

**Report and Minutes of a Meeting of the
ASSETS & SERVICES COMMITTEE
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim
on TUESDAY, 3 OCTOBER 2023 commencing at 9.00 am**

Present

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

Present via Teams

Clr J C Rosene (Deputy)

Also Present

Cirs J A Arbuckle, B A Faulls and T P Sowman

Also Present via Teams

Clr R J Innes

In Attendance

Messrs Stephen Rooney, (Operations & Maintenance Engineer), Jamie Lyall (Manager – Property and Community Facilities) and Nicole Chauval (Committee Secretary).

In Attendance via Teams

Richard Coningham (Manager – Assets & Services Department)

The meeting departed from the agenda and Mayor Taylor and Clr Croad presented Council staff members Chris McAnulty and Joe Larrington with their National Certificate in Water Treatment Level 4 certificates.

Apologies

Cirs Croad/S Arbuckle:

That the apology for non-attendance from Clr B J Minehan be noted.

Carried

A&S-1023-96 Declaration of Interests -

No interests with items on the agenda were declared.

ATTENDANCE: Neil Henry, Council's Manager, Strategic Planning and Economic Development and Andrew Maughan, Stantec were present for the following item.

**A&S-1023-97 Marlborough Sounds Future Access Study –
Programme Business Case E210-007-29-05**

Mr Henry reported that the purpose of the report was to outline the Programme Business Case (PBC) for the Marlborough Sounds Future Access Study (MSFAS) and to seek endorsement of the PBC so that it can be submitted to Waka Kotahi. The MSFAS Programme Business Case had been circulated to members for their information and is available for the public to view on Council's website.

It was noted that Council had embarked on the MSFAS to support the case for funding safe and resilient long-term access solutions for the Sounds following the major storm events of 2021 and 2022, both for itself and to obtain funding assistance from Waka Kotahi and other funders.

Members were advised that the purpose of the PBC is to find the combination of activities that represent the best-value-for-money response to the case for change identified in the strategic case. A robust PBC provides Waka Kotahi, Council and all stakeholders with assurance that an appropriately broad range of options are being considered at a system level, the proposed programme represents the best whole-of-life value-for-money approach, relevant legislative requirements to consider alternatives and options have been met and opportunities for innovation have been adequately explored.

The PBC development process took place over the course of approximately ten months starting in November 2022. The draft PBC has been peer reviewed by an independent expert engaged by Council, who considered it to be fit for purpose.

It was noted that Council staff and Stantec have worked closely with Waka Kotahi during the entire process to ensure alignment with the relevant standards for a PBC.

It was reported that once endorsed, Council will submit the PBC to Waka Kotahi for consideration. The PBC will then be presented to the Waka Kotahi Board by the end of 2023, and an indication of the Financial Assistance Rate will be provided to Council.

Members were advised that Council will be required to consult with the whole of the Marlborough community on Level of Service and Rating options once the Financial Assistance Rate from Waka Kotahi is known. It is anticipated that the Special Consultative Process (SCP) will take place in 2024, as part of the 2024-34 Long Term Plan. Final funding decisions will be made by each of the respective funders following the culmination of the SCP which is anticipated to be from June/July 2024 onwards.

It was noted that there has been significant community engagement and it has been one of the largest in terms of responses Council has undertaken with over 900 responses to the community survey and then 1700 responses to the second survey. Council staff and Stantec also participated in numerous meetings with various communities and have also engaged with iwi, community and utility organisations.

Mr Henry advised that following the final review from Stantec the total cost noted in the cost section at 16(i) has reduced from \$237M to \$234M. The changes have come through a reduction in the Kenepuru costs from \$177M to \$174M.

P50 estimate summary (includes contingencies)					
	Repairs	Road improvements	Marine improvements	Total	Early estimate used for Engagement
Sounds wide studies	\$ -	\$ 3,000,000	\$ 7,000,000	\$ 10,000,000	-
French Pass	\$ 26,000,000	\$ 15,000,000	\$ 9,000,000	\$ 50,000,000	\$45M
Pelorus	\$ 2,000,000	\$ 3,000,000	\$ -	\$ 5,000,000	\$5M
Queen Charlotte	\$ 14,000,000	\$ 6,000,000	\$ 6,000,000	\$ 26,000,000	\$30M
Kenepuru	\$ 97,000,000	\$ 12,000,000	\$ 18,000,000	\$ 127,000,000	\$60M
Port Underwood	\$ 11,000,000	\$ 8,000,000	\$ -	\$ 19,000,000	\$20M
Total	\$ 150,000,000	\$ 48,000,000	\$ 40,000,000	\$ 237,000,000	\$160M

Members indicated their support and confidence in the PBC and noted that Council is not committing \$234M today but simply endorsing the business case to go forward to Waka Kotahi for consideration for the provision of funding.

