

**Minutes of a Meeting of the  
Marlborough District Council  
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim  
on THURSDAY 27 FEBRUARY 2025 commencing at 9.00 am**

### **Present**

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

### **Present via Teams**

Cllr D A Dalliessi (from 9.09 am).

### **In Attendance**

Mr J R Boswell (Chief Executive), Mr G K Blake (Chief Financial Officer), Ms J F Johnson (Environmental Monitoring Officer), Ms C L Mark (Solicitor), Mr S W Rooney (Operations & Maintenance Engineer), Mr M W Lucas (Solid Waste Manager), and Mr M J Porter (Democratic Services Manager).

### **Karakia**

The meeting opened with a karakia.

### **Apology**

**The Mayor/Cllr Adams:**

**That the apology for absence from Cllr A R Burgess be received and sustained.**

### **Carried**

## **Cncl-0225-252 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-1224-210 and Cncl-1224-221; and
- The interest as declared under Minute No. E&P-0125-222 (Minute No. E&P-0125-236).

At this point the Mayor advised that Item 11 (Local Water Done Well) would be moved up the order and would be the first item discussed after the Committee Reports.

## **Cncl-0225-253 Confirmation of Minutes** -

**The Mayor/Cllr Croad:**

**That the Minutes of the Council Meeting held on 12 December 2024 (Minute Nos. Cncl-1224-210 to Cncl-1224-223) be taken as read and confirmed.**

### **Carried**

## Committee Reports

### **Cncl-0225-254 Assets & Services Committee** -

Members discussed the minutes of the Road Naming Committee held on 19 December 2024 as recorded under Minute No. A&S-0125-220. The focus on the discussion was on Recommendation 2 of Item 3 (Blue Hills Estate 2022 Limited) in that the name of Road B under Resource Consent U230362 was approved as Chalice Drive. Members agreed to alter the name of Chalice Drive to a geographically correct Lake Chalice Drive, noting that the Developer had verbally agreed to this change with staff.

**Cirs Dawson/Rosene:**

1. That the minutes of the Road Naming Committee held on 19 December 2024 and ratified by the Assets & Services Committee under Minute No. A&S-0125-220, be amended to reflect the naming of Road B under Resource Consent U230362 as Lake Chalice Drive.
2. That the Committee report contained within Minute Nos. A&S-0125-214 to A&S-0125-221 be received and the recommendations, as amended above, adopted.

Carried

### **Cncl-0225-255 Environment & Planning Committee** -

**Cirs Hope/Fauls:**

That the Committee report contained within Minute Nos. E&P-0125-222 to E&P-0125-238 be received and the recommendations adopted.

Carried

### **Cncl-0225-256 Economic, Finance & Community Committee** -

Following discussion on the 'Public Forum', staff were requested to circulate the guidelines for speakers to all elected members.

**Cirs Croad/Minehan:**

That the Committee report contained within Minute Nos. EFC-0225-239 to EFC-0225-251 be received and the recommendations adopted.

Carried

ATTENDANCE: Lorraine Kendrick and Mike Chatterley (Beca) were in attendance via Teams to answer any questions raised.

### **Cncl-0225-257 Local Water Done Well**

**D050-007-001-01**

Members noted that the purpose of the report was to update Council on progress with the Government's water reforms, Local Water Done Well (LWDW), to provide information on the preliminary analysis relating to the Marlborough standalone options, and to identify next steps in the development of the Water Services Delivery Plan (WSDP).

Mr Blake reported that the report provided information on the analysis completed to date on the Marlborough standalone options, with the multi-council option to be reported back to the Council meeting on 3 April 2025. Council's appointed consultants Beca and Martin Jenkins have provided extensive analysis of the current projected water services' financial information, based on Council's 2024-34 Long Term Plan (LTP) with no modification. This analysis does not at this stage differentiate between an enhanced in-house solution or a standalone CCO.

Mr Blake further reported that in summary the analysis shows Council is forecasting deficits across its three waters services due in part to the higher level of depreciation because of the recent valuation uplift; further review of the level of renewals, and overall capital investment programme, is required to appropriately inform the investment programme for the WSDP. This may lead to an amendment to be incorporated into the WSDP

projections; currently three waters debt repayment is supported by income received as a dividend from Port Marlborough as well as river leases. This does not meet the new ring fencing rules and may need to be allocated against non-three waters activities in the future; borrowing for three waters investment is at an elevated level, whilst at a whole of council level (including water services), debt remains stable and within borrowing norms; and whilst three waters affordability levels appear challenging to meet when excluding the port dividend and river lease income, there is a commensurate decrease in ratepayer contributions to other Council activities.

Work is continuing to identify and understand the benefits of a multi-council CCO as well as a standalone Marlborough CCO for the eventual decision-making process on the preferred option. Work is also continuing to develop the consultation approach and process to adhere to the legislative requirements that council must consult on the service delivery model options.

