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**MARLBOROUGH  
DISTRICT COUNCIL**



5 August 2022

Record No: 22155592  
File Ref: D050-001-02  
Ask For: Mike Porter

## **Notice of Council Meeting – Thursday, 11 August 2022**

Notice of the Council Meeting to be held in the Council Chambers, 15 Seymour Street, Blenheim on Thursday, 11 August 2022 to commence at 9.00 am.

### **BUSINESS**

As per Order Paper attached.

MARK WHEELER  
**CHIEF EXECUTIVE**





**Order Paper for the  
COUNCIL MEETING  
to be held in the Council Chambers, 15 Seymour Street, Blenheim  
on THURSDAY, 11 AUGUST 2022 commencing at 9.00 am**

**Open Meeting**

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## Marlborough District Council

Order Paper for the  
**COUNCIL MEETING**  
to be held in the Council Chambers, 15 Seymour Street, Blenheim  
on THURSDAY, 11 AUGUST 2022 commencing at 9.00 am

### 1. Karakia

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

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

### 2. Apologies

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### 3. Declaration of Interests

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

## **4. Minutes**

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- 4.1 Confirmation of the Minutes of the Council Meeting held on 30 June 2022  
(Minute Nos. Cncl-0622-380 to Cncl-0622-389)



**Minutes of a Meeting of the  
Marlborough District Council  
held in the Council Chambers and via Zoom, 15 Seymour Street, Blenheim  
on THURSDAY 30 JUNE 2022 commencing at 9.00 am**

### **Present**

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

### **Present via Zoom**

Cllrs J D N Croad, M J Fitzpatrick and D D Oddie.

### **In Attendance**

Mr M S Wheeler (Chief Executive), Mr M F Fletcher (Chief Financial Officer), Mr M J Porter (Democratic Services Manager) and Ms N J Chauval (Support Services Administrator/Zoom Management).

### **Karakia**

The meeting opened with a karakia.

The Mayor welcomed all to the meeting, whether present in the Council Chambers or via Audio Visual link (Zoom) as per Standing Orders and the *COVID-19 Response (Urgent Management Measures) Legislation Act 2020*. The Mayor also advised the meeting was being recorded and that a link to the recording would be loaded to Council's website as soon as practicable following the meeting in accordance with the *COVID-19 Response (Urgent Management Measures) Legislation Act 2020*.

## **Cncl-0622-380 Declaration of Interests**

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

A number of declarations were noted in the agenda:

- The various interests as declared under Minute Nos. Cncl-0522-336 and Cncl-0622-342;
- The interest as declared under Minute No. Env-0622-346 (Minute No. Env-0622-356);
- The interests as declared by Cllrs Arbuckle and Oddie during the Environment Committee under Minute Nos. Env-0622-358, Env-0622-359 and Env-0622-360;
- The interest as declared under Minute No. PF&C-0622-362 (Minute No. PF&C-0622-364);
- The interest as declared under Minute No. A&S-0622-373 (Minute No. PF&C-0622-377); and
- The interests as declared under Minute No. AP-0622-341.

## **Cncl-0622-381 Confirmation of Minutes**

**The Mayor/Cllr Taylor:**

**That the Minutes of the Council Meeting held on 19 May 2022 (Minute Nos. Cncl-0522-336 to Cncl-0522-340) be taken as read and confirmed.**

**Carried**

## **Cncl-0622-382 Confirmation of Minutes**

Cllr Brooks raised a number of issues either at the meeting or via direct correspondence with staff. Corrections to misspelling have been made directly to the minutes, clarification to resulting letters have been noted and

will be included in the letter, and where subsequent action has been undertaken a postscript with that information has been added to the relevant minute.

**Cllrs Taylor/Arbuckle:**

**That the Minutes of the Council Meeting held on 13 June 2022 (Minute Nos. Cncl-0622-342 to Cncl-0622-345) be taken as read and confirmed.**

**Carried**

## **Committee Reports**

### **Cncl-0622-383 Environment Committee**

-

**Cllrs Hope/Sowman:**

**That the Committee report contained within Minute Nos. Env-0622-346 to Env-0622-361 be received and the recommendations adopted.**

**Carried**

### **Cncl-0622-384 Planning, Finance & Community Committee**

-

Cllr Faulls raised an issue whereby she had declared that she was a business owner when speaking on Minute No. PF&C-0622-363 (Destination Marlborough – 2022/23 Draft Business Plan) and that this declaration had not been recorded in the minutes. Staff did not record this declaration as it was deemed to be a statement, as Cllr Faulls continued to speak on the item and seconded the motion, and that this statement did not affect the outcome of the recommendation from the Committee. To clarify matters in relation to the seconding of the motion the following motion was put to the meeting.

**Cllrs Peters/Taylor:**

**That the seconder of the motion under Minute No. PF&C-0622-363 (Destination Marlborough – 2022/23 Draft Business Plan) be changed from Cllr Faulls to Cllr Peters.**

**Carried**

**Cllrs Peters/Brooks:**

**That the Committee report contained within Minute Nos. PF&C-0622-362 to PF&C-0622-372 be received and the recommendations, as amended above, adopted.**

**Carried**

### **Cncl-0622-385 Assets & Services Committee**

-

**Cllrs Taylor/Brooks:**

**That the Committee report contained within Minute Nos. A&S-0622-373 to A&S-0622-379 be received and the recommendations adopted.**

**Carried**

### **Cncl-0622-386 Special Hearing Committee to Hear Submissions on the 2022-23 Annual Plan Consultation Document**

-

**Cllrs Taylor/Peters:**

**That the Sub-committee report contained within Minute No. AP-0622-341 be received and the recommendations adopted.**

**Carried**



## **Cncl-0622-387      Adoption of the 2022-23 Annual Plan      F230-A22-03**

Mr Fletcher advised that the purpose of the report was to adopt the final Annual Plan document for the period 1 July 2022 to 30 June 2023.

The minutes of the Council meeting of 13 June 2022, generated from the deliberation on submissions on the *Annual Plan Update 2022-23*, were confirmed earlier in the meeting (see above).

Members noted that the *2022-23 Annual Plan* document, as amended in terms of the decisions made, was separately attached to the agenda (filed in CM – Record No. 22125183).

Members acknowledged the excellent document and the professionalism in producing it.

**Cllrs Peters/Hope:**

**That Council adopt the Annual Plan for the period 1 July 2022 to 30 June 2023.**

**Carried**

## **Cncl-0622-388      Setting of Rates for the 2022-23 Financial Year      F270-23-01**

Members noted that the purpose of the report was to set the rates and charges for the financial year commencing on 1 July 2022 and ending on 30 June 2023.

**The Mayor/Cllr Taylor:**

**That the Marlborough District Council set the rates and charges, as set out in the schedule hereto, under the Local Government Act 2002 and the Local Government (Rating) Act 2002, on rating units in the District for the financial year commencing on 1 July 2022 and ending on 30 June 2023:**

### **Marlborough District Council**

**GST has been calculated on the basis of 15% for the year. The rates below are GST inclusive.**

## **TARGETED GENERAL TYPE RATES**

### **1. Geographic Area General Works and Services Rates**

General Works and Services Rates are set differentially for six geographic areas, depending on where the land is situated.

Within each geographic area, the rating units are further differentiated into categories of rateable land in accordance with the use to which the land is put i.e. Residential or rural, commercial or industrial and homestay or farmstay.

Rating units may be partitioned by Council where there are two or more land uses that fit into different differential rating categories.

These rates fund the “*Geographic Area’s Rate Component*” of the net cost of operations, capital expenditure and debt servicing cost, after making provision for targeted rates and charges, general revenue, and utilisation of various reserves.

A Geographic Area General Works and Services Rate pursuant to Sections 16 and 17 of the Local Government (Rating) Act 2002 and Schedule 2 of that Act, based on the rateable land value of all rating units in the District, to be set and assessed differentially for one or more of the following categories of rateable land -

- **Blenheim Geographic Area (BM)**

1171            Blenheim rating units with a residential or rural land use – 0.327037 cents in the dollar.

1172            Blenheim rating units with a commercial or industrial land use – 1.000764 cents in the dollar.

1173            Blenheim rating units with a homestay or farmstay type land use occurring on a residential or rural rating unit where a Building Act consent and/or Resource consent is required – 0.495431 cents in the dollar.

- **Blenheim Vicinity Geographic Area (BV)**
  - 1191 Blenheim Vicinity rating units with a residential or rural land use – 0.262285 cents in the dollar.
  - 1192 Blenheim Vicinity rating units with a commercial or industrial land use – 0.526584 cents in the dollar.
  - 1193 Blenheim Vicinity rating units with a homestay or farmstay type land use occurring on a residential or rural rating unit where a Building Act consent and/or Resource consent is required – 0.328396 cents in the dollar.
- **Picton Geographic Area (PN)**
  - 1211 Picton rating units with a residential or rural land use – 0.420619 cents in the dollar.
  - 1212 Picton rating units with a commercial or industrial land use – 0.835717 cents in the dollar.
  - 1213 Picton rating units with a homestay or farmstay type land use occurring on a residential or rural rating unit where a Building Act consent and/or Resource consent is required – 0.524605 cents in the dollar.
- **Picton Vicinity Geographic Area (PV)**
  - 1231 Picton Vicinity rating units with a residential or rural land use – 0.234382 cents in the dollar.
  - 1232 Picton Vicinity rating units with a commercial or industrial land use – 0.513292 cents in the dollar.
  - 1233 Picton Vicinity rating units with a homestay or farmstay type land use occurring on a residential or rural rating unit where a Building Act consent and/or Resource consent is required – 0.304133 cents in the dollar.
- **General Rural Geographic Area (GR)**
  - 1251 General Rural rating units with a residential or rural land use – 0.267932 cents in the dollar.
  - 1252 General Rural rating units with a commercial or industrial land use – 0.452186 cents in the dollar.
  - 1253 General Rural rating units with a homestay or farmstay type land use occurring on a residential or rural rating unit where a Building Act consent and/or Resource consent is required – 0.314003 cents in the dollar.
- **Sounds Admin Rural Geographic Area (AR)**
  - 1271 Sounds Admin Rural rating units with a residential or rural land use – 0.139057 cents in the dollar.
  - 1272 Sounds Admin Rural rating units with a commercial or industrial land use – 0.271746 cents in the dollar.
  - 1273 Sounds Admin Rural rating units with a homestay or farmstay land use occurring on a residential or rural rating unit where a Building Act consent and/or Resource consent is required – 0.172238 cents in the dollar.

## 2. Geographic Area General Works and Services Charges

A targeted Geographic Area General Works and Services Charge on the basis of a fixed amount on every separately used or inhabited part of a rating unit ensures that rating units contribute on a uniform basis to fund the “*Geographic Area’s Uniform Charge Component*” of the net cost of operations, capital expenditure and debt servicing charges, after making provision for targeted rates and charges, general revenue and utilisation of various reserves.

These charges are to be set differentially for six geographic areas, depending on where the land is situated; on the same basis as for the Geographic Area General Works and Services Rates.

A Geographic Area General Works and Services Charge to be set on the basis of a fixed amount on every separately used or inhabited part of a rating unit pursuant to Sections 16 and 17 of the Local Government (Rating) Act 2002 in the following geographic areas, or on infrastructural utilities that are not rated under the geographic areas:

Blenheim Geographic Area	\$893
Blenheim Vicinity Geographic Area	\$802
Picton Geographic Area	\$912
Picton Vicinity Geographic Area	\$782
General Rural Geographic Area	\$607
Sounds Admin Rural Geographic Area	\$484
Infrastructural Utilities (not rated in areas above)	\$747

### 3. Targeted Debt Servicing Rates

A Grovetown Sewerage Loan Rate pursuant to Section 16 of the Local Government (Rating) Act 2002 to be set at 0.225572 cents in the dollar on the land value of every rating unit in the Grovetown Sewerage Special Rating Area in respect of which no contribution to the lump sum scheme was chosen to fund debt servicing costs on Grovetown Sewerage Loans.

A Renwick Sewerage Loan Rate pursuant to Section 16 of the Local Government (Rating) Act 2002 to be set at 0.034124 cents in the dollar on the land value of every rating unit in the Renwick Sewerage Special Rating Area in respect of which no contribution to the lump sum scheme was chosen, such rate to be applied towards debt servicing costs on the Renwick Sewerage Loan.

A Southern Valleys' Irrigation Loan Rate, pursuant to section 16 of the Local Government (Rating) Act 2002, to be set on the basis of a fixed amount per irrigable hectare of \$289.50 on every rating unit in the Southern Valleys' Special Rating Area in respect of which no contribution to the lump sum scheme was chosen to fund debt servicing costs on Southern Valleys' Irrigation Loans.

A Flaxbourne Community Irrigation Loan Rate, pursuant to section 16 of the Local Government (Rating) Act 2002, to be set on the basis of a fixed amount per hectare of \$1 on all land committed to receive a base allocation of water on every rating unit in the Flaxbourne Special Rating Area. The quantum of the loan rate will alter as the proposal is progressed and will be used to either fund investigation costs incurred should the scheme not proceed or the total cost of the scheme should construction contracts be awarded.

### 4. Targeted Roading Rates and Charges

A French Pass Road Charge, pursuant to Section 16 of the Local Government (Rating) Act 2002, to be set on the basis of a fixed amount of \$99.00 on every rating unit in the French Pass Rating Area, such rate to be applied towards the cost of seal extension in the targeted area.

A Kenepuru Road Rate, pursuant to Section 16 of the Local Government (Rating) Act 2002, to be set at 0.009771 cents in the dollar on the capital value of every rating unit in the former Kenepuru Riding, for roading improvements in that area.

### 5. Targeted Rivers Rates

A Wairau Valley Rivers Works Rate, being a targeted rate pursuant to Sections 16 and 17 of the Local Government (Rating) Act 2002, to be set on the Capital Value of every rating unit situated in the Wairau Valley Rivers Rating Area classified in one or more of the following categories to fund the Cost of Operations, Capital Expenditure, etc of River Planning, Control and Flood Protection, in the above Rating Area:

– Wairau Valley Rivers Works - Rural A	0.061646 cents in the dollar
– Wairau Valley Rivers Works - Rural B	0.056098 cents in the dollar
– Wairau Valley Rivers Works - Rural C	0.041919 cents in the dollar
– Wairau Valley Rivers Works - Rural D	0.005549 cents in the dollar
– Wairau Valley Rivers Works - Blenheim Urban 1	0.045852 cents in the dollar
– Wairau Valley Rivers Works - Blenheim Urban 2	0.039229 cents in the dollar
– Wairau Valley Rivers Works - Blenheim Urban 3	0.034135 cents in the dollar
– Wairau Valley Rivers Works - Blenheim Urban 4	0.019360 cents in the dollar
– Wairau Valley Rivers Works - Other Urban 1 in Wairau Catchment	0.043608 cents in the dollar
– Wairau Valley Rivers Works - Other Urban 2 in Wairau Catchment	0.029591 cents in the dollar

## 6. Targeted Sewerage Rates

### Definitions:

For the purposes of this section –

“Connected” refers to any separately used or inhabited part of a rating unit that is connected, either directly or indirectly, through a private drain to a public drain. “Serviced” has the same meaning.

“Serviceable” refers to any separately used or inhabited part of a rating unit situated within 30 metres of a public sewerage or stormwater drain to which it is capable of being effectively connected, either directly or through a private drain, but which is not so connected.

“Combined sewerage rates and charges” do not include the initial debt servicing requirements for any new schemes not paid by lump sum contributions.

## 7. Combined Sewerage Scheme Capital Works Rate

A combined Sewerage Capital Works Rate, pursuant to Sections 16 and 17 of the Local Government (Rating) Act 2002 to be set and assessed differentially on the land value of every rating unit in the Combined Sewerage Rating Area, classified in the following areas, to meet capital expenditure and debt servicing costs of the combined sewerage scheme:

Blenheim Group	0.042650 cents in the dollar
Havelock	0.065255 cents in the dollar
Picton	0.046489 cents in the dollar
Seddon	0.078050 cents in the dollar

## 8. Combined Sewerage Scheme Charge

Pursuant to Section 16 of the Local Government (Rating) Act 2002 the following Rates are to meet expenditure of the combined sewerage scheme other than capital and debt servicing costs:

- A Sewerage User Charge to be set on the basis of a fixed amount of \$444 on every separately used or inhabited part of a serviced rating unit connected to the Combined Sewerage Scheme.
- A Sewerage Non-User Charge to be set on the basis of a fixed amount of \$222 on every separately used or inhabited part of a serviceable rating unit within the Combined Sewerage Rating Area.

## 9. Targeted Water Supply Rates

### Definitions:

For the purposes of this Section –

“Serviced” or “Connected” refers to any separately used or inhabited part of a rating unit to which water is supplied.

“Serviceable” refers to any separately used or inhabited part of a rating unit to which water can be but is not supplied (being property situated within 100 metres from any part of the waterworks).

## 10. Combined Water Scheme Capital Works Rate

A combined Water Capital Works Rate, pursuant to Sections 16 and 17 of the Local Government (Rating) Act 2002 to be set and assessed differentially on the land value of every rating unit in the Combined Water Rating Area, classified in the following areas, to meet capital expenditure and debt servicing costs of the combined water scheme:

Blenheim	0.046928 cents in the dollar
Havelock	0.071800 cents in the dollar
Picton	0.051151 cents in the dollar
Koromiko	0.032380 cents in the dollar
Renwick	0.050214 cents in the dollar
Seddon	0.085878 cents in the dollar

## **11. Combined Water Scheme Charge**

Pursuant to Sections 16 and 19 of the Local Government (Rating) Act 2002 the following Rates are to meet expenditure of the combined water scheme other than capital and debt servicing costs:

## **12. Blenheim Water Supply**

- A Blenheim Water User Charge for non-metered rating units, being a rate to be set on the basis of a fixed amount of \$352 on every separately used or inhabited part of a serviced rating unit in the Blenheim Water Supply Area [including the Burleigh Extension].
- A Blenheim Water Non User Charge for non-metered rating units, being a targeted rate to be set on the basis of a fixed amount of \$176 on every separately used or inhabited part of a serviceable rating unit in the Blenheim Water Supply Area [including the Burleigh Extension].
- A Blenheim Metered Water Charge, for metered rating units [including the Burleigh Extension], being a rate to be set for the quantity of water provided to residential metered connections according to the following scale of charges:

A charge of \$88 per quarter for the volume of any water supplied between 0 m<sup>3</sup> and 62 m<sup>3</sup> (and)

A metered charge of \$1.41 per cubic metre for the volume of water supplied in excess of 62 m<sup>3</sup> per quarter.

## **13. Havelock Water Supply**

- A Havelock Water User Charge, for residential units, being a rate to be set on the basis of a fixed amount of \$255 on every separately used or inhabited part of a serviced rating unit in the Havelock Water Supply Area.
- A metered charge of \$2.05 per cubic metre for the volume of water supplied in excess of 200 cubic metres per annum.

