Senior Consent Planner - Natural Resources, Senior Consent Planner – Subdivisions, Senior Building Technical Officer, Consent Planner – Subdivisions, Consent Planner - Natural Resources, Building Technical Officer - Processing, Building Technical Officer – Inspections, Building Technical Officer – Contractor, Trainee Building Technical Officer
	s.226	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Natural Resources, Senior Consent Planner – Subdivisions, Consent Planner - Subdivisions
357	s.234 Power to vary esplanade reserves.	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Reserves and Facilities Manager, Reserves Planner, Senior Horticultural Officer
358	s.235 Power to agree to the creation of esplanade strips	Chief Executive (includes Acting Chief Executive), Group Manager - Community Infrastructure, Reserves and Facilities Manager, Reserves Planner, Senior Horticultural Officer
359	s.239(2) Power of certification of specified interest upon vesting	Group Manager - Community Infrastructure, Group Manager - Environmental Assurance, Resource Consents Manager, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner – Subdivisions, Senior Consent Planner - Land Use

Tasman District Council Delegations Register – Part Four Statutory Delegations

Resource Management Act 1991		
360	ss.240-241 & 243 Power to cancel covenants, easements and conditions.	Chief Executive (includes Acting Chief Executive), Chief Operating Officer, Group Manager - Community Infrastructure, Manager – Environmental Assurance Group Manager - Service & Strategy, Resource Consents Manager, Principal Planner - Resource Consents, Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner – Subdivisions, Senior Consent Planner - Natural Resources, Consent Planner - Subdivisions
361	s.245 Power to approve survey plans for reclamation.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents Team Leader Land Use Consents, Team Leader Natural Resources Consents, Team Leader Subdivision Consents, Senior Consent Planner - Land Use, Senior Consent Planner - Natural Resources, Senior Consent Planner – Subdivisions, Consent Planner – Subdivisions, Consent Planner - Natural Resources
362	s.281 Power to agree to waiver of notice.	Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager, Regulatory Manager, Resource Consents Manager, Principal Planner - Resource Consents
363	ss.311 & 316 In consultation with the Chairperson or deputy chair of the Environment and Regulatory Committee, the power to apply for a declaration under Section 311 or an enforcement order (including an interim enforcement order) under Section 316 of the Resource Management Act.	Group Manager - Environmental Assurance
364	s.329 Power to issue a water shortage direction.	Group Manager - Environmental Assurance Environmental Information Manager
365	s.330 Power to invoke emergency work provisions.	Group Manager - Environmental Assurance Group Manager - Community Infrastructure Group Manager - Science, Information and Technology
366	s.357-357D Power to hear objections against certain decisions	Environment and Regulatory Committee
367	s.357D Power to uphold objections to conditions of consent where there is a favourable staff recommendation.	Group Manager - Environmental Assurance, Resource Consents Manager, Principal Planner - Resource Consents

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Resource Management Act 1991</b>		
369	All Council's powers, functions and duties under Parts 6 - 8, 10 and 12 of the Act	Chief Executive (includes Acting Chief Executive) Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environment and Regulatory Committee

<b>Resource Management Act 1991 First Schedule</b>		
370	<p>Clause 4</p> <p>Where a Council designation is held in another district, power to respond to an invitation to designating authorities having a designation that has not lapsed, in that district, on whether the Council requires the designation to be included in that district's proposed plan, with or without modification.</p>	Tier 2 Group Managers
371	<p>Clause 4A</p> <p>Power to provide copies of planning documents to iwi and determine time for advice</p>	Group Manager - Service and Strategy, Environmental Policy Manager
372	<p>Clauses 5 &amp; 5A</p> <p>Power to fix notification date, and decide on whom public notices shall be sent in relation to a policy statement or plan or a change or variation thereto, including limited notification.</p>	Group Manager - Service and Strategy, Environmental Policy Manager, Team Leader Natural Resources Policy, Team Leader Urban & Rural Policy, Principal Planner - Environmental Policy, Senior Policy Planner - Environmental Policy, Policy Planner
373	<p>Clauses 7 &amp; 51</p> <p>Power to summarise for and on behalf of the Local Authority submissions made in respect of a policy statement or plan or a change or variation thereto.</p>	Group Manager - Service and Strategy, Environmental Policy Manager, Principal Planner - Environmental Policy, Team Leader Natural Resources Policy, Team Leader Urban & Rural Policy, Senior Policy Planner - Environmental Policy, Policy Planner
374	<p>Clause 8AA</p> <p>Power to fix a pre-hearing meeting and attend to all associated matters regarding notification, conduct and reporting except the power of declining a request for a pre-hearing meeting.</p>	Group Manager - Service and Strategy, Environmental Policy Manager, Team Leader Natural Resources Policy, Team Leader Urban & Rural Policy
375	<p>Clause 10A</p> <p>Power to apply for extension of time if local authority is unable, or likely to be unable, to meet decision making obligations under Clause 10(4)(a)</p>	Group Manager - Service and Strategy Environmental Policy Manager
376	<p>Clause 11</p> <p>Power to decide which landowners or occupiers are directly affected by the Council's decisions under Clause 9(2).</p>	Group Manager - Service and Strategy, Environmental Policy Manager

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Resource Management Act 1991 First Schedule</b>		
377	<p>Clause 16</p> <p>Power to alter information and correct minor errors, or to give effect to a direction under s 55 or by a direction of the Environment Court under s 293.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager</p>
378	<p>Clause 20A</p> <p>Power to correct minor errors in an operative statement or plan.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager</p>
379	<p>Clause 23</p> <p>Power to request further information or commission a report prior to modification or consideration of the plan change request.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager</p>
380	<p>Clause 24</p> <p>Power to modify a plan change request by agreement with requester, prior to its consideration by Council.</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager</p>
	<p>Clause 25</p> <p>The power to accept, reject or deal with a request to prepare or change a plan as a resource consent application,</p>	<p>Strategy and Policy Committee</p>
382	<p>Clause 26</p> <p>Power to complete preparation of plan change request accepted under cl 25, and notify request.</p>	<p>Group Manager - Service and Strategy, Environmental Policy Manager</p>
383	<p>Clause 28</p> <p>Power to send a notice to any requester not likely to continue with request.</p>	<p>Group Manager - Service and Strategy, Environmental Policy Manager</p>
384	<p>Clause 32</p> <p>Power to certify as correct material incorporated by reference into plan following decision by Strategy and Policy Committee.</p>	<p>Group Manager - Service and Strategy, Environmental Policy Manager</p>
385	<p>Clauses 43, 45 &amp; 49</p> <p>Power to give public notice if Council decides to establish a collaborative group and to notify any report from a collaborative group, and any proposed planning instrument as determined under Clause 46.</p>	<p>Group Manager - Service and Strategy, Environmental Policy Manager</p>
386	<p>Clause 57</p> <p>Power to publicly notify a local authority decision</p>	<p>Group Manager - Service and Strategy, Environmental Policy Manager</p>
387	<p>Clause 64</p> <p>Power to establish a review panel to consider submissions arising from a collaborative planning process. Such appointments shall be made following consultation with the Chairperson of the Strategy and Policy Committee.</p>	<p>Group Manager - Service and Strategy, Environmental Policy Manager</p>

Tasman District Council Delegations Register – Part Four Statutory Delegations

<b>Resource Management Act 1991 First Schedule</b>		
388	<p>Clauses 80 &amp; 90</p> <p>Power to publicly notify Minister's decisions under the streamlined planning process</p>	<p>Group Manager - Environmental Assurance, Group Manager - Service and Strategy, Environmental Policy Manager</p>

<b>Sale and Supply of Alcohol Act 2012</b>		
389	<p>s.75-80</p> <p>Powers in relation to the preparation and adoption of a local alcohol policy.</p>	<p>Strategy and Policy Committee</p>
390	<p>s.100(f)</p> <p>Power to issue Certificates of Compliance in regard to the Resource Management Act.</p>	<p>Group Manager - Environmental Assurance, Resource Consents Manager, Team Leader - Land Use Consents, Senior Consent Planner - Land Use, Consent Planner - Land Use, Administration Officer - Regulatory</p>
391	<p>s.100(f)</p> <p>Power to issue Certificates of Compliance in regard to the Building Act.</p>	<p>Group Manager - Environmental Assurance, Regulatory Manager, Building Assurance Manager, Team Leader Building Compliance, Team Leader Environmental Health, Team Leader Building Inspections, Team Leader Building Consents, Building Technical Officer - Processing, Building Technical Officer – Inspections, Administration Officer - Regulatory</p>
392	<p>s.192-193</p> <p>Power to appoint and discharge licensing committee members and commissioners</p>	<p>Environment and Regulatory Committee</p>
393	<p>s.196</p> <p>Power to carry out the function and duties as secretary of the District Licensing Committee.</p>	<p>Team Leader - Environmental Health</p>
394	<p>s.197</p> <p>Power to appoint licensing inspectors.</p>	<p>Group Manager - Environmental Assurance</p>
395	<p>s.199</p> <p>Power to prepare annual report.</p>	<p>Group Manager - Environmental Assurance, Regulatory Manager, Team Leader Environmental Health</p>

<b>Soil Conservation and Rivers Control Act 1941</b>		
396	<p>Part 7</p> <p>Authority to exercise the powers and duties of a Catchment Board</p>	<p>Operations Committee, Group Manager - Community Infrastructure.</p>

Tasman District Council Delegations Register – Part Four Statutory Delegations

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

<b>Transport (Vehicular Traffic Road Closures) Regulations 1965</b>		
402	s.6 Power to act in the case of applications for road closures where objections to a proposed road closure are received	Environment and Regulatory Committee

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

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



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



## 1.0 Standing Committees

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

### Strategy and Policy Committee (SPC)

*Approved by Council resolution CN19-11-12*

#### 1.0 Purpose and Areas of Responsibility

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

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

The primary areas of responsibility of the Committee are:

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

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

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

## 2.0 Responsibilities

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

## 3.0 General Powers

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

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

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

#### **4.0 Statutory Powers**

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

##### **4.1 Local Government Act 2002 (LGA)**

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

##### **4.2 Reserves Act 1977:**

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

##### **4.3 Resource Management Act 1991 (RMA)**

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

#### **4.4 Biosecurity Act 1993**

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

#### **4.5 Psychoactive Substances Act 2013**

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

#### **4.6 Sale and Supply of Alcohol Act 2012**

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

#### **4.7 Waste Minimisation Act 2008**

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

#### **4.8 Land Transport Management Act 2003 and associated regulations and rules**

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

#### **4.9 Gambling Act 2003 and associated regulations**

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

#### **4.10 Local Electoral Act 2001**

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

#### **5.0 Limitations**

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

5.2 The Strategy and Policy Committee can make recommendations only to Council in respect of the following matters (clause 32(1) of Schedule 7, LGA and section 41, Reserves Act):

5.2.1 make a rate; or

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

5.2.4 adopt a Long Term Plan, Annual Plan, or Annual Report; or

5.2.6 adopt policies required to be adopted and consulted on under the LGA, and/or in association with the Long Term Plan, and/or developed for the purpose of the Local Governance Statement; or

5.2.7 adopt a remuneration and employment policy; or

5.2.8 adopt a reserves management plan.

