



**Report and Minutes of a Meeting of the
ASSETS & SERVICES COMMITTEE**
held in the Council Chambers, 15 Seymour Street, Blenheim on
TUESDAY, 31 JANUARY 2023 commencing at 9.00 am

Present

Cirs J D N Croad (Chair), J C Rosene (Deputy), S R W Adams, S J Arbuckle, D A Dalliessi, B G Dawson, M R L Flight and Mayor N P Taylor

Also Present

Cirs J A Arbuckle and T P Sowman

In Attendance

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

Apologies

Cirs Croad/Dawson:

That the apology for non-attendance from Clr B A Faulls be noted.

Carried

A&S-0123-215 Declaration of Interests -

Clr S R W Adams declared an interest in Item 5 – Approval of Changes to Levels of Waste Services

Clr J C Rosene declared an interest in Item 8 – Road Stopping Proposal – 92 Alfred Street, Blenheim

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

**A&S-0123-216 Financial Report for the year to
30 November 2022**

F275-001-02

The Financial Report for the Assets and Services and Property and Community Facilities (including parking) Departments for the year to 30 November 2022 was presented to members.

Mr Craig noted that the report is for the year to 30 November period and due to timing the December values were not included in the report. It was noted that the values for the whole of Council will be presented at the Economic, Finance & Community Committee February meeting.

Members were advised that for the reporting period there was an operating deficit of \$2.2M which was unfavourable to budget by -\$0.6M.

The following amendment to the table contained in agenda item was noted.

(in millions)	1 July to 30 November		Whole year			
	Actual	Budget	Forecast	Budget		
Surplus/Deficit	-\$2.2	-\$1.6	✘ -\$0.6	\$4.3	\$5.3	✘ -\$1.0

The major variances between year to date actual and budget were noted as: Roading emergency reinstatement costs following the July 2021 and August 2022 storm events were above budget by \$2.2M and were offset by increased operational roading subsidies of \$2.7M. Other flood damage repair costs of \$816k

have been incurred to date, mainly within the Flood Protection Activity, and are well within budget at this time. There are also associated savings of \$315k for minor works contracts in the Flood Protection Activity.

Flood event welfare response and recovery costs are captured under the Emergency Management Activity and \$674k has been incurred to date. Most of these costs are eligible for subsidy from either National Emergency Management Agency (NEMA) or Waka Kotahi (NZTA). Claims are still pending.

Roading subsidy on capital expenditure is below budget by \$2.6M due to scheduling of the renewals programme over the warmer summer months.

Development contributions (\$1.146M) and Reserve fund contributions (\$271k) are both unfavourable to budget. These revenues are expected to improve during the year as staged subdivisional development occurs.

Vested assets are favourable to budget by \$323k. Accounting entries have been completed for stage 8b of the Rose Manor subdivision.

Trade waste revenue is unfavourable to budget by \$432k and dump fee revenue is unfavourable to budget by \$522k. Grant income is favourable to budget by \$494k which is mainly attributable to the Provincial Growth Fund for Wairau River flood protection scheme \$255k, 3Waters Stimulus Funding \$147k and Tourism Infrastructure Funding (TIF) for public convenience upgrades \$118k; offset by unfavourable MFE grant for weighbridge installations \$26k.

Grant expenditure is favourable to budget by \$832k due to Marlborough Kaikoura Trail Trust (MKTT) and Marlborough Equestrian Park projects. Indications are that the Marlborough Equestrian project is unlikely to progress this financial year and funding (\$294k) will be carried over into 2023-24.

Depreciation charges \$451k and interest costs \$347k are both favourable year to date. Additional information on variances at an activity level were further detailed in the report.

Members were advised that Capital expenditure is favourable to budget by \$15M which represents 22% of the \$67.5M for capital expenditure in the 2022-23 Annual Plan. Forecasts for the year were detailed in the agenda.

Mr Craig updated members on the notable activity for December and advised that although the Wai Iti subdivision vested assets are a non cash item they do effect the bottom line and it is projected there will be a favourable budget operating surplus of \$8M, increase revenues of \$5.2M and reduced expenditures of \$2.8M. Forecast capital expenditure has increased from \$59.8M to \$62.6M which is largely the result of those vested assets entries. It was reported that this is close to the \$67.5M that we have funded in the Annual Plan for Capital Works.

Cirs Croad/Rosene:

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

Carried

ATTENDANCE: Laura Skilton, Transport Planner, Marlborough Roads, was present for the following item.

