

8 November 2023

Record No: 23230787
File Ref: D050-001-A03
Ask For: Nicole Chauval

Notice of Committee Meeting – Tuesday, 14 November 2023

A meeting of the Assets & Services Committee will be held in the Council Chambers, 15 Seymour Street, Blenheim on **Tuesday, 14 November 2023 commencing at 9.00 am.**

BUSINESS

As per Agenda attached.

**MARK WHEELER
CHIEF EXECUTIVE**

**Meeting of the
ASSETS AND SERVICES COMMITTEE
to be held in the Council Chambers, District Administration Building, Seymour Street,
on TUESDAY, 14 NOVEMBER 2023 commencing at 9.00 am.**

| | |
|--------------------------|---|
| Committee | <p>Clr J D N Croad (Chairperson) Clr J C Rosene (Deputy) Clr S R W Adams Clr S J Arbuckle Clr D A Dalliessi Clr B G Dawson Clr M R L Flight Mayor N P Taylor Iwi representative (to be advised)</p> |
| Departmental Head | <p>Richard Coningham, (Manager, Assets & Services) and Jamie Lyall (Manager, Property & Community Facilities)</p> |
| Staff | <p>Nicole Chauval (Committee Secretary)</p> |

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1. Apologies

No apologies received.

2. Declaration of Interests

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

3. Marlborough Stadium Trust – Annual Report

(also refer to separately attached report)

(Clr Flight) (Report prepared by Jamie Lyall)

R300-001-04

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

RECOMMENDATION

That the Marlborough Stadium Trust's Annual Report and financial accounts for the year ended 30 June 2023 be received.

Presentation

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

Attachment

Attachment 1 – Annual Report for the year ended 30 June 2023 is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>

4. Provision of Specialist Change Facilities Policy

(Cllr Flight) (Report prepared by Linda Craighead)

R510-014-01-04

Purpose of Report

1. To inform Councillors of feedback received on the specialist change facilities policy.
2. To seek approval of the Provision of Specialist Change Facilities Policy with minor amendment.

Executive Summary

3. At the August meeting of the Assets and Services Committee meeting, approval was given to publicly notify the Council's specialist change facilities policy for feedback. Approval was given after an initial assessment of the current Policy had been undertaken with no recommendations for change ahead of public notification. The assessment had included consideration of matters raised about the Policy in an Annual Plan submission received earlier this year.
4. The Policy was notified for submission on 25 September and closed on 27 October. Six submissions were received with one wanting to be heard. That submitter will speak to their submission at the Committee meeting.
5. An assessment of the submissions received is included in Attachment 1 to this report. The assessment provides an overview of the submissions received in relation to each of the policies, provides comments and a recommendation as to whether a change should be made.
6. In summary, it is recommended that very little change is made to the Provision of Specialist Change Facilities Policy.

RECOMMENDATION

That Council approve the Provision of Specialist Change Facilities Policy included as Attachment 2 to this report.

Background

7. The first Provision of Specialist Change Facilities Policy was adopted by the Council in September 2020. Specialist change facilities are a dedicated place where people with multiple or complex disabilities can be changed or toileted by a caregiver.
8. The Council has two facilities – one at Liz Davidson Place known as Te Huri and one in the new library and art gallery building Te Kahu o Waipuna.
9. A submission to this year's Annual Plan sought changes to the policy seeking additional facilities to be provided, modelling facilities on the Changing Places model (a branded facility) and removal of assessment of need or demand from the policy. Council's decision on the submission advised of the review of the Policy due later this year but made no decision on the provision of additional facilities.
10. An overview of the matters on the Policy raised through the Annual Plan submission along with an initial response on these was provided to the August Assets and Services Committee meeting. No change to the Policy was recommended ahead of a process seeking public submissions as part of the review. Subsequently the Policy was notified for feedback on 25 September and closed on 27 October.

Assessment

11. Six submissions were received to the notified Policy with one submitter wanting to be heard. The submitter, Matthew May, will be in attendance at the Committee meeting to speak to his submission, which is attached to this report.

12. An assessment of the feedback received in relation to each of the policies is included as Attachment 1 to this report. The assessment provides an overview of the feedback received, comments on the feedback and a recommendation as to whether a change should be made.
13. There was good support for the Policy and submitters were appreciative of the facilities that had been provided by the Council. However, there were concerns around need and extent of use being factors in whether there should be further facilities provided and that facilities should always be open 24/7 and that more facilities were needed.
14. There was also support for the Changing Places model to be used by the Council in providing its facilities.
15. In summary, only very little change has been recommended through the assessment, subject to any other changes the Committee may wish to make. Copies of the full submissions are available on request.

Attachments

| | |
|---|-----------|
| Attachment 1 – Assessment of feedback received | page [5] |
| Attachment 2 – Amended Provision of Specialist Change Facilities Policy | page [9] |
| Attachment 3 –Submission of Matthew May | page [10] |

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

Assessment of feedback received on review of Specialist Change Facilities Policy

This report sets out the current policy, a summary of the feedback received on the policy, staff comment on the feedback and a recommendation for whether there should be any changes to the policy.

| | |
|------------------------------|--|
| <p>Policy 4.1</p> | <p>Specialist change facilities will generally include the following features:</p> <p>Equipment</p> <ul style="list-style-type: none"> • height-adjustable, adult-sized changing table • ceiling track hoist system • wall-mounted handrails • accessible toilet <p>Space</p> <ul style="list-style-type: none"> • adequate space to move around, for a person in a wheelchair and two caregivers • space on both sides of the toilet, so two caregivers can assist the user <p>Safe and clean environment</p> <ul style="list-style-type: none"> • non-slip floor • large waste disposal bin for disposable pads • secure access system to ensure the room is only being used for its intended purpose |
| <p>Feedback</p> | <p>Five of the six providing feedback supported the policy giving the following reasons:</p> <ul style="list-style-type: none"> • it prioritises the well-being and inclusivity of individuals with disabilities and their caregivers; • emphasis on providing essential features and adequate space ensures that individuals with mobility challenges can access these facilities with dignity and safety; and • public personal care spaces that are inclusive and suitable to meet everyone's needs empowers compassionate and inclusive societies. <p>Other comments noted there are families who are unable to go, or must go, without members of their families because the facilities they need are not available. There was also support for the provision of "true and correct" Changing Places facilities, as they provide assurance to those that need them and allow people travelling to know a regions accessibility and suitability for visiting and spending.</p> <p>One submitter, who opposed the policy in part, requested that the word 'generally' be removed so that the listed items would always be included. Changes to some of the requirements were sought including a 1800mm height adjustable table, an accessible handbasin for wheelchair users, and foldable wall mounted handrails both sides of the toilet for self-transfer either side.</p> |
| <p>Comments</p> | <p>Unless the Council decides to commit to a Changing Places branded facility that has a specified list of features, the list included within the Policy is considered generally to be the minimum necessary. Including the additional features proposed will increase costs and potentially the area required for a facility. If the Council is developing a facility within an existing building, i.e. retrofitting an existing space, then there may be limitations on the space available and therefore the features that can be provided.</p> <p>Therefore, it is considered the features can be added to Policy 4.1 but that the word 'generally' should remain.</p> |
| <p>Recommendation</p> | <p>That the following bullet points are added to the list of features:</p> <ul style="list-style-type: none"> • accessible handbasin for wheelchair users • foldable wall mounted handrails both sides of the toilet for self-transfer either side <p>No other changes are proposed to the Policy.</p> |

| | |
|-----------------------|---|
| Policy 4.2 | At least one Council provided specialist change facility will remain open 24 hours daily. |
| Feedback | <p>Five of the six providing feedback supported the policy with the following reasons noted:</p> <ul style="list-style-type: none"> • Keeping at least one facility open 24 hours daily ensures that these vital facilities are available whenever needed, offering individuals with disabilities the dignity, safety, and convenience they deserve, regardless of the time of day or night. • An inclusive society provides 24/7 access to a suitable space for personal care support for all members of the community. <p>Other comments asked what is the point in offering these facilities if the hours are limited and also that people should not have to stay home within certain hours because of lack of access. The view was that as many facilities as is possible should be open 24/7.</p> |
| Comments | <p>Depending on the location of the facility it may not always be practical for it to be opened 24/7. The change facility within Te Kahu o Waipuna – Marlborough’s Library and Art Gallery for example, does not have external access so is not able to be open 24/7.</p> <p>However, where it is practical to do so then it is appropriate for facilities to be open 24/7. Access can be governed by a fob as it is at present for the existing 24/7 facility Te Huri. The Policy is seen as a minimum at present as there are only two facilities in Marlborough.</p> |
| Recommendation | No change is recommended. |

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| Policy 4.3 | There will be two specialist change facilities located in Council buildings in Blenheim. |
| Feedback | <p>A submission in support commented that having appropriate, inclusive, accessible and available facilities to provide personal care support to meet everyone's needs is a priority to build a more compassionate community that meets the needs of everyone.</p> <p>A couple of submissions supported the policy in part. The concerns highlighted were that there should be more facilities across the region and that two should be the absolute minimum starting point. Further that the numbers should increase over time so that there is a specialist facility located at or within close proximity to each Council area.</p> <p>One submitter commented that such facilities should not just be in Council buildings but it should be in most places.</p> <p>A submission opposing in part said Policy 4.3 should be deleted and be guided by Policy 4.4 as to the appropriateness of the circumstances in which more facilities can be considered.</p> |
| Comments | <p>At the time the policy was developed there was only one facility within a Council building. With the opening of Te Kahu o Waipuna there are now two facilities within existing Council buildings so to that extent the policy has been achieved. Again, the policy is seen as a minimum and a commitment by the Council to ensure there are always facilities available.</p> <p>The Council cannot have control over non-Council buildings as to whether they should have specialist change facilities included and there is no legislative requirement for this to occur.</p> |
| Recommendation | No change is recommended. |

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| Policy 4.4 | <p>Where additional facilities are requested in Blenheim, the matters that will be considered include:</p> <ol style="list-style-type: none"> a) the need identified for the additional facilities b) the extent to which existing facilities are used or cannot accommodate the additional demand c) the location proposed and the numbers of people anticipated to attend or be accommodated at the location d) the costs of installing the facility and ongoing maintenance costs |
|-------------------|--|

| | |
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| Feedback | <p>A submission in support noted that the Policy prioritises a comprehensive and responsible approach to the allocation of specialist change facilities including acknowledgement of evaluating the need for additional facilities, location planning and financial responsibility.</p> <p>Those supporting the policy in part acknowledged that cost is a component, but it would be disappointing if it was the driving factor in determining whether new facilities should be developed. If this was to occur a submitter considered that the quality of facilities could be compromised. It was also said that having a facility thought of from the design stage rather than retrofitted would always be the most cost effective.</p> <p>All factors were considered appropriate, however it was also said that even if there is only one regular user that should be ample to show a need. This aspect of the Policy was asked to be removed.</p> <p>Consideration of the extent to which existing facilities are used was also asked to be removed from the Policy. A submitter considered that there were not enough facilities for those with disabilities.</p> |
| Comments | <p>The criteria were initially developed to ensure there was a consistent approach in assessing proposals for additional facilities. They are the type of criteria used for considering requests for other facilities by staff and Councillors. It is considered that determining need and with evidence is an appropriate consideration for Councillors when making decisions to allocate funding for additional facilities or services. Ongoing maintenance is also a factor in allocating additional funding.</p> |
| Recommendation | <p>No change is recommended.</p> |

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| Policy 4.5 | <p>As funding and space becomes available and based on evidenced needs, consideration will be given to the provision of one specialist change facility in Picton.</p> |
| Feedback | <p>Having a facility in Picton was seen as a priority, not something simply to be considered. It was said a facility should have been added in Picton a while ago due to this being a high-profile place for tourists and people who visit.</p> <p>Having appropriate, inclusive, accessible and available facilities to provide personal care support to meet everyone's needs is a priority to build a more compassionate community that meets the needs of everyone - this includes people in Picton.</p> |
| Comments | <p>The Policy was included in recognition of the high use of the Picton foreshore area, including by local families and the large number of visitors arriving and leaving on the interisland ferries. Some attempts were made to request the provision of a facility within the new ferry terminal build however that has not come to fruition.</p> <p>There is no space within existing Council facilities in Picton to accommodate this presently or readily identifiable available land area on which to develop a facility. Notwithstanding this, consideration should be given to a facility being located within Picton. Whether the opportunity is for a Changing Places facility will depend on both location and funding.</p> <p>It is considered appropriate to continue to have the Policy to signal Council's commitment to establishing a facility in Picton.</p> |
| Recommendation | <p>No change is recommended.</p> |

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| Other feedback | <p>Several other comments were made including identifying problems with the existing facilities and also a desire for more facilities to be developed. These are set out below.</p> |
| Feedback | <p>When referring to Changing Places facilities, engage with Jenn Hooper from Changing Places NZ and benefit from her extensive research, practical experience and due diligence. Do not cut corners and create Changing-Places-Like as it does not do fair service to the users or the community need.</p> |

| | |
|-----------------------|---|
| | <p>Having appropriate, inclusive, accessible and available facilities to provide personal care support to meet everyone's needs is a priority to build a more compassionate community that meets the needs of everyone.</p> <p>Myspace Youth Centre should be considered as a potential location, as it may cater to the needs of the community effectively and align with the policy's objectives of inclusivity and accessibility. Other locations included Pollard Park, Rai Valley toilets, Lansdowne Park and Seddon</p> |
| Comments | <p>Staff have previously been in contact with Changing Places NZ and at the time of writing a further meeting is scheduled.</p> <p>Staff acknowledge that other locations are proposed for further facilities but the policy framework sets out how these should be determined. From a staff perspective a facility in Picton should be the next priority given Policy 1.5.</p> |
| Recommendation | No other changes are proposed. |

Provision of specialist change facilities policy

1. Purpose

The policy provides guidelines for the provision of specialist change facilities being a dedicated area where people with multiple or complex disabilities can be changed or toileted by their caregiver in a safe and clean environment. The facility requires specialist equipment including a change table and a lifting/lowering hoist and therefore has greater requirements than the standard accessible toilet.

2. Scope

The policy applies to specialist change facilities that may be located in Marlborough District Council owned or administered buildings.

3. Objective

The provision of specialist change facilities in appropriate locations to serve the needs of the Marlborough community and visitors to the district.

4. Policies

4.1 Specialist change facilities will generally include the following features:

Equipment

- height-adjustable, adult-sized changing table
- ceiling track hoist system
- wall-mounted handrails
- accessible toilet
- accessible handbasin for wheelchair users
- foldable wall mounted handrails both sides of the toilet for self-transfer either side

Space

- adequate space to move around, for a person in a wheelchair and two caregivers
- space on both sides of the toilet, so two caregivers can assist the user

Safe and clean environment

- non-slip floor
- large waste disposal bin for disposable pads
- secure access system to ensure the room is only being used for its intended purpose

4.2 At least one Council provided specialist change facility will remain open 24 hours daily.

4.3 There will be two specialist change facilities located in Council buildings in Blenheim.

4.4 Where additional facilities are requested in Blenheim, the matters that will be considered include:

- a) the need identified for the additional facilities
- b) the extent to which existing facilities are used or cannot accommodate the additional demand
- c) the location proposed and the numbers of people anticipated to attend or be accommodated at the location
- d) the costs of installing the facility and ongoing maintenance costs

4.5. As funding and space becomes available and based on evidenced needs, consideration will be given to the provision of one specialist change facility in Picton.

Attachment 3

Response ID ANON-27E4-EVY-C

Submitted to Review of Specialist Change Facilities Policy
Submitted on 2023-10-27 00:17:46

Privacy Disclaimer – Consultative Procedure

Please tick that you have read the above privacy statement.

I have read the privacy statement

Contact Details

Name

Title :

Mr

First name:

Hulari

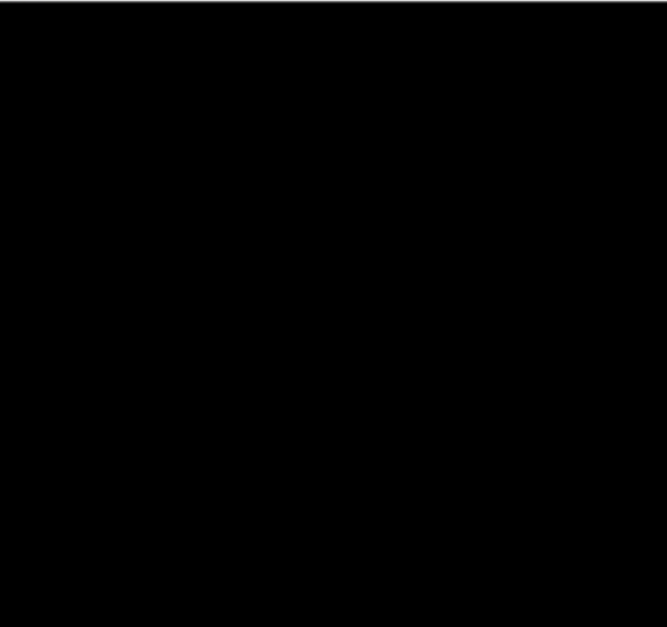
Surname:

Mckenzie

Contact person (if applicable)

Contact person (if applicable):

Hulari



If a hearing is held do you wish to speak to your submission?

No

Policy 4.1

Do you support or oppose Policy 4.1?

Oppose in part

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Please see attached PDF letter

Policy 4.2

Do you support or oppose Policy 4.2?

Oppose in part

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Please see attached PDF Letter

Policy 4.3

Do you support or oppose Policy 4.3?

Oppose

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Please see attached PDF Letter

Policy 4.4

Do you support or oppose Policy 4.4?

Oppose in part

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Please see attached PDF Letter

Policy 4.5

Do you support or oppose Policy 4.5?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Please see attached PDF Letter

Further comments/ File Upload

Do you have any further comments you wish to make?

Comments:

Please see attached PDF Letter - Thank you for the opportunity to submit our views and have our say in how the policy works for us in our community.

File Upload

limit the size of the upload:

Accessible Policy 2023 Submission.pdf was uploaded

20/10/2023

Hularii Mckenzie



To Whom it may Concern,

My name is Hularii Mckenzie, and I am putting forward this submission for the MDC Review of Specialist Change Facilities Policy. I submitted to the Annual Plan 2023 so am following on from there in this submission for amendments to the policy.

We thank council for making some of the amendments we asked for previously, but we ask you again to amend the policy for the things that were missed as they help to stop making the policy limiting to our community of disabled peoples.

1. We'd ask Policy 4.1 be amended with 'generally' removed and the Policy to say:
Specialist change facilities will include at least the following features:
2. Equipment
 - height-adjustable, adult-sized changing table (1800min)
 - ceiling track hoist system
 - wall-mounted handrails
 - accessible toilet Space
 - accessible handbasin for wheelchair users
 - adequate space to move around, for a person in a wheelchair and two caregivers
 - space on both sides of the toilet, so two caregivers can assist the user – also foldable wall mounted handrails both side of the toilet for self-transfer either side.

Safe and clean environment

- non-slip floor
- large waste disposal bin for disposable pads
- secure access system to ensure the room is only being used for its intended purpose

3. We'd ask the Policy 4.3 - There will be two specialist change facilities located in Council buildings in Blenheim - under the Accessibility Policy be taken away as Blenheim is a large ever-growing town and community and there is need for more then what was the planned two, 4.4 of the Policy helps to manage this already without 4.3 limiting even the suggestion of any more accessible rooms. We need as many of these facilities to be 24/7 as we can. We are not werewolves that have a set time to be out and about, we shop at Kmart at 11pm for Christmas, we get off the Ferry at 12am after hospital visits to Wellington, we travel back from Nelson at 5pm after Gymnastics, if you only make one facility 24/7, you are missing so many opportunities to help us live our best lives, to be members of our society. Te Huri @ Liz Davidson is as it's always been our flagship room here in Blenheim, which is used multiple times a week, we know though as a refurbished room it never captured everyone it was designed for due to space restrictions so it was always a stepping stone to more robust, well planned fully encompassed rooms around our community i.e. Pollard Park and at Our New Library – Te Kahu O Waipuna, unfortunately years later both sadly are yet to eventuate. We as a community are still keen to have both these places fitted with a specialist change facility so we can better access our community.

4. We ask 4.4 be amended:
- 4.4 Where additional facilities are requested in Blenheim, the matters that will be considered include:
- a) the need identified for the additional facilities – We are the need, multiple families with disabilities every day are in our community, out and about with the need for change, we ask this be removed.
 - b) the extent to which existing facilities are used or cannot accommodate the additional demand – If one person uses it, it's enough - it makes the extent irrelevant, it actually changes lives to be able to change while accessing the community. We have one change facility at the moment that not everyone cannot use. When MGC access town, alone we have 4 wheelchairs, we cannot accommodate the demand already. We ask this is removed.
 - c) the location proposed and the numbers of people anticipated to attend or be accommodated at the location – If one person is in need for a basic human right like toileting/change, that is enough. Build it and we will come. We ask this is removed.
 - d) the costs of installing the facility and ongoing maintenance costs – having a change facility thought of from the design stage rather than retrofitted will always be the most cost-effective answer. We ask this is considered in future builds from the design stage.
5. Changing Places NZ is the gold standard, not just here in Aotearoa/NZ but around the world and we are likely to be left without one helping to connect our Marlborough Whanau to the rest of the country if we keep dodging it. Working alongside Changing Places NZ to create a Changing Places NZ Room in Picton and Blenheim is the single best thing we could do to both help our ever-growing disabled community but also help connect us to the rest of the country, as Changing Places NZ are creating a network of these bathrooms having one in Picton to Connect the North Island and the South would change not just our lives but everybody's lives, they have successfully created multiple rooms with more on the horizon nationally, encompassing all the needs of those with disabilities. We are asking for them to be contacted and consulted with the look that every build going forward be to a Changing Places NZ facility level, with their high standards and expertise in making sure every aspect of a room is purpose built for our disabled whanau. We have tried to do it ourselves but sadly have missed the mark, we ask instead of emulating their rooms, council work alongside them to hit the mark each and every time with guidance from the ground up to create official Changing Places NZ Facilities. The Changing Facility at Our Library - Te Kahu o Waipuna which was opened to the public on May 12th 2023 still does not have a working Changing Room we can use (with multiple visits to the new library weekly by 5- 10 wheelchair users we know personally resulting in toileting/changes still having to be done offsite), with a ceiling track hoist in the wrong position, inaccessible hand basin, toilet without proper side rails etc. we know work is being looked into on the room but we are five months of use in the new library and still no workable solution in sight, many families have also noticed the signage has been changed on the door just for a baby change sign. All these things from the design stage need an expert eye, not just in the field of building the room, but of the actual people who will use this room, the lived experience, and successfully throughout the Nation Changing Places NZ have done that. We ask they are added to the policy as the consulting party in future rooms.