## **14. Picton Water Supply**

- A Picton Water User Charge, for non-metered rating units, being a rate to be set on the basis of a fixed amount of \$597 on every separately used or inhabited part of a serviced rating unit in the Picton Water Supply Area.
- A Picton Water Non User Charge, for non-metered rating units, being a rate to be set on the basis of a fixed amount of \$299 on every separately used or inhabited part of a serviceable rating unit in the Picton Water Supply Area.
- A Picton Metered Water Ordinary Charge, for metered rating units, being a rate to be set for the quantity of water provided to residential metered connections (excluding "Koromiko Special Pipe-line Agreement" consumers) according to the following scale of charges:

A charge of \$149.25 per quarter for the volume of any water supplied between 0 m<sup>3</sup> and 39 m<sup>3</sup> (and)

A metered charge of \$3.87 per cubic metre for the volume of water supplied in excess of 39 m<sup>3</sup> per quarter.

- A Picton Metered Water Koromiko Charge, for metered rating units, being a rate to be set for the quantity of water provided to all "Koromiko Special Pipe-line Agreement" consumers of \$3.10 per cubic metre.

## **15. Renwick Water Supply**

- A Renwick Water User Charge, for residential units, being a rate to be set on the basis of a fixed amount of \$255 on every separately used or inhabited part of a serviced rating unit in the Renwick Water Supply Area.

A metered charge of \$1.14 per cubic metre for the volume of water supplied in excess of 200 cubic metres per annum.

## **16. Seddon Water Supply**

A Seddon Water Charge, pursuant to Section 16 of the Local Government (Rating) Act 2002, being a rate to be set on the basis of a fixed amount of \$549 on every separately used or inhabited part of a rating

unit within the Seddon Water Supply Area (excluding all commercial consumers) and any new lots created by subdivision of such rating units whether connected or not.

Pursuant to Sections 16 and 19 of the Local Government (Rating) Act 2002, a Seddon Metered Water Charge being a rate to be set for the quantity of water provided for all residential consumers on the Seddon Water Supply of \$2.02 per cubic metre for all usage in excess of 275 cubic metres per annum.

### **17. Wairau Valley Water Supply**

A Wairau Valley Water Charge, pursuant to Section 16 of the Local Government (Rating) Act 2002, being a rate to be set on the basis of a fixed amount of \$240 for each water meter, excluding all commercial water meters, connected to a rating unit within the Wairau Valley Water Supply Area.

Pursuant to Sections 16 and 19 of the Local Government (Rating) Act 2002, a Wairau Valley Metered Water Charge being a rate to be set for the quantity of water provided for each residential water meter connected to a rating unit within the Wairau Valley Water Supply Area of \$2.69 per cubic metre for all usage in excess of 350 cubic metres per annum.

These two rates are set to recover the net cost of operations, capital expenditure and debt servicing costs.

### **18. Commercial Metered Water Charges**

Pursuant to Sections 16 and 19 of the Local Government (Rating) Act 2002, the following rates to recover the net cost of operations.

### **19. Blenheim Commercial Metered Water Charge**

- A Blenheim Metered Water Charge for metered rating units [including the Burleigh Extension], being a rate to be set for the quantity of water provided to commercial metered connections according to the following scale of charges:

A charge of \$48.50 per quarter for the volume of any water supplied between 0 m<sup>3</sup> and 50 m<sup>3</sup> (and)

A metered charge of \$0.97 per cubic metre for the volume of water supplied in excess of 50 m<sup>3</sup>.

### **20. Havelock Commercial Metered Water Charge**

- A Havelock Metered Water Charge to be set for metered rating units, being a rate for the quantity of water provided to commercial metered connections according to the following scale of charges:

A charge of \$131.50 per quarter for the volume of any water supplied between 0 m<sup>3</sup> and 50 m<sup>3</sup>.

A metered charge of \$2.63 per cubic metre for the volume of water supplied in excess of 50 m<sup>3</sup>.

### **21. Picton Commercial Metered Water Charge**

- A Picton Metered Water Ordinary Charge, for metered rating units, being a rate to be set for the quantity of water provided to commercial metered connections (excluding connections where water is Onsold) according to the following scale of charges:

A charge of \$152.50 per quarter for the volume of any water supplied between 0 m<sup>3</sup> and 50 m<sup>3</sup> (and)

A metered charge of \$3.06 per cubic metre for the volume of water supplied in excess of 50 m<sup>3</sup>.

- A Picton metered Water Onsold Rate, for metered rating units, being a rate to be set for the quantity of water provided to commercial metered connections that is subsequently Onsold according to the following scale of charges:

A charge of \$152.50 per quarter for the volume of any water supplied between 0 m<sup>3</sup> and 45 m<sup>3</sup>.

A metered charge of \$3.37 per cubic metre for the volume of water supplied in excess of 45 m<sup>3</sup>.

## **22. Renwick Commercial Metered Water Charge**

- A Renwick Metered Water Charge, for metered rating units, being a rate to be set for the quantity of water provided to commercial metered connections according to the following scale of charges:

A charge of \$98.50 per quarter for the volume of any water supplied between 0 m<sup>3</sup> and 50 m<sup>3</sup> (and)

A metered charge of \$1.97 per cubic metre for the volume of water supplied in excess of 50 m<sup>3</sup>.

## **23. Seddon Commercial Metered Water Charge**

Pursuant to Sections 16 and 19 of the Local Government (Rating) Act 2002, a Seddon Metered Water Charge for metered rating units being a rate to be set for the quantity of water provided for all commercial metered connections on the Seddon Water Supply according to the following scale of charges:

A charge of \$185.75 per quarter for the volume of any water supplied between 0 m<sup>3</sup> and 50 m<sup>3</sup> and

A metered charge of 3.72 per cubic meter for the volume of water supplied in excess of 50 m<sup>3</sup>.

## **24. Wairau Valley Commercial Metered Water Charge**

Pursuant to Sections 16 and 19 of the Local Government (Rating) Act 2002, a Wairau Valley Metered Water Charge being a rate to be set for the quantity of water provided for each commercial water meter connected to a rating unit within the Wairau Valley Water Supply Area according to the following scale of charges:

A charge of \$190.25 per quarter for the volume of any water supplied between 0 m<sup>3</sup> and 50 m<sup>3</sup> (and)

A metered charge of \$3.81 per cubic metre for the volume of water supplied in excess of 50 m<sup>3</sup>.

This rate is set to recover the net cost of operations, capital expenditure, and debt servicing costs.

## **25. Rural Awatere Water Supply**

A Rural Awatere Water Charge, pursuant to Section 16 of the Local Government (Rating) Act 2002, being a rate to be set on the basis of a fixed amount of \$990 on every separately used or inhabited part of a rating unit within the Rural Awatere Water Supply Area and any new lots created by subdivision of such rating units whether connected or not.

Pursuant to Sections 16 and 19 of the Local Government (Rating) Act 2002, a Rural Awatere Metered Water Charge being a rate to be set for the quantity of water provided for all consumers on the Rural Awatere Water Supply of \$2.43 per cubic metre for all usage in excess of 275 cubic metres per annum.

These two rates are set to recover the net cost of operations, capital expenditure, and debt servicing costs.

## **26. Riverlands Water Supply**

Water Rates, pursuant to Sections 16 and 19 of the Local Government (Rating) Act 2002, to recover the costs of operations, capital expenditure and debt servicing.

A Riverlands Metered Water Charge, for metered rating units, being a rate to be set for the quantity of water provided to all consumers according to the following scale of charges:

A charge of \$49.50 per quarter for the volume of any water supplied between 0 m<sup>3</sup> and 40 m<sup>3</sup> (and)

A metered charge of \$1.24 per cubic metre for the volume of water supplied in excess of 40 m<sup>3</sup>.

## **27. Southern Valleys' Irrigation Scheme**

A Southern Valleys' Metered Irrigation Charge, pursuant to Section 19 of the Local Government (Rating) Act 2002, being a rate to be set for the quantity of water provided to metered connections of \$0.25 per cubic metre.

The metered irrigation rate is set to recover the scheme's net operating costs.

## TARGETED REFUSE AND RECYCLING CHARGES

### 28. Blenheim/Picton (Residential) Refuse and Kerbside Recycling Collection

A Blenheim/Picton (Residential) Refuse and Kerbside Recycling Collection Rate, pursuant to Sections 16, 17 and 18 of the Local Government (Rating) Act 2002, to be set on the basis of a fixed amount of \$134 on every separately used or inhabited part of a rating unit in the collection rating area, in respect of which Council is prepared to provide a refuse and kerbside recycling collection service.

### 29. Blenheim/Picton (Residential) Refuse Collection

A Blenheim/Picton (Residential) Refuse Collection Rate, pursuant to Sections 16, 17 and 18 of the Local Government (Rating) Act 2002, to be set on the basis of a fixed amount of \$84 on every separately used or inhabited part of a rating unit in the collection rating area, in respect of which Council provides or is prepared to provide a refuse collection service only.

### 30. Blenheim/Picton (Commercial/Industrial) Refuse Collection

A Blenheim/Picton (Commercial/Industrial) Refuse Collection Rate, pursuant to Sections 16, 17 and 18 of the Local Government (Rating) Act 2002, to be set on the basis of a fixed amount of \$84 on every separately used or inhabited part of a rating unit in the collection rating area, in respect of which Council provides or is prepared to provide a refuse collection service.

## OTHER TARGETED RATES

### 31. Energy Efficiency Rates

A Targeted Energy Efficiency Rate, pursuant to Section 16 of the Local Government (Rating) Act 2002, to be set on the basis of a calculation on the extent of energy efficiency services provided to a rating unit as a percentage of the service amount (inclusive of associated costs including both interest and principal) until the service amount is recovered as follows:

Energy Efficiency Rate 4	16.213457%
Energy Efficiency Rate 5	15.997973%
Energy Efficiency Rate 6	15.789545%
Energy Efficiency Rate 7	15.649303%
Energy Efficiency Rate 8	15.512816%
Energy Efficiency Rate 9	15.411147%
Energy Efficiency Rate 10	15.311906%
Energy Efficiency Rate 11	15.278583%
Energy Efficiency Rate 12	15.278583%

### 32. Residential Pool Inspections

A Targeted Residential Pool Inspections Rate pursuant to Section 16 of the Local Government (Rating) Act 2002, to be set on the basis of a fixed amount of \$98 on every separately used or inhabited part of a rating unit with a residential pool, such rate to be used to fund the costs associated with carrying out residential pool inspections in Marlborough under the Building (Pools) Amendment Act 2016.

### 33. Tourism Rates

A Targeted Tourism Rate, pursuant to Sections 16, 17 and 18 of the Local Government (Rating) Act 2002, to be set on the basis of a fixed amount on every separately used or inhabited part of a rating unit, set differentially for the following land uses, to enable Destination Marlborough to promote Marlborough as a tourist destination:

Residential or rural properties that are advertised for short term rental accommodation - \$237.

Commercial properties used for short term rental accommodation where less than 30 people can be accommodated - \$237.



Commercial properties used short term rental accommodation where 30 or more people can be accommodated - \$363.

Commercial properties used for Tourism Activities (excluding the groups above) - \$264.

Where a tourism operator operates in two or more of the groups above from the same rating unit, only the highest applicable group charge will be assessed.

### 34. Landscape Rates

A Targeted Landscape Rate, pursuant to Sections 16, 17 and 18 of the Local Government (Rating) Act 2002, to be set on the basis of a fixed amount on every separately used or inhabited part of a rating unit with higher landscaping standards for new subdivisions (and existing subdivisions following consultation) to fund the resulting additional maintenance costs, according to the following scale of charges:

Properties with Urban level 1 landscaping standards	\$42
Properties with Urban level 2 landscaping standards	\$53
Properties with Rural level 1 landscaping standards	\$59
Properties with Rural level 2 landscaping standards	\$179

### 35. Tuamarina/Waikakaho Hall Rate

A Tuamarina/Waikakaho Hall Rate, pursuant to Section 16 of the Local Government (Rating) Act 2002, being a rate to be set on the basis of a fixed amount of \$18.45 on every rating unit in the Tuamarina/Waikakaho Rating Area, towards to upkeep of the Tuamarina/Waikakaho Hall.

### 36. Residential Rates Postponement Scheme

To cover costs for this scheme, the following fees and charges are set for the 2021-22 rating year. All fees and charges will be added as either a one-off or annual charge as the case may be, to the approved applicant's rate account.

Initial charges	Fees and charges
Application fee	\$50.00
Contribution to the decision facilitation process	\$300.00
Annual charges	
Administration fee	\$50.00
Reserve fund levy	0.25%
Interest rate	
2022-2023	4.0%

Property insurance: a ratepayer must submit a current certificate annually.

**37. Due Dates For Payment**

The above rates and charges are for the period 1 July 2022 to 30 June 2023 and will become due and payable by four instalments as follows:

Instalment	Last date for payment before penalty is added
One	8 September 2022
Two	8 December 2022
Three	8 March 2023
Four	8 June 2023

Charges for Metered Water:

Meter reading date between	Last date for payment before penalty is added
1 Jul 2022 – 30 Sept 2022	20 Oct 2022
1 Oct 2022 – 31 Dec 2022	20 Jan 2023
1 Jan 2023 - 31 Mar 2023	20 Apr 2023
1 Apr 2023 – 30 Jun 2023	20 Jul 2023

**38. Penalty Provisions (Additional Charges on Unpaid Rates)**

A penalty, equivalent in amount to 10% of the instalment amount remaining unpaid at the close of day on the “Last Date for Payment”, shall on the next day be added to that amount of unpaid rates.

Pursuant to sections 57/58 of the Local Government (Rating) Act 2002, a further penalty of 10% will be added to all rates and charges that remain unpaid on 30 June 2023.

**39. Penalty Provisions (Unpaid Metered Water)**

A penalty, equivalent in amount to 10% of the metered water amount remaining unpaid at the close of day on the “Last Date for Payment”, shall on the next day be added to that amount which remains unpaid.

Pursuant to sections 57/58 of the Local Government (Rating) Act 2002, a further penalty of 10% will be added to any unpaid amount from the third quarter or earlier that remain unpaid on 30 June 2023.

**40. A Separately Used or Inhabited Part of a Rating Unit (SUIP)**

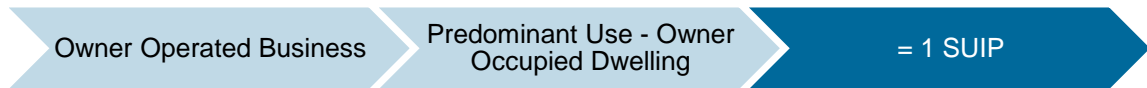
A SUIP includes any portion inhabited or used by the owner or a person other than the owner who has the right to use or inhabit that portion by virtue of a tenancy, lease, licence, or other agreement. It includes separately used parts, whether or not actually occupied at any particular time, which are used by the owner for rental (or other form of occupation) on an occasional or long term basis by someone other than the owner.

A rating unit that has a single use or occupation is treated as having one separately used or inhabited part.

Vacant land and vacant premises offered or intended for use or habitation by a person other than the owner and usually used as such are defined as ‘used’.

Exceptions to the definition:

- Predominantly residential rating units where the owner of the unit resides and operates a business (including a homestay or farmstay activity) from the same rating unit will be charged as being one SUIP.

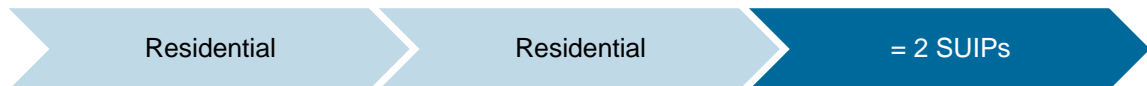


- Motels, and hotels used for commercial rental and dwellings used by owners or managers of a hotel or motel are treated as one business use even though each accommodation unit may be capable of separate use.

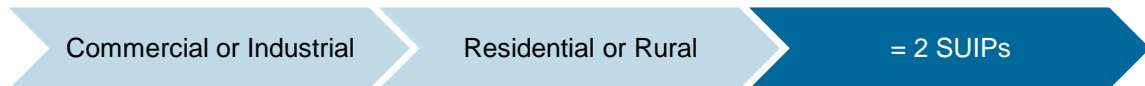


Examples of the application of the definition:

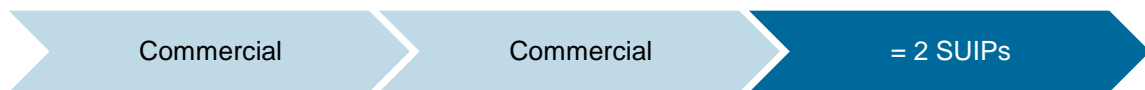
- Where a rating unit has two separately used parts, whether or not actually occupied at any particular time, they will be treated as two SUIPs.



- Where a rating unit contains both a commercial or industrial type use, and a residential or rural type use they will be treated as two SUIPs.



- Where a number of different businesses are located on one rating unit, each separate business will be assessed as a SUIP.



## 41. Rating Categories

It shall be at the sole discretion of the Council to determine the use or predominant use of any property in the district. The Council has adopted the following rating categories:

### Residential or rural

All land used for a private residence and all land used for rural purposes. This excludes rest homes and residential establishments that provide residential care. It also excludes all forms of commercial accommodation.

Rural purpose means any agricultural, horticultural or pastoral purpose and includes the keeping of bees, poultry or livestock. This group will include all rating units not otherwise categorised within a specified category.

Forestry is included in this category for the purposes of the General Works and Services Rate.

### Commercial or industrial

All land used for a commercial or industrial purpose. It includes but is not limited to, any trade or service or activity undertaken or provision of facilities, by any person with a view to making a profit or charging any fee or deriving any other consideration in relation to the trade or service or activity or provision.

Industrial includes a business, manufacturer, undertaking, or service associated with the production of any type of goods.

For the purposes of the general works and services rate, this category includes residential rest homes and residential establishments that provide residential care and all forms of commercial accommodation as well as rating units otherwise assessed as utilities.

Commercial accommodation includes but is not limited to the provision of accommodation for a fee or other consideration but does not include:

- **Properties where the principal purpose is the provision of long stay accommodation**

ie: 28 days or more.

- **Properties that provide accommodation for five or less people.**
- **Properties that were originally constructed as residential properties that provide accommodation for six or more, which are included in the homestay or farm stay category.**

#### **Homestay or farm stay**

Includes all rating units that are used for a homestay or farm stay activity on land predominantly used for residential or rural purposes, where a Building Act or resource consent was required for homestay or farm stay use (i.e. for six or more persons).

#### **Infrastructural utilities**

Land used for an essential service such as water, electricity, gas, telecommunications or sewerage.

