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22 April 2022

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File Ref: D050-001-E01
Ask For: Nicole Chauval

Notice of Committee Meeting – Thursday 28 April 2022

A meeting of the Environment Committee will be held in the Council Chambers, 15 Seymour Street, Blenheim on Thursday, **28 April 2022 commencing at 9.00 am.**

BUSINESS

As per Agenda attached.

MARK WHEELER
CHIEF EXECUTIVE

Meeting of the ENVIRONMENT COMMITTEE
to be held in the Council Chambers, District Administration Building, Seymour Street,
on THURSDAY, 28 APRIL 2022 commencing at 9.00 am

Committee	Mayor J C Leggett (Chairperson) Clr D Oddie (Deputy) Clr G A Hope (Deputy) Clr J A Arbuckle Clr J D N Croad Clr B A Faulls Clr T P Sowman Iwi Representative (to be advised) Mr E R Beech (Rural representative)
Departmental Heads	Mr H Versteegh (Environmental Science and Policy Group Manager) and Ms G Ferguson (Consents and Compliance Group Manager)
Staff	Nicole Chauval (Committee Secretary)

In Public

Page

1. Apologies

An apology from Clr T P Sowman has been received.

2. Declaration of Interests

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

3. Tory Channel/Kura te Au Currents and Tides

(Clr Oddie) (Report prepared by Luke Grogan) **H100-001-01**

Purpose of Report

1. To demonstrate the significant advances made toward understanding the complexity of current flows in the Tory Channel Current/Kura te Au and Queen Charlotte Sound/Tōtaranui and provision of this data in real time to ships to support safe navigation.

2. The report draws attention to the MDC Tory Channel/Kura te Au Currents and Tides project as described in the attached paper '*Real time prediction of tidal and non-tidal flows to improve the navigational safety at the entrance to the Tory Channel' Peter McComb, David Johnson, Remy Zyngfogel, David Field and Luke Grogan.* (Refer Attachment 1)

3. The MDC Nautical and Coastal Manager presented this paper and its findings at the Australasian Coasts and Ports Conference in early April 2022. An abridged version of the Conference presentation will accompany this report.

RECOMMENDATION

That the information be received.

Background/Context

4. The Tory Channel/Kura te Au provides the most direct sea route from Queen Charlotte Sound/Tōtaranui to Cook Strait/Rau Kakakawa and has long been used by ferries, ships and other vessels transiting to and from Picton.

5. Tidal and current conditions in Tory Channel/Kura te Au are significant with currents up to 7 knots (13 km/h) having been confirmed in full flood conditions. These currents add complexity to the challenge of navigating safely in this narrow and winding channel.

6. That these currents pose to the safety of shipping is visible in the incident record. Specifically, in the last twenty years there have been at least five serious grounding or near grounding incidents at the Tory Channel/Kura te Au entrance involving a large ferry of another type of ship.

7. The most recent ship grounding was the grounding of the Cruise Ship Azamara Quest in January 2016. The subsequent Transport Accident Investigation Commission report pointed to navigators having a low level of understanding of tidal conditions in the channel.

8. Risk assessments of Tory Channel/Kura te Au have identified that published current and tide predictions do not always align with what is experienced on site. This means that mariners cannot be certain of the conditions that will be experienced until they have entered the channel.

9. Scientific analysis has revealed why uncertainty as to the expected tidal flows exists. Specifically, current flows in the channel are dominated by a tidal signal, which can be predicted with high accuracy, but there is often a non-tidal component present too, which significantly modulates the timing of the tidal flow reversals and the strength of the ebb and flood phases.

10. The MDC Nautical and Coastal team have established a novel solution to provide real-time guidance on the flow conditions at the entrance. The underlying concept is based on quantifying the water level gradients within Tory Channel/Kura te Au, which is the key driver for its flows. By blending high-resolution hydrodynamical model simulations and real-time water level observations, a hybrid system to nowcast and short-range forecast (1-3 hours) the currents at any location in the Channel has been implemented.

11. In addition to providing necessary and real time insights into Tory Channel/Kura te Au Currents the solution can also enable a detailed modelling of currents and tides at any selected location within the entirety of Queen Charlotte Sound/Tōtaranui. Hence it will serve to have value an application that extends beyond navigation safety matters.

12. The 'as built' solution described here was only possible on account of the detailed bathymetric data collected during the HS51 multibeam survey of Queen Charlotte Sound/Tōtaranui undertaken in 2016/17.

Next steps

13. Following successful implementation a robust validation phase is now being progressed with advice and guidance from Land Information New Zealand and co-operation from both ferry operators. This collaborative approach will ensure that sufficient confidence in the data develops across key stakeholder groups and encourage the data to be utilised as intended to actively inform safe navigation.

Presentation

A presentation will be given by the Manager, MDC Nautical and Coastal team (15 minutes).

Attachment

Attachment 1 – Real time prediction of tidal and non-tidal flows to improve the navigational safety at the entrance to the Tory Channel; Peter McComb, David Johnson, Remy Zyngfogel, David Field and Luke Grogan.

page [4]

Author	Luke Grogan, Nautical and Coastal Team Manager
Authoriser	Hans Versteegh, Environmental Science & Policy Group Manager

Attachment 1

Real time prediction of tidal and non-tidal flows to improve the navigational safety at the entrance to the Tory Channel; Peter McComb, David Johnson, Remy Zyngfogel, David Field and Luke Grogan

Real time prediction of tidal and non-tidal flows to improve the navigational safety at the entrance to the Tory Channel

Peter McComb[1], David Johnson[1], Remy Zyngfogel[2], David Feild[3] and Luke Grogan[4]
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email: p.mccomb@oceanum.science
[2] Calypso Science Ltd, New Plymouth, NEW ZEALAND.
[3] iXblue Pty Ltd, Tauranga, NEW ZEALAND.
[4] Marlborough District Council, Blenheim, NEW ZEALAND.

Keywords: navigational safety, tidal currents, non-tidal currents, machine leaning.

The strong currents and turbulent flows that characterize the entrance to the Tory Channel / Kura Te Au (New Zealand) are a well-known challenge to shipping. The flows are dominated by a tidal signal, which can be predicted with high accuracy, but there is often a non-tidal component present too, which significantly modulates the timing of the tidal flow reversals and the strength of the ebb and flood phases. This leads to a high level of uncertainty about the flow conditions at any given time and increases the difficulty for safe transit planning. To address this issue, the Marlborough District Council has adopted a novel solution to provide real-time guidance on the flow conditions at the entrance. The underlying concept is based on quantifying the water level gradients within the Tory Channel, which is the key driver for its flows. By blending high-resolution hydrodynamical model simulations and real-time water level observations, a hybrid system to nowcast and short-range forecast (1-3 hours) the currents at any location in the Channel has been implemented. The system includes two tide gauges placed at opposite ends of the Tory Channel, providing data at 10-minute intervals, and allowing water level gradients to be measured in near real time. From these data, a machine-learned algorithm has been trained from the hydrodynamical model, and then used to infer the flow regime from real-time measurements. The paper presents the observational basis for the technique, the technology deployed and the operational system architecture.

1. Introduction

The Tory Channel / Kura Te Au (TC) is one of two entrances to the Queen Charlotte Sound / Tōtaranui (QCS), located within the Marlborough Sounds of New Zealand (Figure 1). As a designated national transport route and an extension of State Highway 1, the TC is the main route for ferries operating between the North and South Islands. Approximately 7,100 ferry transits occur each year, transporting 1.2 M passengers, 300,000 private cars and up to 5 M tonnes of cargo.

The narrow entrance to the TC is characterised by strong currents and turbulent flows which present a well-known challenge to shipping [1]. Navigation hazards are further complicated by the requirement to make a near 90-degree turn in the entrance zone along with frequently high wind conditions from the adjacent Cook Strait.

Currents in the TC are dominated by a large phase lag in the lunar semidiurnal tide (M2) that characterises the Cook Strait tidal dynamics [2]. However, within the TC and QCS there is often a non-tidal component too, which has the effect of modulating the timing of the tidal flow reversals and ultimately the strength of the ebb and flood phases [3]. Accordingly, for mariners to date there has been a high level of uncertainty regarding the TC entrance flow conditions at any given time. This increases the difficulty for safe transit planning and has led to recommendations to improve navigational safety by implementing real-time observational guidance for shipping [1].

The Marlborough District Council (MDC) has responded to this recommendation by adopting a novel method to infer the flow conditions at the entrance. The technique, described in this paper, deploys a hybrid solution involving observed water level gradients, a hydrodynamical model and a machine learning model to predict real-time and short-range (1-3 hours) forecast flows.

2. Context

A study by the National Institute of Water and Atmospheric Research (NIWA) in 2014 [3] predicted the neap and spring tidal fluxes in the TC to be 20,000 and 30,000 m^3s^{-1}, respectively. Their modelling, qualitatively confirmed by current measurements, also showed that a persistent non-tidal residual flow was present – typically expressed as inflow to the TC and outflow via the outer QCS. However, frequent reversals in flow were also noted, with 5- to 10-day fluctuations occurring and fluxes as high as 6000 m^3s^{-1} predicted by modelling.

An explanation for the non-tidal flow regime was proposed by NIWA. They consider that local scale winds from the SSW sector will be aligned with the main reach of the QCS, imparting a consistent stress on a body of water that is much larger than

the adjacent TC. This stress imbalance establishes a clockwise rotational flow regime about Arapawa Island; presumably reversed under opposing wind conditions. The well-known phenomenon of topographic steering and acceleration of wind in the Marlborough Sounds [4] lends itself to bimodal and reversing wind stress aligned with the water bodies. Regardless of the exact driving mechanism, any large-scale non-tidal or residual flow regime comparable to tidal flows in the TC entrance must also have an expression in the water level gradients along the TC itself [see 5]. To test this hypothesis, we examined water level data from three temporary tide gauges that had been deployed in the TC and QCS. Preliminary analysis confirmed that non-tidal water level gradients were both present and persistent within the TC, and that the magnitude of those gradients was, on occasion, equivalent to tidal gradients.

An estimate of the size of terms in the momentum equation for flow in the TC also reveals that local wind forcing is an order of magnitude smaller than the pressure gradient. We therefore neglect local wind forcing in our modelling approach and assert that we can establish an operational methodology using water level gradients along the TC for nowcasting the flow regime at the entrance. The core components of the modelling approach are described in the following section.

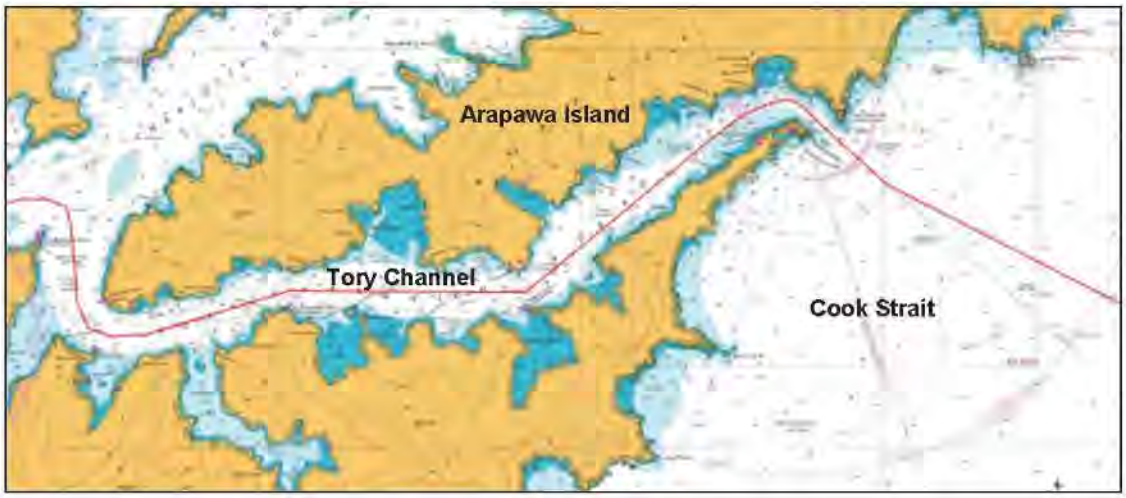

Figure 1 Navigation chart showing the Tory Channel (TC) and Arapawa Island. The shipping route from Wellington to Picton is highlighted in red, along with the entrance to the TC where a 90-degree turn is required. This is the specific region of interest for improved guidance on the real-time flow conditions.

3. Methodology

3.1 Bathymetry

In 2016 Toitū Te Whenua Land Information New Zealand (LINZ) and MDC jointly commissioned an MBES survey of the QCS with bathymetry data being collected over an area of 433 km^2 and subsequently processed to a spatial resolution of 2 m [6]. These data are made freely available and have been used to define the domain for numerical modelling.

3.2 Hydrodynamical model

A numerical model is an effective way to solve the equations of state for a water body, and in the application here we take advantage of the fact that within the QCS, the changing water levels and velocities are tightly coupled.

The Semi-implicit Cross-scale Hydroscience Integrated System Model (SCHISM) was used to simulate the flow regime. SCHISM is based on an unstructured grid suitable for 2D or 3D baroclinic/barotropic circulation from shelf seas to estuarine regions. A detailed description of the model formulation, governing equations and numerics, can be found in the original publication [7].

Using the 2 m gridded bathymetry data, a mesh was created over the entire QCS and TC, with resolution of 800 m in the open ocean and 20 m near the shoreline and in the entrance to the TC (Figure 2). The model was run with 15 vertical layers (sigma) with higher resolution near the surface to better capture the flows of influence to navigation. Elevation and current amplitudes and phases of the dominant tidal constituents (M2, S2, N2, K2, K1, O1, P1, Q1) were sourced from a downscaled spectral solution from the OTIS (Oregon State University Tidal Inversion Software) assimilated barotropic

model. Residual velocities, atmospheric conditions, and water column properties were not imposed.

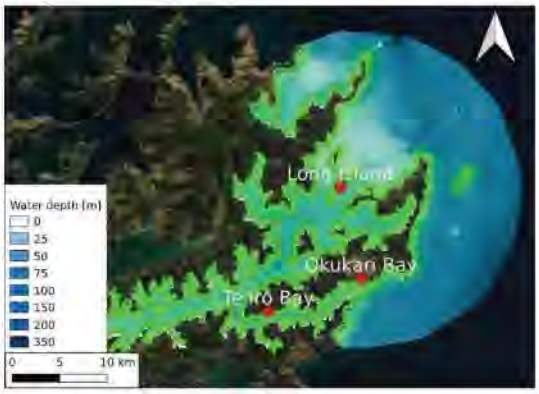

Figure 2 The triangular mesh of the SCHISM model has 376,000 elements, 15 vertical layers and 20 m spatial resolution in the Tory Channel entrance. Also shown is the location of the temporary tide gauges used for validation plus determination of the non-tidal water level gradients.

3.3 Historical water levels

From November 2016 to June 2017, six tide gauges were established to provide water level datums for the MBES survey of QCS [8], in addition to the existing MDC gauges. We used three of these temporary gauges (Okukari Bay and Te Iro Bay in the TC and Long Island in the outer QCS; Figure 2). Water level was determined during a 20 s sampling period every 6 minutes. These time series data were de-tided using harmonic decomposition and used to define the temporal correlation in water level gradients.

