

Notice is given that an ordinary meeting of the Motueka Community Board will be held on:

**Date:** **Tuesday 18 June 2024**  
**Time:** **4:00 pm**  
**Meeting Room:** **Motueka Library**  
**Venue:** **Wallace Street, Motueka**  
**Zoom conferencelink:** <https://us02web.zoom.us/j/84222548070?pwd=iwsBTdAs38vQLFPUHg1TvyJV52ilUq.1>  
Meeting ID: 842 2254 8070  
Meeting Passcode: 618441

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## Motueka Community Board

### Hapori Whānui ō Motueka

## AGENDA

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#### MEMBERSHIP

<b>Chairperson</b>	T Graham
<b>Deputy Chairperson</b>	C Hutt
<b>Members</b>	D Armstrong
	N Hughes
	Cr B Dowler
	Cr B Maru
	Cr T Walker

(Quorum 4 members)

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## AGENDA

**1 OPENING, WELCOME, KARAKIA**

**2 APOLOGIES AND LEAVE OF ABSENCE**

**Recommendation**

**That apologies be accepted.**

**3 DECLARATIONS OF INTEREST**

**4 LATE ITEMS**

**5 CONFIRMATION OF [MINUTES](#)**

**That the minutes of the Motueka Community Board meeting held on Tuesday, 21 May 2024, be confirmed as a true and correct record of the meeting.**

**6 PUBLIC FORUM**

Nil

**3 PRESENTATIONS**

Nil

**4 REPORTS**

- 8.1 Further Community Lease Renewals for the Motueka Ward..... 4
- 8.2 Discretionary Fund Application - Motueka Group Riding for the Disabled Association Incorporated..... 17
- 8.3 Motueka Community Board Report ..... 26
- 8.4 Financial Summary - period ending 31 May 2024 ..... 32
- 8.5 Special Projects Action List ..... 34

**5 CORRESPONDENCE**

Nil

**6 CONFIDENTIAL SESSION**

Nil

**7 CLOSING KARAKIA**

## 8 REPORTS

### 8.1 FURTHER COMMUNITY LEASE RENEWALS FOR THE MOTUEKA WARD

Information Only - No Decision Required

<b>Report To:</b>	Motueka Community Board
<b>Meeting Date:</b>	18 June 2024
<b>Report Author:</b>	Margot Wilson, Property Officer
<b>Report Authorisers:</b>	Robert Cant, Programme Leader - Land & Leases
<b>Report Number:</b>	RMCB24-06-1

#### 1. Purpose of the Report / Te Take mō te Pūrongo

- 1.1 To allow the Motueka Community Board the opportunity to provide feedback regarding the proposed decision of Council's Property Services Manager to offer new leases to the six Motueka community groups listed in this report. Council's Property Services Manager is delegated to approve the leasing of Council Property.

#### 2. Summary / Te Tuhinga Whakarāpotō

- 2.1 There are a few Community Groups within the Tasman District sited on Council land that either have had a lease that is currently long-expired or have had no lease at all. That is because these particular groups have required additional clarification of historical agreements/arrangements made with each and/or confirmation of the regulations and legalities that apply and/or additional negotiations with the organisation.
- 2.2 This report outlines five existing Motueka Community group occupations as well as one fully new occupation.
- 2.3 All six groups' leases are sited on Council land "Held in Fee Simple" – not reserve land. This makes the lease renewal process straight forward as it is regulated by the Local Government Act 2002 Section 12(2) - requiring no public notification process.
- 2.4 The five long-term existing occupation groups have considerable histories within Motueka and have served their part of the community well for many years. Council staff propose that each of these five groups - as well as the one new group be offered five-year term leases.
- 2.5 The one new proposed tenant (Motueka Community Development Trust) is considered by Council Staff to be a well-funded and well organised new community group serving a significant need for Motueka youth.
- 2.6 Following the Board's feedback on these proposed leases, the Property Services Manager - who is delegated to approve the leasing of Council Property, will take the Board's feedback into consideration prior to making final decisions regarding each lease.

### 3. Recommendation/s / Ngā Tūtohunga

**That the Motueka Community Board**

1. receives the Further Community Lease Renewals for the Motueka Ward RMCB24-06-1; and
2. notes that the Property Services Manager - who is delegated to approve the leasing of Council Property – intends to grant new five-year tenancies to the organisations listed below pursuant to any special clauses/conditions as described in paragraphs 4.8 through 4.14 of the agenda report, and noting that these groups' occupations do not require public notification:
  - a) Motueka Community Development Trust – Lease offered pursuant to Sec 12(2) of the Local Government Act 2002. Title: NL4A1273. Legal Description: Pt Lot 1 DP 8862. Land classified as: Held in Fee Simple; and
  - b) Motueka Highland Pipe Band Incorporated & Motueka District Brass Incorporated - Lease offered pursuant to Sec 12(2) of the Local Government Act 2002. Title: NL4A1273. Legal Description: Pt Lot 1 DP 8862. Land classified as: Held in Fee Simple; and
  - c) Motueka Army Cadets - Lease offered pursuant to Sec 12(2) of the Local Government Act 2002. Title: NL4A1273. Legal Description: Pt Lot 1 DP 8862. Land classified as: Held in Fee Simple. Public Notification not required; and
  - d) Motueka Community Gardens Trust - Lease offered pursuant to Sec 12(2) of the Local Government Act 2002. Title: NL13B/431. Legal Description: Lot 1 Deposited Plan 20082. Land classified as: Held in Fee Simple; and
  - e) Motueka Association Football Club Incorporated, Motueka Cricket Club Incorporated and Motueka Athletics Club - Lease offered pursuant to Sec 12(2) of the Local Government Act 2002. Title: NL3C/189. Legal Description: Part Lot 33 Deposited Plan 1599. Held in Fee Simple; and
  - f) Senionet Motueka Incorporated and Motueka District Toy Library Incorporated - Lease offered pursuant to Sec 12 (2) of the Local Government Act 2002. Title: NL3C/189. Legal Description: Part Lot 33 Deposited Plan 1599. Land Classified as: Held in Fee Simple.