The Mayor/Clr Croad:

- That Council endorses the Programme Business Case for the Marlborough Sounds Future Access Study.**
- That Council submits the Programme Business Case to Waka Kotahi for consideration for the provision of funding.**

Carried

ATTENDANCE: Mr Steve Murrin, Marlborough Roads Manager, was present for the following item.

**A&S-1023-98 Vehicle Length Restrictions Sounds Recovery
Roads L150-023-002-01-02**

Mr Murrin noted that the purpose of the report was to seek approval for a mechanism to implement and amend Temporary Vehicle Length and Weight Restrictions on roads under Storm Recovery repairs and approval to delegate authority to the Marlborough Roads Manager, Manager of Assets and Services and the Chair of Assets and Services to be able to implement vehicle Weight and Length Restrictions on storm damaged roads that are under repair.

It was reported that prior to the August 2022 storm and following the July 2021 storm similar temporary vehicle length restrictions and delegations were approved. These approvals were on the expectation that all the roads would be repaired by June 2023 and the restrictions would be lifted. It has now become apparent that these roads are going to be under repair for some years and weight and length restrictions will need to be implemented as it is important to be able to control the length and weight of vehicles to that which can safely navigate the damaged sections of road while repair works are completed.

Mr Murrin advised that the approval sought is only for applying temporary restrictions while the roads are being repaired. If any permanent restrictions are required following the storm repairs a paper will be brought back to Council for a decision.

It was noted that a record will be kept of any restrictions imposed and these will be advertised each time a restriction is changed.

Clr Adams noted that the previous approval had an expiry date and proposed that one be considered for this delegation. Mr Murrin noted that the repairs programme is scheduled to be completed by the end of June 2027.

Members discussed the proposal and at the conclusion of the discussion members agreed to include an expiry date. The Mayor then proposed an amendment to the recommendation to include the words 'until 31 December 2027' noting that the expiry date provides for some flexibility if the work programme exceeds the scheduled completion date.

The Mayor/Clr Adams:

That following Consultation with the Police that the Marlborough Roads Manager, Manager of Assets and Services, and the Chair of Assets and Services be delegated authority until 31 December 2027 to implement or amend temporary restrictions on roads that are under storm damage repairs.

Carried

ATTENDANCE: Ms Amanda Smith, Principal Network Manager, Marlborough Roads, was present for the following item.

A&S-1023-99 Unformed Legal Road Policy L150-019-56

Ms Smith noted that the purpose of the report was to formalise a previously unwritten policy on how Council addresses matters relating to unformed legal roads. The Policy was attached to the agenda for members' information.

A document providing examples of unformed roads was circulated to members at the meeting and is filed in CM Rec No. 23208395.

Members were advised that there are a number of unformed legal roads (paper roads) in the Marlborough region. Previously Council has had an unwritten policy which was applied to matters relating to unformed legal roads. Recently there have been questions asked about documenting this unwritten policy.

Members had a number of queries and amendments, and the Chair suggested the item lie on the table and a workshop be held to work through the amendments/queries and then bring the Policy back to the Committee

for consideration. Members agreed to the proposal and Clr Adams moved that the item lie on the table seconded Clr Dawson.

Ms Smith advised that a letter had been received from Herenga ā Nuku Aoteroa noting their support of Council for developing the Policy along with comments for Council's consideration.

Clr Dalliesi queried what the process was to come to the arrangements that have been made for the unformed road examples. Mr Murrin noted that for Otago Street the affected property owners and Council contributed to the cost of the work with property owners able to pay off the cost of the work in their rates over a period of time.

The Mayor noted that it would be helpful to know any associated policies that Council has that guide affected property owners and Council contribution to the cost of work to better understand if a policy is put in place what other pathways are available to the community to achieve a fair outcome.

Clrs Adams/Dawson

That the Unformed Legal Road Policy lie on the table pending further discussion.

Carried

The Marlborough Roads report contained in the Information Package was considered at the conclusion of this item.

ATTENDANCE: Mr Andy White, Council's Rivers and Drainage Engineering Manager, was present for the following item.

A&S-1023-100 Flight Timber Stormwater Easement in Taylor River Reserve U220409M

Mr White noted that the purpose of the report was to obtain Council approval for granting a stormwater easement in favour of Flight Industrial Park Ltd, over Local Purpose (Soil Conservation and River Control) Reserve being in the true left bank of the Taylor River.

Members were advised that a discharge consent has been through the consenting process and has been granted, no engagement is required as this decision is for an easement only. It was noted that the conditions on the consent required Flight Industrial Park Ltd to consult with Council's rivers engineers to ensure that the position of the outfall structure was appropriate. The rivers engineers have assessed the installation and determined that the installation will not affect the main purpose of the Reserve being flood control and the public will still be able to undertake recreation activity.

It was noted that following assessment and analysis no compensation would be required, however, all Council costs should be to Flight's account.

