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**MARLBOROUGH
DISTRICT COUNCIL**



4 December 2020

Record No: 20229446
File Ref: D050-001-02
Ask For: Mike Porter

Notice of Council Meeting – Thursday, 10 December 2020

Notice of the Council Meeting to be held in the Council Chambers, 15 Seymour Street, Blenheim on Thursday, 10 December 2020 to commence at 9.00 am.

BUSINESS

As per Order Paper attached.

**MARK WHEELER
CHIEF EXECUTIVE**



**Order Paper for the
COUNCIL MEETING
to be held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY, 10 DECEMBER 2020 commencing at 9.00 am**

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Marlborough District Council

<p>Order Paper for the COUNCIL MEETING to be held in the Council Chambers, 15 Seymour Street, Blenheim on THURSDAY, 10 DECEMBER 2020 commencing at 9.00 am</p>

1. Karakia

Tēnā koutou, tēnā koutou, tēnā koutou katoa
E te Atua tō mātou Kai-hanga,
ka tiāho te maramatanga me te ora, i āu kupu kōrero,
ka tīmata āu mahi, ka mau te tika me te aroha;
meatia kia ū tonu ki a mātou
tōu aroha i roto i tēnei huihuinga.
Whakakī a matou whakaaro ā mātou mahi katoa,
e tōu Wairua Tapu.
Āmine.

(God our Creator,
when you speak there is light and life,
when you act there is justice and love;
grant that your love may be present in our meeting.
So that what we say and what we do may be filled with your Holy Spirit.
Amen.)

2. Apologies

3. Declaration of Interests

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

4. Minutes

- 4.1 Confirmation of the Minutes of the Council Meeting held on 29 October 2020
(Minute Nos. Cncl-1020-135 to Cncl-1020-144)

**Minutes of a Meeting of the
MARLBOROUGH DISTRICT COUNCIL
held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY 29 OCTOBER 2020 commencing at 9.00 am**

Present

The Mayor J C Leggett (in the Chair), Cllrs J L Andrews, J A Arbuckle, C J Brooks, J D N Croad, B G Dawson, B A Faulks, M J Fitzpatrick, G A Hope, F D Maher, D D Oddie, M A Peters, T P Sowman and N P Taylor.

In Attendance

Messrs M S Wheeler (Chief Executive), A P Quirk (District Secretary), Mr M F Fletcher (Chief Financial Officer) and M J Porter (Democratic Services Manager).

Karakia

The meeting opened with a karakia.

Cncl-1020-135 Declaration of Interests -

Members were reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

A number of declarations were noted in the agenda:

- The various interests as declared under Minute Nos. Cncl-0920-89;
- The interest as declared under Minute No. Env-1020-106 (Information Package);
- The interests as declared under Minute No. PF&C-1020-124 (Minute Nos. PF&C-1020-e-14, PF&C-1020-e-15 and PF&C-1020-e-16); and
- The interests as declared under Minute No. Grnt-1020-122.

Cncl-1020-136 Confirmation of Minutes -

A question was asked in relation to Minute No. Cncl-0920-97 (Blenheim and Picton CBD Parking); the Chief Executive is to follow up and respond.

The Mayor/Cllr Taylor:

That the Minutes of the Council Meeting held on 17 September 2020 (Minute Nos. Cncl-0920-89 to Cncl-0920-97) be taken as read and confirmed.

Carried

Committee Reports

Cncl-1020-137 Assets & Services Committee -

A question was asked in relation to Minute No. A&S-1020-103 (Taylor Pass Road); the Chief Executive is to follow up and respond.

Cllrs Taylor/Fitzpatrick:

That the Committee report contained within Minute Nos. A&S-1020-98 to A&S-1020-105 be received and the recommendations adopted.

Carried

Cncl-1020-138 Environment Committee

-

The Mayor/Clr Hope:

That the Committee report contained within Minute Nos. Env-1020-106 to Env-1020-119 be received and the recommendations adopted.

Carried

Cncl-1020-139 Planning, Finance & Community Committee

-

Cllrs Peters/Croad:

That the Committee report contained within Minute Nos. PF&C-1020-124 to PF&C-1020-134 be received and the recommendations adopted.

Carried

Cncl-1020-140 Grants Sub-committee

-

The Mayor/Clr Sowman:

That the Sub-committee report contained within Minute Nos. Grnt-1020-120 to Grnt-1020-123 be received and the recommendations adopted.

Carried

Cncl-1020-141 Annual Report 2019-20

F275-A19-01

Members noted that the purpose of the report was to adopt the Annual Report for the Marlborough District Council for the financial year ended 30 June 2020. The Annual Report reports the performance of Council against non-financial performance targets and financial forecasts. The final Annual Report was separately attached to the Agenda as was a Summary report.

Members of the Audit & Risk Sub-Committee advised that at the Sub-Committee meeting held yesterday that they had met with Rehan Badar, Associate Audit Director, and received explanation of the audit process and the issues that needed to be worked through during the audit. Rehan also advised that the audit had progressed smoothly.

Members of the Audit & Risk Sub-Committee recommended that the Mayor and Chief Executive sign the proposed letters of Representation for the 2019-20 Annual Report and Summary 2019-20 Annual Report and that Council adopt the 2019-20 Annual Report and Summary 2019-20 Annual Report, as presented without alteration, together with the Auditor's unmodified (except for standard COVID-19 related paragraphs) opinion.

Members acknowledged the considerable effort by the Finance team and other Council staff involved in the process.

The Mayor/Cllr Peters:

That Marlborough District Council's Final Annual Report and Summary Annual Report for the financial year ended 30 June 2020 be adopted subject to receiving the relevant Audit Opinions.

Carried

Cncl-1020-142 MDC Holdings Limited – 2020-21 Statement of Intent (Revised)

S400-004-004-20

Mr Fletcher advised that the purpose of the report was to present the modified MDC Holdings Limited (MDCH) 2020-21 revised Statement of Intent (SOI).

Staff reported that the original MDC Holdings Limited 2020-21 SOI was approved at the 19 March 2020 Planning, Finance & Community Committee meeting. At that time, with the arrival of COVID-19, it was noted

that if there were any significant changes to Port Marlborough Limited's (PML) and or Marlborough Airport Limited's (MAL) performance targets then the Committee would be advised and a revised SOI presented.

Due to the impact of the COVID-19 pandemic MAL has revised its 2021 budget and SOI as it now expects to make a loss in the 2021 year and significantly increase its budgeted borrowing. Also PML's 2021 SCI was endorsed at the MDCH Board meeting on 31 August 2020 and subsequently adopted by the PML Board on 25 September 2020. Historically there has been a six month timing difference between the presentation of the MDCH SOI in March and the equivalent year's SCI for PML. This is because the statutory timing for finalising the Port Company's SCI is not until 30 September each year. This meant that the previous year's PML SCI is usually included in the MDCH SOI. However, as a result of both MAL revising its budget and PML completing its 2021 SCI the MDCH Board have taken the opportunity to include these updates into the modified 2021 MDCH SOI. The performance measures now better reflect the financial and operational expectations for the year ahead. Movements in the level of debt, borrowings of subsidiaries (and Council if required), applicable interest rates and the dividends from subsidiaries are the main contributors to movements in the Company's Income Statement and Statement of Financial Position.

The revised SOI also features new sustainability metrics developed by PML for Employee diversity (gender and age); Fresh water withdrawal (Megalitres); General waste to landfill (Tonnes); and Greenhouse gas Net Emissions Scopes 1+2⁴.

Cllrs Peters/Oddie:

That Council approves the modified 2020-21 Statement of Intent for MDC Holdings Limited.

Carried

Cncl-1020-143 2021 Council Meeting Schedule

D050-001-01

Attached to the Agenda for consideration was the draft schedule of meetings for 2021.

Cllrs Taylor/Brooks:

That the meeting schedule for 2020 be approved.

Carried

Cncl-1020-144 Decision to Conduct Business with the Public Excluded

The Mayor/Cllr Taylor:

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- Confirmation of Public Excluded Minutes
- Committee Reports (Public Excluded Sections)
- Contract Issues

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Minutes and Committee Reports	As set out in the Minutes	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.

Contract Issues	In order to protect the privacy of natural persons, as provided for under Section 7(2)(a).	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.
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Carried

The meeting closed at 10.50 am.

Confirmed this 10th day of December 2020

J C LEGGETT
MAYOR

Record No. 20213784

4. Minutes

- 4.2 Confirmation of the Minutes of the Extraordinary Council Meeting held on 27 November 2020
(Minute Nos. Cncl-1120-191 to Cncl-1120-192)



**Minutes of the
EXTRAORDINARY MEETING of the MARLBOROUGH DISTRICT COUNCIL
held in the Council Chambers, 15 Seymour Street, Blenheim
on FRIDAY 27 NOVEMBER 2020 commencing at 4.30 pm**

Present

The Mayor J C Leggett (in the Chair), Cllrs J L Andrews, J A Arbuckle, C J Brooks, J D N Croad, B A Faulls, M J Fitzpatrick, D D Oddie, M A Peters, T P Sowman and N P Taylor.

Via Zoom

Cllr G A Hope

In Attendance

Mr M S Wheeler (Chief Executive), Ms J A Tito (Manager Parks and Open Spaces), Ms L J Craighead (Parks and Open Spaces Planner) and Mr M J Porter (Democratic Services Manager).

Karakia

The meeting opened with a karakia.

Apologies

The Mayor/Cllr Brooks:

That the apologies for absence from Cllrs B G Dawson and F D Maher be received and sustained.

Carried

Cncl-1120-191 Declaration of Interests

-

Members were reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

Cllr Faulls noted her interest in the item to be discussed.

Cncl-1120-192 Proposed Responsible Camping Control Bylaw 2020

R510-005-15-02

Ms Tito advised that the purpose of the report was for Council to adopt the *Marlborough District Council Responsible Camping Control Bylaw 2020* with effect from 1 December 2020. Following the Annual Plan process of 2019-20, and in consideration of submissions and presentations received by the community from earlier Annual Plans, Council agreed that a review of the *Marlborough District Council Freedom Camping Control Bylaw 2012* would take place from mid-2020.

Ms Tito reported on the background to the review and the process undertaken since Council agreed to the review in 2019. Council engaged a consultant specialising in the parks and recreation sector (co-funded by the Ministry of Business, Innovation and Employment) in 2019 to undertake a review of Responsible Camping in Marlborough (which included a comprehensive assessment of sites (Marlborough District Council Responsible Camping Review - Site Assessments, May 2020) to the *Current Bylaw* and also at some additional sites within the region. The review matrix used in the assessment aligned with the Freedom Camping Act 2011 (Part 2, section 11(2)(a)(i), (ii) and (iii)) to ensure that responsible camping sites in the Bylaw would meet the three provisions: to protect the area; to protect the health and safety of people who may visit the area; and to protect access to the area.