3.4 New tide gauges

For the operational system, the QCS network of permanent tide gauges is being upgraded to include three new locations, scheduled for installation in Q3 of 2021. These are Okukari Bay and Te Weka Bay (directly opposite Te Iro Bay) in the TC, and Motutara Island in the outer QCS. At each location, a dual sensor station has been designed to provide real time water levels from both radar (Vegapuls C23) and pressure (Valeport TideMaster and Druck PDCR1830 sensor). The stations have two-way communications, and the sampling regime is flexible so will ultimately be optimised for the determination of gradients. However, the default is a 2-minute mean reported every 10 minutes.

The raw water level data require processing to isolate the tidal and non-tidal signals, with the latter undergoing further denoising to produce stable gradients within the Sounds. Water level data will be set to Chart Datum, reviewed periodically and be available for future surveys and studies. These steps are undertaken in the system pre-processing routines, but after transmission.

3.5 Machine Learning approach

A machine learning (ML) model was developed to relate water levels at the two measurement locations to the flow regime within the channel. The ML model architecture was:

- Input layer with 3 features i) the total water level difference between two locations, ii) the time derivative of total water level difference, and iii) the difference of non-tidal water levels.
- Dense layer of size 16 with RelU activation.
- Dense layer of size 32 with RelU activation.
- Output layer of size [33893,2] corresponding to the surface velocity at each mesh node in the numerical model.

The model was trained with a mean square error loss function and an Adam optimizer. The predictor data set for training was generated by running the numerical model over a 28-day spring/neap tidal cycle with an additional constant gradient superposed. The additional constant gradient ranged over positive and negative values up to the maximum tide-only gradients, which is more than the largest value observed in any of the measured data. Therefore the simulated cases cover the range of all residual gradients caused by seasonal variation and synoptic scale weather patterns.

A single training sample consists of a time slice of the entire mesh (targets) and the water level variables extracted from the model at the same time (input features). The complete dataset of half hourly time slices over the spring/neap cycle runs with the different non-tidal gradients added provided a total of 16,800 training samples. This data set was split into training and validation subsets by randomising its order and using 80% for training and 20% for validation.

Model features were extracted from the hydrodynamical model by interpolating model surface elevation at the instrument positions (shown in Figure 3) and then calculating the difference. The non-tidal component feature was calculated from a simple 25 hour running mean. The addition of this extra feature greatly improved the generalisation of the model compared to just using raw gradients alone, presumably because it keyed the model into the dominant non-tidal flow regimes.

The trained ML model can infer the surface flow throughout the channel from real-time measurements of water level at the tide gauge locations. This provides the nowcast flow conditions and can also be used to provide a short-range forecast under the assumption of stationarity or linear change of the residual (non-tidal component).

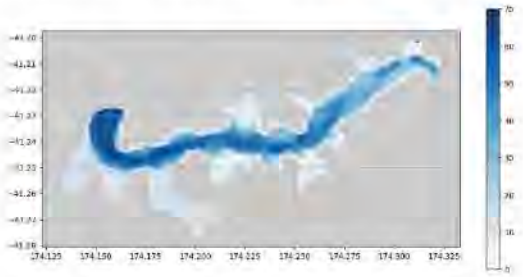

Figure 3 Numerical model subdomain of the TC, showing the water depth (m) and location of the two water level gauges (red dots).

4. Results

4.1 Measured water level gradients

The temporary tide gauges from 2016 and 2017 at Okukari Bay and Te Iro Bay are 10.5 km apart, and a time series of the instantaneous elevation difference is shown on Figure 4 (upper plot) plus the non-tidal components following harmonic decomposition (lower plot). There are two important signals present in the non-tidal data: i) Short periods of time (1-2 days) where the amplitude is close to the spring range, and ii) periods with lower amplitudes which are sustained over many weeks. These observations confirm that appreciable (and highly measurable) gradients in water level exist along the TC, with components of both tidal and non-tidal forcing that are readily identifiable. Considering just the non-tidal components from Okukari Bay, Te Iro Bay and Long Island (Figure 5), we can observe that the dynamics of the TC are often coupled to the wider QCS. From November 2016 through February 2017, the measured residual water levels were quite coherent with just a slight gradient running from north to south (i.e., egress via TC entrance). This is followed by a 5-week period with strong gradients - suggestive of net outflows from the TC of sufficient magnitude to noticeably modulate the tidal flows. A persistent 8-10 cm gradient was observed over the 10.5 km stretch of the TC, which is equivalent to the gradients observed during neap tides. Then, from early April 2017 onwards, the gradient is reversed and net ingress to the TC is expected – the reverse direction to the preceding period. During this latter period, the gradients persist at 5-8 cm.

The correlation of non-tidal water level gradients with regional wind stress was tested using a hindcast wind field. Data were available at hourly intervals from a 4 km resolution downscaling of the ERA5 global reanalysis [9]. The general trends in kinematic stress were found to be in moderate alignment with the inferred flow regimes (not shown). For example, the period from November 2016 through February 2017 was associated with net southerly-directed wind stresses, while the reverse was observed for April – June 2017, broadly consistent with the QCS wind stress forcing hypothesis. However, neither the variability at daily scales nor the high gradient events could be adequately explained by the hindcast wind. We speculate that a 4 km resolution hindcast is too coarse to adequately replicate the orographic influences within the Sounds and therefore the realistic stress imparted. Given that stress is proportional to the square of wind speed, adequate prescription of the orographic effects will be an important factor to explain more of the variance in non-tidal water levels. Other regional scale weather and oceanographic factors will also have influence, but these are not considered here.

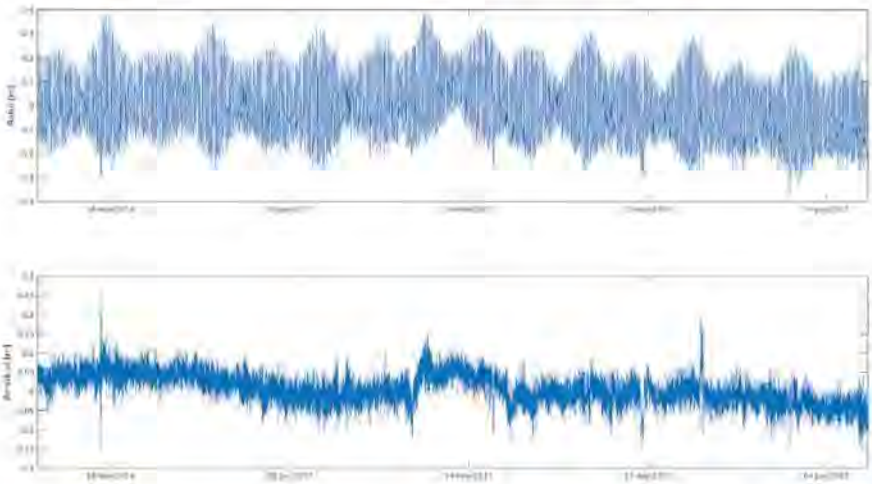

Figure 4 The difference in absolute water level between Okukari Bay and Te Iro Bay (top) and the residual (non-tidal) differences (bottom). These time series plots reveal the complex tidal and non-tidal dynamical processes in operation within the Tory Channel.

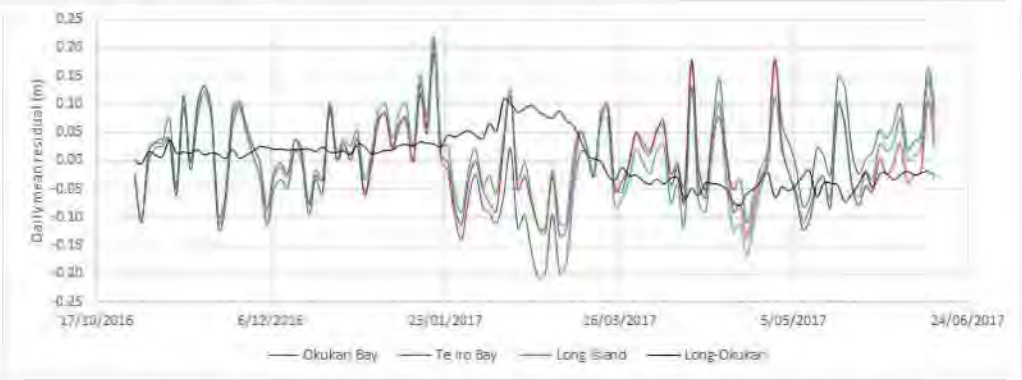

Figure 5 Time series of the measured non-tidal water levels (daily means) at Okukari Bay, Te Iro Bay and Long Island and the gradient between Long Island and Okukari Bay. This plot reveals the non-tidal dynamical processes within the wider Queen Charlotte Sound and how they directly affect the Tory Channel entrance region. Of note is an increased gradient in March followed by a reversal from April onwards. From this we can infer net outflow from the entrance from November 2016 through March 2017, followed by a reversal for April through June 2017.

4.2 Hydrodynamical model validation for tide

Measured tide data from three temporary gauges (November 2016 to June 2017) were used to validate the hydrodynamical model. The tidal signal was extracted from the raw data using harmonic decomposition, allowing a time series of the measured tide to be compared with the predicted tide from the model (Figure 6). While the model shows good agreement with the tidal water level observations (RMSE<0.07 m), we were unable to access the QCS current data from [3] to validate flow for this article.

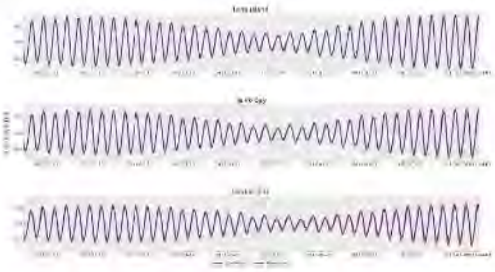

Figure 6 Time series of measured tidal water levels (blue) and modelled (red) tidal elevation at Long Island (top), Te Iro Bay (middle) and Okukari Bay (bottom) during a spring-neap cycle.

4.3 Validation of Machine Learning model

Validation of the machine learning model was carried out using the retained 20% of the initial dataset. The normalised error over the grid for the dominant U-component is shown in Figure 7. The normalised error is less than 5% throughout the main channel. Greater relative errors are seen in the shallow areas; however, this is partly due to the smaller ambient velocities in these regions.

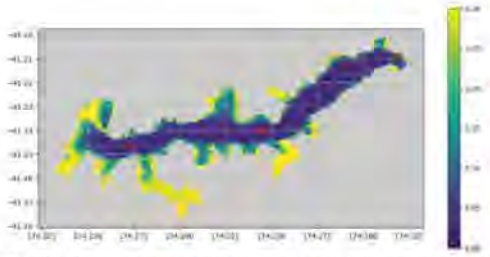

Figure 7. Normalised error of ML model U component of surface velocity compared to the numerical model, also showing locations where site comparisons were made.

Comparison between the ML and hydrodynamical model was made at three representative locations in the TC (Figure 8). There is good correspondence throughout the velocity range; also shown on Figure 8 is the U component of velocity in the central TC for all training and validation data. Overall, the ML model performs well in reproducing the hydrodynamical model surface flow in the main channel region, using the water level gradients between the gauge locations as input features.

5. Overview of the operational system

The operational system has three core components.

- Real time observations - accessed from the MDC network of tide and weather stations.
- Data analytics engine - cloud-based pre-processing of the measured data, application of the ML algorithms, and archiving of the outcomes.
- Products pipeline - postprocessing of resultant data and production of graphics and text data for dissemination via the MDC information portals.

Note also, a wind station at the Northern Entrance to QCS may be ingested into the prediction system once operational, with ongoing analytics used to determine if those data can improve the short-range predictions as well as testing the efficacy of a 3-day wind forecast to further extend the prediction horizon.

A program to validate the prediction system will be undertaken. It is proposed to initially use the navigation and propulsion data recorded on the Cook Strait ferries to infer currents within the TC, using a similar technique to [10]. This is a fit-for-purpose method as the primary user of the prediction system will be shipping. However, quantification of the non-tidal flows is also of significant interest to other activities within QCS (e.g., aquaculture) as well as for an interpretation of flushing rates for the understanding of ecological health. Accordingly, site-specific validation campaigns may be made for this purpose in the future.

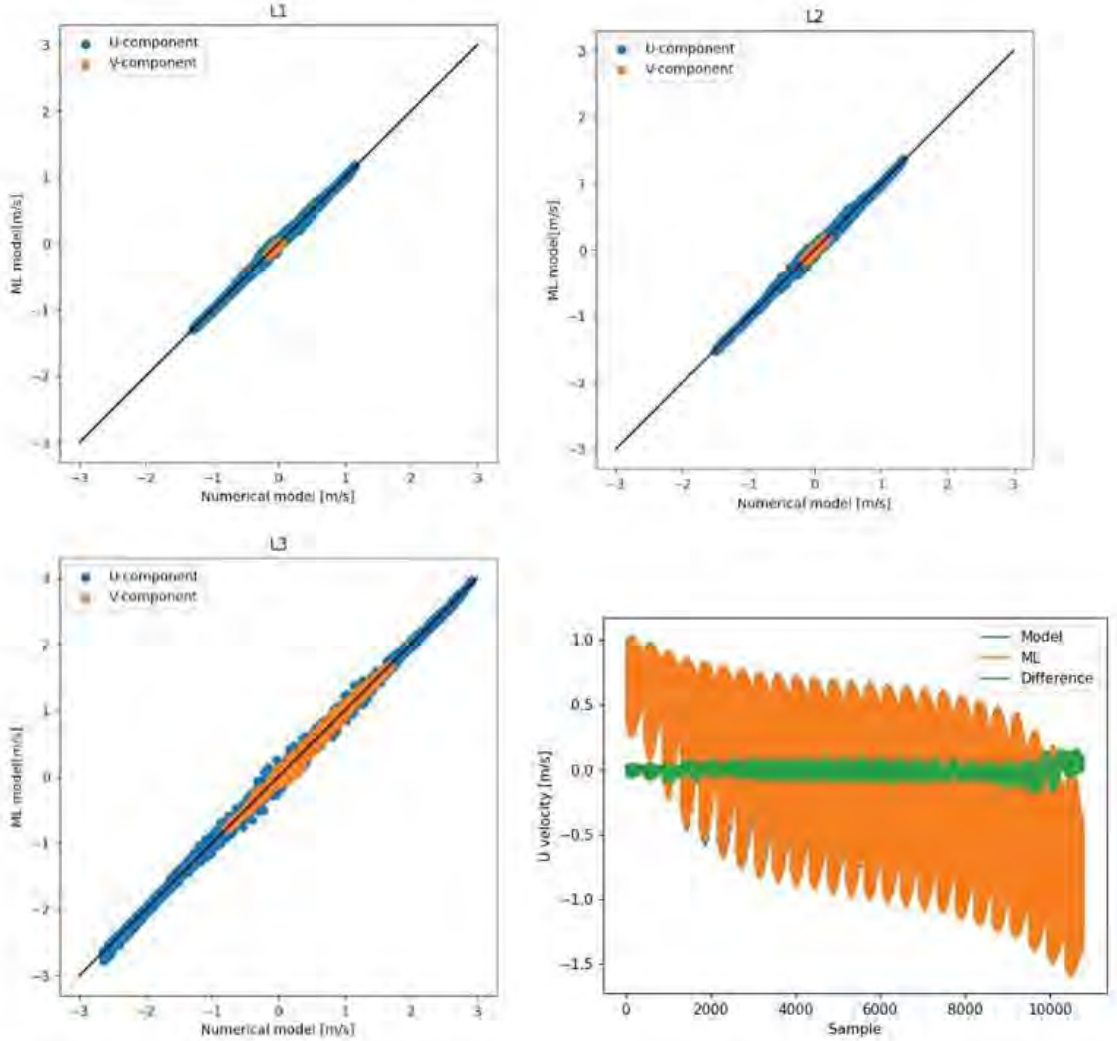

Figure 8 Comparison of surface flow velocity between ML and numerical model at 3 sites in the TC (see Figure 7). A comparison of ML and numerical model at site L2 in the central TC is also provided, and the difference shown is for all the training samples.

