
Delegations Register

Adopted 11 December 2025

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Part One – General

1. Structure

The Delegations Register is structured in three parts:

1.1. 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.

1.2. Part Two - Governance

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

1.3. Part Three – Terms of Reference

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

2. Purpose

The purpose of the Delegation Register is to set out the Tasman District Council's (the Council's) 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 the Council are delegated to a Committee or other decision-making body that has since been disestablished, that delegation will be exercised by the Council.

3. Definition of Delegation

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 the Council or the Chief Executive every time a decision needed to be made. This allows elected members sitting as the Council to focus on strategic issues and the long term needs of the Tasman region, while detailed consideration and decision making can be carried out by other Council decision-making bodies, and the implementation of those decisions and the operation or administration of services or functions can be carried out by officers.

4. Council Retention of Authority

Delegation of decision-making powers to committees is a discretionary act by the Council and does not constitute a transfer of ownership. The Council retains overarching authority and may choose to exercise its decision-making powers directly on any delegated matter, particularly where broader input is required, or the issue becomes contentious.

5. Legal Basis

The 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 delegated decision making power, for example the development of a bylaw.

6. Term of Delegation

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.

7. Exercising Delegations

7.1 General Provisions

In the exercise of any delegation, the delegated body must comply with the requirements in this document. The laws relating to local government generally recognise that a delegation properly exercised binds the 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 delegated body considers it is inappropriate for it to exercise a delegation in relation to a specific matter it may refer the decision back to the delegator.

Delegations should be as clear as possible in order to protect both the Council and the delegated body.

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 the Council, the delegated body has all the necessary powers of the Council to effect that decision, including any related transitional powers prescribed by statute.

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

7.2 Ambiguity

In the event of ambiguity or conflict between any of the provisions contained in the Delegations Register, with the result that there is uncertainty or dispute as to who has the delegated authority to act in respect of a particular matter, the matter will be considered by Council.

7.3 Revoking delegations

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



Part Two – Governance

1. 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:
 - 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 the Council and to take direction from the Council on sensitive or controversial matters before committing the 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.

2. 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 the 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 (whether or not required by an enactment) by 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:

2.1.5. the Mayor, or in his/her absence, the Deputy Mayor; and

2.1.6. 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:
- 2.2.2. the Mayor, or in his absence the Deputy Mayor (or where neither the Mayor and the Deputy Mayor are available, by another Councillor), and
- 2.2.3. any one other Councillor
(in accordance with section 9 of the Property Law Act 2007).

Other Contracts

- 2.2.4. Unless otherwise resolved by the 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. Councillors' Delegations

- 3.1. Each member of the 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 resource consent applications under the Resource Management Act. The decision to use a Hearings Commissioner rests with the Group Manager Environmental Services or Resource Consents Manager in consultation with the Chair of the Environment Regulatory and Operations Committee.
- 3.2. Each member of the 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 Plan Change applications under the Resource Management Act. The decision to use a Hearings Commissioner rests with the Group Manager Strategy and Finance or Environmental Policy Manager in consultation with the Chair of the Environment Regulatory and Operations Committee.
- 3.3. All Councillors, as members of the Strategy Finance and Performance 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 Finance and Performance Committee provided they hold a current accreditation certificate.
- 3.4. Each accredited member of the Environment Regulatory and Operations Committee has the power to hear and determine objections lodged under Section 357 of the RMA in respect of staff exercising delegated authority.
- 3.5. The Chairperson of the Environment Regulatory and Operations Committee or Strategy Finance and Performance Committee, who may co-opt other members, can approve potential settlements by Consent Order relating to RMA proceedings.
- 3.6. The Group Manager Environmental Services or Group Manager - Strategy and Finance or Environmental Policy Manager or Resource Consents Manager or Principal Advisor - Environmental Services or Principal Planner - Resource Consents can, following consultation with the Chairperson of the Environment Regulatory and Operations Committee or Strategy Finance and Performance 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. Chief Executive's Delegations

- 4.1. The Council delegates to the Chief Executive all powers conferred on the Council by legislation, as captured within the Officer Delegations Register
- 4.2. Unless explicitly stated in this Officer Delegations Register, the Chief Executive retains the authority to carry out all responsibilities, duties and powers listed within the Officer Delegations Register, whether derived from the Council, its committees or any other subordinate decision-making body, directly from legislation or elsewhere.
- 4.3. The Chief Executive will report the exercise of these delegations to the Council when the delegation requires and as they deem necessary.
- 4.4. The Chief Executive is authorised to amend the delegations register to reflect changes in the organisation's structure and as required by Council resolutions, legislative changes or minor administrative changes. Any changes to the Delegations Register outside the scope of spelling, punctuation and updating titles will be brought back to the Council for approval.
- 4.5. 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.
- 4.6. The Chief Executive when operating within these delegations should be mindful of the 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.
- 4.7. The Council has appointed the Chief Operating Officer as the Acting Chief Executive should the Chief Executive not be available.
- 4.8. 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.
- 4.9. In the interregnum period, the 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 Tasman District Council Election, until the first meeting of the new Council (the interim period).
- 4.10. All decisions made in the interim period under this delegation to the Chief Executive Officer be reported to the first ordinary meeting of the new Council.

5. Committee Structure and Appointments

5.1. Council Committees, Standing Committees, Subcommittees, other Subordinate Decision-Making Bodies and Joint Committees

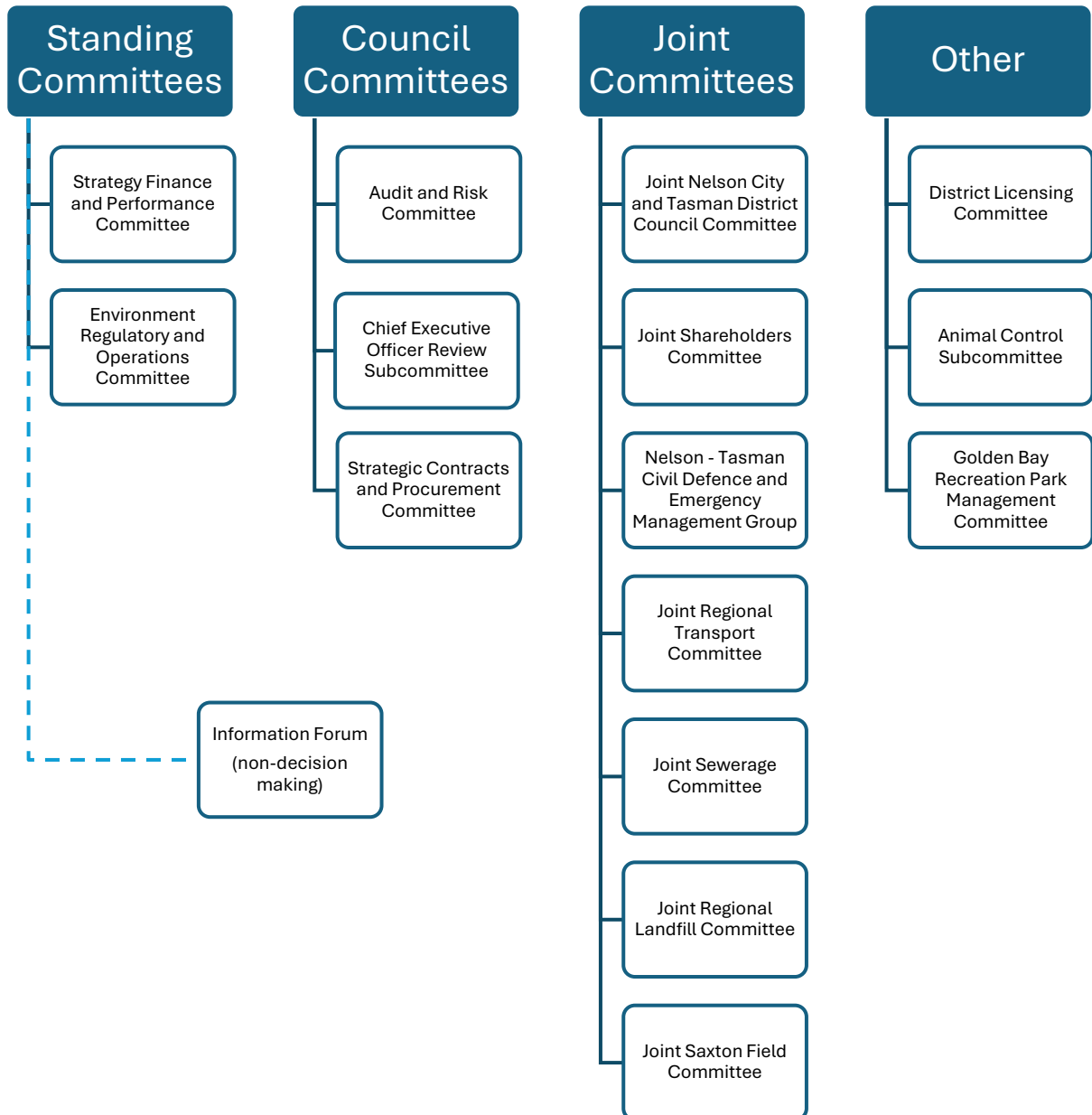
- 5.1.1. Any of the Council's responsibilities, duties or powers other than those referred to in Part One | General | The Legal Basis on page 6, may be delegated to a committee, subcommittee or other subordinate decision-making body.
- 5.1.2. A committee or other subordinate decision-making body may appoint the subcommittees that it considers appropriate unless the Council prohibits it from doing so.
- 5.1.3. 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. Subcommittees are subject in the same way to the committees that appointed them.
- 5.1.4. 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 a new resolution.
- 5.1.5. 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, subcommittees, or other subordinate bodies were appointed. Unless such a resolution is made, delegated powers may lapse by operation of this provision.
- 5.1.6. 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 subcommittee 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.
- 5.1.7. 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