We are still very keen to have rooms around our region and still utilize Te Huri and Te Kahu O Waipuna (when completed) – Picton, Pollard Park, Rai Valley Toilets, Lansdowne Park, Seddon and would still ask Council when the policy is ratified that these still be given consideration.

[Changing Places NZ](#): I just wanted to again add their website and information for the Council to consider.

[Fully Accessible Public Bathrooms | Changing Places New Zealand](#) – Did you know that Standard Accessible Bathrooms are Unsuitable for an Estimated 20,000 New Zealanders?

[What's the Problem? - Changing Places](#)

[Where Should Changing Places Be? - Changing Places](#)

[Who Needs Changing Places - Changing Places](#)

[What are Changing Places? - Changing Places](#)

[Build a Changing Place - Changing Places](#)

Thank you for the opportunity of this submission and we look forward to hopefully continuing to see accessibility start to really flourish here in Marlborough, so we all can enjoy and engage with our community and be even more proud to call it home.

Naku te rourou nau te rourou ka ora ai te iwi

With your basket and my basket the people will live

Kind Regards

Hularii Mckenzie

Letter Supported by:

-Amber Mckenzie

-Stacey Gerritsen

-Alana Sagar

Response ID ANON-27E4-EVVA-M

Submitted to Review of Specialist Change Facilities Policy
Submitted on 2023-10-12 16:53:54

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I have read the privacy statement

Contact Details

Name

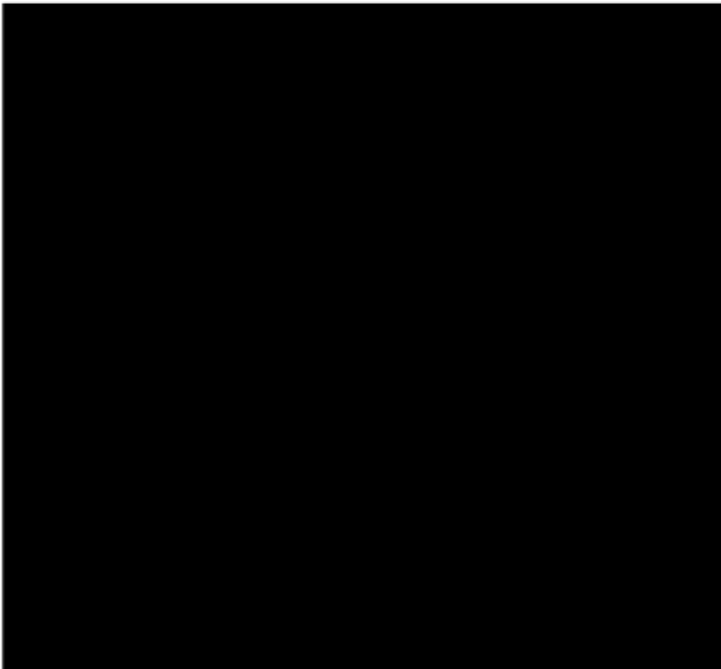
Title :
Mr

First name:
Matthew

Surname:
May

Contact person (if applicable)

Contact person (if applicable):
Matthew



If a hearing is held do you wish to speak to your submission?

Yes

Policy 4.1

Do you support or oppose Policy 4.1?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

I support this to help people that are in need a changing facility's

Policy 4.2

Do you support or oppose Policy 4.2?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Everyone deserves a place to use the toilet

Policy 4.3

Do you support or oppose Policy 4.3?

Support in part

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

This shouldn't just be in council buildings but it should be in most places

Policy 4.4

Do you support or oppose Policy 4.4?

Support in part

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

All towns in Marlborough/Blenheim should have at least a few places for people with disabilities a place to go and use the bathroom

Policy 4.5

Do you support or oppose Policy 4.5?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

This facility should have been added a while ago due to this being a high place for tourists and people who visit

Further comments/ File Upload

Do you have any further comments you wish to make?

Comments:

File Upload

limit the size of the upload:

No file uploaded

Response ID ANON-27E4-EVV8-B

Submitted to Review of Specialist Change Facilities Policy
Submitted on 2023-10-06 14:20:45

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I have read the privacy statement

Contact Details

Name

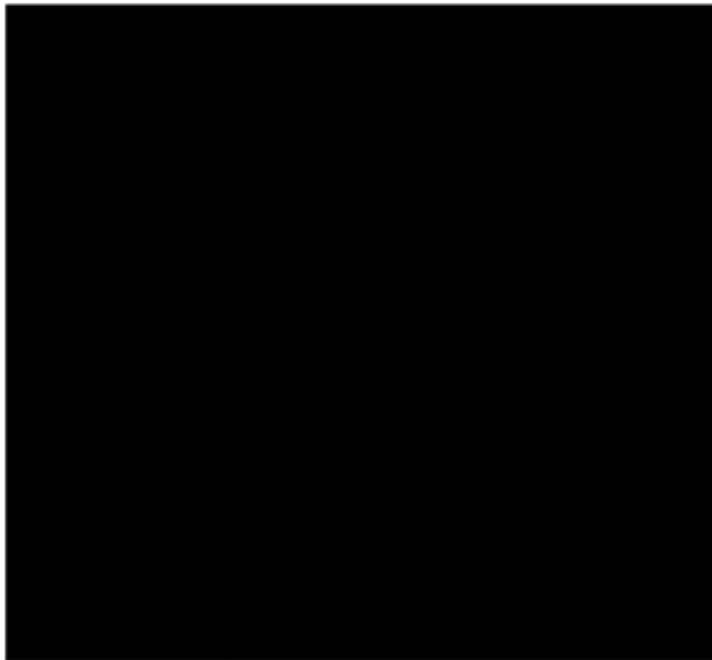
Title :
Mr

First name:
Craig

Surname:
Nielsen

Contact person (if applicable)

Contact person (if applicable):



If a hearing is held do you wish to speak to your submission?

No

Policy 4.1

Do you support or oppose Policy 4.1?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

I support the provision of "true and correct" Changing Places facilities, as they provide assurance to those that need them that they can access community and have their needs met. It allows people travelling to know a regions accessibility and suitability for visiting and spending.

Policy 4.2

Do you support or oppose Policy 4.2?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

People with accessibility needs should be afforded the independence and opportunities of able-bodied citizens. This includes travelling and meeting basic life functions.

Policy 4.3

Do you support or oppose Policy 4.3?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Policy 4.4

Do you support or oppose Policy 4.4?

Support in part

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

It depends on the lens applied, if financial or volume of use are the weighted factors, then high cost, high quality services can possibly be "economised" to meet perceived need or budgetary constraints. Unfortunately, often ending in either a) no provision, b) below standard performance achieved.

Policy 4.5

Do you support or oppose Policy 4.5?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Further comments/ File Upload

Do you have any further comments you wish to make?

Comments:

Please when referring to Changing Places facilities, engage with Jenn Hooper from Changing Places NZ and benefit from her extensive research, practical experience and due diligence. Do not cut corners and create Changing-Places-Like as it does not do fair service to the users or the community need.

File Upload

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Response ID ANON-27E4-EVWZ-D

Submitted to Review of Specialist Change Facilities Policy
Submitted on 2023-10-02 20:58:02

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I have read the privacy statement

Contact Details

Name

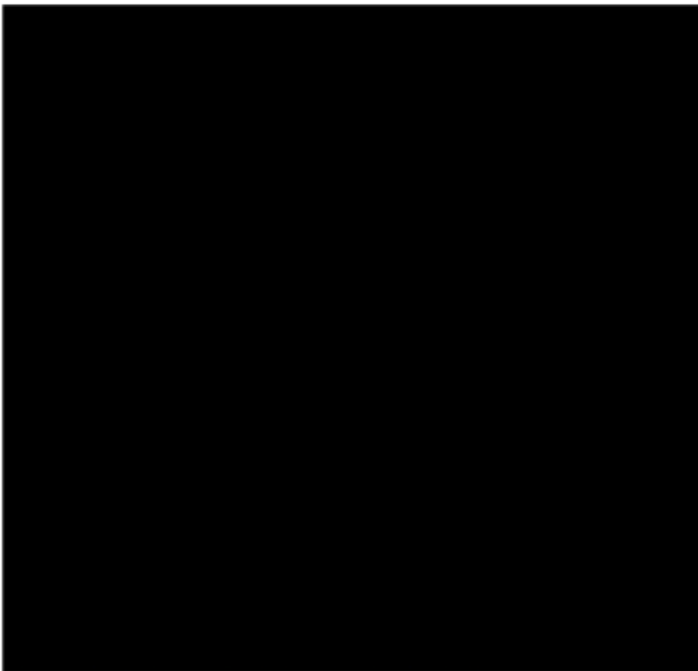
Title :
Mrs

First name:
Jessica

Surname:
Francis

Contact person (if applicable)

Contact person (if applicable):



If a hearing is held do you wish to speak to your submission?

No

Policy 4.1

Do you support or oppose Policy 4.1?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Marlborough is a province with a lot to offer families, yet there are families who are unable to go, or must go without members of their families because the facilities they need are not available

Policy 4.2

Do you support or oppose Policy 4.2?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

What is the point in offering these facilities if the hours are limited? Why should people have to stay home within certain hours because of lack of access to something like this?

Policy 4.3

Do you support or oppose Policy 4.3?

Support in part

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

The more across the region the better. Two should be the absolute minimum starting point, and numbers should increase over a period of time so that there is a specialist facility located at or within close proximity to each council area

Policy 4.4

Do you support or oppose Policy 4.4?

Support in part

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

These factors do all need to be taken into consideration, but even if there is only one regular user in my opinion that should be ample to show a need

Policy 4.5

Do you support or oppose Policy 4.5?

Support in part

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

This should be something on the priority list, NOT something simply being considered. Picton (in particular the foreshore area) is an excellent resource for families in Marlborough, and highly utilised. This should extend to those who require specialist change facilities

Response ID ANON-27E4-EVVE-R

Submitted to Review of Specialist Change Facilities Policy
Submitted on 2023-10-02 11:53:04

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Name

Title :
Mrs

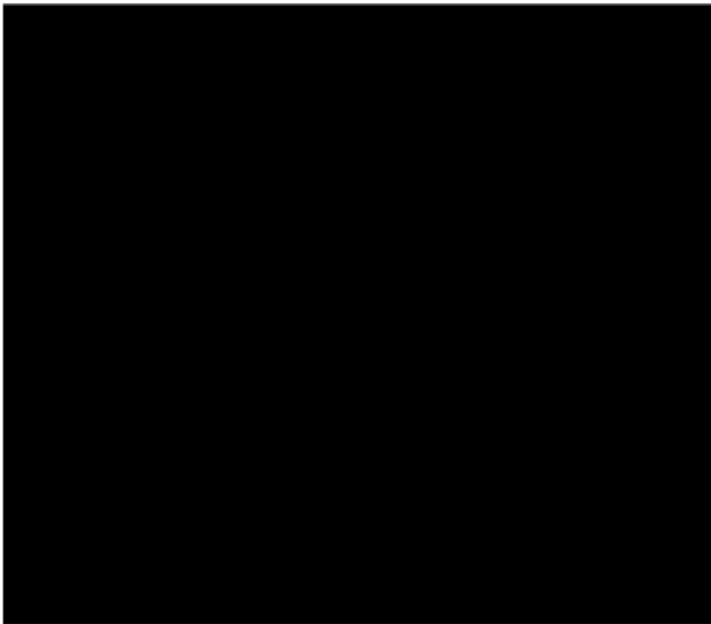
First name:
Dallace

Surname:
Lilley

Contact person (if applicable)

Contact person (if applicable):
NA

Postal Address



If a hearing is held do you wish to speak to your submission?

No

Policy 4.1

Do you support or oppose Policy 4.1?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Public personal care spaces that are inclusive and suitable to meet everyone's needs empowers compassionate and inclusive societies.

Policy 4.2

Do you support or oppose Policy 4.2?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

An inclusive society provides 24/7 access to a suitable space for personal care support for all members of the community.

Policy 4.3

Do you support or oppose Policy 4.3?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Having appropriate, inclusive, accessible and available facilities to provide personal care support to meet everyone's needs is a priority to build a more compassionate community that meets the needs of everyone.

Policy 4.4

Do you support or oppose Policy 4.4?

Support in part

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Cost is a component of this initiative - it would be disappointing if it was the driving factor to move ahead or delay/not undertake this project.

Policy 4.5

Do you support or oppose Policy 4.5?

Support

Please state reasons for supporting or opposing the policy.

Reasons for supporting or opposing policy:

Having appropriate, inclusive, accessible and available facilities to provide personal care support to meet everyone's needs is a priority to build a more compassionate community that meets the needs of everyone - this includes people in Picton.

Further comments/ File Upload

Do you have any further comments you wish to make?

Comments:

As previously stated - Having appropriate, inclusive, accessible and available facilities to provide personal care support to meet everyone's needs is a priority to build a more compassionate community that meets the needs of everyone.

File Upload

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5. Review of Tree Policy

(Clr S Arbuckle) (Report prepared by Linda Craighead)

R510-014-019-05

Purpose of Report

1. To seek approval to notify a reviewed Marlborough District Council Tree Policy for public feedback.

Executive Summary

2. The Council adopted a Tree Policy in June 2020 for land that is actively managed by the Parks and Open Spaces section. The Policy had a 3-year review period and a staff review has now occurred. A workshop with Councillors was held on 19 October to consider the reviewed document.
3. No significant changes were proposed with changes being more of a refinement of existing processes. Councillors proposed some further changes although again these were relatively minor in nature.
4. The next step is seeking public feedback on the reviewed Draft Tree Policy with notification to occur in mid to late January 2024.

RECOMMENDATION

That Council approve for the purposes of public consultation the reviewed Marlborough District Council Tree Policy (dated 1 November 2023) and attached separately to this report.

Background

5. The Council's first Tree Policy was adopted in June 2020. The Policy was developed to provide policy guidance and a consistent approach to the planning, planting, monitoring, maintenance and protection and removal of trees on land that is actively managed by the Parks and Open Spaces Section of the Council.
6. The Policy had a 3-year review period and a review has now been undertaken by staff. Only relatively minor changes were made through the review with the resulting document subsequently considered by Councillors during a workshop on 19 October.

Assessment/Analysis

7. The essential purpose of the reviewed Policy continues to be to:
 - *ensure planning for managing trees on parks, reserves, roads and other actively managed land throughout Marlborough is balanced enabling long-term benefits to the community while reducing conflict and risk; and*
 - *provide a consistent approach for making day to day decisions about management of trees on parks, reserves, roads and other actively managed land.*
8. Most changes proposed as part of the initial review are of a relatively minor nature and these are as follows.

Fund for Notable Trees

9. The policies for the Notable tree Fund have been simplified to ensure the fund is only used for trees on private land and only for arborists reports and maintenance work. A maximum amount per application of \$5,000 is being applied with a 50% contribution being required from the landowner and that only one application in a 5-year period may be made. These changes are in recognition that the total fund is only \$15,000 per year and introducing the limits means that more landowners are able to be helped.

Overhanging Vegetation Growth

10. The Council has previously operated an annual inspection of roads and footpaths in townships requiring landowners to remove or trim vegetation from their properties to ensure there is no obstruction to those using footpaths and roads. A biennial inspection regime is being established and several of the smaller townships are being dropped from the inspection regime. This is due to the low instances of overhanging growth being recorded. However, issues identified by the public will still be responded to as they arise. The Policy framework has been amended to reflect this.

Tree Removal Process

11. Policy 6.2.1 has been split into two: 6.2.1 is where the focus is on dead and dying trees and those posing significant risk to life and property while 6.2.2 has a focus on significant issues, although not where there is a significant and immediate threat to life and property. A new policy has also been included providing for an objection process where a request to remove a tree is refused.
12. The substantive part of the tree removal policies under which assessments are made, was not changed through the review and the Councillor workshop did not identify any issues with these provisions.

Other matters

13. A statement about the introduction of the National Policy Statement on Indigenous Biodiversity has been included in recognition of the direction to increase indigenous vegetation cover in both urban and non-urban environments. A new principle has also been included to address this and it is important to note that in the context of the NPS this covers all indigenous vegetation, not just trees.
14. Councillors commented at the workshop that it is important the Policy strongly recognises the value of trees. There is already a comprehensive description within the Introduction section of the benefits of trees in rural and urban areas. However, in acknowledgement of Councillors view, a new paragraph has been added to the Introduction at 1.0 as follows:

Trees are key to enhancing our wellbeing, providing space for us to relax, play and shelter under, a home for birdlife and insects, bringing colour and vibrancy and helping to mitigate the effects of climate change. Trees help define our parks, streets, cemeteries and other open spaces and are an important part of the green infrastructure of Marlborough's townships and natural areas.

Next steps

15. If Councillors approve the reviewed Tree Policy for public feedback, then once the minutes of the Committee meeting are ratified by full Council, arrangements will be made to publicly notify the Policy. Given the closeness to Christmas when full Council meets, it is proposed that notification would not occur until mid to late January.

Attachment

Attachment 1 – Draft Tree Policy

page [25]

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

Draft Tree Policy (for Public Feedback)

Published by:

Parks and Open Spaces - Property and Community Facilities Department
Marlborough District Council
Cnr Seymour and High Streets
PO Box 443
Blenheim 7240

Version status: Approved for public feedback – 1 November 2023



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1.0 Introduction

Trees are key to enhancing our wellbeing, providing space for us to relax, play and shelter under, a home for birdlife and insects, bringing colour and vibrancy and helping to mitigate the effects of climate change. Trees help define our parks, streets, cemeteries and other open spaces and are an important part of the green infrastructure of Marlborough's townships and natural areas.

The Marlborough District Council (the Council) is responsible for trees in a variety of locations including areas where there is active management such as in parks and reserves, cemeteries and berms on urban streets and in areas where there is little active management i.e. the more remote reserves or reserves along rivers. This Tree Policy has been developed to provide policy guidance and a consistent approach to the planting, monitoring, pruning, trimming, and removal of trees on land that is actively managed by the Parks and Open Spaces Section of the Council's Property and Community Facilities Department.

The Tree Policy highlights the benefits of trees, their multiple functions and the ways in which they contribute to improving the condition of our environment. Equally there are many challenges in managing trees as despite their many positive attributes, trees can also cause nuisance and damage, carry a level of risk and at times lead to disharmony between neighbours, residents, infrastructure providers and the Council. Assessing and managing the condition of trees in public spaces is a key component of tree management.

The Tree Policy also addresses aspects of managing vegetation on private land BUT only in circumstances where:

- this vegetation overhangs public places; and
- notable trees are present.

1.1 Purpose

The purpose of the Tree Policy is to:

- ensure planning for managing trees on parks, reserves, roads and other actively managed land throughout Marlborough is balanced enabling long-term benefits to the community while reducing conflict and risk; and
- provide a consistent approach for making day to day decisions about management of trees on parks, reserves, roads and other actively managed land.

1.2 Scope

The document sets out principles and policies to guide, assess and support decision making on the planting, maintenance, protection and removal of trees on Council land in Marlborough, for dealing with overhanging vegetation from private property and for managing notable trees.

The Tree Policy does not apply to Council land where the prime purpose for growing trees is for commercial gain or for flood protection.

The policies for managing notable trees do not repeat any processes already established through the resource management plans.

Under each of the subsequent policy sections of this document, there may be additional matters that are refined as to scope.

1.3 Context

There is a range of statutes, plans, policies and other strategies or programmes the Council may need to consider and apply when managing trees. A number of those of particular relevance on a day-to-day basis are set out below¹.

particular circumstance, especially in relation to where trees are proposed to be removed.