**6.0 Administration**

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

## Environment & Regulatory Committee (ERC)

*Updated by Council resolution CN22-12-09*

### 1.0 Purpose and Areas of Responsibility

The Environment and Regulatory Committee's purpose is:

#### Environment

- 1.1 To provide governance oversight of Council's sustainable management of natural and physical resources, ensuring that environmental management gives effect to the principles of Te Tiriti o Waitangi and the implementation and progress of biodiversity activities in the Tasman Region.

#### Regulatory

- 1.2 To provide governance oversight of Council's regulatory programmes (both statutory and non-statutory), services, and activities, including bylaw development and implementation (noting Tasman District Council only has the power to adopt bylaws) in relation to the Committee's areas of responsibility.
- 1.3 The primary areas of responsibility of the Committee are:
- monitoring and enforcing Council's Resource Management Act functions; and
  - enforcing Council's other regulatory functions; and
  - undertaking bylaw preparation processes.

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

### 2.0 Responsibilities

#### Environment

- 2.1 Ensure the effective promotion of sustainable management of natural and physical resources of the Tasman Region through appropriate performance monitoring and receipt of information; and
- 2.2 Monitor the implementation and progress of biodiversity activities within the Tasman region; and
- 2.3 Ensure that the management of natural and physical resources gives effect to the principles of Te Tiriti O Waitangi.

### **Regulatory**

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

### **3.0 General Powers**

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

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

### **4.0 Statutory Powers**

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

#### **4.1 Reserves Act 1977**

- 4.1.1 Section 48 – Grants of rights of way and other easements.
  - 4.1.2 Section 48A – Use of reserve for communications station.
  - 4.1.3 Sections 55 - 58A – Powers and leasing powers for recreation, scenic, nature and historic reserves (noting that some of these powers have been sub-delegated to staff).
  - 4.1.4 Section 61 – Powers (including leasing) in respect of local purpose reserves (noting that some of these powers have been sub-delegated to staff).
  - 4.1.5 Section 64 – Administering body may purchase land on deferred payments (noting that some of these powers have been sub-delegated to staff).
  - 4.1.6 Section 73 – Leasing of recreation reserves for farming, grazing, afforestation, or other purposes (noting that some of these powers have been sub-delegated to staff).
  - 4.1.7 Section 74 – Licences to occupy reserves temporarily (noting that some of these powers have been sub-delegated to staff).
  - 4.1.8 Sections 106 - 108 Bylaws – To initiate a bylaw and appoint hearings panels and adopt a draft bylaw for consultation, and to recommend to the Council that it adopt a final bylaw.
  - 4.1.9 To act on behalf and in lieu of the Council in regard to exercising the relevant delegations issued to local authorities by the Minister of Conservation on 8 July 2013 noting that some of these powers have been sub-delegated to staff.
- 4.2 Camping-Grounds Regulations 1985**
- 4.2.1 Regulation 11 – The grant of consent to erect or place a relocatable home on a relocatable home park site.
- 4.3 Dog Control Act 1996**
- 4.3.1 Section 22 - Hear and determine objections to classification as a probationary owner.
  - 4.3.2 Section 26 - Hear and determine objections to disqualification.
  - 4.3.3 Section 31(3) - Hear and determine objections to classification of a dog as dangerous.
  - 4.3.4 Section 33B - Hear and determine objections to classification of a dog as menacing.
  - 4.3.5 Section 33D - Hear and determine objections to classification of a dog as belonging to a breed listed in Schedule 4 and classified as menacing.
- 4.4 Food Act 2014**
- 4.4.1 All the Council's powers, duties and functions conferred or imposed upon Council under the Food Act 2014.
- 4.5 Health Act 1956**
- 4.5.1 Section 45 - The determination of a closing order.
  - 4.5.2 Section 48 - The issue of a demolition order.
  - 4.5.3 Section 54 - The restriction and control of the carrying on of offensive trades.



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

**4.6 Health (Registration of Premises) Regulations 1966**

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

**4.7 Litter Act 1979**

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

**4.8 Local Government Act 1974:**

4.8.1 Section 339 relating to transport shelters.

4.8.2 Tenth Schedule relating to road stopping.

**4.9 Transport (Vehicular Traffic Road Closure) Regulations 1965**

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

**4.10 Heavy Vehicle Regulations 1974:**

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

**4.11 Sale and Supply of Alcohol Act 2012**

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

**4.12 Local Government Act 2002**

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

**4.13 Resource Management Act 1991**

4.13.1 Section 36 – power to fix administrative charges; and

4.13.2 All Council's powers, functions and duties under Part 6 to Part 8, Part 10, and Part 12 of the Act; and

4.13.3 Section 357 – 357D – power to hear objections against certain decisions.

**5.0 Limitations**

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

5.2 The Environment and Regulatory Committee can make recommendations only to the Council in respect of the following matters:

5.2.1 make a rate; or

5.2.2 make a bylaw; or

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

**6.0 Administration**

6.1 Membership comprises all elected members of the Council and one iwi representative with speaking and voting rights.

6.2 For the time being the quorum is 7.

6.3 Meetings are generally held six weekly

6.4 The Environment and Regulatory Committee has no reporting obligation to the Council for matters within its delegation.

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

## Operations Committee (OC)

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

### 1.0 Purpose and Areas of Responsibility

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

The primary areas of responsibility of the Committee are:

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

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

## **2.0 Responsibilities**

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

## **3.0 General Powers**

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

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

## **4.0 Statutory Powers**

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

### **~~4.1 Soil Conservation and Rivers Control Act 1941~~**

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

### **4.2 Resource Management Act 1991**

4.2.1 Sections 168A – The powers of a Requiring Authority as provided for in Part 8 (designations for Public Works).

4.2.2 Section 187 - 189A – The powers of a Heritage Protection Authority.

### **4.3 Land Drainage Act 1908**

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

#### **4.4 Local Government Act 2002**

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

#### **4.5 Local Government Act 1974**

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

#### **5.0 Limitations**

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

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

5.2.1 make a rate; or

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

#### **6.0 Administration**

6.1 Membership comprises all elected members of the Council and one iwi representative with speaking and voting rights.

6.2 The quorum is 7.

6.3 Meetings are generally held six weekly.

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

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

#### **7.0 Subcommittees of the Operations Committee**

7.1 Community Grants Subcommittee.

7.2 Creative Communities Subcommittee.

7.3 Community Awards Subcommittee

## 2.0 Council Committees

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

### Audit and Risk Committee (ARC)

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*Approved by Council resolution CN20-02-13*

#### 1.0 Purpose and Areas of Responsibility

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

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

#### 2.0 Responsibilities

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

### **3.0 Powers**

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

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

### **4.0 Limitations**

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

### **5.0 Administration**

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

## Tasman District Council Delegations Register – Part Five Terms of Reference

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



## Enterprise Committee (EC)

*Amended by Council resolution CN22-04-01*

### 1.0 Purpose and Areas of Responsibility

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

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

The Enterprise Committee’s areas of responsibility are:

Forestry including forestry activities on reserve land.	Commercial campgrounds (Motueka, Murchison, Pohara, Collingwood)
Aerodromes (Motueka, Takaka)	Property managed on a commercial basis including the Mapua Wharf precinct
The Motueka Harbour and Coastal Works Reserve Fund	Port Motueka and Port Tarakohe
Council Controlled Organisations and Council Controlled Trading Organisations, excluding Waimea Water Limited and Tasman Bays Heritage Trust	

### 2.0 Responsibilities

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

- 2.7 Receive and consider reports from both staff and the Council's legal advisors on strategies, and investments along with the identification and mitigation of financial and operational risk.
- 2.8 Make recommendations to the Council on new investments, disposals, business opportunities and other matters in relation to the commercial portfolio.

### **3.0 Powers**

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

### **4.0 Limitations**

The Committee may not:

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

### **5.0 Administration**

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

## 3.0 Subcommittees

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

### Animal Control Subcommittee

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#### 1. Purpose

This is a subcommittee of the Environment and Regulatory Committee; its purpose is to conduct hearings and make determinations on the following matters under the Dog Control Act 1996:

- 1.1 Section 22 - objections to classification as a probationary owner
- 1.2 Section 26 - objections to disqualification
- 1.3 Section 31(3) - objections to classification of a dog as dangerous
- 1.4 Section 33B - objections to classification of a dog as menacing
- 1.5 Section 33D - objections to classification of a dog as belonging to a breed listed in Schedule 4 and classified as menacing.

#### 2. Responsibilities

The role of the Subcommittee is to objectively consider objections to Animal Control officers' decisions, take the required matters into account, and to make a determination.

This is a quasi-judicial process in which the subcommittee receives an officer report, which sets out:

- what action has been taken,
- The statutory background/authority for the action,
- The evidential basis for the decision, and
- Any other matters that the Subcommittee is required to have regard to under the Dog Control Act 1996.

The owner also needs to be provided with a reasonable opportunity to present their case and provide any evidence to the Subcommittee.

When making a determination, the Subcommittee must have regard to the evidence and matters as required by the Dog Control Act 1996 and its decisions need to be in accordance with the principles of natural justice.

These matters or evidence for each section are set out below.

#### ***Section 22(3) – the Subcommittee must have regard to:***

- (a) the circumstances and nature of the offence or offences in respect of which the classification was made; and
- (b) the competency of the person objecting in terms of responsible dog ownership; and

- (c) any steps taken by the owner to prevent further offences including, but not limited to, the disposal of any dog or dogs or the fencing of the property on which the dog is kept; and
- (d) the matters advanced in support of the objection; and
- (e) any other relevant matters.

**Section 26(3) the Subcommittee must have regard to:**

- (a) the circumstances and nature of the offence or offences in respect of which the person was disqualified; and
- (b) the competency of the person objecting in terms of responsible dog ownership; and
- (c) any steps taken by the owner to prevent further offences; and
- (d) the matters advanced in support of the objection; and
- (e) any other relevant matters.