### 4. Background / Horopaki

- 4.1 The Council's Property Services Team manages a portfolio of around 100 community leases and licences. It is quite a varied list of groups with each providing its own range of benefits to the residents of and visitors to our region. There are also a few organisations however, that have either never signed occupation documents or have not signed documents for many years due to various complexities.
- 4.2 Five of the six Community groups listed in 4.8 have resided at their locations (Council owned land) for anywhere from fifteen years to nearly thirty years. These groups have served their members and thereby the local community all these years. For these reasons, Council staff feel that providing that all these groups agree to the terms and conditions drafted for them in their Council occupation documents and are willing to sign them, there is then no obvious reason why their occupations should not continue.

- 4.3 The one group in 4.8 that would be a new tenant on Council land is the Motueka Community Development Trust. It has been a registered charity since the 12 of April 2023 but had successfully applied for funding from the Lotteries Commission back in 2021. This group's mission is to provide a safe and secure focal point for Motueka youth that supports their development and wellbeing through creating connections to service providers and support organisations that meet their needs. It wishes to secure a Council Community Lease and operate from what is now called: "Weka House" (formerly "Motu Weka Neighbourhood Centre" - adjacent to and on the site of the Motueka Recreation Centre).
- 4.4 All six of these lease sites are on Council land classified as: Held in Fee Simple. None are on Reserve Land. Therefore, all of these leases are governed by the Local Government Act 2002 – Section 12 (2) and as such, no public notification is required, albeit, the Board could recommend that staff undertake Public Notice. However, as five of these uses are long-standing and not changing - and the one new tenancy organisation is somewhat similar in purpose to the original use/purpose of that building, Public Notice is not considered necessary.
- 4.5 The Council's standard occupation documents clearly outline the obligations of both the community group and Council and their respective responsibilities regarding various possible leasing issues, thus lessening the likelihood of misunderstandings.
- 4.6 Also standard are the five-year terms for community groups' occupations. Five years ensures at least that amount of staff interaction/updating with each group with a balance between ensuring groups are continuing to serve the community and allowing security for those who continue to use Council property at the standard nominal fee which is currently \$300 per year until 30 June 2024.
- 4.7 Following the Board's feedback on the leases within this report, the Property Services Manager will take the Board's feedback into consideration and then make a final decision regarding granting each of the leases. The Property Services Manager is delegated to approve the leasing of Council Property.
- 4.8 The groups requiring new leases are:
- a. Motueka Community Development Trust**
    - Located at 30 Old Wharf Road – at the Motueka Recreation Centre
    - Council owns this building
    - Title: NL4A1273
    - Land Classification: Council Land Held in Fee Simple therefore not subject to Reserves Act 1977
    - Legislation allowing Council to offer lease here: Local Government Act Section 12(2) - therefore no need for public notification process
    - This is a new prospective tenant for a Council building and land – no current lease exists
  
  - b. Motueka Highland Pipe Band Inc and Motueka District Brass Inc**
    - Located at 30 Old Wharf Road – at the Motueka Recreation Centre
    - These two groups own their building
    - Title: NL4A1273
    - Land Classification: Council Land Held in Fee Simple therefore not subject to Reserves Act 1977
    - Legislation allowing Council to offer lease here: Local Government Act Section 12(2) -

- therefore no need for public notification process
- Current lease expired

**c. Cadet Corps Association of New Zealand Trust T/A Motueka Army Cadets**

- Located at 30 Old Wharf Road – at the Motueka Recreation Centre
- Council owns this building – Cadets own the adjacent storage container
- Title: NL4A1273
- Land Classification: Council Land Held in Fee Simple therefore not subject to Reserves Act 1977
- Legislation allowing Council to offer lease here: Local Government Act Section 12(2) - therefore no need for public notification process
- No Lease exists here – albeit this group has occupied this site for many years

**d. Motueka Community Gardens Trust**

- Located at 33 Old Wharf Road – on former “Clean Tip” site
- No permanent buildings exist here
- Title: NL13B/431
- Land Classification: Council Land Held in Fee Simple therefore not subject to Reserves Act 1977
- Legislation allowing Council to offer lease here: Local Government Act Section 12(2) - therefore no need for public notification process
- Current lease expired

**e. Motueka Association Football Club Inc /Motueka Cricket Club Inc/Motueka Athletics Club Inc**

- Located at Memorial Park - this land is owned exclusively by Council
- Building owned by the clubs
- Title: NL3C/189
- Land Classification: Council Land Held in Fee Simple (Public Park Land – under Local Government Act 2002) - therefore not subject to Reserves Act 1977
- Legislation allowing Council to offer lease here: Local Government Act Section 12(2) - therefore no need for public notification process
- No lease exists here – albeit this group has occupied this site for many years