## **42. Geographic Areas**

The geographic areas can generally be described as follows:

### **Blenheim Area (BM)**

All of that area encompassed by the former Blenheim Borough Council together with those properties within a 1.5 km radius of that area which have a zoning of Residential or Industrial in the Wairau/Awatere Resource Management Plan (eg: includes, Burleigh, Hammerichs Road, Riverlands and Waipuna Street); as well as any properties that are connected to (or are able to be connected to) either the Blenheim Water or Blenheim Group Sewerage Schemes, but excluding properties in the Renwick, Spring Creek and Grovetown Sewerage Rating Areas; and residential or rural properties and properties in the Riverlands Industrial Estate and Cloudy Bay Business Park that have an area of greater than one hectare.

Also included in the Blenheim area are a number of properties where it was an express condition of subdivisional resource consent.

Growth areas rezoned Urban Residential 2 Greenfields will be excluded from the Blenheim Area until granting of subdivision title.

Other land rezoned Urban Residential 2 or 3 as a result of the Proposed Marlborough Environment Plan will be similarly excluded from the Blenheim Area until granting of subdivision title.

### **Blenheim Vicinity Area (BV)**

All of that area encompassed within the following general description, but excluding the Blenheim areas described above:

From just north of the Rarangi Settlement following around the foothills in a south-westerly direction; taking in the Tuamarina Settlement; to the south bank of the Wairau River and then up the Wairau south bank to the Waihopai River; up the east bank of the Waihopai River to just north of Omaka Downs; and then generally following the base of the foothills; around to include the Taylors Pass in a south easterly direction as far as the Branch River; following the boundaries of properties on the south east side of the Taylor River; then around the base of the foothills to include land between SH 1 and both sides of Redwood Pass Road to and including 393 Redwood Pass Road; then to the coast on the south of the Vernon Lagoons.

### **Picton Area (PN)**

All of that area encompassed by the former Picton Borough Council; together with the area of those properties serviced by the Picton Water or Sewerage Schemes (excluding those properties listed in the schedule below).

## Schedule

Pt Lot 1 DP 6881, Pt DP 467 Waitohi Valley Blk XI Linkwater SD, Lot 1 DP 303616 Lot 1 DP 8240, Pt Sec 41 District of Waitohi, Lot 2 DP 3716, Lot 1 DP 3716, Lot 1 DP 9175, Lot 2 DP 9175, Lot 1 DP 10989, Lot 2 DP 10989, Lots 1 2 DP 1353 Lot 1 DP 1148 Pt Sec 37 Waitohi Reg Dist, Lots 2 5 DP 3183, Pt Sec 103 Waitohi Valley District Blk XV Linkwater SD, Lot 1 DP 402932 Lot 1 DP 5595 Lot 2 DP 5660 Sec 38 Pt Sec 37 Waitohi Dist, Lot 1 DP 9268, Pt Lot 1 DP 7160, Lot 1 DP 12294, Lot 2 DP 10225 Lot 1 DP 10476, Lot 1 DP 10882, Lot 2 DP 434941 Pt DP 747 Pt Sec 25 Wairau Dist Pt Lots 1-3 DP 693 Pt Sec 12 Pt Sec 13 Blk XV Linkwater SD, Secs 105 106 Pts Sec 36 104 Waitohi Valley Dist, Lot 1 DP 6397, Lots 1 2 DP 303945, Lots 3 4 DP 303945 Sec 129 Pt 159 Picton Subn Sec 18 Blk XV Linkwater SD, Lot 1 DP 302741, Lot 1 DP 10871, Lot 1 DP 6129, Lot 1 DP 759 Lot 2 Pt Lot 1 DP 1594, Pt Sec 63-65 Picton Subn. Lots 1-9 12 DP 1086, Sec 1 SO 429571 Lot 10 DP 1086, Lot 11 DP 1086, Lot 13 DP 1086, Lot 14 DP 1086, Lot 2 DP 3080, Sec 1 SO 416848 Lot 1 DP 3080, Sec 2 SO 416848 Lot 16 DP 1086, Lot 18 DP 1086, Pt Waikawa 2C2, Lot 4 DP 11736, Lot 1 DP 335692, Lot 2 DP 344933, Lot 3 DP 11736, Lot 1 DP 11736, Lot 1 DP 344933, Lot 2 DP 404985, Lot 1 DP 424360, Lot 2 DP 424360, Lot 3 DP 424360, Lot 4 DP 424360, Lot 5 DP 424360, Waikawa 3B Blk XII Linkwater SD Blk XI Arapawa SD, Lot 1 DP 9994, Lot 1 DP 10354, Waikawa Sec A2 Waikawa West Blk XII Linkwater SD Blk XI Arapawa SD, Waikawa Sec 4B2 Waikawa West Blk XII Linkwater SD Blk XI Arapawa SD, Lot 2 DP 7961 Pts Sec 10 & Pt Sec 11 Waitohi Dist Pts Sec 100 Waitohi Dist, lot 3 DP 8884.

Also included in the Picton area are a number of properties where it was an express condition of subdivisional resource consent.

## Picton Vicinity Area (PV)

All of that area from the western point of Ngakuta Bay to the former Picton Borough boundary; plus all of that area from the eastern point of Waikawa Bay to Whatamongo Bay; plus a corridor area from the southern boundary of the former Picton Borough to Speeds Road; excluding properties serviced by the Picton Water or Sewerage Schemes, but including the properties listed in the Schedule above.

## General Rural Area (GR)

All of that area administered by the former Marlborough County and excluding that part of the former County's area which has been included in either the Blenheim, Blenheim Vicinity, Picton, Picton Vicinity or Sounds Admin Rural areas.

## Sounds Admin Rural Area (AR)

All of that area with basically sea access only, which was subject to the former Marlborough County Council Empowering Act 1965.

### Carried

The Mayor took this opportunity to thank all involved in the annual plan process for this year. Members also took the opportunity. Reference was made to an email from a submitter who had thanked all involved for providing a robust process with warmth and friendliness.

## Cncl-0622-389 Decision to Conduct Business with the Public Excluded

The Mayor/Clr Taylor:

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

- Confirmation of Public Excluded Minutes
- Performance Agreement

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

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

**Carried**

The meeting closed at 10.45 am.

Confirmed this 11<sup>th</sup> day of August 2022

J C LEGGETT  
MAYOR

Record No. 22129359

## **5. Committee Reports**

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### **5.1 Assets & Services Committee**

Assets & Services Committee Meeting held on 14 July 2022  
(Minute Nos. A&S-0722-1 to A&S-0722-13)



**Minutes of a Meeting of the  
ASSETS & SERVICES COMMITTEE  
held in the Council Chambers and via Zoom, 15 Seymour Street, Blenheim  
on THURSDAY, 14 JULY 2022 commencing at 9.00 am**

**Present**

Councillors M J Fitzpatrick (in the Chair), J L Andrews, C J Brooks, B G Dawson, F D Maher, M A Peters

**Present via Zoom**

Councillor N P Taylor and Mayor J C Leggett

**Also Present**

Cllrs J A Arbuckle, G A Hope, J D N Croad, B A Faulls and T P Sowman

**In Attendance**

Mr Richard Coningham (Manager – Assets & Services Department), Jamie Lyall (Manager – Property and Community Facilities), Mike Porter (Democratic Services Manager/Zoom Management) and Nicole Chauval (Committee Secretary).

**Apologies**

No apologies were received.

The Chair acknowledged and welcomed Hara Adams, Council's recently appointed Kaihūtū, to the meeting.

**A&S-0722-1 Declaration of Interests**

No interests with items on the agenda were declared.

ATTENDANCE: Jane Tito, Manager, Parks and Open Spaces and Robert Hutchinson, Parks & Open Spaces Officer, were present for the following two items.

**A&S-0722-2 Renwick: New Accessway Layout – Funding Request R510-009-R04-01**

Members noted that the purpose of the report was to secure funding of \$15,000 from the Land Subdivision Reserve to complete the upgraded accessway layout alongside the Renwick Bowling Green and Renwick tennis/netball courts.

Ms Tito noted that at a Land Subdivision Workshop on 2 October 2020 Council approved funding of \$27,000 to upgrade the accessway layout between the Renwick Bowling Green and Renwick Tennis Club. Staff have worked with the Renwick Bowling Club and Renwick Tennis Club to finalise the plans for the upgrade and initial estimates from 2020 have fallen short of the required budget needed to complete project. It was noted that the largest increase in costs was for the replacement of the shed/garage.

In response to a query on the public being able to use the facility Mr Hutchinson advised that the club have exclusive rights for 15 days within any one calendar year to hold their events, all other days the courts are open to the public.

**Cllrs Peters/Brooks:**

**That Council confirm funding of \$15,000 from the Land Subdivision Reserve to complete an upgrade to the accessway layout at the Renwick Bowling Green and Renwick Tennis Courts.**

**Carried**



## **A&S-0722-3      Tree Removal Request, A&P Park, Blenheim**

**R510-009-A01-03**

The following amendments to the agenda item were noted – para 29 '*retaining*' should be '*removing*' and para 19 include the word '*Cedar*'.

Mr Hutchinson advised that the purpose of the report was to consider a request to remove five Cedar trees growing on the Alabama Road Boundary of A&P Park. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22144969).

It was noted that the request had been received from residents concerned that the trees were creating significant shade to the road and their properties as well as the public danger from limbs falling from the trees.

Members were advised that the large Cedar trees grow near the southern entrance to A&P Park and hang over the footpath running along the south side. The trees have shed branches both in winds and from "sudden limb drop".

Mr Hutchinson noted that as well as the cedar trees the Arboricultural report had included an inspection of four very large and old Poplar trees growing at the Alabama Road entrance of the Park. The outcome of that inspection using a resistograph machine found that there were levels of rot within the trees which were of concern. The recommendation from the Arborist was that the trees be removed for safety reasons as soon as resources became available. As per Policy 6.2.1 & 6.2.2 of the Council Tree Policy, the Parks and Open Spaces team have arranged for the four Poplar trees to be removed due to these safety concerns.

Members queried whether, as part of the planning work being undertaken for the Park, that consideration be given to plantings that created an avenue type layout for that area which could help to provide summer shade and ensure that the park doesn't become treeless.

Ms Tito reassured members that appropriate plantings will be considered as part of the A&P Plan review which is nearing completion.

Clr Arbuckle reflected on the previous discussions had in regard to tree removals and raised that when the Tree Policy is reviewed that the consideration be given to providing Council staff with the ability to remove trees when the situation is appropriate, like in this instance.

**Cllrs Brooks/Andrews:**

**That Council confirm the removal of the five Cedar trees from A&P Park.**

**Carried**

ATTENDANCE: David Craig, Council's Management Accountant – Operations, was present for the following item.

## **A&S-0722-4      Financial Report for the year to 31 May 2022**

**F275-001-02**

The Financial Report for the Assets and Services and Property and Community Facilities (including parking) Departments for the year to 31 May 2022 was presented to members.

Mr Craig noted for the reporting period there is a surplus of \$8.1M. Income is favourable to budget by \$41.0M, expenditure is unfavourable to budget by \$32.9M and Capex is unfavourable to budget by \$42.6M.

The major variances between year to date actual and budget were noted as: Roading emergency reinstatement costs following the July 2021 storm event are above budget by \$30.6M and are offset by increased operational roading subsidies of \$30.4M. Other flood damage repair costs of \$2.2M have been incurred to date, mainly within the Flood Protection Activity, and will be subject to an insurance claim. Any resulting shortfall will be funded from Emergency Reserves. There are associated savings of \$0.6M in minor works contracts.

It was noted that in the capital expenditure area total expenditure of \$55.4M and that includes vested assets of \$8.2M.

In terms of significant activity Council's expenditure is occurring in predominately sewer activity \$22M, roading \$11.7M, water \$8.3M and community facilities at \$7.3M.

For forecasts Council's projected year end operating surplus is \$19.9M, which is ahead of budget by \$6.3M. This includes vested assets which are above budget by \$7.9M, these are accounting entries only and not cash.

Forecast capital expenditure is \$63.1M which is above the \$55.2M funded in the 2021-22 Annual Plan but well under the total revised budget (including carryovers) of \$108.8M.

It was noted that the year end capital expenditure will actually be a little above \$65M as we have had further vested assets for Rose Manor of \$930,000. Council has also allocated a portion of the network and assets management costs across the roading renewal activities as was provided for in budgets, valued around \$1.3M. Both actions will also impact favourably on Council's operating surplus.

In response to a query on whether management is happy with where projects are at, Mr Coningham advised that budgets are purposefully high to achieve as much as possible. We could do more but the resources that are available in the region determine what we are able to achieve. It was noted that a meeting is being held with the Contractors Federation to enable them to prepare and start resourcing for upcoming works in the region.

Proposed works for the Wither Hills farm woolshed was discussed. It was noted that it is part of the Rivers function and Geoff Dick provided an update to members. Members were advised that the budget for the works has been removed.

Members requested that for future reports 'M' or 'K' be included with all figures for ease of understanding.

**Cllrs Peters/Dawson:**

**That the financial report for the period ended 31 May 2022 be received.**

**Carried**

## **A&S-0722-5      Revoke Council Speed Bylaws - Decision**

**R800-005-03**

Members noted that the purpose of the report was to revoke the Council Speed Bylaws in accordance with the requirements of the Land Transport Rule: Setting of Speed Limits 2022.

It was noted that the new Land Transport Rule: Setting of Speed Limits 2022 came into force in May 2022. This new Rule replaces Council Speed Bylaws with a National Speed Registrar. As such, all speed bylaws made by councils within New Zealand need to be revoked once the Council's speed limit data is on the National Speed Limit Registrar.

Members were advised that the speed bylaw data from Marlborough District Council is now on the National Speed Limit Register and the Council Speed Bylaw can be revoked in full.

Members were advised that the new rule does require all local authorities to prepare a 10-year Speed Management Plan, reduce speed limits around schools and ensure our posted speed limits are on the National Speed Limit register. Council is currently focusing on speed limits around schools with 60% to be reviewed by June 2024 and 100% by June 2027.

**Cllrs Maher/Brooks:**

**That Council revokes the Speed Limit Bylaw.**

**Carried**

ATTENDANCE: Cllr Taylor withdrew from the meeting at 10.09 am during the following item.

ATTENDANCE: Geoff Dick, Rivers and Drainage Engineering Manager, was present for the following item.

**A&S-0722-6                    17 July 2021 Wairau River Flood Event –  
Damage Repairs Update to 30 June 2022  
R710-01-001**

Members noted that the purpose of the report was to provide an update on progress with the approved schedule of repairs. The July 2021 Flood Damage Assessment Schedule – Status at 30 June 2022 was attached to the agenda for members' information. Works to be completed were identified.

Geoff Dick detailed the works completed to date and advised that tributary assistance/channel clearing works including two significant flow diversions to enable landowners to get on with their own repair works have been undertaken. Rivers staff have also attended a number of resident/landowner flood recovery meetings as well as site visits/inspections to assist with the Marlborough Roads recovery work.

Both the Clifford and Simcox quarries are being lined up to supply the final stage of the capital SVIS/Upper Conders works including the final strong head groyne and new edge works in the lower Waihopai. Once this gets underway priority for supply from both these quarries will again go to completing these Government supported capital works.

The remaining lower Wairau and Diversion repairs are planned to be completed from Council's Pukaka Quarry. These can now commence as new titles for the land have been issued. It was reported that it will take some time for the Quarry to be back into full production as there is some significant logistics to be completed. The current target is to have the Quarry back online by Christmas 2022 with the Diversion and remaining lower Wairau repairs commencing early 2023.

Mr Dick advised that the costs of the works to date is likely to be above the estimates that have been provided. Funding assistance claims with both LAPP and NMA for work completed up to 30 June 2022 will be processed.

In response to a query on numbers of contractors Mr Dick advised that the majority of works have been done through Simcox as well as other contractors as necessary. It was noted that a replacement for Dave Aires, who was responsible for the red items not in the schedule, has been found and will start mid-September.

An update on Tuesday's weather event was provided and was considered a 1 in 20 year event. Total volume in Blenheim was about 70mm and South it was 110mm. Mr Dick noted that the Met Service report was excellent. All equipment was maxed out but there were no pump failures. Crews continued to monitor streams throughout the event which as predicted eased off at 3pm.

Members and management acknowledged all functions across Council for their efforts during this significant rain storm event, and being short staffed. A long day for everybody.

**Cirs Maher/Peters:**  
**That the report be received.**

**Carried**

ATTENDANCE: Stephen Rooney, Council's Operations and Maintenance Engineer was present for the following item.

**A&S-0722-7                    Out of District Wastewater Connection  
application for 140 Morgans Road  
W440-003-012-01, PN528669#04**

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

Members were advised that the request for a wastewater connection is in the Morgans Road area and will provide wastewater disposal to a site for Recognised Seasonal Employer (RSE) accommodation. The site is

zoned Rural Environment Zone under the MEP and is not currently part of the Grovetown combined wastewater system.

It was noted that the existing Council infrastructure has the capacity to serve this proposal. A pump station within the property and a pipeline along Morgans Road will be required to convey wastewater from the site to the Council mains in Swamp Road.

It was noted that parameters have be set to ensure the proposal does not adversely affect the operation of the Grovetown or Spring Creek connections. Pumping rates from the site and the timing of pumping from the site will require controls to work with Council parameters.

Mr Rooney noted that Council do not wish to own or maintain this proposed infrastructure within Morgans Road or the development site. The connection point shall be at Swamp Road, equipped with a boundary kit and flow meter to Council approval. Further approval will be required from Council's Roding Authority to the applicant for a Licence to Occupy Road Reserve.

It was noted that the applicant will be advised that if they get approval it will be subject to them gaining adequate resource consent. The resource consent application is currently before Council.

Members were advised it is proposed that the Development Contribution received be split to allow a portion to reduce the current Grovetown Sewerage Loan. As this connection will only consume some of the capacity of the main Grovetown/Spring Creek pipeline, the calculation of the amount will be based on pipe cost as compared to total scheme cost. The amount calculated will be of benefit to the Grovetown residents that are connected to the wastewater scheme.

**Cllrs Dawson/Peters:**

**That Council:**

- 1. Approve the out of district wastewater connection application subject to the following;**
  - a) That a Wastewater Development Contribution be paid for 25.3 Household Equivalent Units, and applied as per the Development Contributions policy.**
  - b) The wastewater infrastructure required to achieve a connection and discharge to the Council wastewater system shall be designed and installed to the approval of Council's Infrastructure Projects Engineer. This shall include the pressure infrastructure within the site.**
  - c) The infrastructure remains in private ownership, and the costs of supply and installation are borne by the applicant.**
  - d) Application shall be made to Council's Roding Authority for a Licence to Occupy for the services that are to be installed within Road Reserve.**
  - f) That the property pays Wastewater rates as per Council's Out of District connections rating policy.**
  - g) That the applicant be advised approval of these service connections does not imply that resource consent approval will be granted.**
  - h) That the approved connection to this property only be completed following a successful resource consent application. (Current application is U220312). Failure to obtain consent within one year of this approval will result in forfeit of this Out of District wastewater approval.**

**Carried**

ATTENDANCE: Cllr Hope withdrew from the meeting at 10.42 am during the following item.