**Section 31(4) - the Subcommittee must have regard to:**

- (a) the evidence which formed the basis for the original classification; and
- (b) any steps taken by the owner to prevent any threat to the safety of persons and animals; and
- (c) the matters advanced in support of the objection; and
- (d) any other relevant matters—

**Section 33B(2) - the Subcommittee must have regard to:**

- (a) the evidence which formed the basis for the classification; and
- (b) any steps taken by the owner to prevent any threat to the safety of persons or animals; and
- (c) the matters relied on in support of the objection; and
- (d) any other relevant matters.

**Section 33D – the Subcommittee must have regard to:**

- (a) the evidence which formed the basis for the classification; and
- (b) the matters relied on in support of the objection; and
- (c) any other relevant matters.

The Subcommittee must make its determination by majority decision. The Subcommittee may seek further information from the officer or the objector to assist it to reach a decision.

The decision of the Subcommittee will be recorded in the minutes of the meeting, with a formal decision being released as soon as practicable. The formal decision must contain the information required by the relevant sections of the Dog Control Act 1996.

**3. Membership**

The Subcommittee shall consist of three elected members. The Chairperson will be the Chairperson of the parent Environment and Regulatory Committee.

**4. Quorum**

The quorum is two.

**5. Powers**

The Subcommittee has the power to hear and determine objections to the classification of dogs, and all other procedural matters for which a right of objection and hearing is provided for under the Dog Control Act, 1996. The Subcommittee can decide to uphold or rescind classifications or disqualifications. It should be noted that, if a majority decision to uphold the classification or disqualification cannot be reached, then the objection is deemed to be upheld.

## **CEO Review (CEOR)**

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*Approved by Council resolution CN20-02-13*

### **1. Purpose**

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

### **2. Responsibilities and Powers**

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

### **3. Administration**

- a) The Mayor is Chairperson of the Subcommittee.
- b) A total of 3 elected members including the Mayor.
- c) A quorum comprises 2 members.
- d) This subcommittee does not have a public forum section
- e) Meets as required to set and review objectives, performance and remuneration.
- f) Reports to the Council

## **Community Awards Subcommittee (CAS)**

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*Approved by Council resolution CN20-02-13*

### **1. Purpose**

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

### **2. Responsibilities and Powers**

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

### **3. Administration**

- a) There are 5 elected members
- b) The Chairperson is appointed by Council.
- c) A quorum comprises 3 members.
- d) Meets in early July each year.
- e) The Awards Ceremony is in August each year.
- f) There is no Public Forum at these meetings.

## **Community Grants Subcommittee (CG)**

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*Approved by Council resolution CN20-02-13*

### **1. Purpose**

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

**2. Responsibilities**

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

**3. Administration**

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

## **Creative Communities Subcommittee (CCS)**

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*Approved by Council resolution CN20-02-13*

**1. Purpose**

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

**2. Responsibilities**

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

**3. Administration**

- a) 3 elected members, plus community representatives.
- b) The Chairperson is appointed by the Council.
- c) A quorum comprises 3 members, two of which must be Councillors.
- d) Meets three times a year – late March, late July and early December (in Motueka).
- e) There is no public forum at these meetings.

## **Golden Bay Recreation Park Management Committee**

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*Approved by Council resolution CN21-02-11*

### **1.0 Purpose**

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

### **2.0 Membership**

Membership of the Committee shall comprise:

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

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

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

### **3.0 Iwi and Stakeholders**

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

### **4.0 Role of the Committee**

To act as a governance group by:

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

### **5.0 Functioning of the Committee**

The Committee is directly responsible and accountable to the Council via the Operations Committee for the exercise of its responsibilities. In carrying out its responsibilities, the Committee must recognise that the primary responsibility for



governance of the Council rests with the elected members of the Tasman District Council and that the primary responsibility for Council operational activities rests with the Council's Chief Executive.

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

Ordinary Committee meetings will be held twice per year.

Tasman District Council Standing Orders apply to Committee meetings.

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

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

## **6.0 Powers to Recommend**

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

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

## **7.0 Powers to decide**

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

- i. approve the design and location of playground equipment, park furniture, fencing and landscape design plans at the Golden Bay Recreation Park.
- ii. grant consent for the removal of trees from the Golden Bay Recreation Park; and

- iii. write letters of support for funding applications (funds to be held by the Council) to external organisations which can be applied to projects at the Golden Bay Recreation Park.

#### **8.0 Notes for clarification to sections 6 and 7:**

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

#### **9.0 Role of the Chair**

The role of the Committee Chair is to:

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

#### **10.0 Role of staff**

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

- i. procure, manage and provide oversight of maintenance and project works at the Golden Bay Recreation Park;
- ii. provide advice and reports to enable full consideration of the options by the Committee;
- iii. provide advice to the Committee on legal and statutory issues and obligations;
- iv. lead technical discussions on options under consideration;
- v. manage project resources (budget and staff time);
- vi. manage project issues, risks, changes and advise the Committee of issues as they arise;
- vii. provide staff reports to meetings at decision making points;
- viii. organise and manage engagement with iwi and key stakeholders and the wider community and keep the Committee briefed on key matters arising through engagement activities;

- ix. manage leases, licences and management contracts (including annual renewal of management contracts) at the Golden Bay Recreation Park;
- x. prepare and distribute agendas for Committee meetings;
- xi. maintain records of meetings, key decisions made by the Committee and reasons for decisions, so that the decision making process can be clearly understood; and
- xii. manage bookings of the land and buildings, other than for the Rec Park Centre, and advise the Management Committee of bookings as part of the staff briefing for each Committee meeting.

**11.0 Varying Terms of Reference**

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

**12.0 Review of Terms of Reference**

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

**13.0 Remuneration**

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

Dated: 11 February 2021

## 4.0 Joint Committees

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

### Joint Shareholders Committee (JSC)

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*Approved by Council resolution CN20-02-13*

#### 1. Membership:

The Mayor, Deputy Mayor, Standing Committee Chairs (three), and one other Councillor of Tasman District Council and the Mayor, Deputy Mayor and Committee Chairs (four) of Nelson City Council (Total of 12 Members).

#### 2. Quorum:

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

#### 3. Areas of Responsibility:

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

#### 4. Powers to Decide:

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

#### 5. Procedure:

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

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

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

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*Approved by Council resolution CN20-02-13, CN20-10-23, CN22-12-08, CN23-02-08*

This is a joint Committee of Tasman District Council and Nelson City Council and as such must be established under of the Local Government Act 2002, Schedule 7, Clause 30(A):

### **30A Joint committees**

- (1) A local authority may not appoint a joint committee under [clause 30\(1\)\(b\)](#) unless it has first reached agreement with every other local authority or public body that is to appoint members of the committee.
- (2) An agreement under subclause (1) must specify—
  - (a) the number of members each local authority or public body may appoint to the committee; and
  - (b) how the chairperson and deputy chairperson of the committee are to be appointed; and
  - (c) the terms of reference of the committee; and
  - (d) what responsibilities (if any) are to be delegated to the committee by each local authority or public body; and
  - (e) how the agreement may be varied.

### **1. Membership:**

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

### **2. Quorum:**

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

### **3. Areas of Responsibility:**

- a. Matters relating to Statements of Expectation for all jointly owned Council Controlled Organisations and Council Controlled Trading Organisations.
- b. Receipt of six monthly presentations from Infrastructure Holdings Ltd, Port Nelson Limited, Nelson Airport Limited and Tasman Bays Heritage Trust.
- c. Discussion of policies, initiatives or directives stemming from central Government or external agencies that involve cross-boundary issues.
- d. Implementation of the Nelson Tasman Future Development Strategy.
- e. Joint transport planning matters referred to the Committee by the Joint Nelson Tasman Regional Transport Committee.

**4. Powers to Decide:**

- a. To determine the strategic direction to be given to jointly owned CCOs and CCTOs through Statements of Expectation.
- b. To adopt, approve, review and amend the Nelson Tasman Future Development Strategy and Implementation Plan.
- c. In matters relating to the Nelson Tasman Future Development Strategy, to undertake community engagement, including all steps relating to Special Consultative Procedures or other formal consultation processes
- d. Final decisions to adopt or reject the Joint Regional Land Transport Plan or any amendments to that plan, as recommended by the Joint Nelson Tasman Regional Transport Committee.
- e. Final decision to adopt or amend the Joint Regional Public Transport Plan and the Joint Speed Management Plan.
- f. To decide on any public transport matters referred to the Committee by the joint Nelson Tasman Regional Land Transport Committee, excluding budget changes or decisions that would exceed approved budgets within each Council.

**5. Powers to Recommend:**

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

**6. Procedure:**

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

## **Joint Nelson Tasman Regional Transport Committee (NTRTC)**

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*Approved by Council resolution CN23-02-18*

### **1. Overview**

- 1.1 The Joint Nelson Tasman Regional Transport Committee ('the Committee') is a joint committee of the Nelson City and Tasman District Councils, established in accordance with section 105(9) Land Transport Management Act 2003 ('the Act') and Schedule 7 clauses 30(1)(b) and 30A Local Government Act 2002.
- 1.2 Following a triennial local election, a Regional Transport Committee must be established as soon as practicable. Section 105(9) allows for a Joint Regional Transport Committee to be established.
- 1.3 These Terms of Reference form the written agreement required of the partner Councils (Nelson City Council and Tasman District Council) to appoint a Joint Regional Transport Committee under section 105(9) of the Act.
- 1.4 Appointment of joint committees
- 1.5 A local authority may appoint a joint committee with another local authority or other public body if it has reached agreement with each local authority or public body.
- 1.6 The agreement must specify:
  - the number of members each party may appoint; and
  - how the Chairperson and deputy Chairperson are to be appointed; and
  - the terms of reference of the committee; and
  - what responsibilities, if any, are to be delegated to the committee by each party; and
  - how the agreement may be varied.

The agreement may also specify any other matter relating to the appointment, operation, or responsibilities of the committee agreed by the parties. (cl. 30A (1) & (2), Schedule 7, LGA 2002).

### **2. Statutory Functions**

- 2.1 Under section 106 Land Transport Management Act 2003, a Joint Regional Transport Committee must:
  - 2.1.1 prepare the joint regional land transport plan in accordance with sections 14 and 16 of the Act; and
  - 2.1.2 consult in accordance with sections 18 and 18A of the Act; and
  - 2.1.3 lodge the joint regional land transport plan with the Joint Committee of Tasman District and Nelson City, representing the joint regional councils, in accordance

with section 18B of the Act.

