

**Minutes of a Meeting of the
Marlborough District Council
held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY 2 NOVEMBER 2023 commencing at 9.00 am**

Present

The Mayor N P Taylor (in the Chair), Cllrs S R W Adams, S J Arbuckle, A R Burgess, J D N Croad, D A Dalliessi, B G Dawson, B A Faulks, M R K Flight, G A Hope, R J Innes, B J Minehan, J C Rosene (to 10.21 am) and T P Sowman.

Present via Teams

Clr J A Arbuckle (to 10.21 am).

In Attendance

Mr M S Wheeler (Chief Executive), Mr H R Versteegh (Environmental Science & Policy Group Manager), Mr D G Heiford (Manager Economic, Community and Support Services Department), Mr R Foitzik (General Counsel), Mr M F Fletcher (Manager Strategic Finance), (Ms L Randall (People & Capability Partner) and M J Porter (Democratic Services Manager).

Karakia

The meeting opened with a karakia from Clr Burgess.

Cncl-1123-137 Declaration of Interests -

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

A number of declarations were noted in the agenda:

- The various interests as declared under Minute Nos. Cncl-0923-89;
- The interest as declared under Minute No. E&P-1023-105 (Minute No. A&S-1023-115); and
- The interest as declared under Minute No. EFC-1023-124 (Minute No. EFC-1023-126).

Cncl-1123-138 Introduction of Additional Items -

The Mayor/Clr Innes:

That the following additional items be considered for reason of the urgent nature of the business and insufficient time being available to include the items on the original Agenda and Meeting Notice.

In Open Meeting:

- **Reorganisation of Committees' Chairs and Membership.**
- **Delegation of Aspects of the Recruitment Process (but not the final appointment) for the Replacement Chief Executive.**

Carried

Cncl-1123-139 Confirmation of Minutes -

The Mayor/Clr Croad:

That the Minutes of the Council Meeting held on 21 September 2023 (Minute Nos. Cncl-0923-89 to Cncl-0923-95) be taken as read and confirmed.

Carried

Cncl-1123-140 Confirmation of Minutes -

The Mayor/Clr Croad:

That the Minutes of the Council Meeting held on 10 October 2023 (Minute Nos. Cncl-1023-122 to Cncl-1023-123) be taken as read and confirmed.

Carried

Committee Reports

Cncl-1123-141 Assets & Services Committee -

Clrs Croad/Rosene:

That the Committee report contained within Minute Nos. A&S-1023-96 and A&S-1023-98 to A&S-1023-104 (noting that Minute No. A&S-1023-97 was adopted at the Extraordinary Council Meeting on 10 October 2023) be received and the recommendations adopted.

Carried

Cncl-1123-142 Environment & Planning Committee -

Clrs Hope/Fauls:

That the Committee report contained within Minute Nos. E&P-1023-105 to E&P-1023-121 be received and the recommendations adopted.

Carried

Cncl-1123-143 Economic, Finance & Community Committee -

Clrs Dawson/J Arbuckle:

That the Committee report contained within Minute Nos. EFC-1023-124 to EFC-1023-136 be received and the recommendations adopted.

Carried

Cncl-1123-144 Reorganisation of Committees' Chairs and Membership D050-003-04

The Mayor reported that the purpose of the report was to advise the committee chairs and membership following a reorganisation prompted by the resignation from of Clr Jamie Arthur Arbuckle from all Chairpersonships, Committees, Sub-Committees and Working Groups/Forums, except that of member of the Economic, Finance & Community Committee.

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

It was noted that in terms of schedule 7 Clause 30 of the Local Government Act 2002 Council may at any time and from time to time appoint or discharge any member of a Committee with the right existing for a Committee at any time to appoint or discharge any member of a Sub-Committee appointed by that Committee.

The Mayor/Clr Croad:

1. That the resignation of Clr Jamie Arthur Arbuckle from all Chairpersonships, Committees, Sub-Committees and Working Groups/Forums, except that of member of the Economic, Finance & Community Committee, be accepted with effect from 2 November 2023.

2. That the proposed reorganisation of committee chairs and membership and portfolios as set out hereunder be noted and adopted with effect from 3 November 2023.

ASSETS AND SERVICES COMMITTEE

Chair: Brian Dawson
Deputy: Jonathan Rosene
Members: Scott Adams
David Croad
Deborah Dalliessi
Matt Flight
Mayor Nadine Taylor
Iwi representative

Civil Defence Emergency Management Group
(Statutory Committee)
Same membership as the Assets and Services Committee.

