

MARLBOROUGH DISTRICT COUNCIL
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26 October 2023

Record No: 23223525
File Ref: D050-001-02
Ask For: Mike Porter

Notice of Council Meeting – Thursday, 2 November 2023

Notice of the Council Meeting to be held in the Council Chambers, 15 Seymour Street, Blenheim on Thursday, 2 November 2023 to commence at 9.00 am.

BUSINESS

As per Order Paper attached.

**MARK WHEELER
CHIEF EXECUTIVE**



**Order Paper for the
COUNCIL MEETING
to be held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY, 2 NOVEMBER 2023 commencing at 9.00 am**

Open Meeting

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Open Meeting

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Marlborough District Council

**Order Paper for the
COUNCIL MEETING**
to be held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY, 2 NOVEMBER 2023 commencing at 9.00 am

1. Karakia

Tēnā koutou, tēnā koutou, tēnā koutou katoa
E te Atua tō mātou Kai-hanga,
ka tiāho te maramatanga me te ora, i āu kupu kōrero,
ka tīmata āu mahi, ka mau te tika me te aroha;
meatia kia ū tonu ki a mātou
tōu aroha i roto i tēnei huihuinga.
Whakakī a matou whakaaro ā mātou mahi katoa,
e tōu Wairua Tapu.
Āmine.

God our Creator,
when you speak there is light and life,
when you act there is justice and love;
grant that your love may be present in our meeting.
So that what we say and what we do may be filled with your Holy Spirit.
Amen.

2. Apologies

3. 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.

4. Minutes

- 4.1 Confirmation of the Minutes of the Council Meeting held on 21 September 2023
(Minute Nos. Cncl-0923-89 to Cncl-0923-95)



**Minutes of a Meeting of the
Marlborough District Council
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim
on THURSDAY 21 SEPTEMBER 2023 commencing at 9.00 am**

Present

The Mayor N P Taylor (in the Chair), Cllrs S R W Adams, J A Arbuckle, S J Arbuckle, J D N Croad, D A Dalliessi, B A Faulls, M R K Flight, G A Hope, R J Innes, B J Minehan and T P Sowman.

Present via Teams

Clr A R Burgess.

In Attendance

Messrs M S Wheeler (Chief Executive), A J Lyall (Property and Community Facilities Manager) and M J Porter (Democratic Services Manager).

Karakia

The meeting opened with a karakia.

Apologies

Cllrs Flight/Innes:

That the apologies for absence from Cllrs B G Dawson and J C Rosene be received and sustained.

Carried

Cncl-0923-89 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-0823-46;
- The interest as declared under Minute No. A&S-0823-52 (Minute No. A&S-0823-61);
- The interest as declared under Minute No. E&P-0823-64 (Minute No. E&P-0823-67); and
- The interest as declared under Minute No. EFC-0923-80 (Minute No. EFC-0923-82).

Cncl-0923-90 Confirmation of Minutes -

The Mayor/Clr Croad:

That the Minutes of the Council Meeting held on 10 August 2023 (Minute Nos. Cncl-0823-46 to Cncl-0823-51) be taken as read and confirmed.

Carried

Committee Reports

Cncl-0923-91 Assets & Services Committee -

Clrs Croad/Minehan:

That the Committee report contained within Minute Nos. A&S-0823-52 to A&S-0823-63 be received and the recommendations adopted.

Carried

Cncl-0923-92 Environment & Planning Committee -

Clrs Hope/Sowman:

That the Committee report contained within Minute Nos. E&P-0823-64 to E&P-0823-79 be received and the recommendations adopted.

Carried

Cncl-0923-93 Economic, Finance & Community Committee -

Members noted that during the receiving of the Information Package that the issue of the name and signage of the Marlborough Library and Art Gallery was discussed with various points canvassed.

Clrs J Arbuckle/Croad:

That the Committee report contained within Minute Nos. EFC-0923-80 to EFC-0923-88 be received and the recommendations adopted.

Carried

Cncl-0923-94 Demolition of 6 Russell Terrace, Blenheim PN328313#05

Members noted that the purpose of the report was to seek Council approval and funding to demolish the facility located at 6 Russell Terrace, Blenheim. Members also noted that this paper was originally placed in public excluded in a previous agenda. With the removal of commercially sensitive information, this paper has now been moved into the public agenda.

Staff reported that in 2017 Council purchased 6 Russell Terrace, Blenheim, the former Marlborough Club building. The Blenheim Town Centre Report identifies the site as a strategic development opportunity. In recent times however, the building has deteriorated and has been a target for vandalism, antisocial behaviour and transient persons. Council has been approached by several interested parties since the acquisition to either lease or develop the site. For various reasons, none of these opportunities have eventuated. Due to the age, layout and deterioration of the current building, the cost to bring the facility up to a leasable standard is expected to be substantial.

Staff recently approached several local contractors to provide an estimate to demolish 6 Russell Terrace and clear the site. Four prices were received. The lowest estimate was received \$131,449 and the highest was \$226,214. In December 2022, Alexander Hayward Valuers undertook a valuation of 6 Russell Terrace. The valuation determined that the commercially zoned property, if returned to a clear site, would be worth \$1.76m.

Various questions were canvassed at the meeting. It was noted that any items that are recoverable (timber trusses for example) should be retained by Council. The words "up to" were added to the recommendation as included in the agenda.

Clrs Croad/Sowman:

That Council approve the funding of up to \$171,000 from the Forestry and Land Development Reserve to undertake the demolition of 6 Russell Terrace.

Carried

Cncl-0923-95 **Decision to Conduct Business with the Public Excluded**

The Mayor/Cllrs :

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

- Confirmation of Public Excluded Minutes
- Iwi Representatives
- Affordable Housing Fund
- Contract Review

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. |
| Iwi Representatives Contract Review | In order to protect the privacy of natural persons, as provided for under Section 7(2)(a). | 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. |
| Affordable Housing Fund | 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 at 10.30 am.

Confirmed this 2nd day of November 2023

N P TAYLOR
MAYOR

Record No. 23219999

4. Minutes

- 4.2 Confirmation of the Minutes of the Extraordinary Council Meeting held on 10 October 2023
(Minute Nos. Cncl-1023-122 to Cncl-1023-123)

**Minutes of the
EXTRAORDINARY MEETING of the MARLBOROUGH DISTRICT COUNCIL
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim
on TUESDAY 10 OCTOBER 2023 commencing at 9.00 am**

Present

Cllrs J D N Croad (in the Chair), S R W Adams, J A Arbuckle, S J Arbuckle, A R Burgess, D A Dalliessi, B G Dawson, B A Fauls, M R K Flight, G A Hope, B J Minehan, J C Rosene and T P Sowman

Present via Teams

The Mayor N P Taylor

In Attendance

Messrs M S Wheeler (Chief Executive), N P Henry (Manager Strategic Planning and Economic Development) and M J Porter (Democratic Services Manager)

Karakia

The meeting opened with a karakia.

Apologies

Cllrs Croad/Adams:

That the apology for absence from Cllr R J Innes be received and sustained.

Carried**Cncl-1023-122 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.

No declarations of interest were declared.

Cncl-1023-123 Marlborough Sounds Future Access Study
F275-A21-01

Members noted that the purpose of the report was to adopt Minute No. A&S-1023-97 (Marlborough Sounds Future Access Study – Programme Business Case) of the Assets and Services Committee held on Tuesday

Staff reported that the minute detailing the discussion and recommendation of the Assets & Services Committee held on 3 October 2023, regarding the Marlborough Sounds Future Access Study – Programme Business Case, was attached to the agenda. It was also reported that detailed comment and background was included in the report included in the agenda for the Assets & Services Committee meeting on Tuesday 3 October 2023.

Cllrs Croad/Rosene:

That the Council adopt Minute No. A&S-1023-97 (Marlborough Sounds Future Access Study – Programme Business Case).

Carried

The meeting closed with a karakia at 9.07 am.

Confirmed this 2nd day of November 2023

N P TAYLOR
MAYOR

Record No. 23220003

5. Committee Reports

5.1 Assets & Services Committee

Assets & Services Committee Meeting held on 3 October 2023
(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)



**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

Cls 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

Cls 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

Cls 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:

1. **That Council endorses the Programme Business Case for the Marlborough Sounds Future Access Study.**
2. **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.

Cirs 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.

Cirs 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.

Cllrs 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.

Cllrs 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 -

Cirs Croad/Adams:
That the Assets and Services Information Package dated be received and noted.

Carried

The meeting closed at 10.25 am.

Record No. 23210808

5. Committee Reports

5.2 Environment & Planning Committee

Environment & Planning Committee Meeting held on 5 October 2023
(Minute Nos. E&P-1023-105 to E&P-1023-121)

**Minutes of a Meeting of the
ENVIRONMENT & PLANNING COMMITTEE
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim
on THURSDAY, 5 OCTOBER 2023 commencing at 9.00 am**

Present

Clrs G A Hope (Chairperson), B A Fauls (Deputy), J A Arbuckle, R J Innes, T P Sowman, and Mr S Harvey (Rural Representative)

Present via Teams

Clr A R Burgess and Mayor N P Taylor

Also Present

Clrs S R W Adams and S J Arbuckle

In Attendance

Mr P Hawes, (Manager Environmental Policy) and Nicole Chauval (Committee Secretary)

In Attendance via Teams

Mr H R Versteegh (Environmental Science and Policy Group Manager), Ms G Ferguson (Consents and Compliance Group Manager), Mr R Coningham (Assets & Services Manager) and Mr M Wheeler (Council's Chief Executive)

Apologies

Clrs Hope/Sowman:

That the apology for absence from Clr B J Minehan, be received and sustained and the apology for non-attendance from Clr J D N Croad be noted.

Carried

E&P-1023-105 Declaration of Interests -

Mayor Taylor declared an interest in Item 12 – Appeals on the PMEP

ATTENDANCE: Mr Peter Hamill, Council's Team Leader Land and Water, Dan Moore, Moawhиту Project Manager and Tehau Kaonohi-PouTaiao, Ngāti Koata were present for the following item.

**E&P-1023-106 Moawhиту Restoration Project – Securing the
Mauri of Moawhиту Update E375-018-001**

Mr Dan Moore, Moawhиту Project Manager provided members with an update on the Moawhиту restoration project. *To support the update a powerpoint presentation was shown (filed in CM Record No. 23211261).* At the conclusion of the presentation members were given a brief demonstration of the virtual reality experience of the project, refer to: <https://lakes380.com/he-reo-no-te-puehu/>

It was noted that the Moawhиту restoration project is a multi-partner project on Rangitoto ki te Tonga (D'Urville Island) led by Ngāti Koata and supported by the MFE Freshwater Improvement Fund.

Members were advised that Lake Moawhиту has ongoing problems with algal blooms. This is due to the internal cycling and release of nutrients from lake-bed sediments and deforestation along with modification of the surrounding landscape and riparian edge vegetation which has caused a lack of in-lake woody habitat for fish

in particular Tuna. A targeted lake restoration treatment programme to prevent the release of nutrients is being developed which will include sediment capping to reduce the internal cycling of nutrients (especially Phosphorus) within the lake. A resource consent application for the treatment of the lake with the capping material is aiming to be submitted by the end of 2023.

It was noted that the re-introduction of woody habitat has enhanced structural habitat values for aquatic species especially the taonga species such as Tuna. This will go some way to improving survival and the ongoing population health of this taonga species alongside other local native fish species.

It was reported that over 60,000 trees have been established since the project's inception with funding available till 2026 to continuing planting and maintaining trees. The expanded revegetation programme will provide resilience and connection with the local catchment, improve riparian vegetation, provide buffering from soil erosion and increase connectivity to indigenous vegetation corridors within the catchment.

It was noted that opportunities for employment and training to build capability in freshwater restoration and management is an integral part of the programme.

Cirs Hope/Faults:
That the information be received.

Carried

ATTENDANCE: Messrs Peter Davidson, Council's Environmental Scientist Groundwater Quantity & Quality – MDC and Scott Wilson, Research Hydrogeologist - Lincoln Agritech Ltd, Canterbury were present for the following item.

E&P-1023-107 Gravel Bed Rivers (GBR) National Research Project Update

E345-007-001

Mr Davidson advised that the purpose of the report was to provide an update on the Gravel Bed Rivers (GBR) national research project findings and preview the remaining programme of work through to completion of the project. A powerpoint presentation was shown and is filed in CM (Record No. 23211259).

To date the GBR has demonstrated that the Wairau Aquifer recharge is extremely sensitive to changes in the BPA or riverbed levels. A combination of flood protection works, and gravel quarrying/depleted natural gravel supply since 1960, have lowered the river bed level, and reduced the number of braids in the critical aquifer recharge reach. This has entrenched the active Wairau River channel relative to the most permeable gravels forming the Wairau Aquifer, decreasing recharge rates.

It was noted that this study is in association with Mr Andy White, Council's Rivers Manager and the learnings from the project will inform for example the Gravel Management Plan and future research results will assist in the ongoing management of gravel resource from the river.

Members noted that the information provided is important for Council and in particular the Assets & Services Department in regard to gravel extraction.

The main outstanding pieces of work to be completed are 3D computer modelling of the Wairau River bathymetry and braid plain aquifer to integrate the large amount of field data collected to improve hydrological understanding and test future management options; undertaking computer simulations to test the sensitivity of changing the current Wairau River flood protection works to enhance Wairau Aquifer recharge rates and economic modelling of the costs versus benefits of modifying flood protection works. There will also be engagement with Wairau iwi.

Cirs J Arbuckle/Faults:
That the information be received.

Carried

NB: The order of the agenda was altered at this point and the following Items 6, 7, 8, 9 and 10 were heard ahead of Item 5.

ATTENDANCE: Ms Sarah Pearson, Council's Strategic Planner, was present for the following item.

E&P-1023-108 Giving effect to the National Policy Statement for Freshwater Management – Report on feedback from the first round of community engagement **N100-001-04-01**

Ms Pearson noted that the report provided members with details of the feedback received from the first round of community engagement relating to the implementation of the National Policy Statement for Freshwater Management (MPSFM) 2020.

Members were advised that the first round of community engagement focused on freshwater management unit boundaries and finding out the community's visions and values for the region's freshwater.

Engagement occurred between December 2022 and June 2023 and over 200 individual submissions were received each with multiple submission points. Council proposed six draft Freshwater Management Units (FMUs) which correspond to Marlborough's main river catchments or groups of similarly characterised catchments. Most feedback agreed with using the hydrological catchments. Amendments suggested incorporating the 'northern island' area of the East Coast Complex into the Awatere FMU.

Members were advised that other feedback received noted the large scale of the FMUs suggesting further division. A more agile and flexible option is proposed which would enable the additional use of management at the scale of smaller catchments and aquifer units. It is proposed that Catchment Care Units and Aquifer Management Units might be appropriate names for these smaller scale units which will sit within the large FMUs.

Ms Pearson noted that these feedback responses for the FMU boundaries are those of Council staff and are without formal feedback from tangata whenua and therefore still proposed.

Members were advised that Council staff are working with the Te Tauihu Working Group and feedback from them is expected to start in January 2024. Council is also working with Ngāi Tahu and Ngāti Kuri with a hui proposed for the end of October. Once community and tangata whenua feedback has been received it will be combined.

Members were advised that from the feedback received in this first round of engagement, staff will prepare proposed visions for each FMU and environmental outcomes for each value identified. The proposed visions and environmental outcomes will be presented to the community in a second round of engagement which will be undertaken in a similar way to the first. Community and industry meetings will also occur but will be more of a drop in format where people can view information, including the proposed visions and outcomes and provide feedback rather than just a presentation being given.

It is proposed that this second round of engagement will run for six weeks, finishing on 15 December. Council staff will then collate this feedback in January which will be reported back to the committee and be used to inform the next stage of the process, iwi feedback will be combined once received.

Clr Faulls/Simon Harvey:
That the report be received.

Carried

ATTENDANCE: Ms Kim Lawson, Council's Strategic Planner, was present for the following four items.

E&P-1023-109 Proposed National Policy Statement for Natural Hazard Decision-making 2023 **N100-001-09**

Ms Lawson, Council's Strategic Planner, noted that the purpose of the report was to inform the Committee of the proposed National Policy Statement for Natural Hazard Decision-making 2023 (**NPS-NHD**) which was

released for consultation on 18 September 2023. An associated discussion document, Proposed National Policy Statement for Natural Hazard Decision-making: Discussion document. Wellington: Ministry for the Environment, has also been released.

Members were advised that the proposed NPS-NHD is intended to apply to decisions that result in or enable new development and aims to direct how decision makers consider natural hazard risks in making those decisions.

It was noted that the NPS-NHD is intended to be an interim measure, to be developed and implemented by early 2024, while the more comprehensive national direction is to be developed over the next one to two years. According to the information released by the Government, it is intended that the NPS-NHD will ultimately be included in the comprehensive National Direction for Natural Hazards and then transitioned into the National Planning Framework as part of the resource management reforms.

Ms Lawson reported that the proposed NPS-NHD is out for public consultation until 20 November 2023 and Council staff will review the proposed NPS-NHD and associated discussion document and prepare feedback for consideration at the next Committee meeting in November.

