

MARLBOROUGH DISTRICT COUNCIL  
15 SEYMOUR STREET  
PO BOX 443, BLENHEIM 7240  
NEW ZEALAND

TELEPHONE (0064) 3 520 7400  
FACSIMILE (0064) 3 520 7496  
EMAIL [mdc@marlborough.govt.nz](mailto:mdc@marlborough.govt.nz)  
WEB [www.marlborough.govt.nz](http://www.marlborough.govt.nz)



**MARLBOROUGH  
DISTRICT COUNCIL**



Only Marlborough

11 November 2022

Record No: 22228229  
File Ref: D050-001-A03  
Ask For: Nicole Chauval

## **Notice of Committee Meeting – Thursday, 17 November 2022**

A meeting of the Assets & Services Committee will be held in the Council Chambers, 15 Seymour Street, Blenheim on **Thursday, 17 November 2022 commencing at 9.00 am.**

### **BUSINESS**

As per Agenda attached.

**MARK WHEELER  
CHIEF EXECUTIVE**





**Meeting of the  
ASSETS AND SERVICES COMMITTEE  
to be held in the Council Chambers, District Administration Building, Seymour Street,  
on THURSDAY, 17 NOVEMBER 2022 commencing at 9.00 am**

**Committee**

Clr J D N Croad (Chairperson)  
Clr J C Rosene (Deputy)  
Clr S R W Adams  
Clr S J Arbuckle  
Clr D A Dalliessi  
Clr B G Dawson  
Clr M R L Flight  
Mayor N P Taylor  
Iwi representative

**Departmental Head**

Richard Coningham, (Manager, Assets & Services) and Jamie Lyall  
(Manager, Property & Community Facilities)

**Staff**

Nicole Chauval (Committee Secretary)

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**In Public**

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**Public Excluded**

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## **1. Apologies**

No apologies received.

## **2. 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.

### 3. Financial Report for the year to 30 September 2022

(The Chair) (Report prepared by David Craig)

F275-001-02

#### Purpose of Report

1. To present the Financial Report for the Assets and Services and Community Facilities (including Parking) Departments for the year to 30 September 2022.

#### Executive Summary

2. The Financial Report for the Assets & Services and Community Facilities (including Parking) Departments from 1 July 2022 to 30 September is presented below.

#### Revenue and Operational Expenditure

(in millions)	1 July to 30 September		Whole year			
	Actual	Budget		Forecast	Budget	
Surplus/Deficit	\$1.6	\$1.8	✓ \$ 0.2	\$5.1	\$5.3	✗ \$0.2
Income	\$36.2	\$37.8	✗ \$ 1.6	\$152.1	\$154.0	✗ \$ 1.9
Expenditure	\$37.8	\$39.6	✓ \$1.8	\$147.0	\$148.7	✓ \$ 1.7

#### Major variances between year to date actual and budget:

- Roading emergency reinstatement costs following the July 2021 and August 2022 storm events are above budget by \$1.4M and are offset by increased operational roading subsidies of \$1.7M. Other flood damage repair costs of \$263k have been incurred to date, mainly within the Flood Protection Activity, and are well within budget at this time. There are also associated savings of \$201k for minor works contracts in that same Activity.
- Flood event welfare response and recovery costs are captured under the Emergency Management Activity and \$467k has been incurred to date. Most of these costs are eligible for subsidy from either National Emergency Management Agency (NEMA) or Waka Kotahi (NZTA). Claims are pending.
- Roading subsidy on capital expenditure is below budget by \$1.8M due to scheduling of the renewals programme over the warmer summer months.
- Network and Asset Management costs are unfavourable to budget by \$443k. Council budgets for 60% of this cost under its roading renewal activities. An adjustment is made at year end to recognise this.
- Development contributions (\$824k) and Reserve fund contributions (\$282k) are both unfavourable to budget and are sourced from levies charged on development. These revenues are expected to improve during the year as staged subdivisional development occurs.
- Vested assets are unfavourable to budget by \$285k. Accounting entries are pending for stage 8b of the Rose Manor subdivision.
- Trade waste revenue is unfavourable to budget by \$317k. Charges are based on the volume of water used through the metered connections of commercial and industrial properties that have a sewer flow greater than the average domestic property. Annual charges have been assessed and are awaiting invoicing. Revenue for disposal of winery liquid waste directly to the Harding Roads industrial ponds (through septage receival facility) is favourable to budget by \$426k.
- Dump fee revenue is unfavourable to budget by \$394k. Activity is generally a little quieter during the winter months.

- Grant income is favourable to budget by \$603k which is mainly attributable to the Provincial Growth Fund for Wairau River flood protection scheme \$371k, 3Waters Stimulus Funding \$148k and Tourism Infrastructure Funding (TIF) for public convenience upgrades \$118k.
- Grant expenditure is favourable to budget by \$712k due to Marlborough Kaikoura Trail Trust (MKTT) and Marlborough Equestrian Park projects. Approval has been given to make quarterly advance payments to MKTT for Whale Trail funding.
- Insurances are favourable ytd by \$883k. Premiums from Local Authority Protection Plan (LAPP) for 3Waters and River assets have been paid but not allocated to the relevant activities.
- Additional information is given on variances at an activity level later in the report.

## Capital Expenditure

(in millions)	1 July to 30 September		Whole year			
	Actual	Budget		Forecast	Funded	
Capex	\$6.1	\$23.3	✘ \$17.2	\$81.1	\$67.5	✘ \$ 13.6

Council has funded a budget of \$67.5M for capital expenditure in the 2022-23 Annual Plan. The total programmed work for the year is \$98.2M (including \$30.7M of carryovers from previous financial years). This ensures that multiple projects can be kept on the go.

Actual year to date expenditure is currently at 9% of the funded amount.

Capital expenditure is impacted for many reasons including finalising community consultation, obtaining land access, obtaining resource consents, the availability of external professional expertise and receiving an acceptable contract price and contractor availability.

### Forecasts

- Forecast values are system generated and require manual intervention to improve accuracy. Much of the required information to do this will be obtained from the 2023-24 Annual Plan process, which is currently underway.
- Forecast data will continue to be updated as we progress through the year and as new information comes to hand.

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## RECOMMENDATION

**That the financial report for the period ended 30 September 2022 be received.**

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## Background/Context

3. Below is the Financial Report for the Assets & Services and Community Facilities (including Parking) Departments, for the three-month period ended 30 September 2022.
4. For the particular benefit of new members, this report is an Actual versus Budget variance report. It is important to appreciate that the reports do not show all sources of funding or the full application of those funds, such as movements to and from separate reserves, new loans and debt repayment.
5. Budget values include 2021-22 carryovers, which were approved in the August meeting cycle.
6. The Forecast column provides projected end of year outcomes and these will be continually updated as we progress through the year.
7. Entries have been completed to account for September revenues and expenditures, including outstanding retention values of \$2.15M for 41 separate construction contracts.

8. All figures are rounded to the nearest thousand unless otherwise stated.
9. The use of ✖ or ✔ is challenging for capital expenditure. Normally if you are over budget, it is not good, so should get a ✖. Equally if you are tracking well behind/under budget that is also not good. As a result, for capital expenditure a ✔ is for within -10%/+5% and anything outside that range being a ✖.

## Financial Report by Significant Activity

### 10. Community Facilities

#### Revenue and Operating Expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Budget			
Surplus/Deficit	-\$484	-\$723	✔	\$238	-\$247	-\$485	✔	\$238
Revenue	\$3,671	\$3,922	✖	-\$251	\$15,439	\$15,690	✖	-\$251
Expenditure	\$4,156	\$4,645	✔	-\$489	\$15,686	\$16,175	✔	-\$489

The unfavourable revenue variance of \$251k or 6% is due to development contributions of \$82k and reserve fund contributions of \$282k, offset by favourable government grants of \$118k from Tourism Infrastructure Funding (TIF) for public convenience upgrades.

The favourable operating expenditure variance of \$489k or 11% is due to personnel costs \$29k, general expenses \$25k, grants (Whale Trail and Equestrian Park) \$728k, depreciation \$28k and interest \$24k; offset by unfavourable insurance \$49k and repairs & maintenance (including flood damage) \$193k.

#### Capital expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Funded			
Capex	\$629	\$3,036	✖	-\$2,408	\$8,434	\$6,921	✖	\$1,513

We have achieved 6% of programmed works or 9% of the \$6.921M approved in the Annual Plan (i.e., excluding carry overs). This is due to lower than budgeted expenditure in cemeteries \$115k, memorials \$63k, public conveniences \$1.064M, reserves \$871k and swimming pools \$308k.

The major budgets within the community facilities program are for cemeteries \$649k (\$47k), memorials \$253k (\$0), public conveniences \$3.497M (\$165k), reserves \$5.155M (\$389k) and swimming pool \$1.230M (\$0). Year to date expenditures are shown in brackets.



## 11. Direct Management

### Revenue and Operating Expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Budget			
Surplus/Deficit	\$63	-\$483	✓	\$547	\$105	-\$427	✓	\$532
Revenue	\$217	\$88	✓	\$129	\$481	\$352	✓	\$129
Expenditure	\$153	\$571	✓	-\$418	\$376	\$779	✓	-\$403

Favourable revenues of \$129k are due to 3Waters stimulus funding \$148k, offset by unfavourable fees & charges \$25k.

The favourable operating expenditure of \$418k or 73% is due to personnel costs \$167k, consultancy \$21k, professional fees (climate change provision) \$112k and internal costs & recoveries \$95k.

### Capital expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Funded			
Capex	\$0	\$0	✓	\$0	\$45	\$0	✗	\$45

Capital expenditure of \$60k is budgeted for additional bunker storage at Workops depot.

## 12. Emergency Management

### Revenue and Operating Expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Budget			
Surplus/Deficit	-\$476	-\$24	✗	-\$451	-\$522	-\$71	✗	-\$451
Revenue	\$184	\$189	✓	-\$5	\$750	\$755	✓	-\$5
Expenditure	\$660	\$213	✗	\$447	\$1,272	\$825	✗	\$447

The unfavourable revenue variance of \$5k or 3% is due to occupancy charges for FENZ, which will be invoiced later in the year.

The unfavourable operating expenditure of \$447k or 210% is due to the flood response and welfare costs \$467k; offset by favourable personnel costs \$23k.

### Capital expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Funded			
Capex	\$1	\$2	✗	-\$1	\$8	\$9	✓	-\$1

A small budget provision of \$9k has been made for office and communication equipment.

### 13. Roads and Footpaths

#### Revenue and Operating Expenditure

(in thousands)	1 July to 30 September		Whole year					
	Actual	Budget			Forecast	Budget		
Surplus/Deficit	-\$1,657	-\$170	✘	-\$1,487	-\$2,095	-\$606	✘	-\$1,489
Revenue	\$18,381	\$18,799	✘	-\$418	\$74,779	\$75,197	✘	-\$418
Expenditure	\$20,038	\$18,969	✘	\$1,069	\$76,874	\$75,803	✘	\$1,070

The \$418k or 2% unfavourable variance in the Roothing and Footpath revenue is due to subsidy on renewal works, which are scheduled over the warmer summer months, of \$1.76M, development contributions \$136k and vested assets \$156k. These are offset by subsidy on operations and maintenance activities, including emergency reinstatement works, \$1.73M. The NZTA approved programme for emergency works is \$48.9M with an enhanced Financial Assistance Rate [FAR] of 95%.

The unfavourable total expenditure variance of \$1.07M or 6% is primarily due to those emergency reinstatement costs of \$1.35M, with \$14.2M being spent to date.

Network and Asset Management costs are also above budget by \$443k. This is the Waka Kotahi NZTA work category which provides for the general management and control of the road network and management of road assets. This encapsulates professional services and Council budgets for 60% of this cost under its roading renewal activities. A transfer will be completed at year end.

There are favourable variances for minor events \$100k, sealed pavement maintenance \$224k and depreciation \$120k.

#### Capital expenditure

(in thousands)	1 July to 30 September		Whole year					
	Actual	Budget			Forecast	Funded		
Capex	\$1,022	\$5,740	✘	-\$4,719	\$22,835	\$17,199	✘	\$5,636

We have achieved 4% of programmed works or 6% of the \$17.199M approved in the Annual Plan. The bulk of the capital (renewals) programme is below budget due to scheduling of these works over the warmer summer months. There are favourable variances in bridge renewals \$116K, drainage renewals \$178k, footpath renewals \$115k, minor improvements \$385k, pavement rehabilitation \$353k, sealed road resurfacing \$475k, structures component replacements \$100k and traffic services \$78k.

Other non-subsidised activities which are also behind budget include the Northwest Blenheim extension zone \$703k, Blenheim CBD works \$495k, Picton CBD works \$240k, small townships upgrades \$509k and roading related works (including cycle facilities, kerb & channel, signage, and seal extension) \$636k.

Vested assets are ahead of budget by \$156k.

## 14. Parking

### Revenue and Operating Expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Budget			
Surplus/Deficit	\$20	-\$18	✓	\$38	\$164	\$154	✓	\$11
Revenue	\$611	\$497	✓	\$114	\$2,102	\$1,988	✓	\$114
Expenditure	\$591	\$515	✗	\$76	\$1,938	\$1,834	✗	\$103

The favourable revenue variance of \$114 or 23% is due to infringements \$38k and parking leases \$80k; offset by unfavourable parking collections \$10k.

Expenditure is unfavourable to budget by \$76k or 15% due to legal fees (lodging fines at Court) \$15k and rates (timing) \$90k; offset by favourable levy payments (Police) \$23k.

### Capital expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Funded			
Capex	\$0	\$118	✗	-\$118	\$355	\$98	✗	\$257

Capital expenditure is behind budget by \$118k with 0% of programmed works being completed. The budget provides for resurfacing of various carparks \$380k, parking machines \$75k and sundry plant \$18k.

## 15. Flood Protection

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Budget			
Surplus/Deficit	\$1,316	\$344	✓	\$973	\$3,434	\$2,485	✓	\$950
Revenue	\$2,944	\$2,993	✗	-\$48	\$11,923	\$11,971	✗	-\$48
Expenditure	\$1,628	\$2,649	✓	-\$1,021	\$8,489	\$9,487	✓	-\$998

### Revenue and operating expenditure

The unfavourable revenue variance of \$48k or 23% is due to insurance claim for river flood damage repairs (claim is currently being prepared) \$496k, sales (quarry rock) \$49k and property rentals \$105; offset by favourable grants for the Southern Valleys/Upper Condors upgrade \$371k and disbursement recoveries \$228k.

The favourable operating expenditure variance of \$1.02M or 39% is due to flood damage repairs \$609k, insurances \$326k and minor contract works \$199k; offset by unfavourable power \$52k and internal costs & recoveries \$63k.

## Capital expenditure

(in thousands)	1 July to 30 September		Whole year					
	Actual	Budget			Forecast	Funded		
Capex	\$73	\$2,099	✘	-\$2,026	\$6,368	\$5,166	✘	\$1,202

We have achieved 1% of programmed works or 1% of the \$5.17M approved in the Annual Plan. Favourable ytd variances include pump stations \$91k, rock and gabion protection \$506k, stopbanks \$458k and drainage channels (Town Branch drain) \$824k.

Major budgeted projects include Wairau River (Tuamarina to Waihopai) edge protection works \$1.33M, Lower Wairau River stopbanks \$1.21M, Omaka River stopbank & edge protection works \$0.8M and Town Branch Drain/Camerons Drain upgrades \$3M.

The land acquisition for the Pukaka Quarry expansion was completed in 2021-22. A new haul road is required to access the new area and the design is being finalised. A budget of \$315k has been provided for this project.

## 16. Wastewater

### Revenue and Operating Expenditure

(in thousands)	1 July to 30 September		Whole year					
	Actual	Budget			Forecast	Budget		
Surplus/Deficit	-\$430	-\$471	✓	\$40	\$1,246	\$1,741	✘	-\$495
Revenue	\$2,953	\$3,121	✘	-\$168	\$13,882	\$14,572	✘	-\$690
Expenditure	\$3,384	\$3,592	✓	-\$208	\$12,637	\$12,831	✓	-\$194

Revenue has an unfavourable variance of \$168k or 5%. This is due to development contributions \$300k and trade waste charges \$319k; offset by favourable connection charges \$94k and miscellaneous revenue (disposal of winery liquid waste at Hardings Road industrial ponds) \$426k.

Trade waste charges are applied to those commercial or industrial properties that are likely to have a sewer flow greater than the average domestic property. This flow is calculated based on the volume of water used through the metered connection to the property. Current year charges have been assessed and invoicing is pending.

Operating expenditure has a favourable variance of \$208k or 6% due to insurance \$179k, treatment \$154k, depreciation \$28k and interest costs \$20k; offset by unfavourable rates \$55k, and pump stations \$84k.

### Capital Expenditure

(in thousands)	1 July to 30 September		Whole year					
	Actual	Budget			Forecast	Funded		
Capex	\$1,485	\$3,197	✘	-\$1,713	\$12,577	\$10,572	✘	\$2,005

We have achieved 10% of programmed works or 14% of the \$10.57M approved in the annual plan. Pump stations \$1.08M and treatment \$432k are behind programme.

Aeration upgrades to the Blenheim domestic and industrial treatment ponds at Hardings Road have cost \$922k to date. The 2022-23 combined budget is \$1.5M.