Regional Transport Committee (Statutory Committee)

Chair: Scott Adams
Members: David Croad
Brian Dawson
Jonathan Rosene
New Zealand Transport Agency representative (Emma Speight)

ROAD NAMING SUB-COMMITTEE

Chair: Deborah Dalliessi
Members: Brian Dawson
Matt Flight
Iwi Representative

Assets and Services Committee Portfolios:

Parking	Brian Dawson
A&S Finance	Brian Dawson
3-Waters	Mayor Nadine Taylor
Bike-Walk and Public Transport	Jonathan Rosene
Refuse, Recycling and Resource Recovery	Deborah Dalliessi
Sporting and Community Facilities	Matt Flight
Reserves – Parks, Open Spaces and Cemeteries	Brian Dawson
Footpaths and Public Conveniences	Matt Flight
Property and Development	David Croad
Roading and Road Stopping	Scott Adams
Rivers and Drainage	Scott Adams

ECONOMIC, FINANCE AND COMMUNITY COMMITTEE

Chair: David Croad
Deputy: Scott Adams
Members: Jamie Arbuckle
Sally Arbuckle
Allanah Burgess
Deborah Dalliessi
Brian Dawson
Barbara Faulls
Matt Flight
Gerald Hope
Raylene Innes
Ben Minehan
Jonathan Rosene
Thelma Sowman
Mayor Nadine Taylor
Iwi representative

District Licencing Committee

(Statutory Committee)

Chair: John Leggett (Independent Commissioner)

Members: Two members appointed by the Independent Commissioner from the following:

Mayor Nadine Taylor (Deputy Chair)

Hamish Beard

David Croad

Barbara Faulls

Jonathan Rosene

Marlborough Regional Forestry

(Joint Committee of MDC and Kaikōura DC)

Chair: Gerald Hope

Members: Scott Adams

Kaikoura District Council representative

Forestry representative (Megan McKendry)

Conduct Review Committee

Chair: Independent Member – to be appointed

Members: Mayor Nadine Taylor

David Croad

Gerald Hope

Thelma Sowman

AUDIT AND RISK SUB-COMMITTEE

Chair: Ian Marshall (Independent External Member)

Members: Mayor Nadine Taylor

Scott Adams

David Croad

Brian Dawson

Jonathan Rosene

CBD & PARKING SUB-COMMITTEE

Chair: Mayor Nadine Taylor

Members: David Croad

Deborah Dalliessi

Brian Dawson

Jonathan Rosene

COMMERCIAL EVENTS FUND SUB-COMMITTEE

Chair: Raylene Innes

Members: Deborah Dalliessi

Brian Dawson

Barbara Faulls

Matt Flight

GRANTS SUB-COMMITTEE

Chair: Thelma Sowman

Members: Sally Arbuckle

Allanah Burgess

Sports Trust appointee

Arts Sector appointee

Community representatives (4)

Iwi representatives (2)

HOUSING FOR SENIORS SUB-COMMITTEE

Chair: David Croad

Members: Deborah Dalliessi

Brian Dawson

Matt Flight

Raylene Innes

Community Representative

MDC HOLDINGS and MARLBOROUGH AIRPORT LIMITED

Members: Mayor Nadine Taylor
David Croad

SISTER CITY SUB-COMMITTEE

Chair: Jonathan Rosene
Members: Sally Arbuckle
Deborah Dalliessi
Community representatives (5+)

SMALL TOWNSHIPS PROGRAMME SUB-COMMITTEE

Chair: Barbara Faulls
Members: Scott Adams
Sally Arbuckle
Ben Minehan

YOUTH SUB-COMMITTEE

Chair: Mayor Nadine Taylor
Members: Allanah Burgess
Jonathan Rosene

The following Forums/Working Groups will have representation from the above Standing Committee:

LTP Working Group

Chair: David Croad
Members: Scott Adams
Deborah Dalliessi
Brian Dawson
Barbara Faulls
Gerald Hope
Raylene Innes
Mayor Nadine Taylor

Marlborough Housing Group

Chair: David Croad

Older Persons Forum

Chair: Thelma Sowman
Member: Jonathan Rosene

Picton Regional Forum

Members: Barbara Faulls
Raylene Innes
Ben Minehan

Economic, Finance and Community Committee Portfolios:

