



**Nelson City Council**

*Te Kaunihera o Whakatū*

# **Delegations Register**

|                                     |                  |
|-------------------------------------|------------------|
| Nelson City Council                 | Policy           |
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| Approved by:                        | Council          |
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## **1. Purpose**

This document is the Nelson City Council Delegations Register (the Delegations Register).

The purpose of the Delegations Register is to set out how Nelson City Council (Council) gives effect to its statutory duties, functions, responsibilities and powers. It outlines those for which Council retains responsibility, and those it wishes to delegate.

Nelson City Council is a unitary authority and therefore has responsibilities both of territorial and regional authorities. This Delegations Register reflects both those responsibilities.

### **1.1 Council Delegations**

A delegation is the transfer of a responsibility, duty, function or power from Council to another Council decision-making body or to the Chief Executive, to a member, or to officers. It is the authority to make decisions under delegated authority on behalf of Council.

Council has many responsibilities, duties, functions and powers. These may be specifically prescribed by legislation or may come from Council's general power in section 12 of the Local Government Act 2002. In either case, the responsibilities, duties, functions and powers are usually conferred on the local authority itself (with a few exceptions, such as where a power is specifically given to a particular officer, such as an enforcement officer). However, much of Council's work cannot be done solely by full Council and many of Council's responsibilities, duties, functions and powers must be delegated to ensure Council services and decisions are delivered in an effective, efficient and timely manner.

This allows elected members sitting as Council to focus on strategic issues and the long term needs of the Nelson area, 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.

### **1.2 Governance, Management and Operational Activities**

The nature of local government activities rests on a division between governance activities and management activities. Governance activities are exercised by elected members sitting as Council, or as delegated to committees, sub-committees and subordinate decision-making bodies. The governance role includes (but is not limited to) setting the strategic and overall direction of Council, including supporting the Mayor in the development of the Long Term Plan, Annual Plan, and other planning documents as required by law, and the development of policy to achieve Council's goals.

The Chief Executive is responsible for management and operational activities. This includes (but is not limited to) providing advice to Council, its committees, sub-committees and subordinate decision-making bodies, to enable Council to carry out its governance role. The Chief Executive is also responsible for implementing the decisions of Council (as defined by the Long-Term Plan or Annual Plan), its committees, sub-committees and subordinate decision-making bodies, as well as managing the administration, operations and service delivery of Council.

The Chief Executive is the sole employee of Council, and employs all other officers of the local authority. For a local authority to work efficiently and effectively, it is vital that the Chief Executive can also delegate his or her responsibilities, duties, functions and powers to officers.

### **1.3 Structure of the Delegations Register**

This Delegations Register focuses on the governance activities of Nelson City Council. It identifies the powers which Council has chosen to retain, and those that it has chosen to delegate to committees, subcommittees, subordinate decision-making bodies and the Chief Executive.

The general principle is that Council retains all responsibilities, duties, functions and powers that must be exercised by Council and where delegations are prevented by legislation. It may also retain certain key responsibilities, duties, functions and powers that it wishes to exercise. All other responsibilities, duties, functions and powers may be delegated to a committee, sub-committee or other subordinate decision-making body or, where not retained by Council, are delegated to the Chief Executive.

This Delegations Register deals only with delegations to committees, sub-committees, other subordinate decision-making bodies and the Chief Executive. Delegations to other officers are captured in a separate register, called the Officer Delegations Manual. Although inherently linked to the Delegations Register and governed by the same general principles, the Officer Delegations Manual is a separate document, and delegations in the Manual may be changed or updated at any time by the Chief Executive, as necessary.

Substantive changes to this Delegations Register may be made as follows:

- Expressly by resolution of Council, whether or not the resolution specifically states that the Delegations Register be amended.

The following minor changes to the Delegations Register may be made at any time by the Chief Executive:

- Correction of any typographical errors or errors of a minor effect;
- Alteration of schedules to the Delegations Register, in order to capture any changes of membership of committees, sub-committees, subordinate decision-making bodies, groups or organisations; and

- Inclusion of any on-going delegations of a committee to a sub-committee or subordinate decision-making body, made by resolution.

## **2. Legal Framework**

Clause 32 of Schedule 7 of the Local Government Act 2002 (the Act) sets out Council's authority to delegate its responsibilities, duties or powers to committees, subcommittees, subordinate decision-making bodies, members or officers.

Clause 32 of Schedule 7 states:

- (1) Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a 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 power 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) the power to adopt a remuneration and employment policy.

In addition, other legislation contains specific provisions relating to the delegation of responsibilities, duties, functions and powers under those Acts (such as the Resource Management Act 1991 and the Local Government Official Information and Meetings Act 1987).

### **2.1 Delegated Powers**

There is no restriction on Council's ability to delegate the power to do any preparatory work or undertake anything precedent to the exercise of power by Council for any of the items listed in clause 32 of Schedule 7 of the Act



(see above).<sup>1</sup> For example, it is open to Council to delegate the development of a bylaw, along with any consultation process required, while reserving the final decision on the bylaw to Council itself.

Once a power is delegated by Council, then, where permitted by legislation, it may then be delegated onwards to another committee, subcommittee, subordinate decision-making body, member or officer, subject to any conditions or limitations in the original delegation.<sup>2</sup> It is also open to a committee, subcommittee, subordinate decision-making body or officer to elect, for good reason, not to exercise a delegated power. Use of delegated powers is discretionary rather than an obligation, and it is open for the person holding the responsibility, duty, function or power to consider whether to refer the matter back to the original holder of the power.

Once a responsibility, duty, function or power has been delegated, the holder of the delegated power has full authority to exercise or perform such responsibilities, duties, functions and powers, with the same effect as if the local authority had itself exercised or performed them.<sup>3</sup> Council is not able to rescind or amend a decision once made under delegated authority, and the delegation remains until revoked by Council.

No delegation relieves Council or any officer to whom power has been delegated, of the liability or legal responsibility to perform or ensure performance of any function or duty.<sup>4</sup> In this way, the original holder of the power retains an important role of over-seeing any delegated power, whilst respecting the authority of the body or officer to which the power has been delegated.

## **2.2 Other Limitations**

Aside from the provisions of the Act, Council's ability to delegate its responsibilities, duties, functions and powers is limited by the operation of the law, or can be expressly limited by other statutes. Examples are<sup>5</sup>:

- Council may not delegate its power to resolve to reject a recommendation of the Ombudsman under the Local Government

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<sup>1</sup> Schedule 7, clause 32(2)

<sup>2</sup> Schedule 7, clause 32(3)

<sup>3</sup> Schedule 7, clause 32(4)

<sup>4</sup> Schedule 7, clause 32(7)

<sup>5</sup> This is not a definitive list, and there may be other examples throughout legislation of powers that are reserved to Council and/or elected members only.

Official Information and Meetings Act 1987 relating to the disclosure of official information;<sup>6</sup>

- Council may not delegate its power to approve a proposed policy statement or plan under clause 17 of Schedule 1 to the Resource Management Act 1991<sup>7</sup>.

### **2.3 Council's Principal Responsibilities**

Council's principal responsibility is to give effect to the purpose of local government as set out in section 10 of the Act:

- (1) (a) To enable democratic local decision-making and action by, and on behalf of, communities; and  
(b) To promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

The governance principles of local government as set out in section 39 of the Act are:

- (a) A local authority should ensure that the role of democratic governance of the community, and the expected conduct of elected members, is clear and understood by elected members and the community; and
- (b) A local authority should ensure that the governance structures and processes are effective, open, and transparent; and
- (c) A local authority should ensure that, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities; and
- (d) A local authority should be a good employer; and
- (e) A local authority should ensure that the relationship between elected members and management of the local authority is effective and understood.

### **2.4 Responsibilities of the Chief Executive**

The Act provides for Council to delegate the management of the organisation to the Chief Executive in accordance with s42 and clauses 33 – 36 of Schedule 7, on the terms and conditions Council sees fit.

The Chief Executive is responsible to the elected Council for:

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<sup>6</sup> Local Government Official Information and Meetings Act 1987, sections 42 and 32

<sup>7</sup> Resource Management Act 1991 section 34A

- (a) Implementing the decisions of the local authority; and
- (b) Providing advice to members of the local authority and to its community boards, if any; and
- (c) Ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and
- (d) Ensuring the effective and efficient management of the activities of the local authority; and
- (e) Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and
- (f) Providing leadership for the staff of the local authority; and
- (g) Employing, on behalf of the local authority, the staff of the local authority; and
- (h) Negotiating the terms of employment of the staff of the local authority.

Furthermore, the Chief Executive is also responsible for:

- (i) Ensuring, as far as practicable, that the management structure of the local authority reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes;
- (j) Ensuring, as far as practicable, that the management structure of the local authority is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.

## **2.5 Signing and Sealing of Documents**

Where documents are required to be signed by elected members, the Mayor and Deputy Mayor, or any other two elected members acting at the specific request of the Mayor or Chief Executive, are authorised to do so (including under seal if required by law), provided those documents have been checked and approved by a Council officer or legal adviser.

## **2.6 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, then the Mayor will decide in consultation with the Deputy Mayor, taking into account the advice of the Chief Executive. The decision of the Mayor in these circumstances will be final and binding.