**f. Seniornet Motueka Incorporated and Motueka District Toy Library Incorporated**

- Located at Memorial Park - this land is owned exclusively by Council
- Building owned by the clubs
- Title: NL3C/189
- Land Classification: Council Land Held in Fee Simple (Public Park Land – under Local Government Act 2002) - therefore not subject to Reserves Act 1977
- Legislation allowing Council to offer lease here: Local Government Act Section 12(2) - therefore no need for public notification process
- Current lease expired

- 4.9 **Motueka Community Development Trust (MCDT)** – This is a relatively new organisation requesting a first-time Council Community Lease for the building currently referred to as:

“Weka House” on the Motueka Recreation Centre site (it is the former “Motu Weka Neighbourhood Centre”).

This group offers emotional, skills training and referral support for Motueka youth and intends to use this Council owned building as a youth hub for these services and support. Since the building was originally used as a centre to support young children – the use of the building will not be changing much as it would become a centre to support teenagers under these new tenants. MCDT successfully applied for substantial funding from the Lotteries Commission back in 2021 and would be maintaining the building moving forward. The building was used by Sport Tasman for a dozen or so years after the Motu Weka Childcare Centre ceased to operate. Sport Tasman has now relinquished any ownership claim to this building.

This land does not fall under any reserves or parks management plan. It is Council land “Held in Fee Simple” and therefore does not require any Public Notification procedures.

- 4.10 **Motueka Highland Pipe Band Inc and Motueka District Brass Inc** – This building was built and funding undertaken by the two groups during the 1990’s. It is owned by them. The building is two halls – one for each band - with a shared kitchen in the middle.

This land does not fall under any reserves or parks management plan. It is Council land “Held in Fee Simple” and therefore does not require any Public Notification procedures.

- 4.11 **Cadet Corps Association of New Zealand Trust T/A Motueka Army Cadets** – Council had this custom \$30,000+ Skyline building built specifically for the Cadets after relocating them from the Thorp Bush/Te Maatu former Scout buildings (now part of Imagine Theatre). Thus, Council owns this building.

The former committee members here did not ever sign lease documents. New committee members have recently met with Council Staff and have stated they want to sign a lease. To ensure a lease will in fact this time be signed - a ‘Special Clause’ is to be added to this lease stating that the Cadets are to sign the lease documents and return them to Council no later than 30 August 2024 – otherwise they forfeit their site and must move out by 30 September 2024.

This land does not fall under any reserves or parks management plan. It is Council land “Held in Fee Simple” and therefore does not require any Public Notification procedures.

- 4.12 **Motueka Community Gardens Trust** – Council was contacted regarding some members of the Motueka community wishing to develop a community gardens at the present site sometime prior to August 2010. Due to the fact that this was originally a “clean tip site” Council Staff have always been concerned about possible soil contamination here with gardeners growing consumables. Thus, a Council report dated 1 August 2010 was compiled by Council Staff Member Jenny Easton – this showed the results of some test-pit soil samples taken at the site and sent to Hill Laboratories in Auckland. The tests all came back satisfactory for growing consumable vegetables up to the boundary line of just north of the Wattle tree. However, approval was not given for the planting of any consumable producing trees at the site - due to the extensive root systems of trees and the known hotspots of contaminants around the Wattle tree and sporadic other sites – most particularly immediately at and further south of the Wattle tree. Also discussed and agreed was that the planting beds were to be raised and no buildings were to be built on the site. A formal proposal letter for this community garden was received by Council on 17 September 2010, with the first lease being signed and dated as of 19 September of 2010.



- 4.12.1 On 4 March 2013 the Motueka Community Garden Board asked permission in writing – after the fact (they had already built some sheds onsite) – to add a tunnel house and three sheds onto the site. Council staff has now retrospectively approved the existing five sheds – but stated that there are to be no more built there - fullstop.
- 4.12.2 In April 2013 TDC Staff member (and Motueka Community Garden Trust Member) Rob Francis wrote an email to the Motueka Community Garden Trust Board that included five bullet points of regulations – to remind them of the organisation’s obligations per their lease agreement to which they were not entirely adhering:
- (1) No garden cultivation will take place within 10 metres of the wattle tree that sits on the south side of the garden and
  - (2) Garden users will be encouraged to build and garden in raised beds.
- (Three more bullet points were written in regards to the tunnel house ventilation, gravel to be laid around a manhole on the site and discussing possible grazing of the land just south of the garden border.)
- 4.12.3 This group is mentioned in the Motueka Reserve Management Plan 2019 with future lease directives offered as follows:
- 1 *Continue to allow the Motueka Community Gardens Trust to use the 0.4 ha area of land in accordance with the terms and conditions of a new five-year license to occupy, requiring the Trust to maintain the grounds and structures at their expense (see Appendix 3, Table B).*
  - 2 *Ensure that all vegetables are only grown in raised beds, filled with imported and non-contaminated soil/compost, in order to protect human health. This should be included as a condition of any license to occupy the land.*
  - 3 *Ensure that any license to occupy the land includes the requirement to avoid planting fruit or vegetables in mapped locations known to be potentially hazardous to human health.*

**NOTE: For all Special Conditions recommended by Council Staff for this lease, refer to: Attachment A – Motueka Community Garden Trust – Special Conditions of Lease**

- 4.13 **Motueka Association Football Club Inc /Motueka Cricket Club Inc/Motueka Athletics Club Inc** - The building here is owned by the above clubs having been funded via various grants, including a large one from Council back in 1986. The last lease here was relinquished some years ago – due to the clubs experiencing financial difficulties. More recently, the groups have been reorganising themselves – which efforts, they indicate, are showing better financial stability and thus they wish to sign a new lease agreement now. The Football Club has the strongest membership here.