- 5.2.1. The 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 the Council and the organisation
 - Representation: to represent the Council's 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 the 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 'Representatives and Appointments' table

5.2 Committee Structure

The Committee Structure was established on 13 November 2025. Under section 41A of the Act, the Mayor may exercise their power to establish committees of the Council and Chairpersons for those committees. The power of the Council to establish, reconstitute or disestablish committees, subcommittees, other subordinate decision-making bodies and joint committees is outlined in section 30, Schedule 7 of the Local Government Act 2002.



The full Terms of Reference can be found in Part Three of this document

5.3. Appointments

COUNCIL AND STANDING COMMITTEES	
Tasman District Council (Governing Body)	<p>Chairperson – Mayor Tim King</p> <p>Deputy Chairperson – Deputy Mayor Brent Maru</p> <p>All Councillors</p> <p>Non voting iwi representative</p>
Strategy Finance and Performance Committee	<p>Chairperson – Councillor Kit Maling</p> <p>Deputy Chairperson – Councillor Dave Woods</p> <p>Mayor and all Councillors</p> <p>iwi representative</p>
Environment Regulatory and Operations Committee	<p>Chairperson – Councillor Jo Ellis</p> <p>Deputy Chairperson – Councillor Celia Butler</p> <p>Mayor and all Councillors</p> <p>iwi representative</p>
Information Forum (not a decision-making committee under LGOIMA)	<p>Chairperson – Councillor Trindi Walker</p> <p>Deputy Chairperson – Councillor Kerryn Ferneyhough</p> <p>Mayor and all Councillors</p>
OTHER COMMITTEES	
Audit and Risk Committee	<i>Mayor Tim King (ex-officio)</i>

(reporting to Council)	<p>Chairperson – appointed independent member – Graeme McGlinn</p> <p>5 x Councillors:</p> <ul style="list-style-type: none"> • Deputy Mayor Brent Maru • Councillor Paul Morgan • Councillor Dave Woods • Councillor Timo Neubauer • Councillor Celia Butler <p>1 x appointed independent member:</p> <ul style="list-style-type: none"> • Analisa Elstob
<p>Chief Executive Officer Review Subcommittee</p> <p>(reporting to Council)</p>	<p>Chairperson - Mayor Tim King</p> <p>Deputy Mayor Brent Maru</p> <p>Councillor Jo Ellis</p>
<p>Council Contracts and Procurement Committee</p> <p>(reporting to Strategy Finance and Performance Committee)</p>	<p><i>Mayor Tim King (ex-officio)</i></p> <p>Chairperson – Councillor Mike Kininmonth</p> <p>Councillor Dean McNamara</p> <p>Councillor John Gully</p>
<p>District Licensing Committee</p> <p>Operates under the Sale and Supply of Alcohol Act 2013</p>	<p>Chairperson – Councillor Jo Ellis</p> <p>Councillor Trindi Walker</p> <p>3 x appointed independent members</p>
<p>JOINT COMMITTEES OF NELSON AND TASMAN COUNCILS</p>	

<p>Joint Committee of Tasman District and Nelson City Councils (Joint Committee)</p>	<p>Mayor Deputy Mayor All other Councillors</p>
<p>Joint Shareholders Committee (JSC)</p>	<p>Mayor Deputy Mayor Councillor Jo Ellis Councillor Kit Maling Councillor Mike Kininmonth Councillor Paul Morgan</p>
<p>Joint Regional Transport Committee (JRTC)</p> <p>Operates under the Land Transport Management Act 2003 and its Amendments</p>	<p>Mayor (ex-officio) Deputy Mayor Maru (Deputy Chair) Councillor Jo Ellis Alternates Councillor Celia Butler Councillor John Gully 1 x Waka Kōtahi representative – Emma Speight (with voting rights)</p>
<p>Joint Regional Sewerage Committee (JRSC)</p>	<p>Mayor (ex-officio) Councillor Kit Maling (Chairperson) Councillor Dave Woods</p>
<p>Joint Regional Landfill Committee (JRLC)</p>	<p>Mayor (ex-officio) Councillor Dean McNamara Councillor Trindi Walker</p>
<p>Joint Saxton Field Committee (JSFC)</p>	<p>Councillor Mike Kininmonth Councillor Kit Maling Councillor Timo Neubauer</p>
<p>Nelson-Tasman Civil Defence and Emergency Management Group (CDEM Group)</p>	<p>Mayor Deputy Mayor (alternate)</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.</i></p> <p><i>This Committee is included for completeness.</i></p>	
<p>Joint Building Authority Advisory Group (JBAAG)</p>	<p>Terms of reference to be confirmed</p>
<p>Joint Climate Change Advisory Group (JCCAG)</p>	<p>Terms of reference to be confirmed</p>
<p>Waimea Inlet Coordinating Group</p>	<p>Councillor Mike Kininmonth</p> <p>Alternate: Councillor Timo Neubauer</p>
<p>SUBCOMMITTEES</p>	
<p>Golden Bay Recreation Park Management Committee</p>	<p><i>Mayor Tim King (ex-officio)</i></p> <p>Chairperson – Councillor Mark Hume</p> <p>Deputy Chairperson – Councillor Celia Butler</p> <p>4 x external representatives</p>
<p>Animal Control Subcommittee</p> <p>(Reporting to Environment Regulatory and Operations Committee)</p>	<p><i>Mayor Tim King (ex-officio)</i></p> <p>Chairperson – Deputy Mayor Brent Maru</p> <p>Councillor Trindi Walker</p> <p>Councillor Mike Kininmonth</p>
<p>Community Awards Subcommittee</p> <p>(Reporting to Strategy Finance and Performance Committee)</p>	<p><i>Mayor Tim King (ex-officio)</i></p> <p>Chairperson – Cr Mike Kininmonth</p> <p>Councillor Mark Hume</p>