At the Council meeting of 6 August 2020, Council approved public notification of the *Marlborough District Council Freedom Camping Control Bylaw 2020* and the notification period was set from 7 August 2020 to 7

September 2020. A *Revised Statement of Proposal for Marlborough District Council Freedom Camping Control Bylaw* and the proposed *Marlborough District Council Freedom Camping Control Bylaw 2020* were developed as the review documents to support the public notification process. Council received 350 submissions to the Bylaw Review from the Marlborough community and outside of the district including national camping organisations and holiday park owners. The Freedom Camping Sub-Committee heard 49 submissions over three days from 14 to 16 September 2020. The Decision Report of the Hearings Panel was appended to the agenda (and the schedule as noted in the Decision Report was circulated separately [and was also placed on Council's website]).

It was further reported that a fundamental change introduced through the *Proposed Statement of Review* to the *Current Bylaw* was the move to be a self-contained vehicle region only. The agenda report covered all other changes in detail.

During discussions Cllr Brooks proposed the following amendment, however it was lost.

Cllrs Brooks/Taylor:

That the clause "*There is to be no washing hung outside of the van and there is to be no cooking in the car parking spaces*" is to be added to the conditions under 3. Renwick Domain Carpark.

Lost on a show of hands 4 to 6

No other amendments to the bylaw were proposed. Members agreed that the bylaw was a bold statement and that members of the Marlborough community were listened to.

Cllrs Oddie/Sowman:

1. **That Council approve the change to the name of the Marlborough District Council Bylaw on Freedom Camping and Control to the *Marlborough District Responsible Camping Control Bylaw 2020*.**
2. **That the *Marlborough District Council Responsible Camping Control Bylaw 2020* be adopted effective 1 December 2020.**

Carried unanimously

NB: Cllr Faulls declared an interest in the above and did not take part in discussions nor vote on the issue.

The meeting closed at 5.03 pm.

Confirmed this 10th day of December 2020

J C LEGGETT
MAYOR

Record No. 20226192

5. Committee Reports

5.1 Assets & Services Committee

Assets & Services Committee Meeting held on 12 November 2020
(Minute Nos. A&S-1120-145 to A&S-1120-161)



**Report and Minutes of a Meeting of the
ASSETS & SERVICES COMMITTEE
held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY 12 NOVEMBER 2020 commencing at 9.00 am**

Present

Cllrs N P Taylor (Chairperson), M J Fitzpatrick (Deputy), J L Andrews, C J Brooks, B G Dawson, F D Maher, M A Peters, Mayor J C Leggett,

Also Present

Cllrs J A Arbuckle, D D Oddie, B A Faulls and T P Sowman

In Attendance

Mr Richard Coningham (Manager Assets & Services Department), Mr Jamie Lyall (Manager Property and Community Facilities) and Ms Nicole Chauval (Committee Secretary).

Apologies

Cllrs Brooks/Andrews

That the apology for absence from Mr R Hunter (iwi representative) be received and sustained and the apology for non-attendance from Cllr J D N Croad be noted.

Carried

A&S-1120-145 Declaration of Interests

-

Cllr Faulls declared an interest in Item 7 – Annual Plan Submission – Main Road, Havelock.

Mr Leighton Neal, Council's SVIS Operator/Water Treatment Operator, was presented with his Water Treatment Certificate and acknowledgement from the course supervisor.

ATTENDANCE: Luke van Velthooven (Chairperson Marlborough Stadium Trust), Mathew Kerr (Treasurer) and Bridget Taylor (General Manager) were present for the following item.

A&S-1120-146 Marlborough Stadium Trust – Annual Report

R300-001-04

Mr Lyall reported that the purpose of the report was to provide a copy of the Marlborough Stadium Trust's audited annual accounts and a report on its activities for the past financial year (both appended to the agenda), pursuant to the Funding Deed the Trust has with Council.

Luke van Velthooven and Matt Kerr presented the Marlborough Stadium Trust's Annual and Financial Report and provided an update. Members noted the appointment of Bridget Taylor (present in the public gallery) as General Manager to the Stadium.

The Marlborough Stadium Trust – Twelve Year Trends graph was circulated to members and is filed in CM Record No. 20227870

Cllrs Peters/Brooks:

That the Marlborough Stadium Trust's Annual Report and financial accounts for the year ended 30 June 2020 be received.

Carried

ATTENDANCE: Ms Annie McDonald, Council's Education Officer, was present for the following item.

A&S-1120-147 Enviro Schools

E340-001-001-01

Annie McDonald provided a presentation on Enviroschools programmes in Marlborough (presentation filed in CM: Record No. 20227233).

Cllrs Taylor/Andrews:
That the information be received
Carried

ATTENDANCE: Ms Jane Tito, Council's Manager Parks and Open Spaces, was present for the following item.

A&S-1120-148 Land Subdivision Account 2020/21

R510-021-02

Ms Tito advised that the purpose of the report was to seek approval of the discussion held at the Land Subdivision Workshop on Friday 2 October 2020 and to seek approval of \$3,214,087 from the Land Subdivision Account for the identified and agreed projects.

Members noted that prior to the workshop, Council were provided a list of 30 proposed capital projects, which complied with the Land Subdivision Account criteria, for funding from the Land Subdivision Account for the 2020/21 financial year. At the workshop, Councillors agreed to support the identified projects with two projects (Pollard Park and London Quay) requiring further reports to the Assets and Services Committee in the coming months.

The working balance for the 2020/21 year of the Land Subdivision Account is \$3,581,885. Staff prepared a list of projects for funding that totalled \$3,301,087 (appendix 5.1 of the agenda refers). Staff had provided updated figures during the workshop that reduced the amount to \$3,214,087.

A query regarding shade sails at playgrounds was raised. Staff advised that these are already funded separately.

Cllrs Brooks/Andrews:

- 1. That Council approve the Report of the Land Subdivision Workshop held on Friday 2 October 2020.**
- 2. That Council approve the budget of \$3,214,087 from the Land Subdivision Account for the agreed projects.**

Carried

A&S-1120-149 Parking for Construction Tradespersons

R800-002-01

Mr Lyall advised that the purpose of the report was to seek Council approval to temporarily provide the Fire Station carpark for parking of trade vehicles associated with the construction of the new Library - Art Gallery in High Street, Blenheim.

In summary Mr Lyall reported that the construction of the Blenheim Library and Art Gallery has commenced and the head contractor has requested that a dedicated parking area for tradespersons vehicles be provided in close proximity to the site. The construction site is very constrained and unable to accept contractor vehicles parking on site.

The carpark adjacent to the Fire Station has approximately 30 parking spaces, is currently not metered and is predominantly used by all day parkers working within the CBD. It is an anomaly that this car park has not been metered and the only justifiable reason is that it was identified as a site for an iconic building and associated landscaping in the Blenheim Town Centre - Growing Marlborough strategy. The Wynen (all-day) and High Street (four hour) carparks adjacent to the construction site are critical high use parking areas for both shoppers and commuters. It is suggested that it would not be appropriate if these car parks were dominated with trade vehicles.

Staff proposed that a suitable option could be to provide a dedicated area for tradespersons vehicles in the car park adjacent to the Fire Station. This parking area would be fenced accordingly and managed by the head contractor for the duration of the contract. It is suggested that a lease for parking be put in place for the duration of the construction contract. This proposal has been discussed with Marlborough Roads with no areas of concern identified.

During debate on this issue it was queried whether the City Hotel site could be used for parking the trade vehicles, staff noted that the head contractor had advised that there was no room on that site for parking. It was further noted that as this was not a time critical issue, in that this parking would not be required until the New Year, that further work on the detail of the request could be undertaken by staff. Included in this detail should be the effect on CBD parking, the effect on Wynen Street, the look of the site (including fencing) etc. The Mayor proposed that the report lie on the table to enable staff to provide further detail on the request.

The Mayor/Clr Taylor:

That the report lie on the table to enable staff to provide further detail on the parking requirements to be supplied.

Carried on a show of hands 5 to 3

A&S-1120-150 Annual Plan Submission – Main Road Havelock PN530455#05, PN154245#05

Mr Lyall reported that the purpose of the report was to provide information in response to a 2020-21 Annual Plan joint submission from the Havelock Museum and the Havelock Menz Shed for Council to purchase the property at 76 Main Road Havelock. Both organisations hold the view that the site could be valuable to future expansion of their operations. The site is bound by residential access legs on both the north and south sides.

The site is for sale for \$360,000 plus GST and would require substantial development costs for demolition and removal of derelict buildings and forming of a car park. The property is zoned Business 1 and has an unverified HAIL (Hazardous Activities Industries List) notation attached to it. The cost to transform the site from its current state to a carpark and Museum display area is estimated at approximately \$200,000 plus GST.

The five year plan for the Havelock Museum is to convert their current storage building to a display/exhibition area and expand their foot-print at the rear of the existing building for additional storage. The Havelock Museum has funds of approximately \$60,000 in their accounts. The Menz Shed currently has a lease with Port Marlborough NZ until 2025 with rental costs and power covered by Port Marlborough. The Menz Shed has funds of approximately \$1,700 in its accounts. Additional car parking supply has been assessed as only required in peak periods for Havelock's retail area and the proposed carpark area is a distance of 270 metres from the heart of Havelock. Other options are being explored for providing additional car parking on the Main Road.

Mr Lyall further reported that for Council to consider the purchase as strategic for the wider Havelock Community a business case would be required outlining the advantages and disadvantages of a Council investment of approximately \$560,000 plus GST. The submission did not promote any other funding mechanisms/options for the property purchase or the required site works.

Members noted that whilst the Annual Plan submission was compelling, any purchase needs to be based on strategic purposes. Members agreed that further investigation by staff was required (noting that no decision had been made whether to support or decline the proposal), with staff to bring a business case, including information on a potential source of funding, back to this Committee.

Clrs Maher/Brooks:

That staff further investigate the request and provide a business case including information on a potential source of funding and provide a report back to the Assets & Services Committee.

Carried

NB: Clr Faulls declared an interest in the above and did not take part in discussions nor vote on the issue.

ATTENDANCE: Ms Linda Craighead, Council's Planner Parks and Open Spaces, was present for the following item.

A&S-1120-151 Victoria Domain Reserve Management Plan
R510-014-017-01

Ms Craighead reported that the purpose of the report was to establish a hearings panel to consider and make decisions on submissions received to the draft Victoria Domain Reserve Management Plan. The draft Victoria Domain Reserve Management Plan is currently in its public submission phase as is required by the Reserves Act 1977. Submissions close on 15 January 2021 with a hearing likely to be held in early February. A Hearings Panel is required to be established to hear and decide on submissions received.

The Mayor/Cllrs Andrews:

That Council appoint Councillors Brooks (Chair), Fitzpatrick and Taylor to consider and make decisions on submissions received to the draft Victoria Domain Reserve Management Plan.

Carried

ATTENDANCE: Mr David Craig, Council's Finance and Information Supervisor, was present for the following item.

A&S-1120-152 Financial Report for Period Ended 30 September 2020
F275-001-02

Mr Craig reported that the purpose of the report was to give Council an overview of Departmental revenue and expenditure variations to budget, for the accounting period from July to September 2020.