Final costs for the \$15.7M Blenheim sewerage upgrade, which provides for future residential growth for 700 homes, are filtering through with \$359k spent year to date.

The focus on relining of earthenware wastewater pipes has now moved to Picton. \$3.1M is budgeted in 2022-23, with \$93k expended year to date.

Replacement of the Main Terminal Pump Station (MOPS) in Alabama Road is planned during 2022-24. This station pumps all the sewage from Blenheim, Woodbourne, Renwick and Marlborough Ridge through a 5.1km long pipeline to the Blenheim sewage treatment plant. The station is built in an area that is susceptible to liquefaction. Consideration was given to ground improvement and strengthening but that proved impractical. A new station will provide improved seismic and hydraulic performance. \$3.5M is budgeted in 2022-23 and a further \$4M in 2023-24.

A new sewage treatment plant is planned for Havelock. The new treatment plant will significantly improve effluent quality. The project is budgeted over 2021-24 for the consenting, design and building of a new treatment plant at a new site and the construction of a new terminal pump station. The budget over this period is \$13.635M, with \$3.137M budgeted in 2022-23.

In 2022-23 there is \$2.09M budgeted for Picton sewerage treatment aeration upgrade.

The Seddon sewage treatment plant requires major upgrading. Although the existing treatment plant could be replaced with a modern plant producing a consistently high-quality effluent which is suitable for continuing discharge to Starborough Creek without environmental impact, there is a strong recommendation in the current discharge consent for removal of the discharge to Starborough Creek and instead to irrigate to land. A significant volume of storage and large area of land is required for land treatment.

The preferred option includes storage, high level treatment, irrigation of the golf course and other sites. A total budget of \$13.6M has been allocated for 2022-25, with \$2.6M budgeted in 2022-23.

## 17. Stormwater

### Revenue and Operating Expenditure

(in thousands)	1 July to 30 September		Whole year			
	Actual	Budget		Forecast	Budget	
Surplus/Deficit	\$141	\$129	✓ \$12	\$1,134	\$1,130	✓ \$5
Revenue	\$777	\$981	✗ -\$204	\$3,720	\$3,924	✗ -\$204
Expenditure	\$636	\$852	✓ -\$216	\$2,586	\$2,794	✓ -\$209

Revenue has an unfavourable variance of \$204k or 21% due to development contributions \$168k and vested asset \$50k; offset by favourable connection charges \$14k.

Operating expenditure is favourable to budget by \$216k or 25% due to insurances \$192k, monitoring costs \$13k and depreciation \$13k.

## Capital expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Funded			
Capex	\$38	\$920	✘	-\$883	\$3,149	\$3,420	✔	-\$271

We have achieved 1% of programmed works or 1% of the \$3.42M approved in the Annual Plan.

Year to date expenditure totals \$38k for new connections.

Major budgets include replacement of Redwood St stormwater main (Muller Rd to Stephenson St) \$1M, Blenheim pipeline renewals \$1.2M, Picton pipeline renewals \$970k, Goulter St pipeline upgrade in Seddon (ahead of roading improvements) \$350k and vested assets \$200k.

## 18. Waste management

### Revenue and Operating Expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Budget			
Surplus/Deficit	-\$66	-\$21	✘	-\$46	\$103	\$152	✘	-\$49
Revenue	\$3,513	\$3,964	✘	-\$451	\$15,405	\$15,857	✘	-\$451
Expenditure	\$3,579	\$3,985	✔	-\$406	\$15,303	\$15,705	✔	-\$402

Revenue has an unfavourable variance of \$451k or 11% due to dump fees \$394k, grants (waste levy) \$34k and sales \$30k. Dump fee revenue variations are expected to improve over the busier summer period.

Operating expenditure has a favourable variance of \$406k or 10%. This is due to favourable variances in landfill Emissions Trading Scheme (ETS) obligation \$336k, waste levy payments \$69k, projects (recycling) \$71k and depreciation \$83k; offset by unfavourable consultancy \$28k, contracts \$82k and flood damage repairs (Picton transfer station access road) \$46k.

### Capital Expenditure

(in thousands)	1 July to 30 September			Whole year				
	Actual	Budget		Forecast	Funded			
Capex	\$228	\$817	✘	-\$588	\$2,678	\$2,656	✔	\$22

We have achieved 7% of programmed works or 9% of the \$2.66M approved in the Annual Plan.

Actual capital expenditure to date is centred around design of Stage 9 extension to the Regional Landfill \$141k and weighbridge installations at the Resource Recovery Centre and the Greenwaste facility \$87k.

Regional Landfill stage 9 construction costs are budgeted over two years, with \$2.9M in 2022-23 and \$3.55M the following year.

A budget of \$260k has been provided in 2022-23 to complete the weighbridge installations. Some additional funding (circa \$147k) is proposed from the unallocated waste disposal levy received from Central Government.

## 19. Water supply

### Revenue and Operating Expenditure

(in thousands)	1 July to 30 September		Whole year					
	Actual	Budget			Forecast	Budget		
Surplus/Deficit	\$34	-\$352	✓	\$386	\$1,800	\$1,172	✓	\$628
Revenue	\$2,965	\$3,255	✗	-\$290	\$13,643	\$13,677	✗	-\$34
Expenditure	\$2,931	\$3,607	✓	-\$676	\$11,843	\$12,506	✓	-\$662

Revenue has an unfavourable variance of \$290k or 9% due to unfavourable metered water sales \$256k, development contributions \$138k and vested assets \$49k; offset by favourable backflow prevention charges \$118k and connection charges \$38k.

Expenditure has a favourable variance of \$676k or 19% due to insurances \$256k, meter maintenance & reading \$20k, pump stations \$61k, reticulation maintenance \$152k, treatment \$106k, depreciation \$41k and interest \$70k. These are offset by unfavourable rates payable \$31k.

### Capital Expenditure

(in thousands)	1 July to 30 September		Whole year					
	Actual	Budget			Forecast	Funded		
Capex	\$2,666	\$7,261	✗	-\$4,595	\$24,449	\$21,185	✗	\$3,264

We have achieved 9% of programmed works or 13% of the \$21.2M approved in the Annual Plan.

Expenditure to date has been primarily on Renwick (\$1.49M) and Wairau Valley (\$796k) water treatment upgrades.

Major 2022-23 budgets by scheme include:

•	<b>Blenheim</b>	<b>Budget (\$000)</b>
	Pipelines - fire/capacity upgrades	\$666
	Treatment - lime upgrade/additional land	\$560
	Pipeline renewals	\$836
•	<b>Havelock</b>	
	Treatment - new treatment plant and supply pipeline	\$5,324
•	<b>Picton</b>	
	Pipelines - Speeds Road to Elevation Reservoir	\$600
	Treatment - bring new wells into service with a filtration stage to improve resilience of the supply	\$3,800
•	<b>Renwick</b>	
	Treatment - new water treatment plant and connection to the bores in Condors Bend Road	\$8,334

- **Awatere Rural**  
Reservoir - Lions Back \$2,322
- **Seddon**  
Pipelines - Beaumont Street development \$656
- **Riverlands**  
Pipelines - from new wells to reticulation scheme \$2,613  
Treatment - new wells into service with treatment to meet drinking water standards \$5,762
- **Wairau Valley**  
Treatment – additional well and new treatment plant to meet drinking water standards \$950
- **Southern Valleys Irrigation Scheme**  
Pump station upgrades \$1,891
- **Flaxbourne Irrigation Scheme**  
Pipelines – new irrigation scheme \$4,000

## 20. Forecasts

Forecast values are system generated and require manual intervention to improve accuracy. Much of the required information to do this will be obtained from the 2023-24 Annual Plan process, which is currently underway.

Forecast data will continue to be updated as we progress through the year and as new information comes to hand.

Author	David Craig, Management Accountant – Operations
Authoriser	Richard Coningham, Assets and Services Manager and Jamie Lyall, Property and Community Facilities Manager



## 4. Approval of Amendment to Victoria Domain Reserves Management Plan

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(Mayor) (Report prepared by Heather Graham)

R510-014-029

### Purpose of Report

1. To approve an amendment to Victoria Domain Reserves Management Plan provisions specifically regarding the use of Memorial Park for vehicle and boat trailer parking.
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### RECOMMENDATIONS

1. That the Hearing Panel Decision Report of 30 September 2022 be received.
  2. That Council approves the amendments to the Victoria Domain Reserves Management Plan as noted in the Decision Report in accordance with Section 41 of the Reserves Act 1977.
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### Background

2. In June 2021, the Marlborough District Council (Council) adopted the new Victoria Domain Reserves Management Plan (Plan) after a comprehensive public consultation process.
3. The new Plan allocated an area within Memorial Park for temporary parking as shown in Appendix 5 of the Plan.
4. During the 2021-2022 Christmas period the demand for vehicle and trailer parking exceeded the available parking area causing impacts on the surrounding area. This resulted in a number of traffic safety issues for the wider community along with a number of complaints to Council, Port Marlborough and the Picton Police over the Christmas and New Year period 2021-2022.
5. In January 2022, Council arranged a meeting with Port Marlborough staff and the Picton Police seeking solutions to the parking supply and traffic safety issues before the next busy boating period in Easter 2022.
6. A number of solutions were viewed as a potential remedy for the future with Council approving the proposed change to the Victoria Domain Reserves Management Plan be notified for public submission in accordance with Section 41(6) of the Reserves Act 1977.
7. The Hearings Committee that had heard the original submissions to the Plan were reconvened to hear submissions on the proposed change. As the issue was very singular the Council resolved to have one round of submissions for this process.
8. A background information report accompanied notification of the proposed changes to the Plan with all parties who had previously submitted on the Plan contacted. Submissions were open from 16 August - 13 September 2022 with a subsequent submission hearing held at the Endeavour Park Pavilion on 30 September 2022.

### Assessment

9. Prior to the submission hearing, Councillors were provided a summarised report on the matters raised by submitters in relation to the proposed amendments to the temporary parking on Memorial Park, Picton.
10. 40 submissions were received with no submissions against the proposed changes. The main items submitted on were traffic safety, parking fees, parking management, parking area and economic impacts.

11. Six submitters wished to be heard with representatives from Port Marlborough, Picton Business Group, Queen Charlotte Yacht Club and a Christchurch resident with property in the Marlborough Sounds speaking to their submissions. Two others apologised for non-attendance.
12. Following on from the hearing and in considering evidence presented by submitters the Hearing Panel made the following recommendations.
  - a) A proposed helicopter landing site should be secured within Memorial Park and the remainder of Memorial Park be made available for temporary parking at peak times over holiday periods.
  - b) Efficient control and management by Port Marlborough of the temporary parking area including pedestrian accessways on Memorial Park is necessary to provide the best community outcome.
  - c) Council's Park Booking system will be used for holiday periods with peak parking requirements.
  - d) A licence to occupy the reserve area to be used for parking will be entered into between Port Marlborough and Council to meet Reserve Act requirements.
  - e) Council and Port Marlborough work together on a strategic plan for trailer parking in the Picton Marina vicinity.
13. A copy of the Decision Report on submissions and a copy of the Plan as amended by decisions of the Hearing Panel are available on Council's website (via the following link <https://www.marlborough.govt.nz/recreation/parks-and-open-spaces/parks-and-open-spaces-plans-and-reports/victoria-domain>). A copy of the notes from the hearing and subsequent deliberations are included with the agenda item. (Refer Attachment 1).
14. Section 41 of the Reserves Act provides for the approval of a reserve management plan. The Council acting under a delegation from the Minister of Conservation is able to approve the reserve management plan. With the submission and hearing process complete that approval is now sought.

## Attachments

**Attachment 1** – Decision Report on Submissions to Victoria Domain Reserves Management Plan  
page [15]

**Attachment 2** - Victoria Domain Reserves Management Plan is available on Council's website  
<https://www.marlborough.govt.nz/recreation/parks-and-open-spaces/parks-and-open-spaces-plans-and-reports/victoria-domain>

Author	Heather Graham, Small Townships Manager
Authoriser	Jamie Lyall, Manager Property and Community Facilities



**Notes of the  
Proposed Amendments to the Victoria Domain Reserves Management Plan Hearing  
Committee held at the Endeavour Park Pavilion, 181 Waikawa Road, Picton 7220  
on FRIDAY 30 SEPTEMBER 2022 commencing at 10.00 am**

**Present**

Councillors C J Brooks (in the Chair), N P Taylor and M J Fitzpatrick

**In Attendance**

Heather Graham (Small Townships Project Manager), and Jamie Lyall (Manager, Property and Community Facilities), Regan Russell (Project Coordinator) and Bernadette Brooklands (Secretary)

**Apologies**

Linda Craighead (Parks & Open Spaces Planner) and David Dew (submitter)

**Proposed Amendments Victoria Domain Reserves  
Management Plan** **R510-014-029-04**

The Chair welcomed those present and outlined the format for the Hearing.

There were 40 submissions received and of those 6 submitters wanted to speak to their submission.

Prior to the Hearing the following reports/information were circulated to the Hearing Panel:

1. **Memo – Victoria Domain Reserves Management Plan – Memorial Park Proposed Amendment** (Filed in CM Rec No. 22196403)
2. **Submission Summary Table** (Filed in CM Rec No. 22196420)
3. **Submissions** (Filed in CM Rec No. 22196420)

The following speakers had indicated they would speak to their submission but did not appear at their allotted time.

- *David Dew – apology received*
- *John Pickering*

The following is a summary of submitters' address to the Hearing Panel and questions asked of the submitters. All submitters were present in the room.

**Friday, 30 September 2022**

*Anouk Euzeby (Port Marlborough NZ Ltd)*

A powerpoint was shown and filed in CM Record No. 22196752.

Submitter Position We fully support the proposed Amendment and the outcomes it will enable in supporting safe and efficient parking for launching ramp users, with downstream improvements for our neighbours and the wider community over the busiest times of the year.

Submitter's Address

Ms Euzeby presented information covered through the powerpoint.

Questions/discussion from Hearing Panel

- Cllr Fitzpatrick sort to clarify Ms Euzeby's comment regarding difficulty in optimizing parking due to staff hours not covering the extended hours that boaties come and go from the facility. Cllr Fitzpatrick asked if an extension of staff hours over the peak time may alleviate this issue. Ms Euzeby felt that the line marking supports alleviating this issue.

- Clr Fitzpatrick asked whether the additional parking area proposed would manage the issue. Ms Euzeby did not have exact figures but, no did not feel the space would cater for everyone at peak times, but that 97% of the time it would.
- Clr Taylor asked what the port company's business unit forecasting was for future berth holder numbers? Ms Euzeby responded that she does not have percentage forecast for the years to come, however the Port has been looking at trends. Ms Euzeby explained that the trends can be affected by other factors such as weather and when school and public holiday periods fall. The overflow will be needed during peak times to accommodate trailers and vehicles.
- Clr Taylor asked if the Port Company foresaw a time that the Port Company would need access to Memorial Park outside of the "current" peak times. Ms Euzeby did not think so.
- Clr Taylor asked if there was a difference between management of berth holders who pay a yearly fee vs casual day user who pay for the day? It was noted that there is no difference, it is first in, first served for trailer parking.
- Clr Brooks asked if the new space will be enough to accommodate the busy periods? Ms Euzeby advised it should be enough 97% of the time at the Picton Marina and at the Waikawa Marina for 92% of the time. New Year's Eve is typically a busy time.
- Clr Brooks asked how will the parking time limits be managed? Ms Euzeby noted that having short-term stays at the front of the grass parking space and the longer term stays at the rear of the extended space would allow the turnover in the short-term parking to flow well.
- Clr Brooks asked what were high demand times? Ms Euzeby said any long weekends (including Christchurch anniversary weekend when Cantabrians travel up to their bach), Christmas period through to January and school holidays.
- Clr Taylor asked if the Port could track owners of trailers that have overstayed and have the authority to remove these? Ms Euzeby noted that the Port do have ways to do this even if it is a causal user and not a marina member.

An email was received by Mr Dew at 10.30 am advising that he was a late apology to the meeting. The email was circulated to the panel for their consideration and content is included under the Submitter's Address.

*David Dew*

Submitter Position: The change does not go far enough. The whole area available for parking between the dates 22 December to 31 January every year.

Submitter's Address

The following three points were raised in the email:

Firstly Council has the power under certain conditions to use reserves for car parking to the exclusion of other uses. All that's being suggested here is use for a limited time.

Reserves are there for the use by all in the Country not just nearby residents so the needs to be taken into account are national not just local.

The need for parking in this location for a limited time is overwhelming. Failure again to provide for the need will result in clogged streets again.

Secondly Council and the Port Company need to plan for the next 20-30 years not just the next 3-5 years.

I don't see any sign of forward planning in the proposals.

Thirdly the Port Company should staff the car parking area in the park every day during the Xmas/New Year period at least to mid-day to ensure efficient use of parking.

*Graham Gosling (Picton Business Group)*

Submitter Position: The Picton Business Group supports the amendment with additional comments and request that PBG continue to be consulted on this matter.

#### Submitter's Address

A PowerPoint was shown and is filed in CM Record No. 22199613.

Mr Gosling explained that he felt dog walking areas are well provided for in Picton, therefore, if the parking space takes over the dog park area at the marina during peak times, this should not affect dog walkers who can use other areas. Picton also has ample greenspace for people to walk and children to play and advocates for a share the park culture.