¹ The provisions described in 1.3 are summarised, so a reader should refer to the appropriate statute, plan or policy to determine whether it is relevant in any

| | |
|--|--|
| Reserves Act 1977 | There are specific provisions restricting the cutting or destruction of trees on reserves under the Reserves Act. For trees on recreation, government purpose, or local purpose reserves the Council can approve removal. However, this must be necessary for management or maintenance of the reserve, for the management or preservation of other trees or bush, in the interests of the safety of persons or on property adjoining the reserve. Replacement, planting or restoration has to be considered in Council's decision making. |
| Reserve management plans | Under the Reserves Act the Council must prepare and develop management plans for reserves under its control. In some cases the Council's reserve management plans have objectives and policies specific to managing trees. Where there may be a conflict between the Tree Policy and the reserve management plan, the reserve management plan takes precedence. |
| Contracts | The Council has several contracts under which the management of trees (and other vegetation) occurs. Street trees in urban areas are maintained under the Street Tree Maintenance Contract with regular condition assessments carried out. New plantings, annual maintenance (pruning, mulching, watering) and on occasion tree removal are undertaken as part of the contract. Trees on parks and reserves are generally managed and maintained through open space maintenance contracts for the reserve. |
| Resource Management Act 1991 (RMA) | The purpose of the RMA is to promote the sustainable management of natural and physical resources. The Council must have regard to a number of principles set out in sections 6, 7 and 8 and prepare a range of policies and plans to assist in achieving the overall purpose. At the time of reviewing the Tree Policy, the Natural and Built Environment Act and the Spatial Planning Act had been enacted (August 2023). These two acts of Parliament have immediate effect in some instances but are otherwise intended to be phased in over time to replace the RMA. |
| Resource management plans | The Council has two operative resource management plans and a proposed plan, the Marlborough Environment Plan (MEP). These three plans have rules and other provisions for managing trees, including notable trees and indigenous vegetation. These rules carry more weight than the provisions of this Tree Policy. If a notable tree is proposed to be removed or requires major pruning a resource consent will be required before the tree can be removed or pruned. |
| National Policy Statement on Indigenous Biodiversity (NPSIB) | The NPSIB provides direction to councils to protect, maintain and restore indigenous biodiversity. It will apply across all land types/tenures, both public and private. A significant aspect of the NPSIB is the requirement for increasing indigenous vegetation cover in both urban and non-urban environments. |
| Code of Practice for Subdivision and Land Development | The Council uses the 'Code of Practice for Subdivision and Land Development – Marlborough District Council' to provide a standard approach to the design and construction of subdivision infrastructure. The Code includes provisions for the planting of trees on new streets and where new reserves are created. |
| Local Government Act 1974 (LGA) | Under the LGA, the Council may require the removal of overhanging trees, and other vegetation from private land to prevent injury to the road or obstruction to traffic and pedestrians. There is a legal process in the LGA |

| | |
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| | enabling the Council to require landowners to remove overhanging vegetation. |
| Property Law Act 2007 (PLA) | The PLA enables landowners/occupiers to apply to the Court for trees (including any shrub or plant) growing on neighbouring land to be removed or trimmed. The Court considers matters such as risk to life or health or property, obstruction of a view, interference with the use or enjoyment of their land before deciding whether to issue an order for a tree to be removed. |
| Electricity (Hazards from Trees) Regulations 2003 | The Council has responsibility under the regulations to manage trees on its land that may come into contact with overhead power lines. This aspect of tree management generally occurs through the Street Tree Maintenance Contract. The regulations are currently being reviewed to improve the resilience of the electricity network and prepare New Zealand for a changing climate. |
| Health and Safety at Work Act 2015 | The Health and Safety at Work Act 2015 is New Zealand's workplace health and safety law. In the context of managing trees there are implications for the Council and its contractors undertaking tree work. Contractors are required to submit health and safety plans as part of contract work. |

1.4 Information

Over time information has been gathered about trees that have been planted on parks, reserves, cemeteries and streets. In collecting the information an assessment of the health and condition of a tree is made and this process sometimes highlights work that may need to be carried out on the tree. When work is carried out on trees this is also recorded and the information is stored in the Parks and Open Spaces Section asset management information system (AMIS) database.

The database is updated on each inspection and includes trees identified as needing pruning or removal or their condition changes. Additionally, where new trees are planted in actively managed areas, these are added to the database. As database information capture is refined and tree history accumulates, accuracy will increase.

1.5 Benefits of trees

Trees provide a range of social, environmental, cultural, ecological and economic benefits that enrich the quality of both urban and rural areas.

1.5.1 Social

Neighbourhood character and identity

Trees enhance neighbourhood character and identity and provide seasonal interest and natural beauty through foliage, leaf patterns, flowers, bark, fruit and canopy. They also help to naturalise and humanise built environments through softening hard surfaces and harsh outlines of buildings, complementing building development, and screening unsightly and undesirable views.

Improve health and wellbeing

Trees contribute to more walkable and liveable towns and can help reduce stress, improve mental health and promote wellbeing. They act as a source of appreciation and provide appealing community, recreational and social spaces.

Provide shade and shelter

Trees shading playgrounds, public spaces, and cycling and walking routes provide relief from the sun and protect people from harmful ultraviolet (UV) radiation, in turn reducing the risk of heat stroke, sunburn and melanoma. Trees also provide shelter from rain and wind.

Traffic safety

In the past street trees have been viewed as traffic hazards due to their close proximity to the road and their immovability.

More recently trees and roadside landscaping have come to be seen as helping traffic and pedestrian safety by calming the flow of traffic, improving driver vision by blocking glare from the sun and providing a barrier between traffic and pedestrians.

1.5.2 Environmental

Improve air quality

Trees remove carbon dioxide from the atmosphere through photosynthesis and improve air quality by capturing airborne pollutants (including ozone depleting substances). Trees can also help to moderate extreme temperatures and reduce noise within urban environments.

Improve water quality

In the urban environment the leaves and branches of street trees can be effective in intercepting, absorbing and temporarily storing water before it evaporates from tree surfaces or gradually infiltrates into the ground. This reduces the amount of pollutants being washed from hard surfaces into the stormwater system and watercourses.

The presence of medium to large street trees with greater canopy cover can also be effective in reducing the volume of stormwater runoff.

Enhance biodiversity

Trees provide substantial benefits in relation to the ecological health and sustainability of our urban built environments and provide ecological linkages between areas, including within rural areas. They provide habitat and food for our important indigenous insects and bird life. The air, water and nutrient exchange processes undertaken by trees are fundamental to human existence and the continuity of the food web which supports all life on earth.

1.5.3 Cultural

For Māori, mauri is the life force that exists in all things in the natural world, comprising both physical and spiritual qualities. If the environment is to flourish, the mauri within all natural things must be protected and sustained, including our trees.

The natural and cultural values of significant or notable trees, provides an important depth of meaning and history within the landscape. In some locations trees they have been used as way finders to guide travellers or as survey peg markers or have been planted to commemorate people within the community or significant events that have occurred.

Edible fruit and nut trees are planted on public land in Marlborough as part of Council's commitment to providing resources for the community good. Harvesting fruit trees can also connect and strengthen communities.

1.5.4 Economic

The outcome of improving air quality and health and wellbeing will see a reduction in the need for healthcare and associated costs.

Studies have shown that mature healthy trees that enhance neighbourhood aesthetics also increase residential property values and attract buyers and tenants.

1.6 Challenges

1.6.1 Planning and decision making

Many of the decisions made about planting trees on streets, parks and reserves within Marlborough's towns and rural areas were made many decades ago. As a consequence, there may be a perception that there is a lack of strategic direction in terms of where trees have been planted. This is particularly so for street trees and in areas where small neighbourhood parks have been developed. In these areas there are some trees that have not been planted in the right location, are not the right species or may have outgrown their location. These trees may have been appropriate at the time of planting but for a variety of reasons they are no longer suitable. While the Council does maintain these trees, they can result in additional maintenance costs given their size and at times costs associated with removal.

Currently the Council has little guidance that is publicly and easily available about how the public should be involved in the gifting, planting and/or maintenance of trees in public places. At times the Council has to deal with individuals who plant, prune or interfere with trees in public places, especially on streets. This can have implications over time for the health of the tree, amenity of the street or maintenance costs for the Council.

As identified in the Section 1.4, the Council maintains an asset database to record the location, species and health of trees. While there is robustness to the data, in some cases private trees have been captured in error in the database while in other cases trees have been left out of the database that should be included.

This has occurred where it is not clear who has planted the tree or where the property boundary is not well defined. The database becomes more complete over time and is being extended so that all trees on Council actively managed land are identified as an asset.

1.6.2 Nuisance and hazards

Street trees and trees in parks and reserves have potential to adversely impact private landowners and building occupants and can give rise to a number of operational issues. Large trees have the potential to shade dwellings, result in excessive leaf drop and cause tree root intrusion into footpaths, fences and private property. Some trees can also trigger allergy symptoms and respiratory ailments for residents.

Street trees also have the ability to compromise road user and pedestrian safety by restricting sightlines along roadways, signs and vehicle crossings, blocking footpaths, interfering with electricity lines and hindering Crime Prevention Through Environmental Design (CPTED) principles. Similarly trees and vegetation on private land can also affect road and footpath users, particularly pedestrians, for the same reasons.

At the extreme end of things trees may at times present a significant hazard to public or private property, although this is not common. This may occur through a tree becoming unhealthy, being subjected to adverse weather conditions or having suffered other damage. These trees need to be pruned or removed to eliminate the danger or threat that they pose. On occasion, where the risk is significant enough, the emergency works provisions of relevant legislation may need to be invoked to remove the risk.

1.6.3 Conflicts with infrastructure

Some trees have proven to be not suitable for their location. Large or vigorous trees planted under powerlines not only cause issues in interfering with powerlines and pose safety and operational risks but also generate a need for continued maintenance. In time, the constant pruning or topping of such trees significantly affects their form and contribution to amenity.

² The levels of service for the planting of new street trees is set out in the Council's Long Term Plan.

Trees can also affect footpaths where root structures break the pavement surface and may also interfere with kerbs, stormwater channels, underground services and streetlights. These all require maintenance or repairs to avoid further problems.

With power and communication cabling and water, storm water and sewer pipes being located in road berms, there is often little or no room for planting of trees. Where possible, root barriers can be used to avoid conflicts with these services, however this is not practical in all locations.

1.6.4 Perceptions of a loss of trees

All trees have a finite life and at times decisions have to be made about removing them. This is particularly where there is a risk to life or property, a tree is in poor health or the negative impacts of a tree on its surroundings outweighs the benefits of the tree remaining. Often people do not like seeing trees removed from streets or from parks and reserves and there can be a perception that many more trees are being removed than are being planted. However, there is a programme in place where approximately 120 to 150 street trees are planted each year². Where trees are removed from parks and reserves replacement plantings will generally occur.

1.6.5 Planning for new subdivision/development

There is a need to ensure the opportunity for planting of street trees is considered during subdivision or street upgrades or other forms of development. Poorly considered or late consideration of trees during the design of subdivision/development can lead to insufficient space for plantings, tree or root damage to existing trees during works or loss of street trees with no replanting.

In relation to street design and tree planting, the 'Code of Practice for Subdivision and Land Development – Marlborough District Council' contains provisions that need to be considered in any subdivision or development before the Council and importantly at the early stages of design.

1.6.6 Climate change

Predictions of climate change for Marlborough will see increases in mean temperature, a drier climate, increased frequency of droughts and an increase in westerly winds, especially in winter and spring. There are likely to be impacts on trees in our parks and reserves and on our streets as a consequence of this. Some species may not survive longer term and there will be a need to understand what the implications are for existing trees and ensure that future plantings are more resilient to environmental change. The effects of recent droughts and higher temperature events have been evident with increased tree loss.

1.6.7 Biosecurity risks

New and often unforeseen biosecurity threats, whether from pest plants, animals or pathogens, may affect the Council's tree assets. A changing climate also increases the risk of new and existing threats adversely affecting Marlborough's trees. In some cases, there are already new threats attacking trees on Marlborough's parks and reserves. This includes the recently discovered bronze bug threatening eucalyptus species and for which there is currently no known treatment.

1.6.8 Maintaining levels of service for managing trees

As explained earlier in this document the Council has several contracts under which the management of trees occurs in parks and reserves and on streets. Qualified arborists are engaged to assess, prune and maintain trees and there are costs associated with this. There are also expectations from the Marlborough community that trees on our parks and reserves and on streets are well maintained. However, in some cases, these expectations may not be sustainable.

1.7 Balancing benefits and risk

The benefits of trees in our parks and open spaces are undeniable – they are fundamental to our wellbeing and quality of life. As living organisms trees shed leaves and limbs and eventually die and fall. The point in the continuum of a tree's lifecycle at which there becomes a risk to life or property can for the most part be determined through regular inspection, maintenance and pruning. While there will, from time to time, be an incident where a limb may fail or a tree falls unexpectedly, this is not common.

To determine the extent of risk posed by trees, understanding the context for the environment within which trees are managed and the relationship of people to that context is required. This is a significant reason why the Council will require an arborist report before making significant decisions about trees. It is also why the Council has determined that some species of trees are not appropriate in certain locations, such as in street berms where there is frequently underground infrastructure or where people are constantly moving around either in vehicles or walking/cycling. Planning for appropriate species in the right location is therefore a key component in managing future risk, along with regular inspection and maintenance.

While it is possible to reduce the risks posed by trees it is not possible to remove all risk without removing the tree, thereby taking away the benefits. It is the balancing of the two, ie, risks and benefits that is central to managing trees.

2.0 Overall principles for managing trees

The following principles form the basis for managing trees on Council actively managed land in Marlborough. They provide the high-level guidance for the subsequent policies. Operational standards and procedures have not been included in the Tree Policy although the documents dealing with these are mentioned for reference purposes.

- *Acknowledge both the benefits of trees and the challenges raised by them is taken in making decisions about their management.*
- *Create and enhance experiences for people to enjoy areas with trees.*
- *Reinforce identity, character, landscape quality and enhance visual amenity.*
- *Improve the visual appeal and environmental conditions of towns, key road corridors and neighbourhoods.*
- *Biodiversity values are maintained or enhanced through tree planting.*
- *Improve the extent of canopy cover in urban environments.*
- *Trees with notable values contributing to the character of Marlborough are protected and managed.*
- *The right tree species is planted in the right location.*
- *Property and human safety are not placed at risk from tree planting or from existing trees.*
- *Consistent and justifiable decisions are made when making day to day decisions about managing trees.*
- *Design and planting of trees is coordinated with the management of new subdivisions, parks, roads and services infrastructure.*
- *Tree work is carried out in accordance with established industry standards and best practice.*
- *Reliable and up-to-date information on Council owned trees is retained to enable safe, sustainable and cost-effective management.*

3.0 Planning and decision making

While the amenity and environmental benefits of trees are acknowledged, a range of factors need to be considered to ensure the planning, development and management of our tree resource occurs in a responsible, sustainable, and cost-effective way.

Having adequate information on these trees and their current health is one of the most important aspects of planning. The Parks and Open Spaces Section maintains a database in which information about trees on actively managed land is recorded, including a tree's condition and the condition of the environment around them.

There are a wide range of factors to consider when planning for trees on Council actively managed land including the location in which trees are to be planted. Given both the benefits and challenges of managing trees within our townships, planning for the lifecycle management of trees must be undertaken in a proactive, organised and cost-effective manner.

There are a range of decisions made in managing the Council's tree portfolio including from day-to-day maintenance activities, planting new trees on Council actively managed land and where trees are proposed to be removed. It is important there is a consistent and balanced approach to decision making in these circumstances and there are appropriate delegations in place.

3.1 Scope

There are no additional matters as to scope.

3.2 Policies

Data capture

3.2.1 The Council will maintain a database of the trees on its actively managed land that will provide sufficient asset information to enable the effective management of the Council's tree resource. The asset data will include the following:

- (a) tree location (town, park, reserve or street and position)
- (b) species
- (c) age classification

- (d) size
- (e) whether the tree is an arboretum tree, a memorial tree, notable tree, is a commemorative tree or a donated tree
- (f) tree condition
- (g) environmental condition around the tree
- (h) safe useful future life expectancy
- (i) last inspection date

3.2.2 The database information will be used to determine maintenance schedules and for advanced planning, projected work programming and budgeting purposes.

Planning where to plant trees

3.2.3 Ensure trees are seen as essential assets in our urban landscapes and are provided for in future urban development at the early stages of planning.

3.2.4 Where new reserves are proposed either through subdivision or other acquisition, planning for trees will ensure:

- (a) trees are appropriate for their surroundings in terms of character, form, amenity and ecological value;
- (b) the foreseeable effects of the trees in relation to property boundaries, from shading, on views, leaf drop and potential damage and risk to people, built structures and infrastructure are considered;
- (c) potential impacts on, and operational and safety risks to, underground or overhead services are avoided;
- (d) existing trees on land to be developed are either:
 - i. retained where they are in good health and are suitable in the design of the subdivision;
 - or

- ii. removed where these are not in good health or are otherwise unsuitable to remain;
 - (e) appropriate species are planted; and
 - (f) maintenance, including means of irrigation, is planned.
- 3.2.5 Where new subdivisions are proposed, Parks and Open Spaces Section staff will engage with developers and the Council's Assets and Services staff in planning for street trees to ensure:
- (a) potential impacts on, and operational and safety risks to, underground or overhead services, vehicle traffic and pedestrian safety, are avoided;
 - (b) sufficient space is provided for successful tree planting;
 - (c) existing trees on the land to be developed are removed where these are unsuitable to remain;
 - (d) appropriate species are planted; and
 - (e) maintenance, including means of irrigation, is planned.
- 3.2.6 The Council will plant street trees in accordance with the levels of service set out in the Long-Term Plan.
- 3.2.7 Planning for planting trees in existing streets will be targeted to areas where:
- (a) trees will enhance the quality of the streetscape;
 - (b) there is sufficient support shown by residents to have street trees;
 - (c) there is sufficient space to accommodate root zone development (the minimum berm requirement is 1.2 metres wide);
 - (d) trees are unlikely to cause significant long-term management and or maintenance problems;
 - (e) trees are unlikely to adversely affect underground services or overhead transmission lines and street lighting;
- (f) no service upgrades are planned;
 - (g) the effect on vehicular and pedestrian access and sight visibility is minimal; and
 - (h) there is little likelihood of alternative roading plans occurring, such as road widening and intersection improvements, such that trees would need to be removed.
- 3.2.8 Where an older street tree is identified for future removal and there is sufficient space on the street berm, a new street tree may be planted alongside prior to the older tree's removal. This will provide protection to the new tree during its establishment phase.
- 3.2.9 Consultation with affected parties, including local residents, property owners and infrastructure providers will be undertaken before any formal street tree planting is undertaken. The level of consultation will be commensurate with the size of the works and the level of public interest in the area. Wider public consultation will be undertaken in commercial areas and/or areas of high public use, as necessary.
- 3.2.10 Consideration will be given to written requests where:
- (a) residents advise they do not want a street tree outside their property; or
 - (b) infrastructure providers advise tree planting will adversely affect their infrastructure, including the operation of that infrastructure.
 - (c) and a decision will be based on how critical the tree is to the overall design for the street.
- 3.2.11 Species listed in Appendix 2 are deemed to be unsuitable to be used as street trees.
- 3.2.12 Use of tree species that will be resilient to the effects of climate change will be promoted.
- 3.2.13 Master plans prepared for the Fairhall, Omaka, Picton, Havelock, Rai Valley, Tua Marina, Seddon and Ward cemeteries will guide the placement and species of trees to be planted in these cemeteries.

3.2.14 Lifecycle planning for trees including succession planning for new planting will be undertaken to ensure:

- (a) there is continuity of the benefits of trees described in Section 1.5; and
- (b) appropriate budgetary provision is made.

3.2.15 Where a tree(s) on a road berm has not been identified as a street tree and the owner of the tree is unknown, the Council may consider:

- (a) taking over management of the tree(s) having regard to the matters in Policy 3.2.7; or
- (b) removing the tree(s) where ongoing maintenance would be significant or the species is not appropriate.

Decision making

3.2.16 Requests from the public in relation to pruning of trees (where this is more than minor pruning or trimming), planting new trees or the removal of trees, will be required to be in writing.

3.2.17 A consistent approach in managing and responding to requests for tree work from the public will be applied through the use of this Tree Policy, relevant legislation, resource management plans and reserve management plans where these are in place.

3.2.18 The delegations in place for making decisions about tree work are set out in Appendix 3.

4.0 Planting

Planting of trees occurs in a number of locations in public places, including on street berms, in parks and reserves and in central business areas.

Planting on road reserve/street berms

Managing trees and vegetation on the road reserve/street berm is important in providing community benefits for amenity and stormwater control, as well as maintaining a safe and efficient transport network for vehicle and pedestrian movements. Generally, most street tree planting in new streets take place as part of the construction or reconstruction of roads in areas undergoing land subdivision and development. Tree planting also occurs in existing streets although the street design and location of the services may be restricting or prohibiting factors.

While street trees can significantly contribute to improving the urban environment and enhancing residential development they can at times be the subject of public concern. It is important to ensure there is sufficient local support prior to undertaking new plantings and then to ensure that trees are chosen and placed where there is a high chance of success with limited long term management problems.

Planting on other land

Parks, reserves and cemeteries fulfil a variety of functions and trees and other vegetation are important in these areas. They are often fundamental to achieving the required function of the location. Opportunities exist in these areas to maintain and further develop trees where there is often less potential conflict with physical infrastructure than on other Council land. Notwithstanding these opportunities care is still needed in choosing appropriate species for the particular environment whilst also having regard to nearby residents.

Commemorative and donated trees

Trees have been planted in public places throughout Marlborough to commemorate specific people and events. Trees have also been donated by groups and organisations as a contribution to the district. Commemorative trees hold a special significance to people and their management is, therefore, particularly sensitive.

4.1 Scope

There are no additional matters as to scope.

4.2 Policies

Planting in all locations and circumstances

- 4.2.1 The Council will plant trees ensuring:
- (a) only quality plant stock is used;
 - (b) plant stock is 1.8 metres or more in height at the time of planting;
 - (c) standardised specifications and techniques and practices will be used in planting trees;
 - (d) the correct species is chosen in relation to the limitations of the site, including consideration of the size of the tree at maturity; and
 - (e) native species are used where practicable to promote biodiversity including the creation of ecological connections for native birds.
- 4.2.2 Preference will be given to planting species that:
- (a) are pest and disease resistant;
 - (b) provide maximum environmental/ecological benefits;
 - (c) do not contribute to allergy symptoms for residents;
 - (d) have a proven track record for establishment and sustainability where this is known; and
 - (e) require less maintenance.
- 4.2.3 Tree planting in all areas will consider the sensitivity of local landowners to views, shade, leaf and seed drop and other relevant concerns.
- 4.2.4 Tree planting will not occur where it may interfere, compromise or adversely affect the safety, efficiency and integrity of infrastructure such as flood protection and river control works, radio and telecommunications networks, roading networks, water, sewer and stormwater networks and overhead lines, ground mounted transformers and pillar boxes.