	<p>Councillor Timo Neubauer</p> <p>Councillor Kerry Ferneyhough</p>
<p>Community Grants Subcommittee</p> <p>(Reporting to Strategy Finance and Performance Committee)</p>	<p><i>Mayor Tim King (ex-officio)</i></p> <p>Chairperson – Cr John Gully</p> <p>Councillor Celia Butler</p> <p>Councillor Trindi Walker</p> <p>Councillor Kit Maling</p> <p>Councillor Mike Kininmonth</p>
<p>Creative Communities Subcommittee</p> <p>(Reporting to Strategy Finance and Performance Committee)</p>	<p><i>Mayor Tim King (ex-officio)</i></p> <p>Chairperson – Councillor Celia Butler</p> <p>Councillor Kerry Ferneyhough</p>
REPRESENTATIVES AND APPOINTMENTS	
<p>Local Government New Zealand</p> <p>Zone 5</p>	<p>Chairperson – Mayor Tim King</p> <p>Chief Executive Officer</p>
<p>Regional Sector Group</p>	<p>Chairperson – Mayor Tim King</p> <p>Chief Executive Officer</p>
<p>Rural & Provincial</p>	<p>Deputy Mayor Brent Maru</p>
<p>Project Kōkiri Leadership Group</p>	<p>Mayor Tim King</p>
<p>Nelson Tasman Climate Forum</p>	<p>Councillor Timo Neubauer</p> <p>Councillor Kerry Ferneyhough</p>

Friendly Towns	<p>Motueka appointment:</p> <ul style="list-style-type: none"> • Councillor Walker – Kiyosato <p>Richmond appointment:</p> <ul style="list-style-type: none"> • Councillor Ellis – Fujimi Machi
Golden Bay Pae Ora Alliance Partnership	Councillor Celia Butler
Iwi Liaison	<p>Mayor Tim King</p> <p>Chief Executive Officer</p>
Motueka Aerodrome Health & Safety and Operational Group	<p>Councillor Trindi Walker</p> <p>1 x Community Board member</p>
Positive Ageing	Councillor Mike Kininmonth
Port Tarkohe Health & Safety and Operational Group	<p>Councillor Celia Butler</p> <p>1 x Golden Bay Ward Liaison</p>
Regional Accessibility Forum	Councillor Timo Neubauer
Tākaka Aerodrome Health & Safety and Operational Group	<p>Councillor Mark Hume</p> <p>1 x Golden Bay Ward Liaison</p>
Tasman Bays Heritage Trust Appointments Committee	<p>Mayor Tim King</p> <p>Chief Executive Officer</p>
Tasman Environmental Trust	Councillor Celia Butler
Tasman Youth Council	Councillor Trindi Walker

	Councillor Kerry Ferneyhough
Waimea South Community Facility Project Advisory Group	Councillor Mike Kininmonth Councillor Timo Neubauer
Moutere/Waimea Ward	
Brightwater Recreation Reserve Committee	Councillor Dave Woods
Dovedale Recreation Reserve Committee	Councillor Dean McNamara
Equestrian Trust Board	Councillor Jo Ellis
Moutere Hills Recreation Reserve/Community Centre Committee	Councillor Mike Kininmonth
Ngātimoti Hall Management Committee	Councillor Dean McNamara
Ngātimoti Recreation Reserve Committee	Councillor Dean McNamara
Spring Grove Recreation Reserve Committee	Councillor Dave Woods
Waimea West Recreation Reserve Committee	Councillor Dean McNamara
Wakefield Recreation Reserve Management Committee	Councillor Dean McNamara
Wakefield Swimming Pool Committee	Councillor Dean McNamara

Richmond Ward	
Hope Recreation Reserve Committee	Councillor Kit Maling
Keep Richmond Beautiful Committee	Councillor Timo Neubauer
Richmond Bridge and Croquet Club Committee	Councillor Jo Ellis
Richmond Unlimited Committee	Councillor Timo Neubauer
Lakes/Murchison Ward	
Murchison Recreation Reserve Committee	Councillor John Gully
Stanley Brook Recreation Reserve Committee	Councillor John Gully
Tapawera Recreation Reserve Committee	Councillor John Gully
Lake Rotoiti Community Facility Committee	Councillor John Gully

5.4. Hearing Panels and Quasi-Decision Making Bodies

5.4.1. 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
Reserves Act 1977	Environment Regulatory and Operations Committee	Recommendations to that Committee or to the Council (when required) for a final decision on Reserve leases, licences & easements

	Strategy Finance and Performance Committee	Recommendations to that Committee or to the Council (when required) for a final decision on Reserve classifications and Reserves Management Plans
Local Government Act 2002	Environment Regulatory and Operations Committee	Recommendations to the Council for the Council's final decision for the purposes of the bylaws under the Act
Resource Management Act 1991	The Chair of the Environment Regulatory and Operations or the Strategy Finance and Performance Committee, depending on the issue, with either the: Group Manager Environmental Services; or Resource Consents Manager; Principal Planner - Resource Consents; Regulatory Manager, or Environmental Policy Manager.	Decisions made by consensus although, if necessary, the majority view prevails.
Local Government Act 1974 (ss 459 and 460) Gambling Act 2003	The Chair of the Environment Regulatory and Operations or the Strategy Finance and Performance Committee, depending on the issue, with either the: Group Manager Environmental Services; or Resource Consents Manager; or Regulatory Manager, or Environmental Policy Manager.	Decisions made by consensus although, if necessary, the majority view prevails.
Dog Control Act 1996	Environment Regulatory and Operations Committee (powers delegated to the Animal Control Subcommittee)	Decisions to uphold or rescind classifications or disqualifications.

5.4.2. Resource Consent Hearings – sole hearings

Each member of the 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.

5.4.3. Hearings Commissioner

The decision to use a Hearings Commissioner, whether that Commissioner is a member or Independent Commissioner, rests with the Group Manager Environmental Services or Group Manager - Strategy and Finance, or Resource Consents Manager, or Principal Planner – Resource Consents or Principal Advisor – Environmental Services in consultation with the Chair of the Environment Regulatory and Operations or the Strategy Finance and Performance Committee.

Each member of the Environment Regulatory and Operations or the Strategy Finance and Performance 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 Finance and Performance Committee, as applicable.

5.5. Advisory Groups

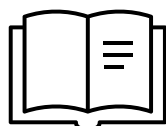
The function of Advisory Groups is to act in an advocacy role in order for the Council to gain input from the wider community, in a structured and positive environment.

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

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

Council currently has no governance Advisory Groups.

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



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

Standing Committees

1. Strategy Finance and Performance Committee (SFP)

1. Purpose and Areas of Responsibility

A committee of the whole, the primary areas of responsibility are to provide governance oversight, guidance on and approval (where appropriate) of the Council's strategic direction, policy development, organisational and financial performance, and community wellbeing, ensuring alignment with statutory obligations and community outcomes with the following areas of responsibility:

- 1.1. Activity Management Plans and Infrastructure related strategies and plan
- 1.2. Arts, Culture and Heritage
- 1.3. Associated policies and strategies for the Long Term Plan 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).
- 1.4. Camping Grounds (excluding commercial campgrounds and holiday parks)
- 1.5. Capital Programme and associated operational expenditure
- 1.6. Climate Change, Coastal Protection and Adaptation Policies
- 1.7. Community Engagement and Community Relations
- 1.8. Community Facilities and Community Halls
- 1.9. Community Grants
- 1.10. Community Housing
- 1.11. Community Recreation and Events
- 1.12. Contract Management Practices and Performance-Libraries
- 1.13. Development Contributions Policy
- 1.14. Digital Services
- 1.15. Economic Development
- 1.16. Enterprise Portfolio (the Council's commercial and semi-commercial activities)
- 1.17. Environmental Policies
- 1.18. Financial and operational performance
- 1.19. Financial Policies (except that adoption of many of these is the responsibility of Tasman District Council)

- 1.20. Friendly Towns
- 1.21. Growth Strategy and Model
- 1.22. Land Development Manual
- 1.23. Museums, including Tasman Bays Heritage Trust
- 1.24. Public Health Policies (e.g., Gambling Venues Policy, Psychoactive Substances Policy)
- 1.25. Reserve Financial Contributions
- 1.26. Reserves Management Plans and Policies and related Reserves, Trees and Cemetery Policies
- 1.27. Resource Management Policies and Plans
- 1.28. Reviewing the delivery of services under Section 17A of the Local Government Act 2002
- 1.29. 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)
- 1.30. Strategies and Plans not delegated to other committees
- 1.31. Transport, including walkways/cycleways, unless delegated to other committees
- 1.32. Waste Minimisation and Management
- 1.33. Water Safety Plans