ATTENDANCE: Alec McNeil, Council's Solid Waste Manager, was present for the following two items.

## **A&S-0722-8                      Waste Management and Minimisation – Levels of Service    C315-21-077-04, C315-21-159-04**

The following amendments to the agenda item were noted – para 2 add “will ‘be’ used” and para 27 “does ‘not’ require”.

Mr McNeil advised that the purpose of the report was to provide an update on the outcomes of the waste management and minimisation services procurement process and to gain approval to consult with the community on changes to levels of service in line with the Local Government Act 2002, Section 83 (1) (b). To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146274).

Mr McNeil noted that the current waste management and minimisation service contract is due for renewal by 30 June 2024. A procurement process to secure suitable service providers commenced in November 2021. Two procurement processes were then offered to the market in March 2022. A request for information and pricing (RFIP) for the reuse centre services and a request for proposal (RFP) for the waste management and minimisation services was issued.

Members were advised that four responses were received for the Reuse Centre Services and two responses received for the Waste Management and Minimisation Services. Preferred suppliers have been selected and all aspects of RFIP are satisfied with no outstanding tags other than what they will receive as a conditional contract that is subject to the outcomes of community consultation and the Annual Plan process.

It was noted that the outcomes for the RFP has gone with Option 3 as that provides the best level of services to the community. The changes in the level of service include the expansion of the kerbside collection area, change in kerbside collection methodology, and the introduction of remote transfer stations to replace the existing coin skip mechanisms. The change in the level of services requires community consultation and Council approval.

It was reported that the cost of operating the resource recovery centre and the reuse centre under the new contract will have marginal impact on rates.

As part of discussions members were advised that if users want more capacity there will be a user pays mechanism where additional space can be brought. Suppliers have agreed that the pricing will follow a format to ensure that the pricing for additional capacity is fair and consistent.

It was noted that Blenheim and Picton kerbside targeted rate payers will see an annual increase of \$27 (\$133 to \$160) including GST for a 17% increase in refuse capacity and a 77% increase in recycling capacity. With 2,414 new residential entitled properties receiving the kerbside service and being levied the targeted rate of \$160 including GST. The remote transfer stations will be subject to a geographic area rate.

Members noted that there could be some discussion about the boundaries for collection and queried whether there is scope to move on that if necessary. Mr McNeil advised that the ratepayer would be able to contact the contractor to join the system. This would at the Council negotiated rates with some contingencies.

There was general discussion on other services currently provided and whether if there were changes whether that was clearly explained in the Statement of Proposal/Submission Form. It was noted that the Statement of Proposal and submission form (documents attached to the agenda item) will be reviewed to ensure it does. It is proposed that delegated authority be given to the Chair of the Assets and Services Committee, the Chief Executive, and the Manager Assets and Services Department to finalise the draft.

Members were welcome to email any suggestions to Mr McNeil before it goes out for consultation.

Mr McNeil answered further questions from members on the life of the wheelie bins, responsibility for replacement and ownership of the bins. Also discussed, timing of public meetings which was noted will be held during the consultation process and the scheduled Hearing, effect on private wheelie bin operators and collection schedule.

**Cllrs Fitzpatrick/Andrews:**  
**That Council:**

1. Approves that the community is consulted in November 2022 on the proposed changes to level of service for kerbside collections and transfer stations in line with the Local Government Act 2002, Section 83 (1) (b).
2. Approves the draft statement of proposal that sets out the relevant information to the community on the proposed changes to level of service for kerbside collections and transfer stations and delegates authority to finalise the statement of proposal to the Chair of the Assets and Services Committee, the Chief Executive, and the Manager Assets and Services Department.
3. Approves that the statement of proposal is subject to a legal review prior to its issue.

**Carried**

ATTENDANCE: Cllr Sowman withdrew from the meeting at 10.46 am at the start of the following item.

## **A&S-0722-9      Waste Management and Minimisation 2021-27 Update      W300-007-01**

Members noted that the purpose of the report was to provide an update on the progress of the waste management and minimisation plan 2021-27 and seek approval to publish the update to the community.

It was reported that the waste management and minimisation plan (WMMP) 2021-27 was adopted in May 2021. The WMMP has a number of options that have been worked on during the 2021-22 reporting period.

Members noted that the paper provided an update against each option, reported on the next steps, and set out how the information could be disseminated to the community. The WMMP 2021-27 remains valid and no amendments or modifications are required.

Mr McNeil advised that the update will be released to the community through various platforms.

It was reported that the retender of the waste management and minimisation services and award contracts by November 2023 target has been progressed. The timeline has changed to provide alignment with Council annual approval processes whilst retaining a minimum 12 month lead in time for the relevant contractors. The procurement process for this target is currently progressing and a separate paper on the outcome of this procurement will be provided at the appropriate time. The revised Contract start date is 1 July 2024.

**Cllrs Fitzpatrick/Brooks:**  
**That Council approve the release of the waste management and minimisation plan 2021-27 update to the community.**

**Carried**

## **A&S-0722-10      Road Naming Sub-Committee      R800-007-06-07**

The minutes of the Road Naming Sub-Committee meeting held on 19 May 2022 were presented for ratification by the Committee.

**Cllrs Andrews/Brooks:**  
**That the minutes of the Road Naming Sub-Committee meeting held on 19 May 2022 be ratified.**

**Carried**

## **A&S-0722-11      Regional Transport Committee      D050-001-R01**

The minutes of the Regional Transport Committee meeting held on 17 June 2022 were presented for ratification by the Committee.

**Cllrs Maher/Dawson:**

**That the minutes of the Regional Transport Committee meeting held on 17 June 2022 be ratified.**

**Carried**

**A&S-0722-12      Marlborough Civil Defence Emergency  
Management (CDEM) Co-ordinating Executive  
Group (CEG)      E210-003-06**

The minutes of the Marlborough Civil Defence Emergency Management (CDEM) Co-ordinating Executive Group (CEG) meeting held on 9 March 2022 were presented for ratification by the Committee.

**Cllrs Fitzpatrick/Dawson:**

**That the Minutes of the CEG meeting held on 9 March 2022 be ratified.**

**Carried**

**A&S-0722-13      Information Package      -**

Clr Faulls requested a site visit of the Blenheim library. Mr Lyall agreed to arrange with a date in August/September suggested.

Clr Brooks noted that a tour is being organised to view the completed Small Townships Programme projects, members to register their interest with Heather Graham, Council's Community Project Coordinator.

Blenheim Business Association will be attending the 28 July 2022 Planning, Finance & Community committee meeting to provide an update on the Marlborough Mile projects.

**Cllrs Fitzpatrick/Dawson:**

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

**Carried**

The meeting closed at 10.57 am.

Record No. 22146505

## **5. Committee Reports**

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### **5.2 Environment Committee**

Environment Committee Meeting held on 21 July 2022  
(Minute Nos. Env-0722-14 to Env-0722-27)





**Minutes of a Meeting of the  
ENVIRONMENT COMMITTEE**  
held in the Council Chambers and via Zoom, 15 Seymour Street, Blenheim  
on THURSDAY, 21 JULY 2022 commencing at 9.00 am

### **Present**

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

### **Also Present**

Councillors J L Andrews, C J Brooks, N P Taylor and M A Peters

### **In Attendance**

Mr H R Versteegh (Environmental Science and Policy Group Manager) and Ms G Ferguson (Consents and Compliance Group Manager), Mr M J Porter (Democratic Services Manager/Zoom Management) and Ms N Chauval (Committee Secretary)

### **Apologies**

**Cllrs Hope/Arbuckle:**

**That the apologies for absence from Mayor J C Leggett and Cllr D Oddie be received and sustained and the apology for non-attendance from Cllr F D Maher be noted.**

### **Carried**

Cllr Hope acknowledged and expressed his sadness at the recent passing of Richard Bradley, Rangitāne o Wairau.

## **Env-0722-14 Declaration of Interests**

-

No interests with items on the agenda were declared.

ATTENDANCE: Jake Oliver, Council's Harbourmaster, was present for the following item.

## **Env-0722-15 Marlborough Sounds Common Passage Plan Project**

**H100-001-01**

Mr Oliver advised that the purpose of the report was to brief members on the proposed common passage plan project currently being undertaken in collaboration between the MDC Harbourmaster, Port Marlborough, Interislander and StraitNZ. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146760).

It was noted that the project stemmed from a need to define the required water space for commercial shipping within the Sounds and from separate navigation risk assessments conducted for MDC and Interislander.

Members were advised that as part of the project the Harbourmaster had commissioned a ship simulator model to be built of the new Interislander ferries to understand the amount of space required for manoeuvring larger vessels in the Sounds.

Mr Oliver demonstrated the Transit Analyst software and the MetOcean View software. The demonstration provided members with an overview of the common passage plan concept, how the MDC network aids the system, and overview the ship simulation component of the work conducted.

It was noted software will enable Council to, with data and evidence, monitor vessel transits accurately within the Marlborough Sounds. This is enabled by the previous work done by Marlborough District Council to build a data network within the Sounds.

Mr Oliver noted that ultimately the passage plan will be published so that everybody in Marlborough has access to it with users being able plan their travel and events around where shipping movements will be with consistency.

**Cllrs Hope/Sowman:**  
**That the information be received.**

**Carried**

ATTENDANCE: Oliver Wade, Council's Principal Coastal Scientist – Nautical and Coastal Team, was present for the following item.

**Env-0722-16      Significant Marine Site – Operational Review of  
and 5 year Plan for the Ecologically Significant  
Marine Sites (ESMS) Programme (2022)**

**E325-002-004-01**

Oliver Wade advised that the purpose of the report was to re-present "The significant marine site survey number 7 and the Expert Panel Review (2020-2021)" report and to provide an update on the recently completed operational review of the Ecologically Significant Marine Site (ESMS) programme. Both reports were available on Council's website for members information. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146759).

It was noted that the report describes the findings of the 2021 ecologically significant marine sites (ESMS) programme fieldwork conducted by Davidson Environmental and the recommendations of the expert panel relating to those sites.

Members were advised that 11 sites were surveyed during this monitoring two in Te Whanganui/Port Underwood, five in Pelorus Sound/Te Hoiere and four in Queen Charlotte Sound/Totaranui. Four new sites in Pelorus Sound/Te Hoiere are recommended for inclusion in the ESMS programme and the boundaries of two sites were recommended for adjustment due to new survey information.

It was reported that many of the sites surveyed exhibited damage by human activity or an unexplained ecological shift in the seafloor community. Members discussed whether marine reserves were an option in regard to protecting and halting the damage to the Sounds Environment. It was noted that there is a marine reserve near to East Bay but what is being seen in East Bay, particularly the arrival of parchment worms, was being observed in the reserve.

It was noted that the Nautical and Coastal Team are investigating a number of ways with the assistance of the Harbour to protect the Sounds and educate users. The multi beam survey has been an integral part in that as it provides a visual understanding of what is happening on the seabed.

Members were advised that the Expert Panel Review report identified the findings and recommendations of the operational review of the ecologically significant marine site (ESMS) programme conducted by Pisces Consulting and Marlborough District Council (MDC) staff. This review assessed the current ESMS programme and whether it was fit for purpose to achieve the identified goals and objectives. The ESMS programme was split into a number of workstreams to do this and the main achievements and challenges were detailed in the report.

It was noted that the report had identified that a core challenge was the ability to access meaningful information and data for internal and external users and it was queried whether there was a KPI or solution around that piece of work. Mr Wade advised that he is currently working with Council's IT team on how this can be improved but reported that it is a significant piece of work.

In response to a query on resourcing members were advised that a Coastal Scientist has recently been employed and will be introduced at the next meeting. This position is very much welcomed but the team remains under resourced to deal with the work that is required.

Mr Wade noted that the report identifies five-year priority actions and KPI's to transition to a fit-for-purpose ESMS programme and sets the foundation for how Council can take the Significant Marine Site Programme to the next level.

**Cirs Hope/Croad:**  
**That the report be received.**

**Carried**

ATTENDANCE: Pete Davidson, Council's Environmental Scientist Groundwater Quantity & Quality, was present for the following item.

**Env-0722-17      Review of National Rules for Piling and Deep Foundations to Prevent Damage to Wairau Pressurised Aquifers      E345-007-001**

The purpose of the report was to present the report entitled 'Coastal Wairau Plain, Marlborough Piling, Excavation and Foundation Review. The report was available on Council's website for members' information.

Mr Davidson noted that few New Zealand councils have rules that deal with the risk of deep excavations on groundwater and most relate to dewatering rather than aquifer contamination or uncontrolled leakage of groundwater. It is currently not common practice for resource consents to be applied for piling activities.

It was noted that given the confined structure of the aquifers underlying the coastal Wairau Plain, their importance and potential risk of damage leading to uncontrolled waste or pollution of groundwater, more regulatory control over geotechnical systems by Council can be considered.

Mr Davidson noted that the construction of foundations for bridges, wharves and large buildings/structures has the potential to generate uncontrolled leakage of naturally pressurised groundwater, and/or allow transmission of contaminants into the aquifer. Contaminant transport and or leakage could develop via preferential pathways created by the construction of deep geotechnical excavations, such as piles. It was reported that there is a precedent for regional councils in New Zealand to have activity rules relating to the control of excavations over or into aquifers which generally aim to assess and manage any potential adverse effects associated with water leakage and/or contamination.

Members noted that the report's recommendations will be available for MDC to consider an activity rule in the region-wide rules section of the pMEP that addresses the potential risk of leakage and/or contamination of confined aquifer due to the construction of deep geotechnical excavations.

**Cirs Hope/Croad:**  
**That the report be received.**

**Carried**

ATTENDANCE: Zeke Hoskins, Council's Environmental Science Technician, was present for the following item.

**Env-0722-18      Working for Nature / Mahi mō te Taiao      E390-003-20-02**

Mr Hoskins noted that the purpose of the report was to provide an update on the Mahi mō te Taiao/ Working for Nature grant 2021/22 upon its conclusion on 1 June. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146758).

Members were advised that the Working for Nature/ Mahi mō te Taiao grant for 2021/22 officially closed on 1 June with the majority of the applicants succeeding in achieving their project goals prior to the 1 June cut-off. Several extensions were granted for invoicing later into June and applicants had been affected by limited plant availability, Covid-19, and a particularly dry planting season.

Applications for the next grant round will be open from 1 August to 31 August 2022 and successful applicants will be notified by October 2022. It was noted that as there had been a number of delays with the last round different options are being explored to improve project success through lengthening the grant duration.

Members noted that the requests for financial assistance greatly exceeded the allocated funding and queried whether the money granted reduced the scope of their projects. Mr Hoskins advised that some applicants were able to add funding and others lessened what they were able to achieve for their projects.

It was noted that if applicants have an ongoing project they can apply each year to the fund.

**Cllrs Croad/Hope:**  
**That the information be received.**

**Carried**

ATTENDANCE: Rachel Russell, Council's Catchment Care Officer, was present for the following item.

## **Env-0722-19      Update – Catchment Care for At-Risk Catchments in Marlborough      E355-021-04-06**

Members noted that the purpose of the report was to provide an update on the Catchment Condition Surveys as part of the Catchment Care programme. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146756).

Ms Russell advised that to date Catchment Condition Surveys have been completed across 6,381 hectares and have identified 343km of waterways, 62% of these waterways are greater than one metre in width and are potentially subject to NES FW rules. Further analysis of the waterways determined that there were 105km unfenced on both sides and 61km of waterways fenced on one side only. This equates to 271km of fencing that may be required to improve water quality and meet the requirement of the recent Section 360 RMA Stock Exclusion Regulations.

Individual landowner meetings continue across all catchments to plan fencing, planting and other mitigation work. To date in Year Two 7.8km of fencing has been completed. A further 5.05km has been agreed to be built but will be completed in Year 3.

Members were advised that this year's planting target was to get 8,000 plants in the ground, this autumn finished with a total of 9,259 plants planted across properties in Are Are Creek and Tuamarina. In Year 3 (2022-23) 14,933 plants have been agreed to be planted this is nearly three times the annual target. There is an additional 7,364 plants targeted for planting in Year 4 (2023-24). Ten dung beetle farm packs have been ordered, two of these farm packs have completed all releases and three have now completed their first releases. The next dung beetle releases will likely start in December as the beetles become available.

It was reported that work with catchment groups is ongoing. A community meeting was held in Tuamarina in May, supported by Landcare Trust and the MDC Rivers Department. Flooding and riverbank erosion was discussed. In the Flaxbourne officers continue to attend meetings to support the development of the catchment group.

It was noted that there are catchment leaders within communities that coordinate the dissemination of information out to the respective communities and back to Council.

Members were advised that a consultant has been engaged to develop a long-term Erosion and Sediment Management plan for Are Are Creek.

**Cllrs Hope/Sowman:**  
**That the information be received.**

**Carried**

ATTENDANCE: Cllr Andrews withdrew from the meeting at 10.51 am at the conclusion of the above item.

ATTENDANCE: The meeting adjourned at 10.51 and resumed at 11.03 am.

ATTENDANCE: Mike Ede, Council's Team Leader Environmental Information, was present for the following item.

## **Env-0722-20      Environmental Monitoring Network – Update E365-000-002**

Mr Ede advised that the purpose of the report was to present an update on the operation and status of the Council's environmental monitoring network over the period 1 July 2021 and 30 June 2022 and provide a status report on the achievement of annual plan performance targets for the year. (To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146754).

By way of background members were advised that the Marlborough District Council's Environmental Monitoring Team operates an environmental network comprising around 200 sites that provide a range of continuous and static data for measuring the state of the environment of the regions Freshwater, Air, Land and Coastal resources.

It was reported that a total of 270 river flow gaugings were completed for the year of which 265 were at river level stations and 5 at non-station locations. An additional 12 discrete water quality monitoring sites were added to the network in the year taking the total to 47 sites sampled. This is in response to the monitoring requirements under the National Policy Statement for Freshwater. This also included an expansion in monitoring lakes for the first time with two lakes being sampled.

Members noted that the environmental monitoring team have implemented electronic field sheets using the ESRI ArcGIS product Survey 123 during the year. This interfaces directly with the Hilltop Data Management System with field observations and sites inspection now automatically uploaded creating efficiency and reducing error. This will be made publicly available in due course.

Members were advised that five stations were damaged during the July 2021 storm. The damage was subject to an insurance claim and stations have been reinstated and repaired during the year, this has affected the team's annual plan targets for 21/22 year. Improvements to the network resilience, development and improvement of data and forecasts is being undertaken.