The Chair then proposed that along with himself, Clrs Burgess, Faulls and Mineham be appointed to a working group to consider Council's submission.

Clrs J Arbuckle/Innes:

- 1. That the report be received.**
- 2. That Clrs Hope, Burgess, Faulls and Minehan be appointed to a working group to consider Council's submission.**

Carried

E&P-1023-110 Draft Transitional National Planning Framework Proposal

N100-004-01

Ms Lawson noted that on 11 September 2023 the Ministry for the Environment (Ministry) released a draft transitional National Planning Framework (NPF) proposal for targeted engagement, as well as an associated guidance document.

Members were advised that the Minister for the Environment and the Minister of Conservation (the Ministers) are now carrying out pre-notification engagement on the draft transitional NPF proposal with specified groups, including individuals or organisations they consider representative of the local government sector, to assist in its further development before public notification. This pre-notification engagement period will last until December 2023.

It was noted that following the pre-notification engagement period, the transitional NPF proposal will be finalised and it is expected to be publicly notified in April 2024. All interested parties will have the opportunity to make submissions on the proposal. A Board of Inquiry will consider those submissions and provide recommendations to the Minister on the transitional NPF proposal. The Ministry anticipates decisions on the transitional NPF proposal to be made, and the transitional NPF to come into force, in 2025.

Members were advised that Council staff will review the draft transitional NPF proposal and the associated guidance document and provide a further update to the Committee.

Clrs Hope/Innes:

That the report be received.

Carried

E&P-1023-111 Port Otago Ltd v EDS – Supreme Court decision

L150-013-05-17

Members noted that the purpose of the report was to provide an update to the Committee on the Supreme Court decision in Port Otago Limited v Environment Defence Society Incorporated.

Ms Lawson advised that the Marlborough District Council (**Council**) had supported Port Otago Limited (**Port Otago**) in opposing the Environmental Defence Society Incorporated's (**EDS**) arguments through the

appellate courts in Port Otago concerning the interpretation of the New Zealand Coastal Policy Statement (**NZCPS**) and the scope of local authorities' obligation to implement the directions.

Ms Lawson advised members that the Supreme Court has upheld Port Otago and Council's arguments.

It was reported that the decision recognised that the avoidance policies in the NZCPS do not automatically trump other directive instructions in national policy, in that they must be interpreted in light of what is sought to be protected, including the relevant values and areas and, when considering any development, whether measures can be put in place to avoid material harm to those values and areas. Mitigation and remedy may serve to meet the "avoid" standard by bringing the level of harm down so that material harm is avoided.

Ms Lawson noted that the Supreme Court decision confirmed that reconciliation of any conflict between the NZCPS avoidance policies and Policy 9 of the NZCPS should be dealt with at the regional policy statement and plan level as far as possible. The decision recognised that regions possess better information than national policymakers to address and reconcile the tensions inherent in managing natural and physical resources. Strategic planning at the regional scale remains an important exercise.

Clr J Arbuckle raised a query on whether the Port decision would apply to Policy 8 (Aquaculture). Mr Hawes noted that Policy 8 is different in that it requires councils to provide for aquaculture in appropriate locations so there is still discretion to be applied in regard to what is appropriate. He also noted that other policies in the NZCPS assist in the exercise of that discretion.

Cirs J Arbuckle/Innes:
That the information be received.

Carried

E&P-1023-112 National Policy Statement for Indigenous Biodiversity 2023

N100-001-05-01

Members noted the purpose of the report was to update the Committee on the National Policy Statement for Indigenous Biodiversity 2023 (**NPS-IB**) and implications for the Marlborough District Council (**Council**).

Ms Lawson advised that the NPS-IB has been gazetted and came into force on 4 August 2023. It places significant responsibilities on Council, in partnership with tangata whenua, to protect, maintain and restore indigenous biodiversity.

The NPS-IB provides specific direction as to timeframes, which will prioritise the work going forward and noted as Council must:

- Commence preparation of a Regional Biodiversity Strategy within three years and complete it within ten years;
- Publicly notify changes to its Proposed Marlborough Environment Plan (**PMEP**) to give effect to the requirements relating to Significant Natural Areas (**SNAs**) and additional information requirements for consenting within five years; and
- All other changes to the PMEP required to give effect to the NPS-IB must be publicly notified within eight years.

It was reported that successful implementation of the NPS-IB will not only require effective and meaningful collaboration with iwi, landowners, central government agencies, including the Department of Conservation (**DOC**), and other stakeholders, but also increased resourcing and funding.

Ms Lawson referred to the NPS-IB Summary in the agenda noting the objectives that have been revised and in particular noting Part 3 of the NPS-IB that sets out a non-exhaustive list of things that must be done to give effect to the objective and policies.

Members were advised that Council staff will prepare a work programme, including resourcing, budget implications and priorities, for Council's consideration during the LTP process. Work will also be undertaken

on enabling effective partnership arrangements to implement the requirements of the NPS-IB. Members requested that once the work programme has been completed that a workshop be arranged.

In response to a query on how much Central Government is providing to implement this, Ms Lawson advised that for the implementation plan government had indicated there would be extra communication support and also support for identifying SNAs but priority would be given to those areas that haven't started an SNA programme. How funds are apportioned is unclear.

Members expressed their concern in regard to the potential to lose the goodwill from landowners that has been fostered to date. Mr Hawes advised that staff are very mindful of protecting the relationship with current SNA landowners and will carefully manage transitioning those existing SNA's into the Plan.

Cirs Innes/Fauls:
That the report be received.

Carried

ATTENDANCE: The meeting adjourned at 10.31 am and resumed at 10.40 am.

ATTENDANCE: Mr Jono Underwood, Council's Biosecurity Manager, Steve Pawson, University of Canterbury School of Forestry (via Teams) were present for the following item.

E&P-1023-113 Eucalyptus Bronze Bug Update

E315-002-005-10, E315-002-005-11

Mr Underwood, Council's Biosecurity Manager noted that the purpose of the report was to provide an update to the Committee on the background, impact and likely consequences of the eucalyptus bronze bug (*Thaumastocoris peregrinus*) into the Marlborough Region.

A report commissioned by the Marlborough Research Centre and prepared by the University of Canterbury, Steve Pawson, investigating the biology, ecology, impacts and control options for the bronze bug was electronically circulated with the agenda and is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>. To highlight the report a powerpoint presentation was shown (presentation filed in CM Record No. 23213978)

Members were advised that the bronze bug was first detected in New Zealand on 10 March 2012 during surveillance activities in Auckland by Biosecurity New Zealand. A decision was made to not attempt eradication and since then the bronze bug has progressively dispersed through the North Island and now to the South Island.

It was reported that currently, the bronze bug is widely established across Marlborough with impacts already noted by Council's Parks & Open Spaces Team. Anecdotally, many other trees have clearly visible signs of ill health, likely a result of bronze bug attack. With the current trend of a warming climate, it is highly likely that impacts from the bronze bug will become more apparent across the region.

It was noted the *Eucalyptus viminalis* or 'manna gum' has shown to be particularly susceptible to the bronze bug.

Members were advised that the option to attempt any form of coordinated or broadscale intervention by agencies is not feasible. Not only on the grounds of resource availability but also the technical feasibility given the established nature of the bronze bug in New Zealand and the fact it is clearly highly mobile. However, the report did highlight a range of control options available should a tree owner/manager decide to intervene and reduce bronze bug impacts.

Members asked a number of questions at the meeting and at the conclusion of the presentation Mr Pawson noted he had additional background information on the eucalyptus bronze bug that he will forward for members' information.

Cirs Innes/Simon Harvey:
That the report be received.

Carried

Postscript: Jono Underwood emailed members additional information and reports supplied by Stephen Pawson on the Bronze Bug. (Filed in CM 23214929)

ATTENDANCE: Mr Jamie Sigmund, Council's Strategic Planner, Implementation & Review, and Connon Andrews, NIWA's Coastal Climate Risk and Infrastructure (via Teams) were present for the following item.

E&P-1023-114 Marlborough District Sea Level Rise Assessment

I100-004-P267, E320-003-001

Mr Jamie Sigmund noted that the purpose of the report was to provide the Council with the results of a District Assessment of Sea Level Rise for Marlborough.

It was noted that Council contracted the National Institute of Water and Atmosphere (NIWA) to undertake an Assessment of Sea Level Rise (SLR) for the Marlborough District and this report is available on Council's [website](#). The SLR assessment has used the latest international and national sea level rise projections, vertical land movement data, and the latest national 'interim' SLR guidance material (MfE, August 2022).

Mr Connon Andrews of NIWA provided further information on the assessment via powerpoint presentation. The presentation covered the methodology used by NIWA to assess the inundation risk of sea level rise and summarised the results of the assessment for Marlborough, particularly for the Lower Wairau Plain, Picton and Havelock.

(Presentation filed in CM Record No. 23215347).

The report provided a number of recommendations to refine future inundation hazard for the Lower Wairau Plain and to improve the supporting information and confidence around the Marlborough SLR assessment. It was noted that cross Council business units agree with the direction of these recommendations and a work programme will be developed.

In response to a query on the future work that has been identified and whether there was budget for that, Mr Hawes noted that funding was available through the existing climate change budget.

Mr Coningham, Council's Assets & Services Manager (via Teams) noted as part of the recommendation a more detailed study, particularly for the lower Wairau, will help to better inform Council on what the possible effects are if we don't address things such as stop bank heights in certain areas. There will be lots of challenges that Council will need to look at over the coming years and decades with this type of work.

Mr Hawes noted that the next substantial piece of work expected of government is the Climate Change Adaptation Bill which the Ministry is continuing to develop and was expected to be introduced to Parliament this year. This Bill will begin to address questions around processes for communities to adapt to the impacts of a changing climate.

Mr Sigmund advised that Council's Climate Change Action Plan, the Marlborough District sea level rise assessment with a link to the spatial mapping information is available on the website via the following link <https://www.marlborough.govt.nz/environment/climate-change>

**Cirs Hope/Innes:
That Council:**

- 1. Receive the Marlborough District Sea Level Rise Assessment Report.**
- 2. Adopt the NIWA recommendations to undertake hydro-dynamic modelling for the Lower Wairau Plain.**
- 3. Undertake a process of sharing the report findings with iwi, industry groups and the community.**

Carried

E&P-1023-115 Appeals on the PMEP

M100-09-01

Mr Hawes, Council's Manager Environmental Policy advised members on the progress with resolving appeals made to the Environment Court on the PMEP.

It was reported that mediation on the National Policy Statement for Indigenous Biodiversity has involved lengthy mediation and discussions between the parties since June 2021. The NPSIB was gazetted on 7 July 2023 and came into effect on 4 August 2023. Work has commenced to consider the content of the NPSIB and any implications on the outstanding matters of appeal. There are proposals put forward by Council to resolve outstanding appeal points on identification of SNA within the PMEP and on offsetting/compensation provisions. These proposals follow consideration of the implications of the NPSIB.

All water quality appeals points have been resolved.

There are a total of seven consent memoranda now with the Court for consideration and a further consent memorandum is in preparation. Any result on the consent orders issued by the Court will be reported to the Committee through future updates.

Cirs Hope/J Arbuckle:
That the report be received.

Carried

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

E&P-1023-116 Biosecurity - Operational Plan Report 2022/2023 **E315-002-005-10, E315-002-005-11**

Mr Underwood noted that the purpose of the report was to seek Council approval of the Biosecurity Operational Plan Report for 2022/2023 including approval for the amendments to the Biosecurity Operational Plan contained within the 2022/2023 report.

Members were advised that a final report has been prepared on the Biosecurity Operational Plan at the completion of the 2022/2023 financial year, covering the activities of Council's Biosecurity Section. A review of the Biosecurity Operational Plan 2018-2028 was also carried out by Biosecurity staff on 24 August 2023. Proposed amendments are contained within Part Four of the report.

It was noted that it has been a successful year for the Biosecurity Section with 100% of the operational delivery targets achieved and many of the pest programmes continue to be on track. Of particular importance, there continues to be no establishment of all of the pests under Exclusion Programmes within the Regional Pest Management Plan. For those programmes not on track, this often reflects the biological challenges and realities of managing invasive species and even those at low incidence.

There was discussion on the Chilean needlegrass group and members noted the importance of Council's continued support of the group but also the need to ensure active community involvement in the group.

Members acknowledged the biosecurity team for their work and passion in continuing to protect Marlborough against invasive species.

Mr S Harvey/Cir Faulls:

- 1. That the report be received.**
- 2. That the annual report on the Biosecurity Operational Plan for the 2022/2023 financial year be approved by the Council in accordance with section 100B(2) of the Biosecurity Act 1993.**
- 3. That the amendments proposed within Part Four of the 2022/2023 Biosecurity Operational Plan Report, as a result of the annual review of the Operational Plan, be approved by the Council in accordance with section 100B(1)(b) and (c) of the Biosecurity Act 1993.**

Carried

ATTENDANCE: Ms Steffi Henkel, Council's Environmental Scientist Water Quality, was present for the following item.

E&P-1023-117 State of the Environment River Health Monitoring Report 2023

E375-001-03

Ms Henkel presented the 'River Health - Monitoring 2023' report to the Committee. The report is available on Council's website. To highlight the report a powerpoint presentation was shown (presentation filed in CM Record No. 23211258)

Ms Henkel noted that river health has become a focal point in recent years due to new legislation, such as the National Policy Statement for Freshwater Management (NPS-FM), and National Environmental Standards introduced in 2020. Long-term monitoring of water quality is essential for effective freshwater resource management as it allows council to assess the effectiveness of plan rules and concentrate improvement efforts where water quality is currently compromised.

Ms Henkel further noted that the report provided results for various parameters using data from the most recent five years of monitoring (2018-2022). Where available, attribute states based on the limits outlined in the NPS-FM are provided for sites and parameters with sufficient data.

It was reported that although more than 72% of the states are in the A or B-Band, out of the 34 sites, 19 (56%) exhibit at least one attribute in the D or E band. For most attributes, the D band signifies a state below the national bottom line. However, the NPS-FM does not specify a national bottom line for some of the attributes, including the E. coli attribute, which registers the highest number of sites in the lower bands.

Members raised whether there has been any visible effects from the release of dung beetles, Ms Henkel noted that results are not likely to be visible until at least 5 years following release. Ms Henkel also responded to a query regarding identifying the source of E. coli advising that it is difficult to differentiate between sources as their markers are very similar.

Cllrs Hope/J Arbuckle:
That the information be received.

Carried

ATTENDANCE: Cllr S Arbuckle withdrew from the meeting at 12.16 pm.

ATTENDANCE: Mr Matt Oliver, Council's Senior Environmental Scientist Land, was present for the following two items.

E&P-1023-118 GNS Storm Report Recommendations

E355-015-003-02, E355-015-003-02-03

Mr Oliver noted that the purpose of the report was to provide the committee with options for delivery of the recommendations contained in the GNS Report Phase II: Remote mapping of Landslides triggered by the July 2021 and August 2022 Marlborough Storms and selected field investigations of landslide impact for consideration.

Members were advised that council staff had requested a quotation and work proposal from GNS to carry out the recommended work. These are divided into four work packages which were detailed in the agenda item and totalled \$395,000 to complete.

Members discussed the three options presented which were to either reprioritise \$30k of existing budget to undertake Work Package 1 (WP1) with the remaining WPs presented to the LTP over 2 years or defer all costs to LTP over 2 or 3 years or maintain the status quo.

Cllr J Arbuckle indicated that his preference was to prioritise the \$30k of existing budget and to also undertake the other work packages as he considered it was critical work. Council's CE Mark Wheeler (via Teams) and the Mayor noted that the \$30k is able to be budgeted for but advised that LTP workshops are currently

underway and these will provide councillors with the opportunity to ensure Council's priorities and work streams are right rather than making a decision on a single paper in isolation.

Mr Oliver reported that the majority of GNS work would be delivered by external contractors who wouldn't be able to undertake the work all at once.

The Chair then proposed the following motion which was Moved by Clr Faulls, Seconded Clr Sowman that the Council approve the reprioritisation of \$30,000 from existing budgets to Work Package 1 (Multivariate Analysis and RIL retraining).

Cls Faulls/Sowman:

That the Council approve the reprioritisation of \$30,000 from existing budgets to Work Package 1 - Multivariate Analysis and RIL retraining.

Carried

E&P-1023-119 Completion of PGF LiDAR Programme c315-19-071

Mr Oliver noted that the purpose of the report was to provide an update on the completion of the Provincial Growth Fund (PGF) LiDAR programme. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 23211257).

Members were advised the PGF LiDAR programme has been completed with the receipt of final approval from LINZ of the acceptability of the final block of data. The PGF LiDAR project has taken over three years and was completed within the timeframe and budget.

The resulting LiDAR data has been used across multiple Council sections and by many external users. It represents a major upgrade in the mapping of Marlborough land surface and has allowed the implementation of many advanced spatial tools to improve land management, planning, and policy outcomes.

Cls Innes/Hope:

That the information be received.

Carried

ATTENDANCE: Mr Zeke Hoskins, Council's Environmental Science Technician, was present for the following item.