2. Performance of these responsibilities will include:

- 2.1. Providing input into the development of Council's strategic direction
- 2.2. Review the delivery of services under Section 17A of the Local Government Act 2002
- 2.3. Monitor the Council's financial health and operational performance
- 2.4. Monitor the financial and non-financial performance of Council-Controlled Organisations
- 2.5. Review quarterly and annual performance reports
- 2.6. Review benchmark performance against national standards and peer councils
- 2.7. Recommend improvements based on performance trends, audits, and community feedback

- 2.8. Monitor and approve amendments to the delivery of the Council's Capital Programme and associated operational expenditure
- 2.9. Oversee financial policy development and review
- 2.10. Review and approve insurance arrangements, loan structures, and debt write-offs
- 2.11. Monitor contract management practices and performance
- 2.12. Oversee delivery of community services including libraries, recreation, arts, youth, and housing
- 2.13. Oversee community grants, partnerships, and wellbeing initiatives
- 2.14. Ensure that the management of natural and physical resources gives effect to the principles of Te Tiriti o Waitangi.
- 2.15. Consider reports relating to annual residents' surveys and monitoring
- 2.16. Promote inclusion, accessibility, and cultural development
- 2.17. Ensure the Council meets all its legislative responsibilities relating to the areas of responsibility.
- 2.18. 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.
- 2.19. Ensure quick flexible decision making to support taking advantage of commercial opportunities as they arise.
- 2.20. Recommend to the Council an overall financial strategy, performance measures and resourcing for the commercial portfolio, for inclusion in the Annual and Long Term Plans.
- 2.21. Monitor and improve the performance of the Council's commercial portfolio including identifying further opportunities to increase the portfolio.
- 2.22. Receive and monitor quarterly financial reports in relation to the commercial portfolio and ensure where possible that the best medium-to-the-medium to long term rates of return are being achieved.
- 2.23. Review on a regular basis the overall governance and investment structure for the commercial portfolio and consider whether other governance or investment structures would deliver enhanced returns.
- 2.24. Receive and consider reports from both staff on strategies, and investments along with the identification and mitigation of financial and operational risk.

- 2.25. Make recommendations to the Council on new investments, disposals, business opportunities and other matters in relation to the commercial portfolio, which includes:
- a. Forestry including forestry activities on reserve land.
 - b. Commercial campgrounds (Motueka, Murchison, Pōhara, Collingwood)
 - c. Aerodromes (Motueka, Tākaka)
 - d. Property managed on a commercial basis, including the Māpua Wharf precinct
 - e. The Motueka Harbour and Coastal Works Reserve Fund
 - f. Port Motueka and Port Tarakohe
 - g. Council Controlled Organisations and Council Controlled Trading Organisations, excluding Waimea Water Limited and Tasman Bays Heritage Trust.
- 2.26. Set and monitor levels of service and financial indicators aligned with the Council's strategic objectives, including:
- a. Service Delivery (e.g., % of cases resolved within target timeframes)
 - b. Financial Performance (e.g., operating surplus/deficit, debt-to-revenue ratio)
 - c. Customer Satisfaction (e.g., annual survey results, Net Promoter Score)
 - d. Project Delivery (e.g., % of capital projects delivered on time and within budget)
 - e. Review quarterly and annual performance reports from the Chief Executive and senior leadership
 - f. Benchmark performance against other councils and national standards where applicable
 - g. Ensure continuous improvement by reviewing audit findings, risk assessments, and performance trends
 - h. Report to Full Council on performance outcomes.

3. Powers

- 3.1. The Committee has the authority to exercise all powers and functions within its areas of responsibility that may lawfully be delegated by the Council, except for those matters that the Council has expressly retained.

- 3.2. In carrying out its responsibilities, the Committee may:
 - a. Make decisions on delegated matters within its scope.
 - b. Approve actions, policies, and recommendations consistent with its delegated authority.
 - c. Seek advice or information necessary to discharge its responsibilities.
 - d. Refer matters outside its delegation or retained by the Council back to the Council for decision.
- 3.3. 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.

4. Limitations

- 4.1. In respect of matters requiring financial input the Strategy Finance and Performance Committee's power is limited to the extent that provision has been made in the annual budgets or in the Long Term Plan.
- 4.2. The Committee may not authorise legal action.
- 4.3. The Strategy Finance and Performance Committee can make recommendations only to the Council in respect of the following matters (clause 32(1) of Schedule 7, LGA and section 41, Reserves Act):
 - a. make a rate; or
 - b. borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
 - c. adopt a Long Term Plan, Annual Plan, or Annual Report; or
 - d. 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
 - e. adopt a remuneration and employment policy; or
 - f. adopt a reserves management plan.

5. Administration

- 5.1. Membership comprises all elected members.
- 5.2. An independent advisor may provide specialist advice as required.
- 5.3. The quorum is eight members.

- 5.4. Meetings are generally held four weekly.
- 5.5. The Strategy Finance and Performance Committee has no specific reporting responsibility to the Council for matters within its delegation.

2. Environment Regulatory and Operations Committee (ERO)

1. Purpose and Areas of Responsibility

A committee of the whole, the primary areas of responsibility are to provide governance oversight, guidance on and approval (where appropriate) of the Council's infrastructure services, environmental management, operational and regulatory programmes (both statutory and non-statutory) ensuring alignment with the Council's strategic objectives and statutory obligations, with the following areas of responsibility:

- 1.1. Animal Control and services
- 1.2. Biodiversity
- 1.3. Biosecurity
- 1.4. Building Assurance
- 1.5. Building Control Authority and functions under the Building Act.
- 1.6. Bylaws (This allows for bylaw making processes up to but not including adoption).
- 1.7. Camping Grounds (excluding commercial campgrounds and holiday parks)
- 1.8. Civil Defence and Emergency Management
- 1.9. Climate change, mitigation and adaptation
- 1.10. Coastal Protection Structures
- 1.11. Compliance and Enforcement
- 1.12. Digital Services
- 1.13. Drinking Water Standards, including Emergency Response Planning
- 1.14. Environmental Education
- 1.15. Environmental Management
- 1.16. Food Safety
- 1.17. Hazardous Substances and New Organisms
- 1.18. Land Drainage
- 1.19. Landfill Management and Refuse Collection
- 1.20. Land Information Memorandums
- 1.21. Marine Oil Spill Readiness and Response

- 1.22. Maritime Administration
- 1.23. Maritime Administration and Navigation Safety
- 1.24. Navigation Safety
- 1.25. Parks and Recreation Assets and Facilities Operations
- 1.26. Parking and Traffic Control
- 1.27. Parking and Traffic Control Operations
- 1.28. Ports, Wharves, Boat Ramps and Coastal Structures (excludes Port Tarakohe)
- 1.29. Property (non-commercial)
- 1.30. Public Health
- 1.31. Refuse Collection, Disposal and Waste Minimisation
- 1.32. Reserve leases, licences and easements
- 1.33. Resource Consents
- 1.34. Rivers Management
- 1.35. Roads, Walkways, Cycleways
- 1.36. Sale and Supply of Alcohol Administration
- 1.37. State of the Environment Monitoring and other Monitoring Reports

2. Performance of these responsibilities will include

- 2.1. Environmental Management and Planning
- 2.2. Climate Change, mitigation and adaptation
- 2.3. Environmental policy initiatives, including:
 - a. Biodiversity protection and enhancement
 - b. Natural hazard management
 - c. Catchment management
- 2.4. Monitoring and enforcing Council's Resource Management Act functions; and
- 2.5. Enforcing and ensuring effective implementation of Council's other regulatory functions; and
- 2.6. Undertaking bylaw preparation processes (noting Tasman District Council only has the power to adopt bylaws), reviewing and recommending updates to bylaws and regulatory frameworks.