The two main sports clubs’ seasons – football & cricket overlap a bit and that sometimes causes some discomfort between the two. But they claim to be working that out these days.

- 4.13.1 Note that the building has been broken into and vandalised on more than one occasion recently. The clubs want to apply for funding to tidy up the building a bit and make it a bit more secure. Hence the need for a lease to apply for funding. Council Staff recommend a deadline – similar to the one suggested for the Cadet Unit - be included in this lease as well, giving them until 30 August for all three groups to sign.

The original Sports Pavilion Association (as these groups originally incorporated

themselves) is mentioned in the Memorial Park Management Plan. The plan does not specify any future policies for these clubs or their building. It does state generally that any new buildings should be placed in the part of Memorial Park west of this building - but ideally no new structures are to be built, and the open space is to be preserved.

**4.14 Seniornet Motueka Incorporated and Motueka District Toy Library Incorporated -**

These two groups joined forces in 2004 via an unincorporated joint venture they call: Learning for Life Joint Venture. Through this arrangement the two groups were able to fundraise and build the building they currently both occupy and continue to share all costs and expenditures – making these two groups the owners of this building. These groups are not mentioned in the Memorial Park Management Plan as they built their building on the site after the Management Plan was written. However, a letter dated 6 October 2003 from Lloyd Kennedy, Council’s Community Services Manager at the time, shows that amendments to the Memorial Park Management Plan were adopted by the Community Services Committee “predominantly to provide for the construction of a building on the former Rubber Bowling Green for use by Seniornet and Motueka Toy Library”.

As this land is not reserve land and as it is governed under the Local Government Act 2002 – there is no need to Publicly Notify regarding issuing a new lease.

**5. Analysis and Advice / Tātaritanga me ngā tohutohu**

- 5.1 That the Community Board be notified of the desired renewal of any community group occupation agreements where the groups are sited on Council land – particularly Public Park Land or Reserve Land to attain the Boards’ feedback on such.
- 5.2 Five of the six groups listed in 4.8 have resided at their Council owned land sites for decades. They have served their members during those years with no serious complaints from the public at large thus presenting no obvious reason why their occupations should not continue providing they are all willing to agree to and sign the Council occupation documents drafted for them.
- 5.3 The one new proposed tenant (Motueka Community development Trust) is considered by Council Staff to be a well-funded and well organised new community group serving a significant need for Motueka youth.
- 5.4 The desired action is for the Motueka Community Board to support the Property Services Manager’s intentions to offer new five-year leases to the six groups listed in clause 4.8 – thus enabling the respective groups to continue their community work without interruption.

**6. Options / Kōwhiringa**

- 6.1 The options are outlined in the following table:

Option		Advantage	Disadvantage
1.	Renewal of all Leases	This option allows the Council to have consistent lease terms and legal occupations of the sites This also ensures all parties understand their risks and obligations.	Other than staff time and effort, there is no disadvantage – providing all the groups agree to the document terms and are willing to sign them.
2.	Renewal of only some leases	This option would see only some leases renewed. Board members may have pertinent information affecting potential renewals. The Committee would then request that Council staff further investigate any leases not recommended for renewal. This option is not recommended unless the Board is aware of issues.	This option could be interpreted as Council exhibiting favouritism of one group over another. (Unless some groups refuse the terms and conditions and refuse to sign the documents).
3.	Do not renew any leases	This would make the groups continue their occupations under the 'hold-over' clause in their expired leases. Advantage is no action required at all.	This is not recommended as groups would be nervous that their occupations could be terminated per their lease terms with just a month's notice at any time.

Option one is recommended.

## 7. Legal / Ngā ture

- 7.1 Five of these six occupations have been in place for a reasonably long period of time. They do not meaningfully interfere with the public's access to the relevant land. The sixth new tenant occupation is not considered by Council Staff to be a meaningful change of use of the Council owned building.
- 7.2 Further, as these occupations are being presented to the Motueka Community Board for consideration, it is not considered necessary to additionally undertake a formal public consultation process (which would add considerable complexity and additional cost to the lease/licence process).

## 8. Iwi Engagement / Whakawhitihiti ā-Hapori Māori

- 8.1 No engagement with Iwi has taken place or is proposed as five of the six groups have occupied their sites for more than ten years – and the sixth group operates to benefit all youth in Motueka – which is relatively similar to the original use of the building.