E&P-1023-120 Working for Nature/ Mahi mō te Taiao Grant E390-003-23-01

Mr Hoskins advised that the purpose of the report was to inform Council on the decisions made by the Grant Sub-Committee regarding which applicants were to be successful in the Working for Nature/ Mahi mō te Taiao 2023-2024 grant round and to provide an update on the 2022-2023 grant round which has concluded.

Members were advised that \$111,500 has been allocated for the 2023-2024 funding round, increasing from \$110,00 available in the previous year. A total of 24 projects were applied for, 10 for Habitat Marlborough, 12 under Protecting Marlborough, and 2 under Environmental Advocacy. Funding requested through this round totalled \$184,393.50.

Partial or full funding was provided to 14 applicants in support of their projects. There were nine projects which received full funding. The remaining five applicants received partial funding and would therefore need to find alternative funding or reduce the project scope.

The following applications received either partial or full funding:

Habitat Marlborough:

Brawn Vineyards Ōpaoa River Restoration.....\$319.78
Growing Trees, Growing Children\$3,210.00

| | |
|--|--------------------|
| Harvey Bay Stream Rewilding Project..... | \$2,700.00 |
| Te Ara Restoration..... | \$3,590.00 |
| Waikawa Stream Habitat Enrichment..... | \$5,000.00 |
| Total | \$14,819.78 |

Protecting Marlborough:

| | |
|---|--------------------|
| Hinepango Wetland Restoration..... | \$12,820.88 |
| Kaipupu Sanc. & Mabel Island Weed Control | \$7,003.00 |
| Lake Elterwater Willow Control..... | \$14,020.00 |
| Pest Free Ngakuta Bay..... | \$9,250.03 |
| Ungulate Control..... | \$10,000.00 |
| Wattle Control – Waikawa | \$15,000.00 |
| Wild Waikawa Restoration..... | \$10,000.00 |
| Total | \$78,093.91 |

Environmental Advocacy:

| | |
|----------------------------------|-------------------|
| Kaipupu Signage Project | \$2,300.00 |
| Marlborough SNA's Learning | \$2,000.00 |
| Total | \$4,300.00 |

Correspondence was sent to all applicants in July, advising the outcome of their application.

Cirs J Arbuckle/Fauls:

1. **That the report be received.**
2. **That Council ratify the decisions made by the Grant Sub-Committee.**

Carried

E&P-1023-121 Information Package

1. Cirs J Arbuckle, Fauls and Innes advised members that following the review of the Marlborough Landscape Group's Strategy the Group have come to the decision to disband. A paper will be prepared for the Environment & Planning Committee to officially advise of the Group's decision.

Members expressed their appreciation for the work undertaken by the Landscape Group and its members since its inception in 2003.

2. The Chair reflected on the agenda items being presented and their significance and raised whether there was appetite from members to extend the length of time for meetings to discuss the items in more depth.

Mr Versteegh, Council's Environmental Science & Policy Group Manager (via Teams), noted that the Committee meetings provided a record of the items and the decision but noted that workshops would be the most suitable platform to assist members in understanding the programmes of work, their linkages to the Plan and Policy Statements and prioritising delivery of that.

Members indicated their support and agreed that workshops were the best approach, staff to arrange.

Cirs Hope/Innes:

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

Carried

The meeting closed at 1.04 pm.

Record No: 23216633

5. Committee Reports

5.3 Economic, Finance & Community Committee

Economic, Finance & Community Committee Meeting held on 17 October 2023
(Minute Nos. EFC-1023-124 to EFC-1023-136)



**Minutes of a Meeting of the
ECONOMIC, FINANCE & COMMUNITY COMMITTEE
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim
on TUESDAY, commencing at 9.00 am**

Present

Clrs B G Dawson (Acting Chairperson), S R W Adams, S J Arbuckle, A R Burgess (from 9.05 am), J D N Croad, D A Dalliesi, R J Innes, B A Faulls, M R K Flight, G A Hope, B J Minehan, T P Sowman and Mayor N P Taylor

Present via Teams

Clr J A Arbuckle

In Attendance

Messrs M F Fletcher (Chief Financial Officer), D G Heiford (Manager, Economic, Community & Support Services), and N Chauval (Committee Secretary)

Apology

Clrs Dawson/Croad:

That the apology for lateness from Clr Burgess be received and sustained.

Carried

EFC-1023-124 Declaration of Interests -

Clr Dawson declared an interest in Item 3 – Business Trust Marlborough Annual Report 2023.

NB: The order of the agenda was altered at this point and the following Item 4 was heard ahead of Item 3.

ATTENDANCE: Mr Glenn Webster, Council's Libraries Manager, was present for the following item.

EFC-1023-125 Te Kahu o Waipuna Meeting Room Use and Hire Policy **L300-015-002-02**

Mr Webster reported that the purpose of the report was to adopt a use and hire policy for the meeting rooms at Te Kahu o Waipuna.

Members were advised that while planning was underway for the new library facility, meeting rooms were identified as an important part of the library service. It was noted that the preference was for the rooms to be available for use while the library was open, but also available outside library hours. The policy has also been developed to ensure meeting rooms are used to their full potential and are allocated on a fair and equitable basis.

There are six meeting rooms available, three on the ground floor and three on the first floor. The facility has been designed to allow for the ground floor meeting rooms to be accessed out of standard opening hours. Rooms 1 and 2, located on the ground floor, have kitchenette facilities and technology in the form of large TV screens and video conferencing facilities.

Mr Webster reported that two user groups have been identified, commercial and non-commercial. Members were advised that as a public facility the guiding principle would be that non-commercial users / groups are able to use the rooms at little or no cost, while commercial users will be charged at rates similar to other comparable venues in the region and would also align with those at Picton Library and Service Centre Waitohi Whare Mātauranga.

Members were advised that it is proposed that charging would commence from 1 January 2024. This would provide time to advise the community and potential users of the charges.

It was noted that currently potential users email a booking request to library staff, the next phase will be an online automated booking system. Rooms can only be booked six months in advance and a cancellation policy will be included with the terms of conditions for booking.

Clr J Arbuckle referred to point three 'review charges every two years' of the motion that had been moved by Clr Croad and seconded by Clr Dalliessi and proposed an amendment, which was seconded by Clr Adams. The amendment being that charges be reviewed after 12 months and reviewed every two years thereafter. Members agreed with the amendment and the substantive motion was put.

Cirs J Arbuckle/Adams:

That Council:

Adopt the meeting room use and charges as below (booking fees GST inclusive):

*** Ground Floor**

During Opening hours

Non-Commercial 2 hours free, then \$23 per hour thereafter

Commercial \$46 per hour or \$287.50 for a full day (in excess of 6 hours)

After Hours

Booking Fee \$23

Non-Commercial \$23 per hour

Commercial \$46 per hour

Fees for using Room 2 & Room 3 combined will be charged at 150% of the single room rate.

*** First Floor**

During Opening hours

Non-Commercial 2 hours free, then \$23 per hour thereafter

Commercial \$34.50 per hour

After Hours

Not available to be used.

Align charges with those used at Picton Library and Service Centre Waitohi Whare Mātauranga.

Review charges after 12 months and two years thereafter.

Carried.

NB: Clr Dawson declared a conflict of interest and withdrew from the meeting for the following item and Mayor Taylor assumed the chair.

ATTENDANCE: Mr Aaron Marshall (Chair) and Ms Beth Barnes (Deputy Chair), Business Trust Marlborough and Tracey Taylor (Guest Speaker), were present for the following item.

EFC-1023-126 Business Trust Marlborough Annual Report 2023

E100-005-007-02

Aaron Marshall and Beth Barnes presented the Annual Report for Business Trust Marlborough (BTM) to members. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 23219527).

Prior to the presentation Tracey Taylor, a guest of the Board, was introduced and provided members with a firsthand account of her experience with Business Trust Marlborough.

Members noted that Council has provided core funding of \$50,296 to BTM to deliver business advice and access to business mentoring. The financial year 2022/23 is the second year of a three-year current contract between Council and BTM. In addition, Council provided \$15,610.99 to BTM to deliver the Start-Up weekend in June 2023. Council's Solid Waste Manager, Mark Lucas, is the current BTM Trustee appointed by Council.

It was reported that BTM have met and exceeded their KPI's in 2022/23, with the exception of mentor matches which was short of target. The Trust will look to focus on increasing the number of mentors and mentees over the next 12 months and are confident of achieving the KPI of 60 mentor matches.

At the conclusion of the presentation Cllr Dalliessi asked whether the Trust would seek funding from DIA or other funding avenues in future, Ms Barnes noted that the Trust has included investigating other funding sources as an objective in their strategic plan.

Cllr Dalliessi noted that the Trust's 10 year anniversary is coming up and raised whether the Committee could be provided with more mentor / mentee stories to celebrate that milestone, along with information around how many employees and jobs have been created.

In response to a query on providing a Busy Mum's course to outlying communities, Ms Barnes noted that it has been considered but securing a suitable venue that is child safe/mum friendly is proving challenging.

**The Mayor/Cllr Dalliessi:
That the report be received.**

Carried

ATTENDANCE: Messrs Mark Unwin, Council's Economic Development Officer, and Gary Fitz-Roy, Managing Director, Expertise Events, were present for the following item.

EFC-1023-127 Wine Pro Update E101-004-002-03

Mr Unwin reported that the purpose of the report was to provide an update on WinePro from Gary Fitz-Roy, Managing Director at Expertise Events.

To assist with the update a powerpoint presentation was shown (filed in CM Record No. 23219525)

Members were advised that a Steering Committee has been formed and is meeting regularly to help guide the event. Cllr Croad has agreed to participate pending workload.

Bragato has agreed to hold Grape Days during the event and the Blenheim bedbank has been activated for the event.

Members asked a number of questions at the meeting and had the common view that it will be an exciting opportunity for Blenheim and the Marlborough region in general both now and in the future.

**Cllrs Croad/Dawson:
That the information be received.**

Carried

ATTENDANCE: Ms Sam Young, Council's Regional Events Advisor, was present for the following item.

EFC-1023-128 Regional Events Update E100-002-011

Ms Young reported that the purpose of the report was to provide an update on the activities of Council's Regional Events Advisor and Marlborough's events sector.

Ms Young noted that the Marlborough Mountain Bike Club had presented at the Public Forum that morning on the Skoda Cycling NZ Schools National Mountain Bike Championship that they hosted. The event was a huge success with 465 riders attending for up to eight days. Approximately 1400 people came into the region with an economic benefit of around \$2.4M for the whole event and around \$800 to \$900,000 directly into Marlborough.

Bayley's Friday Feast was held for the very first time at the Quays and feedback on the whole has been very positive. There were some suggested improvements which Ms Young will discuss with the organisers at the event debrief. A full report on the event is still to come due to the funding from Te Taihū Regional Events Fund.

The following day held the NZ Cheese Festival which used to be called the South Island Cheese Festival; the name change was due to the amount of interest nationally for the event. Approximately 2000 people attended across the day. A full report to come.

The South Island Masters Games 2023 has commenced, actual commencement date was 10 October. The organisers are reporting slightly lower numbers than expected but are still predicting approx. 1,700 participants over the 13 day period. No events have been affected by weather.

Ms Young noted for Garden Marlborough that ticket sales are 28% higher than the total sales were for 2019. This is a huge achievement as a number of events are not reporting sales as good as this. Also noted for the garden fete there be 220 stalls in attendance which will be a record number.

Garden Marlborough received funding from the Commercial Events Fund and will provide a full accountability report following the event.

Members were advised that the Wine and Food Festival is another event that has been funded through Council's Commercial Events Fund and tickets are on sale now. A three year agreement is in place for the event to use the Renwick Domain.

The Community Events Fund has received five applications with four to be considered. Ms Young advised that the application from the Marlborough Multicultural Centre has been processed and approved. A further application has been received and approved from the Waikawa Bay School for them to engage Enviro Hub Marlborough to do a zero waste event for their Plant Sale and Family Fun Day, which ran on Sunday.

Members were advised the Te Taihū Regional Events Fund reopened yesterday, 16 October, for any commercial event wanting to get off the ground or an existing event that needs support to grow their event. The fund amount is slightly lower than noted in the report due to approving some funding for Business Events Marlborough for the next two years.

Clr Croad advised members of the 'Evolution Sails Women's Regatta' recently held in Marlborough which has grown to be the largest single women's yachting event in NZ with 250 crew and 36 yachts entered (entries were capped). It was noted that this is the second year the event has been held with participants this time round staying longer in the region. Ms Young advised that she is looking to meet with the organising committee of that event to discuss how Council can assist/support them in future.

Cirs Dawson/Croad:
That the information be received.

Carried

ATTENDANCE: Ms Jodie Griffiths, Council's Community Partnerships Advisor, was present for the following item.

EFC-1023-129 First Year Review of the Age Friendly Strategy **C150-002-012-10**

Ms Griffiths presented the Age Friendly Strategy for review. A 'One Year In' review of the Strategy and a table on 'how we are tracking' was attached to the agenda item for members' information.

It was noted that the strategy is designed to support Marlborough in being an age-friendly community which enables people to age in the right place with dignity, respect, and independence. The strategy acknowledges work that has been completed to date and presents a set of actions that respond to the community's current and future needs. The strategy is for a five-year period, with a review after the first twelve months.

Ms Griffiths advised that she had joined the Office for Seniors which is a national networking organisation and is confident Marlborough is in a good position with the strategy with great buy in from the community.

Members were advised that as a result of feedback there is now a commitment to hold the Seniors Expo once a year rather than every second year. Ms Griffiths advised that Greypower are now partnering with Council to

support a seniors month and will run an information series on different topics for older people over two mornings in March and supporting the Seniors Expo.

Clr Dalliesi acknowledged the work Ms Griffiths and her team do in bringing the community together and suggested that it may be helpful to identify community programmes and how they connect with different sectors / community groups.

In response to a query from The Mayor who noted that there had been a number of concerns raised by the community regarding the timing of dialysis and whether there had been any progress. Ms Griffiths advised that there has been an improvement in the time of the dialysis so it works in with the Community Vehicle Trust drivers so they are not having to be there really early or very late. Ms Griffiths noted this outcome was the result of the Seniors Forum that escalated things to get some action.

Cirs Sowman/Fauls:
That the information be received.

Carried

ATTENDANCE: The meeting adjourned at 10.33 am and resumed at 10.46 am.

EFC-1023-130 Grants Sub-Committee

D050-001-G02

The Minutes of the Grants Sub-Committee meetings held on 26 September 2023 and 10 October 2023 were attached for ratification by the Committee.

Clr Dalliesi requested that the amount of Council funding or in kind support be included in the allocation information provided.

Cirs Sowman/Dalliesi:
That the Minutes of the Grants Sub-Committee meeting held on 26 September 2023 and 10 October 2023 be ratified.

Carried

EFC-1023-131 Housing for Seniors Sub-Committee

D050-001-H01

The Minutes of the Housing for Seniors Sub-Committee meetings held on 7 September 2023 were attached for ratification by the Committee.

Cirs Croad/Dalliesi:
That the Minutes of the Housing for Senior Sub-Committee meeting held on 7 September 2023 be ratified.

Carried

EFC-1023-132 Treasury Management Report 30 September 2023

F290-006-23

The Treasury Management Report for the period ending 30 September 2023 was presented to members.

It was noted that the Cash, Investments and Borrowings were included as an attachment to the agenda item. These are details of the market interest rate movements; a summary of the investments Council held, and that these continue to comply with the Investment Policy section of the Treasury Management Policy; and a summary of the Council borrowings as at 30 September 2023. These do not currently comply with the Treasury Management Policy but will as Council's borrowing increases.

Clr J Arbuckle referred to the Liability Management Policy and whether it would be reviewed through the LTP Working Group. Mr Fletcher advised that the policy is reviewed by the Audit and Risk Committee due to

the greater financial focus. It was noted that as Council moves forward with the iRex project Council will need to separate the policy out between Council Policy and normal subsidiary debt raising and the debt raising we need for iRex. It was noted that Council will engage with Bancorp as our Treasury Management Advisors.

Cllrs Dawson/Croad:
That the information be received.

Carried

EFC-1023-133 Debtors Overdue Reports as at 31 August 2023 **F270-36-21**

Mr Fletcher presented the Debtors Overdue Reports as at 31 August 2023 to members.

The 30 - 90 balance includes a large government department invoice for \$3.5M which was paid in September 2023. Of the annual monitoring resource consent fees charged in July 2023 totalling approx. \$1.3M balance owing as at the end of September is \$237,051. Eighty three percent have been paid.

The 90 Days balance includes several Development Contribution invoices that will be paid once the projects are near completion. It also includes a number of invoices that are in dispute.

The Property Leases and Licences Debtors Report as at 31 August 2023 were attached to agenda for Councillors' information.

Cllrs Dawson/S Arbuckle:
That the information be received.

Carried

EFC-1023-134 Rates Report as at 30 September 2023 **F270-36-21**

Mr Fletcher presented the Rate Levies Status Report and Rate Arrears Aged Balance Report as at 30 September 2023 and the Water Billing Debtors' Report.