Clrs Adams/Dawson:

- 1. That Council, pursuant to Section 48(1)(f) of the Reserves Act 1977, approves the creation of stormwater easement in favour of Flight Industrial Park Ltd over Section 232 Omaka Registration District being a Local Purpose (Soil Conservation and River Control) Reserve classified by New Zealand Gazette 1985 page 4324.**
- 2. That no compensation shall be payable by Flight Industrial Park Ltd for use of the council land, and that Flight Industrial Park Ltd meets all costs incurred by Council in the granting and documenting of the stormwater easement.**

Carried

The Rivers and Drainage Section report contained in the Information Package was considered at the conclusion of this item.

ATTENDANCE: Ms Jane Tito, Council's Manager Parks and Open Spaces and Mr Robert Hutchinson, Council's Parks & Open Spaces Officer, were present for the following three items

A&S-1023-101 Disposal of Building - Taylor River R510-009-T02-03

Ms Tito noted that the purpose of the report was to seek approval for the disposal of a vacant building on the Taylor River.

By way of background members were advised that the Blenheim Pony Club had held a license with Council for a section of land on the Taylor River for their activities for over 50 years. In that time, the Pony Club had built yard, toilets and jumps and had a building placed on site as their club rooms. The Pony Club has now moved to the Marlborough Equestrian Centre at Botham's Bend. APL and Council have approached a number of potential and possible users including those who had submitted to the AP/LTP, without success. Reasons identified were site isolation, access issues and the potential costs to renovate the building to any group's requirement.

Members posed a number of questions at the meeting including whether a subsidy could be offered to a potential occupant to remove the building. It was noted that could be available but there would be removal costs and set up costs that could be prohibitive and there are a number of developments elsewhere that have buildings for removal that are potentially in a better condition. It was then suggested that the potential cost of demolition of the building could be offered by way of a subsidy to help with relocation costs thereby making the building a more attractive proposition.

It was further suggested that Council initiate some comms to explain what is happening with the number of empty buildings owned by Council and include that for this particular building Council is prepared to subsidise relocation costs.

It was noted that at this stage the toilet block will remain on site until future use of the site is determined.

Cirs Croad/Dawson:

That Council approve disposal of the building - Taylor River, should further attempts to find a new owner and to assist with removal costs, not be successful.

Carried

A&S-1023-102 Tree Removal Request - Waitohi Domain R510-009-B02-03

Ms Tito noted that the purpose of the report was to seek approval for a request for the removal of a Eucalyptus tree on the Waitohi Domain, Picton.

Members were advised that Council has received a request from iReX contractors (Downers/HEB) to remove a Eucalyptus tree growing on the Waitohi Domain, Picton. The tree is on the northern side of the park next to the Waitohi Stream and its removal will allow a bridge to be constructed in support of project operations.

Staff met on site with the iReX contractor to review the tree for removal and discuss the reason behind the removal request.

Members were advised that Council engaged an Arborist to assess the tree's health and they have advised that the tree's overall health is poor and the tree is unlikely to recover sufficiently (even with pruning) and recommend its removal.

It was noted that a review against Council's Tree Policy and the Arborist's report were attached to the agenda item for members' information.

Members indicated their support for removal of the tree noting that any green space areas affected by the project, iReX are contractually obliged to restore to an agreed landscape plan in conjunction with Council.

Cirs S Arbuckle/Flight:

That Council confirm the removal of the Eucalyptus tree.

Carried

A&S-1023-103 Poplar Tree Removal – Taylor River Reserve

R510-009-T01-07

Mr Hutchinson noted that the purpose of the report was to approve a request to remove nine Poplar trees growing along the Taylor River Reserve.

The following documents were included with the agenda item - Amended Arborist report, tree report spreadsheet-detailing recommendations and the assessment made against the Marlborough District Tree Policy 6.2.4 for members' information.

Members were advised that due to concerns about two poplar trees Council has closed a section of the Monroe Street car park. Mr Hutchinson advised that the three trees are requested to be removed as there is a risk of the remaining tree falling due to having lost any protection from the two other trees it is growing with.

Members indicated their support for the removal of the nine trees and queried whether replacement planting would occur. Mr Hutchinson advised that planting would occur and that the Taylor River Management Plan and the Ralph Ballinger Arboretum plan would be followed as they provide clear guidance on the species that are identified for these zones.

In response to a query regarding the technology used to assess the trees Mr Hutchinson noted that it has been around for over 20 years but the technology has been refined and now provides very accurate readings of tree health.

Clr Dalliessi noted the very large willow tree between Beaver Road and High Street that Arborists have indicated needs to be assessed. Mr Hutchinson to investigate.

Cirs Dalliessi/S Arbuckle:

That Council confirm the removal of the nine Poplar trees located on the Taylor River Reserve.

Carried

A&S-1023-104 Information Package

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Cirs Croad/Adams:

That the Assets and Services Information Package dated 3 October 2023 be received and noted.

Carried

The meeting closed at 10.25 am.

Record No. 23210808