6. Conclusion

Developing this novel solution to the short-range prediction of flow in TC was made possible by ready access to open-source data. Specifically, having high-quality bathymetry for the entire QCS allowed the hydrodynamical model to be established with ease, and the 6-minute tide gauge data facilitated an early qualification of the non-tidal gradients as well as a reliable dataset for model validation. Without having these data to hand, the solution presented here would not have been contemplated.

The work to date shows that the combination of a validated hydrodynamical model with the machine learning architecture to develop predictive algorithms has good skill in this environment and for this solution. The technique will undoubtedly suit other marine applications where complex physics are present and there are highly non-linear interactions to solve.

Commissioning of the system is scheduled for Q3 2021, followed by a detailed programme of validation and acceptance testing.

7. References

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4. Te Hoiere Project Update

(Clr Faulls) (Report prepared by Heli Wade and Sioban Harnett) **E355-021-01-001**

Purpose of Report

1. To provide an update to recent developments on Te Hoiere Kaitiaki Charitable Trust and the proposed Memoranda of Understanding (MoU) for Council to act as fund holder and project directorate on behalf of the Trust.

2. To provide an overview and progress update on the Jobs for Nature and Integrated Catchment Enhancement Plan project implementation.

Executive Summary

3. The future of Te Hoiere Restoration Project is secured, with the creation of Te Hoiere Kaitiaki Charitable Trust on March 15, 2022. Marlborough District Council Chief Executive Mark Wheeler and Mayor, John Leggett, signed on behalf of the Council and Ngāti Kuia general manager Dave Johnston and chair Waihaere Mason for the iwi.

4. An MOU has been drafted clarifying MDC's role as fund holder and providing project services on behalf of the Trust and the subsequent Te Hoiere Project.

5. Functional restoration groundwork has now commenced on both Crown funded catchment restoration projects. Initial progress has been modest, though momentum is now currently building as landowners slowly commit to stream fencing and restoration planting later in this calendar year.

6. Agreements with landowners have been developed, signed and commenced with some delays experienced due to delays seeking final agreement and Covid restrictions (both direct and indirect).

7. Contractors for rural fencing, pest plant control and native planting have been interviewed and umbrella contracts signed for imminent work.

RECOMMENDATION

That the information be received.

Background/Context

8. The signing of a Trust Deed in March represents a new era for Te Hoiere Restoration Project.

9. Rising cases of Covid in Marlborough and Nelson meant plans for a celebratory signing at Te Hora marae at Canvastown were cancelled. Instead, the document was signed at the Marlborough Mayoral Office then couriered to the Ngāti Kuia office in Nelson.

10. Marlborough District Council Chief Executive Mark Wheeler and Mayor, John Leggett, signed on behalf of the Council and Ngāti Kuia general manager Dave Johnston and chair Waihaere Mason for the iwi (image 1)

Image 1: MDC Chief Executive Mark Wheeler and Mayor, John Leggett, signed on behalf of the Council and Ngāti Kuia General Manager, Dave Johnston and Chair, Waihaere Mason for Kaikaiaowaro Charitable Trust. Councillor Barbara Faulls and Waihaere Mason are the Te Hoiere Kaitiaki Charitable Trust signatories.

11. The Te Hoiere Trust has a key role in the governance of the Te Hoiere Catchment Plan. However, the Te Hoiere Trust does not employ staff or have an operations infrastructure and is not resourced to provide the personnel and structures required to support the Trust role in the implementation of the Te Hoiere Catchment Plan.

12. It is acknowledged that Council will be the fundholder on behalf of the Te Hoiere Trust of central funds granted to Te Hoiere Project and/or the Te Hoiere Trust.

13. The parties have agreed that the Council will provide personnel and support resources and funding for the continued implementation of the Te Hoiere Catchment Plan and the undertaking by the Te Hoiere Trust of its roles and actions as set out in the Plan. The funding for delivery and support structures is sourced from central government funding.

14. The Council will provide personnel resourcing and infrastructure support reasonably required to allow the Te Hoiere Trust to carry out its general role in relation to the implementation of the Te Hoiere Catchment Plan.

15. Two catchment restoration projects are currently operational and funded through the following Jobs for Nature programmes at MDC:

    15.1 Freshwater Improvement Fund (MfE)

    A five-year Freshwater Improvement Fund programme funded by the Ministry for the Environment (MfE) to the value of $950,000 for the Te Hoiere catchment. This programme focuses on assisting landowners with riparian/wetland fencing and restorative planting, dung beetle release and community education for the improvement of freshwater outcomes. While landowners have shown interest, and the dung beetle release is ahead of schedule, commitment to fencing and planting in year one has been slow to date due to covid restrictions. Council staff are working hard to ensure landowners can access this government support before the year one tranche of funding expires on 30 June.

15.2 Nga Awa (Department of Conservation)

A four-year Jobs for Nature programme, funded by Nga Awa to the value of $7.5 million, for the improvement of freshwater outcomes in the Te Hoiere catchment. This programme is divided into three sub projects:

I. A greenfield capital build project of a native nursery at Titiraukawa with Ngati Kuia.

II. "Early Win" peka monitoring, predator pest control, pest plant and restorative planting with Forest & Bird at Pelorus Bridge, Ronga Reserve, Carluke and Brown River reserves.

III. "Long Term" programme of riparian/wetland fencing, pest plant control, restorative planting and predator pest control. This programme is managed directly by Council.

15.3 To date, six rural contract fencers have signed umbrella agreements, with one currently reviewing their agreement. Five Pest Plant contractors and three Planting contractors have signed umbrella contracts. All contractors are local to Marlborough or Eastern Nelson and are enthusiastic to support the cause of the work.

15.4 Contract agreements have been formed with additional nursery suppliers to propagate restoration plants.

15.5 Collaboration between Council and DoC has allowed for a seed eco-sourcing programme to be promptly established. In the near future, almost all plants planted in the programme will have been sourced from North Marlborough.

15.6 The programmes and sub projects are now launched and running, though some face delays due to:

i) Delays in commencement;

ii) Direct and indirect effects of Covid restrictions;

iii) Landowners commitment (ie signing landowner agreements) for restorative work.

Te Hoiere project and Council staff are working hard to raise awareness of the funding support available, to ensure landowners don't miss out before the tranche of year one funding expires 30 June 2022.

Presentation

A presentation will be given by Heli Wade and Sioban Harnett (15 minutes).

Author	Heli Wade, Te Hoiere Project Manager and Sioban Harnett, Environmental Services Contract Manager
Authoriser	Alan Johnson, Environmental Science & Monitoring Manager

5. Hill Country Erosion Fund Programme

(Clr Hope) (Report prepared by James Mills-Kelly) **E355-019-004**

Purpose of Report

1. To provide an update on the Hill Country Erosion Fund Programme.

Executive Summary

2. The Hill Country Erosion Programme aims to prevent the loss of topsoil and reduce sediment entering waterways in Marlborough's hill country. The Programme provides assistance and funding support to landowners looking to treat eroding or erosion-prone land through the use of retirement, pole planting, native reversion planting, or advice on alternative site-specific treatment methodologies.

3. Over 5000 natives were planted across 49 hectares of retired marginal hill country in the last planting season, while 2450 poplar poles were supplied to landowners to stabilise over 260 hectares of erosion-prone grazing land. The majority of this work was undertaken in South Marlborough dry east-coast hill country. In addition, 1000 tagasaste trees and 300 dryland oaks were supplied as trials to particularly challenging dry faces with a northerly aspect where poles and/or natives had previously failed.

4. This coming winter season the programme aims to supply landowners with 20,000 native plants for reverting marginal pastureland to retired native vegetation. On top of this, the fund will supply 6000 poplar poles for hillside stabilisation planting on pasture land, as well as 2500 dryland oak species for space planting in particularly dry conditions. Funding assistance is also available for retirement fencing and establishment of coppicing woodlot forestry species, which can provide alternatives to pine forestry, reducing harvest-related erosion risks. Having a wide range of intervention tools in the toolbox enables us to put 'the right tree in the right place'.

RECOMMENDATION

That the information be received.

Background/Context

5. Loss of productive land through erosion has a significant impact on the environment, and the economy. Erosion and its effects in hill country areas alone are estimated to cost New Zealand's economy $100 million to $150 million a year. Reducing erosion in the upper areas of a catchment costs less than the cost of flooding and of flood-control structures in the lower areas.

6. The Hill Country Erosion Programme provides funding support to regional erosion-control projects that are beyond the capacity of councils to address on their own.

7. 25 years of comparatively little soil conservation or land management work had resulted in Council having little capability, capacity and expertise to address land management and water quality issues.

8. In 2017, MDC established a Land Resources unit to begin the task of addressing erosion and water quality on a catchment-by-catchment basis.

9. Marlborough has a large and diverse land area (over 10,000 km^2) with 89% classified as hill country in land use classes 6, 7 and 8 (9,400 km^2), much of which is erosion-prone or actively eroding.

Image 1: Erosion at Kaka Ridge identified during aerial survey

Next Funding Round

10. The current funding round of the HCEF ends in June 2023, and applications for the next round open next month.

Presentation

A short presentation will be given by James Mills-Kelly (15 minutes).

Author	James Mills-Kelly, Land Resources Advisor
Authoriser	Peter Hamill, Environmental Scientist - Team Leader Land and Water

6. Jobs for Nature: Kotahitanga mō te Taiao Alliance 'Restoring and Protecting Flora' Project Update

(Clr Croad) (Report prepared by Rob Simons) **E315-021-002-02**

Purpose of Report

1. To provide an outline of the Jobs for Nature (JfN) Restoring and Protecting Flora Project, the project's origins, and its operating structure in the wider context of JfN initiatives across Te Tau Ihu.

2. To present an operational update about the project and its progress in Marlborough which is guided by the Kotahitanga mō te Taiao Alliance (KMTT).

Executive Summary

3. As part of the Government's $1.219-billion-dollar covid recovery package in mid-2020, the JfN initiative was launched in a bid to stimulate the economy of country's regions through nature-based employment over the next four years.

4. JfN funding is distributed across multiple government agencies, including the Department of Conservation (DOC).

5. The Kotahitanga mō te Taiao Alliance (KMTT) was a key platform for prioritising potential JfN projects and associated funding channel through DOC. The KMTT Alliance is a partnership of Te Tau Ihu Councils, iwi, DOC and The Nature Conservancy.

6. The Restoring and Protecting Flora Project was endorsed by the KMTT Alliance as one of three projects in Te Tau Ihu to receive benefit through JfN.

7. In 2021 a funding deed was signed between DOC and Project lead, The Nature Conservancy (TNC), allocating $1,983,000 over three years to fund the project across Marlborough and Nelson City.

8. TNC has engaged a delivery contractor to generate 46,800 hours of employment, or 30 FTE, in Marlborough and Nelson City for the three-year life of the project.

9. Conservation outcomes: the Restoring and Protecting Flora Project aims to restore/enhance high value ecological areas by the implementation of high-impact, short-term weed control programmes on a landscape scale across the top of the South Island.

10. In Marlborough 960 operational hectares have been committed to the project and weed control operations are currently active across six sites.

RECOMMENDATION

That the information be received.

Background/Context

11. The following report outlines the structure of the Restoring and Protecting Flora Project in Marlborough, as it relates to other JfN initiated projects across the Te Tau Ihu, expands on the project's implementation locally, and the operational gains made to date.

Project establishment

12. In a bid to stimulate the economy post covid-19, the Government launched the JfN Programme in 2020. The $1.219B JfN programme aimed to revitalise regional communities by helping people get

back into nature-based employment through various projects that would help enhance and protect significant ecosystems and their biodiversity.

13. In Te Tau Ihu, many of these projects were guided by the Kotahitanga mō te Taiao Alliance (KMTT) which is an Alliance between 15 partners, including the Department of Conservation, iwi, Councils, and global not for profit conservation organisation, The Nature Conservancy, working in partnership to deliver conservation projects across Marlborough, Tasman, Buller, and Nelson City. The Alliance is administered on behalf of the partners by The Nature Conservancy, which provides global expertise and resources and a commitment to engaging diverse stakeholders around common goals.

14. One of the JfN projects is the 'Restoring and Protecting Flora Project'. The key objective of this project, which is managed by The Nature Conservancy (TNC), is to deliver strategic, high impact weed control programmes on a landscape scale in coordination with existing weed control work streams at Councils, iwi and DOC and with other JfN projects. The scope of the project covers the takiwa of the KMTT partners so for Marlborough, this includes all land tenures across various ecologically significant sites within the Wairau Valley and Marlborough Sounds.

15. The Flora project received $6,000,000 in total over three years to fund the staffing requirements to enable the delivery of the project in Te Tau Ihu (Buller, Tasman, Nelson City, and Marlborough). Of this, a $1,983,000 share is directed towards Marlborough and Nelson City via a delivery contractor. An additional $225,000 is contracted directly to the MDC.

16. The ambition of the project is to extend beyond the three years of JfN funding and to expand the scope of work by leveraging the project's deliverables to attract further funding for complementary restoration work. The KMTT Alliance is actively pursuing opportunities for additional funding.

17. Other Te Tau Ihu projects to receive funding from J4N include the Te Hoiere Catchment Care project, and Picton Dawn Chorus.

Project commencement

18. In late 2021 the project funds were secured in a project Deed signed between DOC and the project lead - The Nature Conservancy. At about this time, KMTT Alliance partners nominated a suite of sites of various tenures that they felt would meet the project's criteria to receive weed control. Criteria include ecological significance, supportive and engaged land occupiers/agencies, scope to achieve meaningful conservation gains and likelihood for those gains to be maintained past the life of the project.