Members were advised that as at 30 September 2023 24.43% rates had been collected which is comparable to last year's collection rate for the same period of 24.13%.

Penalties totalling \$106,429 were applied to 1,537 properties on 12 September 2023. This is higher than for the same period in the previous year of \$87,761 on 1,439 properties. This increase can be attributed to the annual rates increase and the current economic climate.

It was noted that the Rates team continue to work with ratepayers to provide mutually agreeable repayment plans to assist them to continue to clear their arrears and ongoing rates.

Cllrs Dawson/Croad:
That the information be received.

Carried

EFC-1023-135 Information Package **-**

Cllrs Faulls/Sowman:
That the Economic, Finance & Community Information Package 17 October 2023 be received and noted.

Carried

EFC-1023-136 Decision to Conduct Business with the Public Excluded

Cllrs Dawson/Minehan:

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

- Marlborough Events Centre

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 |
|---|---|--|
| Marlborough Events Centre | To enable the Council, as holder of the information, to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) as 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 at 11.30 am.

Record No: 23222229

6. Draft Marlborough Navigation Safety Bylaw

(Clr Innes) (Report prepared by J Oliver)

H100-001-01

Purpose of report

1. To provide an update on the submissions received on the draft Navigation Safety Bylaw.
2. To receive all submissions including the one received after the closing of submissions on the 1st October 2023.

Executive Summary

3. 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 was received on the morning of 2 October 2023. Council practice has been to accept late submissions within a reasonable timeframe after closing. We recommend that Council accepts the late submission.
4. 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.
5. The following submissions were received during the open consultation period:

| Number | Submitter |
|--------|----------------------|
| 1 | Maritime New Zealand |
| 2 | William Deerness |
| 3 | Vicki Flyger |
| 4 | Jason Hunt |
| 5 | Lara Wolfe |
| 6 | Roger Ryan |
| 7 | Peter Ryan |
6. A submission was received from Mr H van der Waal on behalf of the Queen Charlotte Yacht Club. This submission was received after the closing date of the consultation period. However, it was received on the morning of 2 October 2023.

RECOMMENDATIONS

1. That the Council forms a subcommittee to hear and deliberate on the submissions, including the late submission.
 2. That the subcommittee is made up of Councillors Innes, Minehan, Faulls.
-

Background/Context

7. Council notified a draft Navigation Safety Bylaw to replace the current 2009/2010 bylaw. The aim is to continue the appropriate regulation of the Marlborough harbour limits.
8. The Navigation Safety Bylaw consultation was open from 15 June 2023 and closed on 1 October 2023.
9. In total there were seven submissions from the public and one from Maritime New Zealand.
10. Of the submissions two wish to be heard at a hearing.

Assessment/Analysis

- 11. The period for submissions on the draft bylaw opened on 15 June 2023 and closed at 5pm on 1 October 2023.
- 12. Eight submissions were received. An analysis of these submissions showed that three submitters oppose in full, one opposes in part and three support in part. Maritime New Zealand's submission provided technical input to the bylaw.

Next steps

- 13. Council staff will arrange for hearings and a time for submitters to speak at the hearing.
- 14. The subcommittee will consider all submissions and listen to the two submitter who wish to be heard, before making recommendations to Council.

| | |
|------------|--|
| Author | Jake Oliver, Harbourmaster |
| Authoriser | Hans Versteegh, Environmental Science & Policy Group Manager |

7. Services and Operations Delivery – Levels of Service and 2024-2025 Budget

(Report prepared by M Aitken)

F230-L24-09-03

Purpose of Report

1. To share team information and update Councillors on emerging issues relevant to the Services and Operations Delivery Team.

Executive Summary

2. The purpose of the team is to:
 - a) Ensure the effective operation of Council through efficient management of buildings, vehicles and supporting services.
 - b) 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.
 - c) Provide secretarial and administration service across Council teams and supporting services for committees, community and internal meetings.
 - d) Providing 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.
3. There is no request to increase budgets.

RECOMMENDATION

That Council receive the information contained in this paper on Councils' Services and Operations Delivery function.

Background

4. The Service and Operations Delivery Team is comprised of:
 - a) Customer Services (12.4 FTE)
 - b) Office Services (2.6 FTE)
 - c) Secretarial Services (7 x FTE)
5. All teams have a mixture of full and part time team members.
6. All teams actively contribute towards supporting emergency events, ranging from being first point of contact to members of the Incident Management Team.
7. The FTE's numbers of staff for the Customer, Office, Secretarial teams have not increased in over 10 years.
8. The teams' workload is directly impacted by the number of Council staff and the activities they carry out. The more work Council does the more support work is required.

Emerging Issues

Increase in Council FTE's

9. The number of Council wide FTE's is increasing, with an additional 19% increase in the last 5 years.
10. Through improved documentation, processes and training the teams have so far managed to offset the additional workloads the increase has created.
11. All teams however are working at their maximum capacity and will struggle to support future increases in staff numbers.
12. An unintended consequence of the increase in staff numbers is that the staff offices in their current form at 15 Seymour Street are now at maximum capacity.
13. Options to accommodate additional staff are:
 - a) Desk sharing; multiple staff using the same desk enabled by work patterns.
 - b) Hot desking; where office space is flexible and staff do not have an assigned workspace.
 - c) Turn existing meeting rooms into office space.
 - d) Source additional office space.
14. Each option comes with opportunities and challenges. Regardless of which option or even a combination; there will be several challenges to overcome which will require senior management support and change management strategies.
15. Additional budget would be required for all options to source additional office space, support building works or upgrade office furniture such as electric sit to stand desks and mobile desk trolleys.

Customer Behaviour

16. There has been an increase in abusive and distressed customer behaviour such as verbal harassment, aggressive conduct, inappropriate language and threats of self harm. This is not unique to Marlborough District Council and the causality is not always related to Marlborough District Council.
17. Contributing factors to this trend are;
 - a) Increase in online interactions where users can easily voice their opinions facelessly; this continues when making contact in person or over the phone.
 - b) Over spill of pandemic related stress
 - c) Frustrations over disrupted services/supply
 - d) Not understanding changes in legislation/services/costs
18. To reduce the impact of this trend Council is:
 - a) Increasing their support through programs to assist with dealing with difficult customers and psychosocial support.
 - b) Changing the reception layout as identified by an independent Security Risk & Crisis Management Specialist to mitigate the risk of violence in the workplace and reduce any staff anxiety associated with their safety and align with the New Zealand Government's Good Practice Guides.

Changes to services, statutory/regulatory requirements and adverse weather events

19. Increases in customer demand can be directly attributed to service, statutory and regulatory changes which impact our community.
20. We know from recent consultations the continued preparation for the implementation of the new wheelie bin service and remote transfer stations to Waste Management NZ (from 1 July 2024) will require additional resourcing. It is hard to quantify the increased demand but we are hoping this can be managed using existing resources on a temporary basis; part time staff increasing their hours.

21. Other recent and future increases in demand are:
 - a) Resource Management Reforms
 - b) 3 Waters
 - c) Local Government Review
 - d) Marlborough Sounds Long Term Access Study
 - e) Changes to environmental monitoring
 - f) Increase in charges (rates, monitoring, consents etc)
 - g) Freedom Camping
 - h) Climate change, increase in adverse weather events.

Reduction in Vehicle Emissions

22. Consideration of environmental impacts and New Zealand’s commitment to achieving zero emissions will continue through regulations around air quality restrictions and probable future bans on petrol and diesel vehicles. There will also be an expectation from our community that we reduce our carbon footprint and help lead the way in meeting and exceeding environmental standards.
23. We will look at each new vehicle requirement to determine if there is a fit for purpose lower emissions emitting vehicle. Current fleet optimisation, distance travelling versus range, speed of charging and whether any supporting infrastructure is required will all be taken into consideration.

Other Emerging Trends

24. All of Government (AOG) Supply Contracts
25. Increasing vehicle and building maintenance costs.
26. Volatility in insurance premiums and costs (increasing value / number of assets)
27. Increasing costs of compliance with statutory / regulatory requirements
28. Increasing cost of consumables (e.g. electricity)

Revenue and Operating Expenditure by Significant Type

| SUPPORT SERVICES | 2023- 24 | 2024- 25 | 2025- 26 | 2026- 27 | 2027- 28 | 2028- 29 | 2029- 30 | 2030- 31 | 2031- 32 | 2032- 33 | 2033- 34 |
|--------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | \$000' s | \$000' s | \$000' s | \$000' s | \$000' s | \$000' s | \$000' s | \$000' s | \$000' s | \$000' s | \$000' s |
| Photocopying / Typing | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Total external revenue | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Personnel costs | 1,616 | 1,733 | 1,732 | 1,733 | 1,732 | 1,733 | 1,732 | 1,733 | 1,732 | 1,733 | 1,732 |
| Depreciation | 419 | 354 | 376 | 378 | 369 | 362 | 361 | 370 | 371 | 370 | 370 |
| Printing & office supplies | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 |
| Repairs & maintenance | 178 | 229 | 179 | 179 | 199 | 190 | 190 | 190 | 190 | 190 | 190 |
| External support | 17 | 11 | 10 | 6 | 6 | 6 | 10 | 6 | 6 | 6 | 6 |
| Internal contracts & recharges | (35) | (47) | (35) | (35) | (35) | (35) | (35) | (35) | (35) | (48) | (48) |
| Power | 135 | 135 | 135 | 135 | 135 | 135 | 135 | 135 | 135 | 135 | 135 |
| Insurance | 103 | 127 | 127 | 127 | 127 | 127 | 127 | 127 | 127 | 127 | 127 |
| Postage | 117 | 117 | 117 | 117 | 117 | 117 | 117 | 117 | 117 | 117 | 117 |
| Cleaning | 105 | 110 | 110 | 110 | 110 | 110 | 110 | 110 | 110 | 110 | 110 |
| Photocopying - B/W(external) | 125 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 |
| Rates | 30 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 | 35 |

| | | | | | | | | | | | |
|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Telephone after-hours service | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 |
| Cafeteria | 18 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 |
| Fuel + Oil | 11 | 19 | 19 | 19 | 19 | 19 | 19 | 19 | 19 | 19 | 19 |
| Maintenance Vehicles | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| Freight and Courier | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 |
| General Expenses | 5 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 5 |
| Training Conferences + Seminars | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 | 13 |
| Telephone Tolls Faxes and Pagers | 11 | 12 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Security | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Contracts | 9 | 9 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Health and Safety | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| Staff Expenses | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| Consumables | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 | 6 |
| Advertising Interviews + Relocations - S | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| Travel and Accommodation | 4 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 |
| Registration WOF and COF | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Lease - Admin vehicles | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Subscriptions | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Staff Presentations | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Tyres | 2 | 1 | - | 1 | - | 1 | - | 1 | - | 1 | - |
| Training - OSH | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Wiring | 2 | - | 2 | - | 2 | - | 2 | - | 2 | - | 2 |
| Total operating costs | 3,016 | 3,111 | 3,091 | 3,089 | 3,100 | 3,084 | 3,088 | 3,092 | 3,094 | 3,079 | 3,073 |

Presentation

A short presentation will be given by Dean Heiford (15 minutes).

| | |
|------------|--|
| Author | Marianne Aitken, Service and Operations Delivery Manager |
| Authoriser | Dean Heiford, Manager, Economic, Community and Support Services Department |

8. People & Capability – Levels of Service and 2024-2025 Budget

(Report prepared by L Randall)

F230-L24-09-03

Purpose of report

1. The purpose of this report is 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.

Executive Summary

2. 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.
3. 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.
4. The additional staff numbers as well as increasing focus on employee mental health and wellbeing, mean our basic HS&W training requirements are increasing.
5. Supplier costs, in particular insurance, are increasing across the board.

RECOMMENDATIONS

1. That Council receive the information contained in this paper on 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.

Overview

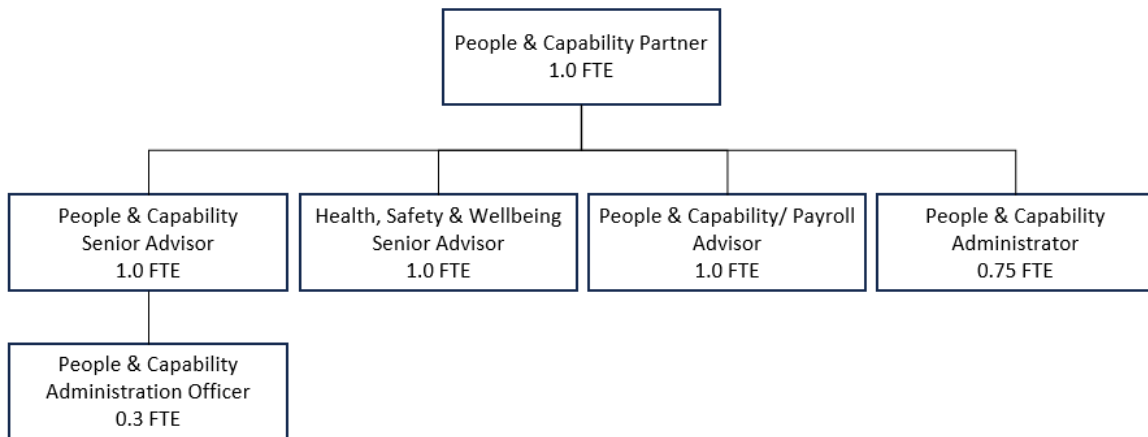
6. The P&C team is responsible for Health, Safety & Wellbeing; Payroll; Recruitment; Employment Relations; and general human resources support.
7. The 2023-24 budget for the team is:

| | 2023-24 |
|------------------|-------------|
| Operating Costs | \$254,000 |
| *Personnel Costs | \$1,392,000 |

* Personnel costs include:

- Health Insurance \$205k
- Life and Income Protection Insurance \$465k
- FBT \$180k
- Labour costs \$542k

8. The team is made up of 5.1 FTE:



9. FTE history:

FTE increase organisation-wide = 19%
 HR FTE – increased from 3.0 to 4.1 FTE
 HS&W FTE – no change (1.0 FTE)

Current Challenges and Risks

10. FTE for Health, Safety and Wellbeing is not keeping up with organisational FTE increase. This places risk on HS&W compliance and worker HS&W.
11. Increasing cost of compliance with HS&W statutory / regulatory requirements (for example road corridors, permit to work processing).
12. Insurance costs and supplier costs in general are increasing at a higher than usual rate.
13. Council is facing challenges with attraction and retention of staff. We are also aware that we need to be competitive in order to resource upcoming RMA changes and to retain Three Waters staff.
14. Employee mental health and wellbeing is an ever increasing focus and investment is required in this area to ensure we are fulfilling our duty of care obligations and being a good employer.
15. The need to recruit internationally is happening more frequently, increasing costs relating to recruitment.
16. A constant requirement to advertise roles (either to replace departing employees or to fulfil new requirements – often externally funded) is increasing recruitment costs.

Cost Benefits

17. **HS&W Coordinator:** It is anticipated that an additional resource in HS&W will assist Council to meet its moral and legal obligations and reduce the risk of incidents.
18. The cost to the organisation when an incident or accident occurs can be measured through direct and indirect costs. Direct costs are those that have a direct impact on the organisation and can include worker compensation payments, medical expenses, liability damages, litigation expenses, property loss as well as the sum of the indirect costs.
19. Indirect costs are harder to measure and often overlooked yet can have a far greater impact on the organisation. These can include delays to project schedules, administrative time, damage to equipment or facilities, investigation, and implementation of corrective actions. There may also be costs relating to the loss of skilled workers, negative publicity or the inability to attract staff.

20. Role responsibilities:

| HS&W Coordinator Responsibilities | Senior Advisor HS&W Responsibilities |
|--|---|
| <ul style="list-style-type: none"> • HS&W training organisation-wide • Incident reporting • Wellbeing initiatives • Permit to work processes • Traffic management processes • Hazardous substances • Lone worker devices • Site audits • Operational plans • Maintenance of SOPs • Inductions | <ul style="list-style-type: none"> • HS&W strategic plan • Critical risk management • Site visits • Contractor management • Employee engagement and change management • Investigations • Inhouse training • Compliance, monitoring and reporting • Enhancement of systems • Value-add projects • Policy development • The implementation of the e-SMS |

21. **Attraction and Retention:** The cost and time related to recruitment and training of a new staff member is high. The time the vacancy is unfilled puts pressure on the rest of the team often impacting productivity and wellbeing.