**9. Significance and Engagement / Hiranga me te Whakawhitiwhiti ā-Hapori Whānui**

9.1

	<b>Issue</b>	<b>Level of Significance</b>	<b>Explanation of Assessment</b>
1.	Is there a high level of public interest, or is decision likely to be controversial?	LOW TO MODERATE	Five of the six groups have occupied their locations for many decades with no serious complaints from the public – the sixth group’s new tenancy is not considered a meaningful change of building use – thus we anticipate no community concerns.
2.	Are there impacts on the social, economic, environmental or cultural aspects of well-being of the community in the present or future?	LOW	If some of these occupations were not approved – the loss of amenity to the local community could have negative impact.
3.	Is there a significant impact arising from duration of the effects from the decision?	LOW	Standard occupation duration is five years - causing little to no public concern.
4.	Does the decision relate to a strategic asset? (refer Significance and Engagement Policy for list of strategic assets)	LOW	While several of the sites occupied by these groups would be considered important to local amenity – none would be considered a ‘strategic asset’.
5.	Does the decision create a substantial change in the level of service provided by Council?	LOW	Once a contract is entered into, there is little service interaction required from Council.
6.	Does the proposal, activity or decision substantially affect debt, rates or Council finances in any one year or more of the LTP?	LOW	While there is an annual fee, the purpose is essentially to defray costs of Council staff time rather than to add to Council income.
7.	Does the decision involve the sale of a substantial proportion or controlling interest in a CCO or CCTO?	N/A	There are no sales and no CCO’s or CCTO’s involved in this decision.
8.	Does the proposal or decision involve entry into a private sector partnership or contract to carry out the deliver on any Council group of activities?	N/A	The contracts here are simply to quantify and clarify terms of each tenants’ occupation.
9.	Does the proposal or decision involve Council exiting from or entering into a group of activities?	LOW	The decision only involves offering legal occupation contracts to community group tenants.

	<b>Issue</b>	<b>Level of Significance</b>	<b>Explanation of Assessment</b>
10.	Does the proposal require particular consideration of the obligations of Te Mana O Te Wai (TMOTW) relating to freshwater and Affordable Waters services?	N/A	Water supply/use is not really a factor with the five previously existing occupation contracts nor with the one new proposed occupation.

#### **10. Communication / Whakawhitiwhiti Kōrero**

- 10.1 Each of these groups has been notified of their obligation to enter into a lease for their use of Council owned land and/or building(s) and informed that a five-year lease document is in discussion for them.
- 10.2 All the groups have expressed appreciation that their occupations are proposed to be formalised. That is the extent of the communications.

#### **11. Financial or Budgetary Implications / Ngā Ritenga ā-Pūtea**

- 11.1 Council's current annual Community Leases rental fee is \$300 (\$25 a month). The proposed new fee (yet to be confirmed) for the 2024/2025 fiscal year is \$345 per annum. The annual fee is the same for both land only community rentals as well as for community leases for land plus a building(s).
- 11.2 The intention for the fee here is to defray the costs of Council staff time – not to significantly add to Council's income.
- 11.3 The enrichment in lifestyle and mental/emotional health that these groups add to our region are strongly felt to out-weigh the monetary costs to Council.

#### **12. Risks / Ngā Tūraru**

- 12.1 Council staff are of the opinion that offering these occupation leases holds little to no risk to Council. Five of these six groups have been operating from their same Council owned sites for well over ten years. There has been no public controversy, nor any complaints received during that time.
- 12.2 The sixth group – a new Council tenancy – has been formed following a youth needs assessment undertaken by Vision Motueka over the years of 2016-18 and is well funded. This group is dedicated to benefitting the youth of Motueka - which is a relatively similar use to the original use of the building they intend to lease. Thus, Council Staff see little to no risk regarding this group either.

#### **13. Climate Change Considerations / Whakaaro Whakaaweawe Āhuarangi**

- 13.1 The site occupations in this report were considered by staff in accordance with the process set out in the Council's Climate Change Consideration Guide 2022. The offering of new five-year leases for these sites will not impact on Council's carbon footprint or increase

production of greenhouse gases. The usage of all six sites will be remaining essentially the same as they have for over the past 10 to 20 years.

- 13.2 Climate change will likely have little effect on these organisations and their buildings. The locations and buildings these groups occupy are not known to be flood-prone.
- 13.3 New five-year leases for these community group occupations aligns with the Council’s and Government’s Climate Change plans in that having these community support and activity groups situated locally reduces the need for long-distance travel and thus vehicle emissions.

**14. Alignment with Policy and Strategic Plans / Te Hangai ki ngā aupapa Here me ngā Mahere Rautaki Tūraru**

- 14.1 None of these proposed new leases are located on Reserve Land, thus they are not required to be contemplated in the Motueka Reserve Management Plan. However, these occupations are considered to be consistent with the Tasman District Council Reserves General Policy.
- 14.2 As the land under the Motueka Football Club/Cricket Club/Athletics Club (the “Sports Pavilion”) is considered a “Public Park” under the Local Government Act 2002, and as the building has existed for several decades, these clubs and their building are mentioned in the Memorial Park Management Plan 1997.
- 14.3 Also considered “Public Park Land” under the Local Government Act 2002 is the land in use by the Motueka Community Gardens Trust. Thus, this group’s occupancy is included in the Motueka Reserve Management Plan 2019.

**15. Conclusion / Kupu Whakatepe**

- 15.1 The staff recommendation is that following the Motueka Community Board’s submission of feedback regarding the six leases in this report, that the Board then supports the Property Services Manager – who is delegated to approve the leasing of Council Property – with their final decisions on these new leases.