### **3. Delegations from Council to the Chief Executive**

Council delegates to the Chief Executive all responsibilities, duties, functions and powers of Council to act on any matter, except:

- those excluded by operation of law or expressly excluded by statute;
- those governance matters retained by Council or delegated by Council to committees, subcommittees or subordinate decision-making bodies;
- expenditure not in accordance with the Long Term Plan and Annual Plan; and
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- writing off outstanding accounts receivable or remit fees and charges over \$10,000; and
- Approval of increases in fees and charges over the current Consumer Price Index (CPI) or where Council approval is otherwise required (for example by a bylaw); and

The Chief Executive's responsibilities, duties, functions and powers include (but are not limited to):

- all responsibilities, duties, functions and powers imposed on Council by statute or assumed under bylaws made by Council;
- all activities in accordance with the Long Term Plan or Annual Plan;
- the management of capital expenditure, and operation and management expenditure, up to the limits approved in the Long Term Plan or Annual Plan;
- the negotiation of contracts and execution of all documents (except for those required by operation of law to be signed by elected members),
- property transactions (including leases and licences) aside from those retained by Council;
- the release of information, including public excluded information, under the Local Government Official Information and Meetings Act 1987;
- commencing, responding to and joining legal proceedings and the settlement of claims; and
- all responsibilities, duties, functions and powers recorded in the Officer Delegations Manual.

In exercising his or her delegated powers, the Chief Executive must comply with any relevant conditions, including (but not limited to) activities and/or budgets in accordance with the relevant Long Term Plan or Annual Plan,

financial limits or other legislative, procedural policy or reporting requirements.

The Chief Executive may sub-delegate any of these responsibilities, duties or powers unless sub-delegation is excluded either by operation of law or expressly excluded by statute.

The Chief Executive may choose to refer any matter delegated to him or her back to Council, or to the committee, subcommittee or subordinate decision-making body with the appropriate area of responsibility. This may be appropriate where, for example, the Chief Executive considers a matter to be contentious, or to require political input because of the high degree of policy involved.

#### **4. Committee Functions**

Council may appoint a variety of committees, subcommittees and subordinate decision-making bodies to carry out its governance responsibilities, powers, functions and duties.

##### **4.1 Governing Committees**

The governing committees are committees appointed in accordance with Schedule 7 of the Act, which have broad terms of reference, and whose responsibilities contribute to the overall governance of Nelson City.

These committees can be constituted as committees of the whole. There are currently no governing committees of Nelson City Council.

##### **4.2 Single Purpose Committees**

The single purpose committees are committees or subcommittees appointed in accordance with Schedule 7 of the Act with terms of reference relating to one specific subject matter.

Membership lists of these committees are set out in Schedule One of the Delegations Register. Procedural matters for these committees are as set out in Council's standing orders.

The single purpose committees of Nelson City Council are:

- Chief Executive Employment Committee
- Audit Risk and Finance Committee
- Tenders Committee

##### **4.3 Joint Local Authority Committees**

Council may unite with any one or more local authority or other public bodies in appointing a joint committee in accordance with clause 30A of Schedule 7

of the Act. Nelson City Council and Tasman District Council have formed a number of joint committees, with terms of reference to address specific subject matters.

Any such committee is considered both a committee of Nelson City Council and a committee of the other local authority or public body, unless otherwise specified by legislation. In forming any such committee, Council must reach agreement with the other local authorities or public bodies involved to specify the number of members, how the chairperson and deputy are to be appointed, the terms of reference of the committee, what responsibilities are to be delegated to the committee and how the agreement may be varied.

The powers to discharge any individual member and appoint another will be exercisable by the local authority or public body that made the appointment.

Nelson City Council membership of joint committees is set out in Schedule One of the Delegations Register. Procedural matters for these committees are as set out in the memorandum of understanding or terms of reference governing these committees.

The joint committees of Nelson City and Tasman District Council are:

- Civil Defence Emergency Management Group<sup>8</sup>
- Joint Committee of Tasman District and Nelson City Council
- Nelson City Council Tasman District Council Joint Shareholders Committee
- Nelson Regional Sewerage Business Unit
- Nelson Tasman Regional Landfill Business Unit
- Saxton Field Committee
- Joint Nelson Tasman Regional Transport Committee
- Regional Pest Management Joint Committee

#### **4.4 Subordinate Decision-Making Bodies**

Council may set up subordinate decision-making bodies for any purpose it considers appropriate.

Meetings of subordinate decision-making bodies may be subject wholly, in part, or not at all to the requirements of the Local Government Official Information and Meetings Act 1987, or may be subject to separate legislative requirements, such as the Sale and Supply of Alcohol Act 2012, the Resource

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<sup>8</sup> Civil Defence and Emergency Management Act Section 12(1)

Management Act 1991 or s105 of the Land Transport Management Act. Procedural matters for these bodies is as per the legislation under which the body operates, or as set out in the terms of reference for the body.

Membership lists of subordinate decision-making bodies are set out in Schedule One of the Delegations Register.

The subordinate decision-making bodies currently constituted by Nelson City Council are:

- District Licensing Committee
- Resource Management Act Consenting Panel
- Hearing Panel
- Community Funding Panel

The Resource Management Act Consenting Panel and the Hearing Panel relate to Council's regulatory functions.

The Hearing Panel membership is rotational, as is the chairperson. Each meeting of the Hearing Panel is convened as a new meeting and a Chairperson is appointed from among the pool of members who have a previously completed a 'Making Good Decisions' course.

#### **4.5 Appointing External Persons onto Council Committees and Subcommittees**

Council may appoint external members to committees and subcommittees in accordance with the following policies:

- [Appointment and Remuneration Policy for External Appointees on Council Committees and Subcommittees](#)
- [Appointment and remuneration of jointly appointed independent members on committees Policy](#)

All external appointments to committees and subcommittees will be made in accordance with these policies, except:

- External appointments to committees or subcommittees required by specific legislation or appointed by external bodies, such as the NZTA representative to the Regional Transport Committee (under the Land Transport Management Act 2003). External appointments to subordinate decision-making bodies are not governed by the policies listed above.

## **5. Delegations of Committees and Subcommittees**

### **6. Established by Nelson City Council**

#### **6.1 Council**

- 6.1.1 Council retains all responsibilities, powers, functions and duties in relation to governance matters unless delegated to a committee, subcommittee or subordinate decision-making body.
- 6.1.2 Council will also make all decisions on matters that must be exercised by Council or unable to be delegated by law. This includes, but is not limited to:
- The power to make a rate;
  - The power to make a bylaw;
  - The power to borrow money or purchase or dispose of assets, other than in accordance with the Long Term Plan;
  - The power to adopt a Long Term Plan, Annual Plan or Annual Report;
  - The power to appoint a chief executive;
  - The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the Long Term Plan or developed for the purpose of the local governance statement;
  - The power to adopt a remuneration and employment policy;
  - The power to approve a proposed policy statement or plan under clause 17 of Schedule 1 or the Resource Management Act 1991;
  - The power to make a final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation; and
  - <sup>9</sup>The power to decide, under sections 95 and 104 of the Resource Management Act, the discharge consent application in the name of Te Whatu Ora (Nelson Hospital) as this application is of high public interest and will be considered directly by Council.
- 6.1.3 Where a decision must be exercised by Council or is unable to be delegated by law the matter should be considered first by the committee, subcommittee or subordinate decision-making body with the relevant area of responsibility, which will then make a recommendation to Council for decision. Additionally, Council may specify particular matters within the 'powers to recommend to

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<sup>9</sup> Resolution Council/2023/002 09 February 2023



Council' of any committee, subcommittee or subordinate decision-making body for which the committee, subcommittee or subordinate decision making body may consider matters, but make a recommendation to Council only.

- 6.1.4 Where matters relate to the areas of responsibility of more than one committee, subcommittee or subordinate decision-making body, the matter will be considered a cross-committee item. Instead of being considered by one or more committees, subcommittees or subordinate decision-making body, the matter will be considered by Council directly.

## **6.2 General principles relating to committees, subcommittees and subordinate decision-making bodies**

The following principles are applicable to all committees, subcommittees and subordinate decision-making bodies of Nelson City Council:

- 6.2.1 Each committee's responsibilities, powers, functions and duties in relation to governance matters are restricted to the areas of responsibility of that committee. A committee cannot make decisions on matters which have been specifically delegated to another committee, subcommittee, subordinate decision-making body, member or officer. This does not affect the ability of Council, committees, subcommittees or subordinate decision-making bodies to supervise the administration and implementation of matters within their areas of responsibility.
- 6.2.2 On the recommendation of the Chief Executive, and with the agreement of the Chair of the relevant committee, subcommittee or subordinate decision-making body and Mayor, matters within the area of responsibility of a particular committee, subcommittee or subordinate decision-making body may be considered directly by Council instead. If this occurs, the Chair of the relevant committee, subcommittee or subordinate decision-making body will report to the following meeting of the committee, subcommittee or subordinate decision-making body regarding the reason for doing so, and the outcome of the matter at the Council meeting.
- 6.2.3 Committees, subcommittees and subordinate decision-making bodies may appoint sub-committees and/or further delegate their responsibilities. Any further delegations of an on-going nature are to be recorded in writing and included by the Chief Executive within the Delegations Register.
- 6.2.4 A committee does not have the authority to exercise any responsibilities, powers, functions and duties which cannot be delegated to the committee, such as those listed in clause 32(1) of Schedule 7 of the Act, and any other legislation which restricts delegations in this way. However, a committee may do anything precedent to the exercise of those responsibilities, powers, functions and duties which may be exercised by Council only, in accordance with section 5.1.4 above.