- 2.7. Planning, delivery, and maintenance of core infrastructure services and operational functions.
- 2.8. Delivery of Asset Management Plans and capital works programmes.
- 2.9. Infrastructure resilience and sustainability, including climate adaptation.
- 2.10. Infrastructure-related strategies, policies, and service contracts.
- 2.11. Ensure the effective promotion of sustainable management of natural and physical resources of the Tasman region through appropriate performance monitoring and receipt of information.
- 2.12. Monitor the implementation and progress of biodiversity activities within the Tasman region.
- 2.13. Ensure that the management of natural and physical resources gives effect to the principles of Te Tiriti o Waitangi.
- 2.14. Monitor environmental performance indicators and compliance with national standards.
- 2.15. Support community and iwi engagement in environmental planning processes.
- 2.16. Work with regional and national agencies on shared infrastructure and environmental initiatives.
- 2.17. Engage with iwi, stakeholders, and the public on planning and regulatory matters.
- 2.18. Promote innovation and sustainability in infrastructure and environmental management.
- 2.19. Ensure the Council meets all legislative and compliance responsibilities relating to the areas of responsibility.

3. Powers

- 3.1. The Committee has the authority to exercise all powers and functions within its areas of responsibility that may lawfully be delegated by the Council, except for those matters that the Council has expressly retained.
- 3.2. In carrying out its responsibilities, the Committee may:
 - a. Make decisions on delegated matters within its scope.
 - b. Approve actions, policies, and recommendations consistent with its delegated authority.
 - c. Seek advice or information necessary to discharge its responsibilities.

- d. Refer matters outside its delegation or retained by Council back to the Council for decision.
- 3.3. 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.

4. Limitations

- 4.1. In respect of matters requiring financial input the Environment Regulatory and Operations Committee's power is limited to the extent that provision has been made in the annual budgets or in the Long Term Plan.
- 4.2. The Committee may not authorise legal action.
- 4.3. The Environment Regulatory and Operations Committee can make recommendations only to the Council in respect of the following matters (clause 32(1) of Schedule 7, LGA and section 41, Reserves Act):
 - a. make a rate; or
 - b. borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
 - c. adopt a reserves management plan.

5. Administration

- 5.1. Membership comprises all elected members of the Council.
- 5.2. The quorum is eight members.
- 5.3. Meetings are generally held six-weekly.
- 5.4. The Environment Regulatory and Operations Committee has no specific reporting responsibility to the Council for matters within its delegation.

3. Information Forum (IF)

1. Purpose

The Information Forum is a standing committee of Council with no decision-making powers. It provides an informal, non-decision-making forum for elected members to receive and discuss information relevant to the Council and Standing Committee activities.

2. Status

- 2.1. The Forum is not a formal committee under the Local Government Official Information and Meetings Act 1987 (LGOIMA).
- 2.2. It does not make decisions, or pass resolutions
- 2.3. It is open to the public to attend for the open session, with a confidential session for sensitive items as required.

3. Objectives

- 3.1. To receive information and provide an opportunity for members' discussion and questions.
- 3.2. To receive early information on potential future projects, strategies or changes that can assist future decision-making.
- 3.3. To reduce staff time spent preparing lengthy formal reports that do not require decisions but provide valuable information.
- 3.4. To achieve transparency and public access to non-confidential information.

4. Scope of Discussion

- 4.1. May receive information reports relating to all aspects of Council and Committees activities.
- 4.2. May include updates from the Chief Executive, Group Managers and Chairpersons.
- 4.3. Reporting can be provided by way of PowerPoint presentations, written information or other methods (e.g. infographics, live demonstrations, videos/animations)

5. Membership

- 5.1. Mayor and Councillors of the Tasman District Council.
- 5.2. The Forum will be chaired by an appointed councillor.
- 5.3. Community Boards may appoint a liaison member.
- 5.4. The Chair will facilitate discussion, manage time, and ensure respectful engagement and follow up on outstanding actions.

6. Meeting Administration

- 6.1. The Chief Executive, Group Managers and staff may attend as required to present reports or respond to questions.
- 6.2. No formal minutes will be required; brief notes will record attendance and any follow-up actions.
- 6.3. A published Information Forum Programme will outline topics, presenters and information.
- 6.4. Governance staff will coordinate scheduling regular information briefings in the Meetings Calendar.
- 6.5. Audio visual links or livestreaming will be provided for remote public access to the open session and for remote member access to both open and confidential sessions.
- 6.6. Should the Forum seek a report to council or a committee an action will be raised for the Chief Executives' consideration.
- 6.7 There is no set quorum as this is not a decision-making (formal) meeting.

7. Meeting Frequency and Format

- 7.1. Held six-weekly on Tuesdays/Wednesdays, alternating with the Council and Committee cycles.
- 7.2. Divided into:
- 7.3. Open session: Public may attend; reports are non-confidential.
- 7.4. Confidential session: No public in attendance in situations where the information or discussion relates to one or more withholding grounds under LGOIMA (including the free and frank exchange of information as the Forum is not a formal meeting).

Council Committees

4. Audit and Risk Committee (ARC)

1. 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 internal control systems and risk management. This includes the active oversight of all areas of the 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 the Council rests with the Chief Executive.

Where the Committee finds it appropriate, any matter may be referred to the Council for consideration.

The focus of the committee is:

- Ensuring that the Council has appropriate controls consistent with the public interest, and
- Overseeing good financial and cultural governance.
- Evaluate emerging and long-term risks to organisational resilience and sustainability.

2. Performance of these Responsibilities will include:

The Audit and Risk Committee's responsibilities are to provide oversight of:

2.1. Internal Audit (financial and non-financial matters)

- 2.1.1. Review and recommend the annual internal audit plan; such plan to be based on the Council's risk framework.
- 2.1.2. Monitor performance against the plan at each regular meeting.
- 2.1.3. Monitor the progress of internal audit recommendations.

2.2. External Audit

- 2.2.1. Annually review the independence and confirm the terms of the audit engagement with the external auditor appointed by the Office of the Auditor General. This includes the adequacy of the nature and scope of the audit, and the timetable and fees.

- 2.2.2. Review all external audit reporting, discuss with the auditors and review action to be taken by management on significant issues and recommendations and report to Council as appropriate.

2.3. Risk Management

- 2.3.1. Review and consider the risk management framework in line with the Council's risk appetite – which includes policies and procedures to effectively identify, treat and monitor significant risks, and regular reporting to the Council.
- 2.3.2. Assist the Council to determine its appetite for risk.
- 2.3.3. Review the principal risks that are determined by the Council and consider whether appropriate action is being taken to treat the Council's significant risks. Assess the effectiveness of, and monitor compliance with, the risk management framework. Consider emerging significant risks and report these to the Council, where appropriate.
- 2.3.4. Annually review the Council's Business Continuity plan(s) and consider whether a sound and effective approach has been followed in establishing the Council's business continuity planning arrangements.
- 2.3.5. Review the effectiveness of the approach being followed in developing strategic risk management plans for significant projects, programmes of work and high profile procurement.

2.4. Health and Safety

- 2.4.1. Review key risks of the Council in the areas of safety, occupational health and environmental issues.
- 2.4.2. Review management's approach to maintaining and continual improvement to providing a safe working environment is sound and effective.
- 2.4.3. Monitor compliance of relevant laws, regulations and operational policies and standards.
- 2.4.4. Monitor the establishment and tracking of measurable workplace health, safety and environment key targets.

2.5. Legal and Governance

- 2.5.1. Oversee the Council's ongoing legal matters and litigation.
- 2.5.2. Monitor the Council's performance in responding to LGOIMA requests within the legislative timeframes.
- 2.5.3. Review the adequacy and effectiveness of internal controls for overseeing privacy and cyber security.

- 2.5.4. Consider regular reports on the status of investigations by the Offices of the Ombudsman and of the Auditor General into decisions by the Council.