Financial Reporting, Funding, Policy, Investments
and Debt Management

Mayor Nadine Taylor/ David Croad

Economic Development

David Croad

Libraries

Sally Arbuckle

Community

Deborah Dalliessi

Arts, Culture and Heritage

Mayor Nadine Taylor

Community Events

Jonathan Rosene

ENVIRONMENT AND PLANNING COMMITTEE

Chair: Gerald Hope
Deputy: Barbara Faulls
Members: Sally Arbuckle
Allanah Burgess
Raylene Innes
Ben Minehan
Thelma Sowman

**Mayor Nadine Taylor
Rural representative
Iwi representative**

ANIMAL CONTROL SUB-COMMITTEE

**Chair: Barbara Faulls
Members: Ben Minehan
Thelma Sowman**

CLIMATE CHANGE SUB-COMMITTEE

**Chair: Gerald Hope
Members: Allanah Burgess
Raylene Innes**

HEARING COMMITTEE

**Chair: Barbara Faulls
Members: Sally Arbuckle
Allanah Burgess
Raylene Innes
Ben Minehan
Thelma Sowman**

WORKING FOR NATURE GRANTS SUB-COMMITTEE

**Chair: Ben Minehan
Members: Allanah Burgess
Gerald Hope**

The following Forums/Working Groups will have representation from the above Standing Committee:

Sounds Advisory Group

**Chair: Barbara Faulls
Members: Allanah Burgess
Raylene Innes
Ben Minehan**

Environment and Planning Committee Portfolios:

Nautical and Coastal	Raylene Innes
Implementing Essential Freshwater	Allanah Burgess
Environmental Protection and Compliance	Ben Minehan
Science and Monitoring	Allanah Burgess
Biosecurity and Biodiversity	Barbara Faulls
Environmental Health	Thelma Sowman
Building Control	Raylene Innes
Animal Control	Barbara Faulls
Resource Consents	Barbara Faulls
MEP	Gerald Hope
Environmental Policy	Gerald Hope
Grovetown Lagoon	Ben Minehan

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

Carried

Cncl-1123-145 Delegation of Aspects of the Recruitment Process (but not the final appointment) for the Replacement Chief Executive

The Mayor reported that the purpose of the report was to seek approval to delegate to a Councillor Panel the recruitment steps prior to a final interview of a selected shortlist, by Full Council. Council will then select the preferred candidate and determine the final process.

Members noted that under s42(1) of the Local Government Act a local authority must, in accordance with clauses 33 and 34 of Schedule 7, appoint a Chief Executive. The appointment decision cannot be delegated. However, the completion of the process steps to be used can be delegated.

Following discussion on the recommendation of the Mayor to have a panel comprising of the Mayor, the Deputy Mayor and the Chair Assets & Services to be given that process step delegation, it was agreed to add the Deputy Chair of the Environment & Planning Committee and the Marlborough Māori Ward member.

The Mayor/Clr Dalliessi:

That a panel comprising the Mayor, Deputy Mayor, Chair Assets and Services, the Deputy Chair of the Environment & Planning Committee and the Marlborough Māori Ward member be delegated authority to undertake the Chief Executive appointment process to the point where a shortlist for final interview and selection is submitted to Full Council.

Carried

Cncl-1123-146 Draft Marlborough Navigation Safety Bylaw

H100-001-01

Members noted that the purpose of the report was to provide an update on the submissions received on the draft Navigation Safety Bylaw and to receive all submissions including the one received after the closing of submissions on 1 October 2023.

Staff reported that Council notified a draft Navigation Safety bylaw on 15 June 2023. The period for receiving submissions closed at 5pm on 1 October 2023. Council received six submissions. One submission (from the Queen Charlotte Yacht Club) was received on the morning of 2 October 2023.

Staff recommended that a hearing panel comprising of Councillor Innes, Councillor Minehan and Councillor Faulls be appointed to hear the views of the two submitters who wish to speak. Following the hearing, the panel will deliberate and make their recommendations to Council. It was agreed that Clr Croad be added to that group, with only three of the four actually hearing and deliberating.

Clrs Innes/Minehan:

- 1. That the late submission from Queen Charlotte Yacht Club be accepted.**
- 2. That the Sub-Committee to hear and deliberate on the submissions be made up of three members from Councillors Innes, Minehan, Faulls and Croad.**

Carried

Cncl-1123-147 Services and Operations Delivery – Levels of Service and 2024-2025 Budget

F230-L24-09-03

Members noted that the purpose of the report was to share team information and update Councillors on emerging issues relevant to the Services and Operations Delivery Team. A presentation was shown (filed in CM: Record No. 23252571).