- 4.2.5 Tree species and other plants officially categorised as being pests in the Council's Regional Pest Management Strategy or the Ministry for Primary Industries National Pest Plant Accord will not be planted.
- 4.2.6 Where a tree is to be removed from a park or street, the opportunity to relocate it in another park or street where practicable (including the costs of doing so) will be considered. Policies 4.2.1 to 4.2.5 are relevant to relocating the tree to a new site.
- 4.2.7 Where conditions are suitable, consideration will be given to the planting of crop trees (fruit and nuts) that can be harvested by the local community.
- 4.2.8 CPTED principles are to be incorporated into species choice and location of trees.
- 4.2.9 The contract for Maintenance of Street and Carpark Plots and Trees sets out requirements for how street trees are to be planted.
- 4.2.10 Unauthorised planting of trees on Council actively managed land is not permitted and this will be actively discouraged.

Cemetery planting

- 4.2.11 In addition to Policies 4.2.1 to 4.2.5, when planting trees in cemeteries the following matters are to be considered:
 - (a) Good access to the graveside for funeral and gravedigging vehicles must always be maintained, including when plantings are mature;
 - (b) Where possible low level wind shelter should be provided for those attending funeral/burial services;
 - (c) Trees will not be planted near burial sites to avoid roots disrupting graves and damaging headstones or burial beams and to avoid the hazard of damage from falling branches; and
 - (d) All other vegetation should be sufficiently clear of the graves that it will not encroach low over them when mature.

Community planting

- 4.2.12 The Council will work with local communities to encourage community involvement in tree planting.

Commemorative and donated trees

- 4.2.13 Planting trees or other special plantings to commemorate a significant event in the life of the district will be supported including for:
 - (a) visits by royalty, heads of state and other dignitaries;
 - (b) commemoration of international, national and local events;
 - (c) anniversaries of community organisations; and
 - (d) other events of a civic nature considered appropriate for formal recognition.
- 4.2.14 The location of commemorative trees planted and any associated plaques will be identified by the Parks and Open Spaces Section.
- 4.2.15 Structures, plaques or similar will need to be approved by the Council and be of a design suitable for the character of the site and made of durable and vandal resistant materials that will require little or no maintenance by the Council.
- 4.2.16 Commemorative trees will not be allowed to be planted on road berms.
- 4.2.17 Commemorative trees that have died or need to be removed may be replaced, although a more suitable species and/or site may be selected for the replacement tree.
- 4.2.18 Trees to commemorate family members, friends or events purely of personal interest to those concerned may be approved having regard to the following:
 - (a) Policies 4.2.1 to 4.2.5 to the extent they are relevant;
 - (b) the location is not a high profile location;
 - (c) no plaques, other structures or objects are to be installed with the tree; and
 - (d) costs associated with maintenance of the tree.

4.2.19 Trees approved under Policy 4.2.16 will not be replaced by the Council should they die or need removal.

4.2.20 The Council may approve sponsored and donated trees subject to:

- (a) consideration of the matters in Policies 4.2.1 to 4.2.5 to the extent they are relevant;
- (b) the tree species approved for the site being suitable for the existing conditions;
- (c) the tree being of a species that is compatible visually, ecologically and functionally with the existing tree and vegetation species use of the site; and

- (d) the plantings will not be established in locations that will create a hazard for road users, cyclists or pedestrians.

4.2.21 Trees approved under Policies 4.2.11, 4.2.16 and 4.2.18 will be:

- (a) recorded in the Council's asset register; and
- (b) be added to the Council's maintenance contracts

5.0 Maintenance and Protection

There are several aspects to the maintenance of trees on Council actively managed land including:

- regular inspections of approximately 6,800 street trees with follow-up work, which is managed through the Maintenance of Street and Carpark Plots and Trees Contract;
- regular inspections of approximately 13,000 trees on parks and open spaces;
- day to day maintenance of trees on parks and reserves through the various open space contracts in place;
- condition assessments of trees on high profile sites;
- recording information from inspections;
- responding to enquiries, requests and complaints about trees and to emergency events.

To manage and reduce the level of risk that trees carry, the Council aims to ensure arborist inspections on every recorded tree and new tree occur at least once every two years. Trees that are looking unhealthy or have suffered damage or are over 10 metres tall are inspected annually.

Protection of trees

A number of trees on streets, parks and reserves, private property and other public places such as schools are significant enough to have been singled out for protection in the MEP – approximately 460 trees. The protection means the tree cannot be removed, trimmed or pruned in a significant way without resource consent. Nor can land use activities occur close to the tree that may affect its ongoing health.

There are also a number of trees that have been protected by way of a registered consent notice or other instrument against the title of a property with the aim of protecting the tree. Maintenance of these trees may require resource consent and is the responsibility of the landowner. While not having a formal protection mechanism in place through the MEP, there are also many larger trees that do have a level of protection by virtue of being located on reserve land eg, Pollard Park.

Protected trees on private land are the responsibility of the landowner. However, from time to time the Council assists landowners in managing protected trees through the Fund for Maintaining Notable Trees.

Overhanging vegetation

Where trees or other plants overhang a footpath or road from private property, there can be safety and/or accessibility issues for people using these areas. Where necessary, property owners are advised of their obligations to prune or remove the overhanging trees or vegetation.

5.1 Scope

The provisions for maintenance and condition assessment are limited to trees on street berms, in parks and reserves or other Council actively managed land.

Policies for dealing with trees or other vegetation on private land are limited to where:

- funding assistance may be sought to help manage notable trees;
- in emergency situations where a tree poses a serious threat to people and/or property; and
- overhanging growth is affecting the safe and efficient movement of those using footpaths and roads.

5.2 Policies

Maintenance and inspection

5.2.1 A consistent procedure for assessing and managing hazards from trees on street berms, in parks and reserves or other Council actively managed land will be used.

5.2.2 A regular pruning and maintenance programme for trees growing within street berms will be undertaken to ensure accessibility, safety, maintenance and/or visibility of:

- (a) footpaths, shared paths or roads;
- (b) street/traffic lighting;

- (c) vehicle and pedestrian access to public areas;
 - (d) traffic signage and visibility at intersections; and
 - (e) access to adjacent property.
- 5.2.3 Pruning of street trees will also occur to ensure there is minimal encroachment into private property or interference with buildings and structures, including infrastructure.
- 5.2.4 Trees will be form pruned as they grow to maintain good form and will be pruned to retain a strong balanced attractive form and not encroach excessively into private property.
- 5.2.5 Work on trees will be carried out to recognised and accepted contemporary arboricultural standards and consistent with current industry practices, including the New Zealand Arboricultural Association (NZAA) and International Society of Arboriculture (ISA) guidelines.
- 5.2.6 Tree maintenance on Council actively managed land will only be carried out by approved contractors who are qualified arborists or who are supervised by a qualified arborist.
- 5.2.7 Inspection and pruning will be undertaken to ensure clearance requirements around power lines/cables in accordance with the Electricity (Hazards from Trees) Regulations 2003.
- 5.2.12 Maintenance of notable trees on private property is the responsibility of the landowner with the Council's role being limited to:
- (a) providing information about the listing;
 - (b) providing information through the Council's Duty Planner Service on the provisions of the resource management plans as they relate to notable trees;
 - (c) providing a plaque for identification purposes; and
 - (d) managing the Fund for Maintaining Notable Trees.
- 5.2.13 Maintain a Fund for Maintaining Notable Trees to assist private landowners (and non-profit organisations) in managing a notable tree or group of notable trees protected under Schedule 13 of the MEP or have protection through consent notice or other instrument registered against the title of a property.
- 5.2.14 The Fund for Maintaining Notable Trees may be used:
- (a) where proposed work to a notable tree is for enhancement of the tree's health or for safety reasons;
 - (b) to fund a qualified arborist inspection and report and maintenance work on a notable tree;

Notable trees

- 5.2.8 Assist the Environmental Policy Section of the Council in the identification and assessment of notable trees on public and private land.
- 5.2.9 Support the inclusion of adding trees to the Notable Tree register in the MEP where these meet the criteria for listing in the MEP.
- 5.2.10 Trees with listings in the MEP will be identified with a plaque provided by the Parks and Open Spaces Section of the Council.
- 5.2.11 The health and safety of the Council's notable trees is more frequently assessed (on a biennial basis or after significant wind events) as these trees have been identified with significant values and are often older and larger than other trees in these public areas.
- 5.2.15 Applications received will be assessed on a case-by-case basis having regard to:
- (a) the extent of work proposed;
 - (b) recommendations of a qualified arborist (if an arborist's report has been obtained);
 - (c) what is known about the significance of the tree;

- (d) the amount of financial assistance available through the Fund with a maximum of 50% of costs payable per application up to a maximum of \$5,000; and
- (e) the applicant has not received funding from the Council in the preceding five years.

5.2.16 Where the work is not undertaken within one year of the financial assistance being granted then the financial assistance shall lapse.

Overhanging vegetation

5.2.18 Maintenance of trees and vegetation on private land is the property owner's responsibility.

5.2.19 Property owners will be required to remove overhanging vegetation in accordance with the Council's powers under Section 335 of the Local Government Act 1974.

5.2.20 Trees and vegetation on private property must be kept clear of footpaths and roads in accordance with the following guidelines and diagram.

- (a) If the footpath is directly adjacent to a private property boundary, all vegetation should be trimmed back to the boundary (including hedges) to ensure the entire footpath width is clear of vegetation as per the diagram. In all other locations, the entire footpath width should be clear of vegetation.

(b) A clear space of 2.5 metres above the footpath, berm or walkway is required.

(c) A clear space of 4.5 metres above the road to allow truck or bus clearance is required.

(d) Where there is only a grass berm, clearance of overhanging vegetation is required to allow safe access for users.

5.2.21 Council will undertake a site inspection in response to enquiries made by the public about overhanging vegetation growth from private property.



6.0 Tree Removal

The Council looks after over 20,000 trees planted on road reserve, in parks and reserves and on other Council actively managed land within Marlborough's towns and rural areas. While trees provide a number of benefits, they are a living resource and their care requires ongoing decisions about maintenance and sometimes removal.

Removal of trees is sometimes required to avoid unacceptable risk of harm or interference with physical infrastructure and underground services. Often there is also considerable pressure from individuals within the community to remove or retain certain trees on Council actively managed land, including for reasons related to shading, leaf fall and blocking of views. A consistent and credible process needs to be followed by the Council in making decisions about whether to remove trees.

6.1 Scope

The policies/procedures for removing trees apply to all trees that are owned and/or managed by the Council. A tree that has any part of its trunk growing from Council actively managed land that is accessible to the public is covered by these policies.

Trees that were intentionally planted for harvest or flood protection are excluded from these policies and subsequent procedures.

For the sake of clarity these policies do not apply to the removal of notable trees on private land.

The policies cover instances where the request to remove trees is initiated by the Council or by any individual or group within the community.

6.2 Policies

6.2.1 The Council will prioritise the removal of trees from actively managed land where they:

- (a) are dead, dying or severely diseased; or
- (b) pose a significant and/or immediate threat to human life and/or property that cannot otherwise be avoided or mitigated through other management techniques.

6.2.2 The Council will plan for and prioritise the removal of trees where they do not pose a significant and immediate threat to human life and/or property but:

- (a) are causing a significant disruption or damage to essential services, including roads, footpaths or overhead or underground services;
- (b) have been adversely affected by inappropriate pruning, vandalism or disfigurement and offer little or no amenity value; or
- (c) have been planted without permission from the Council.

6.2.3 A request to remove a tree from land actively managed by the Council must be submitted using the Request for Tree Removal form. This includes situations where a street tree is proposed to be removed as a consequence of subdivision or development.

6.2.4 The following matters will be considered when determining whether it is appropriate to remove a tree from land actively managed by the Council:

- (a) reasons why tree removal is proposed;
- (b) the health of the tree as determined by a suitably qualified arborist;
- (c) options of tree pruning and/or remedial works as an alternative to removal;
- (d) historical, cultural, scientific and/or species significance of the tree and whether it is a protected tree in the resource management plans;
- (e) whether there is a relevant reserve management plan in place for the tree's location and the provisions that apply to trees in that plan;
- (f) value of the tree relative to the following:
 - local amenity
 - area character
 - local ecology and ecological connections;

- (g) whether within any street berm the tree imposes unacceptable maintenance costs;
- (h) any actual or potential risk to human health, life and/or property and infrastructure, and any evidence relevant to these risks as determined by a suitably qualified arborist using industry standard hazard identification;
- (i) replacement and/or remediation planting;
- (j) tree removal methods and environmental impacts; and
- (k) the operation, maintenance and development requirements of the National Grid.

6.2.5 Where the removal of a tree has the potential to be of significant interest to people within the community, consultation will occur. (An exception to this is in circumstances where trees have been assessed as being hazardous, in which case the tree can be removed without consultation.) The extent of notification and consultation will be proportionate to the level of interest in the tree.

6.2.6 Where a tree is to be removed under Policies 6.2.1 and 6.2.2 or the removal is otherwise initiated by the Council, the costs of this will be met by the Council.

6.2.7 Where a healthy tree is removed in circumstances other than as in Policies 6.2.1 or 6.2.2, the following criteria are to be assessed in determining whether an applicant should pay the costs³ for the removal of a tree, the level of contribution to be decided on a case-by-case basis:

- (a) The tree is healthy and is not presenting any immediate danger to people, property or services.
- (b) The Council would not have scheduled the removal of this tree as part of its works without the application.
- (c) The Council is able to demonstrate that the planting and maintenance of the tree has been appropriate.
- (d) The tree was a pre-existing amenity at the time the property was purchased, development proposed and/or building(s) put onto the site.
- (e) The removal of the tree benefits one or a few individuals and not the larger public.

6.2.8 Where a request to remove a tree is refused then a reconsideration of the decision may be made as follows:

- (a) A request for consideration must be made in writing and be received by the Manager, Parks and Open Spaces no later than one calendar month after receipt of the original decision by the relevant decision maker.
- (b) Reassessment of the decision will consider:
 - (i) the original reasons for requesting removal;
 - (ii) the reasons for requesting reassessment; and
 - (iii) a reassessment against the relevant provisions of the Tree Policy.

Note: A reconsideration of a decision made by the Council on a tree removal request cannot be made.

³ Costs include those associated with obtaining an arborist report, resource consent if the tree is a

heritage tree, traffic management plan, removal of the tree itself and establishment of a replacement tree.

Appendices

1. Glossary
2. Trees not suitable for locating in street berms
3. Delegations

Appendix 1 - Glossary

| Term | Explanation |
|-----------------------------------|---|
| Actively managed land | means land on which trees are subject to a programme of regular maintenance by the Parks and Open Spaces Section. Such land may include parks (including sports parks), reserves of all types, cemeteries, road berms and civic spaces. |
| Council | Marlborough District Council |
| Council land | means land that is either owned or administered by the Marlborough District Council and includes road reserve and street berms, reserves created under the Reserves Act 1977, other fee simple land and where cemeteries are located. |
| CPTED | Crime Prevention Through Environmental Design is a crime prevention philosophy based on proper design leading to a reduction in the incidence and fear of crime, as well as an improvement in quality of life. These principles can be equally applied to the planning of how reserves and parks are developed including with trees and other vegetation. |
| Duty Planner Service | means the Duty Planner Service run by the Council, assists people with general information about the resource management plans and resource consent process. |
| Heritage tree | means a tree identified in Appendix A of the Wairau/Awatere Resource Management Plan and of the Marlborough Sounds Resource Management Plan. |
| MEP | Marlborough Environment Plan |
| Minor trimming or pruning | means: <ul style="list-style-type: none"> (a) crown clearing, being the removal of dead, dying, diseased, crowded, weakly attached, low-vigour branches and watersprouts from a tree crown; (b) canopy lifting, being the balanced removal of lower branches from a tree; (c) minor clearing of light branches (less than 50mm in diameter) from proximity to existing power lines; and must only be done in accordance with accepted arboricultural practices. |
| National Pest Plant Accord | is an accord between the Ministry of Primary Industries, Councils, plant producers and the Department of Conservation to prevent the sale, distribution and propagation of a set list of pest plants (the Accord list) within New Zealand. The list of plants can be found at https://www.mpi.govt.nz/protection-and-response/long-term-pest-management/national-pest-plant-accord/ . |
| Notable tree | means a tree identified in Appendix 13 of the Marlborough Environment Plan. |
| Protected tree | means a tree that has been protected by way of consent notice or other instrument registered against the title of a property. |
| Public place | within this Tree Policy, means land owned and/or administered by the Marlborough District Council. |
| Qualified arborist | means New Zealand Certificate in Horticulture (Arboriculture)(Level 4). |
| Regional Pest Management Strategy | means a strategy prepared by the Council under the Biosecurity Act 1993 to manage pests. |

| Term | Explanation |
|--|--|
| Resource Management Plans | means the Wairau/Awatere Resource Management Plan, the Marlborough Sounds Resource Management Plan and the Marlborough Environment Plan. |
| STEM (Standard Tree Evaluation Method) | STEM refers to a point system used for tree assessments and establishing a threshold for the inclusion of trees on the Council's Schedule of Notable Trees in the Marlborough Environment Plan. Points allocated rate 20 tree attributes (3 to 27 points for each attribute) in three general categories of condition, amenity, and notable (special merit) qualities. The threshold set for the Marlborough Environment Plan is 150 points. |
| Street trees | means trees located on the grass verge or berm or located on any part of a public road. |
| Tree | means a perennial woody plant at least 3 metres in height having an erect stem/s or trunk/s. |
| Tree Protection Zone | means a specified area above and below ground and at a given distance from the trunk, set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development. The radius of the Tree Protection Zone (TPZ) is calculated for each tree by multiplying its diameter at breast height (DBH) x 12 where the DBH is the trunk diameter measured at 1.4m above ground. (TPZ = DBH x 12). |

Appendix 2 – Specimen trees not suitable for locating in street berms

| Scientific Name | Common Name | Major Problems |
|--|-----------------|--|
| <i>Acer negundo</i> | Box Elder | Seeds |
| <i>Acer pseudoplatanus</i> | Sycamore | Seeds |
| <i>Aesculus hippocastanum</i> | Horse Chestnut | Roots, nuts, dense wide crown |
| <i>Albizzia</i> spp. | Silk Tree | Root damage (no narrow berm) |
| <i>Alnus glutinosa</i> | Alder | Root damage |
| <i>Arbutus unedo</i> | Strawberry Tree | Fruit, shade |
| <i>Betula</i> sp | Birch | Drops honeydew (aphids) |
| <i>Camellia japonica</i> | Camellia | Visibility problems for traffic |
| <i>Eucalyptus</i> spp – most | Gums | Shading, root damage, debris |
| <i>Gleditzia triacanthos</i> | Honey Locust | Wind damage |
| <i>Hoheria sexstylosa</i> | Lacebark | Gall disease |
| <i>Juglans</i> spp. | Walnut | Nuts, leaves |
| <i>Liquidambar</i> spp. | Sweetgum | Too large, wind damage |
| <i>Malus</i> spp. | Crab Apples | Disease, fruit |
| <i>Maytenus boaria</i> | Mayten | Suckers |
| <i>Melia</i> spp. | Bead Tree | Fruit drop |
| <i>Pittosporum eugenioides</i> | Lemonwood | Shading causing frost patches |
| <i>Pittosporum tenuifolium</i> | Kohuhu | Shading causing frost patches |
| <i>Platanus hispanica (acerifolia)</i> | London Plane | Anthraxnose disease (causes small branches to be shed) |
| <i>Populus</i> spp. | Poplars | Root damage, fluff, sticky bud deposits |
| <i>Pseudopanax</i> spp. | Lancewood | Wind damage |
| <i>Quercus</i> spp. | Oak | Too large |
| <i>Racosperma (Acacia)</i> spp | Wattles | Wind damage, shading, short lived, galls |
| <i>Robinia</i> spp. | Locust | Wind damage and root stock problems |
| <i>Salix</i> spp. | Willow | Root and wind damage |
| <i>Sorbus aucuparia</i> | Rowan | Disease |
| <i>Tilia x europaea</i> | Common Lime | Drops honeydew (aphids), suckers |
| <i>Ulmus</i> spp. | Elm | Roots, large tree |

Appendix 3 - Delegations for making decisions about tree work

| Activity | Delegation |
|---|---|
| Planting of street tree | Parks Officer in conjunction with Assets and Services staff |
| Planting of tree on parks, reserves, cemeteries | Parks Officer, Gardens Manager or Contractor as specified in the open space maintenance contracts for Blenheim, Renwick, Marlborough Sounds, Picton and Awatere |
| Maintenance of tree | Parks Officer, Gardens Manager or Contractor as specified in the open space maintenance contracts for Blenheim, Renwick, Marlborough Sounds, Picton and Awatere or Contractor for Maintenance of Street and Carpark Plots and Trees |
| Removal of tree, including notable trees | Assets and Services Committee – for trees over 6 metres in height on parks, reserves, and cemeteries Chair of Assets and Services Committee and Manager, Property and Community Facilities Department – for street trees over 6 metres in height Manager, Parks and Open Spaces in emergency situations Parks Officer in all other circumstances |
| Objection to refusal of request to remove tree | Manager, Parks and Open Spaces for trees under 6 metres in height on streets, parks, reserves and cemeteries Assets and Services Committee for trees over 6 metres in height on streets |
| Notable trees | Parks Officer – minor pruning in accordance with permitted activity rules in resource management plans Parks Officer – significant pruning requiring resource consent |
| Consideration of applications to Fund for Maintaining Notable Trees | Parks Officer in conjunction with Manager, Parks and Open Spaces |

6. Proposed Abbeyfield Marlborough development – Murphys Creek Reserve

(Clr S Arbuckle) (Report prepared by Linda Craighead)

R510-009-M13-04

Purpose of Report

1. To provide an update on the proposal of Abbeyfield Marlborough seeking to use part of Murphys Creek Reserve to locate a residential house for senior citizens.
2. To recommend that Council does not proceed to commence revocation processes under the Reserves Act 1977 over part of Murphys Creek Reserve.