Mr Blake was requested to provide a graph showing the comparison of water charges with and without alternative water sources. *Postscript: this graph was circulated (by email) later in the morning.*

**Cirs Croad/Hope:**

- 1. That Council notes the Local Water Done Well progress update.**
- 2. That Council notes the Local Water Done Well forward work programme.**
- 3. That Council receives the preliminary analysis of the single council analysis.**
- 4. That Council confirms the decision to investigate further an enhanced in-house model together with a single council and multi council CCO (Council Controlled Organisation).**
- 5. That Council confirms the decision to disregard the mixed council / consumer trust and consumer trust owned service delivery models.**
- 6. That Council confirms the decision to consult with the community via the provisions of the Local Government (Water Services Preliminary arrangements) Act Part 3, Section 61-64.**
- 7. That Council confirms the decision to consult on the mandatory component of the plan which outlines the service delivery options; the balance of the plan will not be included.**

**Carried**

## **Cncl-0225-258 Notification of Draft Te Whānau Hou Grovetown Lagoon Management Plan R510-014-021-04**

Members noted that the purpose of the report was to seek approval to notify a draft management plan for Te Whānau Hou Grovetown Lagoon and to establish a Hearing Panel.

Ms Johnson reported that a management plan had been prepared by Te Whānau Hou Grovetown Lagoon Incorporated (the Society) in 2003, and this has guided restoration efforts at the Lagoon since. However, in response to a desire to ensure there is ongoing protection of Grovetown Lagoon and restoration efforts continue, a new management plan has been developed. Council commenced preparation of the new management plan for Te Whānau Hou Grovetown Lagoon in 2021. The public were invited to provide written suggestions/feedback to the Council about development of a new management plan for the area at this time. Feedback from this process and subsequent consultation with iwi and the Society has assisted in preparing the draft management plan.

Members agreed that for consistency purposes that references to the wording “partnership” be amended to the wording “working together”.

**Cirs Adams/Innes:**

- 1. That Council approve, with the amendment that references to the wording “partnership” be amended to the wording “working together”, the draft management plan for Te Whānau Hou Grovetown Lagoon (as available on Council’s website via the following link <https://www.marlborough.govt.nz/your-council/meetings>, named as Separate Attachment 6.1, and filed in CM under Record No. 2536501) for the purposes of public submission.**
- 2. That a Hearing Panel consisting of Councillors Dawson, Hope and Faulls be established to hear submissions and recommend to Council decisions on those submissions.**

**Carried**

## Cncl-0225-259 Trade Waste Bylaw

L150-019-64-01

Members noted that the purpose of the report was to brief Council on the proposed replacement trade waste bylaw for the region and seek approval to commence a special consultative procedure on the replacement bylaw.

Ms Mark (with Mr Rooney assisting) reported that the trade waste bylaw assists with the regulation of trade waste in the Marlborough region. Trade waste means liquid waste, with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial, industrial or trade process, but excludes domestic sewage and greywater. The Tradewaste Bylaw 2011 (2011 Bylaw) came into force on 7 October 2011. The 2011 Bylaw contained rules relating to the regulation of discharges into Council's wastewater system. Council staff reviewed the 2011 Bylaw and recommended replacing the 2011 Bylaw with the revised Draft Trade Waste Bylaw 2025 (the draft Bylaw). The major amendment from the 2011 Bylaw to the draft Bylaw is a new conditional consent required for tanker operators. Minor amendments were proposed to the purpose of the Bylaw, relocation of clauses, addition of a Summary section, amendments to the structure and layout, and amendment to clause 24 (payment and invoicing).

In response to a question, staff advised that Comms to the industry was a priority.

### **Clrs Dawson/Croad:**

- 1. Council determines that without a trade waste bylaw made in accordance with the Local Government Act 2002, the Council have limited powers to regulate trade wastes in the Marlborough region.**
- 2. Council determines that a trade waste bylaw in accordance with the Local Government Act 2002 is the most appropriate way of addressing the perceived problem (regulating trade waste discharge in the Council's wastewater system).**
- 3. That Council adopts and approves the draft Statement of Proposal and draft Trade Waste Bylaw (as available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>, named as Separate Attachments 7.1 and 7.2, and filed in CM under Record Nos. 2536504 and 2536505 respectively).**
- 4. That Council authorises the Council solicitor to make any required minor formatting changes and corrections of errors in the draft Trade Waste Bylaw and draft Statement of Proposal.**
- 5. That a special consultative procedure in accordance with section 87 of the Local Government Act 2002 be commenced, by public notice of the final Statement of Proposal and draft Trade Waste Bylaw on 3 March 2025.**
- 6. That a submission period opens on 3 March 2025 and closes on 3 May 2025.**
- 7. That, if necessary, a sub-committee is formed to hear and deliberate on any submissions made, consisting of a minimum of 3 Councillors to be appointed by the Mayor.**

### **Carried**

## Cncl-0225-260 Waste Management and Minimisation Bylaw 2025

L150-019-W01-01

Members noted that the purpose of the report was to brief Council on the proposed replacement waste bylaw for the region and to seek approval to commence the special consultative procedure on the Draft Waste Management and Minimisation Bylaw 2025 (draft Bylaw).