- 6.2.5 Any policies set by committees under delegated authority must comply with any applicable legislation, and must not conflict with Council policy or provide for expenditure for which Council has made no allocation.
- 6.2.6 The delegated authority of a committee, subcommittee or subordinate decision-making body is limited by any additional conditions or restrictions specifically set out in the committee, subcommittee or subordinate decision-making body delegations below.

### **6.3 Audit, Risk and Finance Committee**

#### 6.3.1 Areas of Responsibility

- Any matters raised by Audit New Zealand or the Office of the Auditor-General
- Audit processes and management of financial risk
- Chairperson's input into financial aspects of draft Statements of Expectation and draft Statements of Intent for Nelson City Council Controlled Organisations, Council Controlled Trading Organisations and Council Organisations
- Council's Annual Report
- Council's financial performance
- Council's Treasury policies
- Health and Safety
- Internal audit
- Monitoring organisational risks, including debtors and legal proceedings
- Procurement Policy

#### 6.3.2 Powers to Decide

- Appointment of a deputy Chair

#### 6.3.3 Powers to Recommend to Council

- Adoption of Council's Annual Report
- To write off outstanding accounts receivable or remit fees and charges of amounts over the Chief Executive's delegated authority.
- All other matters within the areas of responsibility or any other matters referred to it by the Council

#### 6.3.4 This committee does not have a Public Forum.

For the [Terms of Reference](#) for the Audit, Risk and Finance Committee please refer to document NDOCS-1974015928-887.<sup>10</sup>

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<sup>10</sup> TOR updated Council 10Aug2023 Res CL/2023/158

## **6.4 Chief Executive Employment Committee**

### 6.4.1 Areas of Responsibility:

- To facilitate the process for appointment of the Chief Executive, including establishment of an interview panel
- To develop recommended Key Performance Indicators in consultation with the Chief Executive
- To review and monitor the Chief Executive's performance
- To review the Chief Executive's remuneration
- To address any employment related issues as may from time to time arise between the Chief Executive and Council

### 6.4.2 Powers to Decide:

- Approval of an external provider to facilitate a Chief Executive appointment
- Approve an interview panel for appointment of a Chief Executive
- Approve the Chief Executive interview panel following consultation with all Elected Members on the interview panel (by email or informal meeting)

### 6.4.3 Powers to Recommend to Council:

- To recommend to Council the consideration process for the preferred candidates/s for the appointment of a Chief Executive
- To recommend to Council the preferred candidate/s for the appointment of Chief Executive
- To recommend to Council a performance agreement between the Chief Executive and Council
- To recommend to Council the outcome of an externally facilitated performance review involving the whole of Council
- To recommend to Council any personal development opportunities for the Chief Executive
- To recommend to Council the Chief Executive's remuneration
- To recommend to Council any action arising from employment related issues

### 6.4.4 This Committee does not have a Public Forum<sup>11</sup>

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<sup>11</sup> TOR updated Council 10Aug2023 Res CL/2023/158

## **6.5 Tenders Committee**

### 6.5.1 Areas of Responsibility:

- To consider and award tenders that exceed the limits of the Chief Executive's delegated authority.
- To consider and award tenders and approve additional expenditure that exceed Council budgets within the allowance of the On-call COVID-19 fund.

### 6.5.2 Powers to Decide:

- To award all tenders that exceed the limits of the Chief Executive's delegated authority.
- To award tenders that exceed the limits set by Council budgets within the allowance of the On-call COVID-19 fund.
- Any tenders awarded by the Tenders Committee and any funding required from the On-call COVID-19 fund will be reported on through the Audit, Risk and Finance Committee and to the relevant governing Committee for information.

### 6.5.3 This Committee does not have a Public Forum<sup>12</sup>

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<sup>12</sup> TOR updated Council 10Aug2023 Res CL/2023/158

## **7. Delegations of Committees, Subcommittees Jointly Established by Nelson City Council and Tasman District Council**

### **7.1 Civil Defence Emergency Management Group**

The Civil Defence Emergency Management Group (CDEM Group) is a joint committee of Nelson City and Tasman District Councils. The CDEM Group is governed by a [Terms of Reference](#) (NDOCS-1802750138-1540).

#### 7.1.1 Areas of Responsibility:

Under the Civil Defence Emergency Management Act 2002, the functions of a Civil Defence Emergency Management Group, and of each member, are to

- in relation to relevant hazards and risks:
  - ❖ identify, assess, and manage those hazards and risks
  - ❖ consult and communicate about risks
  - ❖ identify and implement cost-effective risk reduction
- 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.
- 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.
- respond to and manage the adverse effects of emergencies in its area.
- plan and carry out recovery activities.
- 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).
- within its area, promote and raise public awareness of, and compliance with, this Act and legislative provisions relevant to the purpose of this Act.

- monitor and report on compliance within its area with this Act and legislative provisions relevant to the purpose of this Act.
- develop, approve, implement, and monitor a civil defence emergency management group plan and regularly review the plan.
- participate in the development of the national civil defence emergency management strategy and the national civil defence emergency management plan.
- promote civil defence emergency management in its area that is consistent with the purpose of this Act.
- The Civil Defence Emergency Management Group also has any other functions that are conferred or imposed by or under this Act or any other enactment.

7.1.2 Powers to Decide:

- The Civil Defence Emergency Management 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, the Group Controller, or other persons.
- Without limiting the generality of section 6.1.1 above, the Group may:
  - recruit and train volunteers for civil defence emergency management tasks.
  - conduct civil defence emergency management training exercises, practices, and rehearsals.
  - issue and control the use of signs, badges, insignia, and identification passes authorised under this Act, regulations made under this Act, or any civil defence emergency management plan.
  - provide, maintain, control, and operate warning systems.
  - provide communications, equipment, accommodation, and facilities for the exercise of its functions and powers during an emergency.
  - 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.
  - In the event that a Mayor cannot attend, the relevant Deputy Mayor will have voting rights as their alternate.

7.1.3 Membership

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

- The Mayor of Nelson City
- The Mayor of Tasman District
- The Deputy Mayors of each member Council will be in attendance of CDEM Group meetings.
- In the event that a Mayor cannot attend, the relevant Deputy Mayor will have voting rights as their alternate.

## **7.2 Joint Committee of Tasman District and Nelson City Councils**

This committee is a joint committee of Nelson City and Tasman District Councils, established in accordance with clause 30A, Schedule 7 of the Local Government Act 2002. The Joint Committee of Tasman District and Nelson City Councils is governed by a [Terms of Reference](#) (NDOCS-1974015928-493)<sup>13</sup>.

### 7.2.1 Areas of Responsibility:

- Matters relating to Statements of Expectation for all jointly owned Council Controlled Organisations (CCOs) and Council Controlled Trading Organisations (CCTOs).
- Receipt of six-monthly presentations from Infrastructure Holding Ltd, Port Nelson Limited, Nelson Airport Limited and Tasman Bays Heritage Trust.
- Discussion of policies, initiatives or directives stemming from central Government or external agencies, that involve cross-boundary issues.
- Implementation of the Nelson Tasman Future Development Strategy.
- Joint Transport planning matters referred to the Committee by the Joint Nelson Tasman Regional Transport Committee.<sup>14</sup>

### 7.2.2 Powers to Decide:

- To determine the strategic direction to be given to jointly owned CCOs and CCTOs through Statements of Expectation.
- To adopt, approve, review and amend the Nelson Tasman Future Development Strategy and Implementation Plan.

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<sup>13</sup> TOR updated Council 02May2024 Res CL/2024/081

<sup>14</sup> TOR updated Council 22Mar2023 Res CL/2023/051



- 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.
- To decide on any public transport matters referred to the Committee by the Joint Nelson Tasman Regional Transport Committee, excluding budget changes or decisions that would exceed approved budgets within each Council.
- 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.<sup>15</sup>

7.2.3 Powers to Recommend to Councils:

- 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

**7.3 Nelson City Council Tasman District Council Joint Shareholders Committee**

7.3.1 Areas of Responsibility:

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

7.3.2 Powers to Decide:

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

7.3.3 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.

7.3.4 Procedure:

- The Standing Orders of the Council providing administration to the committee will be applied at each meeting.

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<sup>15</sup> Council 22Mar2024 CL/2024/051

- 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.
- The Chairperson will not have a casting vote.
- These delegations/terms of reference may be varied by resolution of both Councils and any such resolution will be subject to adoption by the other Council unless it is a matter specific to one Council only
- 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.

## **7.4 Nelson Regional Sewerage Business Unit**

The Nelson Regional Sewerage Business Unit (NRSBU) is a joint committee of Nelson City and Tasman District Councils. Operation of the NRSBU is governed by a Board, as established by a [Memorandum of Understanding](#) (NDOCS-1974015928-495).

### 7.4.1 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.

### 7.4.2 Powers to Decide:

- The Councils are agreed that the responsibility for all management and administrative matters associated with the NRSBU operation shall be with the Board, and in particular the Board shall without the need to seek any further authority from the Councils:
  - Operate a bank account for the Business Unit;
  - Comply with the Procurement Policy of the Administering Council;
  - 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;
  - Authorise all payments necessary for the operation and management of the Business Unit within the approved budgets and intent of the Business Plan;

- 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; and
- Comply with the Health and Safety Policy and requirements of the administering Council.
- Contribute to the sanitary services assessment process of the Councils
- Contribute to and comply with the waste management plans of the Councils.
- Contribute to the development of the Councils' Development and Financial Contribution policies.
- Contribute to the Councils' Regional Policy Statement and Regional Plan Reviews.
- Develop and keep under review an appropriate contract for the delivery of waste collection and disposal services with each of its customers
- Follow generally accepted accounting practices.
- Follow good employment practices.