In summary Mr Craig reported that a first quarter operating deficit of \$1.06 million has resulted, which is unfavourable to budget by \$1.3 million. Revenues have been adversely impacted by roading subsidies related to the timing of the capital expenditure programme and also the delayed invoicing of trade waste charges, while a fee review process has been undertaken. Operating expenditures are favourable to budget due to the timing of grant payments for COVID Community Support and the Whale Trail and a low emergency reinstatement spend to date. Capital expenditure for the reporting period was \$9.7 million of the \$112 million budgeted for the 2020/21 year. A number of large projects including the Blenheim sewer network upgrade (\$13.4 million), Lansdowne Park Sports Hub (\$4.5 million) and Regional Landfill stage 8 development (\$3.2 million) are underway. Work is continuing to progress other major projects as well as many smaller projects.

Cllr Peters/The Mayor:

That the information be received.

Carried

A&S-1120-153 Valediction – David Craig -

The meeting departed from the agenda to acknowledge David Craig's 40 continuous years of service to local government in Marlborough (starting with the Picton Borough Council in 1980) and his pending departure.

The valediction was introduced by the Mayor, with other Councillors and Mr Coningham also speaking. Mr Craig replied.

ATTENDANCE: The meeting adjourned at 10.36 am and resumed at 10.49am

ATTENDANCE: Mr Steve Murrin, Marlborough Roads Manager, was present for the following item.

A&S-1120-154 Northbank Road Seal Extension **R800-006-11**

Mr Murrin advised that the purpose of the report was to provide information in response to a 2020-21 Annual Plan submission from Brent Dillon to extend the seal on the Northbank Road by approximately 6km.

Mr Murrin reported that capital costs to seal the road are around \$1.8M. This project is unlikely to attract NZTA subsidy therefore would need to be funded from targeted rates. The road is heavily used by forestry traffic. Sealing the road would require an increase in maintenance funding of approximately \$30,000.

Cllrs Maher/Fitzpatrick:

1. That no further seal extensions be undertaken on the Northbank Road.
2. That discussion be carried out with the residents of this area about the option of a targeted rate to fund any seal extensions.

Carried

A&S-1120-155 Wairau River Regional Park Management Plan

R710-06-001

Mr Coningham advised that the purpose of the report was to provide Councillors with further information in consideration of a submission made to the 2020-21 Annual Plan process to develop a regional park management plan for the Wairau River.

Staff reported that through the 2020-21 Annual Plan submission process the Marlborough Landscape Group requested funding of \$50,000 for the establishment of a Community Advisory Group to enable public consultation and to employ a project manager to develop a Management Strategy for a Wairau River Regional Park. Funding of \$30,000 was approved (to be funded from the Forestry and Land Development Reserve) in the 2020-21 financial year with a report back through the Assets & Services Committee also required.

Members noted that the report set out the context for development of a regional park and the process by which this was proposed to occur, including the role of a consultant/project manager to undertake consultation and develop a draft management plan.

Members also noted that this is a future-looking project that should help to reduce infestation and spread of noxious weeds and provide numerous opportunities for amenity enhancements – such as native planting groves, safer walking and cycling tracks, horse riding areas and interface user activities such as fishing, rafting, jet-boating and swimming.

Cllrs Fitzpatrick/Taylor:

1. That the report be received.
2. That the Committee authorises staff to engage a consultant to develop and implement the public consultation process and drafting of a Regional Park Management Plan for the Wairau River.

Carried

ATTENDANCE: Mr Braden Prideaux, Council's Walking & Cycling Coordinator, was present for the following two items.

A&S-1120-156 Renwick Cycle Trail

R800-010-005-18

Mr Prideaux advised that the purpose of the report was to consider the 2020-21 Annual Plan submission from Bike Walk Renwick, a Renwick Smart and Connected sub-group, and the requested allocation of \$1,045,000 for the remaining sections of the Renwick Cycle Trail.

Mr Prideaux reported that the Marlborough Walking & Cycling Strategy (2019-29) aims to 'develop a safe, convenient and connected travel network for walking and cycling' and to 'plan and work alongside other groups to maximise off-road walk and cycle opportunities for tourism and recreation'. In line with this strategy, the Bike Walk Renwick group have developed a proposed extension of the Renwick cycle trail and have begun consulting with property owners along the proposed route.

There are 8.7km of the proposed trail that form the remaining sections of Renwick Cycle Trail and would cost an estimated \$1.27M. \$225,000 has been allocated in 2020/21 budget, with the remaining \$1.045M available within Council's existing long term walking and cycling budget for the project. The proposed network will cross 22 separate titles of land. Of these titles, five relate to MDC/LINZ land, the remaining 17

titles are held by 13 separate individuals or corporates. Current Council policy requires land easements to ensure public access is long lasting and enduring for Marlborough people and visitors to enjoy.

Cllrs Brooks/Maher:

That Council approve the allocation of \$1,045,000 from Council's existing long term walking and cycling budget to the Renwick Cycle Trail, conditional on land easements being secured with landowners.

Carried

ATTENDANCE: Mr Andrew High, Marlborough Roads, was present for the following item.

A&S-1120-157 Middle Renwick Road Cycle Lanes R800-010-005-09

Mr Prideaux advised that the purpose of the report was to request approval from Council to commence with public consultation for proposed cycle lanes on Middle Renwick Road, between Westwood Avenue and the Murphys Road / Battys Road roundabout. The report titled "*Middle Renwick Road, Blenheim*" produced by ViaStrada was available on Council's website with a link included in the agenda item for members' information.

Mr Prideaux and Mr High spoke to the meeting and highlighted the report with a presentation (presentation filed in CM: Record No. 20227691).

In summary it was reported that buffered bicycle lanes are proposed along Middle Renwick Road, from Westwood Avenue to the Battys Road/Murphys Road roundabout. Public consultation is proposed as the next step to seek feedback on the proposed designs. If delivered by June 2021, this project will be 100% funded by Waka Kotahi (New Zealand Transport Agency). Funding is expected to be confirmed by mid November 2020 by Waka Kotahi.

Members agreed that Cllr Fitzpatrick should be added to resolution 2 of the proposed motion.

Cllrs Maher/Brooks:

That Council:

1. **Approve the commencement of public consultation on the proposed installation of cycle lanes along Middle Renwick Road, between Westwood Avenue and the Battys Road / Murphys Road roundabout.**
2. **To give authority to the Chair of Assets and Services Committee, Cllr Fitzpatrick and Manager Assets and Services to review public consultation findings and approve the detailed designs on behalf of Council for procurement and construction by Marlborough Roads.**

Carried

ATTENDANCE: Cllr Oddie withdrew from the meeting at 11.34 am during the following item.

ATTENDANCE: Mr Stephen Rooney, Council's Operations & Maintenance Engineer, was present for the following two items.

A&S-1120-158 Water and Sanitary Services Assessment W450-003-015-01, W440-003-011-01, W410-000-01

Mr Rooney advised that the purpose of the report was to receive the Water and Sanitary Services Assessment 2019. The Assessment was available on Council's website with a link included in the agenda item for members' information.

Staff reported that the Water and Sanitary Services Assessment (WASSA) is an assessment of the quantity and quality of the water services to all communities in the region. The assessment seeks to evaluate the access of communities to a plentiful and reliable supply of good, clean drinking water. It also examines the provision of adequate sewage and stormwater disposal to assess the risk to public health from these sources. It not only considers the main population centres that are served by the Council's reticulated water services but also the smaller community based services. The assessment identified 47 water supply schemes in the Marlborough region supplying a population of 35,166, equivalent to approximately 71.5% of

the usual resident population. It is assumed that the remaining population is self-supplied from individual bores, roof water collection or stream extraction.

The eight Council owned drinking water schemes supply approximately 33,424 people, approximately 70% of the Marlborough population and 95% of all consumers connected to community water supplies in the assessment. All of the community supplies in the Wairau Valley and south abstract water from underground aquifers. The majority of supplies in the Sounds and north Marlborough (with the exception of Picton and Havelock) are sourced from surface water. Generally all the water sources were sufficient and reliable in terms of volume although some of the supplies in the Sounds are under severe pressure during the peak summer season.

None of the communities surveyed reported any ongoing problems with wastewater sanitation. It should be noted however that only six of the private community water supplies also had a reticulated wastewater system. The remaining 35 relied on private septic tanks (or other) on individual properties. The water management committees were unlikely to be in a position to report problems on private systems. Momorangi Bay acknowledged that misuse of the facilities on the campground in the past have required urgent intervention from time to time.

Members noted that the WASSA was in response to a number of Annual Plan submissions.

Clr Taylor/The Mayor:
That the report be received.

Carried

A&S-1120-159 Out of District Water Connection Application for 172 Wither Road – Additional Connection for Proposed Development W440-003-001-01, PN533361#04

Mr Rooney advised that the purpose of the report was to approve an Out of District water connection application.

Staff reported that Council has received a request for an additional water connection to supply a proposed allotment in Wither Road East. The site is zoned Rural Living Zone under the MEP, hence this application for out of district approval. One Out of District water connection is required to serve a proposed subdivision creating one lot. Council infrastructure has the capacity to serve the additional allotment. Conditions and limitations of water use will be required.

Clrs Maher/Dawson:
That Council:

- 1. Approve this out of district cater connection application subject to the following;**
 - (a) That a metered water connection with a Reduced Pressure Backflow (RPZ) backflow prevention device be installed for the additional lot.**
 - (b) That a water connection fee be paid for Council to supply and install a 20mm diameter metered water connection, complete with a RPZ backflow prevention device.**
 - (c) That a Development Contribution be paid for one Household Equivalent Unit, and applied as per the Development Contributions policy.**
 - (d) That the proposed lot pay water rates as per Council's Out of District connections rating policy.**
 - (e) That a Blenheim metered water charge be applied for the new connection. This charge is set by the MDC Rating Policy and is subject to the standard minimum quarterly charge.**
 - (f) That the applicant be advised approval of these service connections does not imply that subdivision approval will be granted.**
 - (g) That the approved connections to this property only be completed following a successful subdivision application. Failure to obtain Subdivision consent within one year of this approval will result in forfeit of this Out of District water approval.**
 - (h) That a memo or consent notice be added to the new lot to record that there are limitations with this water supply, that additional items such as a tank and booster pump**

will likely be required to maintain an acceptable supply of water and pressure throughout the day, and that water use is limited to that required to serve a dwelling and immediately around a dwelling.

Carried

A&S-1120-160 Information Package

-

Brian Paton provided a further update to his report contained in the information package.

Cllrs Taylor/Peters:

That the Assets and Services Information Package dated be received and noted.

Carried

A&S-1120-161 Decision to Conduct Business with the Public Excluded

-

Cllrs Brooks/Andrews:

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- **Property Acquisition**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Property Acquisition	To enable the Council, as holder of the information, to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) provided for under Section 7(2)(i)	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.

Carried

The meeting closed at 12.30 pm.