The implementation of the National Environmental Monitoring Standards (NEMS) is expanding and has resulted in a general increase in the quality of information collected from the network. Areas of focus for NEMS are in the continuous water quality area with the installation of the continuous water quality sites as part of the NPS for Freshwater reporting requirements.

**Cllr Hope/Mr R Beech:**  
**That the information be received.**

**Carried**

ATTENDANCE: Matt Oliver, Council's Environmental Scientist – Land Resources, was present for the following item.

## **Env-0722-21      Soil Quality Monitoring Report 2021 E355-001-001-21**

Members noted that the purpose of the report was to receive the Soil Quality Monitoring report for 2021. The report was available on Council's website for members' information. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146751).

Council's Environmental Scientist – Land Resources, Mr Oliver, advised that the Soil Quality Monitoring Programme has been operating for 22 years and is a nationally significant dataset. In this investigation, soils

were sampled from 23 monitoring sites that included one pasture site, three native bush sites and 19 dairy sites. There are 96 sites overall and these are on a five yearly rotation.

It was reported that this year's results were consistent with all previous years. While many sites show good soil quality, most soils show the effects of human land use. Soil compaction, excessive levels of nitrogen and phosphorus and loss of soil carbon remain the consistent theme. Hot water carbon (HWC) testing introduced last year showed that 39% of samples failed to reach the target; indicating Marlborough soils may have low microbial activity and face risks of structural degradation.

The programme continues to document the decline in quality of Marlborough's soil resource. To aid in addressing this, a series of soil quality recommendations have been made to help improve the soil quality indicators.

Alongside this report, Council is developing a proposal for a soil health improvement programme. This programme will look to provide education and advice to farmers around soil health and improving practice on farm to help prevent the decline of this precious resource. It is proposed to hold education workshops in 2023.

Members were advised that a review of the Soil Quality Programme is currently underway. The programme is now 22 years old and there has been a great deal of landuse change during this time. This has been reflected in the SQM programme with 20 from 96 sites (21%) changing landuse from pastoral farming to vineyards (11 of the original 25 sites have changed -44%).

It was noted that the results of the review will lead to change in the SQM programme. The aim of any changes is to retain the valuable data the SQM programme has captured over 22 years and to ensure the programme maintains its applicability into the next decades. The details of this change will be reported to the next Environment Committee.

**Cllrs Hope/Fauls:**  
**That the report be received.**

**Carried**

ATTENDANCE: Mike Aviss, Council's Biodiversity Coordinator, was present for the following item.

## **Env-0722-22      Significant Natural Areas Programme Annual Report 2020/2021      E310-006-001**

Mr Aviss noted that the purpose of the report was to provide an update on the results of the Significant Natural Areas Programme 2021/2022. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146750).

Members were advised that the total number of SNA sites mapped in the database is now 771. The survey programme of SNAs is ongoing as landowners agree to provide access to their land. 12 new SNA sites were identified on 5 properties, 5 in Flaxbourne and 2 in Kekerengu.

It was noted that 25 new Covenants within SNAs has been achieved. The total is now 114 covenanted SNAs with ten of the 30 projects funded in 2021/22 having covenants. Members acknowledged the landowners for achieving the legal protections which inevitably gifts something back to the environment and to future generations.

Members were advised that since 2003 the Landowner Assistance Programme has provided funding assistance to 143 sites. Currently there are 32 projects active, with \$194,192 of Council funding spent on managing sites during this reporting period. With other contributions, including from landowners, this amounted to \$332,046.

It was reported that there is targeted ecological restoration on threatened land environments, eg lowlands, wetlands and dunelands with 18 of the 30 assisted projects within Threatened Land Environments. Eight wetlands received funding for restoration, including fencing, weed control and planting and 6800 seedlings of spinifex, pingao and coastal trees planted along the Katipo Coast as part of the Beach Aid Project.

Council has joined with the Community on tree planting days with 2000 trees planted at Mussel Point as recognition of the resilience of the local community after the 2016 Earthquake.

It was noted that the East Coast beaches are a critical corridor for migratory and resident shore birds, and other, often threatened, plants and animals. 65% of this 80km coast is SNA (29 sites south of the Awatere River mouth). Council is part of a long-term restoration project with volunteers and landowners south of Marfells Beach; killing pests and weeds and planting indigenous species. There are 16 SNAs along this coastal section including high species, habitat and landscape values.

**Cllrs Hope/Fauls:**  
**That the report be received.**

**Carried**

ATTENDANCE: Cllr Peters withdrew from the meeting at 12.15 pm during the following item:

ATTENDANCE: Jono Underwood, Council's Biosecurity Manager, was present for the following item.

## **Env-0722-23      National Wilding Conifer Control Programme – 2021/2022 Season Overview      E315-019-001-01**

Members noted that the purpose of the report was to provide the Committee with an overview of the wilding conifer control programmes delivered over the 2021/2022 season in Marlborough. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146749).

Mr Underwood provided a demonstration of the WCIS Reporting dashboard to members. The software provides information on the national data and funding for Marlborough and provides a clear and accurate picture on what is being accomplished with wilding pines and total funding expended to achieve that.

Mr Underwood noted that in the 2021/2022 season, the four programmes receiving NWCCP funding were implemented successfully, despite continued challenges and disruptions from the Covid-19 pandemic.

The final planning for the coming 2022/2023 season is almost complete, including endorsement for the full range of partners and stakeholders across these four programmes. Next years' programme across Marlborough is based around ~\$5.2M of NWCCP funding and an additional ~\$480k of local funding, making it the largest season of activities to-date.

It was noted that there remains a significant amount of uncertainty for 2023/2024 onwards given Central Government funding for the NWCCP drops to a baseline amount of \$10M nationally. While a baseline is valuable, at that investment level, it is almost certain that many programmes, including those in Marlborough, will not get infestations to maintenance levels where long-term locally managed control is feasible.

**Cllr Croad/Mr Beech:**  
**That the information be received.**

**Carried**

## **Env-0722-24      Noise Control Contract Performance 2021/2022 E350-007-009-02**

Members noted that the purpose of the report was to provide an update on the performance of the Noise Control Contractor from 1 July 2021 to 30 June 2022 and explain how they perform their function. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146745).

It was noted that Armourguard is Council's contractor to deal with excessive noise complaints. They have continued to provide the required service to ensure any noise complaints are dealt with professionally and promptly.

The process of what happens with a complaint was explained and a flow diagram was included in the presentation that highlighted the process. It was noted that there is a subjective assessment tool which Noise Control Officers use, this enables consistent judgements to be made.

For the period 1 July 2021 to 30 June 2022 869 complaints were received and responded to; 102 Excessive Noise Directions issued and 4 seizures were undertaken.

Members were advised that Environmental Health Officers will continue to have input into the training of the Contractor's Noise Control Officers to ensure consistency in assessing excessive noise.

**Cllrs Fauls/Croad:**  
**That the information be received.**

**Carried**

## **Env-0722-25      Appointment of Hearings Commissioners**

**R450-004-02**

Members noted that the purpose of the report was to present Hilke Giles and Ma-Rea Clayton for inclusion on the list of Hearings Commissioners. Summary CVs for the proposed commissioners were attached to the item for members' information.

It was noted that Council is not bound to employ the services of a Commissioner once they are appointed.

**Cllrs Arbuckle/Brooks:**

- 1. That the report be received.**
- 2. That Hilke Giles and Ma-Rea Clayton are appointed to act as a Hearings Commissioner as and when required and that they be advised accordingly.**

**Carried**

ATTENDANCE: Barbara Mead, Council's Advocacy and Practice Integration Manager, was present for the following item.

## **Env-0722-26      Appeals Update**

**R450-004-22**

As at 6 July 2022 Council is engaged in eight proceedings either as respondent or s274 party (excluding Abatement Notice appeals and enforcement proceedings) – three relate to resource consent decisions and two relate to costs, one relates to compliance/consents, one relates to building and one relates to policy.

Ms Mead provided members with an explanation on what 'set down for a backup fixture' is.

**Cllrs Hope/Arbuckle:**  
**That the information be received.**

**Carried**

## **Env-0722-27      Information Package**

**-**

**Cllrs Hope/Arbuckle:**  
**That the Regulatory Department Information Package dated be received and noted.**

**Carried**

The meeting closed at 12.38 pm.

Record No: 22150368



## **5. Committee Reports**

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### **5.3 Planning, Finance & Community Committee**

Planning, Finance & Community Committee Meeting held on 28 July 2022  
(Minute Nos. PF&C-0722-28 to PF&C-0722-39)



**Minutes of a Meeting of the  
PLANNING, FINANCE & COMMUNITY COMMITTEE  
held in the NZ Wine Centre (Awatere Room) and via Zoom, Budge Street, Blenheim  
on THURSDAY 28 JULY 2022 commencing at 9.20 am**

### **Present**

Cls M A Peters (Chairperson), J D N Croad, J L Andrews, J A Arbuckle, B A Faulls, M J Fitzpatrick, G A Hope, T P Sowman and N P Taylor

### **Present via Zoom**

Cls D D Oddie and B G Dawson

### **In Attendance**

Mr M F Fletcher (Chief Financial Officer), Mr D G Heiford (Manager, Economic, Community & Support Services), Mr M J Porter (Democratic Services Manager/Zoom Management) and Ms N Chauval (Committee Secretary)

### **In Attendance via Zoom**

Mr A J Lyall (Property & Community Facilities Manager)

### **Apologies**

**Cls Arbuckle/Croad:**

**That the apologies for absence from Mayor J C Leggett and Cllr C J Brooks be received and sustained.**

### **Carried**

Members observed a minute of silence to acknowledge the recent passing of former Mayor Thomas (Tom) Harrison.

## **PF&C-0722-28 Declaration of Interests**

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Cllr Taylor declared an interest in parts of Item 4 – Appeals on the PMP Decision

Cllr Faulls declared an interest in item 6 – Destination Marlborough Business Plan 2022/2023

ATTENDANCE: Kim Lawson, Council's Strategic Planner, was present for the following item and Pere Hawes, Council's Manager Environmental Policy was present for the following two items.

## **PF&C-0722-29 Proposed National Policy Statement on Indigenous Biodiversity**

**N100-001-05-01**

Kim Lawson advised that the purpose of the report was to update the Committee on the proposed National Policy Statement on Indigenous Biodiversity (NPSIB); and to confirm a process for approving a Council submission on the NPSIB exposure draft.

By way of background Ms Lawson reported that the Ministry for the Environment (MfE) had released its first draft of the NPSIB in November 2019. The Marlborough District Council (Council) submitted on that draft on 12 March 2020. On 9 June 2022 MfE released its exposure draft on the NPSIB along with summary documents and a draft implementation plan.

Ms Lawson noted that submissions on the exposure draft closed on 21 July 2022 and due to the timeframe a staff submission had to be made in order to meet the deadline. The submission was attached to the agenda item for members' information.

The primary concerns identified in the submission were:

- a) Tenure neutral approach to the identification and monitoring of SNAs and the implications for resourcing;
- b) Lack of clear resourcing and supporting measures from central government to enable its successful implementation;
- c) A five-year timeframe is unrealistic for assessing and identifying SNAs;
- d) The shift in responsibility for highly mobile species from DOC to local authorities;
- e) Maintaining indigenous biodiversity and the requirement to avoid adverse effects on SNAs; and
- f) The protection of existing indigenous vegetation and habitat needs to be prioritised.

Additional concerns raised were in respect to the structure of the NPSIB, the framework provided for existing activities affecting SNAs and the maintenance of improved pasture. Also noted was what further funding is available and moving from a voluntary system to a mandatory system and the work required with landowners to determine what that will entail.

Members noted their unanimous support for the submission and at the same time expressed their considerable concern at the implications to this Council, landowners and ratepayers in trying to achieve the objectives of the NPSIB.

**Cllrs Oddie/Peters:**

1. That the report be received.
2. That the submission be approved.

**Carried**

## **PF&C-0722-30 Appeals on the PMEP Decision**

**M100-09-01**

Before the report was discussed Pere Hawes introduced Karen Bloor, Council's recently appointed Planning, Technician and Hearings Facilitator, to members. It was noted that part of Karen's role will be to maintain the Plan content ensuring it is up-to-date and accurate.

Mr Hawes noted that 51 notices of appeal on the PMEP were lodged with the Environment Court, seven appeals have been resolved in full and three appeals have been withdrawn. A total of 41 notices of appeal remaining.

Since the last update to the Committee on 5 May 2022, seven consent memoranda have been submitted to the Environment Court for their consideration. A further seven consent memoranda are in preparation and will be submitted to the Court shortly.

It was noted that discussions during mediation have been positive and outcome focussed, and substantial progress has been made on resolving appeals. A total of 535 appeal points have been considered through mediation to date. This represents good progress in the context of 1200 appeal points (i.e., almost half of all appeal points have been considered). This is especially so considering that there are typically a large number of parties involved in each appeal point.

Mr Hawes noted that plaudits have been received from participants in mediation and the commissioner on the collegial nature of the mediation run by Council. Cllr Oddie also passed on his congratulations to the team for the work undertaken for the appeals.

Progress on appeals can viewed via the following link

<https://eservices.marlborough.govt.nz/download/files/InEqpVnZr5rakVWGqo0N0mWNJzDfNTE98YyfKx7xklb>  
!

**Cllrs Oddie/Arbuckle:**

**That the information be received.**

**Carried**

NB: Cllr Taylor declared an interest in parts of the above item.

ATTENDANCE: Mark Davis, Caroline Stone and Lynette Rayner members of the Blenheim Business Association were present for the following item.

**PF&C-0722-31      Blenheim Business Association      E100-004-01**

The purpose of the report was to update the committee on the Marlborough Mile projects that the Blenheim Business Association (BBA) is driving within the Blenheim (CBD). To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22151025).

As part of the presentation the following outcomes of the CBD survey conducted in July 2022 were noted:

Events in CBD

- Over 80% of respondents are in favour of holding events in the CBD.
- 50% don't mind where events are held in the CBD, but the single most popular areas identified were Market Street & Scott Street
- Dogs in CBD – experience so far.....
  - 60% of respondents say it's been positive
  - 40% have felt no impact
- Zero respondents reported an unfavourable experience.
- What would businesses like to see more of? - Co-ordinated late-night shopping, night markets/entertainment, more Al Fresco dining, free-parking

Members noted the survey results in particular the positive response with regard to Dogs in the CBD following the bylaw coming into effect from 1 August 2021.

As part of the discussion following the presentation conclusion Cllr Andrews raised whether consideration could be given to including the 'Opawa' spelling alongside 'Ōpaoa' for the Echo development at The Quays.

Members acknowledged the considerable work undertaken by the BBA in progressing The Marlborough Mile Development, having good timelines helps to bring the project into clear focus. It was noted that Council staff are providing good support to the project.

There was a brief discussion regarding the overall look of the CBD and whether changes are being considered. It was noted that it had been identified in the Urbanism Plus report and is being reviewed as part of the wider CBD picture.

**Cllrs Peters/Andrews:**  
**That the information be received.**

**Carried**

ATTENDANCE: Anton Wilke, Project Manager - Destination Management Destination Marlborough was present for the following item.

**PF&C-0722-32      Destination Marlborough Business Plan  
2022/2023      E100-004-01**

Mr Heiford advised that the Final Business Plan for Destination Marlborough would not be presented today as the outcome of the decision before the Committee needs to be included in the Plan and signed off by the Board. The Board is also waiting for an update from Government on the amount of STAPP funding. The plan will be presented at the September Committee meeting.

Members agreed that in light of the information received the recommendation be amended to include 'Draft' Business Plan for 2022/23.

A powerpoint presentation was shown for the Marlborough Destination Management Plan (CM Record No. 22151024).

DM's, Marlborough Destination Management Plan was circulated to those present.

Mr Wilke's noted that an 'easy to read' 20 page document will be produced of the plan to digest the significant amount of information contained within the Plan as well as the detail on how the objectives will be achieved.

A second powerpoint presentation was shown for Destination Marlborough's Annual Plan Request (CM Record No. 22151024).

It was noted that Destination Marlborough made a submission to the 2022/23 Annual Plan for one off funding for Domestic marketing (\$40,000); International marketing (\$30,000) and, the next stage of the Destination Management Plan development (\$50,000). Council confirmed the international marketing funding request and since then MBIE have confirmed Destination Management Plan funding through to 30 June 2023. Therefore, the only request that needs consideration is the Domestic Marketing funding.

The one-off funding is proposed to be allocated from Reserves.

Members acknowledged that the domestic marketing is important and this funding will aid Marlborough businesses to move forward. It was reiterated that it is a one-off grant and that industry and DM will, if required, need to cut its cloth to fit the new environment.

Clr Faulls noted that the training and support provided by DM to local operators has been fantastic throughout and post COVID and is invaluable to all operators.

**Clrs Croad /Arbuckle:**

- 1. That Destination Marlborough Trust's Draft Business Plan for 2022/2023 be received.**
- 2. That Destination Marlborough Trust's funding request for Domestic Marketing for 2022/2023 of \$40,000 be approved and be funded from a reserve.**

**Carried**

NB: Clr Faulls declared an interest in the above item. Members agreed that Clr Faulls could take part in discussion but not vote on the report.

ATTENDANCE: Meeting adjourned at 10.59 am and resumed at 11.10 am

ATTENDANCE: Neil Henry, Council's Economic Programmes Manager, Dorien Vermaas, Council's Economic Portfolio Manager and Mark Unwin, Council's Economic Development Programmes Manager were present for the following item.

## **PF&C-0722-33      Economic Development Update      E100-010-01**

Members noted that the purpose of the report was to provide an update on the activities of Council's Economic Development team between 5 May and 26 July 2022. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22151022).

Ms Vermaas advised members on the following 'firsts' for Marlborough:

- established Regional Film Office;
- Sawmill Studios is now on the radar of film makers and producers and in use;
- MEWS 1.0 has been drafted with the wider economic communities;
- Refresh of brand Marlborough underway in collaboration with DM;
- Development of a Tech & Innovation activation programme with regional partners; Inaugural Marlborough Innovation Day;
- Inaugural Marlborough Start-up Day and Inspiring speaker-programme kicked off with Sam Stubbs /Simplicity.

During the presentation the following video was shown, however those on Zoom were unable to view it <https://vimeo.com/703620994>

A very successful Marlborough Innovation Day was held in May. The event was sold out with 50 participants who came from as far away as Tauranga and Christchurch.

Members were advised that the Sawmill Creative Society has been established. With the support of Screen Marlborough – the Society will be setting up monthly meetings to support film makers and creatives in Marlborough that want to use the Sawmill Studio areas.

Sawmill Creative Society have offices within the Sawmill Studios and several businesses have taken up tenancy. A financial model is currently being worked for the Society.