A&S-0123-217 Blenheim Integrated Transport Study – Decision **R800-010-006-02**

Members noted that the purpose of the report was to endorse the Network Operating Framework (NOF) undertaken as part of the Blenheim Integrated Transport Study. A copy of the report was circulated with the agenda for members' information. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2326840).

By way of background Ms Skelton reported that the Blenheim Integrated Transport Study (BITS) was a study into Blenheim's future transport requirements. The study aligned with Waka Kotahi's business case process to enable local road or state highway funding applications for any recommendations made from the study over \$2M.

The strategic business case has been completed which included problem statements and evidence to support the problem statements. As part of the BITS, a Network Operating Framework (NOF) was commenced for Blenheim and Picton. The NOF establishes an aspirational future multi-modal set of network hierarchies that can be used to make transport funding decision and used as a planning tool to make transport decisions.

It was noted that following approval Council staff and Marlborough Roads will update the required documents to include the modal network which will assist in prioritising projects in the Regional Land Transport Plan.

Clr Arbuckle noted that Council had commissioned a study to review SH 1 (Grove Road) to consider options for improving the flow of SH1 traffic and indicated that there doesn't appear to be any reference to the recommendations in the NOF or any progress made. Ms Skelton advised that some of the low cost low risk recommendations have been completed and other recommendations under the \$2M can be undertaken as they would be 100% Council funded but will still require sign off from Waka Kotahi as it is a state highway.

Members were advised that Waka Kotahi have their own way of prioritising projects which are related to the Government Policy Statement on Transport (GPS). The Draft 2024-27 GPS has been produced which has identified five areas of focus one being freight efficiency and this may be an avenue to access funding for some of the projects.

In response to a query on public transport Ms Skelton noted that public transport was not part of the Network Operating Framework as there is currently a fixed route. Marlborough Roads now has a multimodal Advisor and this is one of the areas that they are investigating with two public transport trials at the moment. The results of the trials will be reported on at a future Committee meeting.

Clr Dawson/The Mayor:

That Council endorse the Marlborough Network Operating Framework set of networks to allow Council staff and Marlborough Roads to update the road hierarchies for each mode in relevant documents.

Carried

ATTENDANCE: Dr Alec McNeil, Solid Waste Manager, was present for the following three items.

A&S-0123-218 Approval for Changes to Levels of Waste Services

C315-21-077-08

Dr McNeil noted that the purpose of the report was to approve proposed changes to levels of waste services.

Dr McNeil further noted that the community consultation process has concluded and the Hearing Panel has considered the submissions. The Hearing Panel has in principle recommended that the proposed changes are progressed subject to the amendments detailed in the agenda item. It was noted that the amendments recommended by the Hearing Panel address themes identified by submitters.

In response to a query on bin sizes Dr McNeil noted that each kerbside collection entitled property owner will be written to advising them of the decision and seek an indication on the wheelie bin size they require. Responses would be via an online form. If there is no response then a standard size bin would be provided.

It was noted that not receiving a kerbside service at this time did not preclude communities/areas from being managed into the service at some future point if there was a strong desire to participate in the service.

Clr Croad noted that the change in Levels of Waste Services is a huge decision for the region and the Panel have considered ways to mitigate concerns raised during the submission process. Clr Croad thanked the Hearing Panel and Dr McNeil for their work noting that there was overwhelming support for the introduction of wheelie bins.

Clrs Dalliessi/Dawson:

- 1. That the Hearing Panel Deliberation Report of 12 December 2022 be received.**
- 2. That the proposed changes to levels of waste services as set out in the November 2022 statement of proposal are progressed with the following amendments:**

- i) the kerbside collection methodology should include wheelie bins that offer residents a low (80 litre), standard (140 litre) or high (240 litre) volume option,
 - ii) the proposed remote transfer stations for Okiwi Bay and Duncan Bay should not be progressed,
 - iii) a remote transfer station should be established on part of the existing Rai Valley transfer station; and
 - iv) the proposed inclusion of kerbside collection in Wairau Valley and Ward should not proceed.
3. That a communication plan for the roll out of the new waste services is developed and implemented across the 2023/24 period.
 4. That further refinement of the kerbside collection area occurs across the 2023/24 period.

Carried

NB: Cllr Adams declared an interest in the above Approval for Changes to Levels of Waste Services item and did not take part in discussions nor vote on the issue.

A&S-0123-219 Bluegums Odour Survey

C315-21-039-02

Dr McNeil noted that the purpose of the report was to provide an update on the Bluegums landfill odour survey undertaken during 2022.