22. Investment in Employment Brand can simplify and speed up the recruitment process.

Budget Requirements

23. Table below outlines the estimated investment required to support the recommendations annually.

| Item | Cost |
|--|------------------|
| Attraction and Retention: Increased advertising costs, Immigration NZ fees, investment in Employment Brand (e.g. attendance at career events, investment in recruitment video for careers site), new joiner welcome packs. Investment in this space is critical for attraction and retention purposes. | \$22,000 |
| HS&W Training: As overall headcount increases, so does our need for additional Health & Safety Representatives and first aid holders. In addition, Mental Health First Aid training is intended for all people leaders as part of the 2022-2026 HS&W Strategy. | \$15,000 |
| Security: Increased costs from Guardian Angel (lone worker devices and panic alarms). | \$5,000 |
| General expenses: relating primarily to supplier cost increases. | \$3,000 |
| New position: HS&W Coordinator 1.0 FTE | \$72,000 |
| TOTAL | \$117,000 |
| Plus Insurance: Increased insurance costs – health, life and income protection insurance for employees (tbc - approx. 10.0%) | Approx. \$67,000 |

Next steps

24. Increased budget to be included in the 2024/25 Annual Plan.

25. Recruitment of HS&W Coordinator to commence in April 2024.

Revenue and Operating Expenditure by Significant Type

| SUPPORT SERVICES | 2023- 24 | 2024- 25 | 2025- 26 | 2026- 27 | 2027- 28 | 2028- 29 | 2029- 30 | 2030- 31 | 2031- 32 | 2032- 33 | 2033- 34 |
|--|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | \$000' | \$000' | \$000' | \$000' | \$000' | \$000' | \$000' | \$000' | \$000' | \$000' | \$000' |
| | S | S | S | S | S | S | S | S | S | S | S |
| Personnel costs | 1,392 | 1,430 | 1,430 | 1,430 | 1,430 | 1,430 | 1,435 | 1,435 | 1,435 | 1,435 | 1,435 |
| External support | 63 | 65 | 65 | 65 | 65 | 65 | 65 | 65 | 65 | 65 | 65 |
| Security | 55 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 | 60 |
| Health and Safety | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 |
| Training - OSH | 20 | 35 | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 30 | 30 |
| Legal | 32 | 32 | 32 | 32 | 32 | 32 | 32 | 32 | 32 | 32 | 32 |
| Advertising Interviews + Relocations - S | 3 | 25 | 17 | 17 | 17 | 17 | 17 | 17 | 17 | 17 | 17 |
| Medical Expenses Training Conferences + Seminars | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 | 20 |
| Telephone Tolls Faxes and Pagers | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Travel and Accommodation | 4 | 4 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 |
| Staff Presentations | 2 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 |
| Subscriptions | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Catering | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| General Expenses Staff Expenses | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Total operating costs | 1,645 | 1,729 | 1,716 | 1,716 | 1,716 | 1,716 | 1,720 | 1,720 | 1,720 | 1,720 | 1,720 |

Presentation

A short presentation will be given by Leonie Randall (15 minutes).

| | |
|------------|--|
| Author | Leonie Randall, People & Capability Partner |
| Authoriser | Dean Heiford, Manager Economic, Community and Support Services |

9. Information Management – Levels of Service and 2024-2025 Budget

(Report prepared by S Young)

I135-002-001-01

Purpose of Report

1. To provide an overview of Information Management's (IM) current Level of Service (LoS) to Council and the budget associated with delivering this LoS.
2. To seek approval for the recommendations presented at the 31 October 2023 LoS Presentation.
3. To seek approval to increase IM's operating expenses.
4. To seek approval to implement the proposed recommendations for budget savings.

Executive Summary

5. Council is facing challenging times with Software as a Service (SaaS) transitioning into budgets as an operating expense instead of a capital expense.
6. 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.
7. 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.
8. 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.

RECOMMENDATIONS

1. **That Council approves the proposed none and minimal impact budget savings to reduce costs.**
 2. **That Council approves the remaining IMs operating and capital budget.**
-

Background/Context

9. IM is responsible for a range of statutory functions and reporting requirements, which are listed below.
 - a) Public Records Act 2005
 - b) Local Government Official Information and Meetings Act 1987 (LGOIMA)
 - c) Electronic Transactions Act 2002
 - d) Privacy Act 2020
 - e) New Zealand Government Web Standards
 - f) Strategic Blueprint for Marlborough's Digital and Data Transformation – 2023-2033
 - g) Audit and Risk Reporting
 - h) Audit New Zealand - ICT Audits

10. The above statutory obligations and reporting requirements provide the framework for the following activities within the IM Department.
 - a) Corporate Systems and Application Management
 - b) Cybersecurity and Infrastructure
 - c) Digital Service Delivery
 - d) Information and Data Governance and Management
 - e) Information Technology – network, servers, hardware, software, and network connections
 - f) Records Management
 - g) Web and Digital Services
 - h) Project Portfolio Management

11. IMs activities contribute to the achievement of Council's Four Wellbeing's – social, economic, environmental, and cultural wellbeing of our communities and Council's Smart and Connected Vision. Council's new *Strategic Blueprint*, which has been developed for 2023-2033, is designed to align with the Four Wellbeing's, the Smart and Connected Vision and the following supporting papers:
 - i) Long Term Plan and Council Budget Papers
 - ii) Economic Wellbeing Strategy 2022-2032
 - iii) Digital Twin Roadmap and Vision
 - iv) Future for Local Government Report
 - v) Te Tauihu – Intergenerational Strategy
 - vi) Digital Strategy for Aotearoa
 - vii) Environmental Reporting Requirements
 - viii) Local Government Digital Futures

Discussion

12. Means of Delivery

Delivering IM's LoS relies on staff resources, an understanding of its current technology ecosystems and associated costs for contracts, licenses and software, details of which are provided below.

12.1 IM staff

- i) Documents and Property Split 3.1 FTE
- ii) IT – 32 FTE

12.2 Department review 2023-24

A review of the IM Department is currently underway. The purpose of this review is to better understand the current state of IMs operations, strategies, roadmaps and all digital assets, hardware, software, and infrastructure. The results of this review are helping us better understand Council's complex technology ecosystem so we can provide more efficient and cost effective LoS.

12.3 Contracts Costs – over 100k

IM manages several contracts that cover a range of services, including, management of software, and hardware; support hours; project management and business analyst capabilities to deliver multiple projects; and security support and systems testing.

| Support Contracts | Annual Cost (\$) | Contract delivery |
|---|------------------|--|
| Computer Concepts | 161,000 | Network and Wide Area Network (WAN) Management |
| Computer Concepts | 140,000 | 24 x 7 Support Hours for core infrastructure |
| Datacom Mulesoft Integration | 104,000 | Mulesoft Support |
| DataSentinal | 185,000 | Snowflake Datalake Software support and SQL expertise. |
| Project Management (2 Project Managers) Business Analyst (1) | 337,000 | Most of the work provided is charged to capital projects; however, for smaller projects, contracted costs are charged to Opex. |
| Lateral Security | 120,000 | Penetration testing of front facing systems, e.g., Online payments. |
| Media Suite | 134,000 | Application Support (e.g., ReCapp database, Wells and Sediments database). |
| Co-Digital | 120,000 | Further development of the Strategic Blueprint through the department review. This will include supplier and contractor management and updating current roadmaps for delivery. |

12.4 Software Costs

Increases in the number of software packages, along with additional licences required for staff to operate the software has increased this budget. This increase includes additional software budgeted last year but not as an ongoing licence cost within the IM budget. The table below highlights the additional software licensing costs required.

| Software | Additional licenses | Annual Cost (\$) | Notes |
|----------------------|---------------------|------------------|--|
| Content Manager (CM) | 30 | 35,031 | Council's central record keeping system. Additional Licenses - CM Select Power Users. |
| Microsoft M365 | 40 | 20,000 | Encompasses online services such as Outlook, OneDrive, Microsoft Teams, Word, Excel, PowerPoint, and Outlook on Microsoft Windows, mobile devices, and on the web. |
| Adobe Acrobat | 20 | 4,400 | 40 licenses were budgeted to remain on Acrobat; however, Adobe was required because of business process requirements. |
| Microsoft Power BI | 25 | 3,600 | A technology-driven business intelligence tool for analysing and visualizing raw data to present actionable information. It combines business analytics and data visualizations that help make data-driven decisions. Licenses are requested in a very adhoc fashion; as such, we hold a baseline of 25 licenses. |
| Nitro Pro PDF | 25 | 4,000 | Creates, edit converts and manages PDF files. Nitro is replacing Adobe. |
| Visual Studio | 2 | 1,200 | An integrated development environment from Microsoft used to develop computer programs including websites, web apps, web services and mobile apps. |
| Touchpoint | 5 | 6,000 | Telephone software; additional Agent licenses. |

| | | | |
|--|----|----------------|--|
| Mimecast | 50 | 3,500 | Provides security, continuity and archiving cloud services in a mail management system designed to protect email, ensure access, and simplify the tasks of managing email. Currently licensed for 300 staff; we need additional licenses for staff numbers. |
| Crowdstrike Identity threat Protection | | 30,000 | Detects and stops identity-driven breaches in real-time across a complex hybrid identity environment, i.e., an environment that includes on-premises and cloud-based solutions. |
| SIEM - Security Information and Event Management | | 35,000 | A security solution that helps recognize and address potential security threats and vulnerabilities before they have a chance to disrupt business operations. |
| Cloudflare for Distributed Denial of Service (DDoS) protection | | 2,400 | Automatically detects and mitigates Distributed Denial of Service (DDoS) attacks using external link using its Autonomous Edge. |
| TOTAL | | 145,131 | |

12.5 Software Licence costs – over 100k

| Software Licencing | Annual Cost (\$) | Comment |
|---------------------------|-------------------------|--|
| Microsoft | 242,102 | Microsoft Software products, including, Microsoft office, 365, server software SQL etc. |
| Technology One | 670,000 | Core Systems Property and Rating, Finance, Budgeting and Asset Management |
| Content Manager | 120,000 | Document Management System |
| Mulesoft Integration | 260,000 | Integration Platform |
| Datascape | 137,000 | Online forms, payments, websites |
| Crowdstrike | 169,000 | Detects and stops identity-driven breaches in real-time across a complex hybrid identity environment |

13. Current 2024-25 Budget Summary

13.1 Operating Expenditure

| INFORMATION SERVICES | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 2030-31 | 2031-32 | 2032-33 | 2033-34 |
|-------------------------------------|--------------|--------------|--------------|---------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's |
| Govt Operating grants and donations | 150 | - | - | - | - | - | - | - | - | - | - |
| Govt Capital grants and donations | 500 | 75 | 75 | 100 | - | - | - | - | - | - | - |
| Total external revenue | 650 | 75 | 75 | 100 | - | - | - | - | - | - | - |
| Personnel costs | 2,845 | 3,177 | 3,305 | 3,472 | 3,587 | 3,587 | 3,587 | 3,587 | 3,587 | 3,587 | 3,587 |
| Depreciation | 1,306 | 1,258 | 1,369 | 1,456 | 1,278 | 1,251 | 1,195 | 1,139 | 1,130 | 1,146 | 1,054 |
| Repairs & maintenance | 40 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| External support | 240 | 180 | 180 | 180 | 180 | 180 | 180 | 180 | 180 | 180 | 180 |
| Internal contracts and recharges | (114) | (114) | (114) | (114) | (114) | (114) | (114) | (114) | (114) | (114) | (114) |
| Software | 2,294 | 2,416 | 2,416 | 2,433 | 2,416 | 2,416 | 2,416 | 2,416 | 2,416 | 2,416 | 2,416 |
| Contracts | 2,058 | 2,349 | 2,349 | 2,349 | 2,349 | 2,349 | 2,349 | 2,349 | 2,349 | 2,349 | 2,349 |
| Training Conferences + Seminars | 54 | 52 | 52 | 52 | 52 | 52 | 52 | 52 | 52 | 52 | 52 |
| Telephone Tolls Faxes and Pagers | 31 | 36 | 36 | 36 | 36 | 36 | 36 | 36 | 36 | 36 | 36 |
| Travel and Accommodation | 42 | 41 | 42 | 42 | 42 | 42 | 42 | 42 | 42 | 42 | 42 |
| Insurance | 20 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 | 25 |
| Storage/archiving offsite | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| Digital Communications | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Legal | 5 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 |
| General Expenses | 3 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Subscriptions | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Projects | 150 | - | - | - | - | - | - | - | - | - | - |
| Total opex | 9,001 | 9,502 | 9,742 | 10,013 | 9,932 | 9,905 | 9,849 | 9,793 | 9,784 | 9,800 | 9,708 |

The increase in operating costs is predominantly salary increase movements and software costs. No additional roles have been budgeted this financial year.

13.2 Capital Expenditure

| INFORMATION SERVICES | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 2030-31 | 2031-32 | 2032-33 | 2033-34 |
|--|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's |
| Computer systems | 350 | 350 | 150 | 150 | 150 | 150 | 150 | 150 | 150 | 150 |
| Computers, Laptops, Tablets | 225 | 225 | 225 | 225 | 225 | 225 | 225 | 225 | 225 | 225 |
| Infrastructure | 350 | 350 | 250 | 250 | 250 | 250 | 250 | 250 | 250 | 250 |
| Marine Smart Services | - | - | - | - | - | - | - | - | - | - |
| Computer Systems | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 |
| carryover_1920 to 2021 | - | 700 | - | - | - | - | - | - | - | - |
| carryover_etc to 2023-24 + | 815 | - | - | - | - | - | - | - | - | - |
| Water Allocation and Accounting database | 75 | 75 | 100 | - | - | - | - | - | - | - |
| Total additions | 1,915 | 1,800 | 825 | 725 | 725 | 725 | 725 | 725 | 725 | 725 |

13.3 Major Projects – Capital

The IM Department oversees several large capital projects that are required by the different Departments across the organisation.

| Capex Project | Total cost (\$) | Comment |
|--|-----------------|--|
| Core Switches | 300,000 | Asset replacement will be required if core switching is not updated; failures can impact the connectivity of staff. |
| Property Files Online (PFOL) Version 2 Data Hub for customers and Visualisation tools | 350,000 | Next generation of property files; new enhancements to the current PFOL is required to provide efficient services for customers. Deferring can cause some risk around the support of the .net code. |
| .Net Application Rebuilds | | .NET is an open-source platform for building desktop, web, and mobile applications that can run on any operating system. Council needs to move away for high coded solutions such as .Net to solutions such as Microsoft Power apps, which are a suite of low-code services used to build business apps. The impact of not moving away from .Net applications is reliance on external contractors and security vulnerabilities. |
| Aerial Photography | 100,000 | Aerial or Lidar photography is captured annually for the business areas as required. |
| Monitoring system Internet of Things (IoT) | 415,000 | Replacing the current monitoring system IoT is needed for quality data collection. This can be deferred until the following year until the business is ready to investigate IoT and monitoring solutions across the organisation. |
| Environmental Data Systems | 315,000 | Environmental systems need to be strengthened. |

14. Possible Budget Reductions

| Possible Budget Reductions | Annual Cost (\$) | Impact | Comment |
|---|------------------|--------------------------------------|--|
| Increase GIS Fees | Minimal | None | IMs GIS services charge a fee, e.g., for development of SmartMaps for the public. The current fee schedule needs to be reviewed, and work charged accordingly for maps produced for the community. |
| Desktop and Laptops | 75,000 | Minimal - review if business impacts | Capex moved out financial years. Consolidation of laptops purchased for Covid. Continue to review assets for cost savings. Retrieve all laptops not used for working from home and repurpose. |
| Decrease depreciation rates on hardware | tbq | Minimal | Extend depreciation rates for 5 years for desktops, network equipment and infrastructure. Most hardware is lasting longer than 3 years. |
| Decrease Software depreciation rates | tbq | Minimal | Extend software to 4 years. |
| Do not purchase additional software licences required | 145,131 | Maximum | Staff will not have the licences to do their jobs, including fixed term contracts and summer students |

| | | | |
|---|---------|---------|---|
| | | | and additional security software is required to keep up to date with current technology. |
| Training and Conferences | 20,000 | Medium | Staff personal development is restricted and not kept as up to date. |
| Qlik Licencing removed | 3,237 | Minimum | Council currently has two Business Intelligence licencing software, Qlik and Power BI. It is proposed to remove Qlik. |
| Contract Business Analyst | 27,000 | Medium | Repurpose a vacancy. The impact will be for large projects; we may need to employ a Business Analyst for project management. |
| Audio Support Contract for Council Chambers upgrade | 28,100 | Minimum | Change of Vendor and review of Contract. |
| CCL Contract for Takini Site for Disaster Recovery | 7,180 | Minimum | Moved to Azure Backups, a cost-effective, secure, backup solution that is scalable based on Council's backup storage needs. |
| Project Managers | 100,000 | Maximum | Project managers can be coded to capex for the project implementation. Employing a project manager with IT experience is difficult to attract to the region. Reducing contractors' hours is an option. However, projects need to progress to meet the business needs. |
| Monitoring IoT | 395,000 | Medium | Move the IoT monitoring budget out from 2023-24 to 2024-25 |

15. Level of Service Opportunities

Three LoS opportunities (below) have been identified and will be provided as papers for this budget round.

- Budget Papers for:
 - Council's *Business Case for Strategic Blueprint*, due mid-2024, will allow us to develop a sustainable budget and funding options moving forward. Various options to ensure we stay current and add value to the business in the most cost-effective manner will also be identified.
 - Technology One Migration to CI Anywhere offers far greater functionality but requires investment both of staff time and financials because of the high level of complexity of the system and number of integrations with other systems.
 - Content Manager, our document management system, can transition into the cloud, ideally in the next few years.
- Emerging Issues
 - **Flexible working environment** – can cause some disruption to business continuity. Ensuring Council's services are resilient will allow business and services to continue in the region while providing a flexible working environment for staff.
 - **Local government reforms** – Three Waters and other central government reforms that impact on Council services. Ensuring that we can adapt to these changes effectively and ensure our customer service continues to provide the region with a high level of digital service delivery.