7.4.3 Powers to Recommend to Councils:

- Any other matters under the areas of responsibility of the Business Unit and detailed in the Memorandum of Understanding
- All recommendations to Council will be subject to adoption of an equivalent resolution by the other Council unless it is a matter specific to one Council only.

7.4.4 Quorum:

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

7.4.5 Procedure:

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

## **7.5 Nelson Tasman Regional Landfill Business Unit**

The Nelson Tasman Regional Landfill Business Unit (NTRLBU) is a joint committee of Nelson City and Tasman District Councils. The NTRLBU is governed by a [Terms of Reference](#) (NDOCS-1974015928-497) and [Deed of Agreement<sup>16</sup>](#).

### 7.5.1 Terms of Reference Areas of Responsibility

- Matters relating to the operation and use of the York Valley and Eves Valley landfills as regional landfill facilities, and the timing of their use.

Deed of Agreement Responsibilities delegated to NTRLBU:

1. The Councils agree that responsibility for all management and administrative matters associated with the operation of the Joint Committee shall be delegated to the NTRLBU. The NTRLBU may without the need to seek any further authority from the Councils:
  - (i) operate a bank account for the NTRLBU.
  - (ii) enter into all contracts necessary for the operation and management of the NTRLBU in accordance with the approved budgets and intent of the Business Plan and the 'Procurement guidance for public entities' as produced by the Office of the Auditor General.
  - (iii) authorise all payments necessary for the operation and management of the NTRLBU within the approved budgets and intent of the Business Plan.
  - (iv) do all other things that are necessary to achieve the objectives as stated in the Joint Waste Plan, Long Term Plan, Activity Management Plan or Business Plan approved by the Councils, including setting terms of trade and acceptance criteria for waste to landfills.
  - (v) comply with applicable Health and Safety legislation, and

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<sup>16</sup> Updated to include Deed of Agreement on CE's instruction 17Apr2024

standing orders and administrative requirements of the administering Council.

- (vi) comply with all regulatory requirements concerning operation of the regional landfill facilities.

7.5.2 Powers to Decide

- Setting of fees and charges for waste disposal at the regional landfill facilities by 30 June each year; including the power to apply discounted fees and charges for the disposal of waste in bulk; and to determine other circumstances where discounted fees and charges may be applied.
- Decisions to accept (or not accept) waste that is generated outside the Nelson-Tasman region.
- Enter into all contracts necessary for the operation and management of the NTRLBU in accordance with the approved budgets and intent of the Business Plan and the 'Procurement guidance for public entities' as produced by the Office of the Auditor General.

7.5.3 Power to Recommend to Councils:

- Any other matters under the area of responsibility of the Business Unit.
- All recommendations to Council will be subject to adoption of an equivalent resolution by the other Council, unless it is a matter specific to one Council only.

7.5.4 Quorum:

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

7.5.5 Procedure:

- The Standing Orders of the Council providing administration to the committee shall be applied at each meeting.
- The Chairperson will not have a casting vote.
- Copies of minutes of meetings of the Nelson Tasman Regional Landfill Business Unit will be retained by each Council for record keeping purposes.

## 7.6 Joint Nelson Tasman Regional Transport Committee<sup>1718</sup>

The Joint Nelson Tasman Regional Transport Committee (JNTRTP) 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. The JNTRTP is governed by a [Terms of Reference](#) (NDOCS-1982984479-5241).

### 7.6.1 Areas of Responsibilities:

- prepare the joint regional land transport plan in accordance with sections 14 and 16 of the Act;
- consult in accordance with sections 18 and 18A of the Act;
- 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;
- provide the relevant councils with any advice and assistance requested in relation to their transport responsibilities;
- adopt a policy that determines significance in respect of—
  - variations made to regional land transport plans under section 18D of the Act;
  - the activities that are included in the regional land transport plan under section 16 of the Act; and
- 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(c)).

### 7.6.2 Powers and Limitations:

- To adopt a significance policy as outlined in Section 106(2) of the Act.
- The preparation of the following:
  - a Joint Regional Land Transport Plan, including undertaking all required consultation processes relating to the preparation of this plan and any variations for adoption by Tasman District and Nelson City Councils.

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<sup>17</sup> TOR adopted Council 09Mar2023 CL/2023/028

<sup>18</sup> JNTRTC TOR updated Council 02May2024 CL/2024/081

- a Joint Regional Public Transport Plan, including undertaking all required consultation processes related to the preparation of this Plan, for adoption by Tasman District and Nelson City Councils.
- a Joint Speed Management Plan, including undertaking all required consultation processes related to the preparation of this Plan, for adoption by Tasman District and Nelson City Councils.
- To approve submissions to external bodies on policy documents likely to influence the content of the Joint Regional Land Transport Plan.
- 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.
- The Joint Regional Transport Committee may approve changes to the Public Transport Operations unless the change requires:
  - A permanent change of route; or
  - A permanent change to fares; or
  - A permanent change to timetable.
- Other than the powers outlined at clauses 3.1,3.3, 3.4 and 3.5 (in the Terms of Reference) the Joint Regional Transport Committee may only make recommendations to:
  - the partner councils, or
  - to the Joint Committee of Tasman District and Nelson City for the <sup>19</sup>joint Speed Management Plan outlined in clause 3.2.s (of the Terms of Reference) and in relation to public transport decisions not covered by clause 3.4 or 3.7 (of the Terms of Reference).
- The Joint Regional Transport Committee has no financial responsibilities or budgets. If a change to public transport operations requires additional un-budgeted funding, the Joint Nelson Tasman Regional Transport Committee has the power to recommend budgets for approval by each Council that is affected.

## **7.7 Saxton Field Committee**

The Saxton Field Committee is a joint committee of Nelson City and Tasman District Councils. It is governed by a [Terms of Reference](#) (NDOCS-1974015928-499).

7.7.1 Areas of Responsibility

The Committee is responsible for:

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

7.7.2 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 Hearings Panel to hear and deliberate on the submissions for the draft Saxton Field Reserve Management Plan

7.7.3 Powers to Recommend to Councils

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

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



- All recommendations to Council will be subject to adoption of an equivalent resolution by the other Council, unless it is a matter specific to one Council only.

7.7.4 Quorum:

- The Quorum for the Saxton Field Committee is three, including at least one member from each local authority.

7.7.5 Procedure:

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

## **7.8 Regional Pest Management Joint Committee**

The Regional Pest Management Joint Committee is a joint committee of Nelson City and Tasman District Councils. It is governed by a [Terms of Reference](#) (NDOCS-596364813-7363). The Terms of Reference were updated by Nelson City Council on 10 August 2023.

7.8.1 Areas of Responsibility

The Committee is responsible for:

- Considering recommendations for amendments to Tasman-Nelson Regional Pest Management Plan 2019 – 2029;
- Hearing and deliberating on the public submissions related to amendments of the Tasman-Nelson Regional Pest Management Plan 2019 - 2029

7.8.2 Powers to Decide

- None

7.8.3 Powers to Recommend to Councils

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

- notification of changes to the Tasman-Nelson Regional Pest Management Plan 2019-2029 under the Biosecurity Act 1993;
- To recommend to each Council the adoption of the final changes of the Tasman-Nelson Regional Pest Management Plan 2019-2029 and the

process to make the limited review operative in accordance with sections 70-75 of the Biosecurity Act 1993

7.8.4 Membership

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

7.8.5 Quorum:

- The Quorum for the Regional Pest Management Joint Committee is three, including at least one member from each local authority.

## **8. Subcommittees and Subordinate Decision-Making Bodies Established by Nelson City Council**

### **8.1 District Licensing Committee**

Appointment of members to, and operation of the District Licensing Committee, is governed by the Sale and Supply of Alcohol Act 2012. The provisions of the Local Government Official Information and Meetings Act 1987, other than Part 7, apply to every licensing committee.

The object of the Act is to promote the safe and responsible sale, supply and consumption of alcohol and minimising alcohol-related harm.

#### 8.1.1 Areas of Responsibility:

- To consider and determine applications for licences and manager's certificates and renewals, applications for temporary authority to carry on the sale and supply of alcohol, applications for special licences and applications for the variation, suspension or cancellation of special licences
- To refer applications to the Alcohol Regulatory & Licensing Authority
- To conduct inquiries and make reports as required by the Alcohol Regulatory & Licensing Authority
- To carry out any other functions conferred on licensing committees by the Sale and Supply of Alcohol Act 2012 or any other enactment

#### 8.1.2 Powers to Decide:

To consider and determine

- applications for licences (on-licences, off-licenses, club licenses and special licences)
- applications for manager's certificates
- applications for renewals of licences and manager's certificates
- applications for variations of licences
- applications for temporary authority to carry on the sale and supply of alcohol
- applications for special licences
- applications for the variation, suspension or cancellation of special licences

To issue summonses requiring

- the attendance of witnesses before it
- the production of documents
- to do any other act preliminary or incidental of any matter

8.1.3 Powers to Refer:

The District Licensing Committees has the power to refer applications to the Alcohol Regulatory & Licensing Authority (ARLA) for consideration and determination.