- 2.2 Further, Regional Transport Committees have a responsibility to:
- 2.2.1 prepare any variation to a joint regional land transport plan for the approval of the Joint Committee of Tasman District and Nelson City.
  - 2.2.2 provide the relevant councils with any advice and assistance requested in relation to their transport responsibilities.
  - 2.2.3 adopt a policy that determines significance in respect of —
    - 2.2.3.1 variations made to regional land transport plans under section 18D of the Act; and
    - 2.2.3.2 the activities that are included in the regional land transport plan under section 16 of the Act.
  - 2.2.4 carry out any functions conferred on a regional transport committee under any other provision of the Act (including functions conferred by regulations made under section 109(1)(c)).

### **3. Powers and Limitations**

- 3.1 The Joint Regional Transport Committee is responsible to adopt its own significance policy as outlined in section 106(2) of the Act.
- 3.2 The Joint Regional Transport Committee is responsible for the preparation of the following, for adoption by the Joint Committee of Tasman District and Nelson City Councils:
  - 3.2.1 a Joint Regional Land Transport Plan including undertaking all required consultation processes related to the preparation of this Plan and any variations
  - 3.2.2 a joint Regional Public Transport Plan, including undertaking all required consultation processes related to the preparation of this Plan
  - 3.2.3 a joint Speed Management Plan, including undertaking all required consultation processes related to the preparation of this Plan
- 3.3 The Joint Regional Transport Committee may approve submissions to external bodies on policy documents likely to influence the content of the Joint Regional Land Transport Plan.
- 3.4 The Joint Regional Transport Committee is responsible for the operational oversight of the joint Nelson Tasman Public Transport Operations Contract and associated public transport activity, including the authority to make decisions and approve policies that support operations.
- 3.5 The Joint Regional Transport Committee may approve changes to public transport operations unless the change requires:
  - a permanent change of route; or



- a permanent change to fares; or
  - a permanent change to timetable.
- 3.6 Other than the powers outlined at clauses 3.1, 3.3, 3.4, and 0 the Joint Regional Transport Committee may only make recommendations to the:
- 3.6.1 partner councils; or
- 3.6.2 The Joint Committee of Tasman District and Nelson City Councils for:
- the joint plans outlined in clause 3.2;
  - decisions in relation to public transport, excluding budget changes or decisions that would exceed approved budgets within each Council.
- 3.7 The Joint Regional Transport Committee has no financial responsibilities or budgets. If a change to public transport operations requires additional un-budgeted funding, the Joint Nelson Tasman Regional Transport Committee has the power to recommend budgets for approval by each Council that is affected.

#### **4. Membership**

- 4.1 The Committee will consist of the following representatives:
- 4.1.1 Two members of the Nelson City Council
- 4.1.2 Two members of the Tasman District Council
- 4.1.3 One representative from Waka Kotahi
- 4.1.4 One non-voting iwi representative
- 4.2 Each Council may nominate further two members to act as alternates in the event that an appointee is unable to attend a meeting. These alternates may attend meetings to ensure they remain across the work of Committee but do not have voting rights unless acting in their capacity as alternate.
- 4.3 The power to discharge any individual member and appoint another member in their place must be exercised by the local authority that made the appointment.
- 4.4 Representatives from, partner organisations or relevant community groups may be invited to attend Committee meetings as key stakeholders when required.
- 4.5 Attendees may have speaking rights with the agreement of the Committee Chair. Attendees will not have voting rights.

#### **5. Quorum and meeting procedures**

- 5.1 The quorum is set at three members, of which the partner councils must have at least one representative in attendance.

- 5.2 Meetings will be held quarterly, most often on a Friday, with additional meetings called as required.
- 5.3 The Standing Orders of the Council providing administration to the Committee will be applied at each meeting – noting clause 6.8 below which takes precedence where it departs from the Standing Orders in use.
- 5.4 Agendas will be prepared in accordance with the Local Government Official Information and Meetings Act 1987, and the relevant Standing Orders.

## **6. Chair**

- 6.1 Section 105(9B) requires that the agreement to establish a joint regional transport committee must specify the procedure for appointing the chair and deputy chair of the committee.
- 6.2 The Chairperson will alternate triennially between Nelson City and Tasman District Councils.
- 6.3 The appointment of a Chair will be made by resolution of the relevant Council.
  - 6.3.1 In the 2022 triennium, the Chairperson will be a member representative of Tasman District Council.
- 6.4 The Deputy Chairperson will alternate triennially between Nelson City and Tasman District Councils.
- 6.5 The appointment of a Deputy Chair will be made by resolution of the relevant Council.
  - 6.5.1 In the 2022 triennium, the Deputy Chairperson will be a member representative of Nelson District Council.
- 6.6 In the absence of the Chairperson, the Deputy Chairperson will be the presiding member for meetings.
- 6.7 In the absence of both Chairperson and Deputy Chairperson, where quorum can still be met, the requirements of the Local Government Act 2002 for appointing a presiding member will be followed.
- 6.8 The Chairperson (or any other person presiding at the meeting):
  - 6.8.1 has the deliberative vote; and
  - 6.8.2 in the case of an equality of votes does not have a casting vote (and therefore the motion is not passed and the status quo is preserved).

## **7. Administration and Media**

- 7.1 At the start of each triennium, the partner Councils will reach an agreement appointing one of the unitary authorities as the administering authority for formal meetings of the Committee. Meetings will be held at the administering Council's venue.
- 7.2 Administration will include ensuring appropriate records management for meetings of the Committee to meet the requirements of the Public

Records Act.

- 7.3 Copies of minutes will be retained by each Council for record keeping purposes.
- 7.4 Other administrative duties will be undertaken as deemed appropriate.
- 7.5 Media contact and announcements will be made by the Committee Chair unless another spokesperson for a matter is approved by the Committee.
- 7.6 These Terms of Reference may be varied by resolution of both Councils.

## **Nelson Regional Sewerage Business Unit**

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*Approved by Council resolution CN20-02-13*

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

### **1. Areas of Responsibility:**

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

### **2. Quorum:**

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

### **3. Powers to decide**

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

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

- k. Develop and keep under review an appropriate contract for the delivery of waste collection and disposal services with each of its customers.
- l. Follow generally accepted accounting practices.
- m. Follow good employment practices.

**4. Powers to Recommend:**

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

**5. Procedure:**

- a. The Standing Orders of the Council providing administration to the committee will be applied at each meeting.
- b. The Chairperson will not have a casting vote.
- c. Copies of minutes of meetings of the Joint Committee will be retained by each Council for record keeping purposes.

## **Saxton Field Committee**

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*Approved by Council resolution CN20-02-13*

### **1. Purpose**

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

### **2. Membership**

- a. Each council must appoint two elected members to the Committee.
- b. An independent member will be appointed in accordance with the councils' 'Policy for the appointment and remuneration of jointly-appointed independent members on committees'
- c. At the inaugural meeting a Chairperson will be elected for the purposes of the inaugural meeting only, and will not have a casting vote at that meeting.
- d. The independent member will be the Chair of the Committee and will have voting rights.
- e. If the Chair is unavailable a Chairperson will be elected from among members attending on the day.

### **3. Iwi and Stakeholders**

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

### **4. Quorum**

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

### **5. Meeting Frequency**

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

### **6. Areas of Responsibility**

The Committee is responsible for:

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

### **7. Powers to decide**

- a. Matters relating to items provided for in the approved operations, capital expenditure and maintenance budgets for Saxton Field

- b. Matters relating to marketing of Saxton Field, within approved budgets and policies
- c. Approval of applications for concessions
- d. Approval of the draft Saxton Field Reserve Management Plan for public consultation, to undertake the public consultation process and to be the Hearing Panel to hear and deliberate on the submissions for the draft Saxton Field Reserve Management Plan.

#### **8. Powers to recommend**

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

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

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

#### **9. Role of the Committee**

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

#### **10. Role of the Chair**

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

#### **11. Role of staff**

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

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

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

## **12. Independent member**

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

## **13. Remuneration**

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

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

## **14. Interests**

Interests should be declared at the start of Committee meetings.

## **15. Reporting**

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

## **16. Varying Terms of Reference**

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

## **17. Review of Terms of Reference**

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

## **18. Dissolution of the Committee**

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

*Amendment approved 20-04-32; 21-06-17*



## Nelson Tasman Regional Landfill Business Unit

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*Approved by Council resolution CN20-02-13*

### I Parties

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

### II Background

- A. Nelson City Council (**Nelson**) and Tasman District Council (**Tasman**) are unitary authorities (jointly **the Councils**) under the Local Government Act 2002 (**the LGA**) with territorial responsibilities for promoting effective and efficient waste management and minimisation within their respective territorial boundaries (jointly **the Nelson Tasman region**) under Part 4 of the Waste Minimisation Act 2008 (**the WMA**).
- B. Nelson owns and operates the York Valley landfill at 34 Market Road, Bishopdale, Nelson. The site includes the current operational area (Gully 1) and two other areas potentially suitable for landfill operations (Gully 3 and Gully 4) (**York Valley landfill**). The legal description of the land and the location and extent of these areas are shown in [Attachment 1].
- C. Tasman owns and operates the Eves Valley landfill at 214 Eves Valley Road, Waimea West, Tasman. The site includes a closed landfill (Stage 1), the current operational area (Stage 2) and a further area potentially suitable for landfill operations (Stage 3) (**Eves Valley landfill**). The legal description of the land and the location and extent of these areas are shown in [Attachment 2].
- D. The Councils acknowledge their respective roles and responsibilities under the LGA and the WMA.
- E. Nelson and Tasman have prepared and adopted a Joint Waste Management and Minimisation Plan dated April 2012 (**the Joint Waste Plan**) pursuant to sections 43 and 45 of the WMA.
- F. The Councils have agreed to jointly make the most effective and efficient use of York Valley and Eves Valley landfill space.
- G. The Councils have reviewed options for the provision of landfill capacity in the Nelson Tasman region. They intend to jointly share in the management of the two landfills, through a Joint Committee of the Councils appointed pursuant to schedule 7 of the LGA (**the Joint Committee**).
- H. The Councils intend to enable the joint governance, management and use of York Valley Gully 1 and Eves Valley Stages 1, 2 and 3 as regional landfill facilities to accept all municipal solid waste (**waste**) generated in the Nelson Tasman region.
- I. The Councils also intend the following:
  - (i) That the York Valley landfill will be the primary regional landfill facility from 1 July 2017, to accept all waste generated within the Nelson Tasman region until Gully 1 is at capacity (anticipated to be in approximately 2031), or until expiry of the existing resource consents for the York Valley landfill (being 31 December 2034), whichever occurs first.
  - (ii) That Stage 2 of the Eves Valley landfill to have all necessary consents and approvals to accept up to one years' waste from the Nelson Tasman

- region in case of unforeseen temporary closure of the York Valley landfill, and that Stage 3 be retained for future use as a regional landfill facility.
- (iii) Once the Joint Committee is established, it shall have responsibility for making decisions as per Part 3 clause 10 of these terms of reference.
- J. These terms of reference accompany a deed of agreement between the Councils and set out the membership, responsibilities, operating parameters and reporting requirements of the Joint Committee, to be known as the Nelson Tasman Regional Landfill Business Unit (**NTRLBU**).