Record No. 20227937

5. Committee Reports

5.2 Environment Committee

Environment Committee Meeting held on 19 November 2020
(Minute Nos. Env-1120-165 to Env-1120-175)



**Minutes of a Meeting of the
ENVIRONMENT COMMITTEE**
held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY, 19 NOVEMBER 2020 commencing at 9.00 am

Present

Mayor J C Leggett (Chairperson), Councillors D D Oddie (Deputy), G A Hope (Deputy), J A Arbuckle, J D N Croad, B A Faulls and T P Sowman, and Mr E R Beech (Rural representative)

Also Present

Councillors J L Andrews, F D Maher (to 9.50 am) and N P Taylor.

In Attendance

Mr H R Versteegh (Environmental Science and Policy Group Manager) and Mr M J Porter (Democratic Services Manager)

Apologies

The Mayor/Clr Arbuckle

That the apologies for non-attendance from Cirs C J Brooks and M A Peters be noted.

Carried

Env-1120-165 Declaration of Interests

-

No interests with items on the agenda were declared.

ATTENDANCE: Mr Jono Underwood, Council's Biosecurity Manager, and Mr Peter Lawless, TOSMBP Coordinator, were present for the following item.

Env-1120-166 Top of the South Marine Biosecurity Partnership - update

E315-004-001

Mr Underwood advised that the purpose of the report was for the Committee to receive an update on the work of the Top of the South Marine Biosecurity Partnership (TOSMBP) and to signal a pending review of the 2009 TOSMBP Strategic Plan. Mr Lawless spoke to the meeting and highlighted the report with a presentation (presentation filed in CM: Record No. 20219250).

Mr Underwood reported that the three Top of the South (TOS) unitary authorities - Tasman District Council (TDC), Nelson City Council (NCC), Marlborough District Council (MDC) and the Ministry for Primary Industries (MPI) have operated in partnership. The four agencies pool funding to engage a coordinator who both undertakes the coordination of the TOSMBP and also delivers an agreed work programme. There is engagement with tangata whenua iwi through the Iwi8 fisheries forum. Key outputs by the contractor include the coordination of the TOSMBP committee, building engagement and awareness across the TOS, and delivering an on-water summer surveillance/survey. In the earlier years, marine biosecurity was a very new issue/challenge and the TOSMBP approach was the first such model used to bring players together. Even though the councils are now building capacity (predominantly in response to imminent threats), the TOSMBP still provides a platform to collaborate, share learnings and seek efficiencies.

Mr Underwood further reported that to capture the changes and developments in addressing marine biosecurity risks across the TOS, a review of the TOSMBP Strategic Plan will likely be undertaken over the next 12 months.

Cirs Croad/Sowman:

That the information be received.

Carried

ATTENDANCE: Ms Barbara Mead, Council's Advocacy and Practice Integration Manager, and Ms Sue Bulfield-Johnston, Council's Administrator and Hearing Facilitator, were present for the following two items.

Env-1120-167 Resource Consent Hearings Update R450-004-22

Ms Bulfield-Johnston advised that the purpose of the report was to provide to the Committee a summary of the hearings undertaken since the previous report was provided, together with an update as to changes in practice following COVID-19.

Members were aware that the report provides a rolling summary of hearings scheduled and completed for applications for resource consent. Since the onset of COVID-19 and the Level 4 lockdown a practice has been implemented to consider extension of timeframe and online hearings where appropriate.

Ms Bulfield-Johnston's report covered detailed information on: Resource Consent Hearing Facilitation Services Survey to Hearing Commissioners; and applications that have been scheduled for hearing.

Cllrs Oddie/Croad:

That the information be received.

Carried

Env-1120-168 Appointment of Hearings Commissioners R450-004-02

Ms Bulfield-Johnston advised the purpose of the report was to present David Randal for inclusion on the list of Hearings Commissioners. Mr Randal's Summary CV was attached to the item for members' information.

Members were advised on David Randal's experience and it was noted that whilst he has yet to serve as a Commissioner, this is an opportunity to bring on and develop a new commissioner who will in time become a useful addition to the Commissioner list.

Cllrs Arbuckle/Oddie:

1. That the report be received.

2. That David Randal is appointed to act as a Hearings Commissioner as and when required and that he be advised accordingly.

Carried

Ms Mead spoke to the meeting giving an update on Appeals. Ms Mead is to circulate her written report to members.

ATTENDANCE: Mr Oliver Wade, Council's Environmental Scientist - Coastal, was present for the following two items.

Env-1120-169 Ecologically Significant Marine Site Programme - Recommendations of the Expert Review Panel 2020 E325-002-004-01

Mr Wade advised that the purpose of the report was to present to the Committee a summary of the report 'Expert panel review of selected significant marine sites surveyed during the summer of 2019-20'. The report was available on Council's website with a link included in the agenda item for members' information.

In summary Mr Wade reported that in July 2020, the findings of the 2019/20 ecologically significant marine site (ESMS) programme summer monitoring were reported to the Environment Committee. Since then the ESMS expert panel has met to review the findings of this report and assess the sites against the ESMS significance criteria. The ESMS expert review panel has recommended that all new sites and boundary adjustments recommended by Davidson et al (2020) are accepted.

Members discussed the consultation process. It was noted that the findings of this report will be communicated to the policy team for inclusion in the existing draft ESMS plan variation.

Cllrs Hope/Arbuckle:

- 1. That the report be received.**
- 2. That the proposed sites be referred to the Planning and Finance Committee for inclusion in the draft plan variation to the Proposed Marlborough Environment Plan.**

Carried

Env-1120-170 Pelorus Sound/Te Hoiere Multibeam Mapping Project E325-017-002-01, C315-18-034

Mr Wade advised that the purpose of the report was to update the Committee on ongoing research and monitoring in the Queen Charlotte Sound/Tōtaranui and Tory Channel/Kura Te Au utilising the multibeam data from the HS51 survey and to present to the Committee some initial maps from the multibeam survey of the Pelorus Sound/Te Hoiere. To highlight this report a presentation was shown (presentation filed in CM: Record No. 20219253).

In summary Mr Wade reported that due to the open source nature of the data collected during the HS51 survey, a number of research institutions have developed research work utilising the Queen Charlotte Sound/Tōtaranui and Tory Channel/Kura Te Au survey data. This research will assist Council with the management of Queen Charlotte Sound/Tōtaranui and Tory Channel/Kura Te Au. The hydrographic surveyors completed the multibeam survey (HS66) of Pelorus Sound/Te Hoiere in June 2020. Data processing occurred between June and September 2020. LINZ provided the raw data and collated bathymetric layers to Council in late October 2020. This work does not include the habitat layers provided as part of the HS51 Queen Charlotte Sound/Tōtaranui and Tory Channel/Kura Te Au survey.

Cllrs Hope/Oddie:

That the report be received.

Carried

ATTENDANCE: The meeting adjourned at 10.21 am and reconvened at 10.32 am.

ATTENDANCE: Ms Sarah Brand, Council's Environmental Scientist - Land & Air, was present for the following item.

Env-1120-171 Rural Ambient Air Quality and Agrichemical E300-003-001

Ms Brand advised that the purpose of the report was for the Committee to receive a report by Lincoln Agritech Limited on Spray Drift Monitoring Systems. The report was available on Council's website with a link included in the agenda item for members' information.

In summary Ms Brand reported that in late 2019 the Council was successful in obtaining an Envirolink grant to gain advice from Lincoln Agritech on the establishment of an ambient rural air monitoring programme focusing on agricultural pesticides. The aim of such a monitoring programme will be to increase our understanding of how agrichemicals used in the rural environment affect both the ambient air quality and/or have localised impacts. The report provides an overview of the technologies available to establish a monitoring programme and suggestions for future research to enable a viable monitoring solution. The information will be used to undertake a trial pilot study with a single modified high-volume particulate matter (PM) monitoring machine. This will be deployed during the 2020/2021 spray season to start to build a working knowledge of the appropriate methodology and processes to enable the establishment of a rural air quality monitoring for the region in the future.

It was noted that communication of this was very important.

Cllrs Hope/Croad:

That the report be received.

Carried

ATTENDANCE: Ms Claire Frooms, Council's Environmental Protection Officer, was present for the following item.

Env-1120-172 Forestry Monitoring Report

E335-003-002-01

Ms Frooms advised that the purpose of the report was to inform the Committee of the Compliance Group's ongoing monitoring programme of forestry activities for the period 1 July 2019 – 30 June 2020. The Forestry Compliance Snapshot 2019-2020 report was appended to the agenda item for members' information. To highlight this report a presentation was shown (presentation filed in CM: Record No. 20219255).

In summary Ms Frooms reported that the report provided an overview of where the Compliance Group monitored, how monitoring was undertaken and the rating system used to determine compliance status with the Resource Management Act 1991, Plan Rules, the National Environmental Standards for Plantation Forestry and resource consents. The report further discussed the results of the monitoring programme and outlines any observations or improvements noticed during monitoring inspections; and outlined developments and changes to the forestry monitoring programme and strategy.

Cllrs Hope/Faulls:

That the information be received.

Carried

ATTENDANCE: Ms Rachel Neal, Council's Monitoring Programme Co-ordinator, was present for the following item.

Env-1120-173 Winery Wastewater & Grape Marc Monitoring Report

E360-006-02

Ms Neal advised that the purpose of the report was to inform the Committee of the Compliance Group's ongoing monitoring of the discharge of winery wastewater and grape marc to land for the period 1 June 2019 – 31 May 2020. The Winery Waste Compliance Snapshot 2020 report was appended to the agenda item for members' information. To highlight this report a presentation was shown (presentation filed in CM: Record No. 20219258).

In summary Ms Neal reported that Council monitored 38 wineries that discharge winery waste to land within the rural environment for the 2019/20 monitoring period. For the 2019/20 monitoring period 18 wineries (47%) were assessed as fully compliant and no wineries were assessed as significantly non-compliant.

Cllrs Oddie/Faulls:

That the information be received.

Carried

ATTENDANCE: Ms Rachel Mercer, Council's Environmental Health Officer, was present for the following item.

Env-1120-174 Gambling Policy Review

E350-004-009-02

Ms Mercer advised that the purpose of the report was to advise the Committee on the Gambling Policy review that has taken place. The Class 4 Gambling Venues and Racing Board Venues Policy (under the Gambling Act 2003 & the Racing Act 2003) was appended to the agenda item for members' information.

In summary Ms Mercer reported that the Gambling Act 2003 and the Racing Act 2003 state that every territorial authority must complete a review of its policy within three years after the policy is adopted, and then within three years after each subsequent review is completed [Gambling Act s102(5) and Racing Act s65E(5)]. A policy may be amended or replaced only in accordance with the special consultative procedure. The policy was last reviewed in 2017 and adopted in May 2018. Since the policy was adopted there have been no applications made for a new class 4 or racing board venue. As of 10 October 2020 the gambling machine numbers that can operate in the district stands at 213, the policy permits up to 240 machines to operate within approved venues. Consideration was given to the need to amend the policy however it was recommended that the current policy remain in place for another three years.