Executive Summary

3. As part of the Annual Plan process for 2023/24 a submission from Abbeyfield Marlborough requested an area of land on Murphys Creek Reserve (Reserve) be made available for an Abbeyfield house. The Council's decision as advised to the submitter was that further investigation would be undertaken by staff.
4. A report was prepared for the August 2023 Assets and Services Committee setting out information about the Reserve and the statutory processes required to uplift the reserve status. A check on the status of land found that the Reserve is derived from Crown land and so the decision as to whether the land could be gifted to Abbeyfield Marlborough would not be the Council's to make.
5. The Committee directed that discussions be initiated with the Department of Conservation who manage the initial stages of a revocation process. That has occurred and the advice is very clear in that disposal is subject to the Public Works Act 1981 and the Council will not have a say in how the land is disposed of. On this basis the recommendation is that the Council does not proceed with the revocation process.

RECOMMENDATION

That the Council do not proceed with the revocation process under the Reserves Act 1977 over part of Murphys Creek Reserve.

Background/Context

6. Abbeyfield Marlborough has been trying for some time to find a suitable location to establish a residential house for up to 12 or 13 senior citizens. At the Annual Plan process for 2023/24 a submission from Abbeyfield Marlborough requested an area of land on Murphys Creek Reserve be made available for an Abbeyfield house.
7. The Council's decision was that further investigation would be undertaken by staff including reserve revocation and consultation processes and that this be referred through to the Assets and Services Committee for consideration.
8. A report was prepared for the August 2023 Assets and Services Committee meeting including information about the Reserve, current use, policy implications of the loss of reserve land at this location within Blenheim, requirements of the Reserves Act 1977 in uplifting reserve status and proposed consultation. The report proposed community consultation to determine what recreational use was being made of the Reserve prior to any decision being made about whether the revocation process should commence.

9. Just prior to the Committee meeting a status report was provided by the Council's property managers confirming that the Reserve land had been derived from the Crown, meaning that the ultimate decision in how the land could be used if the reserve status was uplifted would not be the Council's to make.
10. Consequently, the Committee recommended that before any consultation occurred a discussion with the Department of Conservation should take place about the proposal.

Assessment/Analysis

11. A discussion with the local Department of Conservation office has taken place and subsequently the matter was referred to the Department's Statutory Land Management Team for further advice. That advice has now been received and is very clear stating the following:

"The proposal seems to be on rocky ground. The Reserves Act 1977 does not provide a mechanism for the gifting or transfer of land to non-crown/government entities.

The Council should also be made aware that they will not have a say in the disposal options for the land once the reserve status is revoked. As soon as the revocation gazette is published, the reserve reverts to being crown land, held under the Land Act 1948. A disposal of crown land then becomes the responsibility of Land Information NZ to transact the requirements under s.40 Public Works Act 1981."

12. The response then goes on to set out the procedures under the Reserves Act if the Council still wished to proceed with revoking the reserve status. This process was set out in the August Assets and Services Committee agenda.
13. The issue the Council now needs to consider is whether to proceed with revocation processes and the loss of reserve land when there is no guarantee that the reason for starting the process will come to fruition. Section 40 of the Public Works Act requires any land no longer required to be offered back to the person from whom it was acquired or to the successor of that person.
14. This is an unfortunate circumstance for Abbeyfield Marlborough with the same outcome applying to any other reserve land that is derived from the Crown.
15. In staff's view, because there is no guarantee that Abbeyfield Marlborough could gain access to the land, the Council should not proceed with the revocation process for Murphys Creek Reserve. Doing so would result in an unintended consequence of the land being lost for community use for all time.

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

7. Renwick Sports & Events Centre – Replacement Lift

(Clr S Arbuckle) (Report prepared by Regan Russell)

R510-009-R04-01

Purpose of Report

1. To seek funding approval for the replacement of the passenger lift at the Renwick Sports & Events Centre (Centre).

Executive Summary

2. A submission was received through the 2023/24 Annual Plan process from the Renwick Sports Events Centre Inc asking for funding for a replacement lift in the Centre's building. The submission was referred to the Assets and Services Committee for consideration.
3. The lift at the Centre has not worked for the last four years despite several attempts to repair it. Advice has now been received from two independent lift companies that the current lift cannot be repaired and that a new lift is required.
4. For a building of this size, the New Zealand building code and the access standard NZS 4121:2001 requires a working lift to service the facility. Currently access cannot be provided for all users of the facility, which places some limitations on events and activities able to be held there.
5. It is suggested that funding could be provided from the Forestry and Land Development Reserve.

RECOMMENDATION

That Council approve funding of \$107,900.00 + GST from the Forestry and Land Development Reserve to replace the passenger lift at the Renwick Sports & Events Centre.

Background

6. The Renwick Sports & Events Centre (Centre) is located on the Renwick Domain, which is a recreation reserve administered by Council. The Centre was opened in November 2009. The Renwick Sports & Events Centre Inc oversees the governance of the facility and have a long-term ground lease with Council to occupy the site with their building. The Centre's mission statement is *"to be a leading venue for sport, recreation, social events and conferences by providing excellent facilities, services, programmes and support to enhance the experience of the sports codes and wider community."*
7. The Renwick Sports & Events Centre is the "home ground" facility for several sporting codes including Renwick Rugby Club, Renwick Football Club, Renwick Marching Club, Renwick Bowling Club and Renwick Tennis Club as well as being a hireable facility for the community. Events such as the Marlborough Wine and Food festival have committed to the site for the next three years.
8. A submission was received through the 2023/24 Annual Plan process from the Centre asking for funding for a replacement lift. The lift at the Centre has been unusable for the past four years and as a result a number of bookings have been lost due to inaccessibility of the upstairs function space. The submission was referred to the Assets and Services Committee for consideration.

Assessment

9. The Renwick Sports & Events Centre Trust currently receive annual grants from the Council of \$66,000 for ground maintenance of the Domain and \$30,000 for staffing of the Centre. The building is owned and maintained by the Renwick Sports Centre Incorporated. The Council does not provide any grants for maintenance of the building. The replacement of the lift far exceeds the limited budget this organisation has available.

10. There are Building Code requirements for the Centre building to have a working lift. Section 9 of NZS 4121:2001 Design for Access and Mobility requires an accessible route by lift to an upper floor where the upper floor is intended to be used as a place of assembly for 250 or more people. This is the case for the Centre building which is authorised for up to 326 people on the upper floor.
11. Currently, the building does have a current warrant of fitness but this is only an interim measure to allow the building to operate until the lift has been repaired or replaced.
12. Council staff approached Schindler Lifts NZ Ltd and Vestner NZ Ltd to provide quotes for repair or replacement of the lift. Both companies have advised that replacement of the lift was the only option due to parts associated with this model being obsolete and not supported in New Zealand. Quotes provided were Schindler Lifts NZ Ltd \$107,900 + GST and Vestner NZ \$158,784 + GST. The disparity between the quotes is due to Schindler reusing some of the existing parts of the lift.
13. With the signing of a three-year contract to host the Marlborough Wine and Food Festival at the Domain, Council would expect more exposure of the facility and an increase in bookings with the facility being accessible. However, the unusable lift will hinder the gains this event should produce for the Centre.

Option One (Recommended)

14. Council provides funding for the replacement of the passenger lift at the Renwick Sports & Events Centre.

Advantages

15. Increased accessibility of the facility by members of the public with disabilities, the elderly and parents with strollers.
16. Increase the safety of staff members, caterers and event organisers transporting heavy equipment, supplies and food to the function area, bar and kitchen on the upper floor.
17. Increase income due to the facility being more usable by more groups and members of the public.

Disadvantages

There is a cost to Council of \$107,900.

Option Two – Status Quo

18. Council does not confirm the funding request.

Advantages

19. There is no cost to the Council.

Disadvantages

20. The facility would have to seek funding from another source.
21. The facility would not attract new users or events in its current condition.
22. Council's Regulatory section could serve notice on the building owners to ensure that the building is accessible.

Next steps

23. If Council confirms funding then Schindler Lifts NZ Ltd will be engaged to replace the lift.
24. If Council does not confirm funding then the Renwick Sports & Events Centre Inc will continue to operate without an operating lift until another source of funding can be found.

| | |
|------------|---|
| Author | Regan Russell, Project Coordinator, Lansdowne Hub and Port Marlborough Pavilion |
| Authoriser | Jamie Lyall, Manager, Property and Community Facilities |

8. Financial Report for the year to 30 September 2023

(Clr Croad) (Report prepared by David Craig)

F275-001-02

Purpose of Report

- To present the Financial Report for the Assets and Services and Community Facilities (including Parking) Departments for the year to 30 September 2023.

Executive Summary

- The Financial Report for the Assets & Services and Community Facilities (including Parking) Departments from 1 July 2023 to 30 September 2023 is presented below.

Revenue and Operational Expenditure

| (in millions) | 1 July to 30 September | | Whole year | | | |
|-----------------|------------------------|--------|------------|----------|---------|---------|
| | Actual | Budget | | Forecast | Budget | |
| Surplus/Deficit | \$2.6 | \$4.8 | ✘ \$2.2 | \$21.4 | \$23.6 | ✘ \$2.2 |
| Income | \$36.1 | \$43.3 | ✘ \$7.2 | \$161.5 | \$168.7 | ✘ \$7.2 |
| Expenditure | \$33.5 | \$38.5 | ✔ \$5.0 | \$140.1 | \$145.1 | ✔ \$5.0 |

Major variances between year to date actual and budget:

- Roading emergency reinstatement costs relating to the July 2021 and August 2022 storm events are below budget by \$4.4M and are offset by reduced operational roading subsidies of \$3.69M.
- Roading subsidy on capital expenditure is below budget by \$5.87M due to a combination of the unexpended capital component of emergency reinstatement works \$4.99M and the normal renewals programme being typically scheduled over the warmer summer months.
- Network and Asset Management costs are unfavourable to budget by \$211k. Council budgets for 60% of this cost under its roading renewal activities. An adjustment is made at year end to recognise this.
- Also, within the Roads and Footpaths activity there is a favourable variance of \$561k for sealed pavement maintenance. For simplicity, all operating expenditure budget carryovers for roading were accumulated to this expenditure category.
- Other flood damage repair costs have been incurred within the Flood Protection Activity and are well within budget at this time, with a favourable variance of \$721k. There are also associated savings of \$378k for minor works contracts in that same Activity.
- Flood event welfare response and recovery costs are captured under the Emergency Management Activity and expenditure to date is \$342k These costs are offset by subsidy of \$284k from Waka Kotahi (NZTA).
- Development contributions (\$714k) and Reserve fund contributions (\$191k) are both favourable to budget. Levies for stages 10A and 10B of the Rose Manor development have been paid in advance by the developer, to avoid inflationary adjustments.
- Vested assets are unfavourable to budget by \$285k. Accounting entries are pending for stage 9b of the Rose Manor subdivision.
- Dump fee revenue is favourable to budget by \$280k.

- Grant income is favourable to budget by \$682k due to the Ministry of Education surrender payment for College Park use and contribution towards the hockey turf relocation \$917k; offset by unfavourable Better Off funding payments \$235k.
- Project expenditure in Community Facilities is unfavourable to budget by \$1.38M due to construction of the new artificial hockey turf on Ministry of Education land.
- Insurances are favourable ytd by \$422k. Further premiums are due to Local Authority Protection Plan (LAPP) later in the year for 3Waters and River assets.
- Interest payments are favourable to budget by \$262k
- Additional information is given on variances at an activity level later in the report.

Capital Expenditure

| (in millions) | 1 July to 30 September | | Whole year | | | |
|---------------|------------------------|--------|------------|----------|--------|---------|
| | Actual | Budget | | Forecast | Funded | |
| Capex | \$7.9 | \$29.0 | ✘ \$21.1 | \$95.6 | \$98.6 | ✘ \$3.0 |

Council has funded a budget of \$98.6M for capital expenditure in the 2023-24 Annual Plan. The total programmed work for the year is \$116.7M (including \$18.1M of carryovers from previous financial years). This ensures that multiple projects can continue to progress.

Actual year to date expenditure is currently at 8% of the funded amount.

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

Forecasts

- Forecast values are system generated and require manual intervention to improve accuracy. Much of the required information to do this will be obtained from the 2024-25 Annual Plan process, which is currently underway.
- Forecast data will continue to be updated as we progress through the year and as new information comes to hand.

RECOMMENDATION

That the financial report for the period ended 30 September 2023 be received.

Background/Context

3. Below is the Financial Report for the Assets & Services and Community Facilities (including Parking) Departments, for the three-month period ended 30 September 2023.
4. Budget values include 2022-23 carryovers, which were approved in the August meeting cycle.
5. The Forecast column provides projected end of year outcomes, and these will be continually updated as we progress through the year.
6. Entries have been completed to account for September revenues and expenditures, including outstanding retention values of \$2.51M for 53 separate construction contracts.
7. All figures are rounded to the nearest thousand unless otherwise stated.

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

Financial Report by Significant Activity

9. Community Facilities

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | |
|-----------------|---------------------------|---------|-----------|------------|----------|---|---------|
| | Actual | Budget | | Forecast | Budget | | |
| Surplus/Deficit | \$3,150 | \$2,961 | ✔ \$189 | \$3,862 | \$3,673 | ✔ | \$189 |
| Revenue | \$9,178 | \$7,829 | ✔ \$1,349 | \$22,076 | \$20,727 | ✔ | \$1,349 |
| Expenditure | \$6,027 | \$4,868 | ✖ \$1,160 | \$18,214 | \$17,054 | ✔ | \$1,160 |

The favourable revenue variance of \$1.35M or 17% is due to grants \$961k for College Park surrender and relocation of hockey turf, development contributions \$67k, disbursement recoveries (Stadium 2000 insurance recovery) \$234k, insurance claims \$40k and reserve fund contributions \$191k; offset by unfavourable Better Off funding payments \$101k.

The unfavourable operating expenditure variance of \$1.16M or 24% is due to insurances \$31k, pest & weed control \$31k, projects (hockey turf relocation) \$1.38M, repairs & maintenance \$127k and tree maintenance (including power line clearance work) \$108k; offset by favourable contracts \$151k, contributions \$143k, grants (Whale Trail and Equestrian Park) \$213k and interest \$45k.

Capital expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | |
|----------------|---------------------------|---------|------------|------------|----------|---|-----|
| | Actual | Budget | | Forecast | Funded | | |
| Capex | \$1,304 | \$4,758 | ✖ -\$3,454 | \$14,344 | \$14,338 | ✔ | \$6 |

We have achieved 7% of programmed works or 9% of the \$14.34 million approved in the annual plan (i.e., excluding carry overs). This is due to lower than budgeted expenditure in cemeteries \$26k, public conveniences \$190k, reserves \$3M and swimming pools \$208k.

The major budgets within the community facilities program are for cemeteries \$753k (actual \$163k), public conveniences \$1.15M (\$74k), reserves \$15.51M (\$1.04M) and swimming pools \$230k (\$0).

10. Direct Management

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | | Whole year | | | |
|-----------------|---------------------------|--------|---|--------|------------|---------|---|--------|
| | Actual | Budget | | | Forecast | Budget | | |
| Surplus/Deficit | \$71 | -\$219 | ✓ | \$290 | -\$217 | -\$582 | ✓ | \$364 |
| Revenue | \$108 | \$186 | ✗ | -\$78 | \$668 | \$746 | ✗ | -\$78 |
| Expenditure | \$37 | \$406 | ✓ | -\$368 | \$885 | \$1,328 | ✓ | -\$442 |

Unfavourable revenue variance of \$78k are due to Better Off funding.

The favourable operating expenditure of \$368k or 91% is due to personnel costs \$133k, consultancy \$45k, contracts \$57k, professional fees (climate change provision) \$81k and internal costs & recoveries \$68k; offset by unfavourable software \$27k.

Capital expenditure

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

No Capital expenditure is budgeted.

11. Emergency Management

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | | Whole year | | | |
|-----------------|---------------------------|--------|---|--------|------------|---------|---|--------|
| | Actual | Budget | | | Forecast | Budget | | |
| Surplus/Deficit | -\$107 | \$38 | ✗ | -\$146 | \$51 | \$197 | ✗ | -\$146 |
| Revenue | \$519 | \$296 | ✓ | \$223 | \$1,407 | \$1,184 | ✓ | \$223 |
| Expenditure | \$626 | \$258 | ✗ | \$368 | \$1,356 | \$988 | ✗ | \$368 |

The favourable revenue variance of \$223k or 75% is due to roading subsidies (barging costs) \$284k; offset by unfavourable grants (Better Off Funding) \$57k.

The unfavourable operating expenditure of \$368k or 143% is due to the flood response and welfare costs (barging) \$342k and consultancy \$48k; offset by favourable personnel costs \$31k.

Capital expenditure

| (in thousands) | 1 July to 30 September | | | | Whole year | | | |
|----------------|---------------------------|--------|---|------|------------|--------|---|------|
| | Actual | Budget | | | Forecast | Funded | | |
| Capex | \$0 | \$2 | ✗ | -\$2 | \$7 | \$9 | ✗ | -\$2 |

A small budget provision of \$9k has been made for office and communication equipment, with no expenditure to date.

12. Roads and Footpaths

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | |
|-----------------|---------------------------|----------|------------|------------|----------|------------|--|
| | Actual | Budget | | Forecast | Budget | | |
| Surplus/Deficit | -\$813 | \$3,747 | ✘ -\$4,560 | \$11,290 | \$15,851 | ✘ -\$4,560 | |
| Revenue | \$10,345 | \$19,886 | ✘ -\$9,541 | \$70,014 | \$79,555 | ✘ -\$9,541 | |
| Expenditure | \$11,158 | \$16,139 | ✔ -\$4,981 | \$58,724 | \$63,705 | ✔ -\$4,981 | |

The \$9.54M or 48% unfavourable variance in the Roothing and Footpath revenue is due to subsidy on emergency reinstatement works \$9.84M and vested assets \$156k. These are offset by favourable development contributions \$468k.

The favourable total expenditure variance of \$4.98M or 31% is primarily due to emergency reinstatement costs of \$4.41M, with \$4.2M being spent to date.

Network and Asset Management costs are also above budget by \$211k. This is the Waka Kotahi NZTA work category which provides for the general management and control of the road network and management of road assets. This includes professional services and Council budgets for 60% of this cost under its roading renewal activities. A transfer will be completed at year end.

There are favourable variances for minor events \$93k, sealed pavement maintenance \$561k, depreciation \$36k and interest costs \$60k.

Capital expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | |
|----------------|---------------------------|----------|------------|------------|----------|------------|--|
| | Actual | Budget | | Forecast | Funded | | |
| Capex | \$1,420 | \$10,610 | ✘ -\$9,190 | \$33,272 | \$35,781 | ✔ -\$2,509 | |

We have achieved 3% of programmed works or 4% of the \$35.78M approved in the annual plan. The bulk of the capital (renewals) programme is below budget due to scheduling of these works over the warmer summer months and the capital component of emergency reinstatement works of \$20M. There are favourable variances in bridge renewals \$118K, drainage renewals \$63k, footpath renewals \$100k, minor improvements \$446k, pavement rehabilitation \$313k, sealed road resurfacing \$1.12M, structures component replacements \$103k, traffic services \$43k and emergency reinstatement \$4.99M.

Other non-subsidised activities which are also behind budget include the Northwest Blenheim extension zone \$633k, Picton CBD works \$240k, small townships upgrades \$603k, roading related works (including cycle facilities, kerb & channel, signage and seal extension) \$567k and wharves \$97k; offset by Blenheim CBD works, which are ahead of budget by \$396k.

Vested assets are below budget by \$156k.

13. Parking

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | | |
|-----------------|---------------------------|--------|---|------------|---------|---------|---|-------|
| | Actual | Budget | | Forecast | Budget | | | |
| Surplus/Deficit | -\$21 | -\$140 | ✓ | \$120 | \$165 | \$46 | ✓ | \$120 |
| Revenue | \$614 | \$534 | ✓ | \$80 | \$2,215 | \$2,135 | ✓ | \$80 |
| Expenditure | \$634 | \$674 | ✓ | -\$40 | \$2,050 | \$2,090 | ✓ | -\$40 |

The favourable revenue variance of \$80k or 15% is due to infringements \$36k, parking leases \$42k and miscellaneous revenue \$15k; offset by unfavourable parking collections \$11k.

Operating expenditure is favourable to budget by \$40k or 6% due to contracts \$12k, levy payments (NZ Police) \$40k and repairs & maintenance \$16k; offset by unfavourable professional fees (parking survey) \$13k.

Capital expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | | |
|----------------|---------------------------|--------|---|------------|--------|------|---|-------|
| | Actual | Budget | | Forecast | Funded | | | |
| Capex | \$0 | \$124 | ✗ | -\$124 | \$372 | \$86 | ✗ | \$286 |

Capital expenditure is behind budget by \$124k with 0% of programmed works being completed. The budget provides for resurfacing of various carparks \$446k, parking machines \$25k and sundry plant \$24k. The Coathanger carpark in Picton was resurfaced in October 2023

14. Plant

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | | |
|-----------------|---------------------------|--------|---|------------|--------|------|---|-------|
| | Actual | Budget | | Forecast | Budget | | | |
| Surplus/Deficit | -\$50 | -\$27 | ✗ | -\$24 | -\$17 | \$6 | ✗ | -\$24 |
| Revenue | \$0 | \$0 | ✓ | \$0 | \$0 | \$0 | ✓ | \$0 |
| Expenditure | \$50 | \$27 | ✗ | \$24 | \$17 | -\$6 | ✗ | \$24 |

The unfavourable operating expenditure variance of \$24k or 88% is due to Picton Elevation repeater track maintenance \$8k and repairs & maintenance \$15k.