**16. Next Steps and Timeline / Ngā Mahi Whai Ake**

- 16.1 The Motueka Community Board offers feedback and confirms its support or otherwise for the leases to be offered for a term of five years.
- 16.2 The Property Services Manager will consider the Motueka Community Board’s view and decide whether to proceed with offering the leases.
- 16.3 Once the Property Services Manager has made their decisions, the community groups will be notified accordingly. If the decision is to renew the leases these will be done in consultation with the community groups, including the documentation, and any other pertinent details. This work is anticipated to occur sometime in July 2024.
- 16.4 The leases will then be finalised and signed by each of the community groups followed by Council’s signing of each under delegation.

**17. Attachments / Tuhinga tāpiri**

- 1. [Attachment A - Motueka Community Garden Trust - Special Conditions of Lease](#) 16





**ATTACHMENT A –  
MOTUEKA COMMUNITY GARDEN TRUST - SPECIAL CONDITIONS OF LEASE**

- a) The Lessee acknowledges that this site was previously a landfill site and no guarantee can be given that it does not contain material that is potentially hazardous to human health.
- b) All planting is required by the Lessor to be done in raised beds. The raised beds are to be filled with imported and non-contaminated soil/compost.
- c) All planting beds are required to be lined with a water-permeable weed mat (root impermeable) at the Lessee's expense. This weed mat is to prevent plant roots from penetrating the existing potentially contaminated soil at the site. Contravention of this requirement will risk termination of this lease.
- d) The term of this lease is One Year with a further One Year – provided that by the last day of the first year from commencement, all garden beds are fully and sufficiently lined with approved root impermeable weed-mat with the circumferential walls of the raised beds measuring a height of a minimum of 150mm. Thereafter, an additional One-year term shall be approved by Council providing all conditions of this lease have been met plus the condition that the Lessee raises all circumferential planting bed walls to a minimum height of 300mm by the last day of the second year from commencement. Thereafter, an additional One-year term shall be approved by Council providing all conditions of this lease have been met plus the condition that the Lessee raises all circumferential planting bed walls to a minimum height of 450mm by the last day of the third year from commencement.
- e) No edibles-producing trees or bushes are to be planted on this site (small edible producing bushes may be planted only in 450mm raised beds) any existing edibles-producing trees and bushes are to be removed.
- f) The raised garden beds are to have a 1200mm wide mowing strip between them.
- g) The Lessor reserves the right to enter the land and mow between the raised beds if the grass is over 200mm long over a 2-week period. The Lessee will be responsible for the Lessor's costs for mowing.
- h) The Lessor reserves the right to enter the land and clear any untidy areas that have been left uncultivated or have become overgrown. The Lessee will be responsible for the Lessor's costs for clearing the land.
- i) No food scraps or rotting vegetables/fruit are to be placed in the compost heaps unless contained in a sealed container.
- j) The existing five structures on the site as indicated by the photographs on page 6 are permitted. No other structures are permitted on this site as per Clause 9.5.
- k) The existing five structures are not to be modified in any way to restrict air flow in them or to make them even slightly airtight – for health and safety purposes due to rising gases from the site.
- l) This Lease is subject to the conditions set out in the Motueka Community Garden Group Proposal letter dated 17 September 2010 (attached and Marked "A").
- m) No planting of any kind is to ever be undertaken within a ten-metre diameter of the Wattle Tree (Acacia genus) which is at the south end of the garden. Contravention of this requirement will risk termination of this lease.
- n) As detailed in the Key Information above the Lessee is responsible for the payment of water charges. Contravention of this requirement will risk termination of this lease.
- o) On signing this Lease all previous Leases including the first Lease dated 30<sup>th</sup> September 2010 are terminated.



**8.2 DISCRETIONARY FUND APPLICATION - MOTUEKA GROUP RIDING FOR THE DISABLED ASSOCIATION INCORPORATED**

**Report To:** Motueka Community Board  
**Meeting Date:** 18 June 2024  
**Report Author:** Emma Gee, Team Leader - Customer Services (Motueka)  
**Report Authorisers:**  
**Report Number:** RMCB24-06-2

**Summary**

- 1.1 One application has been received for the June 2024 round of Discretionary Funding
  - 1.1.1 Motueka Group Riding for the Disabled Association Incorporated - \$441.00
- 1.2 The application complies with the Board guidelines, in Attachment 1.
- 1.3 The application is attached as Attachment 2. The applicants have been asked to attend the meeting to speak to the application.
- 1.4 The Motueka Community Board Discretionary Fund currently has a balance of \$9193.00
- 1.5 If any application is approved, payment will be made to the applicant by direct credit within ten working days of receiving the bank account details.