It was reported that Council receives district-wide odour complaints via the online PONG (Prevailing Odour Not Good) reporting system. The reports entered in the system relate to odours from various land use, industrial, and domestic activities which affect the amenity of the complainant. In 2022, in response to complaints about odours in the Taylor Pass area attributed to the landfill, Council undertook an odour survey.

Members were advised that the data loggers recorded no traces of Hydrogen Sulphide during the trial period and up to 50% of the PONG reports submitted during the trial period cited historical issues with odours that were associated with the landfill.

It was noted that during the sewer investigations a temporary bung was discovered to have been left in place. The location of the bung was adjacent to some of properties that had been experiencing odour issues. Whilst the bung did not completely block the sewer it would have caused a build-up of material from time to time.

Members noted that as a result of feedback received from the community on how representative the odour survey would be if it was only conducted during the cooler months, they supported the proposal that a further survey be undertaken across the warmer months and including the harvest period. The cost of the survey is approx. \$5,000 which can be covered from existing budgets.

Cllrs Dalliessi/Flight:

1. That the report be received.
2. That approval be given for another odour survey to be undertaken across March 2023 to May 2023 and that the survey results are reported back to Council.

Carried

A&S-0123-220 WorksOps – Gravel Storage Options c315-21-039-02

Members noted that the purpose of the report was to obtain approval to lease a section of land at the Bluegums landfill for the purpose of gravel storage.

Dr McNeil reported that the WorksOps Department require an ongoing source and supply of gravel as part of their planned and emergency work programme. The current gravel store is located at the end of George Conroy Drive, adjacent to a local school. This general area is anticipated to be developed into a formal entrance and parking for the new managed open space located at the Taylor Pass Closed Landfill. The gravel yard and

ancillary operations need to be relocated with the most suitable option being to relocate to a new site at the entrance of Bluegums landfill.

It was noted that the new site would be developed and operated by Simcox Construction who would also store gravel at the site. Simcox would pay Council a lease in the region of \$8k pa.

Members were advised that by allowing Simcox to develop a new site at the Bluegums entrance area, Council would be able to set up a gravel storage and supply arrangement that services the needs of WorksOps. In addition, the WorksOps team could deliver any excavated material direct to the Simcox cleanfill site on Maxwell Pass Road instead of double handling as is the current practice.

It was noted some additional travelling time would be incurred by WorksOps staff but this can be offset against the direct tipping of excavated material and loading out with gravel. This is a change in practice rather than a monetary issue.

Dr McNeil noted that there may be a perception of intensive development of the landfill so good comms will be important to expel any concerns.

Members were advised that any lease agreement would be drafted and subsequently managed by APL, it may be the case that amendments to the landfill operations Contract would be required to set out the relationship between Simcox and the Landfill contractor. This can be dealt with internally by staff at no additional cost.

Cirs Dawson/Adams:

That a section of land at the Bluegums Landfill site entrance is leased to Simcox. The land area and annual lease value will be as per the Alexander Hayward Ground Value Evaluation Report dated 22 January 2022.

Carried

**A&S-0123-221 Road Stopping Proposal – 92 Alfred Street,
Blenheim R800-004-B34**

Mr Conningham noted that the purpose of the report was to obtain a decision from Council on a request to stop a portion of road which adjoins the property described as 92 Alfred Street, Blenheim.

It was reported that the item had been considered at a previous Assets & Services Committee meeting with the decision being to leave the paper to lie on the table until a policy on Road Stopping was developed. An Urban Road Stopping Policy has now been developed and was adopted by Council at its August 2022 meeting. The policy and background information were attached to the agenda for members' information.

Members considered the application noting the Urban Road Stopping Policy and taking into consideration the analysis from the Marlborough Roads Senior Transport Planner.

The Mayor/Cir Dawson:

That Council decline the request to stop a portion of road which adjoins the property described as 92 Alfred Street, Blenheim.

Carried

NB: Cir Rosene declared an interest in the above Road Stopping Proposal – 92 Alfred Street, Blenheim item and did not take part in discussions nor vote on the issue.

A&S-0123-222 Road Naming Sub-Committee R800-007-06-07

The minutes of the Road Naming Sub-Committee meeting held on 15 December 2022 were presented for ratification by the Committee.

Cir Dalliessi/The Mayor:

That the minutes of the Road Naming Sub-Committee meeting held on 15 December 2022 be ratified.

Carried

The minutes of the Regional Transport Committee meeting held on 18 November 2022 were presented for ratification by the Committee.