Capital expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | | |
|----------------|---------------------------|--------|---|------------|--------|-------|---|------|
| | Actual | Budget | | Forecast | Funded | | | |
| Capex | \$175 | \$201 | ✗ | -\$26 | \$249 | \$164 | ✗ | \$85 |

We have achieved 52% of programmed works or 107% of the \$164k approved in the annual plan.

A new services truck and reserves loader have been purchased. Other minor plant replacement is ongoing.

15. Flood Protection

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | | |
|-----------------|---------------------------|---------|---|------------|----------|----------|---|----------|
| | Actual | Budget | | Forecast | Budget | | | |
| Surplus/Deficit | \$715 | -\$585 | ✓ | \$1,300 | \$2,142 | \$891 | ✓ | \$1,251 |
| Revenue | \$2,780 | \$2,587 | ✓ | \$193 | \$12,463 | \$12,271 | ✓ | \$193 |
| Expenditure | \$2,065 | \$3,172 | ✓ | -\$1,107 | \$10,321 | \$11,380 | ✓ | -\$1,058 |

The favourable revenue variance of \$193k or 7% is due to gravel extraction \$94k and property rentals \$168; offset by unfavourable sales (quarry rock) \$75k.

The favourable operating expenditure variance of \$1.11M or 35% is due to flood damage repairs \$721k, insurances \$127k, minor contract works \$391k and interest \$40k; offset by unfavourable pest & weed control \$27k, vandalism \$35k and internal costs & recoveries \$61k.

Capital expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | | |
|----------------|---------------------------|---------|---|------------|---------|---------|---|-------|
| | Actual | Budget | | Forecast | Funded | | | |
| Capex | \$221 | \$1,770 | ✗ | -\$1,549 | \$5,530 | \$4,773 | ✗ | \$757 |

We have achieved 3% of programmed works or 5% of the \$4.77M approved in the annual plan. Favourable ytd variances include pump stations \$98k, rock and gabion protection \$306k, stop banks \$227k and drainage channels (Town Branch drain) \$913k.

Major budgeted projects include Lower Wairau stop banks \$900k (actual \$48k), Wairau River (Upper Conders upgrade) \$942k (\$75k), Ruakanakana Gibson Creek (Renwick lower terrace flood protection) \$300k, Omapu River stop bank & edge protection works \$400k, Boyce St drainage pump station \$360k and Town Branch Drain/Cameron's Drain upgrades \$3.23M (\$6k).

Development work at Pukaka Quarry extension continues with a new haul road to the upper quarry floors being established and benching of the work face being undertaken. A budget of \$149k has been provided for this project (actual \$91k).

16. Wastewater

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | | |
|-----------------|---------------------------|---------|---|------------|----------|----------|---|-------|
| | Actual | Budget | | Forecast | Budget | | | |
| Surplus/Deficit | -\$519 | -\$877 | ✓ | \$357 | \$1,721 | \$1,400 | ✓ | \$322 |
| Revenue | \$3,220 | \$2,939 | ✓ | \$281 | \$15,347 | \$15,066 | ✓ | \$281 |
| Expenditure | \$3,739 | \$3,816 | ✓ | -\$76 | \$13,625 | \$13,666 | ✓ | -\$41 |

Revenue has a favourable variance of \$281k or 10% due to connection charges \$25k, miscellaneous contributions \$33k and development contributions \$247k; offset by unfavourable vested assets \$30k.

Operating expenditure has a favourable variance of \$76k or 2% due to insurance \$139k, reticulation maintenance \$43k and interest costs \$33k; offset by unfavourable pump stations \$107k.

Capital Expenditure

| (in thousands) | 1 July to 30 September | | Whole year | | | |
|----------------|---------------------------|---------|------------|----------|----------|------------|
| | Actual | Budget | | Forecast | Funded | |
| Capex | \$1,440 | \$4,671 | ✘ -\$3,232 | \$15,453 | \$16,840 | ✘ -\$1,387 |

We have achieved 8% of programmed works or 9% of the \$16.84M approved in the annual plan. Pump stations \$1.04M, pipelines \$970k and treatment \$1.23M are behind programme.

The focus on relining of earthenware wastewater pipes is continuing in Picton. \$3.77M is budgeted in 2023-24, with \$1.01M expended year to date.

Major 2023-24 budgets by scheme include:

| <ul style="list-style-type: none"> Blenheim \$13.87M <table> <thead> <tr> <th></th> <th>Budget (\$000)</th> </tr> </thead> <tbody> <tr> <td>Main Outfall Pump Station</td> <td>\$3,000</td> </tr> <tr> <td>Purkiss St Pump Station</td> <td>\$2,300</td> </tr> <tr> <td>Treatment –Blenheim STP desludging</td> <td>\$2,100</td> </tr> <tr> <td>Pipelines – MOPS to Blenheim STP</td> <td>\$1,725</td> </tr> <tr> <td>Pipelines – Purkiss St</td> <td>\$750</td> </tr> <tr> <td>Pipeline renewals – earthquake repairs</td> <td>\$1,708</td> </tr> </tbody> </table> Havelock \$6.36M <table> <tbody> <tr> <td>Pump Station – new terminal pump station</td> <td>\$1,399</td> </tr> <tr> <td>Treatment - new treatment plant</td> <td>\$2,943</td> </tr> <tr> <td>Pipelines - supply pipeline</td> <td>\$1,843</td> </tr> </tbody> </table> Picton \$4.41M <table> <tbody> <tr> <td>Treatment – new blowers</td> <td>\$418</td> </tr> <tr> <td>Pipeline renewals – earthquake repairs</td> <td>\$3,766</td> </tr> </tbody> </table> Seddon \$3.65M <table> <tbody> <tr> <td>Treatment – irrigate to land</td> <td>\$3,550</td> </tr> </tbody> </table> | | Budget (\$000) | Main Outfall Pump Station | \$3,000 | Purkiss St Pump Station | \$2,300 | Treatment –Blenheim STP desludging | \$2,100 | Pipelines – MOPS to Blenheim STP | \$1,725 | Pipelines – Purkiss St | \$750 | Pipeline renewals – earthquake repairs | \$1,708 | Pump Station – new terminal pump station | \$1,399 | Treatment - new treatment plant | \$2,943 | Pipelines - supply pipeline | \$1,843 | Treatment – new blowers | \$418 | Pipeline renewals – earthquake repairs | \$3,766 | Treatment – irrigate to land | \$3,550 |
|--|----------------|----------------|---------------------------|---------|-------------------------|---------|------------------------------------|---------|----------------------------------|---------|------------------------|-------|--|---------|--|---------|---------------------------------|---------|-----------------------------|---------|-------------------------|-------|--|---------|------------------------------|---------|
| | Budget (\$000) | | | | | | | | | | | | | | | | | | | | | | | | | |
| Main Outfall Pump Station | \$3,000 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Purkiss St Pump Station | \$2,300 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Treatment –Blenheim STP desludging | \$2,100 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pipelines – MOPS to Blenheim STP | \$1,725 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pipelines – Purkiss St | \$750 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pipeline renewals – earthquake repairs | \$1,708 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pump Station – new terminal pump station | \$1,399 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Treatment - new treatment plant | \$2,943 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pipelines - supply pipeline | \$1,843 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Treatment – new blowers | \$418 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pipeline renewals – earthquake repairs | \$3,766 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Treatment – irrigate to land | \$3,550 | | | | | | | | | | | | | | | | | | | | | | | | | |

Replacement of the Main Terminal Pump Station (MOPS) in Alabama Road is planned during 2023-25. This station pumps all the sewage from Blenheim, Woodbourne, Renwick and Marlborough Ridge through a 5.1km long pipeline to the Blenheim sewage treatment plant. The station is built in an area that is susceptible to liquefaction. Consideration was given to ground improvement and strengthening but that proved impractical. A new station will provide improved seismic and hydraulic performance. \$3.0M is budgeted in 2023-24 and a further \$11M in 2024-25.

A new sewage treatment plant is planned for Havelock. The new treatment plant will significantly improve effluent quality. The project is budgeted over 2023-25 for the consenting, design and building of a new treatment plant at a new site and the construction of a new terminal pump station. The budget over this period is \$13.05M, with \$6.87M budgeted in 2024-25.

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

and instead to irrigate to land. A significant volume of storage and large area of land is required for land treatment.

The preferred option includes storage, high level treatment, irrigation of the golf course and other sites. A total budget of \$14.2M has been allocated for 2023-25, with \$10.65M budgeted in 2024-25.

17. Stormwater

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | | |
|-----------------|---------------------------|---------|---|------------|---------|---------|---|--------|
| | Actual | Budget | | Forecast | Budget | | | |
| Surplus/Deficit | \$32 | \$152 | ✗ | -\$120 | \$1,020 | \$1,169 | ✗ | -\$149 |
| Revenue | \$931 | \$1,077 | ✗ | -\$146 | \$4,163 | \$4,309 | ✗ | -\$146 |
| Expenditure | \$899 | \$926 | ✗ | -\$26 | \$3,143 | \$3,141 | ✗ | \$3 |

Revenue has an unfavourable variance of \$146k or 14% due to development contributions \$109k and vested asset \$50k; offset by favourable connection charges \$13k.

Operating expenditure is favourable to budget by \$26k or 3% due to insurances \$63k; offset by unfavourable monitoring costs \$47k.

Capital expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | | |
|----------------|---------------------------|--------|---|------------|---------|---------|---|-------|
| | Actual | Budget | | Forecast | Funded | | | |
| Capex | \$113 | \$181 | ✗ | -\$68 | \$2,655 | \$2,073 | ✗ | \$582 |

We have achieved 4% of programmed works or 5% of the \$2.07M approved in the annual plan.

Year to date expenditure totals \$113k for new connections \$31k, pipelines \$62k and other structures \$20k.

Major budgets include Murphys Creek pipeline \$2.75M, replacement of Redwood St stormwater main (Muller Rd to Stephenson St) \$1M, Blenheim pipeline renewals \$1M, Goulter St pipeline upgrade in Seddon (ahead of roading improvements) \$350k and vested assets \$200k.

18. Waste management

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | | |
|-----------------|---------------------------|---------|---|------------|----------|----------|---|-------|
| | Actual | Budget | | Forecast | Budget | | | |
| Surplus/Deficit | \$85 | -\$66 | ✗ | \$150 | \$46 | -\$105 | ✗ | \$151 |
| Revenue | \$4,556 | \$4,289 | ✓ | \$268 | \$18,247 | \$17,979 | ✓ | \$268 |
| Expenditure | \$4,471 | \$4,354 | ✗ | \$117 | \$18,201 | \$18,084 | ✗ | \$117 |

Revenue has a favourable variance of \$268k or 6% due to dump fees \$280k; offset by unfavourable sales \$9k.

Operating expenditure has an unfavourable variance of \$117k or 3% due to contracts \$179k, postage \$17k, refuse bags \$47k, repairs & maintenance \$24k; offset by favourable professional fees \$26k and projects (recycling) \$126k.

Capital Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | |
|----------------|---------------------------|---------|----------|------------|---------|---|--------|
| | Actual | Budget | | Forecast | Funded | | |
| Capex | \$226 | \$1,018 | ✘ -\$792 | \$3,281 | \$3,642 | ✔ | -\$361 |

We have achieved 6% of programmed works or 6% of the \$3.64M approved in the annual plan.

Regional Landfill stage 9 construction costs were budgeted over 2022-24, with \$3.72M in 2023-24. Actual expenditure to date is \$52k.

A budget of \$255k has been provided in 2023-24 to complete the green waste outward weighbridge installation. Actual expenditure to date is \$146k.

19. Water supply

Revenue and Operating Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | |
|-----------------|---------------------------|---------|----------|------------|----------|---|-------|
| | Actual | Budget | | Forecast | Budget | | |
| Surplus/Deficit | -\$19 | -\$254 | ✔ \$235 | \$1,307 | \$1,102 | ✔ | \$205 |
| Revenue | \$3,810 | \$3,687 | ✔ \$123 | \$14,870 | \$14,747 | ✔ | \$123 |
| Expenditure | \$3,829 | \$3,940 | ✔ -\$112 | \$13,562 | \$13,644 | ✔ | -\$82 |

Revenue has a favourable variance of \$123k or 3% due to backflow prevention charges \$64k, connection charges \$84k, capital contributions \$30,000 and development contributions \$42k; offset by unfavourable rates & charges \$42k and vested assets \$49k.

Expenditure has a favourable variance of \$112k or 3% due to insurances \$108k, meter maintenance & reading \$30k, pump stations \$16k, treatment \$43k, depreciation \$13k and interest \$69; offset by unfavourable contracts \$81k and reticulation maintenance \$61k.

Capital Expenditure

| (in thousands) | 1 July to 30 September | | | Whole year | | | |
|----------------|---------------------------|---------|------------|------------|----------|---|--------|
| | Actual | Budget | | Forecast | Funded | | |
| Capex | \$3,028 | \$5,634 | ✘ -\$2,607 | \$20,400 | \$20,884 | ✔ | -\$484 |

We have achieved 13% of programmed works or 14% of the \$20.88M approved in the annual plan.

Expenditure to date has been primarily for water treatment upgrade in Renwick (\$2.07M) and Blenheim water pipeline upgrades \$454k.

Major 2023-24 budgets by scheme include:

- **Blenheim \$4.79M** **Budget (\$000)**

| | |
|--|---------|
| Pipelines - capacity upgrade McLauchlan St | \$1,850 |
| Treatment – chlorination | \$1,905 |
| Pipeline renewals | \$520 |
| • Havelock \$2.29M | |
| Treatment - new treatment plant and supply pipeline | \$2,036 |
| • Picton \$1.50M | |
| Pipelines – complete Speeds to Elevation pipeline | \$600 |
| Treatment – improve pH control | \$3,800 |
| • Renwick \$8.58M | |
| Treatment - new water treatment plant and connection to the bores in Conders Bend Road | \$6,280 |
| Pipeline renewals – AC pipe replacement | \$2,100 |
| • Awatere Rural \$2.23M | |
| Reservoir - Lions Back | \$1,450 |
| • Seddon \$1.54M | |
| Treatment – reduce backwash volumes | \$190 |
| Reservoir – second reservoir for high summer demand | \$1,305 |
| • Riverlands \$8.74M | |
| Pipelines - from new wells to reticulation scheme | \$2,626 |
| Treatment - new wells into service with treatment to meet drinking water standards | \$5,889 |
| • Flaxbourne Irrigation Scheme \$1M | |
| Pipelines – new irrigation scheme | \$1,000 |

Havelock’s existing water source is a shallow aquifer near the Kaituna River, and the groundwater has been affected by saltwater intrusion in dry summers. A new well has been drilled further inland at Readers Road, which has shown to produce a good supply of water with less risk of saline intrusion. \$8.14M has been budgeted over 2023-25 for a new water treatment plant with supply pipeline for Havelock. \$6.11M has been budgeted in 2024-25.

Riverlands current water supply has a high concentration of manganese, which is difficult to treat to Drinking Water Standards. The preferred option is an alternative source within the same freshwater management unit that is low in manganese. New wells have been drilled further inland close to Blenheim. Pump testing has shown they are suitable for supplying Riverlands and a filter trial is to be conducted to determine the type of treatment required.

Budget of \$17.03M has been provided in 2023-25 to bring the new wells in to operation with treatment meeting the drinking water standards. \$8.52M has been budgeted in 2024-25

20. Forecasts

Forecast values are system generated and require manual intervention to improve accuracy. Much of the required information to do this will be obtained from the 2024-25 Annual Plan process, which is currently underway.

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

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

9. Auckland Street Closure - Decision

(Clr Dawson) (Report prepared by Steve Murrin)

R80-006-002-02

Purpose of Report

1. To determine if Council supports the closure of the southern approach to the Auckland Street / Broadway intersection to vehicle traffic in Picton as part of the iRex project.

Executive Summary

2. As part of the iRex project, the western approach to the Auckland/Wairau/Broadway intersection will be closed to vehicle traffic making the five arm intersection into a four arm intersection. A safety audit has been undertaken for the detailed design. The safety audit recommends closing the southern approach to this intersection also, making it a 3arm intersection. Both the Broadway and Auckland Street south legs of the intersection will provide access for pedestrians and cyclists.
3. The closure of the Broadway leg of the intersection was a Resource Consent Condition. Therefore the work is being funded by KiwiRail. If the Auckland Street South leg is to be closed, funding will need to be determined.

RECOMMENDATION

That Council endorses the closure to vehicles of the southern approach to the intersection, being Auckland Street South, but the consultation and funding for the closure including any footpath/kerb and channel/gate upgrades needs to be undertaken by Waka Kotahi.

Background/Context

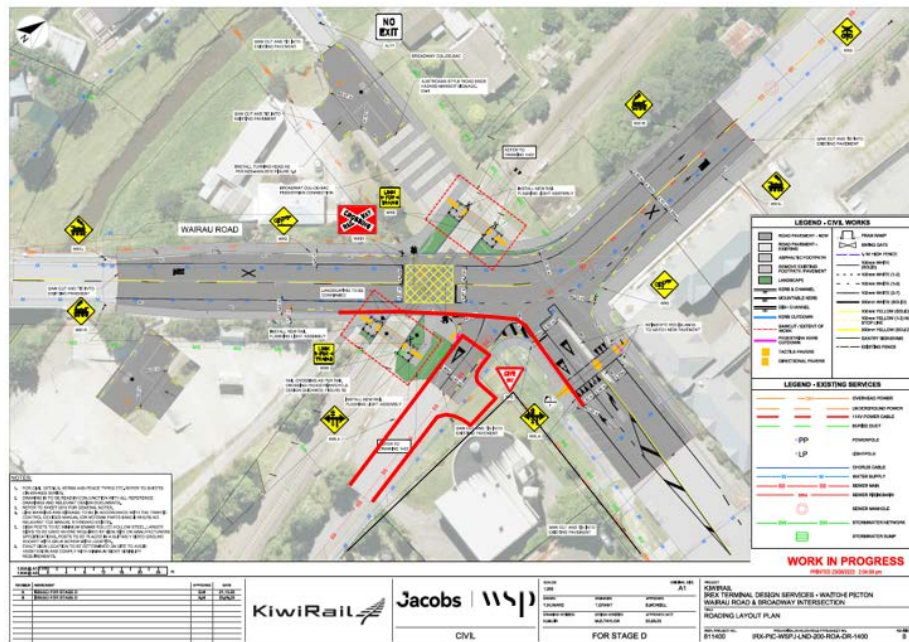
4. KiwiRail is replacing its Interislander fleet with two larger, purpose built ferries (iRex project). This requires the rebuild of the Picton Port and also various changes on the road network. As part of the Resource Consent conditions, KiwiRail are required to close the western approach to the Auckland/Wairau/Broadway intersection.
5. In 2020, as part of the iRex project, there were discussions between Waka Kotahi and Marlborough Roads regarding the possible closure of the southern approach to this intersection also, for safety concerns. Preliminary discussions with the land owners in the area determined that there was general support, however Police did comment that they often used that route when responding to incidents south of the station.
6. An independent design safety audit has been undertaken. Both Stage 1 and Stage 2 safety audits recommended the closure of the southern approach of this intersection, with the risk rating given as "significant". A significant safety concern is one that should be addressed and requires changes to avoid serious safety consequences. Extracts from the safety audit are attached as Appendix A, noting the full report is 67 pages with 16 design concerns and 32 recommendations.

Assessment/Analysis

Proposed Closure

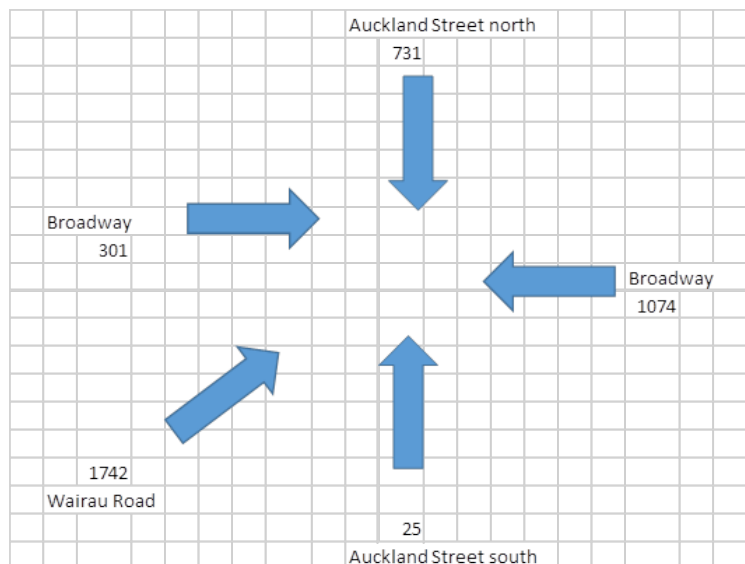
7. The latest design for the Auckland/Wairau/Broadway intersection is shown below, superimposed with red lines indicating approximate kerb locations for the proposed road closure.
8. The latest design includes the closure of vehicle traffic from Broadway west with the inclusion of a turning facility for vehicles. Pedestrian and cycle movements would still be allowed via a zig-zag path. Pedestrian safety gates would be provided at the railway crossing on both sides.

- The red line indicates where kerb and channel may be to stop the southern approach. A closure of the southern approach will only be for motorised vehicles only and pedestrians and cyclists would still be able to pass through the area. A vehicle turn facility would be required. The exact details would require detailed design and the mock up below is indicative only.