2.6. Integrity and investigations

- 2.6.1. Review annually the Council's whistleblowing procedures and ensure that arrangements are in place by which staff and others may, in confidence, raise concerns about possible improprieties involving Council or its CC(T)Os in matters of financial reporting, financial control or any other matters, and that there is proportionate and independent investigation of such matters and appropriate follow-up action.
- 2.6.2. Review management's approach in relation to the prevention, detection, reporting and investigation of bribery and fraud.
- 2.6.3. Review and monitor policy and process to manage conflicts of interest amongst elected members, community board members, management, staff, consultants and contractors.
- 2.6.4. Review and monitor policy and process to manage sensitive expenditure activities across the Council.
- 2.6.5. Review and monitor policy and process to manage legal proceedings.

3. Powers

- 3.1. The Audit and Risk Committee has no decision-making ability. It has no other powers other than those related to its risk and assurance mandate below. The Audit and Risk Committee, within the scope of its role and responsibilities is authorised to:
 - 3.1.1. discuss any matters with the external auditor, or other external parties (subject to confidentiality considerations);
 - 3.1.2. request the attendance of any employee, including the Chief Executive, at committee meetings;
 - 3.1.3. request the Chief Executive provide legal or other professional advice, as considered necessary to meet its responsibilities,
 - 3.1.4. recommend to the Council action on any matter in relation to Audit and Risk activities.
- 3.2. The Committee may, at any time, report to the Chief Executive or the Council any other matter it deems of sufficient importance to do so.

4. Limitations

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

5. Administration

5.1. Meetings

- 5.1.1. The expectation is that members of the public wanting to speak to a matter on the Agenda should be given that opportunity.
- 5.1.2. Meetings are quarterly.
- 5.1.3. The Audit and Risk Committee may meet between the quarterly meetings at the discretion of the chair to attend to urgent business.
- 5.1.4. A special meeting may be held to review the Council's annual report and long term plan audits.
- 5.1.5. The Audit and Risk Committee will meet separately with the external auditors at least once a year.

5.2. Membership of the committee shall comprise:

- 5.2.1. Five elected members appointed by the Council.
- 5.2.2. Up to two external members appointed in accordance with the Council's Policy on the Appointment and Remuneration of Independent Members on Council Committees and Business Units. The independent member is appointed for a term of three years from the date of appointment or such other terms as the Council resolves.
- 5.2.3. The Chair shall be appointed by the Council and will be an independent member.
- 5.2.4. A Deputy Chair shall be appointed by the Council, they may be an elected or independent member.
- 5.2.5. Any member of the committee, either elected or independent, may serve no more than six years (the equivalent of two terms of three years) on the committee. In extraordinary circumstances, the Council may approve an additional term for a member of an appropriate length to ensure the committee is able to provide continuity of support to the Council.
- 5.2.6. The Chief Executive or any Council staff member may not be a member of the committee.

- 5.2.7. 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. The quorum comprises four members, three of whom must be elected members, and one who must be an independent member.
- 5.4. Reports to the Council.

5. Council Contracts and Procurement Committee (CCP)

1. Purpose and Areas of Responsibility

- 1.1. The Council Contracts and Procurement Committee may meet to review and approve or decline Procurement Plans (including non-standard) and Evaluation Panel Recommendation Reports; and approve the signing of contracts or agreements for land purchases which:
 - 1.1.1. exceed the Chief Executive Officer's financial delegation in value or
 - 1.1.2. are identified by the Council or Chief Executive as high-risk;
 - 1.1.3. providing that in all cases, the contract or land purchase are included in a budget and activity in the Council's Long-Term Plan and Annual Plan, or are within a budget approved by the Council.

2. Powers

- 2.1. The Council Contracts and Procurement Committee may refer procurements, contracts or land purchases to the Council for decision where it considers this appropriate.
- 2.2. All decisions made by the Council Contracts and Procurement Committee will be reported back to the appropriate standing committee at its next scheduled meeting (currently this is the Strategy Finance and Performance Committee).

3. Administration

- 3.1. Membership comprises three elected members.
- 3.2. The quorum is two members.
- 3.3. Meetings occur as 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.

Subcommittees

6. Animal Control Subcommittee (ACS)

1. Purpose

This is a subcommittee of the Environment Regulatory and Performance 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

- 2.1. 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.
- 2.2. 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.
- 2.3. The owner also needs to be provided with a reasonable opportunity to present their case and provide any evidence to the Subcommittee.
- 2.4. 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.
- 2.5. 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.

- 2.6. 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.
- 2.7. 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

- 3.1. The Subcommittee shall consist of three elected members. The Chairperson must have completed the Ministry for the Environment Making Good Decisions course.

4. Quorum

- 4.1. The quorum is two members.

5. Powers

- 5.1. 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.

7. Chief Executive Officer Review Committee (CEOR)

1. Purpose

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

2. Responsibilities and Powers

- 2.1. Make recommendations to the Council on the initial employment, reemployment, remuneration, resignation or dismissal of the CEO.
- 2.2. Negotiate, review objectives and the key performance indicators of the CEO.
- 2.3. To recommend to the Council the annual Performance Agreement (Objectives and Key Performance Indicators), Performance Assessment and Remuneration Review for the CEO each year, for adoption.
- 2.4. Handle all routine CEO contract/employment matters not dealt with by the Mayor.

3. Administration

- 3.1. The Mayor is Chairperson of the Subcommittee.
- 3.2. A total of three elected members including the Mayor.
- 3.3. The quorum is two members.
- 3.4. This subcommittee does not have a public forum section
- 3.5. Meets as required to review objectives, performance and remuneration.
- 3.6. Reports to the Council

8. Community Awards Subcommittee (CAS)

1. Purpose

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

2. Responsibilities and Powers

- 2.1. Calls for nominations for the Outstanding Community Service Awards, annually in May.
- 2.2. Reports to the Strategy Finance and Performance Committee.

- 2.3. Decides who the successful recipients of the Outstanding Community Service Awards will be.

3. Administration

- 3.1. There are 5 elected members
- 3.2. The Chairperson is appointed by Council.
- 3.3. The quorum is three members.
- 3.4. Meets in early July each year.
- 3.5. The Awards Ceremony is in August each year.
- 3.6. There is no Public Forum at these meetings.

9. Community Grants Subcommittee (CG)

1. Purpose

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

2. Responsibilities

- 2.1. Invites applications under the grants and funding schemes administered by this Subcommittee.
- 2.2. Collate and assesses applications received.
- 2.3. Makes decisions on the allocation of grant funding.
- 2.4. Reports to the Strategy Finance and Performance Committee.

3. Administration

- 3.1. The Chairperson is appointed by the Council.
- 3.2. Five elected members.
- 3.3. The quorum is three members.
- 3.4. Meets periodically throughout the year following the closure of the various grant rounds (e.g., community grants, Sport New Zealand Rural Travel Fund), Special Grants Funding).
- 3.5. There is no Public Forum at these meetings.

10. Creative Communities Subcommittee (CCS)

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

- 2.1. Invite applications from the community three times a year
- 2.2. Collate and assessment of applications received.
- 2.3. Makes decisions on the allocation of grant funding.
- 2.4. Reports to the Strategy Finance and Performance Committee.

3. Administration

- 3.1. Two elected members, plus community representatives.
- 3.2. The Chairperson is appointed by the Council.
- 3.3. If the Chair is not present, the other Council member appointed by the Council in a) above will preside
- 3.4. The quorum is three members, one of which must be an elected member.
- 3.5. Meets three times a year – late March, late July and early December (in Motueka).
- 3.6. There is no public forum at these meetings

11. Golden Bay Recreation Park Management Committee (GBRP)

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.

The quorum 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 Environment Regulatory and 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 the Council or the Environment Regulatory and 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 Pa
- 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 Environment Regulatory and 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.

Joint Committees

12. Joint Committee of Tasman District and Nelson City Councils (Joint Committee)

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 13 Councillors of Tasman District Council and the Mayor, Deputy Mayor and 11 Councillors of Nelson City Council (Total of 28 Members)

2. Quorum:

- a. The quorum at a meeting of the Joint Committee is set at 14, being half of the members as the membership is an even 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 Regional Transport Committee .
- f. Changes to the Saxton Field Management Plan in respect of alcohol advertising referred to the Committee by the Saxton Field 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 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 Regional Transport Committee , excluding budget changes or decisions that would exceed approved budgets within each Council.
- g. To consider and make decisions on recommendations from the Saxton Field Committee regarding changes to the Saxton Field Management Plan in respect of alcohol advertising.