### **III Terms of Reference**

#### ***Purpose***

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

#### ***Structure of NTRLBU***

5. The NTRLBU will be established as a Joint Committee of Nelson and Tasman pursuant to schedule 7 to the LGA.
6. The NTRLBU shall comprise four or five members appointed as follows:
  - (i) Two members appointed by Tasman (at least one of whom will be an elected member of the Council);
  - (ii) Two members appointed by the Nelson (at least one of whom will be an elected member of the Council);
  - (iii) May include one jointly appointed/independent member, who is not involved in any business related to the NTRLBU activities. This member would only be appointed if mutually agreed to by both Councils and in accordance with the Councils 'Procedure for Joint Appointment of Directors/Trustees of Council Controlled Organisations and Council Controlled Trading Organisations' (2012 version, or its replacement). This member shall be appointed for a period of three years, and in such a way as to provide continuity through the triennial election period. The member shall be remunerated in accordance with the Councils' joint policy for the appointment of independent persons to joint committees.

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

***Powers and responsibilities delegated to the NTRLBU***

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

***Meetings***

18. For the avoidance of doubt, the NTRLBU shall comply with the provisions of the Local Government Official Information and Meetings Act 1987 and the standing orders of the administering Council in respect of its meetings.

19. The quorum for a meeting of the NTRLBU shall be three of the members (including vacancies). There shall also be at least one member from each Council represented in the quorum.
20. The NTRLBU should aim to meet at least 4 times per year at intervals decided by it in order to meet its obligations under these terms of reference.

**Planning and reporting**

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

**1. Business Plan**

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

A draft of the Business Plan for the coming year shall be presented to the Councils annually by 31 October.

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

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

**2. Activity Management Plan**

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

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

**3. Annual Report**

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

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

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

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

***Management and support services***

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

- (i) the review of financial modelling information concerning operation of the York Valley landfill and Eves Valley landfill over the life of this agreement and any future agreement;
- (j) making recommendations concerning any dispute that may be referred to it;
- (k) making recommendations for waste acceptance criteria;
- (l) the carrying out of and reporting on any other tasks identified in the Joint Waste Plan concerning regional waste management and minimisation referred to it jointly by the Councils; and
- (m) providing advice or recommendations on any other matters relevant to the NTRLBU.

### ***Discharge of members***

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

### ***Variations***

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

### ***Limitations***

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

### ***Media***

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

public debate of all issues relevant to a territorial authority, its community and its ratepayers.



## **Civil Defence Emergency Management Group**

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*Adopted by Council CN22-08-11*

### **1. Overview**

- 8.1 The Civil Defence Emergency Management Group (CDEM Group) is a joint committee of the Nelson City and Tasman District Councils, established in accordance with section 12(1)(c) Civil Defence Emergency Management Act 2002 and Schedule 7 clause 30(1)(b) Local Government Act 2002.
- 9.1 This joint committee cannot be discharged under clause 30(5) or (7) of Schedule 7 of the Local Government Act 2002 during a term of local government, or as a consequence of local government election.
- 10.1 The CDEM Group sets the vision, goals and high level arrangements for the Civil Defence Emergency Management Group Plan.

### **2. Functions**

- 2.1 Under section 17, Civil Defence Emergency Management Act 2002, the functions of a Civil Defence Emergency Management Group, and of each member, are to:
- 2.1.1 *in relation to relevant hazards and risks:*
- 2.1.1.1 *identify, assess, and manage those hazards and risks*
- 2.1.1.2 *consult and communicate about risks*
- 2.1.1.3 *identify and implement cost-effective risk reduction*
- 2.1.2 *take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or to otherwise make available suitably trained and competent personnel, including volunteers, and an appropriate organisational structure for those personnel, for effective civil defence emergency management in its area*
- 2.1.3 *take all steps necessary on an ongoing basis to maintain and provide, or to arrange the provision of, or otherwise to make available material, services, information, and any other resources for effective civil defence emergency management in its area*
- 2.1.4 *respond to and manage the adverse effects of emergencies in its area*
- 2.1.5 *plan and carry out recovery activities*
- 2.1.6 *when requested, assist other Groups in the implementation of civil defence emergency management in their areas (having regard to the competing civil defence emergency management demands within the Group's own area and any other requests for assistance from other Groups)*

- 2.1.7 *within its area, promote and raise public awareness of, and compliance with, this Act and legislative provisions relevant to the purpose of the Act*
  - 2.1.8 *monitor and report on compliance within its area with this Act and legislative provisions relevant to the purpose of the Act*
  - 2.1.9 *develop, approve, implement, and monitor a civil defence emergency management group plan and regularly review the plan*
  - 2.1.10 *participate in the development of the national civil defence emergency management strategy and the national civil defence emergency management plan*
  - 2.1.11 *promote civil defence emergency management in its area that is consistent with the purpose of the Act.*
- 2.2 The Civil Defence Emergency Management Group also has any other functions that are conferred or imposed by or under the CDEM or other Acts.
- 2.3 A number of legislative provisions apply in relation to points 2.1.7 and 2.1.8 above, including but not limited to provisions outlined in the following Acts:
- 2.3.1 *Biosecurity Act 1993*
  - 2.3.2 *Building Act 2004*
  - 2.3.3 *Fire and Emergency New Zealand Act 2017*
  - 2.3.4 *Hazardous Substances and New Organisms Act 1996*
  - 2.3.5 *Health Act 1956*
  - 2.3.6 *Health and Safety at Work Act 2015*
  - 2.3.7 *Local Government Act 1974*
  - 2.3.8 *Local Government Act 2002*
  - 2.3.9 *Maritime Transport Act 1994*
  - 2.3.10 *Resource Management Act 1991*

### **3. General Powers**

- 3.1 Under section 18, Civil Defence Emergency Management Act 2002, CDEM Group has all the powers that are reasonably necessary or expedient to enable it to perform its functions, including the power to delegate any of its functions to members, a Group Controller, or other people as necessary.
- 3.2 Under section 18, Civil Defence Emergency Management Act 2002, CDEM Group may
- 3.2.1 *recruit and train volunteers for civil defence emergency management tasks;*
  - 3.2.2 *conduct civil defence emergency management training exercises,*

*practices, and rehearsals;*

3.2.3 *issue and control the use of signs, badges, insignia, and identification passes authorised under the Civil Defence Emergency Management Act 2002, regulations made under this Act, or any civil defence emergency management plan;*

3.2.4 *provide, maintain, control, and operate warning systems;*

3.2.5 *provide communications, equipment, accommodation, and facilities for the exercise of its functions and powers during an emergency;*

3.2.6 *exercise any other powers that are necessary to give effect to any civil defence emergency management plan or in response to a civil defence emergency.*

3.3 Under section 20, Civil Defence Emergency Management Act 2002, CDEM Group must establish and maintain a Civil Defence Emergency Management Co-ordinating Executive Group (CEG).

3.3.1 *The CEG must consist of*

3.3.1.1 *the chief executive officer of each member local authority or a person acting on the chief executive officer's behalf*

3.3.1.2 *a senior Police employee who is assigned for the purpose by the Commissioner of Police*

3.3.1.3 *a senior employee, volunteer, or contractor of Fire and Emergency New Zealand who is assigned for the purpose by the board of Fire and Emergency New Zealand*

3.3.1.4 *the chief executive or a senior member of a provider of health and disability services operating in the area*

3.3.1.5 *any other persons that may be co-opted by the Civil Defence Emergency Management Group, which may include a senior ambulance service officer.*

#### **4. Membership**

4.1 The CDEM Group will consist of the following Council Representatives (CDEM Act s13(4):

4.1.1 *The Mayor of Nelson City*

4.1.2 *The Mayor of Tasman District.*

4.2 The Deputy Mayors of each member Council will be in attendance of CDEM Group 4.2 meetings.

4.3 In the event that a Mayor cannot attend, the relevant Deputy Mayor will have voting rights as their alternate.

4.4 The power to discharge any individual member and appoint another member in their place must be exercised by the local authority that made the appointment.

- 4.5 The Chief Executives of each member Council or their alternate will be in attendance of CDEM Group meetings.
- 4.6 An iwi representative, nominated by iwi, will be invited to attend all CDEM Group meetings.
- 4.7 Representatives from partner organisations or relevant community groups may be invited to attend CDEM Group meetings as key stakeholders when required.
- 4.8 Attendees may have speaking rights with the agreement of the CDEM Group Chair. Attendees will not have voting rights.

## **5.0 Quorum and Attendance**

- 5.1 The quorum is set at two members being physically present.
  - 5.1.1 As the total membership and required number attending for quorum are the same, attendance by audio-visual link is not possible for members unless legislative modifications allow for quorum to be met through virtual attendance.
- 5.2 Attendees have the right to attend meetings by means of audio visual link, as per the Local Government Act 2002 Schedule 7 clauses 25A and 25B.

## **6.0 Meeting Procedures**

- 6.1 Meetings will be held three times a year, with additional meetings called as required.
- 6.2 The Standing Orders of the Council providing administration to the CDEM Group will be applied at each meeting.
- 6.3 Agendas will be prepared in accordance with the Local Government Official Information and Meetings Act 1987, and the relevant Standing Orders.

## **7.0 Chair**

- 7.1 The Chairperson will alternate annually between the Mayor of Nelson City and Tasman District Council.
- 7.2 In the absence of the Mayor currently acting as Chairperson, the Deputy Mayor/Alternate will act in their stead.
- 7.3 No Deputy Chair will be appointed.
- 7.4 The Chairperson will not have a casting vote.
- 7.5 Copies of minutes will be retained by each Council for record keeping purposes.

## **8.0 Administration and Media**

- 8.1 At the start of each triennium, members will reach an agreement appointing one of

the unitary authorities as the administering authority for formal meetings of the CDEM Group (s23(3), CDEM Act)

- 8.2 Administration will include ensuring appropriate records management for meetings of the CDEM Group to meet the requirements of the Public Records Act.
- 8.3 Other administrative duties will be undertaken as deemed appropriate.
- 8.4 Media contact and announcements will be made by either the Chair or CDEM Group, subject to approval by both.
- 8.5 These terms of reference may be varied by resolution of both Councils.