- **Transition of Technology One systems to CI Anywhere** – adds pressure on staff resource, maintaining the current environment and moving to the next environments. Ensuring staff time and financials are in place will help the successful management of these complex systems and integrations with other systems.
- **Increasing expectations from the community** – to access information and navigate digitally through the website, and a growing demand for the use of Smart Maps and mobile services online. Ensuring all essential services are available online so if, for example, another Covid lockdown occurs, customers can conduct business as usual.
- **Legislation changes that impact to IMs systems** – Resource Management Act reforms on resource consents, building consents, environmental monitoring (e.g., freshwater quality and quantity), and climate change reforms. Ensuring systems are fit-for-purpose, current and can be used by a range of departments where possible will help us to adapt to the Central Government changes.
- **Increasing expectation for 24/7 services for customers.** Support for online services costs for maintaining new online products with an increase to contract support costs will provide efficient, reliable, and consistent services for our customers.
- **Security risks and cyber threats.** Keep abreast of changes and to undertake independent audits to ensure Council has robust and secure infrastructure and online service environments.
- **Shared services.** Review opportunities that can reduce system purchase costs, licence fees, and broaden resilience by sharing staff resources to support major systems.
- **Open government trend** – to make Council's data and information available to the public for reuse. Internationally there has been recent activity in the development of public information policies. In general, there is increasing international demand for governments to provide data and information in readily useable or reusable formats. This increases the contract and software costs to implement the functionality and maintain systems.
- **Increasing staff retention.** Ensuring MDC capitalises on opportunities emerging in infrastructure, cloud software, and data security and the opportunities they present to Council and staff for professional development.
- **Aligning with Central Government's Information and Communication Technology (ICT) Strategy** – a vision and plan to support New Zealand's people, communities, economy, and environment to flourish and prosper in the digital era. Providing digital enablement and better public services will allow our community to interact in a range of ways with Council.
- **Training and staff development** – so they are kept up to date with the latest technologies and make use of the efficiencies and opportunities that systems and technology investments present.
- **Acquiring and retaining good staff** – recruiting technical staff is difficult and often involves additional methods/incentives to attract people to Marlborough. Ensuring Council is well resourced and is seen as an attractive place to work will help recruitment to the region.
- **Identity management** – increased cyber risk and corresponding technical advancements mean the technologies used to manage online identity are evolving and systems must keep pace. Ensuring customers have one login to all systems online will help reduce associated cyber risk.
- **Fit-for-purpose digital solutions** – addressing potential conflicts between major system development and innovation and viable alternatives to bespoke software, the latter which may have limitations. Ensuring lower overheads for support using digital solutions that are fit-for-purpose and used by departments across the organisation.
- **Broadband connectivity** – the need to facilitate connectivity throughout the region to enable rural users to utilise Council's digital services and align with Government's priority goal to close the digital divide.
- **Business automation** – through machine learning and artificial intelligence with potential disruption occurring to some roles. Ensuring that Council operates as effectively and efficiently using digital tools and systems that enable automation of work programmes.

| | |
|------------|-------------------|
| Author | Stacey Young, CIO |
| Authoriser | Mark Wheeler, CEO |

10. Legal Services – Levels of Service and 2024-2025 Budget

(Report prepared by R Foitzik)

L150-020

Purpose of report

1. To review the levels of service provided by the Legal Services Department (**Department**) and seek approval of the proposed budget and staffing changes.

Executive Summary

2. 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.
3. 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.
4. 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).

RECOMMENDATIONS

1. That Council receive the information contained in this paper.
2. That Council agree to Legal Service's proposed budget.

What is this Activity about?

5. The General Counsel (GC) oversees the legal team and is responsible for providing legal services to Council in order to:
 - enable compliance with the Council's legal obligations.
 - support its organisational activity and projects.
 - anticipate, plan for and manage legal risk.
6. The GC is a trusted advisor to the Chief Executive (CE) and Executive Leadership Team (ELT) providing strategic legal advice and practical guidance to support the activities of the Council.

Legal advice and assistance

7. The GC provides expert, objective and strategic legal advice to the CE and ELT on all aspects of local authority functions, general legal matters, and relevant new legislation. They inform the Chief Executive as soon as practicable of potentially significant or publicly controversial matters affecting the Council, including options for, and viability of, any proposed court proceedings/ litigation.
8. The GC and his team drafts and/or reviews contracts the Council enters into and also provide advice on contractual matters to all staff. They maintain, review and monitor Council's procurement and contract management processes. The GC acts as Council's Solicitor in legal proceedings and is responsible for instructing external legal Counsel in litigation matters, either through direct instruction from the CE or the relevant business department (which is also responsible for meeting the respective legal costs out of their budget). The GC also advises on employment issues, such as personal grievance claims or

workplace policies advice and assists HR and their H&S team with the investigation and responses to any incident investigation by WorkSafe.

Risk, Insurance and Compliance

9. The GC and the legal team maintain knowledge of legal instructions, proceedings and litigation risks through close working relationship with other departmental groups. They review proposed new legislation and manage the preparation of Council submissions in conjunction with subject matter expert.
10. They manage or provide legal input into the preparation and review of Council bylaws and manage the Council's Bylaws Register. They maintain the Council's delegations register. The GC is responsible for Council's Legislative Compliance Program (except for the Regulatory Department, which is runs its own ISO9001 certification program). They implement new legal compliance programs as appropriate and make use of and utilise the SOLGM Legal Compliance guides as appropriate.
11. The GC provides advice to the CE and Audit and Risk Committee on appropriate levels of insurance and ensures that at all times Council has appropriate insurance in place, The GC and the legal team manage insurance claims and ensure that Council's duty of disclosure is properly discharged. They provide advice on insurance matters to all managers and staff and regularly report to the Audit and Risk Committee on insurance matters.
12. The GC is also the current chair of the Enforcement and Prosecution Panel, which reviews enforcement decisions and decides on whether matters proceed to prosecution.

Management of external counsel

13. The GC manages and oversees Council's external legal counsel providers. They set the policies and approach for briefing external legal providers (when/ how / estimates) and monitor any service level arrangements and reporting. They work proactively to identify areas where the Council can work more effectively, both in relation to legal services and legal risk management. This also involves negotiating preferred provider fees/ fee structures to save costs.
14. The GC keeps the Chief Executive and ELT updated of the progress of legal matters briefed externally.

LGOIMA and Privacy

15. The GC carries out the duties of Privacy Officer for the Council. They advise the CE, ELT and staff on Privacy Act matters to ensure compliance across the organisation.
16. The GC is responsible for making decisions on Privacy Act requests and manages the complaint process/ communication with the Ombudsman. They provide training as required to Council staff on privacy principles and requirements.
17. The GC monitors and manages the legal advice on Local Government Official Information and Meetings Act 1987 (LGOIMA) requests, which the District Secretary is primarily responsible for. That includes monitoring LGOIMA requests and completion of these requests within the legislative timeframes. The team also provide advice and training on obligations under LGOIMA to staff.

Other

18. The GC carries out the duties of a Disclosure Officer under the Protected Disclosures Act 2000.
19. The GC maintains Council's Conflict of Interest Policy and provides training to new and existing employees as required. The GC provides advice to ELT and elected members on conflict-of-interest issues.
20. The GC provides advice to the Chief Financial Officer on legal options and approach for debt recoveries and briefs external legal counsel on debt recovery actions.

Numbers

21. In 2023, the team has dealt with an average of 31 LGOIMA/ privacy requests per month. That number is unusually high (one request per day on average). Workload for the District Secretary and his

secretarial support staff can increase significantly depending on the nature of a request. Dealing with complex requests is very time consuming and requires co-operation by the respective departments holding the information in question.

22. New matters across all subject areas average around 10 per week, ranging from one-off advice (verbal or in writing @ less than one hour resourcing) to complex advice and opinions over considerable periods of time (projects such as IReX or complex litigation such as the East Coast Bylaw JR).
23. Active contracts managed by the team average around 87 per quarter, pending contracts average around 112 per quarter.

Resourcing

24. The legal team was only established less than three years ago. The team is still developing and faces further staffing changes next year. The team has started developing a staff legal education and training program. There is no centralised legal budget, instead Council departments have their own legal budget. Legal spend is reported by external Counsel to the GC.
25. The GC is responsible for developing and reviewing the performance plan for the Legal Team and its team members. The GC is part of the ELT, participates in ELT meetings and advises ELT on current and upcoming legal issues and risks.

Emerging Issues

26. The management of the Risk & Insurance portfolio will be vacant from September 2024, and it is anticipated that it will be difficult to fill that role. The nature of managing this portfolio is that of a busy period around renewal time, involving insurance cover review, liaising with Council's insurance broker, updating Council's assets register and negotiating for and getting approval from Council for obtaining agreed and adequate insurance cover. The insurance claims management is largely outsourced and managed by Council's insurance broker Marsh. Residual management could easily be included in the GC or Solicitor role. A contractor option is proposed to fill the gap.
27. Workload in general is manageable with the current staffing, but urgent matters or litigation management immediately causes capacity issues (resulting in briefing even BAU matters). Long term, recruiting an additional experienced solicitor (3-5 years PQE) would help managing those workload issues. This will be reviewed for the 2025/2026 annual plan.
28. An increasingly complex risk environment (climate change, government requirements of TLA and more litigious community groups (class actions)), which is largely legally untested, will put more pressure on legal resourcing internally and externally. Good quality legal advice is likely to increase in costs.

Levels of Service Reduction Possibilities

29. There are opportunities to make savings by increasing the legal in-house capacity and reducing the overall (Council-wide) legal spend on external counsel by appointing panel of legal providers, categorized by areas of expertise. This has been done by other Council resulting in significant savings. The Department will review the feasibility and potential savings for the 2025/2026 annual plan.

Operating expenditure by significant type

| SERVICES | 2023-24 \$000's | 2024-25 \$000's | 2025-26 \$000's | 2026-27 \$000's | 2027-28 \$000's | 2028-29 \$000's | 2029-30 \$000's | 2030-31 \$000's | 2031-32 \$000's | 2032-33 \$000's | 2033-34 \$000's |
|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Staffing | 564 | 610 | 610 | 610 | 610 | 610 | 610 | 610 | 610 | 610 | 610 |
| Legal | 60 | 68 | 68 | 68 | 68 | 68 | 68 | 68 | 68 | 68 | 68 |
| Subscriptions | 15 | 25 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| Training | 10 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| Travel | - | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 |
| Fees | 9 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| General | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Total costs | 659 | 719 | 709 | 709 | 709 | 709 | 709 | 709 | 709 | 709 | 709 |

30. The Department's overall budget will slightly increase to allow for performance salary increase for the junior solicitor.

| | |
|------------|---------------------------------|
| Author | Robert Foitzik, General Counsel |
| Authoriser | Mark Wheeler, Chief Executive |

11. Finance Department – Levels of Service and 2024-25 Budget

(Report prepared by M Fletcher)

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

Purpose of report

1. To review the levels of service provided by the Finance Department and seek approval of the proposed budget and staffing increases.

Executive Summary

2. The majority of the Department's activities are driven by either:
 - a. 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
 - b. 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.
3. 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.

RECOMMENDATIONS

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 plus the estimated \$140,000 cost of the proposed additional staff.

What is this Activity About?

4. This activity performs the following functions on behalf of Council:
 - Preparation of the LTP every three years.
 - Preparation of the Annual Plan in the intervening years between LTPs. Both the LTP and Annual Plan are initially prepared in draft form and approved by Council for consultation towards the end of March early April. The LTP Consultation Document is audited by Audit New Zealand on behalf of the Auditor General prior to release. While a draft LTP is not prepared and adopted by Council all the base information upon which the Consultation Document is prepared is still required and available on Council's website. A submissions and hearings process follows with the final LTP/Annual Plan approved by Council towards the end of June. The final LTP is also audited.
 - Identifying and levying Rates and Charges
 - Rates collection – included in this function is the maintenance of the Rating Information Database which must be current and accurate for effective rates collection, including triennial District Valuations.
 - Preparation of the Annual Report including the co-ordination of performance measurement reporting. The Annual Report is audited by Audit New Zealand.
 - Service the Audit and risk Sub-Committee and advise the Marlborough Regional Forestry Joint Operating Committee.
 - Administration of the Rates Rebate Scheme on behalf of Government. Currently the maximum rebate available is \$750 and approximately 1,800 ratepayers per annum have received a rebate over recent years.

- Taxation compliance – currently the “Council Group” has exposures to GST, FBT, Withholding Tax and Income Tax.
- Management of Council's investments – currently Council has approximately \$13M invested in A- rated (or higher) stock and term deposits. The interest rates received on these investments are currently similar to the cost of debt, so will be held to maturity. These investments are primarily held to provide cover in the event of a major disaster.
- Prudently managing cash flows and obtaining the debt Council needs to finance a significant component of Council's capital expenditure programme and the MDC Holding Ltd group's needs. Currently Council has the ability to raise debt via the Local Government Funding Agency and a \$20M facility with Westpac.
- Management of Council's Home Insulation, Home Clean Heating and Solar Energy and Water Heating Schemes. These Schemes are by and large fiscally neutral in the long term with the cost being repaid via a voluntary targeted rate over nine years.
- Paying invoices in a timely fashion. To improve supplier cash flow during COVID times, payment frequency has been increased to weekly and is planned to remain that way, with a very positive response from suppliers (please see emerging issues).
- Issuing invoices and undertaking debt collection in a timely and effective manner. The objective is to use in-house staff with referral to an external debt collector as a means of last resort. In the main repayment agreements can be reached. This area has become increasingly challenging with the addition of the significant number of water monitoring and moorings fees. Rates, including water billing are less of an issue as ultimately they are a charge on land and can be recovered from either the mortgagee or remain a charge on the property. Court action will be taken for properties without mortgages.
- Monitoring the performance of subsidiaries – this function includes servicing the MDC Holdings Limited Board, including preparation of Statements of Intent, financial reporting, debt management and providing advice on the performance of Port Marlborough NZ Limited and Marlborough Airport Limited.
- The full accounting function for Marlborough Airport Ltd and MDC Holdings Ltd is undertaken by Finance.
- Preparing the Chief Executive's Pre-Election Report, prior to the next election.
- Assets – this includes ensuring all Council's assets are correctly identified, tracked and depreciated. Significant assets are revalued on an annual basis to ensure that any “flow on” effects to rates and charges are identified earlier rather than having large increments occurring on a less frequent basis.
- Financial reporting – this includes reporting to Council on a regular basis for the whole of Council's activities and other reports. Finance now also provides financial reports to the Assets & Services Committee.
- Providing management accounting, reporting, systems and advice which concentrates on improving management's ability to make decisions.
- Ensure adequate internal controls are in place to protect Council's assets, information is reliable and the risk of inappropriate expenditure and revenue loss are minimised.

Resourcing

5. The Finance Department has 18.6 Full Time Equivalent (FTE) staff grouped as follows:
 - Chief Financial Officer – Geoff Blake
 - Financial Services Manager – Chris Lake
 - Rates Team – 2.8 FTE
 - Accounts Payable Team – 3.3 FTE
 - Accounts Receivable Team – 2.5 FTE
 - Financial Reporting and Funding Team – 4.5FTE
 - Systems and Performance Reporting Team – 2.0 FTE
 - Corporate Accounting Team – 1.5 FTE.
6. Previous benchmarking studies have identified that the Department operates with 3-5 staff below equivalent sized Councils. This statistic was confirmed by a restructuring study undertaken by a fellow

Unitary Council, which proposed a staffing level of just under 27, noting that two positions are for a fixed terms of up to 2 years.

7. Resources are also provided by:
- John Patterson – Former Council CFO primarily for the three yearly review of Council’s Development Contribution Policy and to meet the project reporting requirements in regard to Government’s 3-Waters Wellbeing funding.
 - Alison Vile – Former Senior Management Accountant who has extensive knowledge across the whole Finance function and specialist report writing capability.
 - PricewaterhouseCoopers (PwC) – Who provide specialist taxation advice.
 - Bancorp – Who provide specialist treasury and debt management advice and a three yearly review of our tax compliance.
 - Simpson Grierson – Who provide specialist legal advice, particularly in regard to the Local Government and Local Government Rating Acts 2002.
 - Quotable Value who assist in maintaining the integrity of Council’s rating database and undertake triennial rating revaluations.
 - The other major contract is NZ Post for the bulk handling of Rates notices/invoices.
8. With the probability of a change in Government and the repeal of the Three Waters legislation, it is currently considered necessary to increase staff numbers by 1.5 FTEs The increases are 0.5 in transaction processing to collect the additional fees being raised by the Regulatory and Assets and Services Departments and process increased payment volumes. Initially it is proposed to use temp resources to fill this gap.
9. The other increase is for additional capacity within the team. Currently the team is going from one task to the next without the opportunity to implement improvement efficiencies that will benefit not only Finance but the whole of Council. Drawing again from our peer Council, they are proposing an increase of two FTEs with a focus on business automation and finance business analysis.