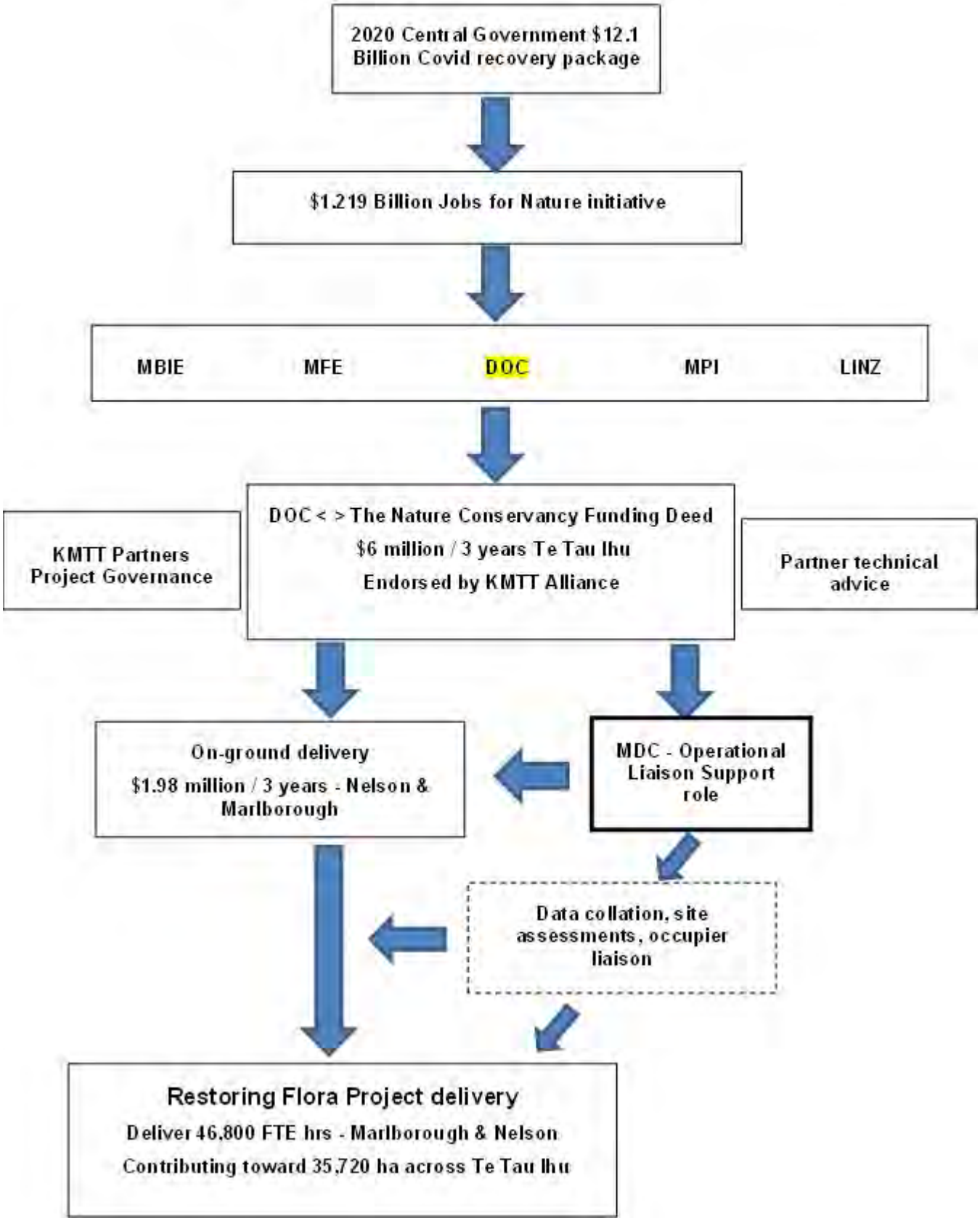
19. A delivery contract for the project was signed in late 2021 between TNC and the delivery contractor for the on-ground delivery of works and enable the key component of the project – employment. This kick-started operational roll-out of the project in Marlborough and Nelson.

20. Over the course of the project, it is expected to generate over 135,000 employment hours, or 87 FTE, and to implement site-led and weed-led work to collectively benefit 35,000 hectares of land across Te Tau Ihu.

Council's Role

21. To facilitate the operational roll-out of the project in Marlborough, an Operational Liaison Support role was established within the MDC's Biosecurity Section to carry out project site assessments, make the necessary connections between the delivery contractor and the land occupiers, and with any community groups active at each site. The liaison role also ensures operational activities are fed-back to TNC through quarterly reports for the purpose of forward planning to ensure the project is on track to meeting the objectives set out in the funding deed.

J4N KMTT Restoring and Protecting Flora, Project Structure



Project scale in Marlborough

22. Since the operational roll-out of the project in late 2021, a total of 22 site assessments have been undertaken, out of which 11 sites have been committed to the project. The total extent of these sites equals to 2,342 hectares. Of this, 1,061 hectares are defined as operationally active areas (Figure 2 and Table 1).

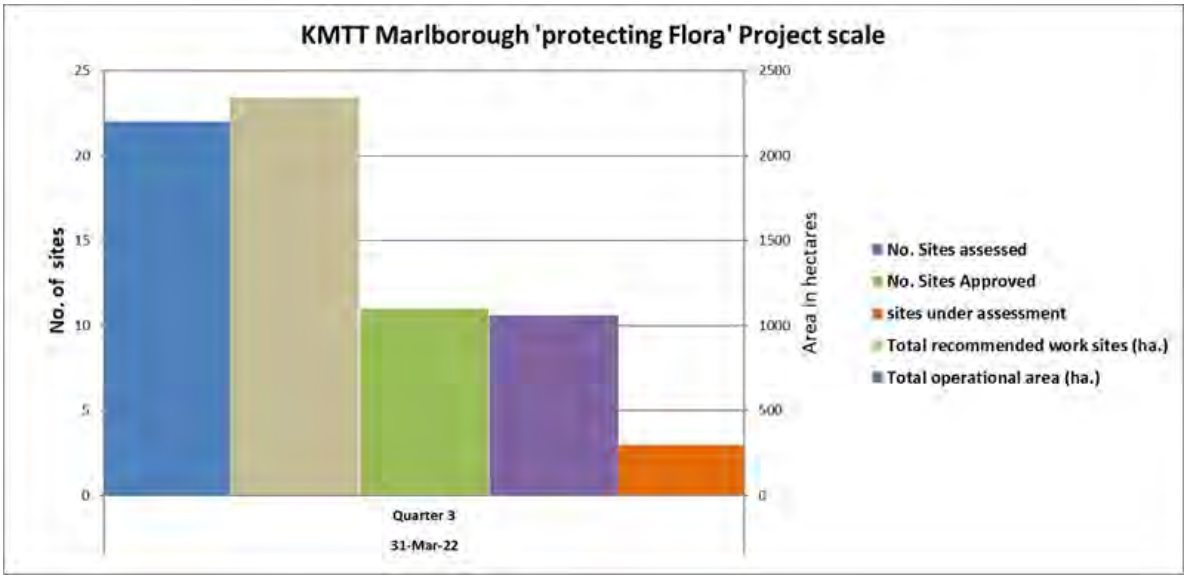


Figure 2

Operational Progress

23. Operational progress is measured against the objectives set out in the JfN funding deed, which aims to generate 46,800 FTE hours in Marlborough/Nelson City during the three-year term of the project, and to implement weed control work on a landscape scale to benefit 35,720 ha across Te Tau Ihu. However, the latter objective is currently being reviewed align with reality and the project's capacity to deliver with the resources currently available to it.

24. Operational work commenced in December 2021 at two designated 'training' sites. These training sites were setup to up-skill new recruits, and to enable various weed control methodologies to be delivered efficiently and safely. Since December 2021 operational work has expanded across six sites, accumulating approximately 2,743 FTE hours in Marlborough (Figure 3). FTE hours are expected to ramp up in year two due to the current recruitment drive by the delivery contractor.

25. Conservation outcomes - as at 31 March 2022 the project has delivered weed control across 83 hectares. This is shown in context against the current project scale in Marlborough (Figure 4). The work delivered to date has been implemented by non-invasive techniques using hand-held tools and is estimated to benefit a total of 413 hectares by reducing the spread risk of the weed species targeted across these sites. Over 2,000 plants have been destroyed including willows, wilding pines, barberry and old man's beard to name a few.

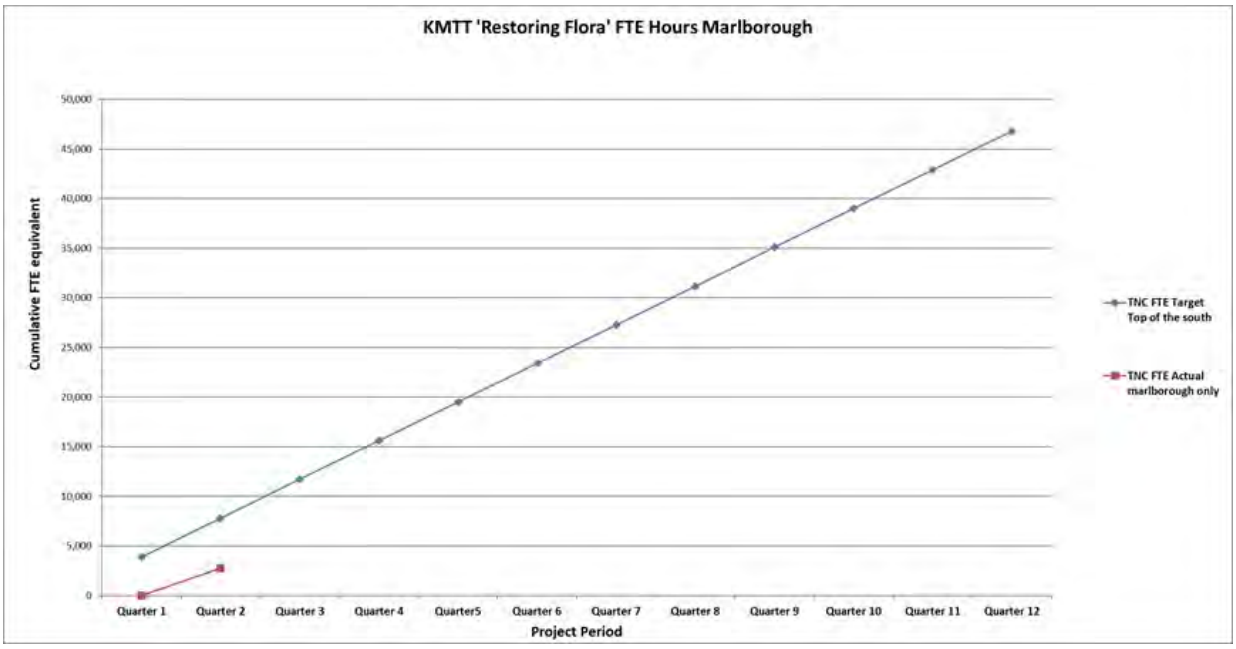


Figure 3

	Total as at 28 Feb 2022	Period 1-31 March 2022	Cumulative as at 31 March 2022
Total site area Marlborough (ha.)	2239	103	2,342
Total Operational areas (ha.)	960	101	1,061
Operational area treated (ha.)	28	55	83
Total area receiving benefits (ha.)	158	255	413
Target weeds controlled, excl. OMB (number)	1,723	1,121	2,844
OMB treated (ha.)	0.0087 (87m²)	0.0006 (6m²)	0.0093 (93m²)

Table 1

Project outlook

26. The project in its current format is expected to conclude on 24 April 2024 when the current funding and operational contracts will expire. However, it is likely that TNC may be exploring other funding opportunities to enable work to continue beyond 2024. Until then project partners will continue to work closely to meet the project's objectives, and to enhance relationships so that the project's conservation gains can be maintained into the future.

Author	Rob Simons, Senior Biosecurity Officer
Authoriser	Jono Underwood, Biosecurity Manager

7. World Water Day 2022

(Clr Hope) (Report prepared by Peter Davidson) **E345-007-001**

Purpose of Report

1. To present and show two videos produced by Marlborough District Council to celebrate World Water Day 2002.

Executive Summary

2. The United Nations theme for 2022 was: Groundwater – Making the Invisible Visible.

3. To mark the occasion, MDC staff produced two videos featuring local issues and items to raise the profile of groundwater in Marlborough district, and nationally.

4. The videos proved popular locally especially, but also nationally and demonstrated the popularity of visual tools for conveying environmental or science messages.

RECOMMENDATION

That the information be received.

Background

5. Water is fundamental to the existence of all living species on earth, including people.

6. Each year World Water Day (WWD) is marked by the United Nations. The UN message accompanying the 2022 campaign is: Groundwater is invisible, but its impact is visible everywhere. Out of sight, under our feet, groundwater is a hidden treasure that enriches our lives. Almost all of the liquid freshwater in the world is groundwater. As climate change gets worse, groundwater will become more and more critical. We need to work together to sustainably manage this precious resource. Groundwater may be out of sight, but it must not be out of mind.

7. Because this year's theme was groundwater, hydrologists from regional and unitary councils around New Zealand as part of the Special Interest Group (SiG), in conjunction with LAWA staff (Land and Water Aotearoa), developed a communications strategy to raise awareness of the importance of underground water to New Zealanders.

8. Marlborough District Council's contribution to WWD 2022 was two videos. MDC groundwater scientist Peter Davidson worked with MDC communications head Glyn Walters and external videographer Andrew Strugnell to develop the media campaign based around the two videos.

9. The videos are hosted on the MDC website.

Presentation

Peter Davidson will show the videos to the meeting (8 minutes).

Author	Peter Davidson, Environmental Scientist - Groundwater
Authoriser	Alan Johnson, Environmental Science & Monitoring Manager

8. Revision of Building Control Fees 2022-2023

(Clr Sowman) (Report prepared by Brendon Robertson) **R450-002-B01**

Purpose of Report

1. The purpose of this report is to assist the Committee in its deliberations on the "Revision of Building Control Fees Financial Year 2022/2023".

RECOMMENDATIONS

1. That the report "Revision of Building Control Fees Financial Year 2022/2023" be received.

2. That the proposed "Revision of Building Control Fees Financial Year 2022/2023 be adopted with an implementation date of 1 July 2022.

Background/Context

2. The report "Revision of Building Control Fees Financial Year 2022/2023" was considered at the Environment Committee meeting on 10 February 2022.

3. As per the report the Special Consultative Procedure which included publishing the proposed fee on the Marlborough District Council website, the Marlborough Express and the Christchurch Press. Proposed fees were emailed to stakeholders. The advertising of the revised fees was in accordance with the special consultative procedure, written submissions closed on the 30 March 2022.

4. Council did not receive any submissions to the proposed "Revision of Building Control Fees Financial Year 2022/2023" The committee now has the option of confirming and adopting the proposed revision of fees.

Option One (Recommended Option) – Adopt the Revision of Building Control Fees Financial year 2022-2023

5. That the Committee adopt the Revision of Building Control Fees Financial Year 2022/2023" effective on or after the 1 July 2022.

Advantages

6. The proposed fee changes will maintain the group's ability to meet statutory and customer demands by maintaining a fully resourced group.

7. Will avoid additional burden on Council's ratepayer's fees to keep pace with CPI.

8. Will allow the group to maintain its level of service by recovering costs via fees and rate funding.

9. The increases better align true costs, however, they are still not reflective of a full recovery as some funding is still required by rates to offset the costs of the work carried out by the TA.