Cllrs Faulls/Oddie:

- 1. That the information be received.**
- 2. That the Committee confirm the Policy remain with no changes at this time.**

Carried

Env-1120-175 Information Package

-

The Mayor/Cllr Croad:

That the Regulatory Department Information Package dated 19 November 2020 be received and noted.

Carried

The meeting closed at 11.10 am.

Record No: 20224533

5. Committee Reports

5.3 Planning, Finance & Community Committee

Planning, Finance & Community Committee Meeting held on 26 November 2020
(Minute Nos. PF&C-1120-176 to PF&C-1120-190)



**Report and Minutes of a Meeting of the
PLANNING, FINANCE & COMMUNITY COMMITTEE
held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY 26 NOVEMBER 2020 commencing at 9.00 am**

Present

Cllrs M A Peters (Chairperson), J D N Croad, J L Andrews, J A Arbuckle, C J Brooks, B G Dawson, B A Fauls, M J Fitzpatrick, T P Sowman, N P Taylor, and Mayor J C Leggett.

In Attendance

Messrs M S Wheeler (Chief Executive), M F Fletcher (Chief Financial Officer), D G Heiford (Manager, Economic, Community & Support Services), and M J Porter (Democratic Services Manager)

Apologies

Cllrs Arbuckle/Andrews

That the apologies for absence from Cllrs G A Hope, F D Maher and D D Oddie be received and sustained.

Carried
PF&C-1120-176 Declaration of Interests

-

Cllr Taylor declared an interest in Item 7 (Appeals on the PMEP Decision) and Cllr Dawson declared an interest in Item 17 (Business Trust Marlborough – Trustee Appointment).

The Chair advised that items 6 and 7 would be promoted up the agenda and would be heard before item 3.

ATTENDANCE: Mr Pere Hawes, Council's Manager Environmental Policy, was present for the following two items.

**PF&C-1120-177 Variation 1: Marine Farming and Variation 1A:
Finfish Farming**

R425-02-19-04, M100-11-02, M100-11-03, M100-11-04

Mr Hawes advised that the purpose of the report was to report draft Variations 1: Marine Farming and Variation 1A: Finfish Farming to the Committee and to recommend that these be adopted for the purpose of public notification.

Mr Hawes reported that Variations 1 and 1A have been prepared for the purpose of managing marine farming activity in Marlborough's coastal marine environment. Following the work of the Marlborough Aquaculture Review Working Group (MARWG) and consultation with statutory parties and iwi authorities, the next step in the First Schedule process is to publicly notify the variations for submissions.

Members noted that the Committee must adopt the variations in order for these to be publicly notified. They further noted that public notice will occur as soon as possible. Members agreed that the period for making submissions on the variations be more than the minimum of 20 working days.

Mr Hawes further reported that Variation 1B: Apex Marine is still in the process of being prepared. Consultation with landowners in Onapua Bay has commenced and is ongoing. The results of consultation will be reported to a future Committee meeting.

Mr Hawes thanked all those that have had input into these variations.

The Mayor/Cllr Arbuckle:

That Council:

- 1. That the information be received.**
- 2. That Variations 1 and 1A and the accompanying Section 32 Reports be adopted for the purpose of public notification.**

3. That Variations 1 and 1A be publicly notified in accordance with the First Schedule as soon as possible.
4. That the public notice be placed in the Marlborough Express, Blenheim Sun, Nelson Evening Mail, Dominion Post and Christchurch Press.
5. That copies of the public notice be served on all ratepayers and all holders of coastal permits authorising marine farming activity.
6. That the submission period for Variations 1 and 1A close on 26 February 2021.

Carried

PF&C-1120-178 Appeals on the PMEP Decision

M100-09-01

Mr Hawes advised that the purpose of the report was to inform the Committee of progress with resolving appeals made to the Environment Court on the PMEP.

Mr Hawes reported that 51 notices of appeals on the PMEP were lodged with the Environment Court. In response to multiple Environment Court directions, staff have proposed a structure, process and timeline for managing the appeals. The Court will consider this proposal, and responses to this proposal by appellants and parties to the appeals. Final directions are expected to be issued by the Court in due course.

In the meantime, there have been informal discussions with some appellants regarding options for resolving specific appeal points. At the time of reporting, an agreement to resolve the appeal of three appellants had been agreed by the parties and lodged with the Environment Court.

Cllrs Arbuckle/Brooks:

That the report be received.

Carried

NB: Cllr Taylor declared an interest in the above and did not take part in discussions nor vote on the issue.

ATTENDANCE: Mr Richard Olliver (Chair MDC Holdings Limited and Marlborough Airport Ltd), Mr Keith Taylor (Chair Port Marlborough NZ Ltd), Mr Rhys Welbourne (Chief Executive, Port Marlborough NZ Ltd) and Mr Dean Craighead (Chief Financial Officer, Port Marlborough NZ Ltd) were present for the following item.

PF&C-1120-179 MDC Holdings Limited and Group Annual Reports for the Year Ended 30 June 2020

S400-004-002-19

Mr Fletcher reported that the purpose of the report was to present the Annual Reports of the MDC Holdings Limited Group for year ended 30 June 2020. The reports were available on Council's website with a link included in the agenda item for members' information.

Messrs Olliver, Taylor, Welbourne and Craighead spoke to the meeting and highlighted their organisations' Annual Reports with two presentations (presentations filed in CM: Record Nos. 20224452 and 20224456).

Members noted that unqualified audit opinions were received for each Annual Report. Members agreed that the relationship between Council and MDC Holdings Limited and its subsidiaries was outstanding.

Cllrs Arbuckle/Sowman:

That the Annual Reports of MDC Holdings Limited and its subsidiaries for the financial year ended 30 June 2020 be received.

Carried

ATTENDANCE: Mr Kevin Moseley (Chairman), Mr Anton James CA (Trustee) and Ms Karyn Delves (General Manager) were present for the following item.

PF&C-1120-180 Marlborough Civic Theatre Trust A200-002-09

Members noted that the purpose of the report was to present the Marlborough Civic Theatre Trust's report on the operations and financial results of the Theatre for the year ended 30 June 2020 and to present an update on the Theatre's operations as they currently stand and likely future position.

Mr Moseley, Mr James and Ms Delves spoke to the meeting with a presentation (presentation filed in CM: Record No. 20224457).

Cllrs Taylor/Andrews:
That the information be received.

Carried

ATTENDANCE: Mr Bernie Rowe (Chair MRC Trust), Mr John Patterson and Ms Susan Foster (MRC) were present for the following item.

PF&C-1120-181 Marlborough Research Centre Trust Annual Report 2019-20 E100-009-01

Mr Henry reported that the purpose of the report was to present the Annual Report 2019/20 and the Financial Overview and Highlights for 2019/20 (as appended to the report). The Annual Report 2019/20 was available on Council's website with a link included in the agenda item for members' information.

Bernie Rowe, John Patterson and Susan Foster spoke to the meeting and highlighted the report with a presentation (presentation filed in CM: Record No. 20224459). Mr Edwin Pitts (Trustee) was also present in the public gallery, and apologies for absence were received from Mr Gerald Hope (CEO) and Mr Ivan Sutherland (Trustee).

Cllrs Peters/Brooks:
That the Marlborough Research Centre Annual Report 2019/20 and Financial Overview and Highlights Report for 2019/20 be received.

Carried

ATTENDANCE: The meeting adjourned at 10.52 am and reconvened at 11.03 am.

ATTENDANCE: Mr Neil Henry, Council's Manager Strategic Planning and Economic Development, was present for the following two items.

PF&C-1120-182 TEAM COVID-19 Economic Recovery Group Update C500-005-010-03

Mr Henry reported that the purpose of the report was to update the committee on the activities of the TEAM COVID-19 Economic Recovery Group.

In summary Mr Henry reported that a number of meetings have taken place of the Governance and working groups, as well as engagement with the Expert Panel. The meetings have enabled current information on impacts and possible interventions to be discussed. Several projects have been submitted for consideration by TEAM since the last update.

A number of COVID-19 economic recovery projects funded by Council are ongoing, with some completed.

The Chair noted that the expenditure under *Make It Marlborough* included Destination Marlborough (and Chamber of Commerce) costs of managing and implementing the *Make It Marlborough* project as well as banners for each township and facilities on the day (such as bouncy castles etc).

Cllrs Faulls/Croad:
That the information be received.

Carried

ATTENDANCE: Ms Samantha Young, Council's Regional Events Advisor, was present for the following item.

PF&C-1120-183 Regional Events Update

E100-002-011

Ms Young reported that the purpose of the report was to provide an update on the activities of Council's Regional Events Advisor and Marlborough's events sector.

In summary Ms Young reported that event organisers are generally feeling more positive with events now running again and many of them reporting good attendance. Marlborough events continue to be well supported through TEAM Group's Economic Recovery Budget. Discussions are underway with a number of organisers about potential events in February / March 2021 following the cancellation of the 2021 Marlborough Wine & Food Festival. Work on Marlborough's printed Summer Events Guide is nearing completion and copies will be distributed in Marlborough, Nelson, Canterbury and into Wellington via the Bluebridge Ferry from the end of November.

Government has established a \$50m Regional Events Fund to help stimulate domestic tourism through events to encourage expenditure missed from international tourism. Round 1 of 2020/2021 Commercial Events Fund has now closed. The sub-committee will meet on 12 November to consider applications.

Cls Croad/Brooks:

That the information be received.

Carried

ATTENDANCE: Clr Faulls left the meeting at 11.24 am at the conclusion of the previous item.

PF&C-1120-184 Housing for Seniors Sub-Committee D050-001-S03

The Minutes of the Housing for Seniors Sub-Committee meeting held on 12 November 2020 were attached for ratification by the Committee.

Cls Brooks/Fitzpatrick:

That the Minutes of the Housing for Seniors Sub-Committee meeting held on 12 November 2020 be ratified.

Carried

PF&C-1120-185 Small Townships Programme Sub-Committee

D050-001-S03

The Minutes of the Small Townships Programme Sub-Committee meeting held on 5 November 2020 were attached for ratification by the Committee.

Cls Brooks/Arbuckle:

That the Minutes of the Small Townships Programme Sub-Committee meeting held on 5 November 2020 be ratified.

Carried

ATTENDANCE: Clr Fitzpatrick left the meeting at 11.26 am at the conclusion of the previous item.

PF&C-1120-186 Audit & Risk Sub-Committee

D050-001-S02

The Minutes of the Audit & risk Sub-Committee meeting held on 28 October 2020 were attached for ratification by the Committee.

Mr Fletcher advised that in regard to Item 4 (Extension of Government Procurement Rules) that he had fed back to SOLGM the comments made by the Sub-Committee (which had been added to the SOLGM submission) and that Council had followed this up with its own submission.

Cls Peters/Croad:

That the Minutes of the Audit & Risk Sub-Committee meeting held on 28 October 2020 be ratified.

Carried

PF&C-1120-187 Long Term Plan Working Group D050-001-S02

The Minutes of the Long Term Plan Working Group meeting held on 29 October 2020 were attached for ratification by the Committee.