8.1.4 This committee does not have a Public Forum<sup>20</sup>

## **8.2 Resource Management Act Consenting Panel**

8.2.1 Functions:

- To conduct hearings and/or determine under delegated authority applications for consent and all other resource consenting matters required to be heard and determined by way of hearing under the Resource Management Act 1991 (the RMA)

8.2.2 Membership:

- All Commissioners, being Elected Members or Independent Hearing Commissioners who have current "Making Good Decisions" certification or other appropriate Resource Management Act certification
- The Group Manager Environmental Management may appoint a Chairperson, and one or more Commissioners, to constitute the Resource Management Act Consenting Panel (Consenting Panel) in relation to any particular application under the Resource Management Act 1991

8.2.3 Powers to Decide:

- Power to hear and determine contested resource consent applications
- Power to hear and determine uncontested resource consent applications, or applications for reduction of esplanade reserve or proposals for reserves, not consented to by the Group Manager Environmental Management, Manager Resource Consents or Team Leader Resource Consents

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<sup>20</sup> Amended Council 10Aug2023 Res CL/2023/158

- Power to hear and determine all objections to decisions on resource consents and other matters under section 357 of the RMA, fees (under section 36(5)), and extensions of time (under section 37 of the RMA), and changes of conditions (under section 127 and 128 of the RMA)
- Power to review the conditions of a resource consent and the power to hear and determine the same (Section 128 of the RMA)
- Power to refuse subdivision consent (section 106 of the RMA)

### **8.3 Hearing Panel**

#### 8.3.1 Functions:

- To conduct hearings and/or determine under delegated authority applications relating to the Dog Control Act 1996, all matters relating to Temporary Road Closures pursuant to Schedule 10 Clause 11(e) of the Local Government Act 1974, matters relating to naming features within the city, and any other matters required for determination by Council under legislation or bylaw as determined by Council.

#### 8.3.2 Membership:

- All elected members aside from the Mayor, in rotation. Each Hearing Panel will be made up of three members.
- The Chair of each Panel will be an elected member who has previously completed the 'Making Good Decisions' course.
- Each Hearing Panel will include no more than one elected member in their first triennium of Council.
- The Group Manager Environmental Management may appoint one or more Independent Commissioners to either assist the Hearing Panel or to hear and determine any particular application, such as when Council or a Council-Controlled Organisation or Council-Controlled Trading Organisation is (or could be perceived to be) an interested party, other than applications made for temporary road closure under Schedule 10 Clause 11(e) of the Local Government Act 1974.

#### 8.3.3 Powers to Decide:

- The power to appoint a panel to hear and determine with any other consent authority any application requiring a joint hearing
- The power to hear and recommend appropriate actions from hearings of designations and heritage orders
- The power to hear, consider and attempt to resolve contested road stopping procedures

- The power to consider and determine applications for temporary road closures made under Schedule 10 Clause 11(e) of the Local Government Act 1974
- The power to hear and determine all matters arising from the administration of the Building Act 1991, and the Building Act 2004
- 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 power to name all features within the city requiring naming including roads, streets, service lanes, plazas, parking areas, parks, reserves, gardens and all public facilities or infrastructure, aside from those impacted by the Naming Rights and Sponsorship Policy for Community Services Facilities
- The power to provide advice to applicants on appropriate names for private roads, rights of way or other legal forms of private access to property
- The power to make resolutions in accordance with Part 2 of the Nelson City Council Traffic and Parking Bylaw.<sup>21</sup>
- The power to make changes to the schedules to the Traffic and Parking Bylaw <sup>22</sup>
- The power to administer the administering body functions under section 48 of the Reserves Act 1977 on proposed rights of way and other easements on reserves vested in Council.

#### **8.4 Community Investment Funding Panel**

This Panel was disestablished on 07 March 2024 and was replaced by the Community Funding Panel.

#### **8.5 Community Funding Panel<sup>23</sup>**

This is a subordinate decision-making body that reports to Council

##### **8.5.1 Areas of Responsibility:**

- The Funding Panel will consider applications for the Community Investment Fund and the Community Events Fund and allocate

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<sup>21</sup> Resolution Council/2023/280 on 07 November 2023

<sup>22</sup> Traffic and Parking Bylaw adopted Council 17Aug2023 Res CL/2023/192

<sup>23</sup> Resolution Council/2024/045 on 07 March 2024

appropriate levels of funding against the criteria set out in the Nelson City Council Community Assistance Policy, Nelson City Events Strategy, current Long-Term Plan, and other guidance or priorities that Council may set from time to time.

8.5.2 Powers to decide for the Community Investment Fund:

- The Community Funding Panel has the powers to decide the allocation of the Community Investment Fund.
- Funding allocations will be guided by the priorities set out in the current Community Partnerships Activity Management Plan, i.e.
  - a. To prioritise funding towards improving wellbeing in communities of greatest need, currently focusing on reducing social isolation, reducing housing vulnerability, improving access to work and learning opportunities and reducing the impact of poverty; and
  - b. To respond to changing and emerging needs in the community.
- The Community Investment Funding Panel will allocate up to 70% of the available funds towards strategic projects once every three years.
- The remaining funding allocation will be allocated via small grants of up to \$10,000 as part of a twice yearly funding round.

8.5.3 Powers to decide for the Community Events Fund:

- The Community Funding Panel has the powers to decide the allocation for the Community Events Fund up to \$45,000.
- Funding allocations will be guided by the priorities set out in the Nelson City Events Strategy to prioritise funding for events that contribute community wellbeing benefits, and the Arts and Heritage Activity Management Plan to prioritise funding towards events that contribute to:
  - a. A rich events calendar providing a diverse range of events for people to enjoy.
  - b. A sense of identity providing opportunities for community groups to celebrate and share their culture.
  - c. Partnership – building the capacity and visibility of the community sector and promoting local creativity.
- Community Events funding allocations will be undertaken between two and four times each year depending on the timing and volume of applications received.

8.5.4 Powers to Recommend:

- The Panel will provide a recommendation to the Chief Executive for Community Event applications received between \$45,000 and \$99,999, and to Council for applications over \$100,000.
- The Panel may report to Council on any issues, themes or insights gathered in the consideration of the applications received.

For the [Terms of Reference](#) for the Community Investment Funding Panel please refer to document NDOCS- 636034393-11981.

## **8.6 Plan Change 29 Hearing Panel<sup>24</sup>**

### 8.6.1 Areas of Responsibility:

Subject to the Resource Management Act 1991 (RMA) the Hearing Panel is responsible for determining its own procedures for the conduct of the hearing of submissions and further submissions throughout the hearing process and will issue other directions by way of Minute from time to time, both in the lead-up to the hearing, and during the hearing.

The role of the Hearing Panel is to:

- Manage a hearing process that is appropriate, fair, efficient and without unnecessary formality.
- Consider and hear all submissions and further submissions, including oral and/or online presentations from submitters where the submitters seek to be heard.
- Receive an officers' report and expert evidence in response to the matters raised through submissions.
- Hold deliberations and decide on all submissions and further submissions.
- Make a recommendation, in a written report, to the Nelson City Council on responses to submissions and changes to Plan Change 29.

The panel may seek legal and technical advice as necessary to assist deliberations and enable it to make recommendations.

For the avoidance of doubt, the Hearing Panel will read and consider all submissions, regardless of whether the submitter seeks to be heard by the Hearing Panel.

In the event that considerations on any particular submission or issues are not unanimous then the majority view of the panel shall be reflected as the Panel's recommendation. However, the Chairperson shall have the casting vote where there is a an even split of views.

### 8.6.2 Reporting

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<sup>24</sup> Resolution Council 7 March 2024 CL/2024/028.



The Plan Change 29 Hearing Panel has decision-making authority and as such it is a subordinate decision-making body of Council. This means that Council's current Standing Orders will apply.

8.6.3 Powers to Decide:

- All the necessary powers, duties and functions under the Resource Management Act 1991 to consider, hear, deliberate and make decisions on all submissions and further submissions on the Plan Change.

8.6.4 Powers to Recommend to Council:

- All the necessary powers, duties and functions under the Resource Management Act 1991 to consider, hear, deliberate and make decisions on all submissions and further submissions on the Plan Change.

For the [Terms of Reference](#) for the Plan Change 29 Hearing Panel please refer to document NDOCS- 539570224-19202.

## **9. Working Parties, Taskforces and Advisory Groups**

### **9.1 Establish Working Parties, Taskforces and Advisory Groups**

From time to time, Council or committees may choose to establish working parties, taskforces or advisory groups (working parties). Working parties may provide a useful way for Councillors/committee members to engage on a particular issue, particularly in an investigative, advisory or fact-finding role with regards to the issue.

#### 9.1.1 Functions:

- Working parties are groups set up with delegated authority to undertake any investigation, fact-finding or consultation on a particular issue, as required by the terms of reference, and within the scope of the terms of reference of the working party
  - As a general rule, working parties have no power to decide on matters within the terms of reference. However, they retain the power to make recommendations to the extent allowed under the working party's terms of reference, and on matters which are within the scope of the terms of reference

#### 9.1.2 Establishment of Working Parties:

- Working parties must be established by Council or Committee resolution, following consideration of whether a working party will provide the best outcome in relation to an issue. Council/Committee may consider whether arrangements, such as holding workshops or engaging in community engagement may provide a better outcome for a particular issue.
- Any resolution establishing a Working Party should utilise the Template to create a [Working Party](#) (NDOCS-1974015928-507) and clearly define:
  - The terms of reference for the working party, including its purpose, and the scope of its investigative, fact-finding roles or any other role as specified in the terms of reference;
  - Membership of the working party, including council or committee members by name, and any other stakeholders or community representatives to be included in the process;
  - The Chairperson of the Working Party;
  - The role of the chair, staff and any other stakeholders;
  - Processes around conflicts of interest by any working party members; and
  - Reporting of work undertaken by the working party

- If not otherwise established in the terms of reference, all working parties should be disbanded by resolution once final recommendations have been made to Council/the relevant committee.
- In the absence of any such resolution, and unless otherwise specified, all working parties will be considered to have been disbanded if they have not met for a period of six months.