Disadvantages

10. Will increase building and regulatory costs.

Option Two – Status Quo

11. Maintain current 2021 – 2022 fee structure.

Advantages

12. No increase in building regulatory costs to customers.

Disadvantages

13. Will restrict the group's ability to meet statutory and customer demands by maintaining a fully resourced group.

14. Will place additional burden on Council's ratepayer's fees to keep pace with the CPI.

15. Will prevent the building control group from maintaining its level of service unless it received rate funding for both TA and BCA roles.

Next steps if approved

16. 19 May 2022 Decision taken to Full Council for ratification.

17. 01 July 2022 New Fees commence.

Attachments

Author	Brendon Robertson, Building Control Group Manager
Authoriser	Gina Ferguson, Consents & Compliance Group Manager

Summary of decision-making considerations

Fit with purpose of local government

The proposal enables Council to provide good-quality and cost-effective service to customers and ratepayers.

Fit with Council policies and strategies

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

This proposal contributes to the financial strategy relating to the cost recovery of Building Control functions.

Nature of the decision to be made

The options do not involve a significant decision in relation to land or a body of water.

Financial considerations

Refer body of paper.

Significance

The decision is considered of low significance under Council's Significance and Engagement Policy.

Engagement

Refer Next Steps in the paper.

Risks: Legal / Health & Safety etc

Failure to resource the Building Control Group through lack of funding may place the BCA continued accreditation at risk.

Climate Change Implications

There are no known climate change implications to this decision.

Attachment 1

Summary of Proposed 2022/2023 Charges and Miscellaneous Fees

- Current CPI is approximately 5.9%. It is proposed to increase flat and miscellaneous fees by 5.9% (rounding to the nearest dollar) to account for CPI. In addition to the 5.9% CPI increase, there are some proposed changes to the fees. The changes include:

- Band E (Multi Use Approval Applications) sees some significant increase to the proposed fees charged. The increase is in response to the realisation that inspection charges were not included in the fees. In the last couple of financial years there have been no Multi Use Approval Applications submitted. As very few of these applications are received by the Marlborough District Council it is expected this fee change will have little impact.

- Adjustment to the fee value categories. Changing the fee bands from $200001-$400,000 to $200,000 - $399,000. This change is applicable to all fee values. (see below)

2021/2022 Fees

Value ($)	Range	Zone 1 ($)	Zone 2 ($)	Zone 3 ($)	Zone 4A ($)	Zone 4B ($)
Band A - * Commercial * Industrial * Communal residential * Communal non-residential * New dwelling						
Up to $200,000	Single storey	4,644.00	5,543.00	7,041.00	9,108.00	11,141.00
	With any part more than single storey	4,893.00	5,790.00	7,289.00	9,355.00	11,389.00
$200,001 - $400,000	Single storey	5,026.00	5,925.00	7,425.00	9,490.00	11,524.00
	With any part more than single storey	5,792.00	6,690.00	8,189.00	10,256.00	12,290.00
$400,001 - $800,000	Single storey	5,916.00	6,814.00	8,314.00	10,379.00	12,413.00
	With any part more than single storey	6,289.00	7,186.00	8,686.00	10,715.00	12,786.00

2022/2023 Proposal

	Consent Category	Value ($)	Range	Zone 1 ($)	Zone 2 ($)	Zone 3 ($)	Zone 4A ($)	Zone 4B ($)
Band A	Commercial, Industrial, Communal residential, Communal non-residential, New dwelling.	< $200,000	Single storey	$5,009	$5,910	$7,511	$9,684	$11,828
			With any part more than single storey	$5,437	$6,368	$8,147	$10,562	$12,944
		$200,000 - $399,999	Single storey	$5,307	$6,208	$7,809	$9,982	$12,126
			With any part more than single storey	$5,884	$6,815	$8,594	$11,008	$13,391
		$400,000 - $799,999	Single storey	$6,311	$7,273	$9,230	$11,886	$14,507
			With any part more than single storey	$6,888	$7,880	$10,015	$12,913	$15,772
		$800,000 - $1,499,999	Single storey	$7,781	$8,774	$10,909	$13,806	$16,666
			With any part more than single storey	$8,656	$9,083	$11,396	$14,535	$17,632
		$1,500,000 - $3,999,999	N/A	$12,043	$13,128	$15,796	$19,418	$22,992
		$4,000,000 - $9,999,999	N/A	$14,834	$15,981	$19,005	$23,110	$27,160
		> $10,000,000	N/A	Negotiable				

- On review of the current flat fee system, it was observed that there is currently no breakdown as to how the total fees are calculated. The 2022/2023 proposed fee schedule provides a breakdown of individual charges for each fee. Without the breakdown the travel component of the total consent fees cannot be refunded when Artisan is used. To allow for this change most fees have had a minor increase/decrease to allow for this calculation.

BUILDING CONSENTS Fees are GST Inclusive **BUILDING CONSENTS**

	Consent Category	Value ($)	Range	Zone 1 ($)	Zone 2 ($)	Zone 3 ($)	Zone 4A ($)	Zone 4B ($)
Band A	Commercial, Industrial, Communal residential, Communal non-residential, New dwelling.	< $200,000	Single storey	$5,009	[illegible]	[illegible]	[illegible]	[illegible]
			With any part more than single storey	$5,437				
		$200,000 - $399,999	Single storey	$5,307				
			With any part more than single storey	$5,884				
		$400,000 - $799,999	Single storey	$6,311				
			With any part more than single storey	$6,888				
		$800,000 - $1,499,999	Single storey	$7,781	[illegible]	[illegible]	$13,806	$16,666
			With any part more than single storey	$8,656	$9,083	$11,396	$14,535	$17,632
		$1,500,000 - $3,999,999	N/A	$12,043	$13,128	$15,796	$19,418	$22,992
		$4,000,000 - $9,999,999	N/A	$14,834	$15,981	$19,005	$23,110	$27,160
		> $10,000,000	N/A	Negotiable				

10 * inspections
10 * travel zone
1 application fee
processing fee 15 hours @ $142
Zone 2,3,4,4a additional fee for wastewater processing ($624)

Note: Consents with multiple structures will incur additional inspection fees as required. Refer inspection fee costs. Note: Consents with multiple s

- *Pole* and *unlined sheds/garages* move from Band B to Band F. This proposed change was initiated after feedback from customer surveys raised concerns about fees that charged for relatively simple builds. These concerns have been considered and hence the proposed move.

Note: Consents with multiple structures will incur additional inspection fees as required. Refer inspection fee costs.

Band B	*Significant projects will be charged as new work with Band A fees.* Dwelling Additions/Alterations. Commercial, Industrial, Communal Use non-residential Additions/Alterations. Lined Sheds/Garages Removals & Demolition. Relocated to new site.	Minor works < $7,500	N/A	$595	$626	$804
		$7,500 - $24,999		$1,450	$1,543	$2,076
		$25,000 - $49,999		$2,127	$2,874	$3,586
		$50,000 - $99,999		$3,410	$4,249	$5,494
		$100,000 - $199,999		$4,860	$5,165	$6,766
		$200,000 - $399,999		$5,307	$6,208	$7,809
		$400,000 - $799,999		$6,311	$7,273	$9,230
		$800,000 - Upward		Charged as Band A work	Charged as Band A work	Charged as Band A work

Note: Consents with multiple structures will incur additional inspection fees as required. Refer inspection fee costs.

Band C	Solid Fuel Heaters, Solar Water Heaters, Plumbing, Drainage, Wastewater Systems.	Minor works < $10,000		$484	$514	$692
		$10,000 - $19,999		$595	$626	$804
		$20,000 - $49,999		$893	$924	$1,102
		$50,000 - $100,000		$1,172	$1,233	$1,589
		> $100,000 refer Band F		Charged as Band F work	Charged as Band F work	Charged as Band F work
Band D	Marquees.	Any	Standard Marquees	$266	$296	$474
Band E	Multi Use Approval Applications	< $7,500	N/A	$595	$626	$804
		$7,500 - $19,999		$1,301	$1,394	$1,927
		$20,000 - $99,999		$1,878	$2,001	$2,712
		$100,000 - $499,999		$3,828	$4,165	$6,122
		$500,000 and above		$4,106	$4,475	$6,610
Band F	Jetties, Swimming Pools/Fencing, Retaining Walls, any other SED design with engineer inspections, (does not include Dams or Reservoirs), Unlined Sheds/Garages, Pole Sheds.	< $10,000	N/A	$484	$626	$804
		$10,000- $19,999		$893	$924	$1,102
		$20,000 - $99,999		$1,599	$1,692	$2,225
		$100,000 - $400,000		$2,027	$2,150	$2,861
		> $400,000 refer Band B		Charged as Band B work	Charged as Band B work	Charged as Band B work

- An additional value band of $50,000-$100,000 to Band C has been added. This allows for large scale plumbing and drainage consents to be charged accordingly rather than at a higher rate which it is currently charged at.

Band C	Solid Fuel Heaters, Solar Water Heaters, Plumbing, Drainage, Wastewater Systems.	Minor works < $10,000		$484	$514	$692	$934	$1,172
		$10,000 - $19,999		$595	$626	$804	$1,046	$1,284
		$20,000 - $49,999		$893	$924	$1,102	$1,343	$1,582
		$50,000 - $100,000		$1,172	$1,233	$1,589	$2,072	$2,549
		> $100,000 refer Band F		Charged as Band F work	Charged as Band F work	Charged as Band F work	Charged as Band F work	Charged as Band F work

Attachment 2

2021/2022 Current Charges and Miscellaneous Fee Schedule

	Consent Category	Value ($)	Range	Zone 1 ($)	Zone 2 ($)	Zone 3 ($)	Zone 4A ($)	Zone 4B ($)
Band A	Commercial, Industrial, Communal residential, Communal non-residential, New dwelling.	Up to $200,000	Single storey	4,644.00	5,543.00	7,041.00	9,108.00	11,141.00
			With any part more than single storey	4,893.00	5,790.00	7,289.00	9,355.00	11,389.00
		$200,001 - $400,000	Single storey	5,026.00	5,925.00	7,425.00	9,490.00	11,524.00
			With any part more than single storey	5,792.00	6,690.00	8,189.00	10,256.00	12,290.00
		$400,001 - $800,000	Single storey	5,916.00	6,814.00	8,314.00	10,379.00	12,413.00
			With any part more than single storey	6,289.00	7,186.00	8,686.00	10,751.00	12,786.00
		$800,001 - $1,500,000	Single storey	7,002.00	8,000.00	9,665.00	11,961.00	14,221.00
			With any part more than single storey	7,622.00	8,621.00	10,286.00	12,582.00	14,842.00
		$1,500,001 - $4,000,000	N/A	11,180.00	12,378.00	14,376.00	17,132.00	19,844.00
		$4,000,001 - $10,000,000	N/A	13,776.00	14,975.00	16,972.00	19,727.00	22,440.00
		> $10,000,001	N/A	Negotiable				
Note: Consents with multiple structures will incur additional inspection fees as required. Refer inspection fee costs.								
Band B	*Significant projects will be charged as new work with Band A fees.* Dwelling Additions/Alterations. Commercial, Industrial, Communal Use non-residential Additions/Alterations. New Sheds, Garages, Removals & Demolition. Relocated to new site	Minor works < $7,500	N/A	527.00	727.00	1,061.00	1,519.00	2,220.00
		$7,501 - $25,000		1,158.00	1,458.00	1,957.00	2,647.00	3,821.00
		$25,001 - $50,000		1,913.00	2,213.00	2,712.00	3,401.00	4,472.00
		$50,001 - $100,000		3,134.00	3,633.00	4,466.00	5,614.00	7,043.00
		$100,001 - $400,000		4,209.00	5,108.00	6,606.00	8,673.00	11,007.00
		$400,001 - $800,000		5,916.00	6,814.00	7,445.00	10,379.00	12,413.00
		$800,001 - Upward		Charged as Band A work	Charged as Band A work	Charged as Band A work	Charged as Band A work	Charged as Band A work
Note: Consents with multiple structures will incur additional inspection fees as required. Refer inspection fee costs.								
Band C	Solid Fuel Heaters, Solar Water Heaters, Plumbing, Drainage, Wastewater Systems.	Minor works < $10,000	N/A	399.00	432.00	455.00	808.00	808.00
		$10,001 - $20,000		419.00	519.00	658.00	915.00	1,129.00
		$20,001 - $50,000		569.00	668.00	808.00	1,065.00	1,309.00
		> $50,000 refer Band F		Charged as Band F work	Charged as Band F work	Charged as Band F work	Charged as Band F work	Charged as Band F work
Band D	Marquees.	Any	Standard Marquees	269.00	369.00	626.00	765.00	920.00
Band E	Multi Use Approval Applications.	Up to $7,500	N/A	127.00	227.00	393.00	624.00	779.00
		$7,501 - $20,000		243.00	443.00	803.00	1,235.00	1,545.00
		$20,001 - $100,000		380.00	880.00	1,820.00	2,860.00	3,636.00
		$100,001 - $500,000		560.00	1,458.00	2,957.00	5,023.00	6,420.00
		$500,001 and above		852.00	1,851.00	3,516.00	5,811.00	7,363.00
Band F	Jetties, Swimming Pools/Fencing, Retaining Walls, any other SED design with engineer inspections (does not include Dams or Reservoirs), Pole Sheds.	Up to $7,500	N/A	419.00	519.00	685.00	915.00	1,070.00
		$7,501 - $20,000		717.00	816.00	984.00	1,213.00	1,368.00
		$20,001 - $100,000		1,522.00	1,622.00	1,789.00	2,019.00	2,174.00
		$100,001 - $500,000		1,911.00	2,211.00	2,710.00	3,399.00	3,864.00
		> $500,001 refer Band A		Charged as Band A work	Charged as Band A work	Charged as Band A work	Charged as Band A work	Charged as Band A work