Options for reducing Levels of Service/Consultants

10. Despite being significantly under resourced compared to peer Councils there is still the opportunity to reduce levels of service, albeit at a risk. Reductions in LoS could occur in consultants.

| Consultant | Current Budget | Possible Reduction | Impact/Consequence |
|-------------------|-----------------------|---------------------------|--|
| Simpson Grierson | 30,000 | 5,000 | This service is on an as and when required basis. Increased risk particularly around rating and the Local Government and Local Government Rating Acts with the increased possibility of an invalid rate. |
| PwC | 12,000 | 5,000 | This is a base service, plus more specialist advice on an as and when required basis. Reductions in this budget would increase the risk of tax noncompliance. |
| Bancorp | 20,000 | 0 | This is an annual contract fee. A reduction is not recommended with the possibly significant increases in debt for IREX and Sounds Roding. |

| | | | |
|-------------------|--------|-------|---|
| Executive Finesse | 20,000 | 5,000 | The three waters contract management could be picked up by internal staff if additional resources are provided, but it must be identified that John is providing a very efficient service and has a good rapport/relationship with Kanoa. |
| S&P Global | 65,000 | 0 | This is a contracted fee for our credit rating. The interest saving by being rated is just under \$340,000 |

Emerging Issues

11. The major challenges facing the Finance team over the near future include:
- Historically there have been almost annual amendments to the Local Government Act which have placed increasing demands on Finance. With the new Government, this trend is more likely to initially accelerate in the near future before optimistically slowing. Responding and submitting as appropriate to future legislative changes will be a first step before subsequent implementation.
 - The “Three Waters” delivery review could have a significant impact on Council, the implications of which need to be fully understood.
 - Commerce Commission and Credit Contracts and Consumer Finance Act (CCFA), which currently treats a Local Authority the same as finance company. An exemption was promised by the previous Labour Government but was unable to be regulated in time.
 - Business Payment Practices Act 2023, which will require Council to report on the time it takes to make a payment. A Local Government Sector exemption is being sought as the intent of this legislation is to assist traders to decide if they want to do business with a particular entity. The theory being that the longer an entity takes to pay its bills the more challenging it is to do business with and the more likely it is to suffer financial difficulties. While some Local Authorities have declared bankruptcies overseas, no NZ Local Authority has gone bankrupt in 150 years.
 - Preparing the 2024-34 Long Term Plan for Council’s consideration and adoption after identifying ways of reducing the financial impact on ratepayers.
 - Obtaining and managing external debt on favourable terms to Council as total debt levels increase, including possibly financing up to \$110M for the Waitohi Picton Ferry Precinct Redevelopment. Sounds Roothing plus CAPEX and maintaining an S&P rating.
 - The impending retirement of senior members within the small Finance team over the next five years and general recruiting challenges for vacancies.
 - Upgrading digital systems, e.g. moving the Finance system to the Cloud, supporting on-line invoicing/payment and emailing of invoices.
 - Coping with the increasing volume of invoicing.

Revenue and Operating Expenditure by Significant Type

| FINANCIAL SERVICES | 2023-24 | 2024-25 | 2025-26 | 2026-27 | 2027-28 | 2028-29 | 2029-30 | 2030-31 | 2031-32 | 2032-33 | 2033-34 |
|-------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's | \$000's |
| Fees | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Refunds (other than rates) | 18 | 19 | 19 | 19 | 19 | 19 | 19 | 18 | 19 | 19 | 19 |
| Sales | 32 | 32 | 32 | 32 | 32 | 32 | 32 | 32 | 32 | 32 | 32 |
| Total external revenue | 51 | 52 | 52 | 52 | 52 | 52 | 52 | 51 | 52 | 52 | 52 |
| Personnel costs | 1,657 | 1,715 | 1,699 | 1,699 | 1,699 | 1,699 | 1,699 | 1,699 | 1,699 | 1,699 | 1,699 |
| Printing & office supplies | 12 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| External support | 76 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 | 85 |
| Internal contracts & recha | 8 | 2 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 |
| Valuation Roll Maintenance | 412 | 436 | 436 | 436 | 436 | 436 | 436 | 436 | 436 | 436 | 436 |
| Audit Fees | 167 | 316 | 316 | 316 | 316 | 316 | 316 | 316 | 316 | 316 | 316 |
| Postage | 67 | 74 | 74 | 75 | 74 | 74 | 75 | 74 | 74 | 75 | 74 |
| Contracts | 72 | 44 | 44 | 79 | 44 | 44 | 79 | 44 | 44 | 79 | 44 |
| Legal | 31 | 31 | 31 | 31 | 31 | 31 | 31 | 31 | 31 | 31 | 31 |
| Audit Expenses - not fees | 21 | 20 | 21 | 21 | 21 | 21 | 21 | 21 | 21 | 21 | 21 |
| Et/pos | 15 | 18 | 18 | 18 | 18 | 18 | 18 | 18 | 18 | 18 | 18 |
| Training Conferences + S | 19 | 18 | 21 | 18 | 21 | 18 | 21 | 18 | 21 | 18 | 21 |
| Projects | 10 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 | 15 |
| Travel and Accommodati | 10 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 | 11 |
| Bank Charges | 14 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Debt Collection | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 | 10 |
| Staff Expenses | 10 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 |
| Advertising Interviews + f | 5 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 |
| Subscriptions | 10 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 | 8 |
| Telephone Tolls Faxes a | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| Fees + Charges | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 | 7 |
| General Expenses | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 |
| Professional Fees | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Information Releases | 6 | 2 | 2 | 6 | 2 | 2 | 6 | 2 | 2 | 6 | 2 |
| Lodged with Court/Costs | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Staff Presentations | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Budget Provision | 14 | - | - | - | - | - | - | - | - | - | - |
| Fees Credit Cards | 2 | - | - | - | - | - | - | - | - | - | - |
| Valuations | 41 | - | - | - | - | - | - | - | - | - | - |
| Total Operating Costs | 2,704 | 2,853 | 2,840 | 2,877 | 2,839 | 2,837 | 2,879 | 2,837 | 2,839 | 2,877 | 2,839 |

12. The department's total budget has increased by \$149,000. Of this the largest increases have taken place in Audit Fees \$149,000, Valuation Roll Maintenance \$24,000. These increases have been offset in part by savings in other areas.

| | |
|------------|--|
| Author | Martin Fletcher, Chief Financial Officer |
| Authoriser | Mark Wheeler, Chief Executive |

12. Combined Sewerage Scheme Rates for the 2023-24

(Clr J Arbuckle) (Report prepared by M Fletcher)

F270-2306

Purpose of Report

1. To correct a small anomaly in the 2023-24 Rates setting process.

Executive Summary

2. 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.

RECOMMENDATIONS

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."*

Background/Context

3. A small anomaly has been identified in Council's Combined Sewerage Scheme rates for the 2023-24 rating year. The Funding Impact Statement (FIS) in the 2023/24 Annual Plan specified that the fixed rates would be \$482 (connected) and \$241 (serviceable), but the rates resolution instead set the rates at \$480 and \$240, respectively.
4. The Council used the annual plan figures when assessing and invoicing these rates. The difference in the total rates that would be collected is \$36,143 (including GST).
5. The rates resolution is the operative action in rates setting, and therefore there has been a legal irregularity in that the assessments/invoices issued by the Council do not match the resolution.
6. There may also be an error in relation to the rates not having been set in accordance with the FIS (section 23 of the Local Government (Rating Act 2002 (LGRA)). The role of the FIS is not to determine the rates but to determine how the rate is calculated. The Council's FIS provides calculation information and makes it clear that this targeted rate is assessed as a fixed amount per separately used or inhabited part of a rating unit on all properties connected or able to be connected to the Combined Service Scheme, with a serviceable property paying half of the connected rate. However, it also states the proposed rates. Compliance with the requirements of clause 20 of Schedule 10 of the LGA 2002 does not require the actual amounts of rates to be stated, but if figures are stated, then the FIS should note that any actual rates in the dollar or fixed rate amounts are indicative only. This is not clear in the Council's FIS.
7. Despite these errors Simpson Grierson consider that even without corrective action proposed in this paper, the legal risk to the Council is minor because the impact is financially immaterial.

8. There is also an audit risk (for example, the annual report may make some reservation about Council's rating system), if the auditors are not satisfied with the Council's proposed solution to address the error.

Options

9. A number of Options exist to address this issue. The first two, while options, are not considered practicable and not discussed further:
- Section 119 LGRA is not an option because a precondition to setting the rate again is that it must not *increase* the amount of rates (which is what would happen in this instance, even if only to the tune of \$2).
 - Section 133 LGRA provides for validation of matters through an Order In Council, but that is unlikely to be an available option here. The Department of Internal Affairs would never agree to an Order in Council for such a minor error that in any event could be corrected by other means.
10. The practicable options are:

| Option | Explanation | Assessment of Risk |
|---|--|---|
| Section 120 LGRA – rates replacement | Rates replacement is a very onerous process involving notification to the Secretary of Local Government of a decision to replace rates, giving public notice of the same and requiring the Council to adopt a rates replacement proposal (requiring specific detail set out in section 123) following the special consultative procedure. | Would address both the audit and legal risk, but the costs of this option may outweigh the benefit in light of the immaterial financial impact of the error. |
| Amend the rate setting resolution relying on section 46 of the Legislation Act 2019 and the Council's standing orders - Preferred Option | <p>Section 46 of the Legislation Act 2019 gives the Council the power to do any act to correct an error which was made in a previous exercise of a statutory power, even though that power can usually only be exercised once. This provision can be used to correct minor errors, and we consider it can be used in this situation in light of the fact the Council consulted on its annual plan, and ratepayers would be expecting to be invoiced for the higher figures. In fact, we expect the community has been paying this rate to date, as if it was validly set and is not aware that there was an irregularity in setting the rate.</p> <p>The process required to use section 46 is the same as for any Council resolution. Because the Council would be amending the existing Rates Resolution (albeit in a minor way), the Council's Standing Orders in relation to revocation/alteration of resolutions should be followed.</p> <p>It would not be necessary for the entire rates resolution to be "restated". The Council could simply alter the resolution by amending the relevant figures to be the same as in the FIS (and more particularly, the assessments).</p> | <p>This should address both the audit risk and any legal risk. It is also the least costly and most straight-forward option for the Council.</p> <p>There may be a risk the auditor will disagree that the errors we have identified are not a minor error that can be corrected using section 46. However, this is unlikely, given the outcome of this option is what ratepayers expected based on the annual plan consultation, and the fact that this is the amount they have been invoiced for.</p> |

| | | |
|---|--|--|
| <p>Issue an amended rates assessment for the lower rates resolution figures, with credits for any overpayment to date.</p> | <p>An amended rates assessment could be issued under section 41 LGRA to align with the rates resolution.</p> | <p>This option does not address the potential difference between the figures in the FIS and the rates resolution. However, the rates assessment is then correct in light of the resolution, which may be sufficient to satisfy the audit risk and would likely address the minor legal risk.</p> |
| <p>Provide a credit to each affected property by either the \$2 or \$1 that they are out, so that the net effect is the correct amount.</p> | <p>This option aligns with the rates resolution, but presumably not the Council's intention which was expressed in the FIS and annual plan consultation.</p> | <p>Does not address the audit risk but would likely address the minor legal risk.</p> |
| <p>Do nothing</p> | <p>The amounts involved for each ratepayer are so small this may be an option.</p> | <p>A no cost option, but will not satisfy the audit risk and would not address the legal risk.</p> |

| | |
|-------------------|--|
| <p>Author</p> | <p>Martin Fletcher – Chief Financial Officer</p> |
| <p>Authorised</p> | <p>Mark Wheeler – Chief Executive</p> |

Summary of decision-making considerations

Fit with purpose of local government

The proposal provides fair and equitable use of the community asset, Te Kahu o Waipuna.

Fit with Council policies and strategies

| | <i>Contributes</i> | <i>Detracts</i> | <i>Not applicable</i> |
|-------------------------|--------------------------|--------------------------|--------------------------|
| LTP / Annual Plan | X | <input type="checkbox"/> | <input type="checkbox"/> |
| Financial Strategy | X | <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 | <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 | <input type="checkbox"/> | <input type="checkbox"/> | X |
| Parks and reserves | <input type="checkbox"/> | <input type="checkbox"/> | X |

This proposal contributes to the LTP / Annual Plan, Social Well-being and Arts & Culture relating to community use and satisfaction of the new facility.

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 funding generated from these charges would generate a very small increase in revenue.

Significance

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

Engagement

A communications plan will be developed.

Risks: Legal / Health & Safety, etc

The recommended option has been recommended by Simpson Grierson and will reduce risk.

Climate Change Implications

There are no climate change implications to this decision.

13. 2024 Council Meeting Schedule

(includes Appendix 13.1)

(The Mayor) (Report prepared by N Chauval)

D050-001-01

Purpose

1. The purpose of this report is to set the attached meeting schedule for 2024 (Appendix 13.1).

RECOMMENDATION

That the meeting schedule for 2024 be approved.

Background

2. The **attached** draft schedule of meetings for 2024 has been prepared for consideration by Council.
3. The sequence of dates is similar to 2023.

Comments

4. Indicative dates have not been listed for Resource Consent Hearings. The Resource Hearings Sub-Committee will be advised by the Hearings Facilitator of any hearing.
5. Standing Committees and Council will all start at 9.00 am.
6. Scheduled Council Briefings will start at 8.30 am and will run to 12.30 pm.
7. Relevant agenda close off dates are indicated.

To Note

8. Members are requested to contact Nicole Chauval or Mike Porter prior to the meeting with any issues over dates so that those issues can be addressed.

Attachments

Appendix 13.1 – 2024 Council Meeting Schedule

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| | |
|------------|--|
| Author | Nicole Chauval, Committee Secretary |
| Authoriser | Mike Porter, Democratic Services Manager |

2024 Council Meeting Schedule

NB: Indicative dates have not been listed for Resource Consent Hearings. The Hearings Facilitator will advise when a hearing is to be held.

All meetings to be held in Council Chambers unless indicated otherwise

Sub-Committee/Working Group meeting dates will be advised as soon as we aware of them.....

| Meeting Date | Agenda Closing Date | Committee/Council Meeting |
|-----------------------------|------------------------|--|
| | | |
| Monday, 8 January 2024 | | |
| Tuesday, 9 January 2024 | | |
| Wednesday, 10 January 2024 | | |
| Thursday, 11 January 2024 | | |
| Friday, 12 January 2024 | | |
| Monday, 15 January 2024 | | |
| Tuesday, 16 January 2024 | | |
| Wednesday, 17 January 2024 | | |
| Thursday, 18 January 2024 | | |
| Friday, 19 January 2024 | | |
| Monday, 22 January 2024 | | |
| Tuesday, 23 January 2024 | | |
| Wednesday, 24 January 2024 | | |
| Thursday, 25 January 2024 | | |
| Friday, 26 January 2024 | | Council Briefing (8.30 am) |
| Monday, 29 January 2024 | | |
| Tuesday, 30 January 2024 | 17 January 2024 | Assets & Services (9.00 am) |
| Wednesday, 31 January 2024 | | |
| Thursday, 1 February 2024 | 17 January 2024 | Environment & Planning (9.00 am) |
| Friday, 2 February 2024 | | |
| Monday, 5 February 2024 | | |
| Tuesday, 6 February 2024 | | WAITANGI DAY |
| Wednesday, 7 February 2024 | 24 January 2024 | Economic, Finance & Community (9.00 am) |
| Thursday, 8 February 2024 | | |
| Friday, 9 February 2024 | | |
| Monday, 12 February 2024 | | |
| Tuesday, 13 February 2024 | | |
| Wednesday, 14 February 2024 | | |
| Thursday, 15 February 2024 | | |
| Friday, 16 February 2024 | | |

| Meeting Date | Agenda Closing Date | Committee/Council Meeting |
|-----------------------------|-------------------------|---|
| Monday, 19 February 2024 | | |
| Tuesday, 20 February 2024 | | |
| Wednesday, 21 February 2024 | | |
| Thursday, 22 February 2024 | 7 February 2024 | Council (Discuss 'Draft' Annual Plan (AP) and Budgets) (9.00 am) |
| Friday, 23 February 2024 | | |
| Monday, 26 February 2024 | | |
| Tuesday, 27 February 2024 | | |
| Wednesday, 28 February 2024 | | |
| Thursday, 29 February 2024 | | |
| Friday, 1 March 2024 | | |
| Monday, 4 March 2024 | | Council Briefing (8.30 am) |
| Tuesday, 5 March 2024 | | |
| Wednesday, 6 March 2024 | | |
| Thursday, 7 March 2024 | | |
| Friday, 8 March 2024 | | |
| Monday, 11 March 2024 | | |
| Tuesday, 12 March 2024 | 28 February 2024 | Assets & Services (9.00 am) |
| Wednesday, 13 March 2024 | | |
| Thursday, 14 March 2024 | 28 February 2024 | Environment & Planning (9.00 am) |
| Friday, 15 March 2024 | | |
| Monday, 18 March 2024 | | |
| Tuesday, 19 March 2024 | 6 March 2024 | Economic, Finance & Community (9.00 am) |
| Wednesday, 20 March 2024 | | |
| Thursday, 21 March 2024 | | |
| Friday, 22 March 2024 | | |
| Monday, 25 March 2024 | | |
| Tuesday, 26 March 2024 | | |
| Wednesday, 27 March 2024 | | |
| Thursday, 28 March 2024 | | |
| Friday, 29 March 2024 | | GOOD FRIDAY |
| Monday, 1 April 2024 | | EASTER MONDAY |
| Tuesday, 2 April 2024 | | |
| Wednesday, 3 April 2024 | | |
| Thursday, 4 April 2024 | 20 March 2024 | Council (9.00 am) |
| Friday, 5 April 2024 | | |