Having visited area every day last summer, Mr Gosling acknowledged the limited places to launch a boat and questioned if the area suggested through the proposed plan was big enough.

#### Questions/discussion from Hearing Panel

- Cllr Brooks noted that the Hampden Stream will have enhanced plantings to protect the ecological system of the waterway at the marina.
- Mr Gosling spoke of the Picton Business Groups support of a new helicopter landing pad being constructed for St John and Coastguard on the site. Mr Gosling noted that the landing pad will be large enough for two helicopters to land.
- Cllr Taylor asked if Mr Gosling thought people would be in favour of Council offering more land to the Port to cover these high peak times? Mr Gosling did not think the public would mind as there are plenty of green spaces in Picton.
- Cllr Taylor requested from Mr Lyall for deliberation purposes to provide information on the proposed helicopter pad.

#### *John Pickering*

Submitter Position: That Port Marlborough look after its customers with respect to vehicle storage and not impose on local ratepayers with this problem. That Council imposes Time Limit parking on the entrance way public parks and the parks on south boundary of Endeavour Park. Suggest 4hr in line with foreshore or a lesser time, parking signs to include At ALL Times.

#### Submitter's Address

Mr Pickering was absent from the meeting; however, his submission was noted by the panel.

#### *Michael Horgan*

Submitter Position: Opening up the domain is the easiest answer for Picton and it is only for a few weeks at limited times of the year. There surely is also the potential to have another parking area for vehicles and trailers in the top of Shakespeare Bay on land already owned by MDC.

#### Submitter's Address

Mr Horgan has been coming to the area for 50 plus years as a boatie and batch owner, he shared that he has communicated with several batch owners when forming his position on the topic.

Advocates for use of the area by all, noting he is a dog owner and enjoys using the Victoria Domain for walking his dog.

In Mr Horgan's view, there was no consultation led by Port Marlborough when Victoria Domain Reserves Management Plan was consulted on. They (Port Marlborough) have a great database of users who could have been engaged to offer their thoughts.

Mr Horgan said members receive regular communication and newsletters from Port Marlborough, however, is concerned that the latest communication with members included a map of the Picton Marina that is not consistent with the map offered by Council as part of this submission. This map was shown to the panel.

Mr Horgan highlighted the need for management of different parking times (day/short term/long term) to ensure efficient use of the space available. Mr Horgan also expressed concern that Waikawa parking is problematic, that people experience delays at launch area.

Highlighted the huge economic benefit brought into the area by boat users and reiterated that the main issue is the management of the area.

#### Questions/discussion from Hearing Panel

- Clr Brooks highlighted the consultation that was undertaken regarding the development of the Victoria Domain Reserves Management Plan. Agreed the Hearing Panel did not hear from the boating community and that this was frustrating for all.
- Clr Taylor clarified understanding of Mr Horgan feedback on parking signs/information needs to be clearer on time limits for short/medium/long term parking.
- Clr Brooks asked for Mr Lyall to provide information for the deliberation on the Council owned land in Shakespeare Bay. Mr Lyall advised that he has this information for the panel.
- Clr Taylor asked Ms Euzeby where do people park who want to spend more than three weeks at their bach? It was noted that boat owners need to advise the Port if they wish to purchase a longer stay pass, so they can extend their time limit.

#### *Rob Burn (Queen Charlotte Yacht Club)*

Submitter Position: The proposals as described be adopted so the Memorial Park overflow parking area can be expanded for the safety of our community and the convenience of our Marina and Harbour users.

#### Submitter's Address

Mr Burns shared that he was speaking predominantly as the Commodore of the Queen Charlotte Yacht club – who are grateful for the use of Memorial Park for running their large events.

Firm believer in sharing the park.

Is also here as a long-term resident who lives just off Waikawa Road. Long term member of Destination Marlborough and has tourist interests.

Mr Burn shared that in his opinion this situation is a symptom of the growing success of Picton since the ferries arrived. Feels this issue is going to be further impacted while the ferry terminal work is undertaken.

Mr Burn is supportive of an expansion of the area. Does not want to see us all back here at a panel like this again reconsidering that we have got it wrong.

Mr Burn shared that he is a regular dog walker, park user, walker and biker.

Felt that as a community we were lucky that we did not suffer a fatality because of last Christmas's traffic situation.

Queen Charlotte Yacht Club has and will continue to do its bit to liaise with the Port Company around the use of Memorial Park.

#### Questions/discussion from Hearing Panel

- Clr Brooks asked if there have been any issues with the Yacht Club events occurring on a long weekend when they need the space for their events? Mr Burn noted that club events do not occur over the Christmas period. The boat trailers are usually stacked up near the Yacht Club and vehicles parked away from the marina to ease any congestion. Mr Burn advised the panel that a large Yacht Club event will be held in Easter 2024 and that the third weekend in February will also be a busy period with events being held.
- Clr Fitzpatrick asked if the area of land near the Jolly Roger could be used to build a dry stack? Mr Burn noted that the cost would be too great for the club to afford.
- Clr Taylor asked Mr Lyall to provide information to the panel on the reserves booking system.
- Clr Taylor asked Mr Burn if he agrees with the time being pushed out around the dog walking area. Mr Burns stated that he does agree to this.

The Hearing concluded at 11.48 am.

*The following is a list of those that provided a submission but did want to speak at the Hearing.*

*Allan Struthers*

Submitter Position: Memorial Park can be used as needed for back up vehicle usage in peak times.

*Anthony Gihon*

Submitter Position: 1. Open the Picton Marina domain for additional parking spaces during summer. 2. Prohibit boat trailer parking on the Waikawa Road (this is a major traffic hazard).

*Brendon Wallace*

Submitter Position: Stay as an overflow carpark.

*Brian Smith*

Submitter Position: Parking controls within the area. This involves extending the available area beyond what the Council proposal recommends.

*Chris Els*

Submitter Position: Removal of the posts installed to deter boat users and other traffic from using more than the boundary given to park their car, it also comes to a point where long-term parking is not provided for those whom wish to stay out for a few days, this should be done farther from the ramp (Picton) and the closer parking left to those day holders or seasonal pass holders.

*Clifford Robertson*

Submitter Position: Support but temporary parking should be extended from 40% to 80% - raised issues of safety.

*Clinton Gapper*

Submitter Position: I would like to see people who are parking long term made to park on the domain, so the sealed car parks at the marina can be utilised by day users only.

*Colin Burnett*

Submitter Position: Safety issue. Seek to keep Memorial Park open for parking of vehicles and boats during the season as required.

*Dave Duthie*

Submitter Position: Short term the park is probably the safest option but long term a sustainable option must be a priority.

*Emma Chilton*

Submitter Position: Support the proposed changes as required during busy periods. The time when parking was restricted created huge problems around local roads with vehicles and boat trailers parked in awkward and sometimes dangerous places. Greater monitoring of vehicles and trailers who choose not to use parking provided and opt to use local roads instead.

*Hannah Macfarlane*

Submitter Position: As much trailer and car parking as possible available at the Reserve in the summer months.

*Ian Barnes*

Submitter Position: Offered solution of fencing and marking area. Timeframe Friday 16 December thru to March 17.

*Jeanette Neal*

Submitter Position: No trailer parking signs erected on Waikawa Road between High St and Lincoln St. No overnight parking at Waikawa ramp or additional parking by rowing sheds. Trailer parking ONLY at Waikawa down by the Arapawa rowing shed. Paint parks at the Arapawa car park.

*Jim and Lynley Mangos*

Submitter Position: Support the proposed change to the Plan whereby Appendix 5 is amended to increase the green space available for temporary parking in Victoria Domain.

*Kelvin and Julie Dixon*

Submitter Position: We welcome any proactive parking management and administration system and enthusiastically support input from Marlborough District Council, Port Marlborough and New Zealand Police.



*Kim Saunders-Singer*

Submitter Position: I generally support the amendment with some concerns.

*Lindsay & Patricia Dahlberg*

Submitter Position: Support the plan to allow temporary extension to the parking area on Memorial Park during the busy summer season and other holiday periods for boat trailers.

*Matt Williams*

Submitter Position: Out of town boaties bring significant finances into area. Shame if they look elsewhere to spend time and money.

*Mike Wightwick*

Submitter Position: Disbelief of last summer's issue and can't happen again. Suggest use the Council owned park and mark out car parks to enable the most amount of parks to be available.

*Mike Taylor*

Submitter Position: Under no circumstance should any part time, or full time, lease to the Port Marlborough exceed the length of time that would require revocation of the Reservation on this Reserve. Removal of current posts. Protection of other recreations such as dog walking during peak times important. Reminder of RSA involvement and guardianship of this area.

*Pamela Francis*

Submitter Position: Increase vehicle and trailer parking with lined markings on Memorial Park by Picton Marina Launching ramp. Make sure there is enough.

*Paul McDonald*

Submitter Position: Serious H&S issue. Volume of parking required can't be services without use of Memorial Park. If properly managed and controlled, use of park assists on taking trailers off the streets.

*Peter Foulds*

Submitter Position: This area would be good for short term parking over the Xmas period. For longer term parking over 3 days is there another area for parking, this would free up space for the day tripper and encourage people to come to Picton.

*Pip Clouston*

Submitter Position: The whole area available for parking between the dates Mid Dec (at least) - 31 Jan.

*Rachel Russell*

Submitter Position: Concern for environmental impact detailed in submission and offered solutions to reduce impact if parking went ahead.

*Rata & Richard Andrell*

Submitter Position: Ratepayers and holders of annual launch pass. Suggestion of sealing Memorial Park. And more parking at Waikawa.

*Rebecca Leeh*

Submitter Position: Limit length of time for parking in the Picton Marina over peak season. Secure parking at Waitohi Domain. Cars only in the grassed area of Picton Marina and paid for stickers if they have dropped their trailers off at Waitohi Domain. Part of the longer term plan could be to seal part of Waitohi Domain and get trucks to park there all year round and the boat trailers in the peak season.

*Richard Briggs*

Submitter Position: Adopt the changes proposed in Appendix 5, outlined in the amendment to Victoria Domain Reserves Management Plan as a peak season and specific event solution to extended trailer and vehicle parking.

*Roger Dunn*

Submitter Position: All for the reserve being parking over these peak times.

*Sheryl and Ross Uren*



Submitter Position: Some of the park should be open over the holiday periods to give visitors to the area a safe and secure place to leave their boat trailers while they are enjoying the Marlborough Sounds and helping Marlborough's economy by visiting the local attractions.

*Tim McCaffrey*

Submitter Position: Current approach has caused many safety issues.

*Valerie Kenny*

Submitter Position: I would like Council to alter the criteria so the extra space for boat trailers could be allowed at peak holiday times.

*Viv Hazelton*

Submitter Position: I would like to see the dog park used for temporary car/boat trailer parking during peak periods. I would also like to see "no overnight" parking in Waikawa Road. Or just one side of the road used for parking, preferably the harbour side.

*Zane Ellis*

Submitter Position: Proposed creation of long term parking away from ramps at Picton and Waikawa. Signage to support this.



**Deliberations of  
Proposed Amendments to the Victoria Domain Reserves Management Plan  
Hearing Committee held at the Endeavour Park Pavilion, 181 Waikawa Road, Picton 7220  
on FRIDAY 30 SEPTEMBER 2022 commencing at 12.45 pm**

**Present:**

Councillors C J Brooks (in the Chair), N P Taylor, M J Fitzpatrick

**In Attendance**

Heather Graham (Small Township Project Manager) and Jamie Lyall (Manager, Property and Community Facilities)

**Executive Summary**

1. Council called for submissions on a proposed amendment to the Victoria Domain Reserves Management Plan (Plan) that was adopted in June 2021. The amendment recommended an increase in the 'temporary parking' area as outlined in Appendix 5 of the Plan.
2. 40 submissions were received. Representatives from Port Marlborough, Picton Business Group, Queen Charlotte Yacht Club and a Christchurch resident with property in the Marlborough Sounds spoke to their submissions and two others apologised for non-attendance.
3. The key points raised by the submitters were peak holiday periods, parking management, parking efficiency, traffic safety, alternative recreation areas, communications, economic benefits, and tourism.
4. The majority of submitters recommended that the area for 'temporary parking' should be increased based on demand to ensure that traffic related matters that occurred over the summer of 2021/22 do not occur again.
5. **Recommendations**

**The hearings panel agreed to the following:**

- 5.1. **A proposed helicopter landing site should be secured within Memorial Park and the remainder of Memorial Park made available for temporary parking at peak times over holiday periods.**
- 5.2. **Efficient control and management by Port Marlborough of the temporary parking area including pedestrian accessways on Memorial Park is necessary to provide the best community outcome.**
- 5.3. **Council's Park Booking system will be used for holiday periods with peak parking requirements.**
- 5.4. **A licence to occupy the reserve area to be used for parking will be entered into between Port Marlborough and Council to meet Reserve Act requirements.**
- 5.5. **Council and Port Marlborough work together on a strategic plan for trailer parking in the Picton Marina vicinity.**

The deliberations concluded at 2.00 pm.

Record No. 22219522

## 5. Draft Responsible Camping Bylaw 2022 Update

(The Chair) (Report prepared by Linda Craighead/Jane Tito)

R510-005-17-01

### Purpose of Report

1. To provide an update on progress of the Draft Responsible Camping Bylaw 2022.

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### RECOMMENDATION

That the information be received.

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### Background/Context

2. The Council reviewed its Freedom Camping Control Bylaw 2012 in 2019/20. After consultation and notification of a draft bylaw, the Responsible Camping Control Bylaw 2020 (2020 Bylaw) was adopted by Council on 27 November 2020, becoming effective from 1 December 2020. The bylaw provided for freedom camping at five sites across Marlborough (Wairau Diversion, Lake Elterwater, Renwick Domain, Taylor Dam and Wynen Street carpark, Blenheim).
3. In response to the adopted 2020 Bylaw, a claim for judicial review from the New Zealand Motor Caravan Association (NZMCA) was lodged with the High Court in May 2021. The main points from the NZMCA claim were that:
  - submitters were not given the chance to make submissions on the restriction of freedom camping to five sites in the District, and that
  - the Council did not undertake a complete assessment of all areas in the District (other than for the five sites) against the criteria in the Freedom Camping Act 2011 (FCA).
4. The Council decided to undertake further consultation to address these points and to consider other matters that had arisen since the 2020 Bylaw was adopted. Further site assessments were undertaken as part of the bylaw process and a revised Statement of Proposal (SOP) and draft bylaw were notified by the Council in November 2021 with three additional sites proposed to be added for freedom camping (Blairich Reserve, Opouri Road [Carluke Domain] and Wash Bridge Recreation Reserve).
5. In addition, the SOP advised that there were five additional “areas” on roads that may also be considered appropriate for freedom camping including parts of the Awatere Valley, Wairau Plains, Wairau Valley, Waihopai Valley and Southern Valleys. The SOP advised that there may be an opportunity to consider freedom camping on roadsides in parts of these valleys where there were fewer risks or impacts, but identification of specific areas had not reached the point where they could be included in the 2022 Bylaw. The SOP proposed that once further work on these areas had been completed, a change to the 2022 Bylaw would be publicly notified.
6. Submissions closed at the end of January 2022 and 91 submissions were received.
7. The High Court appeal was heard in early November 2021 and the Court’s decision was released on 23 December. The Court severed the part of the bylaw that prohibited freedom camping outside of the five sites. The effect of this was that no infringements for freedom camping could be issued under the provisions of the bylaw outside of the five sites.

### Current situation

8. A Hearing Panel consisting of Martin Williams (independent commissioner), former Mayor John Leggett and current Mayor Nadine Taylor heard from 20 submitters at a hearing on 28 March 2022. From considering submissions and also the decision of the High Court, the Hearing Panel issued an interim decision on 14 April.

9. The interim decision recorded that the 2022 Bylaw should be adopted in the form proposed in the SOP, but the Panel also directed that further assessment of six sites and the five valley road areas described in paragraph 5 above, should be undertaken by an independent consultant.
10. Following completion of the assessments the Hearing Panel determined that further submissions should be sought on the inclusion of the following sites and roads:
  - Alfred Stream Reserve – Rai Valley
  - Renwick Dog Park – cnr State Highway 6 and Foxes Island Road
  - Lansdowne Park, Blenheim
  - Wairau Plains roads - west of State Highway 1
  - Southern Valleys roads
  - Waihopai Valley roads
  - Awatere Valley roads
  - Wairau Valley roads
11. Submissions were received from 44 individuals and groups, many of whom had submitted in earlier freedom camping proceedings. As was expected the submissions both supported and opposed the inclusion of additional sites and areas.
12. The Hearing Panel are currently considering the submissions received.

### **Next steps**

13. Once a final decision is issued from the Hearing Panel, the Council will be required to formally approve the bylaw, following the bylaw making requirements of the Local Government Act 2002.
14. Depending on the decisions made, changes may be required to the Council's website and signage will be needed at additional sites.
15. Several sites will be required to be formed (Carluke Domain and Wash Bridge Recreation Reserve) before freedom camping can occur.
16. Monitoring of the freedom camping activity over the summer period will commence on 1 December 2022.