## **Regional Pest Management Joint Committee**

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### **1. Membership**

Six members, being three elected members from each of Nelson City Council and Tasman District Council. The Chairperson and Deputy Chairperson will be appointed by the Committee.

### **2. Quorum**

Three members and must include at least one member from each Council.

### **3. Areas of Responsibility**

- a) Considering recommendations for amendments (limited review) to Tasman-Nelson Regional Pest Management Plan 2019 – 2029;
- b) The review will be limited to considering:
  - Alignment of Sabella rules to those of Marlborough District Council to provide consistency across the Top of the South; and
  - Extending control of boneseed into the Port Hills area currently excluded from eradication; and
  - Control of wilding conifers, water celery, Vietnamese parsley, purple pampas, blue passionflower, and moth plant.
- c) Hearing and deliberating on the public submissions related to amendments (limited review) of the Tasman-Nelson Regional Pest Management Plan 2019 - 2029; and
- d) Making recommendations to the Tasman District and Nelson City Councils to adopt any changes (limited review) of the Tasman-Nelson Regional Pest Management Plan 2019 – 2029.

### **4. Powers to Decide**

None

### **5. Powers to recommend**

- a) To recommend to each Council notification of changes to the Tasman-Nelson Regional Pest Management Plan 2019-2029 under the Biosecurity Act 1993;
- b) To recommend to each Council the adoption of the final changes (limited review) of the Tasman-Nelson Regional Pest Management Plan 2019-2029 and the process to make the limited review operative in accordance with sections 70-75 of the Biosecurity Act 1993.

### **6. Procedure**

- a) Standing Orders to be applied at each meeting shall be the Standing Orders of the administering Council, which will be Tasman District Council.
- b) For the purposes of complying with the Local Government Official

Information and Meetings Act 1987 (Part 7, 45(1)) Committee meetings will be treated as public meetings as the Committee is delegated to perform duties as outlined in the Biosecurity Act 1993 in relation to reviewing regional pest management plans.

- c) Each Council retains the power to discharge and re-appoint its respective members of the Committee.
- d) The Chairperson shall not have a casting vote.
- e) These delegations/terms of reference may be varied by resolution of both councils on the recommendation of the Regional Pest Management Committee or both Chief Executives of the two Councils; and any resolution shall carry the rider that it shall be subject to adoption by the other Council.
- f) The meetings of the Committee do not have a public forum session.
- g) Copies of minutes of meetings of the Joint Committee will be retained by each Council for record keeping purposes.
- h) The Committee will to be disbanded following the adoption by both councils of the changes (limited review) of the Regional Pest Management Plan 2019-2029.

## **Nelson Tasman Joint Waste Review Working Party**

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### **1. Purpose**

1.1. The purpose of the Nelson Tasman Joint Waste Review Working Party (JWRWP) is to develop a work programme for reviewing and amending the Joint Waste Management and Minimisation Plan (the Waste Plan) through the following activities:

- Review the Nelson Tasman Waste Assessment 2022.
- Review progress against performance indicators in the Waste Plan 2019.
- Review the objectives, policies and methods in the Waste Plan 2019.
- Consider community input and any need to meet with interested parties or co-opt additional members to assist in the process.
- Prepare a new or amended Waste Plan in accordance with section 44 of the Waste Minimisation Act 2008.
- Submit the draft Waste Plan to both Nelson and Tasman Councils to consider for public consultation.
- Oversee the consultation process, using the special consultative procedure set out in section 83 of the Local Government Act 2002.
- Receive public submissions, hold hearings and consider submissions.
- Finalise the Waste Plan and submit it to both Nelson and Tasman Councils for consideration and adoption by September 2023.
- Reconvene to review the implementation of the adopted Waste Plan as required.

*The formation of the Working Party was agreed by Nelson City Council's (NCC) Infrastructure Committee on 1 September 2022 and Tasman District Council's (TDC) Strategy and Policy Committee on 29 September 2022.*

### **2. Powers to recommend**

- 2.1. The Working Party will have powers to make recommendations to both Councils regarding consultation on, and adoption of, a new or amended Waste Plan.
- 2.2. The Working Party can also make recommendations when reviewing the Waste Plan and subsequent implementation of a new or amended Waste Plan.
- 2.3. The respective Councils have the power to agree to amend or replace the Waste Plan, undertake public consultation and adopt the final Waste Plan.

### **3. Membership**

- 3.1. The Working Party will comprise three elected and/or appointed members from each Council, each nominated by their respective Council.
- 3.2. Te Tauihu Iwi Chairs will be invited to nominate up to three representatives to the Working Party.



- 3.3. The Working Party will meet as often as needed to deliver the work programme.
- 3.4. The Chair and Deputy Chair will be selected by the Working Party members at their first meeting.

#### **4. Meetings**

- 4.1. A quorum for any meeting will be five, including two elected and/or appointed members from each Council.
- 4.2. Conflicts of interest shall be declared at the start of meetings.
- 4.3. Standing orders will not apply to the Working Party's preparation of a new or amended Waste Plan. The meetings will not be formally advertised and will not have a public forum.
- 4.4. Standing orders will apply to public hearings and deliberations of submissions.

#### **5. Areas of responsibility**

- 5.1. The Working Party must ensure that all work and consultation is undertaken for the purpose of making recommendations to the two Councils.
- 5.2. Any media releases will be made by the Chair through the Councils' Communications teams as required.

#### **6. Role of staff and advisors/experts**

- 6.1. Staff will project manage the work programme, including facilitating pre-engagement activities and consultation processes.
- 6.2. Staff will provide professional advice and/or bring in advisors from time to time including:
  - The Medical Officer of Health (or delegate)
  - The General Manager of the Nelson Tasman Regional Landfill Business Unit
  - A climate change specialist
  - Other experts or stakeholders as needed.

#### **7. Progress reviews**

- 7.1. Staff will provide an annual report on the implementation of the Waste Plan to the Working Party for review and to make recommendations, if any, to both Councils.

The Working Party will meet as needed to review the implementation of the Waste Plan.

## Joint Regional Cemetery Working Group

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### 1. Purpose

The purpose of the Joint Regional Cemetery Working Group (the “Working Group”) is to provide high level guidance and support to officers from both councils to develop a Memorandum of Understanding and a Business Case for a Regional Cemetery. The Working Group shall have no decision-making delegations and shall report back to both Councils through the relevant committees.

### 2. Membership

The Group shall comprise of the following members:

- Two Councillors appointed by Nelson City Council
- Two Councillors appointed by Tasman District Council
- An Iwi representative, jointly appointed by the two councils

Two Co-Chairs of the Working Group be appointed, one from between Nelson City Council and one from Tasman District Council. Chairing of meetings will be rotated between the two.

### 3. Stakeholders

Representatives of relevant stakeholders, such as funeral directors and faith groups, may be invited to attend meetings of the Working Group. However, these representatives will only have speaking rights with the agreement of the Chair. These representatives will not have voting rights.

### 4. Quorum

Quorum for the Working Group is three members which must include a member from each council.

### 5. Meeting Frequency

Working Group meetings will be held as needed, with a minimum of one week’s notice.

### 6. Areas of Responsibility

The Working Group has responsibility for providing elected member Te Ao Māori input into the development of a draft Memorandum of Understanding and a draft Business Case for a Joint Regional Cemetery, including:

- Development of location criteria
- Options for a Regional Cemetery governance structure
- Options for a Regional Cemetery management structure
- Options for funding agreements (Capex and Opex)
- Cultural and faith-based considerations
- Te Ao Māori considerations
- Any other matter relevant to the preparation of the Business Case

### 7. Powers to decide

None.

## **8. Powers to recommend**

The Working Group will recommend a draft Memorandum of Understanding and a draft Business Case to the two Councils.

## **9. Role of the Working Group**

- To provide elected member feedback from both councils on issues and opportunities related to the development of a Joint Regional Cemetery
- To request, receive and consider any information relevant to the options under consideration
- To be an interface between community and sector groups so that interested members of the public can provide input, noting that formal consultation will be carried out by the councils.
- To develop a draft Memorandum of Understanding and a draft Business Case for approval by the two councils.

## **10. Role of the Co-Chairs**

- To review the agenda with staff prior to Working Group meetings
- To chair meetings according to the agreed agenda and to assist the Working Group to reach consensus on issues and options
- To act as spokesperson for the Working Group

## **11. Role of staff**

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

- Provide advice and reports to enable full consideration of the options before the Working Group
- Provide advice to the Working Group on legal and statutory issues and obligations
- Lead technical discussions on options under consideration
- Manage project resources (budget and staff time)
- Provide staff reports to meetings at key points
- Organise and manage engagement with key stakeholders
- Prepare and distribute agendas for Working Group meetings
- Takes notes from meetings, and record key guidance provided by the Working Group, and reasons for guidance.

## **12. Conflicts of Interest**

Conflicts of interest should be declared at the start of Working Group meetings.

## **13. Reporting**

Notes of the Working Group meetings will be taken. The Co- Chairs may wish to summarise the Working Group's discussions when officers bring substantive reports to Council for decisions.

## **14. Dissolution of the Committee**

The Working Group will be dissolved once its recommended draft MOU and Business Case to the councils have been approved.

## **15. Confidentiality**

Discussions in relation to procurement, negotiations, identification of specific potential cemetery locations, and any legal issues will take place on a confidential basis.

For the avoidance of doubt, the meeting provisions of the Local Government Official Information and Meetings Act 1987 do not apply to Working Group meetings, as no decisions are made at these meetings.

This means that Working Group meetings will not be advertised, nor will formal agendas be produced or formal minutes taken at meetings.

## 5.0 Other Committees

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

### Community Boards

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*Approved by Council resolution CN21-06-17*

#### 1.0 Purpose

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

#### 2.0 Objective

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

#### 3.0 Responsibilities

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

#### 4.0 Delegated Authority

The Community Board has authority to:

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

#### 5.0 Powers to Act

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

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

## **6.0 Power to Recommend**

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

## **7.0 Administration**

- 7.1 The Chairperson shall be voted in by resolution of the Board at its inaugural meeting of the triennium.
- 7.2 4 members are elected as members of the Community Board. The Council may resolve for the relevant ward Councillors to be members of the Community Board.
- 7.3 A quorum for the Motueka Community Board comprises 4 members and a quorum for the Golden Bay Community Board comprises 3 members for the time being.