**That the Motueka Community Board**

- 1. receives the report **Discretionary Fund Application - Motueka Group Riding for the Disabled Association Incorporated RMCB24-06-2**; and
- 2. grants or declines applications as follows:

<b>Applicant</b>	<b>Request</b>	<b>Grant/Decline</b>
<b>Motueka Group Riding for the Disabled Association Incorporated</b>	<b>\$441.00</b>	

**2. Attachments / Tuhinga tāpiri**

1. <a href="#">↓</a>	Board Guidelines	19
2. <a href="#">↓</a>	Motueka RDA	22



## TASMAN DISTRICT COUNCIL POLICY ON COMMUNITY BOARD DISCRETIONARY FUNDS

### POLICY REFERENCES

• Sponsor:	<b>Group Manager Finance - Mike Drummond</b>
• Effective date:	27 April 2023
• Review due:	Five yearly
• Legal compliance:	Council approval of the Policy, which requires to comply with Council's Revenue and Financing Policy
• Associated Documents/References	Tasman District Council Revenue and Financing Policy
• Policy Number	P100
• Approved by Council (If Applicable)	27 April 2023

### 1. Purpose of the Community Boards' Discretionary Funding

Each of the two community boards in Tasman District receive funding from Council through targeted rates. The Boards may use part of the funding as a discretionary fund to allocate funding:

- a) for community projects and initiatives in their Ward that their Community Board considers will benefit their community; and
- b) to support their Community Board functions, including:
  - I. Board members attendance at conferences or training workshops;
  - II. Board advertising and communication;
  - III. Board community surveys;
  - IV. and for Board functions; and
- c) to support youth related activities in their Ward.

### 2. Application

This policy applies to the disbursement of funds from the Motueka and Golden Bay Community Board Discretionary Funds.



### 3. Review of this Policy

This policy may be amended either as part of a five yearly review or where one or both community boards have requested a review and proposed changes to the Policy.

### 4. Generic criteria for the allocation of Discretionary Funds by either the Motueka or the Golden Bay Community Board:

- 4.1 All approved projects and initiatives must contribute to Tasman District Council's Community Outcomes as set out in Council's 10 Year Plan;
- 4.2 Projects need to demonstrate local community support.
- 4.3 Projects must take place within the ward of the Community Board which has allocated funding for the project and demonstrate a clear benefit to that community, including addressing an identified community need.
- 4.4 Discretionary funding will not be provided for:
  - Ongoing operational costs that are not project specific;
  - Costs that cannot be verified with appropriate quotes;
  - Projects that have already been completed.
- 4.5 Funding is for not for individuals, and not to be for a project that is the responsibility of Central Government or other agencies.
- 4.6 Applications must be for a specific project and disclose any other Council funding applied for, e.g., Community Grants.
- 4.7 An organisation may receive only one Discretionary Fund grant a year.
- 4.8 Applications should be made three weeks before the Community Board receiving the application meets to consider funding allocations.
- 4.9 Applicants should provide appropriate financial statements e.g., a statement of financial position (balance sheet) and a statement of financial performance (profit and loss).
- 4.10 Where appropriate (for example a public event), funding applications should be supported by an appropriate Health and Safety Plan. Funds will be allocated through monthly funding rounds. Applicants may be given less funding than they apply for.
- 4.11 Applicants are strongly encouraged to attend the meeting at which applications are considered, in order to speak to their request and answer any questions on the information supplied.
- 4.12 All decisions made by a community board to award funding to an applicant for a project will become public information following the meeting and be included in the minutes of the Board meeting. Applications and supporting information submitted to one of the community boards for funding will be included in an agenda for a meeting of that community board but be subject to the requirements of the Local Government Official Information and Meetings Act 1987 (which may require certain information to not be disclosed as part of a public agenda but distributed separately to Board members - for example financial or commercially sensitive information, personal information).
- 4.13 Funding is to be used only for the purpose approved. Unused funding must be returned to the Board at the termination or completion of the project.













### 8.3 MOTUEKA COMMUNITY BOARD REPORT

Information Only - No Decision Required

<b>Report To:</b>	Motueka Community Board
<b>Meeting Date:</b>	18 June 2024
<b>Report Author:</b>	Terina Graham, Chair
<b>Report Authorisers:</b>	Richard Kirby, Group Manager - Community Infrastructure
<b>Report Number:</b>	RMCB24-06-3

#### 1. Summary / Te Tuhinga Whakarāpoto

1.1 *He ora te whakapiri, he mate te whakatakariri:* There is strength in unity, defeat in division.

#### 2. Recommendation/s / Ngā Tūtohunga

**That the Motueka Community Board**

1. **receives the Motueka Community Board Report RMCB24-06-3**

#### 3. Community Voice

- 3.1 Meeting held with representatives on Friday 17 May to share issues and ideas.
- 3.2 Chair undergoing information gathering from those living rough and local youth.
- 3.3 Invitations sent to Ministers with new proposed new meeting date MP Pugh confirmed.

#### 4. Janie Seddon

4.1 Conversations ongoing with staff, Chair to report back at the next meeting.

#### 5. Community Concerns and opportunities

- 5.1 **Community garden** – Council lease will impact non-profit volunteer kai for community plots.
- 5.2 **Trees** – concern raised at April Board meeting re: Oaks on Parker St, affecting residents with excessive leaf drop, roof damage and lack of sunlight – in discussion with residents.
- 5.3 **Trees** - concern raised re: Elm tree in cul-de-sac blocking all day sunlight, affecting resident wellbeing. Several Elms already been removed due to damage to tarmac, sadly wrong trees planted in wrong place in late 1990s – report for board to review next steps.
- 5.4 **Motueka – Kaiteriteri Summer Bus service** – 2024-25 planning for summer bus service to include Motueka stops, with alternative times.
- 5.5 **Enforcement and legal proceedings** – general conversation regarding Council determining level of enforcement conducted on properties, that have received a complaint. Decision process to determine what cases proceed as a legal matter. Is there balance of Council staff working with property owners to remedy opposed to cost to go to court (financial and other).