Author	Linda Craighead, Planner – Parks and Open Spaces
Authoriser	Jane Tito, Manager – Parks and Open Spaces

## 6. Proposed Mountain Bike Skills Areas and New Tracks – Wither Hills Farm Park

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(The Chair) (Report prepared by Linda Craighead)

R510-014-024-07

### Purpose of Report

1. To decide whether to enable development of a permanent mountain bike skills area and new tracks in and around the Gentle Annie and Rotary Lookout Tracks on the Wither Hills.

### Executive Summary

2. A request was received from the Marlborough Mountain Bike Club (MMBC) to establish a permanent mountain bike skills area and new tracks in and around the Gentle Annie and Rotary Lookout Tracks on the Wither Hills. The request was initially considered at the August 2022 meeting of the Assets & Services Committee.
3. Because this location is outside of the area designated for mountain biking in the Wither Hills Farm Park Management Plan 2003, and there were concerns with including mountain biking in an area where it is not a permitted activity and that has traditionally been used by walkers, the Committee recommended that consultation be undertaken.
4. A public feedback opportunity was provided for in October/November 2022 and at 5pm on Wednesday 9 November, 397 submissions had been received. Not surprisingly there was a strong voice of support from the mountain biking community for the skills areas and tracks with many commenting on the benefits from such a facility including for mountain bikers of all ages to improve their riding skills, attracting events to the area and taking advantage of the nearby facilities. Many comments in favour also considered that with appropriate track design and signage, both walkers and bikers can coexist harmoniously in the Gentle Annie/Rotary Lookout Tracks area.
5. Those who opposed the skills areas and tracks for mountain bikers highlighted a range of safety concerns with having bikers riding close to the tracks and the potential for fright to walkers, especially those older or less sure on their feet. Many commented on the loss of the peaceful nature of the area, particularly for the Gentle Annie walk if mountain biking was introduced permanently to the area. Others were also concerned about the potential use of walking tracks by mountain bikers and the risks this poses to walkers and some noted mountain bike use is already apparent on the Gentle Annie Track.
6. Managing the Wither Hills Farm Park for soil conservation is the most significant objective underpinning the current Wither Hills Farm Park Management Plan and therefore any activities that involve additional land disturbance, including the creation of tracks and their ongoing use, needs to be carefully managed.
7. A resource consent was granted in 2021 for the development of a race track for the National School MTB Championships event that was to be held in 2021 (this was cancelled due to Covid). The consent was granted on the basis of the tracks being used for a one-off event and no skills areas formed part of the consented decision.
8. While the MMBC has identified they would look to fund a large portion of the project via trail sponsorship and community grants, they are also looking to discuss funding assistance with the Council. There is no funding within the current Parks and Open Spaces budgets for the development of the skills areas and tracks nor the required ongoing maintenance.
9. It is considered that given the issues raised through the consultation and in considering other matters, a decision on whether to grant the current MMBC's request should be deferred. This will enable all relevant matters to be considered through the review of the Farm Park Management Plan. Given there is an existing resource consent in place to enable development of a track for the 2023 National School MTB Championships event as a one-off event at the proposed location, approval to continue with this should be provided.

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## RECOMMENDATIONS

### That Council:

1. **Defer making a decision on the establishment of a permanent mountain bike skills area and tracks in the Gentle Annie and Rotary Tracks area as requested by the Marlborough Mountain Bike Club.**
  2. **Direct that establishment of a permanent mountain bike skills area and tracks in the Gentle Annie and Rotary Tracks area be considered through the review of the Wither Hills Farm Park Management Plan, which has commenced.**
  3. **Approve the development of a race track (with no skills features) for a one off event, being the 2023 National Secondary Schools MTB Championships event and for which resource consent has been granted.**
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## Background/Context

### *Marlborough Mountain Bike Club request*

10. At the August meeting of the Assets & Services Committee, Councillors were informed of a proposal by the Marlborough Mountain Bike Club to establish a permanent mountain biking skills area and new tracks between the Gentle Annie and Rotary Lookout Tracks on the Wither Hills Farm Park.
11. The main components of the proposal are:
  - Development of a permanent cross-country track to be used for the National School MTB Championships event in October 2023 and for future events. (Note that approval for a one-off race event in the area including the creation of a track had been given in 2021 for the 2021 secondary schools nationals, however this was cancelled due to Covid.)
  - 5 separate 'skills zones' with a range of different features in each progressing in difficulty from beginner to advanced.
  - Linking track between the skills zones that would be for bikers and walkers.
12. The MMBC have stated that use of this area
  - will have the dual benefit of being an area where mountain bike events can be based and the skills park will be an area where riders can practice their skills within a purpose-built facility.
  - is more suited to developing a skills area than the existing Mountain Bike Park.
  - the proposed skills park and new tracks being in the lower Farm Park will be open for much of the summer during periods of fire risk.
13. In considering the MMBC request the Committee resolved to seek public feedback on the proposal. This was because the area proposed for development has predominantly been enjoyed and experienced as a walking area and where mountain biking is not provided for as a permitted activity.

### *Consultation*

14. A public submission period opened on 14 October and closes on 11 November. Signs informing the public of the MMBC request were placed at 5 locations including at the Mountain Bike Park carpark entrance, Rifle Range carpark entrance, Gentle Annie Track entrance, Quail Stream entrance and Redwood Street entrance.
15. Brochures and submission forms were also placed at these locations and an online form was also available for submitters. A consultation document on the website provided more information about what was proposed including a series of maps.

16. The MMBC also prepared their own informal brochure setting out the benefits of the proposal, which was publicly circulated, however there were some inaccuracies in the information provided.
17. At the time of writing 397 submissions had been received. An update will be provided to Councillors at the meeting on submissions received during the last couple of days of the submission period.

### **Assessment/Analysis**

18. Before providing an overview of the public feedback received some information is provided for Councillors to clarify and confirm the status of the Wither Hills Farm Park Management Plan and related resource consent requirements for the MMBC proposal. Unfortunately some information that has been circulated in the public, including in social media, contains inaccuracies causing confusion in the public.
19. For clarification the Gentle Annie/Rotary Lookout Tracks area location for the skills areas and new tracks was proposed by the MMBC, not the Council.

### ***Wither Hills Farm Park Management Plan***

20. The Wither Hills Farm Park Management Plan (Plan) was adopted by the Council in 2003. A review of the Plan has commenced with the assistance of an external consultant. The process will follow the Reserves Act requirements for preparing or reviewing reserve management plans and will have two submission rounds. Direct consultation with a wide range of groups and organisations is currently in progress.
21. The most significant management objective of the Plan currently relates to soil conservation – all objectives relating to use of the Farm Park, including for recreation, are required to be consistent with the soil conservation objectives including for the prevention and management of soil erosion on hill slopes and waterways and the maintenance of vegetative cover. This is an important consideration in undertaking land disturbance activities on the Wither Hills, including for recreational activities. Soil conservation objectives will always be a driving focus for management of the Farm Park going forward.
22. A part of the review will involve consideration of the fire danger present on the hills. An external consultant has been preparing an assessment of the risks and this will be considered as part of the review process.
23. The Plan as it currently stands provides a series of ‘zones’ within which activities are permitted, discretionary or prohibited. Zone 2 is the area of the Farm Park designated as a Mountain Bike Park where mountain biking is a permitted activity. Zone 1 is the area in which the developments are proposed by the MMBC – in this zone mountain biking is a discretionary activity.
24. The Plan promotes public consultation on any significant developments and/or changes in policy. The proposal to add mountain biking into a predominantly walking area is both a significant development and change in policy approach given the Plan does not provide for mountain biking as a permitted activity in the proposed area.

### ***Resource consent requirements***

25. A resource consent was applied for by the MMBC in 2021 to develop tracks and a skills area for the hosting of the 2021 National School MTB Championships event. Staff had raised concerns with the proposal because the proposal was inconsistent with the Farm Park Management Plan and that the area was predominantly used for walking. Consequently the application was revised by the MMBC and reference to developing the skills areas was removed from the application.
26. The resource consent was granted subject to conditions around track development and that crossing of the Gentle Annie Track was to occur at one location only. No jumps or other skills features formed part of the application. The 2021 event did not proceed because of Covid and the event is now to be held in 2023.

27. The consent is still current and enables the tracks to be developed for the 2023 event. However, the understanding on which the tracks are able to be used is for the 2023 event only. This was because the more permanent use of the tracks was to be assessed through the review of the Farm Park Management Plan.
28. If after considering this report the Committee decides to approve the request to develop the skills areas and new tracks on a permanent basis, there will be a need for further resource consents as all of the skills areas will be in the loessal soils overlay within the Marlborough Environment Plan. The skills areas also require a land use activity consent as this has not been provided for as a permitted activity in the zone rules. The status of the existing consent and the requirement for additional resource consents have been confirmed with the Council's resource consent staff.

### *Public feedback*

29. The Council was aware the MMBC is a strong advocate for mountain bikers who use the tracks on the Wither Hills and of the support from the mountain biking community about the proposed skills areas and new tracks. For the consultation there was a focus to try and understand the extent of walking that occurs in the proposed area and whether walkers would be affected by the introduction of mountain bikers.
30. On a general note, not all of the feedback received responded directly to the questions asked on the submission forms. Therefore while 397 submissions had been received by 5pm on 9 November, it is not a simple calculation to say how many were supporting the proposal and how many opposed to it. Overall however, there were many more submissions received from those who mountain bike and support the proposed skills areas and tracks.
31. What was helpful in the feedback received were the comments made to support or oppose the views provided. A summary of those comments is included as Attachment 1 to this report.
32. In summary there was strong support from the mountain biking community for the skills areas and new tracks. The following comments were common reasons received from supporters of the proposal:
  - Ability to improve and enhance skills for riders of all ages and abilities and offers the opportunity for coaching and teaching in a safe environment
  - An opportunity for families to ride together
  - Keeping youth involved in sport and being active
  - Benefits to Marlborough in attracting events
  - Perfect location, being accessible and logical with the pump track nearby
  - Any potential conflicts with walkers can be easily managed
33. For those who raised concerns about use of the proposed location the following points were made, including by some who were mountain bikers:
  - Health and safety was a significant cause of concern for both having mountain bikers circulating close to walking tracks and the point(s) at where the biking and walking tracks merge
  - The loss and enjoyment of an area that is a peaceful area to walk, particularly the Gentle Annie walk
  - Concern at the increased potential for bikers to use the walking tracks which is already evident
  - There is already a Mountain Bike Park available to mountain bikers
34. A range of suggestions to reduce any conflict between walkers and bikers was proposed in both supporting and opposing feedback. These included ensuring there was good signage in place, careful



track design to provide good sight lines, barriers along the walking tracks to stop bikers entering the tracks and tunnels or bridges at any crossing point.

### *Loessal soils*

35. Loess soil consists of accumulated wind-blown silt prone to tunnel gully erosion as it is held together weakly and tends to disperse or "melt away" if it becomes excessively wet. There are significant areas of loess soil in the rural environment of south Marlborough and a long history exists of managing these soils to reduce the extent of tunnel gully erosion on the Wither Hills. This work is ongoing.
36. Some of the original planting of trees on the Wither Hills took place to help stabilise hill slopes so it is important that trees are not removed that would increase the potential for increased runoff.
37. Substantial areas of the Farm Park are covered by the loessal soils layer in the Marlborough Environment Plan meaning that resource consent is required for any land disturbance activities.
38. There are concerns from Council staff managing the Farm Park from a soil conservation perspective that additional tracks do create potential for increased runoff and erosion if not well managed and maintained.

### *Funding*

39. In their initial proposal the MMBC identified the total costs of the development were estimated at \$60,000 and that they would look to fund a large portion of the project via trail sponsorship and community grants. The MMBC also identified that this is a significant investment for them and that they would appreciate the opportunity to discuss funding assistance with the Council.
40. There is no funding within existing Parks and Open Spaces budgets for development or maintenance of the proposed skills areas and new tracks. Therefore any decision to allow the development of further tracks and facilities within the Farm Park needs to factor in the ongoing maintenance obligations that will be required. Maintenance responsibilities would need to be included within the Council's open space maintenance contract for the area including for tracks and any structures that form part of the skills areas.
41. There is opportunity for the MMBC to seek funding through the Annual Plan process.

### *Assessment*

42. It is considered that the Committee should not make a decision on the MMBC request at this time. From the feedback received it is clear there is very strong support from the mountain biking community. However, the concerns raised by those opposing the introduction of mountain biking into a predominantly walking area are equally valid despite being lesser in overall number.
43. A view was expressed that the Farm Park Management Plan was last reviewed in 2003 and has not kept up with the growth in mountain biking since that time. While that may be true, the same can be said for the growth in walkers using the Farm Park. It also does not mean the current direction of the Farm Park Management Plan to separate walking and cycling activities at least over some areas of the Farm Park is no less valid now than it was back in 2003.
44. Therefore any consideration of increasing areas available for mountain biking should be considered through the wider review of the Farm Park Management Plan when all activities can be looked at, including how management of the overall resource for soil conservation should occur.
45. Respondents both supporting and opposing the MMBC proposal raised a range of issues which should not just be considered through this request. This includes things such as (but not limited to):
  - whether there should be areas dedicated for walking such as there is for mountain bikers with the current Mountain Bike Park
  - consideration of whether areas within the Mountain Bike Park should be used to develop the skills areas and opportunities to develop this area further for an event area

- implications for farm management including for stock grazing
- managing soil erosion from additional track development
- addressing concerns around fire danger on the Wither Hills
- the additional impacts on car parking and the surrounding streets if the Rifle Range area is to become the focal point for future events

46. These are matters which should be considered together and not in a one-off response to the request of the MMBC. In terms of the 2023 National School MTB Championships event, it is considered that as the resource consent has been granted to develop the race track (with no skills features) through the Gentle Annie and Rotary Lookout Track area, that this should be confirmed to proceed.

## Attachment

**Attachment 1** – Summary of feedback received on proposed mountain bike skills areas and new tracks at Wither Hills Farm Park

Page [31]

Author	Linda Craighead, Planner Parks and Open Spaces
Authoriser	Jamie Lyall, Manager Property and Community Facilities

## *Attachment 1*

### *Summary of feedback received on proposed mountain bike skills areas and new tracks at Wither Hills Farm Park*

#### ***Would people use the skills zones in the area proposed?***

Those supporting the skills areas/new tracks commented as follows:

- A logical area close to existing infrastructure and the nearby pump track
- Would be a great asset to established track network with areas designed for progression and training
- An area that the whole family can use
- Riders with limited experience can improve riding skills
- Increase in people using e-bikes would benefit from the skills area
- Could be incorporated into a variety of teaching programs including for schools
- Competitive riders can use to help develop skills further to represent the region elsewhere
- Something that the current Farm Park lacks meaning Marlborough is behind other areas with this kind of facility
- Attracts visitors and events and will have positive economic benefits
- Uses an area not currently used
- Accessible for users and emergency services in the event of an accident
- Walkers will be able to watch people biking

For those who highlighted concerns in response to this question the following points were made:

- This should be in a specific area for mountain biking and there should not be shared tracks
- The current separation of the two activities should remain
- A dangerous concept to mix mountain bikers and walkers as speed of bikers means they can't stop quickly or avoid collision
- Don't want to walk in an area where you have to be on alert all the time
- Have already seen mountain bikers on the walking tracks and this will increase if mountain bikers are allowed in the proposed area
- Concern about how access to the skills areas are to be achieved
- Would rather use the Mountain Bike Park where there is no risk of hitting someone
- The area is peaceful, relaxing and this would be affected with mountain bikers
- Obvious care will be required when bikers and walkers merge but this is not new and signage will obviate risks along with clear vision

Several other comments made on this question were that there should be more commuter trails and some said they may use the cross-country trail but not the skills areas.

#### ***Would people use a skills area in another location?***

While there was obvious support for the skills areas at the proposed location many mountain bikers also said they would use a skills area at another location and there was also qualified support in the form a 'maybe' response from many submitters. For those who said yes or maybe to this question the following comments are noted:

- Other areas should be considered as this area is most accessible for walkers
- Suggested areas for other locations included the existing Mountain Bike Park, Redwood Street, Sutherland Stream

- Mountain Bike Park has most of what you want to do (in terms of skills features) in place
- Depends on how close it would be and without having to drive
- Depends on grade and accessibility
- Would use a skills area wherever it was

Submitters commenting on the suitability of the proposed site stated:

- The proposed location is the best location as it is sheltered and damp for riding while other areas are exposed to sun and are hard
- Convenient location which can be ridden to
- Having a single hub with the pump track and existing infrastructure in the form of the carpark and toilets is ideal
- Nowhere else close to town offers the same benefits

***Would mountain biking at the proposed location detract from enjoyment of the area for walking?***

In terms of a simple yes/no response to this question, there were many more submitters who considered there would be no detraction from the walking experience with the introduction of a skills area and new tracks available on a permanent basis. Submitters in this group considered that any conflicts between walkers and bikers could be appropriately mitigated through good signage on tracks. Others commented that the Farm Park is for all users and that one activity would not detract from the enjoyment of others.