Cllrs Dawson/Rosene:

That the minutes of the Regional Transport Committee meeting held on 18 November 2022 be ratified.

Carried

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

A&S-0123-224 Adoption of Marlborough District Council Responsible Camping Control Bylaw 2022

R510-005-17-09

Ms Craighead advised that the purpose of the report was to adopt the Responsible Camping Control Bylaw 2022 with effect from 1 May 2023. The Final Decision of the Hearings Panel and the Marlborough District Council Responsible Camping Bylaw 2022 were attached to the agenda item for members' information.

By way of background it was noted that the Council reviewed its Freedom Camping Control Bylaw 2012 in 2019/20 under the provisions of the Freedom Camping Act 2011 (FCA). After consultation and notification of a draft bylaw, the Responsible Camping Control Bylaw 2020 (2020 Bylaw) was adopted by Council on 27 November 2020 with freedom camping provided for at five sites across Marlborough.

Following this decision a claim for judicial review was lodged with the High Court in May 2021 over limitations of the 2020 Bylaw and procedural matters. The appeal was heard in early November 2021 and the Court's decision was to remove the part of the bylaw that prohibited freedom camping outside of the five sites. This meant freedom camping could occur outside of the five sites and not be in conflict with the 2020 Bylaw.

In response to lodgement of the claim the Council undertook further consultation to address points raised in the claim for judicial review. Further site assessments were undertaken, and a revised Statement of Proposal (SOP) and draft bylaw were notified for public submission in November 2021 (the 2022 Bylaw) with three additional sites proposed. On completion of the hearing process the Hearing Panel issued an interim decision confirming the sites included in the SOP.

The Hearing Panel's interim decision also directed that further assessments be undertaken on six other sites and roadsides in five valley areas. As a result of these assessments further submissions were sought on three sites and on roadsides in all five valleys. A hearing was held in early December 2022.

A final decision of the Hearing Panel confirmed that the three sites should be added to the 2022 Bylaw, bringing the total number of sites available for freedom camping to 11. In relation to roadsides in the five valleys the Hearing Panel considered that freedom camping should continue to be prohibited in these areas.

Members were advised that the last steps in the process are for the Council to formally adopt the 2022 Bylaw, to approve camping on reserve land pursuant to the provisions of the Reserves Act 1977 and to apply for resource consent for three of the freedom camping sites.

Cllrs Croad/Flight:

That the Council:

- 1. Adopts the Marlborough District Council Responsible Camping Control Bylaw 2022 effective 1 May 2023.**
- 2. Acting under a delegation from the Minister of Conservation and pursuant to section 44(1) of the Reserves Act, authorises camping on that part of the following reserves where a bylaw made under the Freedom Camping Act 2011 is in place:**

- Lot 1 DP 366864 – classified as Local Purpose (Picnic Area) Reserve [Alfred Stream Reserve];
- Section 5 Block XVII Taylor Pass Survey District – classified as Recreation Reserve by Gazette Notice 105187 (Gaz 1981 p2585) [Blairich Recreation Reserve]; and
- Section 1 Block XV Patriarch Survey District – classified as Recreation Reserve by Gazette Notice 1981 p3732 [Wash Bridge Recreation Reserve].

3. Applies for resource consent for the freedom camping sites to be located at Alfred Stream Reserve, Opouri Road [Carluka Domain] and Renwick Dog Park

Carried

ATTENDANCE: Robyn Blackburn, Road Safety Co-ordinator, was present for the following item.

A&S-0123-225 Road Safety Action Planning – Appointment of Chairperson R800-005-09

Ms Blackburn advised that the purpose of the report was to seek Council approval for the appointment of a new Chairperson for the Road Safety Action Planning group.

It was noted that the Road Safety Action Planning group play an important role in delivering Road to Zero national strategy interventions to achieve the national target of a 40 percent reduction in death and serious injuries (from the 2018 levels) by 2030.

It was noted that given Cllr Rosene’s roading responsibilities the role of chairperson would be appropriate. Cllr Rosene indicated his acceptance of the position.

The Mayor/Cllr Adams:

That Council approve Councillor Rosene as Chairperson of the Road Safety Action Planning group.

Carried

A&S-0123-226 Information Package -

Cllrs Rosene/Dawson:

That the Assets and Services Information Package dated 31 January 2023 be received and noted.

Carried

A&S-0123-227 Decision to Conduct Business with the Public Excluded -

Cllrs Flight/Adams:

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

- Sub-Committee Reports (Public Excluded Sections)

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

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

Carried

The meeting closed at 10.22 am.

Record No. 2328009