Cllrs Peters/Sowman:

That the Minutes of the Long Term Plan Working Group meeting held on 29 October 2020 be ratified.

Carried

PF&C-1120-188 Financial Report for Council – Period Ended 30 September 2020 F275-002-19

Mr Fletcher reported that the purpose of the report was to present the Financial Report for Council for the period ending 30 September 2020.

It was reported that for the 1 July 2020 to 30 September 2020 period Council achieved a surplus of \$3.5M which was \$4.3M up on budget, Income \$30.8M was up by \$3.7M, expenditure of \$27.3M was under budget by \$0.6M. Capex was \$11.9M down \$25.1M. It was noted that while the programme Capex work was \$120.5M for the year, only \$65.5M was funded through the annual plan process. This ensures multiple projects can be kept on the go.

Major variances between actual and budget were: unbudgeted rental income and recoveries received from 22 Queen Street; roading income is behind budget due to lower development contributions and NZTA roading subsidies (these subsidies are directly correlated to lower roading expenditure both operational and/or capital); unbudgeted funding received from the Ministry of Primary Industries to complete the Molesworth National Wilding Conifer Control Programme; sewerage income is behind budget due to Trade Waste invoices being delayed while a pricing review is carried out; and lower external interest costs due to the low interest rates and lower capital expenditure in previous years. Internal interest costs are less due to lower capital expenditure last year.

Mr Fletcher advised that the 30 November 2020 report will be circulated to Members prior to Christmas.

Cllrs Croad/Dawson:

That Council receive the Financial Report for the period ending 30 September 2020.

Carried

PF&C-1120-189 Information Package -

Cllrs Croad/Dawson:

That the Planning, Finance & Community Information Package dated be received and noted.

Carried

PF&C-1120-190 Decision to Conduct Business with the Public Excluded -

Cllrs Brooks/Andrews:

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- Business Trust Marlborough – Trustee Appointment
- Port Marlborough NZ Ltd – Governance

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Business Trust Marlborough – Trustee Appointment Port Marlborough NZ Ltd - Governance	In order to protect the privacy of natural persons, as provided for under Section 7(2)(a).	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.

Carried

The meeting closed at 11.15 am.

Record No: 20226033

5. Committee Reports

5.4 Grants Sub-Committee

Grants Sub-Committee held on 17 November 2020
(Minute No. Grnt-1120-162 to Grnt-1120-164)



**Minutes of a Meeting of the
GRANTS SUB-COMMITTEE
held in the Committee, 15 Seymour Street, Blenheim
on TUESDAY 17 NOVEMBER 2020 commencing at 9.30 am**

Present

Clr Jenny Andrews (Chairperson), Cynthia Brooks, Thelma Sowman and Mark Peters, Mrs Karen Hartshorne, Mrs Kate Parker, Ms Sally Wadworth, Ms Deborah Dalliessi and Mr Graeme Haymes

In Attendance

Lyne Reeves (Community Development Advisor), Jodie Griffiths (Community Development Support) and Nicole Chauval (Committee Secretary)

Apologies

Ms Sally Wadworth for lateness.

Grnt-1120-162 Roles and Responsibilities - Declaring an Interest C150-001-000-01

Committee members were reminded of their responsibilities when allocating the available funding under set criteria, and they were advised of what was expected of them when having an interest in a particular application. The intention of declaring an interest is to ensure that those with an interest have no involvement in the decision making process.

Council's District Secretary's advice is that Committee members, once they have declared an interest, leave the room for that particular application. Members were advised that it is important that it be seen that matters are processed without any influence especially where, for example, there are competing applications; some organisations may not have a representative around the table. The rule needed to be applied strictly for the process to be seen as fair to all concerned.

It was noted that declaring an interest applies to those who are members or honorary members of an organisation and also where it could be perceived that a person has an interest in an organisation.

It was reported that the chairperson would make the final decision if there was dissension.

A possible conflict of interest was raised by a member and following discussion members agreed that they considered there was no conflict of interest.

Clrs Brooks/Sowman:

That the information be received.

Carried

Grnt-1120-163 Clarification of Process for Decision Making for Community Grants Allocation C150-001-000-01

Committee members' attention was drawn to the process for decision making that had been successfully used by previous Grants Sub-Committees. Members had been asked to familiarise themselves with the process prior to the meeting so that this could be consistently applied when considering grant applications.

It was noted that a process had been established specifically for decision making for the COVID-19 Support applications and that it had been agreed that this method would also be used for the Community Grants for this year. The process for COVID-19 Support Grants and Community Grants was detailed in the agenda item.

It was agreed that the Committee would meet in February 2021 to review the criteria and application form to determine whether any changes are required. It was also proposed that the application close dates and

meeting dates be reviewed to ensure there is sufficient time for applications to be processed, circulated and prioritised for the Grants meeting. A paper to be prepared for presentation to a future Planning, Finance & Community Committee for consideration if required.

The following points were raised for consideration:

1. Is it appropriate to provide guidance to organisations eg; options on reducing accountancy fees.
2. Can costs be identified in the application particularly if they are part of a national organisation and have specific costs related to that association.
3. Consideration of the close off date for applications being earlier to allow more time for preparation of the applications and circulation to members to prioritise prior to the Committee meeting date.
4. Consider whether an approach to People First NZ to review application from an 'easy speak' perspective.

Clr Brooks/Karen Hartshorne:
That the information be received.

Carried

ATTENDANCE: Sally Wadworth joined the meeting at 10.16 am during discussion on the COVID-19 Support applications.

ATTENDANCE: Meeting adjourned during the following item at 12.09 pm and resumed at 12.35pm.

Grnt-1120-164 Council Community Grants Allocation

C150-001-000-01

Council provides \$300,000 per annum for grants to be allocated under specific criteria and eligibility conditions to community organisations providing Arts & Culture; Community Services; Environment; Heritage and Sport and Recreation.

This year Council has added a further \$200,000 for COVID-19 Support over two funding rounds bringing the total to \$500,000. The balance from Round 1 of COVID-19 grants is \$125,928 and the balance from large facilities fund is \$350,000.

Members were advised that for the COVID-19 Support 16 applications were received with 16 applications considered to be eligible for funds. Total funds requested were \$67,325.75.

For Community Grants 89 applications were received with 88 applications eligible to be considered for funding and 1 application deemed ineligible. Total funds requested were \$591,070.11.

The following agenda correction was noted – Item 3 Council Community Grants Allocation amount for 'Balance from large facilities fund' was incorrectly noted as \$475,928 to be amended to \$350,000.

Community Grants Applications Arts & Culture

Organisation	Project Description	Actual
Blenheim Musical Theatre	Purchase mobile scaffolding	\$2,000.00
Creative Kids Trust	Operating costs & programme materials Condition – Tagged for instruments and materials	\$5,000.00
Feast Marlborough	Community Hui to develop food map Declined - Inconsistencies in the information provided to Grants and TEAM. Refer to TEAM to discuss further.	Declined
Havelock Theatre	Upgrade theatre lighting to town hall	\$4,320.00

Organisation	Project Description	Actual
NZ Chinese Association	Chinese language & culture course Declined - Only one application per organisation can be funded.	Declined
NZ Chinese Association	Chinese New Year celebration	\$1,450.00
Picton Little Theatre	Operating costs & equipment	\$9,129.00
Samoa Aoga Amata Blenheim	Rent and wages Condition – Tagged for rent.	\$800.00
Te Runanga a Rangitane o Wairau	Blenheim Matariki Concert Declined - Outside the scope of this Committee.	Declined

Community Services

Organisation	Project Description	Actual
Age Concern Marlborough	Operating costs	\$5,000.00
Assembly of God Church Samoa	Welfare & support for member	\$4,000.00
Barnardos NZ	LEAP child & family social service	\$10,000.00
Blenheim Playcentre	Wages for playcentre facilitator	\$5,000.00
Brain Injury Association	Operating grant for liaison services & wages	\$8,622.00
Bread of Life Trust	Operating cost for van hire	\$5,058.00
Cancer Society	Annual Skin Awareness Clinic	\$4,000.00
Christchurch Methodist Mission	Sunshade for children's play ground Tagged – funding released once evidence is provided that the balance of the funding has been received.	\$1,500.00
Crossroads Marlborough	Operating costs	\$5,000.00
Dillon's Point Community Playgroup	Upgrading outdoor play equipment	\$2,202.00
Farewell Services Trust	Administrators Salary	\$6,500.00
French Pass Residents	Shade sails for in front of community hall	\$5,000.00
Graeme Dingle Foundation	Kiwi Can & Stars programmes delivery	\$10,000.00
Harvest Life Church Youth Group	Set up new youth group	\$940.00
Havelock Community Library	Levy to Havelock School	\$1,000.00
Havelock Vision 2020	Community Liaison Officer salary	\$2,500.00
Life Education Trust Marlborough	Wages for staff & community workshop	\$5,000.00
Marlborough Boys College PTA	Wages for uniform shop staff	\$3,000.00
Marlborough MS Society	Wages & operating costs	\$10,000.00
Marlborough Youth Trust	Youth in Employability programme	\$5,000.00
Men's Shed Blenheim	Purchase of tools for community projects	\$1,000.00
NZ Council of Victim Support Groups	Costs to support victims 24/7 in Marl	\$2,500.00
Open Home Foundation	Operating costs for foster care service	\$5,000.00
Parenting Place Charitable Trust	Attitude presentations for Marlborough	\$4,000.00
Pelorus Area Health Trust	Administrator wages	\$6,000.00
People First NZ	Operating costs for Blenheim Group Condition – Kai (food) ineligible.	\$2,500.00
Plunket - Marlborough	Operating costs for Family support services	\$5,000.00
Post Natal Depression Marlborough	Therapeutic programmes	\$5,000.00
Presbyterian Support USI	Family Works Marlborough mentoring	\$7,500.00

Organisation	Project Description	Actual
Renwick Playcentre	Playground equipment for new fort	\$10,000.00
Riversdale Promotions	Heating & lighting improvements	\$2,250.00
Royal NZ Foundation of the Blind	Salary for Primary Service Provider Declined – Does not meet the criteria for information on Marlborough	Declined
Salvation Army NZ - Blenheim	Community Ministries programme	\$10,000.00
Spring Creek Playcentre	Repainting of window frames	\$2,500.00
St Marys Pre School	Replacement of children's furniture	\$3,500.00
Supporting Families Marlborough	Counselling programmes to meet need	\$10,000.00
ToS Neighbourhood Support	Operating costs & wages	\$10,000.00
Wairau Youth & Family Trust	24/7 Youth worker wages & admin costs	\$7,500.00
Ward School	Purchase shade sails	\$4,672.00