## **9.2 Iwi-Council Partnership Group**

The Iwi-Council Partnership Group reports to Council.

### 9.2.1 Areas of Responsibility:

- To support the review of the Memorandum of Understanding between Tangata Whenua o Whakatū and Nelson City Council;
- To support the development of an Iwi Engagement and Partnering Strategy

### 9.2.2 Powers to Decide:

- None

### 9.2.3 Powers to Recommend to Council:

- Adoption of the reviewed Memorandum of Understanding between Tangata Whenua o Whakatū and Nelson City Council;
- Adoption of the Iwi Engagement and Partnering Strategy

For the [Terms of Reference](#) for the Iwi-Council Partnership Group please refer to document NDOCS-1736347531-957

## **9.3 City Centre Business Forum**

### 9.3.1 Areas of Responsibility:

- To facilitate communication between Council and City Centre stakeholders.
- To support engagement on Council plans, projects and strategies that occur within the City Centre.

### 9.3.2 Powers to Recommend:

- None

For the [Terms of Reference](#) for the City Centre Business Forum please refer to document NDOCS-1974015928-10178

## **9.4 Annual Plan 2023/24 Taskforce**

**Note: The Annual Plan was adopted on 22 June 2023 and the Taskforce was disbanded.**

### 9.4.1 Areas of Responsibility:

- To review Council's Annual Plan 2023-24 and to recommend updates to the Long term Plan budgets and work program forecasts, and to provide these to Council for deliberation prior to 30 June 2023.

9.4.2 Powers to Decide:

- None

9.4.3 Powers to Recommend:

- The taskforce is able to make recommendations to Council on challenges in developing the Annual Plan 2023-24

For the [Terms of Reference](#) for the Annual Plan 2023/24 Taskforce please refer to document NDOCS-839498445-13383.

## 9.5 City Revitalisation Taskforce <sup>25</sup>

9.5.1 Areas of Responsibility

- To provide governance overview to current and planned projects and future opportunities for the revitalisation of the central city and the delivery of Council's Long Term Plan vision statement.
- To progress ideas from the City Revitalisation Summit, held on 26 March 2024, as well as the fulfil the need for governance oversight of the Bridge to Better project.
- To provide governance oversight to the development of the new Millers Acre Bus Interchange.

9.5.2 Power to Decide:

- None

9.5.3 Powers to Recommend

- The Taskforce may make recommendations to Council.

For the [Terms of Reference](#) for the City Revitalisation Taskforce please refer to document NDOCS-1118544611-7728.

## 9.6 Civic House-Library Taskforce <sup>26</sup>

9.6.1 Areas of Responsibility:

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<sup>25</sup> City Revitalisation Taskforce established Council 2 May 2024 Res CL/2024/075

<sup>26</sup> Civic House Taskforce renamed Civic House-Library Taskforce – Council 4 July 2024 Res CL/2024/149

- Provide governance oversight of a project for the development of a community hub, central city library and civic centre facilities.

9.6.2 Powers to Decide:

- Nil

9.6.3 Powers to Recommend:

- The Taskforce may make recommendations to Council.

For the [Terms of Reference](#) for the Civic House-Library Taskforce please refer to NDOCS-1974015928-1526. <sup>27</sup>

## **9.7 Community Housing Acceleration Taskforce**

9.7.1 Areas of Responsibility:

- To advise on how the Council can help grow, as quickly as possible, the stock of community housing using the Housing Reserve with the 12 goal to double the number of community housing houses from 50 to 100 by 2026; and
- Consider options for how the Housing Reserve can be used to leverage an increase in community housing in Whakatū Nelson to achieve the above goal; and
- Consider criteria and process which ensure the Housing Reserve is used in a fair and equitable manner and meets the requirements of section 101 of the Local Government Act 2002 for prudent financial management that promotes the current and future interests of the community; and
- Consider other innovative housing proposals for the support from the Housing Reserve Fund outside of these guidelines where it believes it offers good use of public money to alleviate Nelson’s housing problems; and
- Provide governance oversight and direction on strategic housing opportunities, including providing recommendations to Council on how to progress specific projects.
- Provide governance oversight and direction on divestment of Council property in order to leverage housing outcomes; and

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<sup>27</sup> Note, Civic House-Library Taskforce Terms of Reference - NDOCS-118544611-7803 (referenced in Council 4 July 2024 meeting papers) was created from Word version NDOCS-1974015928-1526.

- Understand the provision of services across Nelson supporting those who are living in housing vulnerability, considering the strengths, resources, and roles relevant to Council; and
- Identify measures, appropriate for Council leadership and support, to better address housing vulnerability.

9.7.2 Powers to Decide:

- None

9.7.3 Powers to Recommend:

- Recommend on expenditure and applications for grants from the Housing Reserve.
- Recommend measures, appropriate for Council leadership and support, to better address housing vulnerability
- Recommend a reporting framework to Council for monitoring progress in meeting the community housing goal.
- Recommend on any matters within the Taskforce's areas of responsibility.

For the [Terms of Reference](#) for the Community Housing Acceleration Taskforce please refer to document [336940202-7576](#).<sup>28</sup>

## 9.8 Elma Turner Library Reopening Taskforce<sup>29</sup>

**Note: Elma Turner Library Reopening Taskforce was dissolved by Council resolution 2 May 2024.**

9.8.1 Areas of Responsibility:

- To consider options to assist the timely reopening of the Elma Turner Library so the community can benefit from the full delivery of library services in Nelson's central library.

9.8.2 Powers to Decide:

- None

9.8.3 Powers to Recommend:

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<sup>28</sup> Amended Council 14Sep2023 Res CL/2023/188

<sup>29</sup> Elma Turner Library Reopening Taskforce dissolved by Council 02May2024 Res CL/2024/078

- The taskforce is able to make recommendations to Council on the best pathway to the timely reopening of the Elma Turner Library.

For the [Terms of Reference](#) for the Elma Turner Library Reopening Taskforce please refer to document NDOCS-1982984479-5255.

## **9.9 He Tātai Whetū Taskforce (Arts and Creativity Taskforce)**

### 9.9.1 Areas of Responsibility:

- Support the establishment of an arts development agency for Nelson.
- Oversee development of the Strategy projects being funded from the \$1million Three Waters funding from central government.
- Support work being undertaken in Council to scope an arts hub using the proposed \$100,000 allocation in the Annual Plan 2023/24.
- Develop a long-term funding plan for the sustainable funding of the Strategy.
- Consider and provide recommendations to Council as appropriate, on relevant input to the Arts, Heritage and Events Activity Management Plan and the Long Term Plan.
- Provide guidance to staff in developing communications and messaging to the community around the Strategy.

### 9.9.2 Powers to Decide:

- None

### 9.9.3 Powers to Recommend:

- None

For the [Terms of Reference](#) for the He Tātai Whetū (Arts and Creativity) Taskforce please refer to document NDOCS-1974015928-1096.

## **9.10 Right Tree Right Place Taskforce<sup>30,31</sup>**

**Note: The Right Tree Right Place Taskforce recommendations were considered at the meeting of Council, 09 November 2023 and the Taskforce was dissolved.**

### 9.10.1 Areas of Responsibility:

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<sup>30</sup> Established Council 09Feb2023 Res CL/2023/004

<sup>31</sup> TOR adopted Council 09Mar2023 Res CL/2023/038



- To become conversant with the current objectives of Nelson Council-owned land currently managed for production forestry including recently harvested areas taking into account the wider goals and functions of the Council.
- To draw on the high-level forestry review reports, other relevant research data and stakeholder views to provide recommendations for future land use and management of Council-owned land currently managed for production forestry.

9.10.2 Powers to Decide:

- None

9.10.3 Powers to Recommend:

- The Taskforce will provide a final report to Council incorporating recommendations.

For the [Terms of Reference](#) for the Right Tree Right Place Taskforce please refer to document NDOCS-1974015928-1117.

## **9.11 Local Government Reform Taskforce**

9.11.1 Areas of Responsibility:

- To consider central government reform proposals, including the work of the Local Government Review Panel but also other areas of government reform such as the Three Waters Reform Programme and resource management system reform.

9.11.2 Powers to Decide:

- None

9.11.3 Powers to Recommend:

- The taskforce is able to make recommendations to Council on responses to reform proposals

For the [Terms of Reference](#) for the Local Government Reform Taskforce please refer to document NDOCS-789843239-48.

## **9.12 Sesquicentennial Taskforce<sup>32,33</sup>**

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<sup>32</sup> Established Council 09Feb2023 Res CL/2023/003

<sup>33</sup> TOR Adopted Council 09Mar2023 Res CL/2023/033

9.12.1 Areas of Responsibility:

- Work with staff and contracted author(s) to prepare a record of the history of Nelson City Council between the years of 1974 and 2024, as a book and, if appropriate, in digital format.
- Work with staff to plan and organise a suitable event to celebrate the achievements of the Nelson City Council between the years 1974 and 2024.

9.12.2 Powers to Decide:

- None.

9.12.3 Powers to Recommend:

- The taskforce is able to make recommendations to Council

For the [Terms of Reference](#) for the Sesquicentennial Taskforce please refer to document NDOCS-1974015928-1079.