Mr Lucas (with Ms Mark assisting) reported that the Waste Bylaw 2017 (2017 Bylaw) came into force on 25 May 2017. It contains rules that regulate waste management, including the collection and depositing of waste into Council's waste facilities. Legislative change, kerbside collection changes and potential new waste to energy industries triggered a review of the 2017 Bylaw. Staff determined that the 2017 Bylaw was not fit for purpose and needed to be amended and replaced. The main amendments from the 2017 Bylaw to the draft Bylaw are to provide more flexible rules for Council kerbside collection services, all residents in the designated Kerbside Collection areas have no opt out option and are required to pay for Council's kerbside collection service, provide new requirements for waste management plans so that waste is managed more effectively, allow new rules to address the problems of unaddressed mail and nuisance from litter (including litter around donation boxes for clothing and household goods), allow Council to set standards for collections points for recycling and diverted materials, revise provisions for waste handling and disposal facilities to ensure waste materials are disposed of appropriately, amend licencing requirements for waste operators to enable effective

monitoring of the effectiveness of Council's Waste Management and Minimisation Plan, and introduce Terms and Conditions . Minor amendments were proposed to outdated references, changes to wording to improve clarity and in some cases enforceability, cover the inclusion of the remote transfer station and the changes to the transfer stations, and update definitions to improve clarity and consistency.

Members noted that Comms and education were the key drivers for the consultation process.

**Cirs Dalliessi/Faults:**

1. That Council determines that in the absence of a waste bylaw made in accordance with the Local Government Act 2002, the Council have limited powers to regulate waste in the Marlborough region.
2. That Council determines that a waste bylaw in accordance with the Local Government Act 2002 is the most appropriate way of addressing the perceived problem (regarding otherwise limited powers to regulate the handling of waste Marlborough).
3. That Council adopts and approves the draft Statement of Proposal and draft Waste Management and Minimisation Bylaw (Bylaw) (as available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>, named as Separate Attachment 8.1, and filed in CM under Record No. 2536517).
4. That Council authorises the Council solicitor to make any required minor formatting changes and corrections of errors in the draft Statement of Proposal and draft Bylaw.
5. That a special consultative procedure in accordance with section 87 of the Local Government Act 2002 be commenced, by public notice of the final Statement of Proposal and draft Waste Management and Minimisation Bylaw on Monday 10 March 2025.
6. That a submission period opens on Monday 10 March 2025 and closes on Thursday 17 April 2025.
7. That, if necessary, a sub-committee is formed to hear and deliberate on any submissions made, consisting of a minimum of 3 Councillors to be appointed by the Mayor.

Carried

## **Cncl-0225-261 Approval of Sub-Delegations from Chief Executive & Council to Council Officers**

**L150-003-02**

Members noted that the purpose of the report was for Council to approve the sub-delegations from the Chief Executive and direct delegations from Council to Officers; the table 'Delegations – 2025' being attached to the Agenda.

Ms Mark reported that the Delegation's Register (**the Register**) was approved by Council on 2 March 2023. The sub-delegations need to be approved by Council to allow the respective business units to perform their designated roles.

**The Mayor/Cir Flight:**

**That Council approves the sub-delegations from the Chief Executive and direct delegations from Council to Officers as contained in the table 'Delegations – 2025' (attached as Attachment 9.1).**

Carried

**Cncl-0225-262 MDC Holdings Limited Statement of Intent for the Year Ended June 2026 – Extension of Time**  
**S400-004-004-25**

Members noted that the purpose of the report was to update Council, as shareholder of MDC Holdings Limited, on the preparation and delivery of the draft Statement of Intent for the year end 30 June 2026.

Staff reported that the Board of MDC Holdings are requesting a one month extension for the submission of the draft Statement of Intent (SOI) to Council. This is allowed by the Local Government Act 2002. All other dates for the completion and adoption of the SOI remain as per statutory deadlines.

**Cllrs Adams/Sowman:**

**That Council agree to extend the date for submission of MDC Holdings Limited draft Statement of Intent to 1 April 2025.**

**Carried**

**Cncl-0225-263 Decision to Conduct Business with the Public Excluded**

**The Mayor/Cllr Croad:**

**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)

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.

**Carried**

ATTENDANCE: The meeting adjourned at 10.07 am and resumed at 10.41 am

The meeting closed at 10.44 am.

Confirmed this 3<sup>rd</sup> day of April 2025

**N P TAYLOR**  
**MAYOR**

Record No. 2553857