## 6. Updates from Board

6.1 Any updates?

## 7. Items from Public Forum

7.1 Updates from last meeting.

7.1.1 **Museum plea for storage and fair share of funding** – potential option to relocate the old Laura Ingram Kindergarten building will be included in demolition review.

An alternative temporary solution was proposed from staff to museum (although site is out of Motueka). Funding allocations shared with Board.

7.1.2 **Motueka Harbour and Coastal Works Reserve Fund Policy and Funding Proposals** – concerns with funds being used for consultants and reports, and decisions being made by Council not being brought to Board for early involvement.

Item is tabled to be revisited at Board meeting after Board have workshop with staff.

7.1.3 **Council values** – concerns raised with the importance to ensure all staff role-model Council values, sharing some examples where it is questionable if they are being followed.

Board noting concerns raised regarding ‘Council culture’ and best way to address to support improvements.

7.2 Discussion on items from today’s Public Forum session.

7.3 Communicate outcomes and actions.

## 8. Action List

8.1 The Action List is attached for review, Attachment 1.

## 9. Correspondence

9.1 Correspondence list:

Date	From	Subject
15/05/24	N Hughes (Board Member)	Bribes
16/05/24	N Hughes (Board Member)	LGOIMA request
18/05/24	J & A Garwood	Janie Seddon
20/05/24	N Hughes (Board Member)	Motueka Aerodrome
22/05/24	Motueka RDA	Accountability Form
23/05/24	M Markert	Housing
26/05/24	N Hughes (Board Member)	LGOIMA request
04/06/24	C Budai (TDC)	Public Places Bylaw
04/06/24	S Elkington (TDC)	Proposed Bike Rack High St Motueka
10/06/24	S Kirwan	Ted Reed Reserve playground

**10. Attachments / Tuhinga tāpiri**

1. [↓](#) Action List

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## 8.4 FINANCIAL SUMMARY - PERIOD ENDING 31 MAY 2024

Information Only - No Decision Required

<b>Report To:</b>	Motueka Community Board
<b>Meeting Date:</b>	18 June 2024
<b>Report Author:</b>	Liz Cameron, Assistant Management Accountant
<b>Report Authorisers:</b>	Kurt Clayworth, Management Accountant
<b>Report Number:</b>	RMCB24-06-4

### 1. Summary / Te Tuhinga Whakarāpoto

- 1.1 The financial report for the period ending 31 May 2024 is attached (**Attachment 1**).
- 1.2 The net financial position as at 31 May is a surplus of \$13,209.
- 1.3 There were no Community Board expenses during May.
- 1.4 The net position of the Motueka Community Board's overall funds as at 31 May 2024 is a surplus balance of \$207,256.

### 2. Recommendation/s / Ngā Tūhunga

**That the Motueka Community Board receives the Financial Summary report RMCB24-6-4**

### 3. Attachments / Tuhinga tāpiri

1. [↓](#) Financial Summary

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## 8.5 SPECIAL PROJECTS ACTION LIST

Information Only - No Decision Required

<b>Report To:</b>	Motueka Community Board
<b>Meeting Date:</b>	18 June 2024
<b>Report Author:</b>	Emma Gee, Team Leader - Customer Services (Motueka)
<b>Report Authorisers:</b>	
<b>Report Number:</b>	RMCB24-06-5

### 1. Summary / Te Tuhinga Whakarāpoto

- 1.1 Attached is the Special Projects Action List for the Motueka Community Board to review (**Attachment 1**).
- 1.2 At its 21 May 2024 meeting, the Motueka Community Board agreed to allocate funding to Special Projects 2024-2025 in principle, subject to receiving staff feedback on the scope and feasibility of the projects proposed for funding.
- 1.3 The report to the 21 May 2024 meeting is attached as **Attachment 2**.
- 1.4 Staff feedback is being provided at this meeting and the Board will confirm its final funding allocation for the Special Projects 2024-2025.

### 2. Recommendation/s / Ngā Tūtohunga

That the Motueka Community Board

1. receives the Special Projects Action List RMCB24-06-5 report; and
2. following consideration of staff feedback on the scope and feasibility of the projects proposed for funding, agrees to allocate funding to the following Special Projects 2024-2025:
  - a) Install a table and seating in the Wharepapa Grove Reserve - \$3,000
  - b) Revamp and update the Motueka map outside the iSite building - \$1,500
  - c) Add a nest swing to the playground on Ted Reed Reserve, Riwaka - \$10,000
  - d) Install a picnic table and seating at the northern end of The Kumaras on the foreshore walkway - \$3,000
  - e) Install shade sail over the outdoor gym equipment in Memorial Park - \$18,000
  - f) 2024-2025 Projects
  - g) Physical works towards the restoration of the Historical wharf - \$10,000
  - h) Fix footpath crossing at the intersection of Wratt Street and High Street up to a maximum of \$10,000
  - i) Welcome Sign - 'Motueka' stone-work welcome sign by the Motueka Bridge as you enter from Golden Bay - \$15,000

**j) Concrete pads extension under seating at Motueka River x 2 tables \$5,000**

**3. Attachments / Tuhinga tāpiri**

1. <a href="#">↓</a>	Special Projects Action List	36
2. <a href="#">↓</a>	Special Projects Fund report to 21 May 2024 Motueka Community Board meeting	44