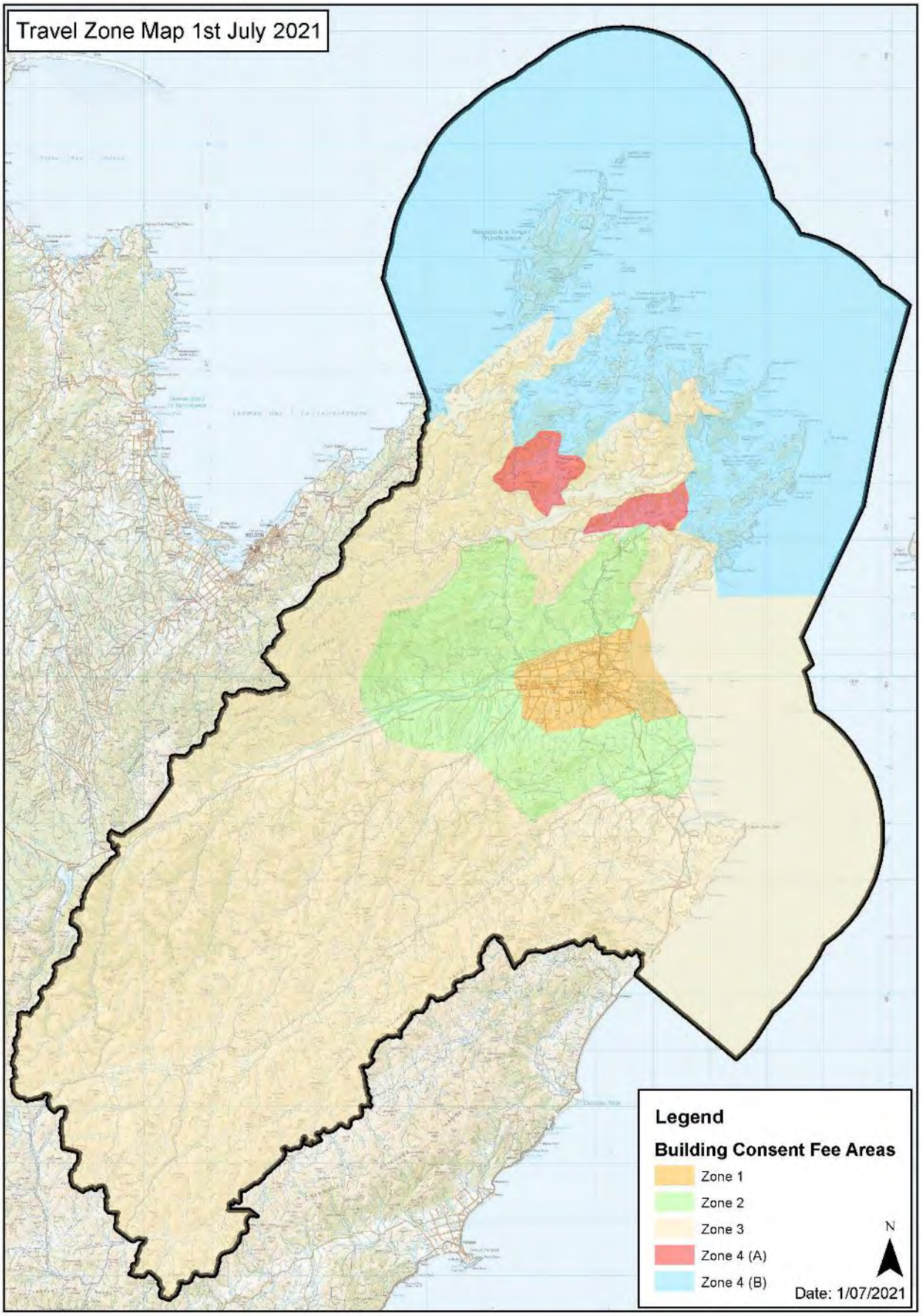
Miscellaneous Building Consent Fees (incl of GST unless stated)	
Consultancy Fees (if applicable)	
Structural component - consultants review fee	Consultants fee plus 15%
Specialist advice - consultants review fee	Consultants fee plus 15%
Recovery of charges by New Zealand Fire Service	As charged plus 15%
Other Agency Charges	
Levies (calculated exclusive (net) of GST)	
BRANZ Levy - collected on behalf by MDC	
Less than $20,000	No Charge
$20,000 and greater	$1.00 per $1,000
MBIE Levy - collected on behalf by MDC	
Less than $20,444	No Charge
$20,444 and greater	$1.75 per $1,000
Related Matters (if applicable)	
S71 Building Act Title Notations	$1,551.00
S75 Building Act Title Notations	$1,551.00
Lapsing of Building Consent	$78.00
Receiving hard copy applications	$78.00
Processing of full private BCA applications	$165.00
Refusing of building consent (officer time is charged in addition)	$165.00
Extension to time to commence building work under a building consent	$78.00
Charge Out Rate (if applicable)	
Officer charge out rate for work not covered by the Fee Schedule (per hour)	$142.00
Inspection Fees (charged additionally as applicable)	
Building Consent Inspection - Additional Inspection Fees	$165.00
Pool Inspection - Additional Inspection Fees	$165.00
CS & BWoF Inspection - Additional Inspection Fees	
- 1st Hour	$165.00
- Over 1st hour (charged in half hour increments)	$83.00
Travel Fees per zone (charged additionally as applicable)	
Inspection travel fees when not part of a consent application - Zone 1	$98.00
Inspection travel fees when not part of a consent application - Zone 2	$127.00
Inspection travel fees when not part of a consent application - Zone 2	$295.00
Inspection travel fees when not part of a consent application - Zone 4A (boat)	$523.00
Inspection travel fees when not part of a consent application - Zone 4B (boat)	$748.00
Building Warrants of Fitness & Compliance Schedules	
New Compliance Schedule administration fee	$50.00
New Compliance Schedule generation fee (chargeable on each Specified System added)	$88.00
Amendment to Compliance Schedule (chargeable on each Specified System being added/amended/removed	$88.00
Annual charge for Building Warrant of Fitness	$50.00
Full Certificate of Acceptance (do not apply to emergency works requiring CoA)	
Application fee (paid on application)	$517.00
Processing fee	$1,014.00
Processing continued - % of value of work	1.50%
Inspections and travel costs - evidence	As per MDC fee schedule
Equivalent building consent fee for project	As per MDC fee schedule
Levies, MBIE and BRANZ as per normal building consent	As per MDC fee schedule
Services fees	As per MDC fee schedule
Development levies	As per MDC fee schedule
Minor Certificate of Acceptance (see COA brochure)	
Application fee (paid on application)	$517.00
Processing continued - % of value of work	1.50%
Inspections and travel costs - evidence	As per MDC fee schedule
Equivalent building consent fee for project	As per MDC fee schedule
Levies, MBIE and BRANZ as per normal building consent	As per MDC fee schedule
Services fees	As per MDC fee schedule
Development levies	As per MDC fee schedule
Certificate for Public Use	
Application fee	$177.00
Any additional inspection not covered by flat fee - plus travel as per zone	$165.00
Notices to Fix/Serving of Notices	$199.00
Minor Variations (Minimum of 1 hour charged out as 0.5 increments of hourly rate thereafter)	$142.00
Full Amendments (made up from processing, inspection)	
Application and administration	$394.00
Processing @ hourly rate	$142.00
Additional inspections required	$165.00
Plus travel as per zone	see above
BRANZ and MBIE levies apply to increased value as per "Other Agency Charges"	
Project Information Memorandum (PIM)	
Application charge - Standard fee	$424.00
Schedule 1 Exemption 2 (calculated on average application)	
Minor Works up to $25,000	$571.00
Minor Works $25,001 - $50,000	$776.00
Major Works $50,001 - $200,000	$1,252.00
Major Works $200,001 - $400,000	$1,933.00
Major Works $400,001 - $1,000,000	$2,751.00
Major Works > $1,000,000.00	Negotiation considering value, type of work and risk

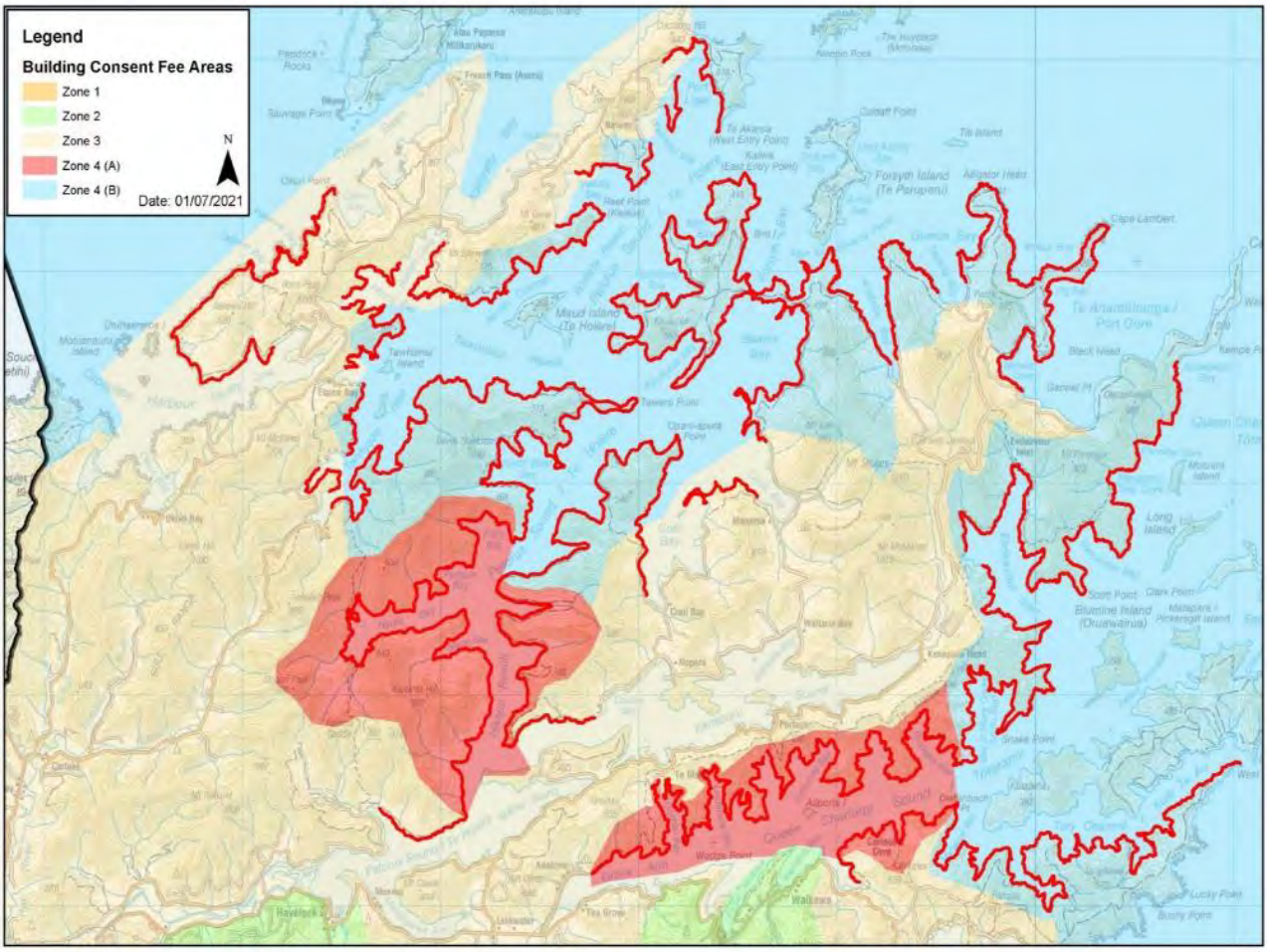
Attachment 3

2022/2023 Proposed Fee Charges and Miscellaneous Fee Schedule

Band A	Commercial, Industrial, Communal residential, Communal non-residential, New dwelling.	< $200,000	Single storey	$5,009	$5,910	$7,511	$9,684	$11,828
			With any part more than single storey	$5,437	$6,368	$8,147	$10,562	$12,944
		$200,000 - $399,999	Single storey	$5,307	$6,208	$7,809	$9,982	$12,126
			With any part more than single storey	$5,884	$6,815	$8,594	$11,008	$13,391
		$400,000 - $799,999	Single storey	$6,311	$7,273	$9,230	$11,886	$14,507
			With any part more than single storey	$6,888	$7,880	$10,015	$12,913	$15,772
		$800,000 - $1,499,999	Single storey	$7,781	$8,774	$10,909	$13,806	$16,666
			With any part more than single storey	$8,656	$9,083	$11,396	$14,535	$17,632
		$1,500,000 - $3,999,999	N/A	$12,043	$13,128	$15,796	$19,418	$22,992
		$4,000,000 - $9,999,999	N/A	$14,834	$15,981	$19,005	$23,110	$27,160
		> $10,000,000	N/A	Negotiable				
Note: Consents with multiple structures will incur additional inspection fees as required. Refer inspection fee costs.								
Band B	*Significant projects will be charged as new work with Band A fees.* Dwelling Additions/Alterations. Commercial, Industrial, Communal Use non-residential Additions/Alterations. Lined Sheds/Garages Removals & Demolition. Relocated to new site.	Minor works < $7,500	N/A	$595	$626	$804	$878	$1,284
		$7,500 - $24,999		$1,450	$1,543	$2,076	$2,801	$3,515
		$25,000 - $49,999		$2,127	$2,874	$3,586	$4,551	$5,505
		$50,000 - $99,999		$3,410	$4,249	$5,494	$7,184	$8,852
		$100,000 - $199,999		$4,860	$5,165	$6,766	$8,939	$11,084
		$200,000 - $399,999		$5,307	$6,208	$7,809	$9,982	$12,126
		$400,000 - $799,999		$6,311	$7,273	$9,230	$11,886	$14,507
		$800,000 - Upward		Charged as Band A work	Charged as Band A work	Charged as Band A work	Charged as Band A work	Charged as Band A work
Note: Consents with multiple structures will incur additional inspection fees as required. Refer inspection fee costs.								
Band C	Solid Fuel Heaters, Solar Water Heaters, Plumbing, Drainage, Wastewater Systems.	Minor works < $10,000		$484	$514	$692	$934	$1,172
		$10,000 - $19,999		$595	$626	$804	$1,046	$1,284
		$20,000 - $49,999		$893	$924	$1,102	$1,343	$1,582
		$50,000 - $100,000		$1,172	$1,233	$1,589	$2,072	$2,549
		> $100,000 refer Band F		Charged as Band F work	Charged as Band F work	Charged as Band F work	Charged as Band F work	Charged as Band F work
Band D	Marquees.	Any	Standard Marquees	$266	$296	$474	$716	$954
Band E	Multi Use Approval Applications.	< $7,500	N/A	$595	$626	$804	$878	$1,284
		$7,500 - $19,999		$1,301	$1,394	$1,927	$2,801	$3,367
		$20,000 - $99,999		$1,878	$2,001	$2,712	$3,510	$4,631
		$100,000 - $499,999		$3,828	$4,165	$6,122	$8,610	$11,399
		$500,000 and above		$4,106	$4,475	$6,610	$9,339	$12,366
Band F	Jetties, Swimming Pools/Fencing, Retaining Walls, any other SED design with engineer inspections (does not include Dams or Reservoirs), Unlined Sheds/Garages, Pole Sheds.	< $10,000	N/A	$484	$626	$804	$1,046	$1,284
		$10,000- $19,999		$893	$924	$1,102	$1,343	$1,582
		$20,000 - $99,999		$1,599	$1,692	$2,225	$2,950	$3,664
		$100,000 - $400,000		$2,027	$2,150	$2,861	$3,827	$4,780
		> $400,000 refer Band B		Charged as Band B work	Charged as Band B work	Charged as Band B work	Charged as Band B work	Charged as Band B work