Environment

Organisation	Project Description	Actual
Elaine Bay Community Assoc	Chipper/mulcher & weed sprayer	\$3,404.00
Envirohub Marlborough	Operating costs & zero waste trailer	\$7,500.00
Kaipupu Point Mainland Island Society	Track maintenance	\$10,000.00
Marlborough Sounds Restoration Trust	Purchase of equipment	\$4,337.00
Mistletoe Bay Trust	Purchase & install extra freshwater tanks	\$10,000.00
Okiwi Water Inc.	Replacement water tank Declined - Information provided by the applicant indicated they have sufficient funds available to undertake the project.	Declined
Picton Dawn Chorus	Traps for Picton/Waikawa landowners	\$6,000.00
Rarangi Dawn Chorus	Purchase predator traps	\$1,299.00
Tui Nature Reserve Wildlife Trust	Operating costs	\$5,000.00

Heritage

Organisation	Project Description	Actual
Bush Telegraph	Compile 50 yr history of Bush Telegraph Condition – Tagged for printing.	\$3,000.00
Marlborough Heritage Trust	Edwin Fox site redevelopment	Declined
Marlborough Stamp Collectors Club	Insurance cover for clubrooms	\$1,559.00
Marlb Vintage & Farm Machinery Society	Kitchen appliance upgrade	\$5,025.00
St Luke's Community Church	Reroof St Luke's Church	\$8,000.00

Sport and Recreation

Organisation	Project Description	Actual
Blenheim Bowling Club	Hygiene units & secretary remuneration	\$3,000.00
Blenheim Croquet Club	Maintenance of 4 croquet lawns	\$5,000.00
Blenheim Rowing Club	Operating costs - boat insurance	\$5,000.00
Blenheim Swimming Club	Assistance with coaching costs	\$5,000.00
Churchward Park Scout Group	Costs to run scout group programme	\$4,000.00
Endeavour Park Pavilion	Purchase laptop & cell phone for staff	\$1,800.00
MBC Rowing Group	Coaches wages	\$10,000.00
Marlb Group NZ Riding for the Disabled	Upgrade of irrigation & fencing	\$9,811.00

Organisation	Project Description	Actual
Marlborough Model Railway Club	Building materials for ramp	\$4,765.00
Marlborough Mountain Bike Club	Handheld radios and chargers Note: Suggested that they investigate applying to be GST registered.	\$8,147.00
Marlborough Orienteering Club	upgrade of 3 maps	\$4,914.00
Marlborough Tennis Association	Annual cost of hiring facilities	\$4,000.00
Marlborough Touch Assoc	Purchase a laptop	\$1,438.00
Marlborough Volleyball Club	replace umpire stands	\$1,280.00
Marshlands Branch of Marlboro Pony Club	R& M for Cross Country eventing course Condition: Funding to be returned unless the project is completed.	\$10,000.00
Moutere Rugby Football Club	Operating costs & laptop	\$4,000.00
No. 27 Squadron ATC	Purchase camping equipment	\$5,939.00
Picton Golf Club	Fertiliser to maintain golf greens	\$1,742.00
Picton Junior Badminton Club	Operating costs & equipment	\$4,620.00
Rainbow Sports Club	Purchase helmets for children's safety	\$1,881.00
Rarangi Golf Club	Equipment & consultant for water consent	\$6,000.00
Renwick Rugby Club	Equipment for safe play	\$6,000.00
Renwick Tennis Club	New boards for fence line - stop ball loss	\$717.00
Samoa Blenheim Community	Exercise programme to beat obesity	\$1,000.00
Special Olympics Marlborough	Co-ordinator wages	\$10,000.00
Spring Creek School	Cost to build dirt pump bike track	\$5,700.00

SCHEDULE 'A' - Ineligible Applications

Organisation	Project Description	Reason
Waikawa Boating Club	Costs for building a new Support Vessel	Project already commenced.

Graeme Haymes/Cllr M Peters

1. That Council approve the above listed grants to community organisations totalling \$411,821.
2. That it be noted that the applications listed in 'Schedule A' do not qualify for assistance.

Carried

COVID-19 Support Grants Arts & Culture

Organisation	Project Description	Actual
Marlborough Boys College	Loss of income International student fees <i>(Cllr Andrews declared a conflict of interest and withdrew from the meeting for this item and Cllr Sowman assumed the chair.)</i> Declined – insufficient information	Declined
Picton Little Theatre	Loss of income from regular users	\$3,093.00

Community Services

Organisation	Project Description	Actual
Blenheim Menz Shed	Loss of income fundraising & bike sales	\$716.00
Crossroads Marlborough	Loss of income & additional costs	\$3,442.00
Fountain of Salvation Ministry	Assistance to help families Declined – Insufficient information	Declined

Organisation	Project Description	Actual
Friends of Springlands School	Loss of income - annual fundraiser not run	\$3,750.00
Life Education Trust Marlborough	Loss of income fundraising & tuition	\$3,321.00
Marlborough Boys College PTA	Loss of income - Uniform shop <i>(Clr Andrews declared a conflict of interest and withdrew from the meeting for this item and Clr Sowman assumed the chair.)</i>	\$5,000.00
Samoa Blenheim Community	Help families in need	\$3,500.00
St Andrews Church	Loss of rental income	\$3,343.00

Heritage

Organisation	Project Description	Actual
Marlborough Vintage Farm Machinery	Loss of income from lack of patronage	\$2,000.00

Sport and Recreation

Organisation	Project Description	Actual
Blenheim Swimming Club	Loss of income from lack of patronage	\$2,700.00
Marlborough Dressage Group	Loss of income	\$3,750.00
Picton Rowing Club	Loss of income gym fees	\$3,750.00
Moutere Rugby Club	Loss of income from no bar sales & fundraising	\$3,675.00
Wairau Valley Cricket Club	loss of income from funders	\$3,750.00

Karen Hartshorne/Kate Parker:

1. That the Grants Sub-Committee approve the above listed grants to Community Grants – COVID-19 Support totalling \$45,790.
2. That it be noted that the application listed in 'Schedule A' does not qualify for assistance.

Carried

It was noted that the decision making processes went very well and members agreed that this be used for consideration applications in 2021.

Members were advised that the Committee has delegated authority to notify COVID-19 applicants of the decisions made today and letters were to be sent as soon as practical. For Community Grants decision letters will be sent to applicants following the Council meeting in December.

Lyne Reeves requested that members advise her which Grant recipients they would like to undertake audit visits to.

The meeting closed at 2.18 pm.

Record No: 20227385

6. Draft Sports Facilities Strategic Plan

(also refer to separate attachment)

(Cllr Taylor) (Report prepared by Linda Craighead and Robert Hutchinson)

R510-014-026-03

Purpose of report

1. To seek approval to notify the draft Marlborough District Council Sports Facilities Strategic Plan for public submission.

RECOMMENDATION

That Council approve the attached Draft Marlborough District Council Sports Facilities Strategic Plan for public consultation.

Background/Context

2. In 2010 the Council developed the Outdoor Sports Facilities Plan (OSFP). The OSFP has provided the Council with a framework for decision making in developing, upgrading or otherwise providing for outdoor sporting facilities. A significant number of the recommendations from the OSFP have been implemented over the last ten years. Key projects to have been completed or commenced during this time include:
 - An upgrade of Lansdowne Park, including:
 - ❖ Relocation of netball from Horton Park and the development of 15 new netball courts.
 - ❖ Development of a skin softball diamond and other grass diamonds.
 - ❖ Construction underway for a multi-use sports hub facility.
 - Upgrade of cricket nets at Horton Park.
 - Master planning work completed on potential wider upgrade of Horton Park for cricket.
 - The development of a Sportsville (code-sharing) Policy in 2016.
 - Development of a bike skills area at Oliver Park.
 - Feasibility study completed on potential facility development at A & P Park.
 - Re-location of equestrian activities to Bothams Bend.
3. One of the levels of service included within the 2018-2028 Long Term Plan was to review the 2010 OSFP. Earlier this year RSL Consultancy was engaged to review the OFSP with a view to understanding the current and future facility needs and aspirations of sporting codes in Marlborough. The Council elected to consider both indoor and outdoor facilities as part of the review process.
4. Initial survey work with sporting groups and others was undertaken by RSL Consultancy during the Level 4 Covid-19 lockdown. This helped to form some early views about where facilities needed to be provided or upgraded. This was followed up with workshops with stakeholders to further explore key emerging themes. Subsequent discussions with staff and some survey respondents were also undertaken.
5. This work also occurred alongside the development of a *Regional Sport & Active Recreation Spaces and Places Strategy for the Top of the South Island*. This strategy prepared under the Sport New Zealand umbrella identifies future priorities for regional and sub-regional facilities and provides a robust method to review and advise on priorities from a regional perspective. (This strategy will be reported separately through to Council.) Where relevant the recommendations from this Strategy have been factored into the development of the draft Marlborough District Council Sports Facilities Strategic Plan (draft plan).
6. A budget of \$50,000 has recently been approved through the Land Subdivision Account to assist in facilitating outcomes from the draft plan once this is finalised.

Assessment/Analysis

7. The draft plan was sent to those sporting organisations and groups who had initially been approached as part of the review process, including those who had completed a survey in the early stages of development. Only relatively minor changes were made to the draft as a consequence of that feedback. Some initial discussions have also been had with representatives of Marlborough Girls and Marlborough Boys colleges with respect to the combined colleges' project.
8. It is now proposed to notify the draft plan for wider public/community feedback – this will ensure the draft plan has been made available to all of those who may have an interest in the provision of sporting facilities in Marlborough for the foreseeable future. Feedback will be reported through to the Assets & Services Committee with any funding implications from the final plan.

Next steps

Date	Step
10 December 2020	Publicly notify draft plan for submission
29 January 2021	Submission period closes
4 March 2021	Report to Assets & Services Committee

Attachments

Attachment 6.1 – Draft Marlborough District Council Sports Facilities Strategic Plan (**attached** separately)

Author	Linda Craighead (Parks and Open Spaces Planner) and Robert Hutchinson (Parks and Open Spaces Officer)
Authoriser	Jane Tito (Manager, Parks and Open Spaces)

7. Proposed East Coast Protection Bylaw

(Clr Hope)

E325-016-004-05

Purpose of Report

1. To delegate to a sub-committee of Council powers relating to the proposed bylaw dealing with motor vehicle use on and along the East Coast of Marlborough.

Executive Summary

2. The summer season is upon us and with this comes a likely increase in vehicle use along the East Coast. Council has agreed in principle to advance a proposed bylaw to address the issues that have arisen relating to continued uncontrolled motor vehicle use on the East Coast of Marlborough including the adverse environmental effects following the Kaikōura earthquake and secondly, the adverse effects on public safety. Two options are signalled in this report to either prohibit all vehicles to part of the East Coast or to only prohibit 4 wheel type utes and SUV's and allow ATV's and motorbikes to travel below the mean high water mark. To ensure the bylaw special consultative process can commence as soon as possible, it is proposed to establish a sub-committee of Council to finalise the preparation of material that will be publicly notified as soon as reasonably practicable.