Traffic Volumes

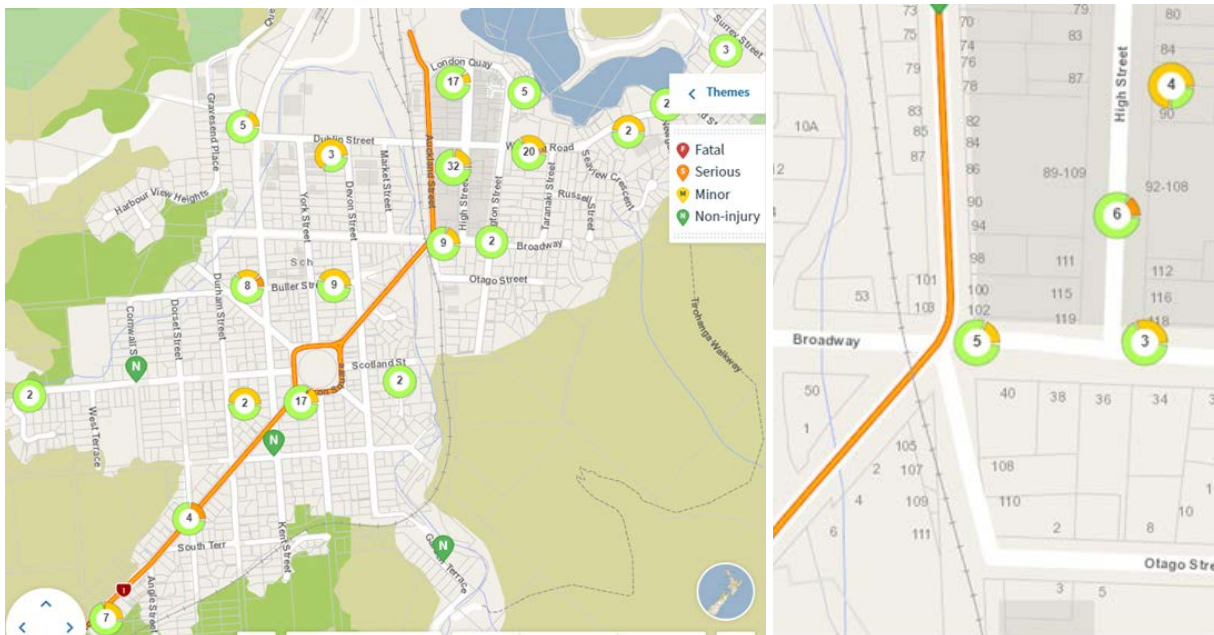
- The Union Parish Centre and two residential properties directly access this road. Other vehicles use this approach for convenience.
- A detailed turning survey was undertaken in September 2019, and the total flow into the intersection from each approach, for a 7 hour period (11:00 – 18:00) is shown below.



- The traffic volume on the Auckland Street south approach is less than 7 vehicles per hour (bothways).

Crash History

13. The ten-year crash history of Picton is shown below. This shows the police reported crashes. The spot markers are only approximate and the ring on the outside is colour coded based on injury and the proportion of crashes from the number inside the ring.



14. The five crashes adjacent to the intersection can be described as follows:

- Auckland north, lost control turning right (2013) minor injury
- Auckland north, lost control turning right (2017) non injury
- Broadway did not give way to Auckland traffic (2019) non injury
- Broadway west did not give way to Auckland traffic (2016) non injury
- Broadway, making a U-turn (2014) non injury (not at intersection when you zoom in further)

Cost Implications

15. This is a State Highway intersection, and it is considered that Waka Kotahi should cost share any costs associated with this road closure, with technical assistance from Marlborough Roads staff. Early indication shows that Waka Kotahi would investigate this as part of the revocation process for SH1.
16. At the time of preparation of this agenda item, cost discussions with Waka Kotahi were not finalised, therefore it is proposed that the Asset and Services committee endorses the road stopping process, pending funding by external parties.

Option One (Recommended Option)

17. Endorse the closure of the southern approach to the Auckland/Wairau/Broadway intersection.

Advantages

18. Safety benefits (reduced conflict and improved alignment of northern approach with Wairau Road), as recommended in the iRex safety audit
19. Improved pedestrian and cycle level of service at the intersection
20. Improved amenity can be provided via green space

Disadvantages

21. An estimated 80 vehicles a day will have slightly longer journeys, refer Figure 7-13 in Appendix A.

Option Two – Status Quo

22. Do nothing with a resulting four arm intersection with the design proposed by KiwiRail.

Advantages

23. With Council endorsement for the “do nothing” option, the safety audit can be signed off with no change and no ongoing discussions.

Disadvantages

24. Potentially a crash could occur in the future.

Next steps

25. Marlborough Roads staff to liaise with Waka Kotahi staff allowing an updated design for the intersection in accordance with the safety audit recommendations.

Attachment

Attachment 1 - Extract from the full safety audit

Page [70]

| | |
|------------|---|
| Author | Laura Skilton, Senior Transport Planner |
| Authoriser | Richard Coningham, Manager of Assets and Services |

| Summary of decision-making considerations | | | |
|--|--------------------------|--------------------------|--------------------------|
| Fit with purpose of local government | | | |
| The proposal enables improved road safety and aligns with Road to Zero. | | | |
| Fit with Council policies and strategies | | | |
| | <i>Contributes</i> | <i>Detracts</i> | <i>Not applicable</i> |
| LTP / Annual Plan | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Financial Strategy | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Infrastructure Strategy | X | <input type="checkbox"/> | <input type="checkbox"/> |
| Social well-being | X | <input type="checkbox"/> | <input type="checkbox"/> |
| Economic development | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Environment & RMA Plans | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Arts & Culture | <input type="checkbox"/> | <input type="checkbox"/> | X |
| 3 Waters | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Land transport | X | <input type="checkbox"/> | <input type="checkbox"/> |
| Parks and reserves | X | <input type="checkbox"/> | <input type="checkbox"/> |
| 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 project has been not been budgeted for. It is recommended that the process only goes ahead if Waka Kotahi and KiwiRail fund the project. | | | |
| Significance | | | |
| The decision is considered of low significance under Council's Significance and Engagement Policy. | | | |
| Engagement | | | |
| Preliminary engagement has occurred with effected parties, who were not against the proposal. | | | |
| Risks: Legal / Health & Safety etc | | | |
| The recommended option may not be funded by third parties, in which case Council will need to decide if they consider the recommendation of the safety audit should be done through Council funds. | | | |
| Climate Change Implications | | | |
| There are no known climate change implications to this decision. | | | |

Extract from Safety Audit

1.2 Report Format

1.2.1 Safety Concern Ranking

The road safety auditors have ranked the identified safety concerns together with four categories of suggested actions as shown in Table 1-1.

Table 1-1: Safety Concern Ranking

| Ranking | Suggested Action |
|--------------------|--|
| Serious | A serious safety concern that must be addressed and requires changes to avoid serious safety consequences. |
| Significant | A significant safety concern that should be addressed and requires changes to avoid serious safety consequences. |
| Moderate | A moderate safety concern that should be addressed to improve safety. |
| Minor | A minor safety concern that could be addressed where practical to improve safety. |

The ranking of safety concerns is based on the probability of a crash combined with the most likely severity outcome of that crash, as indicated in Table 1-2.

Table 1-2: Safety concern risk rating matrix

| | | Severity outcome | | | | |
|------------------------|---------------|-----------------------------|---|------------------------------|--|---|
| | | Non-injury | Minor | Safe System injury threshold | Serious | Fatal |
| | | Property damage only (PDO). | Injury that is not serious but requires first aid, or that causes discomfort or pain to the person injured. | | Injury (fracture, concussion, severe cuts, or other injury) requiring medical treatment or removal to and retention in hospital. | Death occurring as the result of injuries sustained in a crash within 30 days of the crash. |
| Probability of a crash | Very likely | Minor | Moderate | Safe System injury threshold | Serious | Serious |
| | Likely | Minor | Moderate | | Serious | Serious |
| | Unlikely | Minor | Minor | | Significant | Serious |
| | Very unlikely | Minor | Minor | | Significant | Significant |

Qualitative risk ranking requires professional judgement and a wide range of experience in projects of all sizes and locations. Factors that have been considered when qualitatively assessing the probability of a crash and the most likely severity outcome of that crash are described below.

1.2.2 Probability of a crash

The road safety auditors have drawn on historic crash rates or other research for similar elements of projects, or projects as a whole where appropriate, to assist in understanding the likely crash types, frequency, and likely severity that may result from a particular safety issue.

The probability of a crash in Table 1-2 has been qualitatively assessed on the basis of expected exposure (how many road users will be exposed to a safety issue) and the risk of a crash resulting from the presence of the issue.

It is sometimes helpful to use crash frequency as a surrogate indicator of crash probability as shown in Table 1-3.

Table 1-3: Crash Frequency as a Surrogate Indicator of Probability

| Crash Frequency | Crash Probability |
|---|-------------------|
| Multiple crashes (more than one per year) | Very likely |
| 1 every 1 to 5 years | Likely |
| 1 every 5 to 10 years | Unlikely |
| Less than 1 every 10 years | Very unlikely |

1.2.3 Severity outcome

A crash of a particular type can result in a range of severity outcomes for the people involved. For the purposes of this assessment, crash severity outcome in Table 1-2 has been qualitatively assessed as the most likely or predominant severity outcome on the basis of factors such as speed, type of crash, type of vehicles, and the people likely to be involved.

The severity of an injury is determined in part by the ability of a person to tolerate the crash forces. A person wearing safety restraints in a modern motor vehicle will have a greater tolerance to the forces involved than a pedestrian or cyclists struck by a motor vehicle.

The road safety auditors have considered the likely user composition, and hence the likely severity of injury to the people involved in the crash. An able-bodied adult may have a greater ability to recover from higher trauma injuries than a child, whereas an elderly person may have poor ability to recover from high trauma injuries.

1.2.4 Comments

In addition to the ranked safety issues, it may be appropriate for the safety audit team to provide additional comments with respect to items that may have a safety implication but lie outside the scope of the safety audit. A comment may include items where the safety implications are not yet clear due to insufficient detail for the stage of project, items outside the scope of the audit such as existing issues not impacted by the project or an opportunity for improved safety but not necessarily linked to the project itself. While typically comments do not require a specific recommendation, the auditors may give suggestions in some instances.

Decision tracking of safety concerns ranked as a comment is optional.

7.5 Auckland Street South Approach

Significant

The proposed closure of the Broadway west approach simplifies the current Wairau Road / Broadway / Auckland Street intersection layout, but it is the opinion of the SAT that closure of the Auckland Street South approach would further enhance safety at the intersection by removing turning conflicts and eliminating the risk from high speed left turn (southbound) into the short low use residential street. The closure of Auckland Street (south) would also create an opportunity to improve the pedestrian and cyclist facilities on the outside of the curve

removing a lower volume road crossing and provide an area for additional delineation to direct southbound vehicles on Auckland Street as they veer in Wairau Road. It is acknowledged that the design team and road controlling authorities support this measure, but any changes would need to go through a public consultation process that takes time.



Figure 7-11: Auckland Street south approach, from west.



Figure 7-12: Auckland Street south approach, from north.

This section of Auckland Street services the Union Parish Centre church and approximately two residential properties. The Union Parish Centre church currently has a vehicle / pedestrian access from Broadway east which can be retained, and this allows vehicles to access the additional parking at the rear of the building.



Figure 7-13: Auckland Street (south) road network.

Auckland Street becomes Otago Street approximately 110 metres from the Wairau Road intersection and Otago Street has direct access to Wellington Street providing a short detour route back to Broadway, as indicated by the yellow arrows in Figure 7-13 above.

The St Joseph's Catholic Church located on Otago Street is closed due to the building not meeting current seismic standards while the parish school located behind St Joseph's on Otago Street closed in 2017 therefore this leg provides access to a small number of properties. The SAT believe that the Auckland Street south approach can be closed and redirect the few vehicles that use this street via Otago and Wellington Streets with little impact on safety and efficiency of the local network.

The benefits of closing this leg include:

- It reduces the number of conflict points at the intersection by simplifying the movements.
- Allows for improved pedestrian access across the railway on the eastern side by creating space to address the grade changes whilst creating a safe route from Wairau Road to Broadway by removing an additional carriageway for pedestrians to cross.
- Provides an opportunity to create more amenity space for the community at the cul-de-sac.
- Creates an area where additional delineation can be installed to direct southbound vehicles on Auckland Street as they veer in Wairau Road.

The SAT strongly recommend reviewing this decision whilst there is an opportunity to upgrade the intersection. If this leg cannot be closed, the SAT recommends installing a raised platform with a pedestrian crossing facility across Auckland Street south (similar to what is proposed on Broadway east) to provide a safe crossing point to the rail crossing.

Risk Ranking

The road safety audit team has assigned the following risk ranking to this safety concern.

A vulnerable user crossing the Auckland Street south leg will suffer serious injuries should they be hit by a vehicle.

| | |
|--------------------------------|--|
| Probability of a crash | Crashes resulting from this safety concern are unlikely. |
| Severity outcome rating | The outcome of a crash resulting from this safety concern is likely to be serious. |
| Risk ranking | The safety concern is therefore deemed to be significant. |

Recommendations

1. Reassess the proposed intersection layout and implement closing the Auckland Street south approach.
2. If this closure is not possible, install a raised platform at the pedestrian crossing point to slow oncoming vehicles down.

Decision Tracking

| | |
|---------------------------------------|---|
| Designer response | <ol style="list-style-type: none"> 1. Agree with the benefits of closing this leg of Auckland St as outlined above, however this is currently outside of iREX scope. 2. Given this road may be closed in future and the low traffic volumes, we disagree that a raised platform crossing is warranted at this location. |
| Client safety engineer comment | <p>RRSE:</p> <ol style="list-style-type: none"> 1. Agree with Designer comment. Suggest Marlborough Roads/MDC commence the road closure process 2. Agree with Designer comment. Closure of this end of Auckland St South would be the optimum outcome <p>MDC Transport Planner:</p> <ol style="list-style-type: none"> 1. As discussed previously, to close this approach to the intersection requires full public consultation and Council sign off. At this point in time, it is not high on the MDC agenda and while it is acknowledged that this intersection will operate better if this approach was closed, it is out of scope for the iRex project. 2. Agree with designer that a raised platform is not warranted here as speeds are already slow. |
| Client decision | |
| Action taken | |

10. Rangitāne Investments Ltd stormwater easement in Esplanade Reserve, Horton Street

(Clr Adams) (Report prepared by Geoff Dick)

PN253403#04

Purpose of Report

1. The purpose of this report is to obtain Council approval for a relocated stormwater easement in favour of Rangitāne Investments Ltd over Local Purpose (Esplanade) Reserve adjacent to the true right bank of the Ōpaoa Loop.

Executive Summary

2. Rangitāne Investments Limited ("Rangitāne") own the property at 14 Horton Street and are developing the site into four separate industrial leasable areas for tenancing. (Refer Attachment 1)
 3. Rangitāne need to drain the properties' treated stormwater to the Ōpaoa Loop via the adjoining Council owned Esplanade Reserve land. The discharge for the development of the first two lease sites is a permitted activity.
 4. The council land is a reserve under the Reserves Act 1977 which has a mechanism to grant or amend easements over reserves.
-

RECOMMENDATION

That Council approves the granting of a new stormwater easement (and extinguishing of existing easement A) pursuant to Section 48(1)(f) of the Reserves Act 1977, in favour of Rangitāne Investments Ltd over Lot 2 DP 11967 being a Local Purpose (Esplanade) Reserve, subject to Rangitāne Investments Ltd meeting all costs incurred by Council in the granting and documenting of the amended stormwater easement location.

Background/Context

5. Rangitāne owns the property at 16 Horton Street which was previously New Zealand Railways Land. The former Railways land was subdivided with Council obtaining the Esplanade Reserve (Lot 2) and Rangitāne ultimately obtaining the land to be developed (Lot 1).
 6. At the time of subdivision in order to facilitate development of Lot 1, three stormwater easements (A, B & C) were created across Lot 2 to provide an outfall to the Ōpaoa Loop. Connecting to the Council managed stormwater network in Horton Street is not the preferred option for the Rangitāne land.
 7. The Council esplanade reserve has been developed as a mown grass strip with some native plantings down by the water's edge. It is available for walking but has no formed track through it.
 8. As the Rangitāne Investments land is developed the two intended stormwater outfalls will be constructed by way of a buried pipeline across the reserve with an appropriately constructed outfall with headwall and anti-scour protection. Once in place they will have very little effect on the amenity or natural values of the esplanade reserve.
 9. The southern outfall was constructed as part of the Marine and Outdoors lease development several years ago. Rangitāne are now underway with the second stage of the development being a carwash, immediately north of the Marine and Outdoors site. The necessary resource consents for the carwash have been granted.
 10. The car wash development requires the installation of the second stormwater outfall. Unfortunately, Rangitāne's engineers have chosen a location for the second outfall which does not coincide with the existing northern easement across Council's esplanade reserve easement location A.
 11. The proposed new northern outfall will serve not just the car wash but also the currently undeveloped two northern sites (Site 1 and Site 2). Rivers staff became aware of the fact that the proposed new
-

outfall did not coincide with the existing easement location through the resource consent application process. Discussions were then entered with Rangitāne's project manager and engineers as to whether to redesign the stormwater outfall location or seek Council approval to amend the easement location. The end result of that discussion is the attached agreement prepared by Radich Law and signed by senior staff from both parties (Attachment 1).

12. Rivers has assessed the installation of the northern stormwater outfall in the new more southerly location will have no additional or new effects on the reserve being a buffer strip to the river with public access and riparian planting.
13. Section 48(1)(f) of the Reserves Act 1977 permits Council to approve easements when a reserve is vested in it, which is the case here.
14. Before giving approval for an easement, public notification needs to be given unless the Reserve is not likely to be materially altered or permanently damaged and the rights of the public are not likely to be permanently affected.
15. As provision is already in place for the two stormwater outfalls, and this is a technical location change to the northern outfall only no public consultation is considered necessary.

Assessment/Analysis

16. Council approval of the amended easement location is proposed. The easements are necessary to reflect that the new stormwater outfalls are private services and not Council assets.
17. Following various discussions, it was decided to agree to the new outfall being located at the northern boundary of the car wash site subject to;
 - Council approval of the creation of the new easement and extinguishing of existing easement A.
 - Rangitāne surveying and re-registering the new easement at the new location, at their cost.
18. Note an implicit assumption in the Radich Law agreement is that Rangitāne will still only be able to construct one new northern outfall as intended at the time of subdivision of the former Railways Land. So effectively a new easement will be granted at the carwash site and existing Easement A will be extinguished. The shift in location in terms of the esplanade reserve is not significant but rather a technical change.
19. In hindsight it is not surprising that the positions of the three stormwater outfalls easements provided have not perfectly fitted the subsequent development of the site. The foresight at the time of subdivision to provide for three outfalls was however very good.

Option One (Recommended Option) – confirm the relocation of Easement A to the proposed new carwash location in favour of Rangitāne Investments Ltd

20. Approve the new stormwater easement location, approximately 40m south of existing easement A, in favour of Rangitāne Investments Ltd.

Advantages

21. Enable the Rangitāne investments development to proceed as designed and agreed at officer level.
22. Provides certainty for the design for future developments for the two northern sites (Sites 1 and 2).

Disadvantages

23. Requires new easement survey and amendment to the Council title plan. No material effects to the Council esplanade reserve

Option Two – Status Quo

24. To decline the request from Rangitāne for the new Council outfall location, and ask them to construct the new outfall at the location of easement A.

Advantages

25. Nil to Council. Cost of survey and reregistration is to be met by Rangitāne.

Disadvantages

26. Would require significant redesign of the car wash stormwater outfall and could limit how future Sites 1 and 2 are developed in future.

Next steps

27. Finalising of outfall construction details and Rivers staff signoff

28. Survey and preparation of Easement documents.

Attachments

Attachment 1 – Radich Law Agreement

Page [78]

Attachment 2 – Stormwater design drawing for Rangitāne development.