Specific delegations

- h. Decisions following the Infrastructure Holdings Ltd Group board review (including any consequential changes to the Shareholders Agreement, IHL Group constitutions and Joint Policies) to the Joint Committee of Tasman District and Nelson City Councils, to be actioned at the Joint Committee meeting in March 2025.

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.

13. Joint Shareholders Committee (JSC)

1. Membership:

The Mayor, Deputy Mayor, and four other Councillors of Tasman District Council and the Mayor, Deputy Mayor and four other Councillors 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.

14. Joint Regional Transport Committee (JRTC)

1. Overview

- 1.1 The Joint Regional Transport 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.

Appointment of joint committees

- 1.4 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.
- 1.4 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 including permanent changes to routes and timetables provided changes are within existing budgets.
- 3.6 In addition, the Tasman Transportation Manager and the Nelson, Manager of Transport Strategy and Planning may approve minor changes to public operations including permanent changes to routes and timetables within existing budgets; for example the removal or addition of trips on routes, minor route adjustments to account for road layout changes
- 3.7 The Joint Regional Transport Committee may propose and determine fare increases up to inflation changes as reflected in the Public Transport Contract Indices (allowing for rounding).
- 3.8 Other than the powers outlined at clauses 3.1, 3.3, 3.4, 3.5 and 3.6 the Joint Regional Transport Committee may only make recommendations to the:
 - 3.8.1 partner councils; or
 - 3.8.2 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.
- 3.9 The Joint Regional Transport Committee has financial responsibilities for overseeing the budget for joint public transport operations . If a change to public transport operations requires additional un-budgeted funding, the Joint 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 a 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 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 2025 triennium, the Chairperson will be a member representative of Nelson City 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 2025 triennium, the Deputy Chairperson will be a member representative of Tasman 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.

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

- 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.

15. Joint Regional Sewerage Committee (JRSC)

The Joint Regional Sewerage Committee (JRSC) is a joint committee of Nelson City Council and Tasman District Council. The JRSC is governed by a memorandum of understanding which terminates on 30 June 2030 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. Membership and Quorum:

The Memorandum of Understanding governing the JRSC allows for either six or seven members to be appointed.

Membership may include one member representing and nominated by local iwi and confirmed 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. The member shall be remunerated in accordance with the councils' 'Policy for the appointment and remuneration of jointly-appointed independent members on committees'.

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 JRSC operation shall be with the Board, and in particular the Committee 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 Committee.

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.

16. Joint Saxton Field Committee (JSFC)

1. Purpose

The Joint 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 three elected members to the Committee.
- b. At the inaugural meeting a Chairperson will be elected.
- c. 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

The quorum is three members.

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

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

Matters relating to marketing of Saxton Field, within approved budgets and policies

Approval of applications for concessions

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. Interests

Interests should be declared at the start of Committee meetings.

13. 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.

14. 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.

15. Review of Terms of Reference

These Terms of Reference will be reviewed at the beginning of each triennium.

16. 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.

17. Joint Regional Landfill Committee (JRLC)

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 Joint Regional Landfill Committee (**JRLC**).

III Terms of Reference

Purpose

1. The purpose of the JRLC 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 JRLC Activity [Asset] Management Plan;
 - the JRLC Business Plan;
 - resource consent conditions for each landfill; and
 - and the Councils' Solid Waste Activity Management Plans.
2. The JRLC 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 JRLC will designate itself as a public benefit entity (PBE) for financial reporting purposes.
4. The JRLC 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 JRLC

5. The JRLC will be established as a Joint Committee of Nelson and Tasman pursuant to schedule 7 to the LGA.
6. The JRLC 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 JRLC 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 JRLC may 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 JRLC. Remuneration will be in accordance with the administering Council's protocol on meeting fees.
- 8. In appointing members to the JRLC, the Councils will have regard to the criteria, skills and experience required so that an appropriate mix of skills is maintained.
- 9. The JRLC will elect a Chair and Deputy Chair from its voting members at its first meeting of the triennium.

Powers and responsibilities delegated to the JRLC

- 10. The JRLC may without the need to seek any further authority from the Councils:
 - (i) Make decisions to accept (or not accept) waste that is generated outside the Nelson Tasman region.
- 11. The JRLC may recommend the purchase of additional land for landfill facilities to the Councils.
- 12. The JRLC 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 JRLC shall contribute to and comply with the Joint Waste Plan of the Councils.
- 14. The JRLC 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 JRLC shall contribute to the Councils' Regional Policy Statement and Regional Plan reviews, where these may relate to solid waste activities or planning.
- 16. The JRLC shall contribute to Solid Waste Service Delivery reviews in accordance with section 17A of the LGA, as necessary.

17. The JRLC shall follow generally accepted accounting practices and comply with the accounting policies of the Administering Council.

Meetings

18. For the avoidance of doubt, the JRLC 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 JRLC 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 JRLC 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 JRLC will produce the following plans in respect of its operations.

1. Business Plan

The Business Plan should state the activities and intentions of the JRLC. It shall outline how those activities relate to the objectives of the JRLC 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 JRLC shall finalise the Business Plan, incorporating any changes agreed between the Councils and the JRLC 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 JRLC Activity Management Plan shall provide an analysis of the assets controlled and services delivered by the JRLC 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 JRLC 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 JRLC will provide for appropriate risk management.

The JRLC 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 JRLC Activity Management Plan will be submitted to the Councils for approval.

3. Annual Report

The JRLC 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 JRLC's auditor, fairly showing the operating and financial position of the JRLC 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 JRLC. 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 JRLC will be forwarded to the Chief Executives of the Councils.
5. Minutes of all meetings of the JRLC will be forwarded to the Chief Executives of the Councils and to all JRLC 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 JRLC to fulfil its purpose and responsibilities under these terms of reference and shall report to the JRLC. The administering Council will be Nelson.
 - (ii) A General Manager of the JRLC will be appointed by joint agreement of the Chief Executives of the Councils and may or may not be on the recommendation of the JRLC. 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 JRLC on the matters referred to it under this agreement, or on any other relevant matter requested by the JRLC.

- (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 JRLC on a monthly basis to the Chief Executive of each Council, and quarterly to the JRLC;
 - (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 JRLC.

Discharge of members

23. Subject to clause 24, the members of the JRLC will be discharged on the coming into office of the members of the Councils elected at the triennial local body elections. The new JRLC members shall be appointed by resolution of the Councils at the earliest opportunity after each election.
24. Prior to the election, the JRLC may recommend to the Councils that they approve a transitional arrangement through the triennial election process for representation on the JRLC. 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 JRLC. No action to replace any member will be taken without the Councils first consulting with the JRLC, 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 JRLC 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 JRLC 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 JRLC 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.

18. Civil Defence Emergency Management Group (CDEM Group)

1. Overview

- 1.1 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.
- 2.1 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.
- 3.1 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 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 not fewer than two members of the committee, in line with the Local Government Act 2002 Schedule 7 clause 23(3)(b)(i).
 - 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 may attend meetings by means of audio visual link, where the Standing Orders of the administering Council provide for this and the further requirements of the Local Government Act 2002 Schedule 7 clauses 25A and 25B are met.
 - 5.2.1 Members joining by audio visual link are considered present (i.e. contributing to the achievement of quorum for a meeting) as per the Local Government Act 2002 Schedule 7 clause 23.

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.

19. Joint Building Authority Advisory Group (JBAAG)

1. Purpose

To facilitate elected member input into the consideration of options for joint service delivery under the Building Act across Nelson City Council (NCC) and Tasman District Council (TDC), covering Building Consent Authority (BCA) and Territorial Authority (TA) functions.

2. Membership

Each council must appoint two elected members to the advisory group.

In the 2025 – 2028 Triennium, the Chairperson will be appointed by Nelson City Council.

The two elected members of each Council may be replaced by resolution of the appointing Council.