Staff reported that the purpose of the team was to ensure the effective operation of Council through efficient management of buildings, vehicles and supporting services, ensure employees, Councillors and visitors have a comfortable and safe environment to work and the right resources to enable them to carry out their role effectively, provide secretarial and administration service across Council teams and supporting services for committees, community and internal meetings, and provide services for Marlborough residents, businesses and visitors, via the Customer Service Centre, responding to emails, phone calls and face to face enquires at

the Seymour Street offices. The aim is to provide timely, high quality, accurate information on all Council related services. There was no request to increase budgets.

Clr Dalliesi requested that a running total of approvals be made available, the Manager Strategic Finance is to action.

The Mayor/Clr Dalliesi:

That Council receive the information contained in this paper and approve the 2024-25 financial year budget for operating expenditure of \$3.111 million for Councils' Services and Operations Delivery function.

Carried

ATTENDANCE: The meeting adjourned at 10.21 am and resumed at 11.00 am

Cncl-1123-148 People & Capability – Levels of Service and 2024-2025 Budget F230-L24-09-03

Members noted that the purpose of the report was to request approval for additional funding for the 2024-25 People & Capability Operating budget and an additional 1.0 FTE position – Health, Safety & Wellbeing Coordinator from 1 July 2024. A presentation was shown (filed in CM: Record No. 23252572).

Ms Randall reported that Council is facing challenges with attraction and retention of staff. Resourcing the upcoming RMA reforms, ensuring the retention of Three Waters staff and competing for talent in the current market mean we need to invest in recruitment, attraction and retention strategies. Council FTE has increased by 22.7% since 2017 (from 253.1 to 310.6), however the resourcing in the People & Capability team, in particular in the Health, Safety and Wellbeing space has remained constant, making it challenging to resource the increasing demands and compliance requirements in the HS&W space. The additional staff numbers as well as increasing focus on employee mental health and wellbeing, mean our basic HS&W training requirements are increasing. Supplier costs, in particular insurance, are increasing across the board.

Clrs Croad/Sowman:

- 1. That Council receive the information contained in this paper and approve the 2024-25 financial year budget for operating expenditure of \$1.729 million for the People and Capability function.**
- 2. That Council approves additional funding of \$45,000 for the 2024-25 operating budget.**
- 3. That Council approves an additional 1.0 FTE position and associated budget increase of \$72,000 for a Health, Safety & Wellbeing Coordinator from 1 July 2024.**

Carried

Cncl-1123-149 Information Management – Levels of Service and 2024-2025 Budget I135-002-001-01

Members noted that the purpose of the report was to provide an overview of Information Management's (IM) current Level of Service (LoS) to Council and the budget associated with delivering this LoS, to seek approval for the recommendations presented at the 31 October 2023 LoS Presentation, to seek approval to increase IM's operating expenses, and to seek approval to implement the proposed recommendations for budget savings.

Staff reported that Council is facing challenging times with Software as a Service (SaaS) transitioning into budgets as an operating expense instead of a capital expense. Other challenges being faced include the effect of Central Government legislation implementations on all Council departments. These implementations often require complex changes to the ways in which we operate, deliver services, and manage our digital systems and technology infrastructure. Council's new *Strategic Blueprint for Marlborough's Digital and Data Transformation* (Strategic Blueprint) has been developed to align with Council's Four Wellbeing's and Smart and Connected Vision. This is a ten-year plan that will provide supporting strategies and roadmaps moving forward. The current state review undertaken as part of the Strategic Blueprint has provided depth and insight into our activities and how these can effectively address our ongoing increase in costs moving forward and

consolidate assets. This is the transition period until a business case is provided and prioritisation of work is undertaken.

Cirs Dawson/Croad:

1. That Council approves the proposed Information Management 2024-25 operating expenditure budget of \$9,502,000, less the following adjustments:

Item	Amount
Decrease in Hardware Depreciation Rates	To be quantified
Decrease Software Depreciation Rates	To be quantified
Qlik Licences	3,237
Audio Support Contract	28,100
Business Analyst Contracts	27,000
Takanini Site	7,180

2. That Council approves the proposed Information Management 2024-25 capital expenditure budget of \$1,915,000, less the following adjustments:

Item	Amount	Comment
Computers/Laptop	75,000	Move out financial years
Monitoring and Development	395,000	Move out financial years

3. That Council note that LIM, GIS and other Information Management fees are to be reviewed, with application from 1 July 2024.

Carried

Cncl-1123-150 Legal Services – Levels of Service and 2024-2025 Budget

L150-020

Members noted that the purpose of the report was to review the levels of service provided by the Legal Services Department (**Department**) and seek approval of the proposed budget and staffing changes. A presentation was shown (filed in CM: Record No. 23252573).