**9.13 Marina and Tāhunanui Sports Facilities Taskforce<sup>34</sup>**

9.13.1 Areas of Responsibility:

- To provide guidance and support to staff on the following initiatives:
  - Tāhunanui surf lifesaving / sports / community facilities; and
  - Marina sea sports facility.
- To provide guidance to staff as they develop a new business case (in line with the Better Business Case methodology) for each of the sports facilities.
- To consider timeframes and appropriate levels of budget expenditure for each facility.
- To make recommendations to Council on the above matters as appropriate.

9.13.2 Powers to Decide:

- None.

9.13.3 Powers to Recommend:

- The taskforce is able to make recommendations to Council on its areas of responsibility.

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<sup>34</sup> TOR adopted Council 09Mar2023 Res CL/2023/032

For the [Terms of Reference](#) for the Marina and Tāhunanui Sports Facilities Taskforce please refer to document NDOCS-1974015928-914

## **9.14 Storm Recovery Taskforce**

### 9.14.1 Areas of Responsibility:

- To assist with the City's recovery from the August 2022 storm event.

### 9.14.2 Powers to Decide:

- To make decisions on disbursements from the Mayoral Relief Fund

### 9.14.3 Powers to Recommend:

- The taskforce is able to make recommendations to Council on approaches to the recovery process;

For the [Terms of Reference](#) for the Storm Recovery Taskforce please refer to document NDOCS-1982984479-5256.

## **9.15 Climate Change Taskforce<sup>35</sup>**

### 9.15.1 Areas of Responsibility:

- Provide guidance on prioritising the actions and policies that will reduce Council and community greenhouse gas emissions
- Consider progress in implementing Council's Climate Action Plan, Te Mahere Mahi a te Āhuarangi, and any future climate strategies or plans
- Provide guidance to staff on how climate change action is included in the development of the Long Term Plan 2024-34
- Consider barriers to emissions reductions and how Council could help to reduce these
- Consider how Council could engage with central government on matters related to climate change and undertake other advocacy
- Provide guidance to staff on Council messaging regarding climate change..

### 9.15.2 Powers to Decide:

- None.

### 9.15.3 Powers to Recommend:

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<sup>35</sup> Established Council 10Aug2023 Res CL/2023/156

- The taskforce is able to make recommendations to Council.

For the [Terms of Reference](#) for the Climate Change Taskforce please refer to document [NDOCS-1974015928-1231](#).

## **9.16 City Centre Playspace Taskforce<sup>36</sup>**

### 9.16.1 Areas of Responsibility:

- Assist Council to deliver on a playspace in the city centre that will contribute to its revitalisation;
- Consider the engagement process to identify the location and features of the playspace;
- Identify opportunities to align the timing of the construction of the playspace with other proposed works in order to minimise disruption and make efficiency gains;
- Provide recommendations to Council on the best pathway to the identification of the Playspace location, features, and construction timing.

### 9.16.2 Powers to Decide:

- None

### 9.16.3 Powers to Recommend:

- The Taskforce may make recommendations to Council.

For the [Terms of Reference](#) for the City Centre Playspace Taskforce please refer to document [NDOCS-1974015928-1230](#).

## **9.17 Waterfront Redevelopment Taskforce<sup>37</sup>**

### 9.17.1 Areas of Responsibility:

- To provide governance overview for the Nelson waterfront area along Wakefield Quay and Haven Road, and the connection of this area to the city.
- To progress ideas from the City Revitalisation Summit held on 26 March 2024 and recommend actions to give effect to the strategic objective of enhancing the connections between the city and the sea.

### 9.17.2 Powers to Decide:

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<sup>36</sup> Established Council 10Aug2023 Res CL/2023/156

<sup>37</sup> Waterfront Redevelopment Taskforce established Council 2 May 2024 Res CL/2024/076

[NDOCS-1974015928-884](#)

- None.

9.17.3 Powers to Recommend:

- The Taskforce may make recommendations to Council.

For the [Terms of Reference](#) for the Waterfront Redevelopment Taskforce please refer to document NDOCS-1118544611-7729.

**9.18 Joint Regional Cemetery Working Group**

9.18.1 Areas of Responsibility:

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

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

9.18.2 Powers to decide

None. The Working Group shall have no decision-making delegations and shall report back to both Councils through the relevant committees.

9.18.3 Powers to recommend

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

The purpose of the Joint Regional Cemetery Working Group (the "Working Group") is to provide high level guidance and support to officers from both councils to develop a Memorandum of Understanding and a Business Case for a Regional Cemetery. For the [Terms of Reference](#) for the Working Group please refer to NDOCS-1974015928-503

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

9.19.1 Areas of Responsibility:

- Review the Nelson Tasman Waste Assessment 2022.
- Review progress against performance indicators in the Waste Plan 2019.

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

9.19.2 Powers to decide

None.

9.19.3 Powers to recommend

- To recommend to both Councils regarding consultation on, and adoption of, a new or amended Waste Plan.
- To recommend when reviewing the Waste Plan and subsequent implementation of a new or amended Waste Plan.
- To recommend to the respective Councils to amend or replace the Waste Plan, undertake public consultation and adopt the final Waste Plan.

For the [Terms of Reference](#) for the Working Group please refer to NDOCS-1399367370-7736.

## **9.20 Age-Friendly Nelson Implementation Group**

9.20.1 Areas of Responsibility:

An Implementation Group is established to monitor, support and report on implementation of the Age-Friendly strategy and to update the strategy document as required.

The Implementation Group is responsible for:

- Monitoring implementation of the Strategy;

- Considering the impact of an ageing demographic on the community as a whole;
- Considering the needs of older adults including with reference to the following specific areas: Wellness, Social, Work, Housing, Mobility, Information, Outdoors;
- Updating the Strategy as actions are completed or new projects are initiated;
- Raising awareness of the Strategy in the community;
- Providing an annual report to the relevant Council committee on progress with the implementation of the Strategy.

For the [Terms of Reference](#) for the Implementation Group please refer to document NDOCS-839498445-3722.

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## **10. Appointments to Other Organisations**

Council may appoint elected members or other persons to Council organisations or other organisations.

10.1.1 Elected members appointed to other organisations have the following roles:

- Liaison: to be an interface between Council and the organisation;
- Engagement: to involve people and organisations in the decisions that affect them; and
- Representation: to represent Council's financial or other interests in an organisation.

10.1.2 Elected members appointed to other organisations may, if necessary, report back to the relevant committee or Council on matters of interest from the relevant organisations through the Chairperson's Report or Mayor's Report.

10.1.3 Schedule Two sets out the elected members appointed to external organisations.

## **SCHEDULES**

### **Schedule One - Members of Committees, Subcommittees, Subordinate Decision-Making Bodies and Working Parties, Taskforces and Advisory Groups**

#### **Mayor**

Dr Nick Smith

#### **Deputy Mayor**

Rohan O'Neill-Stevens

#### **1. Audit Risk and Finance Committee**

Catherine Taylor (Chair)<sup>38</sup>

His Worship the Mayor Dr Smith

Councillor O'Neill-Stevens

Councillor Courtney

Councillor Sanson

Māori representative

External appointment Lyndsay McKenzie<sup>39</sup>

#### **2. Chief Executive Employment Committee**

His Worship the Mayor Dr Smith (Chairperson)

Councillor Brand

Councillor O'Neill-Stevens

Councillor Rainey

#### **3. Tenders Committee**

His Worship the Mayor Dr Smith (Chair)

Councillor Courtney

Councillor O'Neill-Stevens

Councillor Paki Paki

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<sup>38</sup> Appointed Council 09Feb2023, CL/2023/021

<sup>39</sup> Appointed Council 06Jul2023, Council/2023/149

#### **4. Civil Defence Emergency Management Group**

Chairperson: Alternating (see procedure)

His Worship the Mayor Dr Smith

Deputy Mayor O'Neill-Stevens (non-voting)

Note: This Committee also includes the Mayor and Deputy Mayor of Tasman District Council.

#### **5. Joint Committee of Tasman District and Nelson City**

Chairperson: Alternating (see procedure)

Deputy Chairperson: None

His Worship the Mayor Dr Smith

Councillor Anderson

Councillor Bengé

Councillor Brand

Councillor Courtney

Councillor Hodgson

Councillor O'Neill-Stevens

Councillor Paki Paki

Councillor Rainey

Councillor Rollo

Councillor Sanson

Councillor Skinner

Councillor Stallard

Note: This committee also includes The Mayor, Deputy Mayor and 12 Councillors of Tasman District Council giving a total of 27 members for the Committee

#### **6. Nelson City Council Tasman District Council Joint Shareholders Committee**

Chairperson: Alternating (see procedure)

Deputy Chairperson: None

His Worship the Mayor Dr Smith

Councillor Bengé

Councillor Courtney

Councillor O'Neill-Stevens

Councillor Paki Paki

Councillor Sanson

Note: This Committee also includes The Mayor, Deputy Mayor and four elected members of Tasman District Council

## **7. Nelson Regional Sewerage Business Unit**

Councillor Skinner (Deputy Chair)

Councillor Paki Paki

Independent member Tallat Mehmood

Iwi Representative (Ms Aneika Young)

Note: This Committee also includes two representatives from Tasman District Council, one independent member, a representative of the Nelson Regional Sewerage Scheme Customer Group, and an Iwi representative.