Those who considered there would be a detraction in their enjoyment of walking in this area noted the following:

- The dynamic of the environment would change from being for passive activity to one with an active activity in close proximity – the relaxing and wellbeing element of using this area will be taken away
- The Gentle Annie area is peaceful, with birds, sheep and trees adding to the relaxing nature of this walk – this will be lost if the area becomes available for bikers
- There will be additional noise from mountain biking
- There are few areas in Marlborough close to residential areas where walkers can walk without sharing space with dogs and/or cyclists – this is one such area that currently provides for this
- Some walkers said they would no longer walk in this area if the proposal proceeds
- The Farm Park Management Plan splits activities into zones to avoid conflicts – this is exactly how this awesome resource should be managed
- A number of walkers commented how they felt nervous and scared when bikers were around as they travel at speed and this detracts for the mental wellbeing aspect reason for walking
- Mountain bike riders do not alert walkers when they are close by and some submitters highlighted instances of close calls with mountain bikers when tracks cross or merge on shared paths such as on the Taylor River
- Walkers often walk with air buds or headphones and may not be aware when bikers are crossing the walking track
- Overall health and safety was highlighted as a significant concern for many submitters including a number who were mountain bikers

***Would a mountain bike track crossing the Gentle Annie affect your use of the walking track?***

A number of submitters had commented that every opportunity should be taken to ensure that the new biking tracks do not cross the Gentle Annie walking track to avoid the potential for collision. Others provided a range of suggestions to ensure the risks of conflict are reduced. These included:

- Ensuring there are as few crossings points as possible and that they have good visibility and straight lines for both walkers and bikers

- Having good signage in place and clearly marking who has right of way
- Potentially putting in place barriers, such as ropes and bollards or vegetation plantings to provide uncrossable sections
- Changing the track surface to highlight the potential conflict zone
- Using bridges or tunnels where the tracks cross to avoid conflicts between walkers and bikers

Other submitters had no concerns with biking tracks crossing tracks pointing out that this occurs in other places on the Wither Hills and that walkers and bikers generally interact well.

For those opposing the proposed skills areas and new tracks in this area other comments on this question included:

- Walking takes place now without having to worry about encountering speeding bikers arriving unannounced and unexpectedly
- Bikers do not give way on existing shared tracks as they are required to do
- Walkers will always come off second best to a biker, especially with the heavier e-bikes
- Bikers will deviate off the biking track to the walking tracks, something that is already occurring – this will damage the walking track
- Would be more wary of taking small children on the Gentle Annie Track

### *Other comments*

A range of general comments on various aspects of the proposed bike skills areas and new tracks were made in response to the specific questions asked, on other detail in the website information on the consultation as well as on other matters not identified in the consultation material.

### **Soil erosion**

Providing more tracks and the skills areas would not be consistent with achieving the Farm Park Management Plan objective for soil conservation. Removing trees and new tracks creates a conduit for water run-off which is at odds with soil conservation objectives. There has already been considerable damage to tracks from this year's storm events, including scouring, and the proposed development may further compound run-off and scouring.

### **Funding**

Who is paying for the development of the MMBC proposal? MMBC has already received funding for track development including on private property while funding to increase cycleways for commuters has been turned down.

### **Rifle Range carpark**

Holding events at the Rifle Range carpark area will require better overflow parking and traffic management. Currently overflow parking occurs on streets and this severely restricts use of the road – both a hazard and annoyance. Parking should be prohibited on one side of Forest Park Drive or the fields should be used for parking.

There is already pressure at times on available car parking at the Rifle Range car park for existing users of this area. Bringing in mountain biking to the area will increase demand for parking and increase use of toilet facilities.

### **Current Mountain Bike Park**

Why cannot the existing Mountain Bike Park be used to develop the skills areas? Once mountain biking is introduced to the proposed area, it will become the primary focus and walkers and runners will not obtain the same benefits.

Council should consider providing more facilities and car parking at the Mountain Bike Park.

More time needs to be spent looking after the Mountain Bike Park instead of creating new ones. Happy to see improvements with existing tracks but new ones for a select few aren't necessary.

***Keeping bikers off walking tracks***

How does the Council propose stopping mountain bikers from using the walking tracks?

Some mountain bikers acknowledged that giving access to the Gentle Annie Track means some are likely to ride it but that good trail design and signage will minimise risks.

Several submissions considered two of the skills areas should be removed or located elsewhere so they are away from the walking tracks.

***Fire***

Concerned that the area would discontinue to be grazed and therefore the fire risk would be greatly increased.

During higher fire risk times there are a lot more people walking on lower tracks and increased mountain biking activity in the proposed area would lead to more confrontation.

## 7. Marlborough Stadium Trust – Annual Report

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(Clr Flight) (Report prepared by Jamie Lyall)

R300-001-04

1. The Marlborough Stadium Trust is required, as per the Funding Deed it has with Council, to provide a copy of the Trust's audited annual accounts and a report on its activities for the past financial year.
- 

### RECOMMENDATION

That the Marlborough Stadium Trust's Annual Report and financial accounts for the year ended 30 June 2022 be received.

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### Presentation

Luke van Velthooven (Trust Chairperson) and Mathew Kerr (Treasurer) of the Marlborough Stadium Trust will be present at the meeting to speak to the report.

### Attachments

**Attachment 1** – Annual report for the year ended 30 June 2022 page [36]

**Attachment 2** - Independent Auditor's Report page [54]

**Attachment 3** – Annual Report 1 July 2021 – 30 June 2022 is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>



# Annual Report

Marlborough Stadium Trust  
For the year ended 30 June 2022

Prepared by WK Advisors and Accountants Limited



Trust Directory

**Auditors**

NMA Nelson Marlborough Audit Limited  
PO Box 732  
Nelson 7040

**Solicitors**

Hardy-Jones Clark  
Blenheim

**Bankers**

Westpac Bank  
Blenheim

## Statement of Comprehensive Revenue and Expenses

### Marlborough Stadium Trust For the year ended 30 June 2022

	NOTES	2022	2021
<b>Revenue from Exchange Transactions</b>			
Operating Revenue		2,053,356	2,085,075
Programme Revenue	10	157,353	141,971
Lease Income		162,996	162,477
Interest Received		15,795	21,646
<b>Total Revenue from Exchange Transactions</b>		<b>2,389,500</b>	<b>2,411,169</b>
<b>Revenue from Non-Exchange Transactions</b>			
MDC Contribution	6	839,000	839,000
Operational Grants	11	63,750	282,223
Sponsorship		45,398	45,000
Donations Received		-	8,000
<b>Total Revenue from Non-Exchange Transactions</b>		<b>948,148</b>	<b>1,174,223</b>
<b>Total Revenue</b>		<b>3,337,648</b>	<b>3,585,392</b>
<b>Other Income</b>			
Covid-19 Wage Subsidy		165,223	165,235
MSD - Apprenticeship Scheme		97,500	91,000
MSD - Mana for Mahi Programme		34,507	4,349
MDC - Covid 19 Grant Assistance		-	250,000
Covid-19 Resurgence Support Payment		210,870	15,913
<b>Total Other Income</b>		<b>508,100</b>	<b>526,497</b>
<b>Expenses</b>			
Operational Expenses		736,755	738,959
Employment Expenses		1,631,711	1,596,362
Administration Expenses		219,415	308,846
Repairs & Maintenance		870,810	580,243
Depreciation		180,597	206,859
Audit Fees		5,600	5,400
<b>Total Expenses</b>		<b>3,644,887</b>	<b>3,436,669</b>
<b>Net Trading Surplus / (Deficit)</b>		<b>200,860</b>	<b>675,219</b>
<b>Total Comprehensive Revenue and Expense for the Year</b>		<b>200,860</b>	<b>675,219</b>

*These statements are to be read in conjunction with the Notes to the Financial Statements and are subject to the Auditors Report.*

## Statement of Changes in Net Assets/Equity

Marlborough Stadium Trust  
For the year ended 30 June 2022

	2022	2021
<b>Equity</b>		
Opening Balance	6,987,964	6,312,745
<b>Increases</b>		
Surplus / (Deficit) for the Period	200,860	675,219
<b>Total Increases</b>	<b>200,860</b>	<b>675,219</b>
<b>Total Equity</b>	<b>7,188,825</b>	<b>6,987,964</b>

*These statements are to be read in conjunction with the Notes to the Financial Statements and are subject to the Auditors Report.*

Annual Reporting Marlborough Stadium Trust

Page 6 of 21

**NMA Nelson  
Marlborough Audit  
Limited**

## Statement of Financial Position

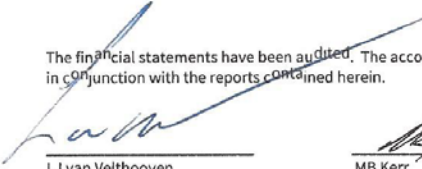

### Marlborough Stadium Trust As at 30 June 2022

	NOTES	30 JUN 2022	30 JUN 2021
<b>Assets</b>			
<b>Current Assets</b>			
Accounts Receivable	14	44,538	92,741
Prepayments	15	32,149	24,393
Stock - Merchandise		11,646	12,644
Cash and Cash Equivalents	12	749,046	1,226,312
<b>Total Current Assets</b>		<b>837,380</b>	<b>1,356,089</b>
<b>Non-Current Assets</b>			
Fixed Assets	18	4,937,652	5,119,004
<b>Investments</b>			
Asset Management Plan Funds	13	2,113,524	1,294,159
<b>Total Investments</b>		<b>2,113,524</b>	<b>1,294,159</b>
<b>Total Non-Current Assets</b>		<b>7,051,176</b>	<b>6,413,162</b>
<b>Total Assets</b>		<b>7,888,556</b>	<b>7,769,251</b>
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Accounts Payable	16	213,394	281,216
Grants not expended	11	11,250	20,010
Income Received in Advance	17	155,435	156,995
Marlborough Lines Sponsorship in Advance		45,000	45,000
MDC Contribution in Advance		209,750	209,750
GST		64,902	68,316
<b>Total Current Liabilities</b>		<b>699,731</b>	<b>781,287</b>
<b>Total Liabilities</b>		<b>699,731</b>	<b>781,287</b>
<b>Net Assets</b>		<b>7,188,825</b>	<b>6,987,964</b>
<b>Trustee Funds</b>			
<b>Accumulated Funds</b>			
Accumulated Funds		6,987,964	6,312,745
Surplus / (Deficit) Transferred		200,860	675,219
<b>Total Accumulated Funds</b>		<b>7,188,825</b>	<b>6,987,964</b>
<b>Total Trustee Funds</b>		<b>7,188,825</b>	<b>6,987,964</b>

These statements are to be read in conjunction with the Notes to the Financial Statements and are subject to the Auditors Report.

Statement of Financial Position

The financial statements have been audited. The accompanying notes form part of the financial statements and should be read in conjunction with the reports contained herein.

  
\_\_\_\_\_  
LJ van Velthooven  
Trustee  
\_\_\_\_\_  
MB Kerr  
Trustee

Date: 13 September 2022

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*These statements are to be read in conjunction with the Notes to the Financial Statements and are subject to the Auditors Report.*

## Statement of Cash Flows

### Marlborough Stadium Trust For the year ended 30 June 2022

	2022	2021
<b>Cash Flows from Operating Activities</b>		
<b>Cash received from</b>		
Receipts from customers	3,152,652	3,344,860
Interest, dividends and other investment receipts	25,782	24,995
Lease Income	138,936	145,691
Sponsorship & Grants	105,199	327,223
GST	(7,855)	37,604
Covid-19 Wage Subsidy	165,223	2,450
MSD - Apprenticeship Scheme	97,500	91,000
Covid-19 Resurgence Support Payment	210,870	15,913
<b>Total Cash received from</b>	<b>3,888,307</b>	<b>3,989,735</b>
<b>Cash applied to</b>		
Payments to suppliers	(2,522,883)	(1,741,808)
Payments to Employees	(1,023,324)	(1,491,306)
<b>Total Cash applied to</b>	<b>(3,546,206)</b>	<b>(3,233,114)</b>
<b>Total Cash Flows from Operating Activities</b>	<b>342,100</b>	<b>756,621</b>
<b>Cash Flows from Investing Activities</b>		
<b>Cash applied to</b>		
Payments to acquire property, plant and equipment	-	(13,147)
Movement in term deposits	(814,397)	(288,698)
<b>Total Cash applied to</b>	<b>(814,397)</b>	<b>(301,845)</b>
<b>Total Cash Flows from Investing Activities</b>	<b>(814,397)</b>	<b>(301,845)</b>
<b>Net Increase/ (Decrease) in Cash</b>	<b>(472,297)</b>	<b>454,776</b>
<b>Cash Balances</b>		
Cash and cash equivalents at beginning of period	1,226,312	771,536
Cash and cash equivalents at end of period	754,015	1,226,312
Net change in cash for period	(472,297)	454,776

*These financial statements are to be read in conjunction with the Notes to the Financial Statements and are subject to the Auditors Report.*

## Reconciliation of Operating Cash Flow to Net Profit

### Marlborough Stadium Trust For the year ended 30 June 2022

	2022	2021
<b>Cash and Cash Equivalents as per Cash Flow Statement</b>		
Westpac - 00 Account	752,964	1,222,868
Gym Bank Account	100	100
Swim School Bank Account	100	100
Cash on Hand	549	2,942
Till Floats	302	302
<b>Total Cash and Cash Equivalents as per Cash Flow Statement</b>	<b>754,015</b>	<b>1,226,312</b>

	2022	2021
<b>Reconciliation of Operating Cash Flow to Net Surplus / (Deficit)</b>		
Surplus / (Deficit) for the Year	200,860	675,219
Working Capital Adjustments for the Year:	-	-
Add Back Depreciation for the Year	180,597	206,859
Add Back Net Loss on Sale of Fixed Assets	755	5,082
Creditors	(67,822)	5,987
Debtors	38,217	(49,939)
Grants not Expended	(8,760)	20,010
GST	(3,414)	35,035
Income in Advance	(1,560)	(148,638)
Interest Accrued	9,986	3,350
Payments in Advance	(7,756)	(4,602)
Stock	997	8,258
<b>Total Reconciliation of Operating Cash Flow to Net Surplus / (Deficit)</b>	<b>342,100</b>	<b>756,622</b>

*These statements are to be read in conjunction with the Notes to the Financial Statements and are subject to the Auditors Report.*

# Notes to the Financial Statements

## Marlborough Stadium Trust For the year ended 30 June 2022

### 1. Reporting Entity

The reporting entity is the Marlborough Stadium Trust. The Marlborough Stadium Trust is domiciled in New Zealand and is a Trust registered under the Charitable Trusts Act 1957.

### 2. Statement of Compliance

The financial statements have been prepared in accordance with Generally Accepted Accounting Practice in New Zealand ("NZ GAAP"). They comply with Public Benefit Entity International Public Sector Accounting Standards ("PBE IPSAS") and other applicable financial reporting standards as appropriate that have been authorised for use by the External Reporting Board for Not-For-Profit entities. For the purposes of complying with NZ GAAP, the Marlborough Stadium Trust is a public benefit not-for-profit entity and is eligible to apply Tier 2 Not-For-Profit PBE IPSAS on the basis that it does not have public accountability and it is not defined as large.

The Board of Trustees has elected to report in accordance with Tier 2 Not-For-Profit PBE Accounting Standards and in doing so has taken advantage of all applicable Reduced Disclosure Regime ("RDR") disclosure concessions.

### 3. Statement of Accounting Policies

#### (a) Basis of Measurement

The financial statements have been prepared on the basis of historical cost with the exception that certain financial instruments are measured at amortised cost.

#### (b) Functional and Presentational Currency

The financial statements are presented in New Zealand dollars (\$), which is the Marlborough Stadium Trust's functional currency.

#### (c) Critical accounting estimates and assumptions

In preparing these financial statements, the Trustees have made estimates and assumptions concerning the future in regards to asset useful lives and impairment of assets. Where these estimates and assumptions are considered critical by the Trustees, they are disclosed in the relevant note below.

#### (d) Revenue

Revenue is recognised to the extent that it is probable that the economic benefit will flow to the Marlborough Stadium Trust and revenue can be reliably measured. Revenue is measured at the fair value of the consideration received. The following specific recognition criteria must be met before revenue is recognised:

##### Revenue from exchange transactions

##### Sales of Services and Membership Fees

Sales of services are recognised in the accounting period in which the services are rendered. Fees and subscriptions received in exchange for monthly access to members' facilities are initially recorded as income in advance and recognised in revenue evenly over the membership period.

Where members purchase specific services, revenue is initially recorded as revenue in advance, and then recognised proportionally on the basis of the value of each session relative to the total value of the purchased services.



**Event Income**

Event hosting income is initially recorded as revenue in advance, and then recognised in the month the event actually takes place.

**Lease Income**

Lease income is recognised on an accruals basis in accordance with the substance of the relevant agreements.

**Interest Income**

Interest revenue is recognised as it accrues, using the effective interest method.

**Revenue from non-exchange transactions**

**Grant Revenue**

Grant revenue includes grants given by other charitable organisations. Grant revenue is recognised when the conditions attached to the grant has been complied with. Where there are unfulfilled conditions attaching to the grant, the amount relating to the unfulfilled condition is recognised as a liability and released to revenue as the conditions are fulfilled.

**Sponsorship Revenue**

Sponsorship income is recognised on an accruals basis in accordance with the substance of the relevant agreements.

**MDC Contributions**

Marlborough District Council contributions are recognised on an accruals basis in accordance with the substance of the relevant agreements.

**(e) Financial Instruments**

Financial assets and financial liabilities are recognised when the Marlborough Stadium Trust becomes a party to the contractual provisions of the financial instrument.