Miscellaneous Building Consent Fees (incl of GST unless stated)	
Consultancy Fees (if applicable)	
Structural component - consultants review fee	Consultants fee plus 15%
Specialist advice - consultants review fee	Consultants fee plus 15%
Recovery of charges by New Zealand Fire Service	As charged plus 15%
Other Agency Charges	
Levies (calculated exclusive (net) of GST)	
BRANZ Levy - collected on behalf by MDC	
Less than $20,000	No Charge
$20,000 and greater	$1.00 per $1,000
MBIE Levy - collected on behalf by MDC	
Less than $20,444	No Charge
$20,444 and greater	$1.75 per $1,000
Related Matters (if applicable)	
S71 Building Act Title Notations	$1,643
S75 Building Act Title Notations	$1,643
Lapsing of Building Consent	$83
Receiving hard copy applications	$83
Processing of full private BCA applications	$175
Refusing of building consent (officer time is charged in addition)	$175
Extension to time to commence building work under a building consent	$83
Charge Out Rate (if applicable)	
Officer charge out rate for work not covered by the Fee Schedule (per hour)	$149
Inspection Fees (charged additionally as applicable)	
Building Consent Inspection - Additional Inspection Fees	$175
Pool Inspection - Additional Inspection Fees	$175
CS & BWoF Inspection - Additional Inspection Fees	
- 1st Hour	$175
- Over 1st hour (charged in half hour increments)	$88
Travel Fees per zone (charged additionally as applicable)	
Inspection travel fees when not part of a consent application - Zone 1 (Includes Officers Travel Time)	$104
Inspection travel fees when not part of a consent application - Zone 2	$134
Inspection travel fees when not part of a consent application - Zone 2	$312
Inspection travel fees when not part of a consent application - Zone 4A (boat)	$554
Inspection travel fees when not part of a consent application - Zone 4B (boat)	$792
Building Warrants of Fitness & Compliance Schedules	
New Compliance Schedule administration fee	$53
New Compliance Schedule generation fee (chargeable on each Specified System added)	$93
Amendment to Compliance Schedule (chargeable on each Specified System being added/amended/removed	$93
Annual charge for Building Warrant of Fitness	$53
Full Certificate of Acceptance (do not apply to emergency works requiring CoA)	
Application fee (paid on application)	$548
Processing fee	$1,074
Processing continued - % of value of work	1.50%
Inspections and travel costs - evidence	As per MDC fee schedule
Equivalent building consent fee for project	As per MDC fee schedule
Levies, MBIE and BRANZ as per normal building consent	As per MDC fee schedule
Services fees	As per MDC fee schedule
Development levies	As per MDC fee schedule
Minor Certificate of Acceptance (see COA brochure)	
Application fee (paid on application)	$548
Processing continued - % of value of work	1.50%
Inspections and travel costs - evidence	As per MDC fee schedule
Equivalent building consent fee for project	As per MDC fee schedule
Levies, MBIE and BRANZ as per normal building consent	As per MDC fee schedule
Services fees	As per MDC fee schedule
Development levies	As per MDC fee schedule
Certificate for Public Use	
Application fee	$187
Any additional inspection not covered by flat fee - plus travel as per zone	$175
Notices to Fix/Serving of Notices	$211
Minor Variations (Minimum of 1 hour charged out as 0.5 increments of hourly rate thereafter)	$150
Full Amendments (made up from processing, inspection)	
Application and administration	$417
Processing @ hourly rate	$150
Additional inspections required	$175
Plus travel as per zone	see above
BRANZ and MBIE levies apply to increased value as per "Other Agency Charges"	
Minor Administratoin Fees	
Minor Application and administration fee	$168
Project Information Memorandum (PIM)	
Application charge - Standard fee	$445
Schedule 1 Exemption 2 (calculated on average application)	
Minor Works up to $25,000	$605
Minor Works $25,001 - $50,000	$822
Major Works $50,001 - $200,000	$1,326
Major Works $200,001 - $400,000	$2,047
Major Works $400,001 - $1,000,000	$2,913
Major Works > $1,000,000.00	Negotiation considering value, type of work and risk


Travel Zone Map 1st July 2021
Legend
Building Consent Fee Areas
Zone 1
Zone 2
Zone 3
Zone 4 (A)
Zone 4 (B)
N
Date: 1/07/2021


Legend
Building Consent Fee Areas
Zone 1
Zone 2
Zone 3
Zone 4 (A)
Zone 4 (B)
N
Date: 01/07/2021

9. Food Act 2014 fees

(Clr Faulls) (Report prepared by Karen Winter) **E350-004-009-02**

Purpose of Report

1. To inform the Committee on the outcome of the Special Consultative Procedure for the proposed 2022/2023 Food Act Fees and provide a recommendation on the adoption of the proposed fees.

Executive Summary

2. The Special Consultative Procedure has been undertaken for the proposed 2022/2023 Food Act 2014 Fees. There were four submissions received during the submission period. The sub-committee met and deliberated, confirming the proposed fees should be adopted.

RECOMMENDATION

That Council confirm the proposed Food Act 2014 fees be adopted.

Background/Context

3. At the Environment Committee meeting on 10 February 2022, the Committee agreed to continue the Special Consultative Procedure on the proposed fees.
4. Full Council ratified this decision on 24 February 2022 and confirmed to have a sub-committee of Councillors Faulls, Sowman and Arbuckle to hear and deliberate on submissions.
5. The Statement of Proposal for these fees was either emailed or posted to all our current food businesses as well as being advertised in the Blenheim Sun, Marlborough Midweek and on the Council website.
6. The submission period was from 1 March 2022 to 1 April 2022.
7. Four submissions were received during that time.

Discussion

8. The proposed fees are detailed in Table 1:

Table 1: Summary of Current and Proposed fees

Function	Current Fee (GST Inclusive)	Proposed Fee (GST Inclusive)
New Registration for a template food control plan or a business subject to a national programme	$254 fixed fee (includes processing of application and providing education for applicant)	$270 fixed fee (includes processing of application and providing education for applicant)
	$145 per hour spent on processing application or educating applicant after the first 2 hours	$154 per hour spent on processing application or educating applicant after the first 2 hours
Each additional site under the same Registration	$50 per site	$50 per site
Renewal of Registration	$108 fixed fee	$115 fixed fee
Each additional site under the same Registration	$50 per site	$50 per site

Function	Current Fee (GST Inclusive)	Proposed Fee (GST Inclusive)
Amendment to Registration Amendment or significant change to registration of food control plan based on a template or model issued by MPI or a business subject to a national programme.	$108 fixed fee	$115 fixed fee
Verification Verification including site visits, corrective action follow-up correspondence and documentation for template or model food control plans	$145 per hour	$154 per hour
Compliance - Complaint driven investigation resulting in enforcement action.	$145 per hour	$154 per hour
Monitoring- Monitoring for food safety and suitability	No charge	No charge
Reschedule of Verification - Operator fails to be on site for scheduled verification or operator reschedules verification (without reasonable cause) within 48 hours of appointment	$108 fixed fee Travel charge if appropriate	$115 fixed fee Travel charge if appropriate
Travel Charge Zone map	• Zone One - No Travel Fee • Zone Two - $50 • Zone Three - $85 • Zone Four - $245 • Zone Five - Actual Travel Costs incurred.	• Zone One - No Travel Fee • Zone Two - $53 • Zone Three - $90 • Zone Four - $260 • Zone Five - Actual Travel Costs incurred.
Disbursements	Actual Cost	Actual Cost

9. The four submitters did not wish to be heard. A summary of the submissions was provided to the sub-committee along with a copy of the actual submissions. The summary document is attached. (Refer Attachment 1)

Summary

10. The sub-committee met on 11 April 2022 and deliberated. The minutes of that meeting are attached. (Refer to Attachment 2) They decided that no change to the proposed new fees should be made and accordingly recommends that the proposed fees be adopted.

Next steps

11. Should the Committee confirm the recommendation of the Sub-Committee, and this is ratified at full Council on 19 May, the fees will become payable from 1 July 2022.

Attachments

Attachment 1 - Summary of Submissions to the Proposed Food Act fees for 2022/2023 Page [39]

Attachment 2 - Minutes of the Sub-Committee meeting on the submission to the proposed Food Act Fees Page [40]

Author	Karen Winter, Team Leader Environmental Health
Authoriser	Jamie Clark, Compliance Manager

Summary of decision-making considerations

Fit with purpose of local government

The proposal enables Environmental Health activities to continue to be carried out professionally and cost-effectively

Fit with Council policies and strategies

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

This proposal contributes to the financial strategy relating to supplying Environmental Health activities being equitable, efficient, justifiable, and transparent.

Nature of the decision to be made

The options do not involve a significant decision in relation to land or a body of water.

Financial considerations

The proposed fees will assist in ensuring the required income is obtained to maintain the function.

Significance

The decision is considered of low significance under Council's Significance and Engagement Policy.

Engagement

Engagement has occurred with those businesses affected by the proposed fees and the public generally through the Special Consultative Procedure.

Risks: Legal / Health & Safety etc

There are no known significant risks or legal implications.

Climate Change Implications

There are no known climate change implications to this decision.

Attachment 1

Summary of Submissions to the Proposed Food Act Fees for 2022/2023

Submission Summary – Statement of Proposal for fees under the Food Act 2014 - 2022/2023

4 April 2022

Four submissions were received on the Proposal for fees under the Food Act 2014 for 2022/2023. None of the submitters wished to be heard on their submission. The below points were made in the submissions:

Submission	Feedback/Comment	Proposed Recommendation
Submitter agrees with the new fees (Nichcha Wara)	*No comment required*	The preposed Fees are accepted by this Sub-Committee
Due to the current climate, there are restricted numbers of patrons, increases from suppliers and wage costs so do not want any other increased costs from Council *(Julie Ibbotson)*	*The Environmental Health team is fully sympathetic to the increased pressure on the Hospitality Industry. For that reason, we have held off on fees increases since the pandemic started.* *Our Finance department has advised that we need to increase our charges to ensure our costs are covered by the current 60/40 split of 60% paid by the food businesses, 40% by ratepayers. Should the charges not be increased then more of our activity cost would need to be supported by general rates funding.* *We allow food businesses to do time-payment of their verification fees to spread the cost out.*	The proposed fees are accepted by this Sub-Committee.
Submitter is accepting of price increase. (Marco Minghetti)	*No comment required*	The proposed fees are accepted by this Sub-Committee.
That we should move away from the paper-based template and have a digital version. Poor timing due to the Covid pandemic. Ask that that fee increases should be put off for a year or until borders have reopened. (Hospitality New Zealand)	*Some of our businesses are using a digital version of the template such as Chomp or Food Safe Pro and we support them doing this. We have in fact advertised these applications in our newsletter to suggest them as an option. This is a business decision that they are welcome to make (but it does involve purchasing the application from the company involved). Our verification fees are based on how long it takes to verify records (and conduct the site visit) and we are happy to look at written or electronic records. We have endeavoured to make a more user-friendly record-keeping diary for those that still wish to use a paper-based system. This has been well-received by food businesses and has shortened verification times (and therefore costs) for them.* *As mentioned before, we have held off increasing our fees since the Pandemic started however, we have been advised by the Council Finance team an increase is needed to cover our costs.* *Borders have now begun to open under the Government Pandemic response.*	The proposed fees are accepted by this Sub-Committee. (The EH Team can write to Hospitality NZ to advise them that we fully support any business that wishes to use a digital version for the template Food Control Plan).

Attachment 2

Minutes of the Sub-Committee meeting on the submission to the proposed Food Act Fees

Minutes of the Sub-committee meeting on the Proposed Food Act Fees for 2022/2023

Held at	MDC Offices	**Held on**	11 April 2022
Present	**Councillor Faulls** **Councillor Arbuckle** **Councillor Sowman**	**Commenced**	8:30am
In Attendance	**Karen Winter**	**Closed**	9:00am
Apologies	nil	**File**	E350-004-009-02

1. The Sub-Committee of Councillor Faulls, Arbuckle and Sowman met to deliberate on the submissions on the proposed Food Act 2014 fees for 2022/2023. Four submissions were received, two were in opposition to the proposal. No submitters wished to be heard.

2. After reviewing the submissions, the Sub-Committee agreed to accept the proposed fees for the following reasons:

   - There is a need to increase the fees to maintain the 60/40 split of costs and not increase costs to the ratepayer;
   - It has been two years since the fees have been increased. These have been held at the same rate as long as possible during the Covid response, however if left for another year then it is likely an even larger increase would be required;
   - The Sub-Committee recognised that the hospitality sector is under a lot of stress however the small number of submissions indicated there was not a large unhappiness at the proposed increase; and
   - The Sub-Committee also recognised that the Environmental Health Team allows businesses to pay off their verification costs to spread the financial impact.

3. In response to the submission from Hospitality New Zealand regarding Council using digital versions of the template Food Control Plan, it was requested that the Environmental Health Team respond with the following information;

   - Council fully supports the use of digital versions and has several food businesses using this system and has in fact promoted these versions in our seasonal newsletters;
   - The Environmental Health Team has been, and will continue to be happy to undertake verifications of businesses using applications such as Chomp and Food Safe Pro.

Summary

It was Moved by Councillor Faulls that the recommendation is made to the Environment Committee that the proposed fees as detailed in the Statement of Proposal for the 2022/2033 Food Act Fees be accepted.

This was Seconded by Councillor Sowman and confirmed by Councillor Arbuckle.

10. Animal Control Sub-Committee

(Clr Arbuckle) **D050-001-A04**

1. The minutes of the Animal Control Sub-Committee meeting held on 10 March 2022 are **attached** for ratification by the Committee

RECOMMENDATION

That the minutes of the Animal Control Sub-Committee meeting held on 10 March 2022 be ratified.

MARLBOROUGH DISTRICT COUNCIL

Minutes of a Meeting of the
ANIMAL CONTROL SUB-COMMITTEE
held in the Council Chambers, District Administration Building, Seymour Street, Blenheim on THURSDAY, 10 MARCH 2022 commencing at 1.00 pm

Present

Clrs J A Arbuckle (Chairperson), B A Faull, N Taylor and T P Sowman

In Attendance

Jane Robertson (MDC Animal Control – Contract Manager), Jono Underwood (Biosecurity Manager) and Nicole Chauval (Committee Secretary)

In Attendance via Zoom

Jamie Clark (MDC Compliance Manager) and Robert Hutchinson (Parks & Open Spaces Officer) (from 1.08 pm)

NB: The order of the agenda was altered at this point and the following Item 13 was heard ahead of Item 1.

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

1. Chilean Needle Grass

Council's Biosecurity Manager, Jono Underwood, spoke to members on Chilean needlegrass with respect to its location in and around the Blenheim dog park and the ongoing management of it. An aerial of the area and site location of the Chilean needlegrass within the area was shown. It was noted that it was first discovered in 2014 and has steadily increased in numbers since.

Mr Underwood noted that the technical staff don't see the proposed park posing any greater risk as the plant is already established in the Taylor River Reserve and people and dogs use the area.

Members were advised that a decision was made fairly early on that it is not feasible for a public pace such as the Taylor River to be closed while endeavouring to manage the pest. Council staff try and manage it in the presence of people and animals and the dog park will be treated in the same way.

November/December is when the active spray operation (glypsophate and taskforce) is undertaken on the River Reserve and once the dog park is established it will occur inside the dog park. It was noted that this will need to be managed as it would be an area of high concentration of people and dogs so there is the potential of heightened sensitivity.

How the park is managed during this time was discussed and it was noted there are possible alternatives if there is adverse reaction form the public on spraying within the park eg: physically grubbing any plants found. This would increase costs and time but this may be minimal given the size of the park.

It was queried whether potential park users from across the province use the park would this change the risk that it could spread to wider parts of the province. Mr Underwood noted that there is a potential for it to be spread with the biggest concern being that it got into rural areas. It was suggested that communications identifying that it is an active Chilean needlegrass area and what is required to stop the spread be displayed. The reassurance is that it is intensively managed in that area so there won't be big stands of needlegrass making spread less likely.