| Meeting Date | Agenda Closing Date | Committee/Council Meeting |
|--------------------------|----------------------|--|
| Monday, 8 April 2024 | | Council Briefing (8.30 am) |
| Tuesday, 9 April 2024 | | |
| Wednesday, 10 April 2024 | | |
| Thursday, 11 April 2024 | | |
| Friday, 12 April 2024 | | |
| Monday, 15 April 2024 | | |
| Tuesday, 16 April 2024 | 3 April 2024 | Assets & Services (9.00 am) |
| Wednesday, 17 April 2024 | | |
| Thursday, 18 April 2024 | 3 April 2024 | Environment & Planning (9.00 am) |
| Friday, 19 April 2024 | | |
| Monday, 22 April 2024 | | |
| Tuesday, 23 April 2024 | | |
| Wednesday, 24 April 2024 | | |
| Thursday, 25 April 2024 | | ANZAC DAY HOLIDAY |
| Friday, 26 April 2024 | | |
| Monday, 29 April 2024 | | |
| Tuesday, 30 April 2024 | 17 April 2024 | Economic, Finance & Community (9.00 am) |
| Wednesday, 1 May 2024 | | |
| Thursday, 2 May 2024 | | |
| Friday, 3 May 2024 | | |
| Monday, 6 May 2024 | | Council Briefing (8.30 am) |
| Tuesday, 7 May 2024 | | |
| Wednesday, 8 May 2024 | | |
| Thursday, 9 May 2024 | | |
| Friday, 10 May 2024 | | |
| Monday, 13 May 2024 | | |
| Tuesday, 14 May 2024 | | |
| Wednesday, 15 May 2024 | | |
| Thursday, 16 May 2024 | 1 May 2024 | Council (9.00 am) |
| Friday, 17 May 2024 | | |
| Monday, 20 May 2024 | | |
| Tuesday, 21 May 2024 | | |
| Wednesday, 22 May 2024 | | |
| Thursday, 23 May 2024 | | |
| Friday, 24 May 2024 | | |
| Monday, 27 May 2024 | | |
| Tuesday, 28 May 2024 | | |

| Meeting Date | Agenda Closing Date | Committee/Council Meeting |
|-------------------------|---------------------|---|
| Wednesday, 29 May 2024 | | |
| Thursday, 30 May 2024 | | |
| Friday, 31 May 2024 | | |
| Monday, 3 June 2024 | | KING'S BIRTHDAY |
| Tuesday, 4 June 2024 | 22 May 2024 | Special Hearing Committee (Hear submissions on 'Draft' AP) (8.30 am) |
| Wednesday, 5 June 2024 | 22 May 2024 | Special Hearing Committee (Hear submissions on 'Draft' AP) (8.30 am) |
| Thursday, 6 June 2024 | 22 May 2024 | Special Hearing Committee (Hear submissions on 'Draft' AP) (8.30 am) |
| Friday, 7 June 2024 | | |
| Monday, 10 June 2024 | 29 May 2024 | Council (Consider submissions on 'Draft' AP) (9.00 am) |
| Tuesday, 11 June 2024 | 29 May 2024 | Economic, Finance & Community - Combined (9.00 am) |
| Wednesday, 12 June 2024 | | |
| Thursday, 13 June 2024 | | |
| Friday, 14 June 2024 | | |
| Monday, 17 June 2024 | | |
| Tuesday, 18 June 2024 | | |
| Wednesday, 19 June 2024 | | |
| Thursday, 20 June 2024 | | |
| Friday, 21 June 2024 | | |
| Monday, 24 June 2024 | | |
| Tuesday, 25 June 2024 | | |
| Wednesday, 26 June 2024 | | |
| Thursday, 27 June 2024 | 12 June 2024 | Council (Adopt AP and set Rates) (9.00 am) |
| Friday, 28 June 2024 | | MATARIKI |
| Monday, 1 July 2024 | | Council Briefing (8.30 am) |
| Tuesday, 2 July 2024 | | |
| Wednesday, 3 July 2024 | | |
| Thursday, 4 July 2024 | | |
| Friday, 5 July 2024 | | |
| Monday, 8 July 2024 | | |
| Tuesday, 9 July 2024 | 26 June 2024 | Assets & Services (9.00 am) |
| Wednesday, 10 July 2024 | | |
| Thursday, 11 July 2024 | 26 June 2024 | Environment & Planning (9.00 am) |
| Friday, 12 July 2024 | | |
| Monday, 15 July 2024 | | |

| Meeting Date | Agenda Closing Date | Committee/Council Meeting |
|---------------------------|-----------------------|--|
| Tuesday, 16 July 2024 | | |
| Wednesday, 17 July 2024 | | |
| Thursday, 18 July 2024 | | |
| Friday, 19 July 2024 | | |
| Monday, 22 July 2024 | | |
| Tuesday, 23 July 2024 | 10 July 2024 | Economic, Finance & Community (9.00 am) |
| Wednesday, 24 July 2024 | | |
| Thursday, 25 July 2024 | | |
| Friday, 26 July 2024 | | |
| Monday, 29 July 2024 | | |
| Tuesday, 30 July 2024 | | |
| Wednesday, 31 July 2024 | | |
| Thursday, 1 August 2024 | | |
| Friday, 2 August 2024 | | |
| Monday, 5 August 2024 | | Council Briefing (8.30 am) |
| Tuesday, 6 August 2024 | | |
| Wednesday, 7 August 2024 | | |
| Thursday, 8 August 2024 | 24 July 2024 | Council (9.00 am) |
| Friday, 9 August 2024 | | |
| Monday, 12 August 2024 | | |
| Tuesday, 13 August 2024 | | |
| Wednesday, 14 August 2024 | | |
| Thursday, 15 August 2024 | | |
| Friday, 16 August 2024 | | |
| Monday, 19 August 2024 | | |
| Tuesday, 20 August 2024 | 7 August 2024 | Assets & Services (9.00 am) |
| Wednesday, 21 August 2024 | | |
| Thursday, 22 August 2024 | 7 August 2024 | Environment & Planning (9.00 am) |
| Friday, 23 August 2024 | | |
| Monday, 26 August 2024 | | |
| Tuesday, 27 August 2024 | | |
| Wednesday, 28 August 2024 | | |
| Thursday, 29 August 2024 | | |
| Friday, 30 August 2024 | | |
| Monday, 2 September 2024 | | Council Briefing (8.30 am) |
| Tuesday, 3 September 2024 | 21 August 2024 | Economic, Finance & Community (9.00 am) |

| Meeting Date | Agenda Closing Date | Committee/Council Meeting |
|------------------------------|--------------------------|--|
| Wednesday, 4 September 2024 | | |
| Thursday, 5 September 2024 | | |
| Friday, 6 September 2024 | | |
| Monday, 9 September 2024 | | |
| Tuesday, 10 September 2024 | | |
| Wednesday, 11 September 2024 | | |
| Thursday, 12 September 2024 | | |
| Friday, 13 September 2024 | | |
| Monday, 16 September 2024 | | |
| Tuesday, 17 September 2024 | | |
| Wednesday, 18 September 2024 | | |
| Thursday, 19 September 2024 | 4 September 2024 | Council (9.00 am) |
| Friday, 20 September 2024 | | |
| Monday, 23 September 2024 | | |
| Tuesday, 24 September 2024 | | |
| Wednesday, 25 September 2024 | | |
| Thursday, 26 September 2024 | | |
| Friday, 27 September 2024 | | |
| Monday, 30 September 2024 | | |
| Tuesday, 1 October 2024 | 18 September 2024 | Assets & Services (9.00 am) |
| Wednesday, 2 October 2024 | | |
| Thursday, 3 October 2024 | 18 September 2024 | Environment & Planning (9.00 am) |
| Friday, 4 October 2024 | | |
| Monday, 7 October 2024 | | Council Briefing (8.30am) |
| Tuesday, 8 October 2024 | | |
| Wednesday, 9 October 2024 | | |
| Thursday, 10 October 2024 | | |
| Friday, 11 October 2024 | | |
| Monday, 14 October 2024 | | |
| Tuesday, 15 October 2024 | 2 October 2024 | Economic, Finance & Community (9.00 am) |
| Wednesday, 16 October 2024 | | |
| Thursday, 17 October 2024 | | |
| Friday, 18 October 2024 | | |
| Monday, 21 October 2024 | | |
| Tuesday, 22 October 2024 | | |
| Wednesday, 23 October 2024 | | |
| Thursday, 24 October 2024 | | |

| Meeting Date | Agenda Closing Date | Committee/Council Meeting |
|-----------------------------|-------------------------|--|
| Friday, 25 October 2024 | | |
| Monday, 28 October 2024 | | LABOUR DAY |
| Tuesday, 29 October 2024 | | |
| Wednesday, 30 October 2024 | | |
| Thursday, 31 October 2024 | 16 October 2024 | Council (9.00 am) |
| Friday, 1 November 2024 | | |
| Monday, 4 November 2024 | | MARLBOROUGH ANNIVERSARY |
| Tuesday, 5 November 2024 | | |
| Wednesday, 6 November 2024 | | |
| Thursday, 7 November 2024 | | |
| Friday, 8 November 2024 | | |
| Monday, 11 November 2024 | | Council Briefing (8.30 am) |
| Tuesday, 12 November 2024 | 30 October 2024 | Assets & Services (9.00 am) |
| Wednesday, 13 November 2024 | | |
| Thursday, 14 November 2024 | 30 October 2024 | Environment & Planning (9.00 am) |
| Friday, 15 November 2024 | | |
| Monday, 18 November 2024 | | |
| Tuesday, 19 November 2024 | | |
| Wednesday, 20 November 2024 | | |
| Thursday, 21 November 2024 | | |
| Friday, 22 November 2024 | | |
| Monday, 25 November 2024 | | |
| Tuesday, 26 November 2024 | 13 November 2024 | Economic, Finance & Community (9.00 am) |
| Wednesday, 27 November 2024 | | |
| Thursday, 28 November 2024 | | |
| Friday, 29 November 2024 | | |
| Monday, 2 December 2024 | | Council Briefing (8.30am) |
| Tuesday, 3 December 2024 | | |
| Wednesday, 4 December 2024 | | |
| Thursday, 5 December 2024 | | |
| Friday, 6 December 2024 | | |
| Monday, 9 December 2024 | | |
| Tuesday, 10 December 2024 | | |
| Wednesday, 11 December 2024 | | |
| Thursday, 12 December 2024 | 27 November 2024 | Council (9.00 am) |

| Meeting Date | Agenda Closing Date | Committee/Council Meeting |
|-----------------------------|---------------------|---------------------------|
| Friday, 13 December 2024 | | |
| Monday, 16 December 2024 | | |
| Tuesday, 17 December 2024 | | |
| Wednesday, 18 December 2024 | | |
| Thursday, 19 December 2024 | | |
| Friday, 20 December 2024 | | |
| Monday, 23 December 2024 | | |
| Tuesday, 24 December 2024 | | |
| Wednesday, 25 December 2024 | | COUNCIL CLOSES |
| Thursday, 26 December 2024 | | CHRISTMAS DAY - OBSERVED |
| Friday, 27 December 2024 | | BOXING DAY - OBSERVED |

14. Decision to Conduct Business with the Public Excluded

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 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. |
| 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) as 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. |

Additional Item for the Council Meeting on 2 November 2023

15. Introduction of Additional Items

(The Mayor)

RECOMMENDATION

That the following additional item be considered (under Standing Order 9.12) for reason of the urgent nature of the business and insufficient time being available to include the item 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
-

Additional Item for the Council Meeting on 2 November 2023

16. Reorganisation of Committees' Chairs and Membership

(The Mayor)

D050-003-04

Purpose of report

1. The purpose of the report is to advise the committee chairs and membership following a reorganisation by the Mayor.

RECOMMENDATIONS

1. That the resignation of Cllr 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 be noted and adopted with effect from 3 November 2023.
-

Background

2. [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.
3. 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.

Comments

4. The Mayor will provide details of the proposed reorganisation of the committee chairs and membership at the meeting.

Please refer to Additional Item (2) – Council Meeting 2 November 2023

ASSETS AND SERVICES COMMITTEE

Chair: ~~David Croad~~ Brian Dawson
Deputy: Jonathan Rosene
Members: Scott Adams
~~Sally Arbuckle~~
David Croad
Deborah Dalliessi
~~Brian Dawson~~
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: ~~Brian Dawson~~ Scott Adams
Members: ~~Scott Adams~~
David Croad
Brian Dawson
Jonathan Rosene
New Zealand Transport Agency representative (Emma Speight)

ROAD NAMING SUB-COMMITTEE

Chair: Deborah Dalliessi
Members: ~~Sally Arbuckle~~
Brian Dawson
Matt Flight
Iwi Representative

Assets and Services Committee Portfolios:

| | |
|--|--|
| Parking | Brian Dawson |
| A&S Finance | David Croad 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 | Sally Arbuckle Brian Dawson |
| Footpaths and Public Conveniences | Matt Flight |
| Property and Development | David Croad |
| Roading and Road Stopping | Brian Dawson Scott Adams |
| Rivers and Drainage | Scott Adams |

ECONOMIC, FINANCE AND COMMUNITY COMMITTEE

Chair: ~~Jamie Arbuckle~~ David Croad

Deputy: ~~Brian Dawson~~ Scott Adams

Members: ~~Scott Adams~~

Jamie Arbuckle

Sally Arbuckle

Allanah Burgess

~~David Croad~~

Deborah Dalliessi

~~Brian Dawson~~

Barbara Faulis

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 Faulis

~~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~~

~~Jamie Arbuckle~~

David Croad

Brian Dawson

Jonathan Rosene

CBD & PARKING SUB-COMMITTEE

Chair: Mayor Nadine Taylor

Members: ~~Jamie Arbuckle~~

David Croad

~~Deborah Dalliessi~~

Brian Dawson

Jonathan Rosene

COMMERCIAL EVENTS FUND SUB-COMMITTEE

Chair: **Jamie Arbuckle Raylene Innes**

Members: **Deborah Dalliessi**

Brian Dawson

Barbara Faulls

Matt Flight

Raylene Innes

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: **Jamie Arbuckle**

Deborah Dalliessi

Brian Dawson

Matt Flight

Raylene Innes

Community Representative

MDC HOLDINGS and MARLBOROUGH AIRPORT LIMITED

Members: Mayor Nadine Taylor

Jamie Arbuckle

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: **Jamie Arbuckle David Croad**

Members: Scott Adams

David Croad

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, ~~Jamie Arbuckle~~ 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 Faulks
Members: Jamie Arbuckle
Sally Arbuckle
Allanah Burgess
Raylene Innes
Ben Minehan
Thelma Sowman
Mayor Nadine Taylor
Rural representative
Iwi representative

ANIMAL CONTROL SUB-COMMITTEE

Chair: Barbara Faulks
Members: Ben Minehan
Thelma Sowman

CLIMATE CHANGE SUB-COMMITTEE

Chair: Gerald Hope
Members: Jamie Arbuckle
Allanah Burgess
Raylene Innes

HEARING COMMITTEE

Chair: Jamie Arbuckle Barbara Faulks
Members: Sally Arbuckle
Allanah Burgess
Barbara Faulks
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
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 Faulks |
| Environmental Health | Thelma Sowman |
| Building Control | Raylene Innes |
| Animal Control | Barbara Faulks |
| Resource Consents | Jamie Arbuckle Barbara Faulks |
| 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)

Additional Item for the Council Meeting on 2 November 2023

17. Delegation of Aspects of the Recruitment Process (but not the final appointment) for the Replacement Chief Executive

(The Mayor)

Purpose of Report

1. The purpose of the report is 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.

RECOMMENDATION

That a panel comprising the Mayor, Deputy Mayor and Chair Assets and Services 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.

Comment

2. Under [S 42\(1\) Local Government Act 2022](#) 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.
3. The Mayor is recommending that a panel comprising the Mayor, the Deputy Mayor and the Chair Assets & Services be given that process step delegation.
4. Further details of those steps will be provided to the meeting and will include, but not be limited to:
 - a) Confirmation of the Candidate Brief following consultation
 - b) Advertising
 - c) Search actions
 - d) Candidate initial screening
 - e) Long and short listing
 - f) Recommended Council selection and appointment process including final interviews.