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- 7.4 The Community Boards will operate under Standing Orders, adopted at their first meeting of the triennium. This may be the Tasman District Council Standing Orders, with or without amendments.
- 7.5 Community Boards meeting:
  - 7.5.1 Golden Bay Community Board: monthly, ordinarily on the second Tuesday of the month.
  - 7.5.2 Motueka Community Board: monthly, ordinarily on a Tuesday. The Motueka Community Board may also hold 'public forum' sessions, which are not meetings under Standing Orders or LGOIMA.
- 8.0 Exclusion to Golden Bay Community Board's Delegations**
  - 8.1 All matters relating to the Golden Bay Recreation park are excluded from the Golden Bay Community Board's delegations with respect to clauses 5.0 and 6.0 of this Delegations Register

## **District Licensing Committee (DLC)**

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*Approved by Council resolution CN20-02-13*

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

### **1.0 Responsibilities and Powers**

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

### **2.0 Administration**

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



## 6.0 Advisory Groups

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

### Port Tarakohe Advisory Group (PTAG)

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*Approved by Council resolution CN20-05-5*

#### 1.0 Overview

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

#### 2.0 Membership and Quorum

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

#### 3.0 Purpose and Objectives

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

3.2.2 To ensure community, stakeholders and all users are informed, have the opportunity for input, and are involved in the work of the group

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

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

#### **4.0 Meetings**

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

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

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

4.4 All communications will be in electronic form

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

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

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

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

4.8.1 The sensitivity and confidentiality of operational matters

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

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

#### **5.0 Chair and Agenda**

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

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

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

5.4 Agenda will include some of the following items:

5.4.1 Confirmation of minutes

5.4.2 Matters arising

5.4.3 Reports for discussion and action

5.4.4 Relevant trends and issues facing the Port

#### **6.0 Administration and Media**

6.1 The Council will provide support that includes:

6.1.1 Sending out meeting invitations and agendas

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- 6.1.2 Collate attendance and apology lists
  - 6.1.3 Provide minuted records
  - 6.1.4 Undertake other administrative duties as deemed appropriate
- 6.2 Media contact and announcements will be made by either the Chair or Council, subject to the approval by both. Any media release will be circulated to the PTAG within 2 days for their information
- 7.0 Review**
- 7.1 The Terms of Reference will be reviewed every 3 years, aligned to 31 January, immediately post local government elections, or sooner if significant issues arise as determined by Council

## **Motueka Aerodrome Advisory Group (MAAG)**

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*Approved by Council resolution CN20-05-5*

### **1.0 Overview**

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

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

### **2.0 Membership and Quorum**

2.1 The Committee will consist of the following Representatives:

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

2.2 Four members must be in attendance for quorum

### **3.0 Purpose and Objectives**

3.1 The function of the MAAG is a feedback and advocacy role. Council are seeking input from the wider Community and all Aerodrome users, in a structured and positive environment, while recognising the challenges Council has in ensuring the Aerodrome is financially sustainable.

3.2 The MAAG will be the conduit for users to provide advice, recommendations and feedback on the Aerodrome to Council, which has a vested interest in direct feedback from various stakeholder groups.

3.3 At all times Council retains the right to autonomous strategic and operational management of the aerodrome. It will however take into consideration, but will not be bound by any Advisory Group process outcome, feedback or recommendation.

3.4 The objects are to:

- 3.4.1 To review and provide opinion on development applications or requests at Motueka Aerodrome
- 3.4.2 To review the Motueka Aerodrome Development plan and recommend any changes to Council
- 3.4.3 To be consulted prior to any changes to aerodrome landing or parking charges
- 3.4.4 To receive quarterly aerodrome financial reports
- 3.4.5 To be consulted prior to the Motueka Aerodrome component of the Long Term Plan being recommended for adoption by Council

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

#### **4.0 Meetings**

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

#### **5.0 Chair and Agenda**

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

5.4.12 Next meeting date

5.4.13 Complaints

**6.0 Administration and Media**

6.1 The Council will provide support that includes:

6.1.1 Sending out meeting invitations and agendas

6.1.2 Collate attendance and apology lists

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

6.1.4 Undertake other administrative duties as deemed appropriate

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

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

**7.0 Review**

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

## **Takaka Aerodrome User Group**

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*Approved by Council resolution CN20-05-5*

### **1.0 Overview**

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

### **2.0 Membership and Quorum**

- 2.1 The User Group will consist of the following:
  - 2.1.1 Golden Bay Ward Councillors
  - 2.1.2 Golden Bay Community Board member
  - 2.1.3 Aerodrome Operator or their delegate
  - 2.1.4 "Golden Bay Air" representative
  - 2.1.5 Commercial aerodrome users
  - 2.1.6 Recreational aerodrome users
  - 2.1.7 Aerodrome maintenance contractor(s)
  - 2.1.8 Unmanned Aerial Vehicle operators which are registered with Takaka Aerodrome
  - 2.1.9 Persons occupying or leasing property at Takaka Aerodrome
  - 2.1.10 Adjoining land owners
  - 2.1.11 Invited guests and representatives of CAA when required
  - 2.1.12 Invited guests at the Chair's discretion
- 2.2 Four members must be in attendance for quorum

### **3.0 Purpose and Objectives**

- 3.1 The purpose of the Takaka Aerodrome User Group (TAUG) is to facilitate the development and coordination of procedures for the safe use of the aerodrome and associated airspace, and to provide advice and support to the Aerodrome Manager on issues pertaining to Takaka Aerodrome
- 3.2 The objectives include:
  - 3.2.1 To encourage best practice for the health and safety of all users of Takaka Aerodrome and the associated airspace
  - 3.2.2 To act as a forum for aerodrome users to discuss any operational or safety issues at Takaka Aerodrome, or to the type of operations conducted at the aerodrome and suggest ways to address / resolve / improve
  - 3.2.3 To review and provide opinion on development applications or requests at Takaka Aerodrome
  - 3.2.4 To be consulted prior to any changes to aerodrome landing or parking charges

- 3.2.5 To receive quarterly aerodrome financial reports
  - 3.2.6 To be consulted prior to the Takaka Aerodrome Long Term Plan being recommended for adoption
  - 3.2.7 To consider any requests to change the permitted or discretionary uses at Takaka Aerodrome
  - 3.2.8 To review issues relating to noise at Takaka Aerodrome and recommend appropriate actions
  - 3.2.9 To receive condition reports on the aerodrome infrastructure and provide a link between users and the Aerodrome Manager
- 3.3 Specific tasks include:
- 3.3.1 Administer tests and review the Takaka Aerodrome Emergency Plan
  - 3.3.2 Establish, administer and review a Takaka Aerodrome Memorandum of Understanding

#### **4.0 Meetings**

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

#### **5.0 Chairperson and Agenda**

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



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

## **6.0 Administration and Media**

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

## **7.0 Review**

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

## **Motueka Aerodrome Operations and Safety Committee**

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*Approved by Council resolution CN20-05-5*

### **1.0 Overview**

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

### **2.0 Membership and Quorum**

2.1 The Committee will consist of the following Representatives:

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

2.2 Four members must be in attendance for quorum

### **3.0 Purpose and Objectives**

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

3.2 The objectives are to:

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

3.3 Specific tasks include:

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

3.3.3 Administer and review the Motueka Aerodrome Memorandum of Understanding which covers best practice for aircraft use at and in the vicinity of Motueka Aerodrome

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

#### **4.0 Meetings**

4.1 Meetings will be on a quarterly basis and will aim to be no more than one hour in duration

4.2 Special meetings will be called as required, including for the following:

4.2.1 Following an incident or accident or where a serious issue is raised

4.2.2 When a new operator or new type of operation is proposed for the aerodrome

4.2.3 When major works are proposed for the aerodrome

4.2 The members of the Committee will meet their own costs

4.3 Written reports are to go out with the agenda wherever possible, but verbal agenda items will be accepted. All agendas are to be circulated at least 5 working days prior to meetings

4.4 All communications will generally be in electronic form

4.5 Any advice, recommendations or feedback to Council will require a majority decision by members. The Chair shall have a casting vote

4.6 The Committee members will at all times operate in a collaborative and cooperative manner, using their best endeavours to reach solutions that consider the interests of the aerodrome and the community as a whole

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

4.8 Communication channels will be nurtured to ensure the timely exchange of information between Council, users and the community

#### **5.0 Chair and Agenda**

5.1 The Committee shall elect the meeting Chair from its membership. Re-election will occur every two years

5.2 Should the Chair be absent from any meeting, the Aerodrome Operator will deputise as Chair for that meeting

5.3 The Chair will liaise with the Aerodrome Operator prior to the setting of the agenda

5.4 The Chair will provide good meeting practices and lead the Committee to obtain consensus and meet the Committee's objectives

5.4 Agenda will include some of the following items:

5.4.1 Confirmation of Minutes

5.4.2 Actions from previous meeting

5.4.3 Matters arising

5.4.4 Reports for discussion and action

5.4.5 Airport Operational issues

5.4.6 Airspace issues

- 5.4.7 Review of any safety incidents or accidents
- 5.4.8 Aerodrome security and safety issues
- 5.4.9 Proposed amendments to aerodrome layout or proposed works on the aerodrome
- 5.4.10 Review of published aerodrome data and operational procedures contained in the AIPNZ
- 5.4.11 Review and coordinate feedback on any airspace amendments proposals
- 5.4.12 Requirements for any rules to accommodate an organisation with special needs such as helicopters and helicopter training etc.
- 5.4.13 Any type of activity commencing on or off the aerodrome which may have an impact on aerodrome operations
- 5.4.14 An activity which previously had special procedures developed for it and is no longer operating
- 5.4.15 Nelson Drag Racing Association event report or debrief
- 5.4.16 Memorandum of understanding review
- 5.4.17 Emergency plan text or review
- 5.4.18 Next meeting date