**(f) Financial Assets**

Financial assets within the scope of NFP PBE IPSAS 29 Financial Instruments: Recognition and Measurement are classified as financial assets at fair value through surplus or deficit, loans and receivables, held-to-maturity investments or available-for-sale financial assets. The classifications of the financial assets are determined at initial recognition.

The categorisation determines subsequent measurement and whether any resulting income and expense is recognised in surplus or deficit or in other comprehensive revenue and expenses. The Marlborough Stadium Trust's financial assets are classified as either financial assets at fair value through surplus or deficit, or loans and receivables. The Marlborough Stadium Trust's financial assets include: cash and cash equivalents, short-term investments, receivables from non-exchange transactions, receivables from exchange transactions and investments.

All financial assets except for those at fair value through surplus or deficit are subject to review for impairment at least at each reporting date. Financial assets are impaired when there is any objective evidence that a financial asset or group of financial assets is impaired. Different criteria to determine impairment are applied for each category of financial assets, which are described below:

**Held to maturity investments**

Held to maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturity that the Marlborough Stadium Trust has the positive intention and ability to hold to maturity.

**Loans and receivables**

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market. After initial recognition, these are measured at amortised cost using the effective interest method, less any allowance for impairment. The Marlborough Stadium Trust's cash and cash equivalents, short-term investments, receivables from non-exchange transactions, receivables from exchange transactions and non-equity investments fall into this category of financial instruments.

**(g) Financial liabilities**

The Marlborough Stadium Trust's financial liabilities include trade and other payables, employee entitlements, loans and income not due. All financial liabilities are initially recognised at fair value (plus transaction cost for financial liabilities not at fair value through surplus or deficit) and are measured subsequently at amortised cost using the effective interest method except for financial liabilities at fair value through surplus or deficit.

**(h) Cash and Cash Equivalents**

Cash and cash equivalents are short term, highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. These are detailed in the relevant note below.

**(i) Investments**

Investments comprise term deposits which have a term of greater than three months and therefore do not fall into the category of cash and cash equivalents.

Investments are carried at the lower of cost and net realisable value. Where in the Trustees' opinion there has been a permanent reduction in the value of the investments this has been brought to account in the current period.

**(j) Income Tax**

The Trust is a Registered Charity under the Charities Act 2005 and has no liability for taxation due to the fact that it has charitable status.

**(k) Receivables**

Receivables are stated at their estimated realisable value. Bad debts are written off in the year in which they are identified.

**(l) Property, Plant and Equipment**

Property, plant and equipment is stated at historical cost less accumulated depreciation and impairment. Details of fixed assets are set out in Note 18 to these financial statements. Historical cost includes expenditure that is directly attributable to the acquisition of the items.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the Marlborough Stadium Trust and the cost of the item can be measured reliably. All other repairs and maintenance are charged to the Statement of Comprehensive Income during the financial period in which they are incurred.

**(m) Depreciation**

Depreciation rates suggested by Inland Revenue have not been adopted. All policies have been applied on bases consistent with those used in previous years.

Depreciation has been charged on a straight line basis, at rates approved by the Trustees. Details of rates and depreciation claims are set out in the Fixed Asset Register included herein. The depreciation rates used are as follows:

- Buildings 0% - 7% CP
- Plant & Equipment 4% - 40% CP

**(n) Inventories**

Inventories are recorded at cost.

**(o) Goods and Services Tax**

Revenues, expenses and assets are recognised net of the amount of GST except for receivables and payables, which are stated with the amount of GST included.

Items are included in the Statement of Cash Flows net of GST.

**(p) Employee Earnings**

Liabilities for wages and salaries, annual leave and accumulating sick leave are recognised in surplus or deficit during the period in which the employee provided the related services. Liabilities for the associated benefits are measured at the amounts expected to be paid when the liabilities are settled.

Employee earnings, previously earned from past services, that the Trust expect to be settled within 12 months of reporting date are measured based on accrued entitlements at current rate of pays. These include salaries and wages accrued up to the reporting date and annual leave earned, but not yet taken at the reporting date.

**4. Asset Management Plan Funds**

The Trust is not developing a facility replacement fund. It is the intention, within the financial capability of the Trust, to fund the maintenance of the facility, the repair and maintenance of the plant and equipment and targeted facility development. The asset management plan funds of \$2,113,524 shown on the balance sheet are funds held in term deposit for these purposes.

**5. Securities and Guarantees**

There is a General Security Agreement over all present and after acquired property. There is also a GSA over the funds held in a term deposit account that is limited to \$200,000.

**6. Funding Agreement**

In existence is an agreement between the Marlborough District Council and the Trust which provides for operational funding \$839,000 for the year ended 30 June 2022. This is allocated between the Stadium (\$39,000) and Aquatics (\$800,000).

**7. Lease**

The Trust has leased the Aquatic Centre complex and the land that the Stadium building and surrounds occupies from the Marlborough District Council for a period of 60 years (3 x 20 years at the Trust's option). This is at a peppercorn rental. This lease began during the 1999 financial year. The lease was formally varied to accept the second 20 year term during the 2022 year.

**8. Audit**

These financial statements have been subject to audit, please refer to Auditor's Report.

	2022	2021
<b>9. Total Revenue</b>		
Total Revenue is made up as follows:	-	-
Revenue from Exchange Transactions	2,389,500	2,411,169
Revenue from Non-Exchange Transactions	948,148	1,174,223
<b>Total Revenue</b>	<b>3,337,648</b>	<b>3,585,392</b>

**10. Programme Revenue**

Programme Revenue of \$157,353 (2021: \$141,971) consists of income received for the following programmes:

- Fundamental Skills programme
- School Holiday programme
- Aquablast programme

	2022	2021
<b>11. Grants Received</b>		
<b>Grants Received</b>		
Blue Door	-	2,000
Rata Foundation	30,000	30,000
Kiwisport Funding	-	-
Redwood Trust	30,000	30,000
Ministry of Social Development	-	20,223
Sport Tasman	15,000	-
OSCAR	-	20,010
NZ Lotteries	-	200,000
<b>Total Grants Received</b>	<b>75,000</b>	<b>302,233</b>
<b>Add 2021 Grants expended in 2022 Year:</b>		
Rata Foundation	-	-
Ministry of Social Development	-	-
<b>Total Add 2021 Grants expended in 2022 Year:</b>	<b>-</b>	<b>-</b>
<b>Less Grants not expended until 2023</b>		
Rata Foundation	-	-
Sport Tasman	(11,250)	-
OSCAR	-	(20,010)
<b>Total Less Grants not expended until 2023</b>	<b>(11,250)</b>	<b>(20,010)</b>
<b>Total Grants Received for Year</b>	<b>63,750</b>	<b>282,223</b>
<b>Grants Received - Programmes</b>		
Blue Door	-	2,000
Rata Foundation	30,000	30,000
Kiwisport Funding	-	-
Redwood Trust	30,000	30,000
Ministry of Social Development	-	20,223
Tasman Regional Sports Trust	3,750	-
<b>Total Grants Received - Programmes</b>	<b>63,750</b>	<b>82,223</b>
<b>Grants Received - Aquatics</b>		
NZ Lotteries	-	200,000
<b>Total Grants Received - Aquatics</b>	<b>-</b>	<b>200,000</b>
<b>Total Grants Received for Year</b>	<b>63,750</b>	<b>282,223</b>

	2022	2021
<b>12. Cash and Cash Equivalents</b>		
Cash and Cash Equivalents include the following components:		
Westpac - 00 Account	752,964	1,222,868
Westpac Credit Card	(4,969)	-
Swim School Bank Account	100	100
Gym Bank Account	100	100
Till Floats	302	302
Cash on Hand	549	2,942
<b>Total Cash and Cash Equivalents</b>	<b>749,046</b>	<b>1,226,312</b>
	2022	2021
<b>13. Investments - Asset Management Plan Funds</b>		
Westpac Term Deposits - Maturing within 12 months of balance date	2,113,521	1,294,159
Westpac Term Deposits - Maturing after more than 12 months of balance date	-	-
<b>Total Investments - Asset Management Plan Funds</b>	<b>2,113,521</b>	<b>1,294,159</b>
	2022	2021
<b>14. Accounts Receivable</b>		
Receivables from Exchange Transactions	44,538	92,741
Receivables from Non-Exchange Transactions	-	-
<b>Total Accounts Receivable</b>	<b>44,538</b>	<b>92,741</b>
	2022	2021
<b>15. Payments in Advance</b>		
Insurance paid in advance	23,860	20,019
Music Licences	2,676	2,628
Exercise Association	419	396
NZRA Pool Safe	425	-
Recreation Aotearoa	1,475	1,350
AVCAN	1,250	-
Skeeda	1,625	-
Life Fitness	-	-
Australian Leisure Mag	219	-
Find My Shift	200	-
<b>Total Payments in Advance</b>	<b>32,149</b>	<b>24,393</b>

	2022	2021
<b>16. Accounts Payable</b>		
Trade Creditors - Exchange Transactions	122,162	195,476
Trade Creditors - Non-Exchange Transactions	-	-
Audit Fee Accrued	5,600	5,400
PAYE Payable	-	-
Holiday Pay Accrued	84,067	80,340
Staff Expenses Reimbursed	3,078	-
Tenant Power Reimbursed	(1,513)	-
<b>Total Accounts Payable</b>	<b>213,394</b>	<b>281,216</b>

	2022	2021
<b>17. Income in Advance</b>		
Tenant Leases and Sponsorship paid in advance	12,408	12,658
Swim School Fees received in advance	4,197	5,848
Gym Memberships received in advance	86,793	88,636
School Holiday Programme Fees received in advance	9,824	3,135
Aquatic Subs Received in Advance	40,039	38,280
Water Polo Income Received in Advance	-	-
Funseekers Marchers	435	-
MDC - LGNZ Conference Deposit	-	6,700
Jade Promotions Home and Garden Show	1,739	1,739
<b>Total Income in Advance</b>	<b>155,435</b>	<b>156,996</b>

**18. Fixed Assets**

COST	Buildings	Plant & Equipment	Vehicles	Total
Balance as at 30 June 2021	6,048,125	1,846,626	-	7,894,752
Add Additions	-	-	-	-
Less Disposals	-	31,160	-	31,160
Balance as at 30 June 2022	6,048,125	1,815,466	-	7,863,592
ACCUMULATED DEPRECIATION	Buildings	Plant & Equipment	Vehicles	Total
Balance as at 30 June 2021	1,322,602	1,453,146	-	2,775,748
Add Depreciation for the Year	97,231	83,366	-	180,597
Less Disposals	-	30,405	-	30,405
Balance as at 30 June 2022	1,419,833	1,506,107	-	2,925,940



CARRYING VALUE	Buildings	Plant & Equipment	Vehicles	Total
Cost	6,048,125	1,815,466	-	7,863,592
Accumulated Depreciation	1,419,833	1,506,107	-	2,925,940
Balance as at 30 June 2022	4,628,292	309,360	-	4,937,652

### 19. Key Management Personnel

The key management personnel, as defined by PBE IPSAS 20 Related Party Disclosures, are the members of the governing body which is comprised of the Board of Trustees, General Manager of operations, which constitutes the governing body of the Group, and also the key management staff. No remuneration is paid to members of the Board of Trustees. The aggregate remuneration of key management personnel and the number of individuals, determined on a full-time equivalent basis, receiving remuneration is as follows:

	2022	2021
Total Remuneration	\$456,249	\$418,072
Number of key personnel	7	7

During the reporting period, no remuneration or compensation was provided by the Trust to employees who are close family members of key management personnel (2021: \$Nil).

### 20. Related Party Transactions

Accountancy and Secretarial services have been provided to the Trust by WK Advisors and Accountants Limited, a firm in which Trustee M J Kerr is a Director. WK Advisors and Accountants Limited provide accounting and secretarial work including inputting and processing of debtor and creditor invoices, creditor payments, bank reconciliations, GST returns, monthly reporting, annual accounts preparation, accounting software training to staff, payroll administration, PAYE returns, budget preparation assistance, ongoing accounting software assistance.

The Trust also has uniforms and clothing for fundamental skills and sports development programmes provided by P Baker who retired as a trustee October 2021. All related party transactions are carried out on an arms length basis on normal commercial terms. No related party debts have been written-off or forgiven during the year.

Simon Halliday is the director of Simon Halliday Ltd. Simon is an executive Trustee who provided consulting and advise.

Luke van Velthooven is a director and shareholder of APL Property Blenheim Ltd. The trust pays rates and insurance to APL Property Blenheim Limited. The related party transactions for the year are as follows:

RELATED PARTY	DESCRIPTION OF TRANSACTIONS	2022 VALUE OF TRANSACTIONS (EXCL)	2021 VALUE OF TRANSACTIONS (EXCL)	2022 AMOUNT OUTSTANDING (INCL)	2021 AMOUNT OUTSTANDING (INCL)
APL PROPERTY BLENHEIM	Trust paid rates and insurance to APL Property Blenheim Limited	148,275	144,112	-	-
PETER BAKER	Provided Staff Uniforms and Clothing for Fundamental Skills and Sports Development Programmes	-	236	-	-
WK	Provided accounting and secretarial work for the year as described above	36,802	41,626	2,139	3,623
Simon Halliday Ltd	Consulting and advice	1,600	3,362	-	-

## 21. Apportionment of Indirect Expenses

Indirect expenses have been allocated to the trading accounts of the Trust on the following basis:

- ACC levies and staff training and expenses have been apportioned based on the wages costs for each trading account.
- Depreciation has been apportioned based on:
  1. The use of the asset where identifiable
  2. General use assets have been apportioned on the basis of:
    - Aquatics 50%
    - Stadium and Health & Fitness Centre 40%
    - Programmes 10%
- Other indirect costs (administration and general operational) have been apportioned on the basis of:
  - Aquatics 50%
  - Stadium and Health & Fitness Centre 40%
  - Programmes 10%

The apportionment of overhead expenses between the trading accounts has been assessed on the relative demand on each area of the overall operations.



## 22. Capital Commitments

Below were the known capital commitments at balance date. The amounts for each project are what have been approved by the Trustees.

- AHU upgrade project - \$833,000 (This project was completed by 30 June 2022, but retentions of \$25,218 have been held)
- Heat detection over gym roof space - \$6,000
- Door security system upgrade - \$25,000 (This project is commenced, and there is still approximately \$10,000 left to pay)

## 23. Contingent Liabilities

At balance date there are no known contingent liabilities. Marlborough Stadium Trust has not granted any securities in respect of liabilities payable by any other party whatsoever. (2021: Nil)

## 24. Events Subsequent to Balance Date

No events or transactions have occurred since balance date which would have a material effect upon the financial statements or which are of such significance as to require mention in the notes to the financial policies. There are no plans or intentions that may materially affect the current value or classification of assets and liabilities.



NMA Nelson Marlborough Audit Ltd

## **INDEPENDENT AUDITOR'S REPORT**

**To the Beneficiaries of Marlborough Stadium Trust**

**Report on the Financial Statements**

### **Opinion**

We have audited the financial statements of Marlborough Stadium Trust which comprise the trust directory, the statement of financial position as at 30 June 2022, the statement of comprehensive revenue and expenses, the statement of changes in net assets/equity and statement of cash flows for the year then ended, and notes to the performance report, including a summary of significant accounting policies.

In our opinion, the financial statements present fairly, in all material respects, the financial position of Marlborough Stadium Trust as at 30 June 2022 and its financial performance and cash flows for the year then ended in accordance with Public Benefit Entity Standards with Reduced Disclosure Regime.

### **Basis for Opinion**

We conducted our audit of the financial statements in accordance with International Standards on Auditing (New Zealand) (ISAs (NZ)).

Our responsibilities under those standards are further described in *the Auditor's Responsibilities for the Audit of the Financial Statements* section of our report.

We are independent of the Trust in accordance with Professional and Ethical Standard 1 (Revised) *Code of Ethics for Assurance Practitioners* issued by the New Zealand Auditing and Assurance Standards Board and the International Ethics Standards Board for Accountants' *Code of Ethics for Professional Accountants (IESBA Code)*, and we have fulfilled our other ethical responsibilities in accordance with these requirements and the IESBA Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Other than in our capacity as auditor we have no relationship with, or interests in, the Trust.

### **The Responsibility of the Trustees for the Financial Statements**

The Trustees are responsible on behalf of the Trust for the preparation and fair presentation of these financial statements in accordance with Public Benefit Entity Standards with Reduced Disclosure Regime, and for such

internal control as the Trustees determine is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Trustees are responsible on behalf of the Trust for assessing the Trust's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Trustees either intend to liquidate the Trust or to cease operations, or have no realistic alternative but to do so.