## **8. Nelson Tasman Regional Landfill Business Unit**

Councillor Courtney

Councillor Stallard

Iwi Representative (Mr Andrew Stephens)

Note: This Committee also includes two representatives from Tasman District Council, one independent member, and an iwi representative

## **9. Joint Nelson Tasman Regional Transport Committee**

His Worship the Mayor Dr Smith (Deputy Chair)

Councillor O'Neill-Stevens

Councillor Courtney (alternate)

Councillor Hodgson (alternate)

Waka Kotahi Representative

Te Tau Ihu Iwi Representative (non-voting)

Note: This Committee also includes two Elected Members (and alternates) from Tasman District Council, one of which is the Chairperson

## **10. Saxton Field Committee**

Councillor Derek Shaw (Chairperson, independent member)

Councillor Rollo

Councillor Skinner

Note: This Committee also includes two representatives from Tasman District Council, and one independent member, giving a total of five members for the Committee.

**11. Regional Pest Management Joint Committee**

Councillor Bengé

Councillor Sanson (Deputy Chair)

Councillor Stallard

Note: This Committee also includes three elected members from Tasman District Council

**12. District Licensing Committee**

Bruce Fraser (Commissioner, Chairperson)

Councillor O'Neill-Stevens (Deputy Chair)

Councillor Brand

Gail Collingwood (external appointment)

Derek Shaw (external appointment)

Laurie Gabites (external appointment)

David Lewis (external appointment)

**13. Resource Management Act Consenting Panel**

All members holding current 'Making Good Decisions' certification

**14. Hearing Panel**

All Elected Members

A Chairperson is appointed for each Hearing Panel from Elected Members who have previously completed the 'Making Good Decisions' course

**15. Community Funding Panel**

Group Manager Community Services (Chairperson)

Rachel Gordon

Viv Lock

Bhoj Subba

Arawhita Wiringi (Tangata whenua representative)

**16. Plan Change 29 Hearing Panel**

Independent Chair Michael Parsonson <sup>40</sup>

Councillor O'Neill-Stevens

Councillor Brand

**17. Iwi-Council Partnership Group**

His Worship the Mayor Dr Smith

Councillor O'Neill-Stevens

Councillor Paki Paki

Councillor Sanson

Councillor Skinner

Representative from Te Ātiawa

Representative from Ngāti Kuia

Representative from Ngāti Toa Rangatira

Representative from Ngāti Tama

Representative from Ngāti Rārua

Representative from Ngāti Koata

Representative from Ngāti Apa ki te Rā Tō

Representative from Rangitāne

**18. City Centre Business Forum**

Councillor O'Neill-Stevens (Chairperson)

His Worship the Mayor Dr Smith

Councillor Rainey

Councillor Skinner

Uniquely Nelson representative

Hospitality sector representative

Retail sector representative

Property owners' representative

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<sup>40</sup> Appointed Council 07Mar2024 CL/2024/037

**19. Annual Plan 2023/24 Taskforce**

Note: The Annual Plan was adopted on 22 June 2023 and the Taskforce was disbanded.

His Worship the Mayor Dr Smith

Councillor Brand

Councillor Courtney (lead)

Councillor O'Neill-Stevens

Councillor Sanson

Councillor Stallard

**20. Civic House Taskforce**

His Worship the Mayor Dr Smith

Councillor Courtney

Councillor Rainey (lead)

Councillor Rollo

**21. Community Housing Acceleration Taskforce**

His Worship the Mayor Dr Smith

Councillor Anderson <sup>41</sup>

Councillor Hodgson

Councillor Paki Paki

Councillor Rainey

Councillor Sanson (lead)

**22. Elma Turner Library Reopening Taskforce**

Note: Elma Turner Library Reopening Taskforce was dissolved by Council resolution 2 May 2024.

His Worship the Mayor Dr Smith (lead)

Councillor Paki Paki

Councillor Skinner

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<sup>41</sup> Cr Anderson replaced Cr O'Neill-Stevens on Community Housing Acceleration Taskforce – resolved at 14Sep2023 Council meeting, CL/2023/183.

Councillor Stallard

**23. He Tātai Whetū Taskforce (Arts and Creativity Taskforce)**

Councillor O'Neill-Stevens (Chairperson)

Councillor Anderson

Councillor Paki Paki

Councillor Rainey

Up to three iwi representatives

5-6 community members

**24. Local Government Reform Taskforce**

His Worship the Mayor Dr Smith (lead)

Councillor Benge

Councillor Brand

Councillor Hodgson

Councillor O'Neill-Stevens

Councillor Stallard

**25. Right Tree Right Place Taskforce**

Note: The Right Tree Right Place Taskforce recommendations were considered at the meeting of Council, 09 November 2023 and the Taskforce was dissolved.

Dr Morgan Williams (Independent Chairperson)

Councillor Benge

Councillor Sanson

Joanne Clapcott

Andrew Fenemor

Stuart Orme

Māori Representative

**26. Sesquicentennial Taskforce**

Councillor Courtney (lead)

Councillor Paki Paki

Gail Collingwood

Pat Dougherty



Cathy Knight Representative appointed by the Civic Trust

**27. Marina and Tāhunanui Sports Facilities Taskforce**

His Worship the Mayor Dr Smith

Councillor Anderson

Councillor Bengé

Councillor Rollo

Councillor Skinner (lead)

**28. Storm Recovery Taskforce**

His Worship the Mayor Dr Smith (lead)

Councillor Anderson

Councillor Brand

**29. Climate Change Taskforce**

Councillor Stallard (lead)

His Worship the Mayor Dr Smith

Councillor Bengé

Councillor Courtney

Councillor Sanson

**30. City Centre Playspace Taskforce**

Councillor Hodgson (lead)

Councillor Rainey

Councillor Paki Paki

Councillor Rollo

**31. City Revitalisation Taskforce**

Deputy Mayor Rohan O’Neill-Stevens (Chair)

Councillor Paki Paki (Deputy Chair)

Councillor Brand

Councillor Rainey

Councillor Stallard

Councillor Sanson

Mayor Nick Smith (ex officio)

**32. Waterfront Redevelopment Taskforce**

Councillor Courtney (Chair)

Councillor Rainey

Councillor Rollo

Councillor Skinner

Mayor Nick Smith (ex officio)

Port Nelson Representative

**33. Joint Regional Cemetery Working Group**

Councillor Brand

Councillor Skinner

Two Elected Members appointed by Tasman District Council

An Iwi representative, jointly appointed by the two councils

**34. Nelson Tasman Joint Waste Review Working Party<sup>42</sup>**

Councillor Bengé

Councillor Sanson

Councillor Stallard (Chair)

Three Elected or Appointed Members from Tasman District Council

Up to three Iwi representative recommended by Te Taihū iwi Chairs

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<sup>42</sup> Chair appointed at Nelson Tasman Joint Waste Review Working Party 08 February 2024.

## **Schedule Two – Elected Member Appointees to External Organisations**

Elected members have been appointed to the external organisations listed below in the following capacities:

Liaison: to be an interface between Council and the organisation;

Engagement: to involve people and organisations in the decisions that affect them; and

Representation: to represent Council's financial or other interests in an organisation.

Note: Some of these organisations meet the definition of Council Organisation.

**1. Accessibility for All**

Councillor Rollo

**2. Arts Council Nelson Incorporated**

Councillor O'Neill-Stevens

Councillor Anderson

**3. Atawhai Liaison Councillor <sup>43</sup>**

Councillor James Hodgson

**4. Cawthron Institute Trust Board**

His Worship the Mayor Smith (in accordance with legislation and Trust Deed relating to the Cawthron Institute)

**5. Community and Whānau Group**

His Worship the Mayor Smith

Councillor Anderson

Councillor Hodgson

**6. Eelco Boswijk Civic Awards**

Councillor Brand (Chairperson)

His Worship the Mayor Smith

Councillor Anderson

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Councillor O'Neill-Stevens

Councillor Rainey

**7. Heritage Houses**

Councillor Hodgson (Melrose House)

Councillor Courtney (Broadgreen House)

**8. Mayoral Taskforce for City Futures**

His Worship the Mayor Dr Smith

**9. Mayor's Taskforce for Jobs Steering Group**

His Worship the Mayor Dr Smith

**10. Nelson Biodiversity Forum**

Councillor Stallard

**11. Nelson North Liaison Councillor**

Councillor Stallard

**12. Nelson Tasman Business Trust**

Councillor Bengé

**13. Nelson Tasman Climate Forum**

His Worship the Mayor Dr Smith

Councillor O'Neill-Stevens

**14. Nelson Tasman Mayoral Relief Trust**

His Worship the Mayor Dr Smith

Councillor Anderson

Councillor Brand

Note: the Trust also includes the Mayor and one elected member of Tasman District Council plus one other member appointed by the four elected members.

**15. Nelson Youth Council**

Councillor Hodgson

All other councillors, in rotation

**16. Pacific and Ethnic Communities Liaison Councillor**

Councillor Anderson

**17. Positive Ageing Forum**

Councillor Sanson

**18. Sister Cities**

His Worship the Mayor Dr Smith

Councillor Brand

Gail Collingwood (external appointment)

**19. Sport Tasman Trust (Tasman Regional Sports Trust)**

Councillor Skinner

**20. Tāhunanui Liaison Councillor**

Councillor Rollo

**21. Tasman Bays Heritage Trust Appointments Committee**

Councillor Courtney

Councillor Paki Paki

**22. Urban Design Champion**

Councillor Rainey

**23. Waimea Inlet Coordination Group**

Councillor Sanson

**24. Whakatū Marae Komiti**

His Worship the Mayor Dr Smith

**25. Youth Nelson (The Young Nelson Trust)**

Councillor O'Neill-Stevens