Screen Marlborough was at the Big Screen Symposium in Auckland in July together with other Film Offices of New Zealand. There was a joint booth which Marlborough featured through a banner, photo-library and video footage and leaflet of the Sawmill Studios. The annual Meeting of the 10 Film Offices including meetings with the NZ Film Commission have been confirmed to take place in Marlborough on 26 – 29 October.

Members noted that Sawmill Studios was being marketed for lease and whether this could be an issue if a big film production was secured. Ms Vermass advised that the owners are philanthropic and have been transparent regarding the site. The Economic Team meet with the owners regularly as well as having informal communications. Marlborough is working hard to get Sawmill Studios on the radar of film makers and producers but this does take time.

Clr Taylor raised whether a separate Regional Screen office report, six monthly/annual, which included external data on the economic benefit for Marlborough could be provided. Ms Vermass noted that an update is included with the regular Economic Development Team reports to this Committee but could provide an additional report, noting there may be constraints due to commercial sensitivity for some of the information.

It was noted the feature film Northspur, which was filmed in Marlborough in 2019 with is due for release in September.

Mark Unwin noted he has been focusing on Smart + Connected programmes and looking towards a refresh to ensure groups are fit for purpose. A questionnaire and survey are currently being created and will be distributed to all groups.

Extending into new Smart and Connected groups is proposed and an aviation meeting is being held next week. Regularly meetings have been held with the viticulture industry and they are interested in investigating a smart and connected programme. Information on the Food Fibre group will be provided to a future meeting.

Clr Croad queried whether there is sufficient budget to accommodate any increase in S+C groups. Mr Henry advised that the cost to administer the groups is quite low as Council provides assistance through existing Council staffing and the businesses involved also provide support. Establishing groups is the biggest costs but this could be budgeted from the proposed carry overs. Carry overs will be applied for at the next Planning, Finance & Community Committee meeting.

Mr Henry advised there has been a slight change of responsibilities Jodie Griffiths, Council's Community Partnerships Adviser, will be responsible for the Community Smart & Connected groups.

Other events noted were Tech Meet Ups which is for IT people to meet, the last meeting 30 people attended. Regular E-newsletter is being produced. August will be the first event for Empower Coding run by Chamber of Commerce introducing to children into coding.

A report on the MEWS and Techhub will be provided to the September Planning, Finance & Community meeting.

**Cirs Croad/Hope:**  
**That the information be received.**

**Carried**

**PF&C-0722-34      New Zealand Aviation Museum Trust –  
Amended Funding Request      A200-002-02**

Dean Heiford noted that the purpose of the report was to reconsider funding for the construction phase of an extension to the New Zealand Aviation Museum Trust – Omaka Aviation Heritage Centre.

Members were advised that Council had previously provided approval to the Trust for a contribution of up to \$1.7M by way of an underwrite or a loan to be funded from a reserve and subject to review of an updated business plan. Also that Council's contribution was subject to the Trust receiving confirmation of funding from the Lotteries Significant Project Fund and other fundraising to complete the project before any funding would be released.

The Trust has been advised that the application to the Lotteries Significant Projects Fund was unsuccessful. The Trust has been approached by individuals who would still be willing to contribute to the project and there are other funding organisations that could be approached. It was noted that the 2023 Easter Airshow would also be a major fundraising opportunity.

Mr Heiford advised that the Trust are now asking that Council consider funding 50% towards the construction of the extension only with Council's contribution being capped at \$1.2M. The estimates for the build only are \$2.2M to \$2.4M. This would build a 50 x 30 m<sup>2</sup> shell which will provide storage and basic exhibition space in the interim.

It was noted that the fitout of the extension would be treated as a separate project and would be funded via other grant applications/fundraising options. It was noted that prior to fit out once the extension is built it would provide opportunities for use and income generation for storing/displaying aircraft and memorabilia.

Clr Taylor sought clarification on the difference between an underwrite and a loan. Mr Fletcher provided a detailed explanation noting the security arrangements would need to be worked through and details would be negotiated with the Trust.

It was noted that in the original approval the Trust were to come back to Council in the event it was a loan to provide information on their situation and the ability for the Trust to service the loan.

Mr Heiford noted that it is an in principal proposal as it may be some time before the other 50% of funding is raised. At that point the Trust would then provide the required information satisfactory to Council. It was noted that by providing approval it will enable the Trust to secure other funding and give the Trust some assurance going forward.

Clr Fitzpatrick requested that wording be added to point 2 of the recommendation to provide future certainty to Council. Members agreed that the words ... 'loan, *subject to appropriate terms and conditions*' be added thereby making it clear to the Trust of Council's intention.

Following further discussion Clr Taylor expressed her concerns at including 'an underwrite' in the recommendation as she viewed this as a grant which is not fiscally prudent for Council at this time. Clr Taylor then moved the motion noting the following amendment to recommendation 2 with recommendation 1 and 3 as they are presented.

2. *That Council agrees in principle to fund up to \$1.2M dollars for the extension build excluding fitout to be funded by way of a loan, subject to appropriate Terms and conditions.*

Clr Peters noted that Clr Taylor's proposal would be considered as a second amendment, as there had been the amendment earlier in discussion of '*subject to appropriate Terms and conditions*' added to point 2 of the recommendation.

At the request of Clr Hope, Councils' Chief Financial Officer, Martin Fletcher further clarified what an underwrite was. At the end of the explanation Mr Fletcher suggested that the words '*or bank guarantee*' be added to recommendation 2 after the word 'loan'.

Clr Taylor accepted the suggestion from Mr Fletcher that the additional words of '*or bank guarantee*' be added to the amended recommendation.

Clr Dawson seconded the motion noting that at the original meeting he had asked the Trust whether they were able to service loan and he had been satisfied by the Trust's response.

Clr Peters then put the substantive motion to the meeting and requested a show of hands.

**Cirs Taylor /Dawson:**

1. That Council supports the expansion of the New Zealand Aviation Museum Trust – Omaka Aviation Heritage Centre.
2. That Council agrees in principle to fund up to \$1.2M dollars for the extension build excluding fitout to be funded by way of a loan or bank guarantee, subject to appropriate Terms and conditions.
3. That Council's contribution be subject to the Trust receiving confirmation of equivalent funding from fundraising to complete the extension build excluding fitout.

**Carried** on a show of hands 6 to 4

## **PF&C-0722-35 Housing for Seniors Sub-Committee D050-001-H01**

The Minutes of the Housing for Seniors Sub-Committee meeting held on 7 July 2022 were attached for ratification by the Committee.

**Cirs Peters/Fitzpatrick:**

**That the Minutes of the Housing for Seniors Sub-Committee meeting held on 7 July 2022 be ratified.**

**Carried**

## **PF&C-0722-36 Audit & Risk Sub-Committee D050-001-A05**

The Minutes of the Audit & Risk Sub-Committee meeting held on 29 June 2022 were attached for ratification by the Committee.

**Cirs Peters/Hope:**

**That the Minutes of the Audit & Risk Sub-Committee meeting held on 29 June 2022 be ratified.**

**Carried**

## **PF&C-0722-37 Financial Report for Council – Period Ended 31 May 2022 F275-001-01**

Martin Fletcher, Chief Financial Officer presented Council's financial report for the period ended 31 May 2022.

The Interim year-end results for the 2021-22 financial year (period ended 30 June 2022) were circulated to members. A full detailed report will be provided at the next Committee meeting. (CM Record No. 22149847)

Members were advised that the draft Annual Report is currently being compiled to enable Audit New Zealand to provide Council with an opinion on the financial statements. It is planned that the audit opinion will be provided in time for Council to adopt the Annual Report in November.

It was noted that changes to the interim financial results will occur as preparation of the Annual Report is finalised. These changes were detailed in the additional report circulated.

The following major variances actual and budgeted were noted in the 31 May 2022 report: Sale of stage 7 of Boulevard Park on Taylor (BPOT). This item was budgeted in last financial year (Gain on Sale of \$7.5M); Receipt of an insurance claim for damage from the 2016 Kaikoura Earthquake and 2021 July flood event. (\$1.8M); Waka Kotahi emergency funding for the flood damage sustained in the July flood event. Waka Kotahi has approved a 95% subsidy rate on emergency works up to \$20M and has subsequently approved a further \$21.5M at this enhanced subsidy rate for 2021/22. To date \$29.4M has been claimed in addition to \$0.9M



received at the standard funding assistance rate. Vested assets and development contributions are ahead of budget due to contributions for Rose Manor subdivision, Westwood, Wai-iti and Patchett Way developments. Government funding for the following projects Catchment Care, Hillside Erosion and Te Hoiere. Lower than anticipated grants uplifted by community-based organisations. Lower external interest costs due to the low interest rates and lower capital expenditure in previous years. Internal interest costs are less due to lower capital expenditure last year.

Members were advised that Council has funded a budget of \$77.0M for capital expenditure in the 2021-31 Long Term Plan despite having a \$130.4M (including \$53.4M of carryovers from previous financial years) capital works programme. Currently Council is forecasting another record year for capital expenditure.

**Cirs Peters/Croad:**

**That the Financial Report for the period ended 31 May 2022 be received.**

**Carried**

## **PF&C-0722-38 Information Package**

**Cirs Arbuckle/Fitzpatrick:**

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

**Carried**

## **PF&C-0722-39 Decision to Conduct Business with the Public Excluded**

**Cirs Andrews/Oddie:**

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

- Sub-Committee Reports (Public Excluded Sections)
- Audit & Risk Sub-Committee Membership
- Lease

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
Sub-Committee Minutes	As set out in the Minutes and Reports	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.
Audit & Risk Sub-Committee Membership	In order to protect the privacy of natural persons, as provided for under Section 7(2)(a).	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for

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
		withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.
Lease	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.

**Carried**

The meeting closed at 12.29 pm.

Record No: 22153362

## 6. Victoria Domain Reserves Management Plan – Proposed Change for use of Memorial Park

(also refer to Attachment 6.1)

(Cllr Brooks) (Report prepared by J Lyall)

R510-014-029-02

### Purpose

1. The purpose of the report is to seek approval to notify a proposed change to the Victoria Domain Reserves Management Plan (Plan) regarding the use of Memorial Park for temporary parking.

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### RECOMMENDATIONS

1. That Council approve the proposed change to the Victoria Domain Reserves Management Plan as set out in Attachment 6.1 to this report for the purposes of public submission in accordance with Section 41(6) of the Reserves Act 1977.
2. That as a comprehensive review of the Victoria Domain Reserves Management Plan is not being undertaken, the Council resolves under section 41(5A) of the Reserves Act that written suggestions under section 41(5) are not required as these would not have materially assisted in the preparation of the proposed change to the Plan.

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### Context

2. At the Assets and Services meeting of 16 June 2022 it was resolved to proceed with a review of the Plan to deal with an issue regarding parking of vehicles on Memorial Park from overflow parking associated with the operation of Picton Marina.
3. The review has now been completed and a draft change has been prepared to the Plan that will enable a larger area of Memorial Park to be used for temporary parking. The draft change to the Plan is included as **Attachment 6.1** and provides for the following:
  - The area of land allocated in Memorial Park for temporary parking be increased in size by approximately 40 percent.
  - That a clear accessway of 5 metres in width be provided on the south side of Memorial Park for pedestrian and bicycle access to the head of Memorial Park.
4. Approval is sought to notify the change for the purposes of public submission in accordance with section 41 of the Reserves Act. Section 41 of the Act normally requires a two round submission process, however in circumstances where a comprehensive review is not being undertaken there is some flexibility in the process. Section 41(5A) of the Act enables the Council to not undertake the first submission round if it considers that written suggestions would not materially assist in preparing changes to a plan. Given this is a very singular issue and there is already awareness of the issue within the community, it is recommended that only one submission round is required. A formal resolution is required by the Reserves Act to enable this to occur.
5. Consultation with Te Ātiawa has been scheduled and will be reported on at the Council meeting. There will be a need to add to **Attachment 6.1** on the outcome of consultation. In addition, all of those who previously submitted on the Plan will be informed of the proposed change to the Plan.
6. It is proposed that notification will occur on 16 August 2022 with a four-week submission period closing on 13 September 2022.

### Attachment

Attachment 6.1: Proposed Amendment to Victoria Domain Reserves Management Plan

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Author	Jamie Lyall, Property and Community Facilities Manager
Authoriser	Mark Wheeler, Chief Executive

## Proposed Amendment to Victoria Domain Reserves Management Plan

### Introduction

1. In June 2021, the Marlborough District Council (Council) adopted the new Victoria Domain Reserves Management Plan (Plan) after a comprehensive public consultation process. The Plan deals with several different parcels of land, including Victoria Domain, Endeavour Park, Shelly Beach, Bobs Bay and Memorial Park. The total land area is approximately 222 hectares.
2. Memorial Park is primarily used for informal recreational use and includes an area of flat green space of approximately 1.6 hectares. Memorial Park is located 100 metres from the Picton Marina launching ramp.
3. In the past users of the Picton Marina boat ramp facility have parked their vehicles and boat trailers on Memorial Park when Port Marlborough New Zealand Limited (Port Marlborough) parking facilities were fully occupied. During these times, the parking has been undertaken in an ad-hoc and uncontrolled manner.
4. The new Plan allocated an area within Memorial Park for temporary parking and this is shown in Appendix 5 of the Plan (see Attachment 1 of this document). This use of this area for temporary parking is enabled specifically through Policy 6.2.10 of the Plan.
5. During the 2021-2022 Christmas period the demand for vehicle and trailer parking exceeded the available parking area causing impacts on the surrounding area. A high number of vehicles and trailers were parked on public streets, across footpaths and close to intersections near the Picton Marina boat launching ramp.
6. 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.

### Interim solution

7. 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.
8. The proposed solution was to:
  - Increase the vehicle and trailer parking area available on Memorial Park.
  - Line-mark the proposed parking area (with chalk paint) so that ad-hoc parking was discouraged.
  - Proactively manage and administer vehicle and trailer parking so that the most efficient use of the available space was achieved.
9. The above solution was put in place for the Easter period and was successful in catering for all of the parking demand over the Easter period. Favourable feedback of the improved management of this situation/area was received by both Port Marlborough and the Council over this time.
10. This solution was viewed as a potential remedy for the future to avoid the traffic safety matters that arose in the peak of last summer season around the Picton Marina and as a consequence, a change would be required to the Plan to provide for this. Despite the Plan only being adopted last year, Section 41 (4) of the Reserves Act 1977 provides for management plans to be kept under continuous review, so that it is responsive to changing circumstances or increased knowledge. In this case increased use of marina facilities for boating has resulted in an increased demand for related parking.

## Proposed change to the Plan

11. For this option to be an ongoing solution the following change is proposed to the Plan:

- Amend Appendix 5 to increase the area of green space available for temporary parking as shown in Appendix 2 to this document.

## Assessment of Provisions of the Plan

12. An assessment of the proposed change against provisions of the Plan follows. Because the proposed change to the Plan involves an extension to the area already available for parking, the assessment only considers the effects of the additional space to be made available. In addition, while Port Marlborough is the main user of the temporary parking area for parking associated with operation of Picton Marina and is the reason why a change is being proposed, the use of the temporary parking area is not limited to them. For example, the Park is also used for parking associated with boating regattas including Waka ama that occur from Shelly Beach.
13. Objective 3.2 requires that “*Free and open access to the Reserves is generally provided*” and 3.6(d) enables access to be restricted if an event or activity requires access to be restricted. In addition, Policy 6.2.10 specifically provides for the use of Memorial Park for temporary parking so this is not a new activity to Memorial Park.
14. The proposed change to Appendix 5 does not conflict with these provisions of the Plan. What is proposed is that a larger area of space can be used for temporary parking.
15. There is already public access for biking and walking on the northern side of Memorial Park along the Marina to Marina Track. To provide for public access around the southern side of the Park, a 5 metre clear space around the south-side perimeter adjacent to the Hampden Street Stream will ensure that walking and biking access is not obstructed. This will mean direct access is available for recreational activities on the remaining green space at Memorial Park. Provision for this accessway is shown in Appendix 2.
16. While the whole of Memorial Park will not be available for recreational use all of the time, the public will still be able to access parts of the Park and access will remain available around the north and south sides. In addition, when the Park is used for other events (often associated with boating activities such as regattas) public access is restricted during these times.
17. There are specific policies applicable to Memorial Park in the current Plan from 3.27 to 3.30. Both 3.27 and 3.30 are relevant to this proposed change. These policies state:
- 3.27      *Maintain Memorial Park largely as an area of green open space for informal recreational use.*
- 3.30      *Prohibit vehicles on the grassed open space areas unless for:*
- (a) maintenance activities;*
  - (b) environmental enhancement;*
  - (c) authorised activities or events; or*
  - (d) through occupation agreements*
18. With regard to 3.27 the proposed extension of the parking area does not change the intent of the policy – the area is still maintained as an area of green open space and no built facilities or hardstand areas are proposed.
19. For Policy 3.30 vehicles are prohibited on the grassed surface of the park unless in the circumstances prescribed. The use of the Park by Port Marlborough is to be the subject of an occupation agreement as provided for by the policy. This will ensure that use of Memorial Park as intended by the Plan also meets the requirements of the Reserves Act 1977. (This approach is further supported by Objective 6.6.1 and Policy 6.6.2.)

20. Objective 6.4.1 seeks to ensure that “*Activities do not adversely affect recreational use and enjoyment of the Reserves or on cultural matters, ecological health or amenity values.*”. A supporting policy (6.4.5) requires consideration of a number of matters in allowing an activity within the Plan area as follows:

	Criteria	Assessment
(a)	Whether the proposed use is consistent with the primary recreation purpose of the Reserves.	The proposed use is considered consistent with the primary recreation purpose of the Memorial Park in that the parking is associated with recreational activity and already occurs on part of the Park.
(b)	Does the proposed use impact on the use or enjoyment of the Reserves by other users.	The proposed extension of area in Appendix 1 for parking will impact on the use or enjoyment of Memorial Park for other users to some extent. However, establishing more effective and efficient management of the area as occurred through Easter of 2022 will help to ensure any impacts are minimised. In addition, the occupation agreement to be entered into with Port Marlborough will establish the circumstances and the way use of the temporary parking area can occur.
(c)	Whether the proposal will enhance public benefit and enjoyment.	There will be some loss of public benefit and enjoyment of Memorial Park with a larger area being used for parking. However, this is offset to some extent by the public benefit gained by not having large number of vehicles and boat trailers using roadside parking, which caused traffic safety problems over the last summer period.
(d)	Is there a demonstrated demand for the proposal and will it duplicate other facilities in the vicinity.	There has been a demonstrated need for temporary parking on Memorial Park with an apparent increase in boating activity. There are no facilities in the vicinity that would be duplicated by the proposed increase in space for parking on Memorial Park.
(e)	Whether public access is restricted or may otherwise be affected by the proposal.	There may be some restrictions from time to time on public access around and through the Park when it is being used for parking. However, as indicated earlier in this assessment access on the northern is not affected by this proposal while on the southern side of the Park an accessway free from vehicles is to be maintained – see Appendix 2.
(f)	Does the proposal adversely affect cultural matters, ecological values or amenity values.	It is not considered there will be any adverse effect on ecological values, given the area is grassed and no change to that is proposed.  Amenity values may be affected for some in the community including nearby residents, although the extended area for parking is not considered to further detract significantly from what is already provided for by the Plan.
(g)	Whether there will be a visual or audible intrusion in the Reserves environment that may detract from amenity values.	Similar comments as for (f) apply to this criterion. In terms of audible intrusion, the additional noise from vehicles arriving and leaving is not considered to be significantly greater than is already provided for by the Plan.