Mr Foitzik reported that almost all of the Department’s activities are driven by demands from other Council Departments for legal advice and assistance. The Department is a new department of Council and has seen a significant increase in legal advice requests over the last two years. This is largely due to staff becoming more aware of (and familiar with) the assistance the Department can offer and the depth of in-house legal expertise being available. Cost savings (no charge for services), ease of accessibility and quick turnaround times have also contributed to the increase in requests. The Department’s Contract and Procurement Manager, who also oversees Council’s risk portfolio, will reduce his hours to 3 days pw in January 2024 and retire in September 2024. Succession planning was successful and an internal staff member will take over the role in September next year. However, the vacant Risk & Insurance portfolio will be a challenge to fill. The recent recruitment of a junior solicitor has improved the performance of the team significantly. However, workload peaks still cause capacity issues. Long term (2025/2026 budget or later) recruiting a mid-level solicitor (3-5 years PQE) is proposed to complete the team, balance out workload peaks and further reduce reliance on external counsel (thereby also reducing Council’s legal spend across the organisation).

Cirs :

1. That Council receive the information contained in this paper.
2. That Council approve the 2024-25 financial year budget for operating expenditure of \$719,000 for the Legal Services Unit.

Carried

Cncl-1123-151 Finance Department – Levels of Service and 2024-25 Budget

M100-01-01, E360-002-002-02

Members noted that the purpose of the report was to review the levels of service provided by the Finance Department and seek approval of the proposed budget and staffing increases. A presentation was shown (filed in CM: Record No. 23252574).

Mr Fletcher reported that the majority of the Department's activities are driven by either statutory requirements, e.g. including, but not limited to compliance with the Local Government Act 2002, the Local Government Rating Act 2002, the Income Tax Act 2007, the GST Act 1985, the Water Services Entities Act 2022; a number of Regulations, including the Financial Reporting and Prudence Regulations 2014 and Financial Reporting Standards, or the demands made by other Council Departments in the areas of Accounts Payable, Accounts receivable (of which there has been significant growth) and financial reporting and advice. Since the announcement of the Three Waters reforms, because of the uncertainty of future employment, a strategy of not increasing staff numbers has been in place. This has resulted in a situation where staff numbers in the Department are significantly lower than in equivalent Councils and there is limited resilience. The Department has continued to perform to high levels because of the level of experience within the team, but through resourcing constraints has not been able to pursue desired improvement projects.

Cllrs Croad/S Arbuckle:

- 1. That Council receive the information contained in this paper on Councils' Finance function.**
- 2. That Council agree to the Finance Department's proposed expenditure budget totalling \$2.853M for the 2024-25 financial year plus the estimated \$140,000 cost of the proposed additional staff.**

Carried

Cncl-1123-152 Combined Sewerage Scheme Rates for the 2023-24

F270-2306

Members noted that the purpose of the report was to correct a small anomaly in the 2023-24 Rates setting process.

Mr Fletcher reported that a small anomaly has been identified in Council's Combined Sewerage Scheme rates for the 2023-24 rating year. This paper identifies a number of options to address this and draws heavily on advice received from Simpson Grierson.

The Mayor/Cllr Hope:

That Council amends the Rates Resolution in reliance on section 46 of the Legislation Act 2019, and in accordance with the requirements of the Council's Standing Orders to read,

"Combined Sewerage Scheme Charge

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

- A Sewerage User Charge to be set on the basis of a fixed amount of \$482 on every separately used or inhabited part of a serviced rating unit connected to the Combined Sewerage Scheme.***
- A Sewerage Non-User Charge to be set on the basis of a fixed amount of \$241 on every separately used or inhabited part of a serviceable rating unit within the Combined Sewerage Rating Area."***

Carried

Cncl-1123-153 2024 Council Meeting Schedule

D050-001-01

Attached to the Agenda for consideration was the draft schedule of meetings for 2024.

The Mayor/Clr Croad:

That the meeting schedule for 2024 be approved.

Carried

Cncl-1123-154 Decision to Conduct Business with the Public Excluded

The Mayor/Clr Adams:

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

- Confirmation of Public Excluded Minutes
- Committee Reports (Public Excluded Sections)
- Maintenance Works
- Property

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	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.
Maintenance Works Property	To enable the Council, as holder of the information, to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) provided for under Section 7(2)(i)	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.

Carried

The meeting closed with a karakia at 12.44 pm.

Confirmed this 14th day of December 2023

N P TAYLOR
MAYOR

Record No. 25252575