#### **Auditor's Responsibility for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with ISAs (NZ) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could be reasonably expected to influence the decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with ISAs (NZ), we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Trust's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of the use of the going concern basis of accounting by the Trustees and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Trust's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Trust to cease to continue as a going concern.
- Evaluate the overall presentation, structure, and content of the performance report, including the disclosures, and whether the performance report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*NMA Nelson Marlborough Audit Ltd*

NMA Nelson Marlborough Audit Limited  
PO Box 732  
Nelson 7040

13 September 2022

## 8. Approval of Revised Terms of Reference (ToR) for Assets and Services Committee

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(Mayor) (Report prepared by Robert Foitzik)

L150-016-38-03

### Purpose of Report

1. To approve the revised Terms of Reference for the Assets & Services Committee, which will be published on Council's website.
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### RECOMMENDATION

**That the Committee review and approve the attached revised Terms of Reference or approves the revised Terms of Reference with amendments or changes as deemed appropriate to accurately reflect the purpose, scope and authority of the Committee.**

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### Background/Context

2. The Council delegates to committees those powers necessary for it to carry out its responsibilities, except for those matters which cannot legally be delegated under the Local Government Act 2002 or which the Council has elected not to delegate.
3. The business to be transacted by the Council and its committees is large and wide-ranging, dealing with the details of many Acts and Regulations, the council's plans, bylaws, and a range of Council activities and services.
4. Delegations given by the Council reflect the principles of subsidiarity to allow the Council to delegate its powers and functions to the most efficient and effective levels. The committee to which powers are delegated will usually exercise the delegated power but is not obliged to do so. The most common circumstances where the committee with the delegation might choose not to exercise it are when the matter has become a matter of public notoriety, or the issues are contentious and finely balanced. A decision made by a committee under delegation from the Council has the same effect as if it were made by the Council itself.
5. In accordance with section 41A(3)(b) of the Local Government Act 2002, the Mayor has the power to establish the committees and appoint the chairperson of each committee.
6. For committees and sub-committees to exercise their delegated powers responsibly and transparently, most councils have adopted detailed terms of reference setting out the purpose, scope and authority of each committee. In that respect, ToRs should comply with and be reflective of the following elements of good governance:
  - **Accountable and transparent:** decision-making structures should enable citizens to understand who is accountable for decisions made and the reasons behind those decisions;
  - **Responsive:** the structure should be able to respond to issues brought to the council's attention without unnecessary delay;
  - **Participation and diversity:** decision-making structures should facilitate direct engagement between elected members and members of the public and the expression of diverse views;
  - **Strategic focus:** decision-making structures should be designed so that elected members' ability to consider strategic matters is not "crowded out" by the urgent and reactive;
  - **Equitable and inclusive:** decision-making structures should be accessible to all communities;

- **Efficient and effective:** decision-making structures should enable decision to be made in a timely manner, without unnecessary duplication.

7. Legal Services have reviewed all of Council's current committee and sub-committee ToRs and propose to replace them with updated and revised ToRs. For the Asset & Services Committee those revised and updated ToRs are **attached**.

8. It is recommended that the Committee reviews the attached ToR and either approves them as is or approves them with changes and amendments as deemed appropriate to correctly reflect the delegated powers of the Committee and the way it intends to operate and make decisions during its term. The attached ToR include feedback from the previous Chair of the Assets & Services Committee. Once approved, the ToR will be published on Council's website.

## Attachment

**Attachment 1** – Draft Terms of Reference Asset and Services Committee

page [58]

Author	Robert Foitzik, General Counsel
Authoriser	Gina Ferguson, Acting Chief Executive

## Terms of Reference

### Assets & Services Committee

<b>Chair</b>	David Croad
<b>Deputy Chair</b>	Jonathan Rosene
<b>Membership</b>	Scott Adams Sally Arbuckle Deborah Dalliessi Brian Dawson Matt Flight Mayor Nadine Taylor Iwi Representative (to be advised)
<b>Quorum</b>	_____
<b>Meeting Cycle</b>	6 weekly
<b>Reports to</b>	Full Council

#### Responsibilities

This Committee is responsible for reviewing strategy and policy for Council's infrastructure. In fulfilling their role on the Assets and Services Committee, members shall be impartial and independent at all times

#### Activity Areas

- Water, wastewater (sewerage) and storm water
- Roads including road network; road safety (including walking and cycling strategies), parking, public transport
- Solid waste and waste management (including recycling)
- Rivers and drainage
- Climate Change Action Plan
- Road naming
- Parks and Open Spaces Reserves
- Sporting Reserves and Facilities
- Community facilities and Halls
- Cemeteries and memorials
- Public conveniences
- Regional Transport Committee (Statutory Committee)
- Civil Defence Emergency Management Group (The delegation to act as this group is given to the Assets and Services Committee)

#### Responsibilities and Key Projects

- Contribute to the preparation or amendment of Annual Plan and Long-Term Plans
- Oversee preparation and approval of 30-year Infrastructure Strategy and Asset Management Plans

- Delivery of Annual Work Programme;
- Overseeing provision of capital and maintenance programmes to deliver effective:
  - water, wastewater and storm water networks (including collection, treatment, reticulation and disposal); and
  - road network (including roads, bridges, footpaths, cycleways, wharves, landscaping and ancillary services and facilities, areas of public amenity and street lighting).
- Overseeing provision of transportation planning, public transport and road safety;
- Regional Transport Committee (a separate statutory committee which has its own ToR): prepares the Regional Land Transport Plan or any variations to the Plan for approval by Council and provides Council with advice and assistance in relation to its transport responsibilities).
- Overseeing provision of solid waste collection and disposal services (including kerbside solid waste and recycling collection services, waste minimisation programmes, landfills and transfer stations);
- Oversee the management and future planning for Parks and Open Spaces and Sporting Reserves and Facilities, including Reserve Management Plans
- Oversee the management and future planning for community facilities, halls, cemeteries and public conveniences.
- Oversee the implementation, review and ongoing development of Council's Climate Change Action Plan
- Overseeing the development, maintenance, monitoring and evaluation, and implementation of the Group Plan as required under section 17 (1)(i) of the Civil Defence and Emergency Management Act 2014

## Powers

The Assets and Services Committee will have delegated authority to carry out activities within its terms of reference and the activity areas listed above (excluding all powers reserved to the Council by law, or by resolution of the Council).

The committee also has statutory powers including powers under the

- Soil Conservation and Rivers Control Act 1941
- Reserves Act 1977
- Resource Management Act 1991
- Burial and Cremation Act 1964
- Freedom Camping Act 2011
- Land Drainage Act 1908
- Local Government Act 2002
- Local Government Act 1974
- Litter Act 1979.

The committee also has powers under the respective Council bylaws.

The committee has:

1. All powers necessary to perform the committee's responsibilities, including:
  - a) approval of a submission to an external body
  - b) establishment of working parties or steering groups.
2. The committee has the powers to perform the responsibilities of another committee, where it is necessary to make a decision prior to the next meeting of that other committee.



3. If a policy or project relates primarily to the responsibilities of the Assets and Services Committee, but aspects require additional decisions by Council, the Assets and Services Committee has the powers to make associated decisions on behalf of those other committee(s). For the avoidance of doubt, this means that matters do not need to be taken to more than one of these committees for decisions.

#### **Power to Act**

The Assets and Services Committee will:

1. Approve the adoption of strategies, policies and plans that relate to any activity area listed above where authorised by the Council;
2. Maintain the Council strategic relationships with NZ Transport Agency/Waka Kotahi;
3. Lodge and present submissions to external bodies on policies and legislation relevant to the Assets and Services Committee's Terms of Reference and any activity area listed above. (Note: Where timing constraints apply, the Chairperson (or in their absence, the Deputy Chairperson) has the authority to lodge submissions and seek retrospective approval;
4. Approve the review of bylaws under the Assets and Services Committee's jurisdiction and consider submissions; and
5. Initiate commencement of a consultation process, excluding initiating the special consultative procedure under the Local Government Act 2002 related to any activity area listed above.

#### **Power to Recommend**

The Assets and Services Committee will:

1. Recommend the adoptions of strategies, policies and plans that relate to any activity area listed above where the final decision must be made by the Council;
2. Consider any proposal where public consultation is (or may be) required (including the use of the special consultative procedure) related to any activity area listed above, and to make recommendations to the Council as appropriate;
3. Recommend adoption of any new or amended bylaw related to any activity area listed above; and
4. Prepare a draft Assets and Services Strategy and recommend it for approval by the Council as part of the Long-Term Plan.

### **Delegation Limitations**

The Assets and Services Committee may not delegate any of its responsibilities, duties or powers and its powers exclude powers that cannot be delegated to committees under the Local Government Act 2002.

### **Procedure**

The Chairperson will report back to the Council with recommendations of the Assets and Services Committee at the next Council meeting following each committee meeting.



## 9. July and August 2022 – Extreme Wet Weather Across Marlborough and Flooding Impacts on Council Controlled River Systems

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(Clr Adams) (Report prepared by Geoff Dick)

E210-017-06-01

### Purpose of Report

1. The purpose of this report is to provide Council an initial summary of drainage and flooding impacts of the wet weather that occurred over the winter of 2022, and response completed or underway.

### Executive Summary

2. Winter (July and August) 2022 was generally very wet across the Marlborough Region and culminated in an extreme rainfall event that affected the whole of the top of the South Island on 16 - 20 August 2022. During the August “river of rain” event over 1000mm of rain fell in parts of northern Marlborough including the Upper Rai Valley and adjacent Sounds.
3. The wet winter and the very large August storm caused further major damage to parts of the regions roading network and significant flooding in many rivers and streams. In addition the August storm caused groundwater table levels on the Wairau plains to rise above ground level.
4. A substantial emergency response was required (and is still underway) particularly to Council’s roading network. In addition, the flooding impacts from the August storm has caused additional flood damage to Wairau Scheme assets plus many farms and private properties. There has been a large number of calls by landowners for recovery advice and assistance where appropriate.
5. Wairau Scheme flood works contained this second very large flood in 12 months. The peak flow was recorded at 4250 cumecs on 20 August or around a 25 year return period event. Completed July 2021 flood damage repairs including some temporary holding works came through this second event well.
6. Assessment of additional necessary repairs, to Wairau Scheme assets, plus any additional work recommended in Wairau Scheme tributaries, Picton and Sounds watercourses is still underway. A recommended updated repair work programme taking into account remaining July 21 flood damage and August 2022 repairs is proposed to be tabled at the Assets & Services February 2023 meeting

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### RECOMMENDATIONS

1. **That the Committee receive the attached report and notes that:**
  - (a) **assessment of additional repairs and maintenance works is still underway including landowner assistance outside core Wairau Scheme and Picton/Waikawa works, with the aim to report back in February 2023.**
  - (b) **that work is already underway to further refine options for flood risk reduction for the lower terrace at Renwick that was significantly affected by the July and August rainstorms.**

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### Background/Context

7. The rainfall and flood event hydrology for July and August 2022 will be provided in a detailed technical report that is proposed to be presented to the Environment & Planning Committee meeting on 24 November 2022. However, below I have extracted a few key highlights from that report.

8. Winter 2022 was in general very wet across the region resulting in extensive flooding, earth slips and high ground water tables. The wet winter culminated in the 4 day “river of rain” storm in late August that affected the whole of the top of the South Island. During this storm over 1000mm of rain fell in the top of the Rai Valley catchment (and immediately adjacent Sounds catchments) leading to a very large flood event in the Rai and Pelorus Rivers. The tail end of the “river of rain” storm led to a second large flood event in the Wairau River in just over 12 months.
9. The very wet winter (July regional rainfall alone was 277% higher than average) caused extensive surface flooding on the lower Wairau plains and very high groundwater table levels in August certainly tested natural and stormwater drainage systems.
10. The Rivers team spent much of the July and August period monitoring and responding to the various rainstorms and where necessary organising emergency flood pumping and channel clearing. Emergency pumping was required in David Street, Springlands; Gee and Oudenarde Streets, Renwick; adjacent to SH6, Woodbourne; Goulard Road, Spring Creek, Wairau Bar Road, Lower Wairau; Rarangi Road, Rarangi and tractor assisted pumping at Pembers Pump station.
11. There were in effect two flood events that affected Marlborough. A July event that caused the Taylor River to rise to its highest since 2008 and closed Nelson Street. The July event also caused flooding in David Street, Springlands and flooded parts of Renwick adjacent to School Creek, and in Gee and Oudenarde Streets in the lower terrace area. The subsequent and generally larger August storm affected the whole region and caused a very large flood event in the Rai and Pelorus rivers, and at the tail end in the Wairau River, and caused much of the additional damage to Council’s roading network.
12. In late July emergency clearing of the drainage channel alongside SH63 south of Renwick was completed under a flooding road closure to limit the risk of another Fault Lake runoff overflow that flooded a number of properties in the relatively new Mclsaacs Place subdivision. We also emergency cleared several willow blockages in Ruakanakana Creek downstream of Pak Lims Road. Blocked culverts in Yelverton Stream at David Street, Springlands were also cleared or replaced.
13. The August storm resulted in a large 4250 cumec flood in the Wairau River which was generally well contained and additional damage limited despite July 21 flood damage repairs being only about 25% complete at the time.
14. September and October 2022 were largely taken up with inspections and immediate repairs to Wairau Scheme works where necessary and responding to a very large number of landowner advice requests/issue notifications from Blind River in the south to Okiwi Bay/Tennyson Inlet in the north. These are not yet complete with a number of properties/sites still to visit. Similarly post August 2022 inspection of the Wairau scheme areas is not yet complete but should be by the end of this month – November 2022. An aerial survey of the Wairau and key tributaries was completed in early September shortly after the storm.

## **Flooding issues – a few key issues**

### *Renwick*

15. In July overland flow flood water from south of SH63 Renwick and what is known as the Fault Lakes area flowed across SH63 and got into the remnant School Creek channel upstream of Mclsaacs Place. This led to flooding of a number of properties including at Mclsaacs Place, Alma Street and Brooke Street. To prevent a recurrence an emergency clearance of the deep water table on the south side of SH63 was undertaken plus sandbagging as necessary. No repeat flooding occurred in August. A simple permanent fix is proposed being a channel block on the north side of the highway.
16. In the lower terrace area of Renwick including at Terrace Road and at Gee, Inkerman, Oudenarde and Brook Streets ponding and stormwater overflows affected a large number of properties in both July and August. The most severe flooding occurred in late August when Ruakanakana (Gibsons) Creek overflowed its banks and flooded the previously identified low lying areas against the terrace edge down to Pak Lims Road. The August flooding was significantly exacerbated by high groundwater tables, particularly in Oudenarde Street where low lying land was continuously ponding for nearly a month even with emergency pumping and relief overflows into the sewer network.

17. Mitigation works to limit the future risk of similar flooding to existing housing in the Renwick lower terrace area is being reviewed in the light of what was observed and new more powerful computer modelling tools that better represent actual situations compared to work completed 7 or 8 years ago.

### *David Street, Springlands*

18. In July stormwater runoff flows into the Yelverton Stream at David Street exceeded the capacity of the stream with its many private culvert crossings to cope. This led to flooding of several garages. Emergency works including flood pumping, temporary replacement of one badly blocked culvert and pressure cleaning of the existing David Street road culvert were undertaken. This reduced the flooding extent in the subsequent August event.
19. This area has been rezoned for large lot residential development in the MEP. Modelling work was already underway to confirm the required stream upgrades to cope with the level of planned development. This modelling work is nearing completion which should allow at least the replacement of the undersized and badly tree root blocked David Street culvert before next winter.

### *Goulard Road, Spring Creek*

20. In August stormwater run-off from north of Goulard Road, and likely the KiwiRail yards to the west, again exceeded the capacity of the Spring Creek stormwater system (similar to July 2021) to cope leading to flooding around some houses and likely affecting some garages. Emergency pumping was required.
21. On the north side of Goulard Road is a flood gated stormwater outfall to the Wairau River. This outfall for various reasons is currently not functional.
22. However, as part of the IREX project KiwiRail are planning to increase their effective development size/yard capacity at the Spring Creek rail yards. This will require a stormwater outfall upgrade in terms of both treatment and outfall capacity. A new upgraded outfall at Goulard Road that can serve both KiwiRail and adjacent residents is being explored.

### *Taylor River/lower Ōpaoa River*

23. On 8 July 2022 the flood level in the Taylor River through town was the highest since 2008. At the peak Nelson Street was flooded and had to be closed. All seven Blenheim stormwater pumps operated as designed through the peak of this flood.
24. While the stopbank system through Blenheim comfortably coped with the July flood it did cause some system damage including;
  - Bed scour or degradation from Meadowbank Bridge down to just above Wither Road exposing irrigation intakes and undermining walkway stepping stone crossings. Some bed control weirs downstream of Meadowbank Bridge are being considered.
  - Bank erosion at Burleigh Bridge and in the vicinity of the Monro Street car park. This has been largely repaired.
  - Bank slumping in the lower Ōpaoa River downstream of the Malthouse Reserve. This will need to be repaired where it is immediately adjacent to the stopbank.
25. On the beneficial side the larger than usual flows appear to have opened up the river mouth at the Wairau River estuary and delayed the need for the first cut of aquatic weed in the channel.

### *Wairau Diversion/lower Wairau River*

26. The lower Wairau/Diversion floodway system coped with the large August flood with the major completed stopbank repair at Morrins Hollow not causing any concerns or problem. This flood being approximately 1000 cumec smaller than July 2021 meant that we had adequate freeboard or a safety margin on the stopbanks this time round. However, there are a number of matters to follow up including;

- The August 2022 flood, like the July 2021 flood, again dropped another layer of sand on large sections of river berms further reducing floodway capacity.
- Several sections of river bank slumped and will require repair. Two slumps adjacent to the Peninsula Road stopbank are a high priority for permanent or temporary repair to secure the stopbank.
- The two sections of Diversion riverbank upstream of the Neal Road bridge identified for repair following the July 2021 flood were 'skinned' again and will require interim repair at least before next winter. These sites are waiting on rock being available from pukaka quarry again.
- The Pukaka floodway again overtopped on the east side outside the formed spillway. Repair of this section of bank has been completed.
- The temporary repairs at the Diversion mouth held well with no further material damage following the August 2022 flood.