3. Iwi and Stakeholders

Representatives from iwi, the building industry or MBIE may be invited to attend Advisory Group meetings when required. However, these representatives will only have speaking rights with the agreement of the Chairperson.

4. Meetings

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

Meetings must always include three members, including a minimum of one member from each Council.

Administrative support will be provided by Council staff assigned to the role by agreement of the two Council CEOs.

The advisory group does not have any decision-making power. For the avoidance of doubt, the meeting provisions of the Local Government Official Information and Meetings Act 1987 do not apply to the Advisory Group meetings, as no decisions will be made at these meetings.

5. Areas of Responsibility

- Considering options for joint service delivery under the Building Act that improves customer experience
- Identifying benefits, costs, process steps, community engagement plan and performance measures for any change to the current model.

6. Role of the Advisory Group

- To provide strategic advice and oversight to the Councils relating to joint service delivery under the Building Act
- To request, receive and consider any information relevant to the areas of responsibility
- To guide the development of a staff report to Nelson City Council and Tasman District Council on joint service delivery options under the Building Act

7. Role of the Chair

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

8. Role of staff

Staff provide technical expertise and administrative support to the Advisory Group relating to matters within its areas of responsibility. This includes:

- Provide advice, information and draft reports to enable full consideration of the options before the Advisory Group
- Provide advice to the Advisory Group on legal and statutory issues and obligations relating to matters within the areas of responsibility
- Lead technical discussions on options under consideration
- Prepare and distribute agendas for Advisory Group meetings
- Maintain records of processes used, options considered, reasons for preferred options, so that the resulting recommendations can be clearly understood.

9. Interests

Interests should be declared at the start of Advisory Group meetings.

10. Dissolution of the Advisory Group

The Advisory Group may be dissolved prior to the end of the 2025-2028 Triennium by resolution of each individual Council, subject to adoption by the other Council.

20. Joint Climate Change Advisory Group (JCCAG)

1. Purpose

To facilitate elected member input into Nelson City Council (NCC) and Tasman District Council (TDC) work on climate change adaptation, mitigation and resilience (climate change).

2. Membership

Each council must appoint three elected members to the advisory group.

In the 2025 – 2028 Triennium, the Chairperson will be appointed by the Tasman District Council, and the Deputy will be appointed by Nelson City Council.

The three representatives of each Council may be replaced by resolution of the appointing Council.

3. Iwi and Stakeholders

Representatives from iwi, the Nelson Tasman Climate Change Forum, technical experts, community organisations, sector and business networks may be invited to attend Advisory Group meetings when required. However, these representatives will only have speaking rights with agreement of the Chairperson.

4. Meetings

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

Meetings must always include three members, including a minimum of one member from each Council.

Administrative support will be provided by Council staff assigned to the role by agreement of the two Council CEOs.

The advisory group does not have any decision-making power. For the avoidance of doubt, the meeting provisions of the Local Government Official Information and Meetings Act 1987 do not apply to the Advisory Group meetings, as no decisions will be made at these meetings.

5. Role of the Advisory Group

- To provide strategic advice to staff and both Councils on climate change adaptation and mitigation policies.
- Where opportunities exist, support co-ordination of policies, strategies and responses of both Councils on climate change.

- To provide advice on Nelson and Tasman community views and aspirations on climate change.
- Support efforts to raise awareness of climate change and related challenges.

6. Role of the Chair

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

7. Role of staff

Staff will provide professional advice and technical expertise and ensure appropriate support to the Advisory Group. This includes:

- Preparing and distributing agendas and supporting materials in a timely manner
- Maintaining accurate records of meeting proceedings.
- Staff are responsible for ensuring that advice provided to the Advisory Group is consistent with statutory obligations, Council policies, and relevant national legislative frameworks.

8. Interests

Interests should be declared at the start of Advisory Group meetings.

9. Dissolution of the Advisory Group

The Advisory Group may be dissolved prior to the end of the 2025-2028 Triennium by resolution of each individual Council, subject to adoption by the other Council.

Other Committees

21. Community Boards

1. 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. Objective

2.1. 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. General

- 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).
- 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.
- 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:
 - 3.3.1. 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
 - 3.3.2. 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).
- 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).

4. Responsibilities

- 4.1. represent, and act as an advocate for, the interests of its community; and
- 4.2. 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
- 4.3. maintain an overview of services provided by the Tasman District Council within the community; and
- 4.4. prepare an annual submission to the Tasman District Council for expenditure within the community; and
- 4.5. communicate with community organisations and special interest groups within the community; and
- 4.6. undertake any other responsibilities that are delegated to it by the territorial authority.

5. Delegated Authority

The Community Board has authority to:

- 5.1. facilitate engagement of their community in relation to policies, plans and projects proposed for their community as requested by the Council;
- 5.2. 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;

- 5.3. undertake activities for which a budget has been allocated by the Council to the Board;
- 5.4. seek funding (to be held by the Council) from external organisations which can be applied to community projects within their community;
- 5.5. make submissions and objections in relation to Council statutory processes and which affect interests within their community.

6. 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:

- 6.1. 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 the Council;
- 6.2. manage and approve usage of any market place in their community with power to disburse any surplus, after costs, for purposes within the ward;
- 6.3. 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;
- 6.4. approve the design and location of playground equipment, landscape and amenity works with a value of not more than \$10,000, street furniture and street planting in their community;
- 6.5. approve names of streets and parks in their community;
- 6.6. grant consent for the removal of trees from parks, reserves, streets or other Council land in their community;
- 6.7. authorise, within approved budgets, board member attendance at appropriate conferences and training courses.

7. Power to Recommend

- 7.1. To the Council where preferred service levels in their community are higher than Council Annual Plan, the funding mechanism;
- 7.2. to the Council granting of leases or licences on reserves and public spaces in their community;
- 7.3. to the Council, proposed developments or activities on local parks, reserves and waterways in their community;

- 7.4. 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;
- 7.5. to the Council any changes the Board would like made to the performance of Council activities within the Ward;
- 7.6. to the Environment Regulatory and 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;
- 7.7. to the Strategy Finance and Performance on proposals to declare land within their wards as reserve and/or to classify reserves under the Reserves Act 1977;
- 7.8. to the Strategy Finance and Performance on draft content for inclusion in the draft reserve management plans for the parks and reserves within their wards;
- 7.9. to the Strategy Finance and Performance on preparing resource management plan changes affecting land and other resources within the Ward.

8. Administration

- 8.1. The Chairperson shall be voted in by resolution of the Board at its inaugural meeting of the triennium.
- 8.2. Four (4) members are elected as members of the Community Board. The Council may resolve for the relevant ward Councillors to be members of the Community Board.
- 8.3. The quorum for the Community Boards comprise four members.
- 8.4. The Community Boards will operate under Standing Orders, adopted at their first meeting of the triennium. This may be the Tasman District Council Standing Orders, with or without amendments.
- 8.5. Community Boards meeting:
 - 8.5.1. Golden Bay Community Board: six-weekly meeting cycle.
 - 8.5.2. Motueka Community Board: monthly meeting cycle.
 - 8.5.3. The Golden Bay Community Board may also hold six weekly public 'clinic' sessions, which are not meetings under Standing Orders or LGOIMA.

9. Exclusion to Golden Bay Community Board's Delegations

- 9.1. 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

22. District Licensing Committee (DLC)

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. 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. Administration

- 2.1. In the absence of the Chairperson, the Deputy Chairperson will preside.
- 2.2. The quorum comprises three members, except when the Chairperson is sitting alone.
- 2.3. Meets 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.

Version Control

Version	Date	Content
1.00	11 December 2025	Full register adopted by Council Resolution CN25-12-2
2.00	12 February 2026	Appointment of iwi representatives to Council, Strategy Finance and Performance Committee and Environment Regulatory and Operations Committee CN26-02-4
3.00	12 March 2026	Update to membership and representative appointments Removed Waimea South Community Facility Project Advisory Group CN26-04-4
4.00	09 April 2026	Adopt the Terms of Reference for the: <ul style="list-style-type: none"> • Joint Building Authority Advisory Group • Joint Climate Change Advisory Group CN26-04-5