Page [84]

| | |
|------------|--|
| Author | Geoff Dick, Senior Rivers Technical Engineer |
| Authoriser | Richard Coningham, Assets and Services Manager |

| Summary of decision-making considerations | | | |
|---|--------------------------|--------------------------|--------------------------|
| Fit with purpose of local government | | | |
| The proposal enables democratic local decision-making and action by, and on behalf of communities and relates to providing a public service and it is considered good-quality and cost effective. | | | |
| Fit with Council policies and strategies | | | |
| | <i>Contributes</i> | <i>Detracts</i> | <i>Not applicable</i> |
| LTP / Annual Plan | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Financial Strategy | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Infrastructure Strategy | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Social well-being | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Economic development | X | <input type="checkbox"/> | <input type="checkbox"/> |
| Environment & RMA Plans | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Arts & Culture | <input type="checkbox"/> | <input type="checkbox"/> | X |
| 3 Waters | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Land transport | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Parks and reserves | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Nature of the decision to be made | | | |
| The options do not involve a significant decision in relation to land or a body of water, as this decision is for an easement only, the discharge consent have already been granted or are permitted. | | | |
| Financial considerations | | | |
| There are no known financial implications. | | | |
| Significance | | | |
| The decision is considered of low significance under Council's Significance and Engagement Policy. | | | |
| Engagement | | | |
| No engagement is proposed as this decision is for an easement location change only. | | | |
| 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. | | | |

RADICHLAW***
BARRISTERS AND SOLICITORS

DATE: 3 October 2023
TO: Marlborough District Council
Attention: Geoff Dick and Andy White
Both by email
FROM: Peter Radich
RE: **RANGITĀNE CAR WASH**

1. Geoff, we thank you for your comprehensive email of yesterday.
2. This letter which you will see has been countersigned by the Rangitāne CEO who has authority, will, when signed by Council, constitute an Agreement between Council and Rangitāne. We will set the situation out in this letter so that it is a self-contained document.
3. The background is:
 - Rangitāne Investments Limited is the owner of the land in MB6B/1435 comprising 1,0428 hectares being Lot 1 DP 11967.
 - Council is the owner of an Esplanade Strip to the east of the Rangitāne land. This Esplanade Strip separates the Rangitāne land from the Ōpaoa River.
 - Rangitāne is in conjunction with other parties, developing its site.
 - There is an existing development to the south of the Rangitāne land.
 - Immediately to the north of the existing development, a new car wash development is being proposed.
 - The developments on Rangitāne land require access across the Esplanade Strip to enable appropriately treated stormwater to be discharged into the Ōpaoa River in terms of any necessary Resource Consents.
 - There are existing Easements in favour of Rangitāne and across the Esplanade Strip as shown as A and B on DP 11967 **attached**.
 - Easement A is not in the optimum position to deal with outfalls from the proposed car wash.
 - On Davidson Group plans 1 and 2 **attached** a new Easement is shown as *Proposed Outlet for Treated Stormwater*.
4. To deal with the ongoing requirements for the discharge of treated stormwater across the Esplanade Strip, Rangitāne and Council have agreed as follows:

PJR-111386-37-55-V3

Peter Radich BARRISTER
SOLICITOR

21 Bell's Road, RD2, Blenheim 7222. PO Box 842, Blenheim 7240, Marlborough, New Zealand.
T: +64 3 577 8450 F: +64 3 577 8451 E: info@radichlaw.co.nz W: www.radichlaw.co.nz

Miriam Radich BARRISTER
SOLICITOR

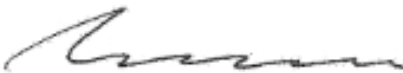
Sarah Wadsworth BARRISTER
SOLICITOR

Rebecca South BARRISTER
SOLICITOR



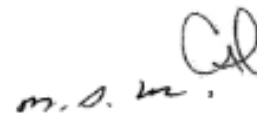
- A new Easement will be established as shown by the location *Proposed Outlet for Treated Stormwater* on Davidson Group plans attached.
 - Easement A on DP 11987 will be surrendered.
 - Rangitāne will meet the costs of survey and will meet its own costs and the reasonable costs of Council associated with the creation of the new Easement and the surrender of Easement A.
 - Rangitāne will proceed expeditiously to achieve the end result where Easement A is surrendered, and the new Easement is established. This will be completed no later than six (6) months from date of this letter.
 - Rangitāne will ensure that its engineers make copies of all plans and specifications relevant to the Easement are given to Council for Councils approval before the work begins.
5. Council and Rangitāne agree further:
- All of the costs of establishing the physical works for the new Easement will be met by Rangitāne.
 - All works will be undertaken to meet Councils reasonable requirements in terms of the quality of the physical works.
6. Upon the signing of this Letter of Agreement by both Rangitāne and Council, and subject also to Councils agreement on the outfall design detail, Rangitāne shall be permitted to proceed with the physical works.
7. The permission in paragraph 6 is subject to:
- Rangitāne meeting all of its Resource Consent and other Regulatory requirements and meeting all costs associated with those.
 - Undertaking all works in accordance with all approvals.
 - Council giving formal approval to the variation of Easement (Council will proceed forthwith upon this letter being signed by Rangitāne).

Yours sincerely




P.J. Radich
email: peter@radichlaw.co.nz

PJR-111386-37-55-V3



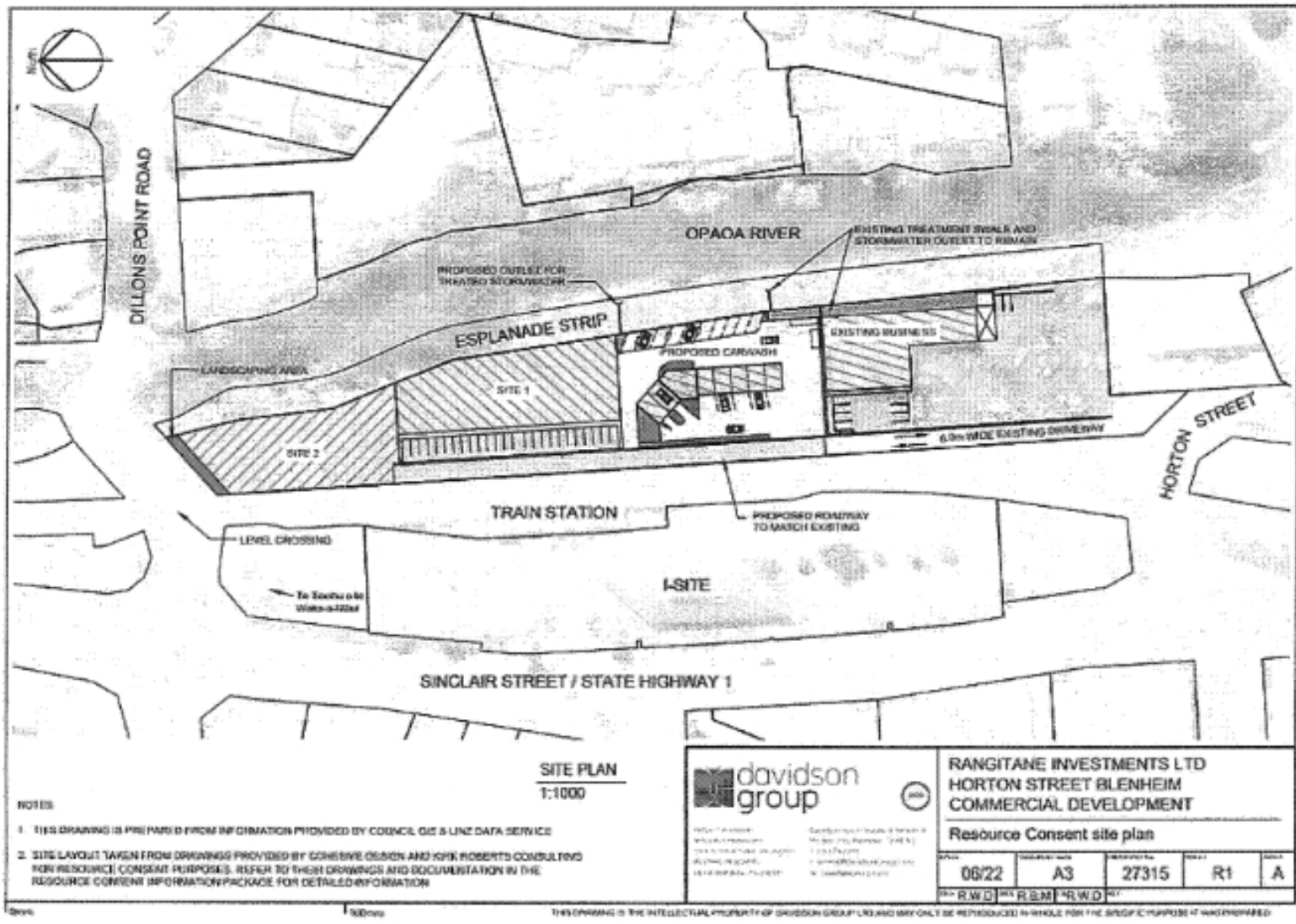
1. **SIGNED** by and on behalf of
RANGITÁNE INVESTEMENTS LIMITED
by **COREY HEBBERD** its duly authorised
Officer and Agent:

)
) 
)
) _____

2. **COUNTER SIGNED** by and on behalf of
MARLBOROUGH DISTRICT COUNCIL
by its authorised Officer:

)
) 
)
) _____

8



- NOTES**
1. THIS DRAWING IS PREPARED FROM INFORMATION PROVIDED BY COUNCIL GIS & LINE DATA SERVICE
 2. SITE LAYOUT TAKEN FROM DRAWINGS PROVIDED BY COHESIVE DESIGN AND YORK ROBERTS CONSULTING FOR RESOURCE CONSENT PURPOSES. REFER TO THESE DRAWINGS AND DOCUMENTATION IN THE RESOURCE CONSENT INFORMATION PACKAGE FOR DETAILED INFORMATION

SITE PLAN
1:1000

Davidson group

1000 Wellington
1000 Wellington
1000 Wellington
1000 Wellington

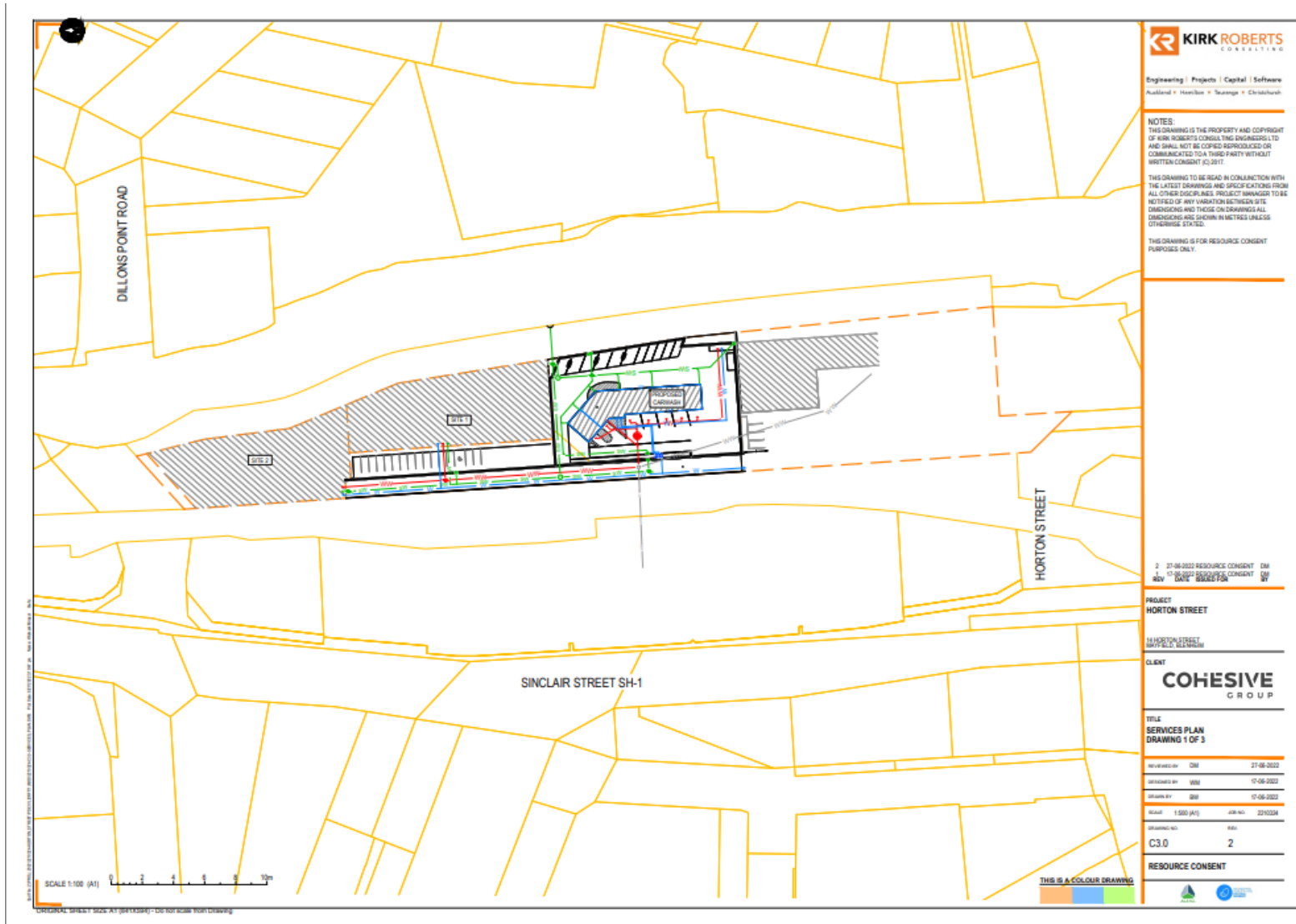
1000 Wellington
1000 Wellington
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1000 Wellington

**RANGITANE INVESTMENTS LTD
HORTON STREET BLENHEIM
COMMERCIAL DEVELOPMENT**

Resource Consent site plan

| | | | | | | | | | |
|------|-------|---------|-----|-------------|-------|--------|----|--------|---|
| DATE | 06/22 | SCALE | A3 | PROJECT NO. | 27315 | CLIENT | Rt | STATUS | A |
| BY | RWD | CHECKED | RBM | APPROVED | RWD | | | | |

THIS DRAWING IS THE INTELLECTUAL PROPERTY OF DAVIDSON GROUP LTD AND MAY ONLY BE REPRODUCED IN WHOLE FOR THE SPECIFIC PURPOSE IT WAS PREPARED.



11. Out of District Water and Wastewater Connection applications for Marina Drive, Waikawa

(The Chair) (Report prepared by Stephen Rooney)

W440-003-004-01, W450-004-006-03,
PN500128#04, PN500101#04, PN500099#04, PN500080#04

Purpose of Report

1. To consider Out of District Water and Wastewater connections for properties adjacent to the Waikawa Marina extension.

Executive Summary

2. Council received a request for water and wastewater connections for Lot 1 DP 3080, adjacent to the Waikawa Marina extension. The site is situated outside of the Picton Residential Zone.
3. Port Marlborough installed connections to this and three other properties during construction of the marina extension to enable future connection.
4. The site/s is not currently connected to the Council water or wastewater systems.
5. Council infrastructure has the capacity to serve these properties with wastewater connections but is not able to provide a water supply.
6. The application request also considers approval for future connection to the other three properties – Lot 16 DP 1086, Lot 2 DP3080 and Lot 14 DP3080.

RECOMMENDATIONS

That Council:

1. **Decline the Out of District Water connection application**
2. **Approve the Out of District Wastewater connection application subject to the following conditions;**
 - (a) **The approval is for only one dwelling connected on each Lot,**
 - (b) **That a Wastewater Development Contribution be paid for 1.0 Household Equivalent Unit and applied as per the Development Contributions policy for each Lot**
 - (c) **The properties will use Port Marlborough wastewater infrastructure, including a sewer pump station to convey sewage to the Council connection at Marina Drive, opposite #23 Marina Drive**
 - (d) **It is advised property owners should enter into agreements with Port Marlborough for the use of PM infrastructure and to set out the maintenance responsibilities for maintenance including power supply, protecting rights for continued future use of PM wastewater infrastructure.**
 - (e) **That the properties pay Wastewater rates as per Council's Out of District connections rating policy from July 1 following this approval.**

Background/Context

7. Council received a request for water and wastewater connections to Lot 1 DP 3080, adjacent to the Waikawa Marina extension.

8. The site is zoned Coastal Environment under the MEP which is outside of Council's Water and Wastewater servicing areas.
9. The request to connect follows the extension of services by Port Marlborough as part of the Waikawa Marina extension.
10. The applicant advises the extension of services by Port Marlborough passed their back provides the opportunity for them and their neighbours to connect to services (water & wastewater).
11. This is also referred to in Port Marlborough's resource consent for the Waikawa Bay Marina Extension. A paragraph in the consent specifically refers, "provision in engineering plans for services include laterals to the reclamation boundary for uptake by residents (4) at their discretion.
12. The applicant notes "*Port Marlborough have given us permission to use their pipe network to discharge through to the MDC network, but they (PM) do not have the authority to say we can actually discharge into the public network*".
13. The residents are therefore seeking approval to use these out of district connections provided by Port Marlborough.

Assessment/Analysis

14. The existing water network does not have the capacity to provide water to these properties. Picton's existing sources of water only have capacity to provide water to areas currently zoned for residential and commercial purposes. There has been a moratorium against the provision of out of district water connection to properties outside of the current residential zone boundary for many years.
15. The existing Council wastewater infrastructure has the capacity to serve these four properties.
16. The wastewater discharge from these properties will be to Port Marlborough's sewer connection in Marina Drive (opposite #23 Marina Drive) , refer to the plan attached for the location. These properties will be discharging to Port Marlborough's wastewater infrastructure including through a pump station before it enters Councils wastewater network. There is to be an agreement between these residents and Port Marlborough for their use of PM's infrastructure.
17. Maintenance of the connection from the properties to PM's infrastructure is to be managed by the property owners or PM
18. Development Contributions shall be applied as specified within the Development Contribution Policy.
19. The total wastewater demand is assessed at 1.0 HEU, for each property.

Option One (Recommended Option)

20. Approve the Out of District Wastewater applications but decline the water applications

Advantages

21. Reduces the risk posed by existing septic tanks to the environment.
22. Council receives funding for use of capacity.

Disadvantages

23. Nil

Option Two – Status Quo

24. Decline the Out of District Wastewater application.

Advantages

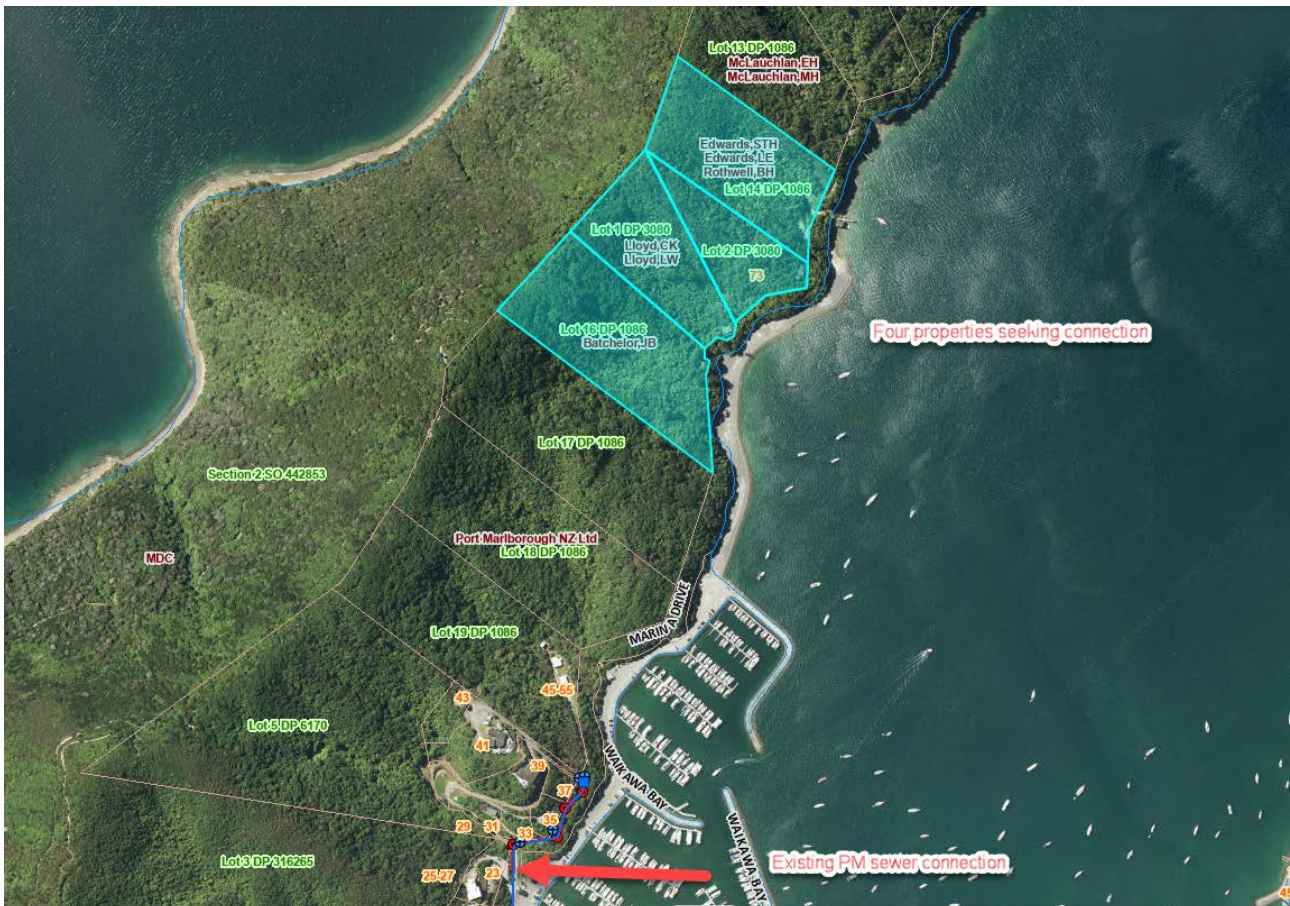
25. Nil

Disadvantages

26. Risk of septic tank failure impacting the environment

27. Does not meet the expectation of owners created through negotiation discussion with PM

Location



| | |
|------------|---|
| Author | Stephen Rooney, Operations & Maintenance Engineer |
| Authoriser | Richard Coningham, Assets & Services Manager |

| Summary of decision-making considerations | | | |
|---|--------------------------|--------------------------|--------------------------|
| | <i>Contributes</i> | <i>Detracts</i> | <i>Not applicable</i> |
| LTP / Annual Plan | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| Financial Strategy | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Infrastructure Strategy | <input type="checkbox"/> | ✓ | <input type="checkbox"/> |
| Social well-being | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| Economic development | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Environment & RMA Plans | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Arts & Culture | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| 3 Waters | ✓ | <input type="checkbox"/> | <input type="checkbox"/> |
| Land transport | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| Parks and reserves | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| 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 Contribution will be made to pay for the share of infrastructure used. | | | |
| Significance The decision is considered of low significance under Council's Significance and Engagement Policy. | | | |
| Engagement No engagement is proposed. | | | |
| 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. | | | |

12. Information Package

RECOMMENDATION

That the Assets & Services Information Package dated 14 November 2023 be received and noted.