RECOMMENDATIONS

That Council:

1. **Decides to progress with a proposed bylaw to prohibit and restrict the use of motor vehicles on and along the East Coast of Marlborough (Option 1);**
2. **Appoints the Mayor and Councillors Oddie, Hope and Arbuckle to a sub-committee of the Planning, Finance & Community Committee to make certain decisions relating to the making of the bylaw; and**
3. **Delegates under clause 32 of the 7th Schedule to the Local Government Act 2002 (LGA02) the powers to make decisions precedent to the making of the bylaw; namely—**
 - (a) **Finalise engagement with iwi:**
 - (b) **Determine, based on that engagement, the final version of the proposed bylaw, the statement of proposal and other consultation documents:**
 - (c) **Amend the Technical Report to take account of iwi feedback:**
 - (d) **Make the decisions required by section 155 of the Local Government Act 2002:**
 - (e) **Determine the opening and closing dates for submissions:**
 - (f) **Develop a consultation plan.**
 - (g) **Publicly notify the proposed bylaw, commencing the special consultative procedure.**

Background/Context

3. Councillors have received a number of reports on progress on the development of a proposed bylaw to control vehicle access on and along the East Coast of Marlborough in order to protect public safety and the East Coast ecosystems. On 12 December 2019 Council decided in principle to progress a bylaw. Since that time, staff have undertaken engagement with iwi and consultation with stakeholders and interested parties. Their input informs the options and recommendations made in this report.
4. To avoid further delays, due to the upcoming holiday season hiatus, it is recommended that a sub-committee finalise the proposed bylaw and other documentation and ensure the special consultative procedure is commenced as soon as possible.

Assessment/Analysis

The options

5. This report sets out the bylaw options for Council to consider. The status quo has not been presented as an option as Council has already decided to progress with a bylaw.
6. Some stakeholders and interested parties assert that some vehicles have less impact than others on the ecosystems involved. They propose that 4-wheel drive utes and SUV vehicles be prohibited but that ATV's and motor bikes be permitted. This is presented as an option.
7. The issues that have arisen relating to continued uncontrolled motor vehicle use on the East Coast of Marlborough involve the adverse environmental effects following the Kaikōura earthquake and secondly, the adverse effects on public safety. These effects are detailed in the Technical Report provided to the Planning, Finance and Community Committee of Council on 28 November 2019.

The proposed process

8. The holiday period is fast approaching. It is proposed that a sub-committee be appointed to progress the bylaw over this period and into the New Year.
9. Before making a bylaw, Council must decide certain matters under section 155 of the Local Government Act 2002 (LGA02); including whether the proposed bylaw is the most appropriate bylaw and whether the NZ Bill of Rights Act would be infringed by the proposed bylaw. Council will use the special consultative procedure in the Local Government Act 2002 to make a bylaw. This requires preparation and adoption of a statement of proposal including a draft bylaw, a summary of information (if the statement of proposal is large) and making this publicly available before holding a hearing. It is proposed that the sub-committee make these decisions.
10. Council has the power to delegate powers to sub-committees except the power to make a bylaw. This does not exclude a delegation of powers precedent to the making of a bylaw. This means that once the bylaw is notified, a hearing panel will need to be appointed to hold a hearing and make recommendations on the submissions. Council itself decides whether the bylaw should ultimately be made.

Option One (Recommended Option) – Notify a Proposed Bylaw restricting all types of vehicles to and along Marlborough's East Coast

11. This proposal would prohibit the use of motor vehicles from the Awatere River mouth to the Waima (Ure) River. There would be exemptions for boat launching areas at Marfells and Ward beaches for both recreational and commercial users. The existing commercial operators would be able to continue to use their existing launching areas, subject to any other consents or regulations for those activities. Some central and local government agencies would be able to use their vehicles on the beaches; they would only be for emergency or enforcement purposes.
12. Motor vehicles will have access south of the Waima (Ure) River to Council's southern boundary but their speed would be limited to 30km/h.
13. Specific provisions, for the avoidance of doubt, would apply to dunes and the unformed legal road along the coast; motor vehicles would be banned.

Advantages

14. This proposal has the following advantages:
 - (a) Sites of significance to tangata whenua would be protected from damage by motor vehicles:
 - (b) The public using the beach will be safe from uncontrolled motor vehicles (speed and route):
 - (c) Threatened species and habitats will be protected:
 - (d) The environment will have a chance to recover from the effects of the Kaikōura earthquake.
 - (e) Public access will be retained for non-motorised vehicle uses.

Disadvantages

15. This proposal has the following disadvantage:
 - (a) Long term motor vehicle users will no longer be able to use their vehicles on and along the coast.

Option Two– Notify a Proposed Bylaw allowing only ATV's and motor bikes (i.e restricting 4wd vehicles) only to and along Marlborough's East Coast

16. This proposal would prohibit the use of 4-wheel drive and all other motor vehicles except ATV's and motor bikes from the Awatere River mouth to the Waima (Ure) River. This proposal could specify a route to be travelled below mean high water.
17. There would be exemptions for boat launching areas at Marfells and Ward beaches. The existing commercial operators would be able to continue to use their launching areas, subject to any other consents or regulations for those activities. Some central and local government agencies would be able to use their vehicles on the beaches; they would be for emergency or enforcement purposes.
18. All motor vehicles, including 4-wheel drive, would have access south of the Waima (Ure) River to Council's southern boundary but their speed would be limited to 30km/h.
19. Specific provisions, for the avoidance of doubt, would apply to dunes and the unformed legal road along the coast; motor vehicles would be banned.

Advantages

20. It would lessen the restrictions on use of motor vehicles. Some long time users would be able to continue to use a motor vehicle (ATV or motor bike) on and along the coast.

Disadvantages

21. The justification for making this distinction was that some vehicles have a "lighter footprint" than others. This relies on the weight of the vehicle and the size of the tyres. An assessment undertaken of this alternative is that this does not make a sufficient difference to justify permitting some vehicles and not others. That is, any potential gains, which are arguable, are insignificant in comparison to the damage and disturbance being caused by the vehicles.
22. It will be difficult to enforce vehicles travelling on a specified route.

Next Steps

23. The sub-committee will make the preliminary decisions delegated to them.
24. Public consultation will commence, asking for submissions on the proposed bylaw.
25. A hearings panel will be appointed, hold a hearing, and make recommendations on submissions to Council.
26. Council will decide and adopt (or not) a bylaw.

Authors	Kaye McIlveney, Solicitor & Sarah Edmonds, Planner
Authoriser	Alan Johnson, Environmental Science and Monitoring Manager

Summary of decision-making considerations

Fit with purpose of local government

The proposal enables democratic local decision-making and action by, and on behalf of communities and relates to providing a public service.

Fit with Council policies and strategies

	<i>Contributes</i>	<i>Detracts</i>	<i>Not applicable</i>
LTP / Annual Plan			✓
Financial Strategy			✓
Infrastructure Strategy			✓
Social well-being	✓	✓	
Economic development			✓
Environment & RMA Plans	✓		
Arts & Culture	✓		
3 Waters			✓
Land transport		✓	
Parks and reserves	✓		

Nature of the decision to be made

Iwi were invited by the Mayor to contact Council to arrange hui to discuss any issues they have about the east coast.

Financial considerations

There will be financial costs to administering and implementing the bylaw. There will also be costs for signs at the six access points, installing vehicle access ramps at Marfells Beach, bollards and or fencing to prevent vehicle access as necessary. These costs have not been calculated.

Significance

The decision is considered significant under Council's Significance and Engagement Policy. When making a bylaw under the Local Government Act 2002 a local authority must use the consultative procedure where there is, or is or likely to be a significant impact on the public due to the proposed bylaw.

Engagement

Following the November 2019 meeting of the Planning, Finance and Community Committee (PFCC) meeting, discussions continued with iwi and interested and affected stakeholders to inform the drafting of a proposed bylaw. A Technical Report, Issues and Options Paper and the agenda item from the PFCC on 28 November 2019 were used as a basis for discussion.

Letters were emailed to statutory bodies (NZ Transport agency, NZ Police, Department of Conservation, Ministry for Primary Industries) and representatives of the commercial paua and lobster industries. Letters were also sent to landowners adjoining the focus area with an offer to meet as required in the New Year 2020.

Summary of decision-making considerations

No formal invited participation has been made with the public or interested parties. Instead the preferred approach was to receive public submission once a proposed Bylaw had been notified. The media coverage following the November 2019 meeting generated public interest in the Bylaw being proposed. As a result Councillors agreed at a PFCC meeting on 19 March 2020 to accept feedback from interested parties. Council has received proposals from members of the public asking for an alternative approach to be considered before a bylaw is notified.

There is both support for and opposition to the proposal to restrict vehicle access to the East Coast, in particular at Marfells Beach to Cape Campbell. The following comments received in opposition are noted:

1. A suggestion allowing vehicle access by landowners for stock control. This should be left as a discretionary activity rather than being provided for specifically in the Bylaw. Discussions with landowners confirms that every effort is made to have secure fencing along the coast but that there might be times where stock escape.
2. The commercial paua and rock lobster industries require boat launching provision at Ward Beach. The intention is to provide for this in the draft Bylaw.
3. The public wanting to retain vehicle access to provide for persons with disabilities just north of Marfells Beach camping ground. This will be provided for with a designated boat launching area.
4. The Marlborough Express enquired about mobility scooters. Council's response is that the Land Transport Act 1998 excludes mobility devices as motor vehicles. They are defined separately in the act.
5. Ministry for Primary Industries (MPI) want to retain the ability to use patrol vehicles for compliance purposes. This is provided for in the draft Bylaw.

The comments received that disagree with Council's approach have a common theme.

- Educate by erecting signs instead of banning vehicles. This will not be effective in reducing or eliminating the damage being caused.
- Vehicles with soft tyres (ATV's and motorbikes) have minimal impact and driving below MHW has no environmental impact. Analysis has confirmed that disagreement remains about the impacts of different types of vehicles.

Risks: Legal / Health & Safety etc

The proposed bylaw will reduce the risk to public safety from the use of motor vehicles on the coast.

Climate Change Implications

The prohibition on motor vehicles will have a negligible impact on climate change.

8. KiwiRail Presentation on iReX Project

S400-005-006-01

1. David Gordon (KiwiRail's Chief Operating Officer – Capital Projects and Asset Development) will be in attendance to give a presentation on the iReX Project.

RECOMMENDATION

That the information be received.

Background of David Gordon

2. David oversees KiwiRail's strategic capital projects. David joined KiwiRail in 2007 when he began working on the Wellington Regional Rail Programme as Project Director. More recently, David held the roles of GGM Asset Management and Investment, and GM Network Performance. Before joining KiwiRail, he worked as a consultant in the transport infrastructure business, was Planning and Development head for Wellington International Airport and a Senior Manager in the strategy consulting team of Ernst and Young.

Presentation

A short presentation will be given by David Gordon (15 minutes).

9. Decision to Conduct Business with the Public Excluded

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- Confirmation of Public Excluded Minutes
- Committee Reports (Public Excluded Sections)
- Port Marlborough NZ Ltd Governance

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Minutes and Committee Reports	As set out in the Minutes and Reports	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.
Port Marlborough NZ Ltd Governance	In order to protect the privacy of natural persons, as provided for under Section 7(2)(a).	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.