### *Wairau River – SH1 to Waihopai River, lower Waihopai River to SH63*

27. The August flood only created two significant areas of damage beyond what is scheduled for repair from the July 2021 flood. Otherwise, like the lower floodway, this section of the scheme came through the August flood relatively well. New follow up matters include;
- Repair of the eroded true left buffer zone over approximately 300mm in the lower Waihopai river immediately adjacent to the NZSF vineyard block. Boundary and access issues are being discussed with the adjacent landowner.
  - The August flood blew a 250m hole in a rock armoured training bank immediately downstream of the Crafar Crouch crushing yard, Northbank adjacent to the Kaituna-Tuamarina. Track. Options for repair including full or part reinstatement are being considered. Note the same training bank was damaged in the July 2021 event and repairs had been completed prior to the August flood. The reason for the second lot of damage will need to be considered for repair options.
  - Downstream of Giffords Road an approximate 100m section of stopbank landward face slumped off and is scheduled for repair. We think this was likely caused by a combination of saturated ground, and perhaps some seepage during peak flood levels in August.
  - The flood mobilised a large amount of gravel in the riverbed and an increased gravel extraction programme is proposed for the next couple of years focussing on the reach in immediate vicinity of the State Highway One bridge.
  - The August flood did major damage to vegetated buffer zones in the Waihopai River upstream of State Highway 63 bridge leaving a large amount of timber debris in the riverbed. The section of floodway downstream of SH63 has largely been cleared or stacked for subsequent burning next autumn. A similar exercise is planned for the immediate reach of the floodway upstream of SH63 where the Gibsons Creek intake is maintained.
  - Both the Southern Valleys and Waihopai Gibsons Creek intakes were restored before the irrigation season got underway.
  - Floodway access tracks in this reach of the Wairau floodway reserve have largely been repaired and access reopened.

### *Waihopai River upstream of SH63*

28. The Waihopai River again experienced larger flows in both July and August. This caused significant erosion into existing vegetated buffer zones including erosion damage into at least three vineyards. One section of private stopbank over topped.
29. Responsibility for repairs largely rests with the landowner with Council assisting to maintain a clear floodway within budget allocated.
30. Following the flood two temporary low flow diversions were completed to enable the adjacent landowners to plan, consent and complete their own repairs with some immediate risk reduction. A further diversion is planned subject to the plans of the adjacent vineyard owner.

31. The Waihopai River upstream of SH63 is tending to degrade (lowering of bed level) and looking at older aerial photos meander patterns appear to have developed more severe crossover meanders which helps to explain the large amount of lost buffer zone trees.

#### *Upper Wairau plus Northbank tributaries including the Onamalutu River*

32. The August flood caused significant river front damage to a number of vineyards in the Upper Wairau. To date we have assisted two vineyard owners with low flow braid diversions to enable them to undertake repairs.
33. The North Bank tributaries including in the Onamalutu experienced long periods of high flows during July and August culminating in the 20 August flood. This affected property frontages, damaged several sections of road. In Bartletts Stream a slip from the forestry above the road that ended up in the waterway appears to have altered the meander pattern exacerbating erosion issues to downstream farm land.
34. To date we have removed a number of tree blockages in the Onamalutu, with one more job pending. At least two more landowner visits are scheduled.

#### *Andersons Floodway – Wairau valley township*

35. Andersons Floodway west of Wairau Valley township was designed and constructed by the former Catchment Board to divert about 2/3 of Walkers Creek flow during high flows directly to the Wairau River and hence reduce the risk of flooding to Wairau Valley township.
36. Over the years we have undertaken some basic and cheap maintenance to keep the floodway function despite the status of the works being unclear following the adoption of the 1994 Wairau Floodways Plan (scheme review).
37. The diversion floodway was further damaged during the July and August floods. A final decision will need to be taken on whether to repair or to abandon the flow diversion by removing the flow construction in Walkers Stream and undertaking private land repairs as necessary or reconstructing back to a full operating state with new drop structures and bed controls.
38. Dismantling the Walkers Stream diversion at Andersons floodway will significantly increase the flood risk to downstream properties including Wairau Valley township.

#### *Picton/Waikawa/Ngakuta bay*

39. Council maintained waterways in Picton, Waikawa and Ngakuta Bay came through the July and August floods in good shape with no appreciable damage or flooding issues noted. Queen Charlotte Drive on the other hand was heavily damaged from slips above and below the road.
40. Like Blenheim, Picton was on the outer edges of the very heaviest rain from the large August storm.
41. An emergency clearing of the stream adjacent to Outward Bound, Anakiwa was completed to restore channel capacity from deposited gravel and tree debris.

#### *Pelorus/Rai Valley/Okiwi bay*

42. This area was at the epicentre of the August storm with the resulting Pelorus River flood nearly being as large as the very large 2012 flood.
43. Since August time has been available for only a couple of staff visits including to look at the very limiting the likely course change here without some funding support. We however have assisted a landowner to complete private property repairs in Okiwi Bay and promptly got a request to relive a gravel buildup in the Kaimiko Stream mouth.
44. Some emergency channel clearing works are planned to be undertaken in the Upper Rai Valley as soon as final check inspections can be made. This is being organised with the support of Te Hoiere project co-ordinator and is similar to some assistance offered after the July 2021 flood.

45. Remaining visits also include to a landowner on the Kaituna River seeking to undertake flood damage repairs.

#### *Awatere River/Starborough Creek and Blind River*

46. The Awatere area also experienced high flows during the winter storms with a very large flow in Starborough Creek during July. Some willow clearing is planned to reduce blockage and ongoing erosion risks in the stream adjacent to Goulter Street.
47. At landowner request we also inspected willow blockages in Blind River and adjacent to Renners Road which are considered to have contributed to flooding of one house and a section of Cable Bay Road interrupting access for several days. Neither of these waterways is Council maintained or specifically rated for that purpose.

#### **Summary**

48. Winter 2022 was generally very wet across the region culminating in the very large August 2021 storm which had its epicentre in the north west of the region. Over four days 1000mm was recorded in the Tunakino rainfall gauge.
49. The record rainfalls caused extensive flooding across the region, and consequent damage to farms, roads and in some areas housing.
50. The flood also caused additional damage to Wairau Scheme assets (noting that July 2021 flood repairs are less than 30% complete) but generally on a smaller scale. Completed repairs and temporary holding works generally performed well limiting further damage.
51. However, in the Wairau additional costs can be expected and an enlarged combined 2021 and 2022 programme is proposed. Likely completion may need to extend beyond the June 2024 target for the July 2021 repairs. A report with cost estimates and recommended additional repairs is proposed to be tabled at the next Assets & Services meeting in February 2023.
52. Landowner assistance visits and some additional emergency repairs outside core scheme areas are still underway.

## 10. Bluegums Alternatives Assessment Review

(Clr Dalliesi) (Report prepared by Alec McNeil)

C315-21-039-02

### Purpose of Report

1. To provide an update on the process, referred to as an *Alternatives Assessment Review*, for obtaining a resource consent for the Bluegums landfill site after the current consent expires in 2030.

### Executive Summary

2. The Bluegums landfill consent expires in 2030. This report sets out the process, referred to as an *Alternatives Assessment Review*, to obtain a new resource consent for the site and recommends that this work begins in 2023 at a cost of up to \$150k excluding GST which is already budgeted.

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### RECOMMENDATIONS

1. **That the report be received.**
2. **That the process of obtaining a resource consent for Bluegums landfill post 2030 commences during 2023 with the undertaking of an *Alternatives Assessment Review* at a cost of up to \$150k funded from the existing Bluegums landfill capital budgets.**

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### Background/Context

3. The Bluegums landfill is a strategic Council owned asset which, subject to resource consent, has capacity to continue operations until 2047.
4. Landfill capacity, referred to as airspace, is measured in cubic metres. The airspace consumption and projected remaining capacity is calculated annually, this calculation takes account of changes in market conditions that may affect the level of waste inputs to the site.
5. Council use a three-year rolling average when considering future waste inputs to the site. The current three-year average is 68,000 tonnes and is presently trending down. Increased inputs to the site shorten its lifespan and decreased inputs to the site lengthen its lifespan. The following table summarises the waste inputs for the 2019-22 period.

Product Id	2019/2020 Net T	2020/2021 Net T	2021/2022 Net T
Totals	71,406	69,415	63,310
3 Year Average			68,044

6. Rather than renewing the current resource consent U000950 which expires on 30 November 2030, the process should be treated as obtaining a new resource consent and planned accordingly.
7. The technical information required in support of a landfill resource consent application will require external support. It is anticipated that the current landfill engineer, Tonkin and Taylor, will provide this technical support.
8. The landfill engineer provides two services including operational contract administration and construction management. Contract administration provides oversight of the Contractor that operates the landfill. Construction management provides oversight of the design and building of each landfill stage and associated infrastructure. The landfill has 13 stages which are built one stage at a time. Stage 9 is now under construction.
9. Tonkin and Taylor have provided a draft scope of works for conducting the initial planning activities that would support a future resource consent application. This draft scope of work referred to as an *Alternatives Assessment Review* is appended to this report. (Refer Attachment 1)

## Assessment/Analysis

10. There are currently several landfill consent applications being undertaken across New Zealand providing an insight into the opportunities and challenges associated with this process. Learnings drawn from these current applications include:
  - a) the provision of adequate time to gather the requisite information that will support a resource consent application; and,
  - b) evidence that demonstrates that a full alternatives assessment has been undertaken including community consultation and liaison with Iwi.
11. Where adequate information or evidence of alternatives have not been presented the resource consent process has experienced considerable time delays.
12. There is a risk that continuing operations at Bluegums will not receive resource consent approval. The process that is followed in support of the resource consent application will determine whether the continuation of landfill operations is appropriate for the Bluegums location.

## Option One (Recommended Option)

13. That the report be received.
14. That the process of obtaining a resource consent for Bluegums landfill post 2030 commences during 2023 with the undertaking of an *Alternatives Assessment Review* at a cost of up to \$150k funded from the existing Bluegums landfill capital budgets.

### Advantages

15. The whole community are included in the *Alternatives Assessment Review* for Bluegums landfill.

### Disadvantages

16. Nil.

## Option Two (Status Quo)

17. There is not an alternative approach to obtaining a resource consent for Bluegums landfill as this process is subject to the legislative requirements set out in the Resource Management Act and the Local Government Act.

### Advantages

18. Not applicable.

### Disadvantages

19. Not applicable.

## Next steps

20. Approve the recommendations in this report.
21. Engage Tonkin and Taylor to undertake the *Alternatives Assessment Review* starting in 2023.

## Attachment

**Attachment 1** - Residual Waste Management Alternatives Assessment Scope of works page [69]

Author	Alec McNeil, Solid Waste Manager
Authoriser	Stephen Rooney, Operations and Maintenance Engineer



## Marlborough District Council

### Residual Waste Management Alternatives Assessment

#### Scope of works

##### Step 1 - Determine Council objectives for selection of a 'Residual Waste Management' approach

1. Preliminary work on objectives and relevant strategy and policy documents (for discussion and development).
2. Workshop to agree MDC objectives for residual waste management and scope of alternatives assessment required
  - Regulatory requirements for alternatives assessment – LGA and RMA
  - Review WMMP and other Council objectives relevant to waste management activities
  - Determine basic parameters for assessment e.g., quantity of waste, types of waste, timescales
  - Agree how the alternatives assessment will be used/integrated in other Council processes e.g., WMMP and LTP
  - Define objectives for residual waste management (likely under the following headings)
    - i. Continuity of service/timing (Bluegums landfill consent expires in 2030)
    - ii. Reliability of service to ratepayers – reliability in operation, consenting risk (achievement and compliance), resilience to natural disasters
    - iii. Cost/affordability – Capital and operating cost
    - iv. Flexibility to respond to changes in waste quantity and nature
    - v. Environmental impacts/benefits
    - vi. Social/amenity impacts/benefits
    - vii. Cultural impacts/benefits
    - viii. Other?

Note that these objectives will later form the basis for a multi-criteria analysis (MCA) to select a preferred alternative.

Objectives i-iv above are likely to be considered as 'technical'/'non-negotiable' with clear Go/No go limits of acceptability, i.e. there are minimum requirements that must be met for an alternative to be viable and which are related primarily to the technology e.g. if a technology is not affordable - it is not viable – a cost cap might be set as an objective. Other objectives such as v to vii will have a spectrum of acceptability that may depend on factors such as location and mitigation measures that might be put in place (although there may be some absolutes in terms of viability that can be determined through site-specific assessment and consultation).

3. Council review and sign off on preliminary objectives – Council approvals.
4. Discussion with Iwi
  - Discuss Council's preliminary view on objectives for the assessment process.
  - Seek Iwi views on cultural values that should be incorporated into the assessment.
  - Invite Iwi to participate in the project – including determining how they want to contribute.
5. If considered appropriate/required community engagement regarding objectives (what is important to the community?). This could also identify the range of potential options (as there will be questions about this) to obtain initial feedback from the community but would not include any evaluation of these against the objectives at this stage.
6. Finalise objectives – Council sign-off.

## **Step 2 – Identify residual waste management alternatives**

7. Identify alternatives to be considered – full residual waste management options (may comprise more than one step or approach). This work can progress in parallel with developing objectives and MCA criteria.  
Preliminary alternatives assessment to identify viable alternatives (T+T with Council)
  - Identify those alternatives that meet Council's 'technical'/'non-negotiable' objectives (likely under the headings i – iv (or as developed) above). This is a 'first pass' to identify those alternatives that could be implemented to achieve the primary objectives that must be met for an alternative to be acceptable. This is an objective technical assessment independent of location that can be undertaken by Council without the need to consult. Alternatives that pass this first gate can then be consulted on with respect to environmental, social/amenity and cultural impacts and any other objectives identified in the above process (no point in consulting on non-viable alternatives).
  - At this time alternatives, perhaps other than 'Extend Bluegums landfill' would likely be non-site specific e.g., 'new landfill' or 'Waste to energy facility' without the location having been determined. However, this process could be used to determine criteria to be met for these alternatives e.g., New landfill – Min 1km from nearest residence etc.
8. Workshop with Council (and Iwi) to discuss, debate and agree on the method of assessment of alternatives (MCA criteria). The involvement of key community groups in this process could also be considered.
9. Finalise alternatives assessment to identify the preferred option
  - Multi criteria analysis including feedback on environmental/social/amenity and cultural issues from any early engagement
  - Council sign-off on the preferred option
10. Engagement with Iwi and community on the outcome of the alternatives assessment
  - Presentation of the process followed (application of the objectives) and the resulting preferred option
  - Consultation on the preferred option

## **Step 2 - Evaluate potential locations (scope to be developed further after Step 1 completed)**

11. Further assessment to identify the location for the preferred alternative (unless this is 'Extend Bluegums landfill')
  - Establish siting criteria – waterways, soil type, neighbouring activity, ownership, (likely dependent on technology of preferred option)
  - Complete preliminary scan to provide initial list of possible sites
  - Detailed analysis of possible sites
  - Preferred site(s)
  - Consultation/engagement.

<b>Summary of decision-making considerations</b>			
<b>Fit with purpose of local government</b>			
The proposal enables democratic local decision-making and action by, and on behalf of the community and relates to consideration of providing a public service, its need, and cost effectiveness.			
<b>Fit with Council policies and strategies</b>			
	<i>Contributes</i>	<i>Detracts</i>	<i>Not applicable</i>
LTP / Annual Plan	✓	<input type="checkbox"/>	<input type="checkbox"/>
Financial Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Infrastructure Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Social well-being	✓	<input type="checkbox"/>	<input type="checkbox"/>
Economic development	✓	<input type="checkbox"/>	<input type="checkbox"/>
Environment & RMA Plans	✓	<input type="checkbox"/>	<input type="checkbox"/>
Arts & Culture	<input type="checkbox"/>	<input type="checkbox"/>	✓
3 Waters	<input type="checkbox"/>	<input type="checkbox"/>	✓
Land transport	✓	<input type="checkbox"/>	<input type="checkbox"/>
Parks and reserves	<input type="checkbox"/>	<input type="checkbox"/>	✓
<b>Nature of the decision to be made</b>			
The options do not involve a significant decision in relation to land or a body of water at this time.			
<b>Financial considerations</b>			
Nil at this time as any costs are currently budgeted.			
<b>Significance</b>			
The decision is considered of medium significance under Council's Significance and Engagement Policy.			
<b>Engagement</b>			
The community will benefit from contributing to the Alternatives Assessment Review.			
<b>Risks: Legal / Health &amp; Safety etc</b>			
Nil			
<b>Climate Change Implications</b>			
Continued operation of a landfill will contribute to emissions. The emissions impact is offset by the ongoing investment in landfill gas capture and destruction/repurposing e.g., introduction of a biogas plant fuelled by the landfill gas.			

## 11. Information Package

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### RECOMMENDATION

That the Assets & Services Information Package dated 17 November 2022 be received and noted.

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## 12. Decision to Conduct Business with the Public Excluded

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

- Land Acquisition
- Road Widening

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
Land Acquisition Road Widening	To enable the Council, as holder of the information, to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) as 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.