During discussion Mr Hutchinson provided information on what is proposed during construction of the park with the intended outcome of suppressing the Chilean needlegrass. It was noted that they have readjusted the landscape plan and the carpark to further suppress the Chilean needlegrass.

Members noted that the area is classified as a Hail site so any material will be placed on top of what is there which will work as a suppressant and then grass seed sown which will further suppress the needle grass.

Mr Underwood was supportive of the proposal and made particular mention of the grass seed sown to ensure that it can stand up to the dry conditions of the area.

It was noted the spread risk during construction needs to be managed, particularly around machinery being cleaned down. It was suggested that construction be undertaken outside the months of November/December which is the high risk period, winter is the ultimate time to undertake any works. Mr Hutchinson advised that soil would be arriving next week.

Mr Underwood noted that he is happy to provide any future assistance.

2. Blenheim Dog Park

Robert Hutchinson provided members with an overview of the dog park development to date and noted that in discussions with the Parks and Open Spaces Team consideration is being given to locating the carpark on a flat surface. By moving the carpark it will mean easier access to the park and river as well as suppressing the needlegrass.

Members were advised that the location of the toilet has not been finalised. There is no issue with regards to water or plumbing.

Options for shade and shelter for the park were discussed. It was noted that any shade or shelter could be surface mounted on the concrete provided any wind considerations were met, Pollard Park is an example.

It is preferred that there is one consent for the whole site with the dog park being included in that consent. A project plan is being worked on at the moment. Robert Hutchinson advised he will discuss consenting within the park with Jane Robertson. It is likely that the planning will be undertaken by an outside agency as there is limited staff capacity to undertake the work.

If a planner can be contracted to write the consent, it will take three to six months to lodge it. This would be the same if we just did the dog park itself.

Clr Arbuckle noted that as it is multi-faceted project and queried which group would regular updates be provided to i.e.; Sub-Committee or through the Assets & Services Committee.

Robert Hutchinson advised that Parks and Open Spaces don't have the capacity to run this project and suggested that a project manager be engaged. It was suggested that an approach be made to Jamie Lyall/Maighan Watson on the best way forward and as part of that process a discussion on providing updates to this Sub-Committee could be had.

Jane Robertson to contact Jane Tito to clarify what the process is in regard to who to approach re Maighan Watson as Project Manager for the Dog Park.

Clr Arbuckle advised that feedback from the community will be sought on how they would like the park to look and what equipment is preferred. It was noted that although the Committee has moved away from a Remembrance Park a Remembrance Area is being considered which would be a place of reflection. It was proposed that this be considered for consultation.

No consent will be required for the Remembrance Area as long as no remains are deposited on the site.

Budget for the Dog Park were discussed. It was noted the $300k reported in the Assets & Services Committee agenda for 10 March 2022 meeting included the costs of the toilet and carpark. The funding from the Sub-Committee to complete construction of the dog park is $150k.

Members were advised that the $150k will be for everything in the park eg; doggie doo dispensing station, water and any items within the park e.g.; shelter and agility equipment.

It was noted that Parks and Open Spaces will factor in the carpark, toilets and consenting fees as part of the $1M budget approved by Council from the Land Subdivision Reserve for the development of the former Taylor Pass landfill site as a community recreation area.

Before Robert Hutchinson withdrew from the meeting the following was noted:

1. Renwick toilet requires a consent and that will cause a delay.
2. Sheps Park – is being used as a cricket ground on occasions and having dogs off leash is raising some issues. Under the bylaw it is a dog off leash area. It was noted that this wasn't considered when the bylaw was reviewed. Animal Control are aware of the issue and will patrol to provide some education.
3. Signage – A large number of park entrances have been updated. Jane Robertson has a list to work on for the remaining signs and is aware that special signs are required to go up at Pollard Park and a couple of other places to make it clear where dogs can and can't go.
4. Various stickers have been produced and distributed, along with a list of locations, to contractors who will update signs to help with changes from the bylaw review.
5. The draft media release seeking feedback, ideas and suggestions from the public regarding the Blenheim Dog Park was discussed. It was decided to extend the timeframe for seeking feedback from the start of April until the end of April and note that planning is underway. Feedback will also be sought via social media.

ATTENDANCE: Robert Hutchinson withdrew from the meeting at 1.54 pm and Clr Taylor withdrew at 1.58 pm.

Apologies

Clrs Arbuckle/Faulls:
That the apology from Jane Tito (Assets & Services Manager), be received.

Carried

3. Matters arising, action items & update from previous minutes – 19 January 2022.

Actions

	Description	Time frame
1.	Provide a written response to Cobie Curtis re Koromiko Reserve.	Completed
2.	Investigate options for shade/shelter for the Renwick and Blenheim Dog Parks.	Completed
3.	Correspondence from Leslie Hammersley to be forwarded to Jamie Clark.	Completed and Jamie Clark has asked Jane Robertson to draft a response
4.	Contact Leslie Hammersley advising her of the outcome.	To be actioned
5.	Marlborough Four Paws to be invited back to provide a further update	To be actioned
6.	Invite SPCA to attend a future meeting.	Will extend an invite when the new manager has been appointed.
7.	Meet with Glyn Walters to discuss ways of seeking comment/feedback on the Blenheim Dog Park proposal.	Completed. Jane Robertson met with Stacey Boswell and Katie Covell.

	Description	Time frame
8.	Invite Jane Tito, Jono Underwood and Clr Taylor to the next meeting.	Completed
9.	Seek sign off from Parks and Open Spaces on the recommended site for the Pet Remembrance area.	A work in progress to clarify areas and what the Pet Remembrance area will look like.
10.	Breakdown on what work is carried out and the costs are under 'other animals'	Members were advised that in the last year there have been 10 Other animal complaints - 6 complaints about cats, others related to lambs, pigs and bees. Not a lot of complaints but do get queries about what the bylaw is and these are not necessarily recorded.
11.	Including information on the Council page regarding MPI animal welfare.	Ongoing

4. Key Areas

4.1 Bylaws

- New Dog Control Bylaw & Dog Control Policy came into effect on 1 August 2021
- Animal Control have identified an issue with Dog on Leash areas. Jane Robertson is obtaining a legal opinion to get clarification on how best to deal with this.
- Members were advised that the Duncan Bay Residents Assn have sought clarification where dogs are to be on and off leash and have requested that signage be erected. A number of locations have been identified by the residents. It was proposed this be placed on hold until the legal opnion has been obtained.

  Jane Robertson to forward the correspondence from the Duncan Bay Residents Assn to Clr Faulls.

4.2 Contractor

- The Animal Services Contract commenced on 1 April 2015 and maximum contract term is seven years. The contract expiry is 31 March 2022.
- The new Animal Services Contract has been awarded to the emcumbant provider Maataa Waka Ki Te Ihu Trust. The new Contract has been signed and commences on 1 April 2022.There has been an increase in the contract price.
- Some Animal Control Officer staffing changes. Richard Edwards started on 14 February.
- Animal Control Office building relocation. Council is currently working with Maataa Waka and Council IT to ensure a smooth transition. No dates confirmed for the relocation yet.
- Due to current Covid situation Animal Control are working in two bubbles. Due to the added pressure and challenges for staff the microchipping special for March has been postponed. However, if the public do come in to get their dogs microchipped in March they will still receive the discount.

4.3 Review fees

- Report to Environment Committee on 11 February 2022 proposing a small fee increase to all dog registration fees but pound fees to remain unchanged. This was ratified by full Council meeting on 24 February 2022
- A public notice of the Annual Dog Registration fees as per section 37(6) of the Dog control Act 1996 to be arranged.

4.4 Dog Registration Update

- As of 7 March 2022 there are 10,775 dogs registered.
- Registration tags received for 2022/23.
- Various tag options to be considered for the 2023/24 year. Clr Arbuckle provided an update to members following a zoom meeting with Tracey Austin from Doggone.

  Jamie Clark indicated that a business case would need to be completed to consider any alternative tag options.

4.5 Education Update

- Education Officer Caroline Sinclair resigned and last day with Animal control was on 16 December 2021.

Year to date from the 1 July 2021			
Primary School Preschools	**Teenagers Adults**	**Public Events**	**Presentations Total**
33	2	0	33

- Due to Covid restrictions and staff changes education presentations have been on hold and it is unclear if Clued Up Kids will go ahead this year.

4.6 Microchipping Update

- Report provided to Environment Committee on 11 February 2022 with an update.
- In April 2021 the total number of dogs microchipped was 8102 and letters were sent to the 874 owners that needed to get their dogs microchipped
- There was a May $15 microchipping special at Animal Control
- As of 7 March 2022, there were 8765 dogs microchipped and there are 440 dogs still to be microchipped (that are legally required to i.e. not working dogs or dogs born after 1/7/2006).
- Planning a March 2022 $20 microchipping special at Animal Control but Covid business continuity planning Animal Control working in 2 separate bubbles has meant that this has been put on hold.

4.7 Infrastructure – Pound

- Some cracks in the driveway and infront of the outside kennels.
- A structural building report was completed by Davidson Group in December 2021 with some recommendations which need to be followed up.

5. Discussion for the Blenheim Dog Park

- Ways of seeking feedback on the Blenheim Dog Park proposal media statement
- Chilean Needle Grass considerations (Jono Underwood)
- Shade options
- Furniture options
- Agility equipment options
- Pet Remembrance Area

6. Renwick Dog Park Update

- No date as yet for toilet installation
- Issue of one dog escaping under the bottom wire in the large dog area and possible prevention options were discussed. It was suggested that it be monitored to see if any further issues occur.

7. Signage update

- New signage at entrances to reserves and parks eg Taylor River, A & P Park
- Signage Ngakuta Bay – the area is the responsibility of DOC and they have agreed to put DOC dog signs up. Wording for these signs ... 'this beach is home to ground-nesting birds'.
- Doggie Doo Station for Ngakuta Bay - Installation of Doogie Doo stations is with DOC for a decision. Clr Faulls advised that the Ngakuta Bay Residents Assn will table correspondence from MDC and DOC at the next Community Assn meeting for discussion and a decision on location and how they want to deal with it will be made.

8. SPCA Update

No update.

9. Cat Management

- Jane Robertson has been contacted by Teresa Thiel regarding cats. Teresa has also made contact with Clr Arbuckle.
- Correspondence from Maggie Anderson has been received. Noting the area appears to be a dumping ground for kittens/cats, this is an ongoing issue for her.

10. General Business

- Animal Welfare – no further updates except MPI have taken on board feedback provided form Council and are in the process of updating the Animal Welfare Plan for Marlborough.
- Members were advised that Jane Robertson has resigned fom her role to take up the position of Team Leader for the Customer Services Team at Council, last day will be 21 March 2022.

  Clr Arbuckle thanked Jane for all her hard work and help to progress and complete a number of projects successfully. Members wished her well in her new role.

  The next meeting date will be confirmed once an appointment has been made. Jane Robertson be invited to attend this meeting.

11. Public Excluded

No public excluded items to report on

There be no further business the meeting closed at 2.41 pm.

Actions

	Description	Person Responsible	Time frame
1.	Contact Jane Tito to clarify what the process is in regard to who to approach re Maighan Watson as Project Manager for the Dog Park.	Jane Robertson	Asap
2.	Duncan Bay Residents Assn correspondence to be forwarded to Clr Faulls.	Jane Robertson	Asap

Record No. 2265348

11. Appeals Update

(Clr Oddie) (Report prepared by Barbara Mead) **R450-004-22**

Purpose of Report

1. The purpose of this report is to provide an update as to the current Court proceedings (excluding prosecutions) managed by the Advocacy and Practice Integration Team as at 11 April 2022.

Executive Summary

2. Presently Council is engaged in 8 proceedings either as respondent or s274 party (excluding Abatement Notice appeals and enforcement proceedings).

RECOMMENDATION

That the information be received.

Background/Context

3. Outlined below is a brief summary and update as to these appeals:

a. ***EDS v Otago Regional Council (Plan appeal – MDC as s274 party) – Policy***

This is an appeal relates to the application of the *King Salmon* principles to plan development. The question to be answered is *"Did the High Court misapply the Supreme Court's decision in Environment Defence Society Inc v New Zealand King Salmon Co Ltd?"*

The matter was heard on 6 and 7 July 2021. The Court of Appeal dismissed the appeal. The bench was split. The majority decision akcnowledged the difficulties for the appeallant and further that the NZCPS was not fit for purpose anymore. It considered any resolution needed to be undertaken by Parliment. The minority decision also acknowledged the difficulties and the NZCPS being no longer fit for purpose but considered the Supreme Court may be able to address these. An application for appeal to the Supreme Court as lodged on 19 January 2022. The parties have filed submissions and were to attend the hearing on 11 to 12 April 2022 however this date has been adjourned due to a member of the bench being unwell.

b. ***Woolley (Transfer application appeal) - Consents***

This is an appeal relates the decline of a s136 application to transfer water use consent.

The parties attended mediation on 4 March 2021 however the matter is proceeding to hearing. The parties are presently preparing evidence. The matter will be heard early 2022 with a date yet to be set.

c. ***NZKS Ltd v MDC (Application for declaration) – Compliance/Consents***

This application for declaration relates to the interpretation of monitoring conditions in two aquaculture resource consents. There are presently timetabling directions for the filing of evidence which the parties must comply with. The matter will be heard early 2022 with a date yet to be set.

d. ***NZKS Ltd v MDC (Consent decision appeal) - Consents***

This matter relates to the decline of an application to vary conditions in respect of two aquaculture resource consents that would vary the monitoring conditions. These parties await timetabling directions to progress the matter.

e. ***Kuku Holdings Ltd v MDC (Consent decision appeal) - Consents***

This appeal relates to the decline of an application for resource consent which would enable the expansion of a mussel farm. The issues principally related to natural character,

landscape and visual amenity effects and effects on the king shag and its habitat. The matter is likely to be heard early 2022 with a date yet to be set.

f. ***Trustees of Cherrybank Trust (MBIE Determination appeal) - Building***

This appeal relates to a determination by MBIE finding that pool covers are not lawful pool barriers. The appellant is a property owner and is appealing the determination.

This matter has been set down for hearing with a date yet to be allocated.

g. ***Goodsier v MDC (Costs Objection Appeal) - Consents***
Following the hearing of an application for resource consent, the appellant lodged an objection as to costs. The objection was heard and in large part, refused. The appellant has now lodged an appeal against the objection decision. Council has lodged its Notice of Intention to be Heard and awaits initial directions from the Court.

h. ***Te Iwingaro Trust v MDC (Costs Objection Appeal) - Consents***
Following the hearing of an application for resource consent, the appellant lodged an objection as to costs. The objection was heard and in large part, refused. The appellant has now lodged an appeal against the objection decision. Council has lodged its Notice of Intention to be Heard and awaits initial directions from the Court.

Next steps

4. The Advocacy and Practice Integration Team will continue to work with the relevant officers to progress these proceedings and make best practice improvements.

Author	Barbara Mead, Advocacy and Practice Integration Manager
Authoriser	Gina Ferguson, Consents & Compliance Group Manager

12. Information Package

RECOMMENDATION

That the Regulatory Department Information Package dated 28 April 2022 be received and noted.