(h)	There will be no increased cost to the Council for maintenance unless approved by the Council.	There may be some minor increased costs for maintenance after temporary parking activity ceases, however this is not considered to be significant.
(i)	The proposal can be accommodated in terms of access, parking, services, support facilities and future expansion, if considered likely.	The proposed expansion of the temporary parking area will be accommodated with no change to access points, services or support facilities. Future expansion of the temporary parking on Memorial Park is not considered appropriate to ensure there is always space available for informal recreational activities.
(j)	Whether alternative locations for the proposal have been investigated.	There are no other large open areas near Picton Marina able to be used for the parking of those using the marina launching ramp. However, Port Marlborough are investigating the option for longer term parking on land towards the rear of Waikawa Marina. While this is several kilometres away, it is not uncommon for all parking associated with an activity not to be located immediately on site e.g. airport car parks.

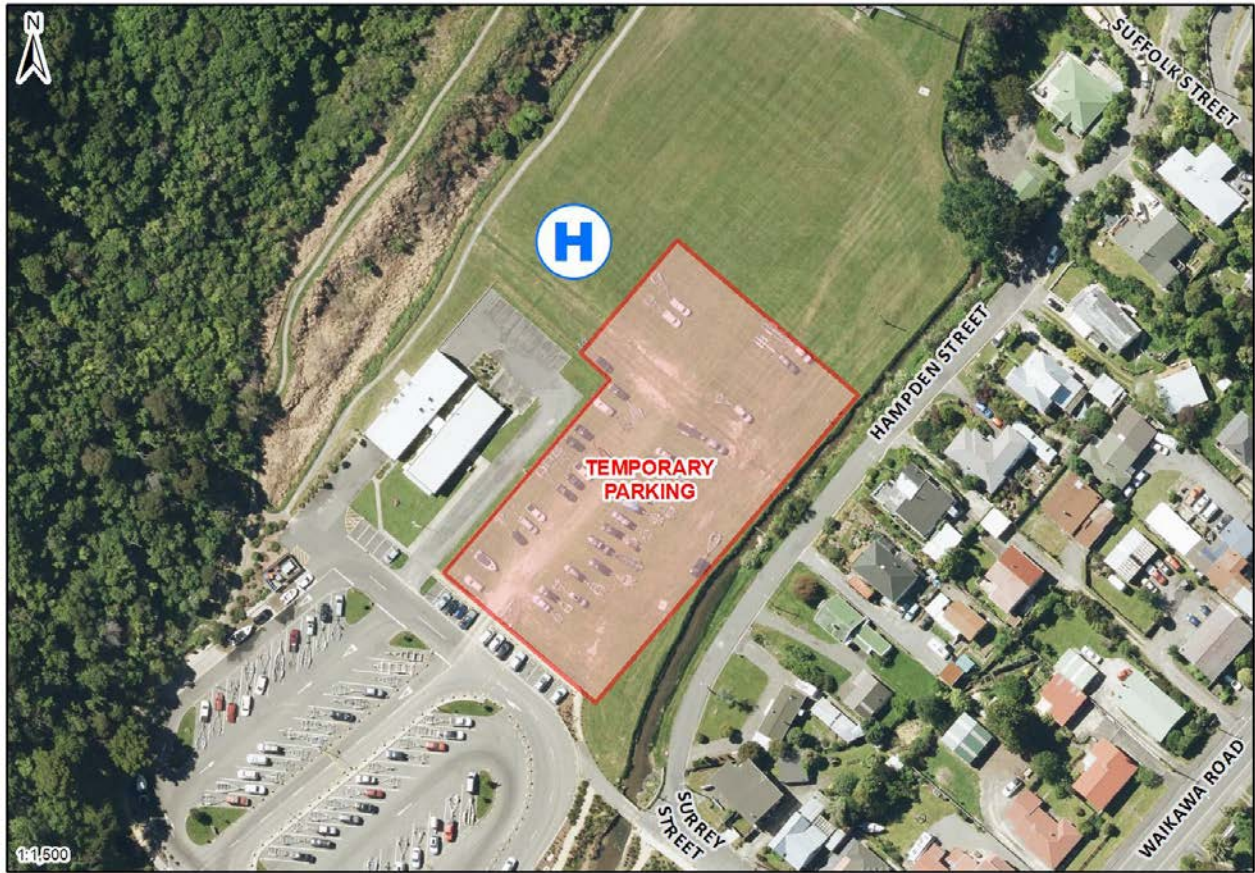
21. During the review process undertaken for the current Plan there were both supporting and opposing submissions to the use of Memorial Park for parking activity. The decision to include Appendix 5 and supporting policies recognised the use of the Park for temporary parking as an appropriate activity.
22. The proposed change will increase the extent of area able to be used by approximately 40%. Over half of Memorial Parks open space area will still be available for informal recreation on the Park when the temporary parking area is occupied. Overall the Council considers after completing the review for use of Memorial Park, that the proposed change in paragraph 11 of this document is consistent with the provisions of the Plan.

### Other matters

23. While Section 41 of the Reserves Act normally requires a two round submission process, in circumstances where a comprehensive review is not being undertaken there is some flexibility in the process. Section 41(5A) of the Act enables the Council to not undertake the first submission round if it considers that written suggestions would not materially assist in preparing changes to the plan. This is a very singular issue with only one change to the Plan proposed. Additionally there is already awareness of the issue within the community. Therefore the Council has resolved to only have one round of submissions for this process.
24. All of those that submitted to the Draft Victoria Domain Reserves Management Plan will be informed of the proposed change and advised they can make a submission to this proposed change.



Appendix 1 – Appendix 5 from current Victoria Domain Reserves Management Plan





Appendix 2 – Proposed change to Appendix 5 of Victoria Domain Reserves Management Plan



## 7. Amendment to Building Act 2004 Instrument of Delegation (also refer to Attachment 7.1 and Attachment 7.2)

(Clr Sowman) (Report prepared by R Foitzik)

L150-003-01

### Purpose

1. To approve the amended Building Act 2004 Instrument of Delegation (attached as Attachment 7.1).

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### RECOMMENDATIONS

1. That the Council decides to assume the delegated responsibilities and duties of the Environment Committee in respect of 'Building Control' matters.
2. That the Council approves the amended Instrument of Delegation to clear the non-compliance as notified by IANZ.
3. That the previous Building Act 2004 Instrument of Delegation dated 15 November 2018 is revoked and replaced with the amended Building Act Instrument of Delegations dated 3 August 2022 with effect of 11 August 2022 (attached as Attachment 7.1).
4. That the Council, after having made the decisions under 1- 3 above, confirms the delegations to the Environment Committee as set out in Minute No. Cncl-1019-129 (attached as Attachment 7.2).

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### Context

2. The Council performs the functions of a Building Consent Authority ("BCA") for its district under the Building Act 2004 ("the Act") and is registered under the Act.
3. MBIE requires Council to maintain a BCA accreditation under the Building (Accreditation of Building Consent Authorities) Regulations 2006 ("Regulations") and has appointed IANZ to undertake those accreditations each year. The scope of the accreditation covers all of Council's statutory obligations as a registered BCA under the Act.
4. The last audit by IANZ took place in May 2022 and found a breach of general non-compliance that the Council's building consent team Instrument of Delegation ("the Instrument of Delegation") did not include sections 104, 165 and 166 as the defined building control functions under section 3 of the Regulations.
5. Pursuant to s232 of the Act, Sch7 cl32 Local Government Act 2002 applies in respect of all powers conferred by the Act on Council, meaning that Council may delegate the powers under the Act to (among others) a committee or member or officer of the Council.
6. IANZ requires Council to review and amend the Instrument of Delegation by 19 August 2022.
7. At the first meeting of the Council following the 2019 Triennial General Elections, the Mayor established the Environment Committee and set out its responsibilities to include all matters relating to 'building control' (Minute No.Cncl-1019-129 refers [attached as Attachment 7.2]).
8. The next meeting of the Environment Committee is scheduled for 1 September 2022.
9. Although the Delegation for amending the Instrument of Delegation has been delegated to the Environment Committee, the Council remains legally responsible for the performance or exercise of the any such delegated functions or powers (LGA 2002, Sch7, cl32(7)).
10. The Council can therefore assume any of the delegated responsibilities and duties itself if Council decides it is appropriate to do so.
11. In order to clear the non-compliance from IANZ and to maintain Council's BCA accreditation, the Instrument of Delegation has to be amended by 19 August 2022. A decision by Council on 11 August 2022 to approve the amended Instrument of Delegation is the only option to ensure compliance with the IANZ audit and to ensure Council maintains its BCA accreditation.

**Attachment**

Attachment 7.1: Amended Building Act 2004 Instrument of Delegations dated 3 August 2022

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Attachment 7.2: Minute No. Cncl-1019-129

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Author	Robert Foitzik, General Counsel
Authoriser	Mark Wheeler, Chief Executive

**Building Act Instrument of Delegations dated 3 August 2022**

<b>BUILDING ACT 2004</b>	
<b>Section</b>	<b>Delegated to</b>
<b>Section 19</b> Accept matters listed in section 19 as establishing compliance with the building code	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 28</b> Duty to uphold ban under section 26	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 33</b> Power to determine information required for an application for a project information memorandum (PIM)	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer PIM Information Officer
<b>Section 34</b> Duty to issue a PIM within 20 working days or 10 working days of receipt of further information Power to reissue a PIM if circumstances in section 34(4) apply	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer PIM Information Officer
<b>Section 35</b> Power to determine the content of a PIM under (e) and (f)	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer PIM Information Officer
<b>Section 36</b> Power to determine that a development contribution is payable Power to issue development contribution notice	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer PIM Information Officer

BUILDING ACT 2004	
Section	Delegated to
<b>Section 37</b> Duty to attach and issue certificates regarding resource consent to PIM	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer PIM Information Officer
<b>Section 38</b> Duty to provide a copy of a PIM to a network utility operator or statutory authority	Consents and Compliance Group Manager Building Control Group Manager PIM Information Officer
<b>Section 39</b> Duty to advise Heritage New Zealand Pouhere Taonga in certain circumstances	Consents and Compliance Group Manager Building Control Group Manager PIM Information Officer
<b>Section 41, 42A &amp; 43</b> Power to determine that a building consent is not required	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 45 &amp; 45A</b> Power to determine information required in an application for a building consent Power to refuse to accept a building consent application because it does not contain the information required Power to grant or refuse a minor variation Duty to record minor variations in writing	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Support Officer
<b>Section 46</b> Duty to provide copies of applications to the Fire & Emergency NZ as required	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer



BUILDING ACT 2004	
Section	Delegated to
<b>Section 47</b> Power to proceed to determine application without Fire & Emergency NZ memorandum	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 48</b> Duty to grant or refuse application for building consent within the time limits specified Power to request further information	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 49</b> Duty to grant building consent in certain circumstances Power to refuse to grant consent until fees, charges and levies paid	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 50</b> Power to refuse to grant building consent Duty to give notice and reasons if refusal to grant building consent	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 51</b> Power to issue building consent Duty to provide information	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Administration Officer
<b>Section 52</b> Power to extend the lapse period of a consent	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer

<b>BUILDING ACT 2004</b>	
<b>Section</b>	<b>Delegated to</b>
<b>Section 53</b> Duty to collect and pay Crown levy	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Administration Officer
<b>Section 54</b> Duty to advise applicants the amount of Crown levy for which they are liable	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Administration Officer
<b>Section 58 &amp; 59</b> Duty to pay Crown levy to MBIE chief executive and issue certificate	Consents and Compliance Group Manager Building Control Group Manager Building Control Administration Officer
<b>Section 60</b> Power to retain part of levy	Consents and Compliance Group Manager Building Control Group Manager Building Control Administration Officer
<b>Section 62</b> Power to recover unpaid Crown levy	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Administration Officer
<b>Section 63</b> Duty to provide information on levies when required by chief executive of MBIE	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Administration Officer
<b>Section 64</b> Duty to keep in safe custody all records and building consents issued including the estimated value of the building work  Duty to make information available to chief executive of MBIE	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Administration Officer



BUILDING ACT 2004	
Section	Delegated to
<b>Section 67</b> Power to grant a building consent subject to waiver or modification of the building code Power to impose conditions on the waiver or modification	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Section 67A</b> Power to grant a waiver or modification of requirement for residential pools to have means of restricting access by unsupervised children	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Section 68</b> Duty to notify MBIE if a consent is granted subject to waiver or modification of the building code	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Section 70</b> Duty to refer applications for energy work involving waiver or modification of building code to chief executive of MBIE to determine	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Section 71</b> Duty to refuse to grant building consent in relation to land subject to natural hazards Power to determine matters in subs(2)	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 72</b> Duty to grant building consent on land subject to natural hazards in certain cases	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 73</b> Duty to place certain conditions on consents granted under section 72 Duty to notify parties as provided in section 73	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer

BUILDING ACT 2004	
Section	Delegated to
<b>Section 74</b> Duty to notify where a previous entry against the CT is no longer required	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Section 75</b> Duty to include condition in building consent when building on two or more allotments	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 75</b> Duty to provide issue certificate relating to construction of building on 2 or more allotments	Consents and Compliance Group Manager Building Control Group Manager PIM Information Officer
<b>Section 76</b> Power to determine that section 75 does not apply	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 77</b> Duty not to issue building consent until certificate issued Issue certificate Duty to note condition on building consent Duty to lodge copy with Registrar-General of Land	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Section 77</b> Duty to authenticate a section 75 certificate	District Secretary Solicitor
<b>Section 83</b> Power to decide an application to remove an entry on certificate of title Issue certificate approving removal of the entry Duty to lodge certificate with Registrar-General of Land	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer

BUILDING ACT 2004	
Section	Delegated to
<b>Section 83</b> Duty to authenticate certificate	District Secretary Solicitor
<b>Section 90</b> Power to inspect any land and building work and building and enter any premises for the purpose of inspection	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 91</b> Power to issue a code compliance certificate	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 93</b> Duty to decide whether to issue a code compliance certificate within the time specified  Power to agree with owner time within which to issue CCC  Power to require further reasonable information	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 94 &amp; 95</b> Duty to issue or refuse to grant a CCC	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 95A</b> Duty to give notice and reasons if request to issue CCC refused	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 96</b> Power to grant or refuse to grant a certificate of acceptance	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer

BUILDING ACT 2004	
Section	Delegated to
<b>Section 97</b> Power to determine information required to be provided with an application for a COA	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Support Officer
<b>Section 98</b> Duty to grant or refuse to grant application for COA within time limits Power to require further reasonable information	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 99</b> Power to issue a COA Power to qualify COA if only parts of building work able to be inspected	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Administration Officer
<b>Section 99AA</b> Duty to notify and give reasons if COA granted but certificate withheld	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 99A</b> Duty to notify and give reasons if application to grant COA refused	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 102</b> Duty to issue a compliance schedule with CCC if required	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer

BUILDING ACT 2004	
Section	Delegated to
<b>Section 104</b> Duty to provide a copy of a compliance schedule issued under s102 to the territorial authority in whose district the building is situated.	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 104A</b> Duty to provide copy of compliance statement	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 105</b> Duty to issue statement in prescribed form Power to agreed where compliance schedule is to be kept	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 106</b> Duty to decide whether to amend a compliance schedule on application by the owner Power to require further information Duty to notify owner of decision and attach amended schedule or give reasons for refusal to amend	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 107</b> Power to decide to amend compliance schedule on own initiative Duty to notify owner, seek and consider submissions of owner Duty to notify owner of decision and attach amended schedule	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer

BUILDING ACT 2004	
Section	Delegated to
<b>Section 109</b> Duty to consider recommendation of independently qualified person to amend compliance schedule Duty to notify owner, seek and consider submissions of owner Decide whether to accept or refuse recommendation Duty to notify owner of decision and attach amended schedule	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 110</b> Power to require owner to provide copy of annual report	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 111</b> Power to inspect buildings for which a compliance schedule is issued and the specified systems in the building	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Compliance Officer
<b>Section 112</b> Duty to refuse consent to alteration of existing buildings in certain circumstances Power to allow the alteration of an existing building in certain circumstances	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 113</b> Duty not to grant consent unless conditions in s113 imposed in relation to buildings with specified intended lives	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer

BUILDING ACT 2004	
Section	Delegated to
<b>Section 115</b> Power to approve the change of use of buildings and duty to give written notice	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Administration Officer
<b>Section 116</b> Power to give or refuse to give written consent to extension of life of building	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 116A</b> Duty not to issue s224(f) RMA certificate in certain circumstances	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 121</b> Power to seek advice from Fire & Emergency NZ whether a building is dangerous and duty to have regard to the advice	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 123A</b> Power to determine that only part of a building is dangerous and exercise powers under Act in relation to that part only	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 124, 125 &amp; 127</b> Power to determine a building is dangerous, affected or insanitary Power to put up a hoarding or fence, attach a notice to a building and issue written notices	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Senior Building Compliance Officer



<b>BUILDING ACT 2004</b>	
<b>Section</b>	<b>Delegated to</b>
<b>Section 126 &amp; 127</b> Power to apply to District Court for an order authorising building work Duty to give written notice of intention to apply to the Court Power to carry out building work under authority of the Court order Power to recover the costs of the building work	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer
<b>Section 129</b> Power to issue warrant relating to insanitary building and undertake immediate action Power to recover the costs of the measures taken and register charge against the land	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer
<b>Section 130</b> Duty to apply to District Court for confirmation of a warrant issued under section 129	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer
<b>Section 133AG</b> Duty to identify building that is potentially earthquake prone within applicable time frame Duty to report to MBIE chief executive on progress	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 133AH</b> Duty to ask owner for engineering assessment	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 133AI</b> Power to cancel request for engineering assessment if building incorrectly identified as potentially earthquake prone and give notice Duty to proceed if owner refuses or fails to provide engineering assessment Power to obtain engineering assessment and recover costs	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA



<b>BUILDING ACT 2004</b>	
<b>Section</b>	<b>Delegated to</b>
<b>Section 133AJ</b> Duty to grant or refuse to grant extension of time for obtaining engineering assessment	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 133AK</b> Duty to determine whether building is earthquake prone and notify owner Power to determine earthquake rating of building Duty to issue EPB notice and record details in EPB register Duty to proceed if owner refuses or fails to provide engineering assessment	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 133AL</b> Duty to issue EPB notice in certain circumstances and provide copy of notice to specified persons	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 133AN</b> Duty to grant or refuse to grant exemption from requirement to carry out seismic work Duty to notify owner Power to review exemption Power to revoke exemption, reissue EPB notice and record details	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 133AO</b> Duty to grant or refuse to grant extension of time for heritage buildings Power to extend time by giving notice Power to revoke extension, reissue EPB notice and record details	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA

BUILDING ACT 2004	
Section	Delegated to
<b>Section 133AP</b> Duty to attach, or require owner to attach, notice to building Duty to remove, or authorise owner to remove, superseded notice or exemption Duty to issue replacement notice if notice no longer attached to building	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 133AQ</b> Duty to assess whether building is earthquake prone, and rating, where satisfied building not earthquake prone If building determined not to be earthquake prone, duty to notify owner of decision, remove building from EPB register, and remove, or authorise owner to remove, notice from building If building determined to be earthquake prone, duty to notify owner of decision, issue or reissue notice, and record details in register	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 133AR</b> If building determined to be earthquake prone, power to issue notice restricting entry to building, put up hoarding and attach notice to building	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 133AS</b> Power to apply to District Court for order authorizing carrying out of seismic work Duty to give owner notice of intention to apply to Court Power to undertake works under the order Power to recover costs and register a charge against the land	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 133AT</b> Duty not to grant building consent for alteration of building in certain circumstances Power to issue notice specifying provisions of building code and allow alteration	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA

<b>BUILDING ACT 2004</b>	
<b>Section</b>	<b>Delegated to</b>
<b>Section 133AY</b> If definition of ultimate capacity or moderate earthquake amended, duty to consider whether decisions on earthquake prone building should be reassessed and remake the decision	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer Building Control Officer - TA
<b>Section 134, 134A</b> Power to give notice requiring owner to classify referable dam	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Section 136</b> Power to approve or refuse to approve classification of dam Duty to give written notice of approval or refusal	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Senior Building Compliance Officer
<b>Section 138</b> Duty to direct owner to have classification audited if classification approval refused under section 136 Power to determine time within which owner must submit re-audited classification	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Senior Building Compliance Officer
<b>Section 143</b> Power to approve or refuse to approve dam safety assurance program Duty to give written notice of approval or refusal	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Senior Building Compliance Officer
<b>Section 145</b> Duty to direct dam owner to have dam safety assurance program audited Power to determine time within which owner must submit re-audited program	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Senior Building Compliance Officer

BUILDING ACT 2004	
Section	Delegated to
<b>Section 146</b> Power to request review of dam safety assurance program if dam is earthquake-prone or flood-prone	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer
<b>Section 148</b> Power to agree with owner on place that dam safety assurance program must be kept	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Senior Building Compliance Officer
<b>Section 151</b> Duty to establish and maintain a register of dams	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer
<b>Section 152</b> Duty to provide information to chief executive	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer
<b>Section 154 &amp; 155</b> Power to take the actions specified in section 154 if satisfied dam is dangerous	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Senior Building Compliance Officer
<b>Section 156</b> Power to apply to District Court to carry out building work on dam  Duty to give notice to owner of intention to apply to Court  Power to recover costs and register a charge against the land	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer

BUILDING ACT 2004	
Section	Delegated to
<b>Section 157</b> Power to issue warrant and undertake works Power to recover costs and register a charge against the land	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer
<b>Section 158</b> Duty to apply to District Court for confirmation of warrant	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer
<b>Section 162D</b> Duty to undertake periodic inspections of residential pools Power to accept certificate of independently qualified pool inspector in lieu of inspection Duty to give notice to Chief Executive if certificate not accepted	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Section 164, section 165 and s166</b> Power to issue notice to fix	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Compliance Officer
<b>Section 167</b> Duty to inspect work done under a notice to fix (if NTF required notification) Duty to give written notice that work complies or does not comply with NTF. If refusal to confirm compliance, duty to give reasons and issue a new NTF	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Compliance Officer
<b>Section 177</b> Power to apply to chief executive of MBIE for a determination	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer Building Control Officer/TA

BUILDING ACT 2004	
Section	Delegated to
<b>Section 180</b> Power to withdraw an application for a determination	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer Building Control Officer/TA
<b>Section 182</b> Power to commence proceedings	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer Building Control Officer/TA
<b>Section 185</b> Power to agree time for chief executive to make determination	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer Building Control Officer/TA
<b>Section 189</b> Power to apply to the chief executive for clarification of a determination	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer Building Control Officer/TA
<b>Section 190</b> Power to enforce a direction as to costs	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer Building Control Officer/TA
<b>Section 191 &amp; 194</b> Power to apply for registration as a building consent authority	Consents and Compliance Group Manager Building Control Group Manager



<b>BUILDING ACT 2004</b>	
<b>Section</b>	<b>Delegated to</b>
<b>Section 193</b> Power to perform the functions of a building consent authority	Consents and Compliance Group Manager Building Control Group Manager
<b>Section 202</b> Power to make submission on complaint	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 204 &amp; 207A</b> Duty to provide information and answer questions of chief executive of MBIE	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 208 &amp; 209</b> Power to appeal determination to District Court	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer
<b>Section 210</b> Duty to serve notice Power to give notice of intention to appear	Consents and Compliance Group Manager Building Control Group Manager Senior Building Compliance Officer
<b>Section 212</b> Duty to act as building consent authority for district Duty to provide building consent applications to Fire & Emergency NZ	Consents and Compliance Group Manager Building Control Group Manager
<b>Section 215</b> Duty to obtain and maintain accreditation and be registered	Consents and Compliance Group Manager Building Control Group Manager
<b>Section 216</b> Duty to keep all records relevant to the administration of the Building Act	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Senior Building Compliance Officer

BUILDING ACT 2004	
Section	Delegated to
<b>Section 217</b> Duty to provide access to information to the public including making photocopying facilities Power to charge fee	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Administration Officer Senior Building Compliance Officer
<b>Section 218</b> Duty to provide information to chief executive of MBIE	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Administration Officer Senior Building Compliance Officer
<b>Section 219</b> Power to impose fees and charges as provided by Council Duty to collect the Crown levy Power to refuse service where the fees or charges are not paid This does not include the power to set fees	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 220</b> Power to apply to District Court to carry out building work Duty to give notice to owner before applying to Court Power to recover costs and register a charge against the land	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer
<b>Section 221</b> Power to destroy sell or dispose of materials Duty to apply proceeds of sale to amount owing by owner Power to recover costs and register a charge against the land	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer



BUILDING ACT 2004	
Section	Delegated to
<b>Section 241</b> Duty to gain and maintain accreditation and be registered as building consent authority in relation to dams	Consents and Compliance Group Manager Building Control Group Manager
<b>Section 242</b> Duty to supply information to chief executive of MBIE	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Administration Officer Senior Building Compliance Officer
<b>Section 243</b> Power to impose fees and charges as provided by Council Power to collect Crown levy Power to refuse service where the fees or charges are not paid This does not include the power to set fees	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Administration Officer Senior Building Compliance Officer
<b>Section 249A</b> Duty to pay fee for audit to building consent accreditation body	Consents and Compliance Group Manager Building Control Group Manager
<b>Section 250</b> Power to apply for accreditation, and pay prescribed fee	Consents and Compliance Group Manager Building Control Group Manager
<b>Section 275A</b> Duty to enter information into EPB register	Consents and Compliance Group Manager Building Control Group Manager Building Consent Officer-TA Senior Building Compliance Officer
<b>Section 276</b> Power to make submissions on review	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer

<b>BUILDING ACT 2004</b>	
<b>Section</b>	<b>Delegated to</b>
<b>Section 281A, 281B, &amp; 281C</b> Powers relating to fees and charges	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Senior Building Compliance Officer
<b>Section 315 &amp; 322</b> Power to make a complaint about a licensed building practitioner, provide information, attend a hearing and give evidence	Consents and Compliance Group Manager Building Control Group Manager
<b>Section 363A</b> Power to issue certificate of public use and to determine conditions of certificate  Power to agree time within which to issue certificate Power to require reasonable further information	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Administration Officer
<b>Section 371B</b> Power to authorise officers to issue infringement notices	Consents and Compliance Group Manager Building Control Group Manager
<b>Section 377</b> Power to file a charging document (after approval has been given by the Prosecution and Enforcement Committee)	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Section 381 &amp; 384</b> Power to apply to District Court for an injunction and an interim injunction	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Clause 2 Schedule 1</b> Power to exempt work from requirement for a building consent	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer

<b>BUILDING (ACCREDITATION OF BUILDING CONSENT AUTHORITIES) REGULATIONS 2006</b>	
<b>Regulation</b>	<b>Delegated to</b>
<b>Regulations 4</b> Duty to meet standards and criteria in regulations 5 to 18	Consents and Compliance Group Manager Building Control Group Manager
<b>Regulation 6</b> Duty to keep certain records	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Regulation 6A</b> Duty to have system of notifying accreditation body and Ministry of certain matters	Consents and Compliance Group Manager Building Control Group Manager
<b>Regulation 7</b> Duty to put in place policies and procedures	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Regulation 8</b> Duty to put in place systems to ensure building consent authority has enough employees and contractors to perform its building control functions	Consents and Compliance Group Manager Building Control Group Manager
<b>Regulation 9</b> Duty to put in place system for allocating work to competent employees or contractors	Consents and Compliance Group Manager Building Control Group Manager
<b>Regulation 10</b> Duties in relation to establishing and assessing competence of employees	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Regulation 11</b> Duties in relation to training employees	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer

BUILDING (ACCREDITATION OF BUILDING CONSENT AUTHORITIES) REGULATIONS 2006	
Regulation	Delegated to
<b>Regulation 12</b> Duty to put in place a system for choosing and using contractors	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Regulation 13</b> Duties in relation to ensuring technical leadership	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Regulation 14</b> Duties in relation to ensuring necessary resources	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Regulation 15</b> Duties in relation to keeping organisational records	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Administration Officer
<b>Regulation 16</b> Duty to put in place a system for the filing of applications for building consents	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer Building Control Administration Officer
<b>Regulation 17</b> Duties in relation to assessing quality of performance	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer
<b>Regulation 18</b> Duty to put in place a system requiring correct technical qualifications	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer

AMUSEMENT DEVICES REGULATIONS 1978	
Regulation	Delegated to
<b>Regulation 11</b> Duty to inspect device and site before permit issued Power to issue permit and charge fee	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Regulation 13</b> Power to cancel permit and notify Inspector	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Regulation 18</b> Power to make inquiries into an accident involving an amusement device	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Regulation 19</b> Power to make inquiries into an incident involving an amusement device	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Regulation 23</b> Power of entry onto property, inspection of machinery and access to and examination and copying of documents	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer Building Control Officer
<b>Section 91</b> Power to give consent to Council employee to be appointed as an investigator under the Act	Consents and Compliance Group Manager Building Control Group Manager

PLUMBERS, GASFITTERS, AND DRAINLAYERS ACT 2006	
Section	Delegated to
<b>Section 15 &amp; 16</b> Provide advice to Minister when consulted on exemptions	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer

BUILDING REGULATIONS 1992—SCHEDULE 1-BUILDING CODE	
Regulation	Delegated to
Power to approve matters set out in the Code	Consents and Compliance Group Manager Building Control Group Manager Senior Building Control Officer



**Cncl-1019-129 Committee Structure****D050-003-04**

Section 41A of the Local Government Act 2002 (the Act) states that the Mayor has the power to establish committees of Council. It further states that the Mayor has the power to appoint the chairperson of each committee and that this may be made before the other members of the committee are determined, and may appoint himself.

**The Mayor/Clr Peters:**

**That the committee structure and associated chairpersons as set out hereunder be noted:**

**ASSETS AND SERVICES COMMITTEE**

This Committee is responsible for all infrastructure including roads; road safety (including walking and cycling strategies); parking; sewerage; water; stormwater; rivers and drainage; waste management (including recycling); reserves; halls; cemeteries; public conveniences; and civil defence and emergency management.

**Chair: Nadine Taylor**

**Civil Defence Emergency Management Group**

**(Statutory Committee)**

The delegation to act as this Group (formed in accordance with the Civil Defence and Emergency Management Act 2002) is given to the Assets and Services Committee. The Assets and Services Committee (acting as the Group) is responsible for overseeing the development, maintenance, monitoring and evaluation, and implementation of the Group Plan required by section 17(1)(i) of the Civil Defence and Emergency Management Act 2002.

**Chair: Nadine Taylor**

**Regional Transport Committee**

**(Statutory Committee)**

This Committee prepares for approval by Council the Regional Land Transport Plan [the Plan], or any variations to the Plan and provides Council with any advice and assistance in relation to its transport responsibilities. The Committee must adopt a policy that determines significance in respect of variations made to the Plan (under s18D of the Land Transport Management Act 2003 [the Act]) and the activities that are included in the Plan (under s16 of the Act). Membership of the Committee (refer s105 of the Act) is limited to four persons representing Council; and one person representing the New Zealand Transport Agency.

**Chair: Francis Maher**

**PARKING SUB-COMMITTEE**

The focus of this Sub-Committee is Council's parking portfolio.

**Chair: Brian Dawson**

**PLANNING, FINANCE AND COMMUNITY COMMITTEE**

This Committee is responsible for the Marlborough Environment Plan; implementation of Growing Marlborough and 'Smart and Connected' Economic Development Strategies; CBD and Small Township Revitalisation programmes; Destination Marlborough; Picton Forum; Sounds Advisory Group; Long Term Plan; Annual Plan; Annual Report; audit issues; Council Subsidiaries; risk management; community and social issues; youth, elderly and access issues; culture and heritage; social policies (ie; gaming, local alcohol and psychoactive substances policies); grants and donations; sister cities; libraries; customer services; democratic process; general administration; health and safety; and property management.

**Chair: Mark Peters**

**AUDIT AND RISK SUB-COMMITTEE**

The focus of this Sub-Committee is to oversee the audit of Council's Annual Report and Annual/Long Term Plan and consider and report as necessary on the findings of any audit management report.

**Chair: Ian Marshall CA (Independent External Member)**

**COMMERCIAL EVENTS FUND SUB-COMMITTEE**

This Sub-Committee evaluates and approves the funding applications for the Commercial Events Fund.

**Chair: Michael Fitzpatrick**

**GRANTS SUB-COMMITTEE**

This Sub-Committee carries out Council's partnership with Creative New Zealand and SPARC (Sport and Recreation New Zealand) to ensure local arts funding and rural travel funding are available to the Marlborough area. The Sub-Committee has delegated authority for the allocation of funds under both schemes. In addition the Sub-Committee has delegated authority for consideration of Marlborough District Council Community Grants and Council's Arts and Heritage Grants, with recommendations being made to Council for consideration.

**Chair: Jenny Andrews**

**HOUSING FOR SENIORS SUB-COMMITTEE**

The focus of this Sub-Committee is Council's Housing for the Elderly portfolio.



**Chair: Cynthia Brooks**

**SISTER CITY SUB-COMMITTEE**

This Sub-Committee manages Council's Sister City activities and strives to involve greater community participation and sponsorship in the programme.

**Chair: Gerald Hope**

**SMALL TOWNSHIPS PROGRAMME SUB-COMMITTEE**

This Sub-Committee has delegated authority to develop criteria to assess project prioritisation using the Smart and Connected framework; approve all Small Township Fund projects; and monitor implementation of all Small Township Fund projects.

**Chair: Cynthia Brooks**

**TE AO MĀORI SUB-COMMITTEE**

The aim of this Sub-Committee is to improve Council's access to cultural advice and long-term partnerships with Māori, with its focus on:

- Increasing access to knowledge and education for Councillors and staff in Te Ao Māori and tikanga, iwi across Te Tau Ihu and Te Tiriti o Waitangi;
- Creating a visible Māori presence in Council buildings through artwork and bi-lingual signage;
- Developing opportunities to increase Council engagement with Te Tau Ihu iwi; and
- Development of a structure within Council to plan and manage this work.

**Chair: Mayor John Leggett**

**YOUTH SUB-COMMITTEE**

The focus of this Sub-Committee is issues related to youth in the community.

**Chair: Mayor John Leggett**

**ENVIRONMENT COMMITTEE**

This Committee is responsible for environmental science and monitoring; monitoring of consents; enforcement and prosecution policies; biosecurity; animal control; building control; resource consent processing; dangerous goods; fencing of swimming pools; food and health monitoring; and harbour management.

**Chair: Mayor John Leggett**

**ANIMAL CONTROL SUB-COMMITTEE**

This Sub-Committee has responsibility for animal control including administration and dealing with any right of objection to the Council in terms of the Dog Control Act 1996.

**Chair: Jamie Arbuckle**

**RESOURCE HEARING SUB-COMMITTEE**

This Committee makes decisions on applications for resource consents (each consent is heard by a committee made up of a chairperson and two members).

**Chair: David Oddie**

**District Licensing Committee**

**(Statutory Committee)**

This Committee considers and determines applications, pursuant to the Sale and Supply of Alcohol Act 2012 [the Act], for: licences and manager's certificates; renewals of licences and manager's certificates; temporary authorities to carry on the sale and supply of alcohol in accordance with s136 of the Act; the variation, suspension, or cancellation of special licences; the variation of licences (other than special licences) unless the application is brought under s280 of the Act; with the leave of the chairperson for the licensing authority, to refer applications to the licensing authority; and conduct inquiries and to make reports as may be required of it by the licensing authority under s175 of the Act. This Committee is also responsible for hearing and deciding on applications to Council's Gambling Venue Policy pursuant to the Gambling Act 2003.

**Chair: Mayor John Leggett**

**Marlborough Regional Forestry**

**(Joint Committee of MDC and Kaikoura DC)**

Council owns 88.62% of the forestry estate and KDC owns the remaining 11.38%. The primary aim of production forest management is to create a resource that will maximise utilisation and provide the best financial return from the predominantly radiata pine forests.

**Chair: Gerald Hope**

**Conduct Review Committee**

This Committee is established per the Code of Conduct. The Committee manages compliance with the Code of Conduct and with any statutory obligations.

**Chair: Independent (to be advised)**

**Note: The Mayor is a member of each Committee of Council (s41A(5) of the Local Government Act 2002)**

**Carried**

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

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

- Confirmation of Public Excluded Minutes
- Committee Reports (Public Excluded Sections)
- Partial Revocation Request
- Draft Bylaw Considerations

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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>
<b>Minutes and Committee Reports</b>	<b>As set out in the Minutes and Reports</b>	<b>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.</b>
<b>Partial Revocation Request</b> <b>Draft Bylaw Considerations</b>	<b>To enable the Council, as holder of the information, to carry on, without prejudice or disadvantage, negotiations as provided for under Section 7(2)(i).</b>	<b>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.</b>