## **6.0 Administration and Media**

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

## **7.0 Review**

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

## Version Control

Version	Date	Content
3.00	November 2019	Full register adopted by Council Resolution CN19-11-12
4.00	30 June 2021	Full Register adopted by Council Resolution CN21-06-17
		<p>Part One – General</p> <ul style="list-style-type: none"> <li>Updated Temporary Delegations (previously labelled Sub-delegations)</li> </ul> <p>Part Two – Governance</p> <ul style="list-style-type: none"> <li>Section 2.0 – Added “Health Act” under Use of Common Seal</li> <li>Section 3.2 – amended committee name from Regulatory to Strategy and Policy</li> <li>Section 4.0 - new preamble and moved ToR to Part Five</li> <li>Section 5.1 - new preamble</li> <li>Section 5.2 - new section Appointments to Other Organisations</li> <li>Section 5.4 – Updated Audit and Risk membership</li> <li>Section 5.5.4 Tenders Panel – extended responsibilities to include land purchases</li> <li>Section 5.4 - Updated Joint Shareholders Committee membership</li> </ul> <p>Part Three – Management</p> <ul style="list-style-type: none"> <li>Section 1.0 – updated Chief Executive delegations</li> <li>Section 3.1 – updated Tenders Panel</li> <li>Section 3.5 – amendment to unbudgeted capital expenditure</li> <li>Section 3.10 – Bad Debts added explanatory paragraph.</li> <li>Section 3.12 – Elected Members Payments now applied to all Community Boards</li> <li>Section 3.14 – Schedule of Fees added explanatory paragraph.</li> <li>Section 4.4 – new authority to write-off rates</li> <li>Section 7.0 – General Submissions rewritten to remove duplication.</li> </ul> <p>Part Four – Statutory Delegations</p> <ul style="list-style-type: none"> <li>Updated with new role titles</li> <li>Removed repealed sections LGA 2002 s.183; RMA 1991 s.149Q &amp; s.360D;</li> </ul> <p>Part Five – Terms of Reference</p> <ul style="list-style-type: none"> <li>Updated Saxton Field ToR</li> <li>Updated Community Board ToR, and relocated from Governance Section</li> </ul>
4.01	November 2021	<p>Updated Audit and Risk Committee Members (CN21-08-10)</p> <p>Updated to reflect Utilities is now Waters and Wastes team</p> <p>Updated Electoral Officer and Deputy Electoral Officer</p> <p>Updated Tenders Panel to Procurement Panel</p>

Tasman District Council Delegations Register – Version Control

Version	Date	Content
4.02	24 February 2022	Updated Joint Shareholders Committee Membership by Council Resolution CN22-02-10
4.03	5 April 2022	<ul style="list-style-type: none"> <li>• Part Three – Management – added roles of Building Inspector and Building Officer Compliance and Team Leader Building Inspectors to Building Act 2004 – 20 s48-52 - Power to process and grant applications for building consent</li> <li>• Replaced ‘Principal Legal Advisor’ with ‘Legal and Democracy Services Manager’</li> </ul>
4.04	7 April 2022	<p>Part Two - Governance CN22-04-01</p> <p>Renamed the Commercial Committee “Enterprise Committee” to align with its broader role; and</p> <p>b. extended the powers of the Committee by including in the Terms of Reference the power to approve business cases if the project or works are within the Council’s Long Term Plan or Annual Plan and which fall within the approved fiscal envelope; and</p> <p>c. extended the responsibilities of the Committee to include the Council Controlled Organisations and Council Controlled Trading Organisations, excluding Waimea Water Limited and Tasman Bays Heritage Trust.</p> <p>JC/2021/015 and JC/2022/002</p> <p>Section 2 - Addition of the Joint Committee Subcommittee to oversee the Special Consultative procedure for the Nelson Tasman Future Development Strategy 2022.</p> <p>5.4 - Updated membership of the Audit and Risk Committee.</p> <p>Part Four – Statutory Delegations CN22-04-2</p> <p>2. delegates its powers under Section 48 of the Public Works Act to the Chief Executive Officer (including the Acting Chief Executive Officer), Chief Operating Officer and Group Manager, Community Infrastructure, Group Manager - Service &amp; Strategy; and</p> <p>3. delegates its powers under section 48 of the Reserves Act 1977 to the Group Manager – Community Infrastructure, Group Manager – Environment Assurance, Group Manager - Service &amp; Strategy and the Property and Enterprise Manager in situations where public notification is not required; and</p> <p>4. subdelegates the Power to exercise the Minister of Conservation’s powers delegated to the Council under</p>

Tasman District Council Delegations Register – Version Control

Version	Date	Content
		<p>instrument of delegation dated 8 July 2013, namely to consent or refuse consent to the grant of rights of way and easements over a reserve and to impose conditions, to the Environment and Regulatory Committee; and</p> <p>5. delegates its powers under section 327A of the Local Government Act 1974 to the Chief Executive Officer (including the Acting Chief Executive Officer), Chief Operating Officer, Group Manager – Community Infrastructure and Group Manager – Environmental Assurance, and Group Manager – Service and Strategy in situations where the restrictions are rendered redundant by the TRMP or any subsequent plan; and</p> <p>6. delegates its powers under section 243 of the Resource Management Act 1991 to the Chief Executive Officer (including the Acting Chief Executive Officer), Chief Operating Officer, Group Manager – Community Infrastructure and Group Manager – Environmental Assurance, Group Manager - Service &amp; Strategy. and</p> <p>7. amends the existing property delegation to read: Authority to enter into binding agreements for the sale and purchase of property, including interests in property, as provided for in the long term plan with schedules listing such sale and purchases being submitted to the relevant standing committee</p>
4.05	5 May 2022	Updated Part Four - Statutory Delegations – Resource Management Act 1991 – pursuant to Regulatory Committee resolution RC22-05-11 - 5 May 2022.
4.06	19 May 2022	Updated Part Three – Management – Legal Proceedings 6.2(f) pursuant to Regulatory Committee resolution RC21-10-3 to amend the existing delegation to the Group Manager, Environmental Assurance.
4.07	24 May 2022	<p>Updated Part Three – Financial Management – To add 3.15 Execute Documents – Chief Executive.</p> <p>Updated Committee Membership to reflect CN22-05-12, replacing Councillor Wensley with:</p> <p>Councillor Hill as Chairperson of the Environment and Regulatory Committee;</p> <p>Councillor Mackenzie as a member of the Chief Executive Officer Review Committee;</p> <p>Councillor Hill as Chairperson of the Community Awards Subcommittee;</p> <p>Councillor Tuffnell as a member of the Community Awards Subcommittee;</p> <p>Councillor Maling as a member of the Community Grants Subcommittee.</p>

Tasman District Council Delegations Register – Version Control

Version	Date	Content
4.08	27 May 2022	<p>Updated part 2.2 – Official Information – To add Legal and Democracy Services Manager, Senior Legal Advisor, Democracy Services Officer and Legal and Democracy Support Officer.</p> <p>Updated part 2.3 – Privacy Act 1993 – To add Legal and Democracy Services Manager, Senior Legal Advisor, Democracy Services Officer and clarified parts 4 to 6 of the Act.</p>
4.09	16 Aug 2022	<p>Added Acting Chief Executive Officer interim powers to the CE's delegations (1.10 and 1.11) as per CN22-08-08.</p> <p>Added the Civil Defence Emergency Management TOR as adopted – CN22-08-11</p>
4.10	22 Sep 2022	<p>Added Reserves and Facilities Manager, Senior Horticultural Officer and Reserves Planner to the RMA 1991 s.234 and 235 esplanade strip delegations.</p>
4.11	03 Nov 2022	<p>Amendments to the Delegations Register were made as part of the Establishment of Committee Structure for the 2022 – 2025 Term – Council 3 November 2022 (it was noted that the full Delegations Register was being reviewed and would be adopted early 2023).</p> <ol style="list-style-type: none"> <li>1. The Chief Executive Review Subcommittee does not have a public forum and its power to set the Chief Executive's remuneration was clarified.</li> <li>2. The inclusion of the Animal Control Subcommittee delegations (previously omitted).</li> <li>3. Tasman District Council membership of the Joint Shareholders Committee was amended to reflect the 2022 – 2025 structure and appointments.</li> <li>4. The inclusion of the Regional Pest Management Joint Committee (this joint committee was re-established).</li> <li>5. The inclusion of the Nelson Tasman Joint Waste Review Working Party (agreed at the 29 September 2022 Strategy and Policy Committee meeting).</li> <li>6. The deletion of the Joint Committee Subcommittee to oversee the Special Consultative Procedure for the Nelson Tasman Future Development Strategy 2022, as this subcommittee is now disestablished.</li> <li>7. Minor spelling and grammatical changes.</li> </ol> <p>CN22-11-2</p> <p>The Committee Structure and Elected Member appointments were updated as per CN22-11-3.</p>
4.12	15 Dec 2022	<p>Updated to reflect a change of name from the Regulatory Committee to the Environment and Regulatory Committee and changes to the Committee's delegations CN22-12-09.</p> <p>Updated to reflect Councillor appointments to Accessibility4All and Richmond Unlimited CN22-12-07.</p>



Tasman District Council Delegations Register – Version Control

Version	Date	Content
		Updated the Joint Committee terms of reference – Areas of Responsibility 2b – CN22-18-8
4.13	16 Feb 2023	<ol style="list-style-type: none"> <li>1. Editorial amendment to change all instances of Tenders Panel to Tenders/Procurement Panel</li> <li>2. Editorial amendment to formatting in Membership tables.</li> <li>3. Mayoral Delegations - amended clause 1.1.3 to add: <ul style="list-style-type: none"> <li>• Infrastructure Holdings Limited, and</li> <li>• any other company that may be incorporated to be a Council Controlled Organisation of Tasman District Council – CB23-02-07</li> </ul> </li> <li>4. Membership of the Standing Committees amended to include one iwi representative with speaking and voting rights</li> <li>5. Joint Nelson Tasman Regional Transport Committee TOR added - CN23-02-18</li> <li>6. Joint Committee TOR updated – CN23-02-18</li> <li>7. Regional Pest Management Joint Committee TOR amended – CN23-08-8</li> </ol>
4.14	7 Mar 2023	Joint Regional Cemetery Working Group Terms of Reference added – adopted by the Operations Committee – OC21-12-4
4.15	27 Apr 2023	Amendment to the Tenders/Procurement Panel TOR – CN23-04-7
4.16	22 Jun 2023	<ol style="list-style-type: none"> <li>1. Amendments to Execution of Documents and Use of the Common Seal - CN23-06-17</li> <li>2. Amending all instances of Regulatory Committee to Environment and Regulatory Committee to reflect CN22-12-09 (v4.12)</li> </ol>
4.17	4 Oct 2023	<ol style="list-style-type: none"> <li>1. Updated Part 3 Management and Part 4 Statutory Delegations – CN23-09-4</li> <li>2. Removal of Māpua Waterfront Area Masterplan Working Group – CN23-09-3</li> </ol>
4.18	26 Oct 2023	<ol style="list-style-type: none"> <li>1. Updated Part 3 Management - to reflect CN23-10-7 – 11.0 Specific Delegations by Resolution</li> <li>2. Environmental Information Officer – Information Science &amp; Technology added as On Scene Commander (198)</li> <li>3. Updated Appointments table to reflect independent appointments made since last update.</li> </ol>
4.19	15 Dec 2023	Inclusion of the Brightwater – Wakefield Community Facilities Project Advisory Group – CN23-07-21