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## Welcome to our Autumn Edition Newsletter

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*This Resource Consent Team Newsletter provides information to assist those in the industry and their clients with respect to resource consent matters. It is not an exhaustive explanation of the matters that may be covered but a starting point for better understanding. If you seek specific information or advice you should consult a professional for bespoke guidance for your situation, or feel free to contact Council via the Duty Planning service on Council's website.*



### Resource consents are public information

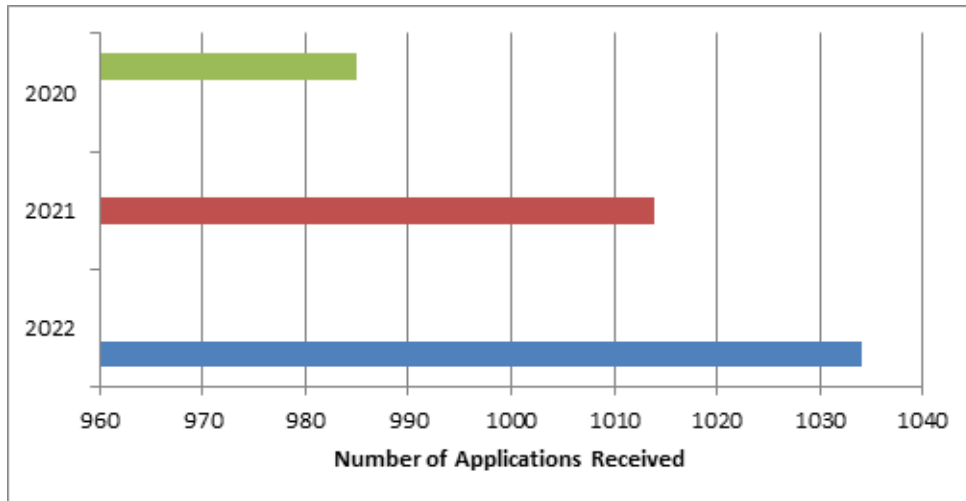
Agents need to advise their clients that once an application has been lodged with Council it is treated as public information and is made publicly available. This practice aligns with central governments commitment to open information, and an increased expectation that local authorities are efficient, and customer focused. Council may in relevant circumstances redact some information if requested for commercially sensitive or safety reasons. The Privacy Act sets expectations about the need to treat personal information with care, which must be balanced against requirements under other legislation to collect and disclose information. Applicants may request that certain personal details are not made public, such as phone numbers and email addresses or personal information included as part of the application process.



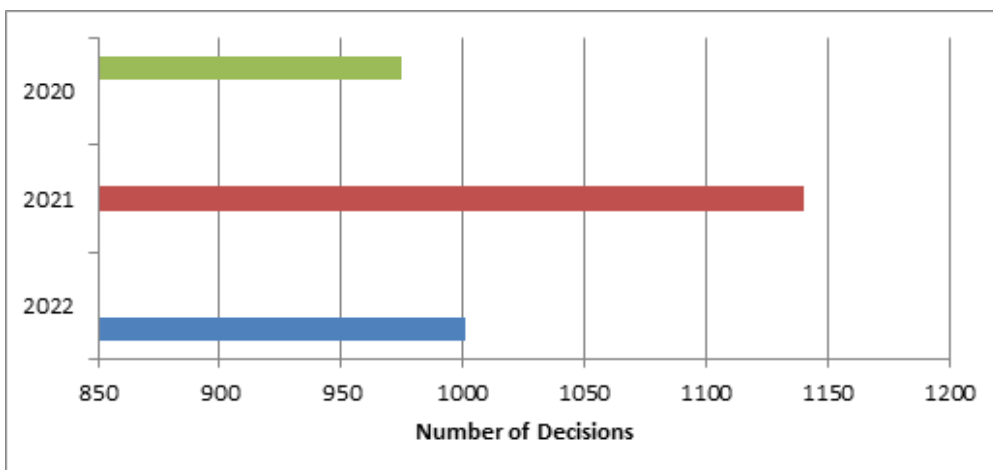
Pollard Park autumn colours.

## What happened in 2022

Despite being impacted by the ongoing effects of Covid-19 the 2022 calendar year was relatively busy for the Resource Consent Team. Overall, the number of applications received was slightly higher than the previous two years. During the 2022 calendar year Council has received 1,034 applications. Of that total, 941 were new applications for resource consent. Council has also received 85 applications for variations to resource consent conditions under section 127, 7 extensions to lapse date under section 125 and 1 objection to conditions under section 357. In the same period in 2021 Council received 1,014 applications and in 2020 Council received 975 applications.



In the 2022 calendar year Council issued 1,001 decisions. Of that total, 904 were for new applications for resource consent. Council has also issued 87 section 127 decisions (variations to resource consent conditions), 9 section 125 (extension to lapse date) and 1 objection to conditions under section 357. In the same period in 2021 Council issued 1,140 decisions and in 2020 Council issued 975 decisions.



## Opportunities in the Marlborough District Council Resource Consent Team

If you have ever considered a career in planning, there has never been a better time to get started. With new legislation on the horizon and changes in the resource management space there are lots of opportunities for planners in central and local government and private consultancies in this challenging and exciting field.

Planning is a profession with a wide range of options to keep the generalist fully engaged and allow those with specific interests to specialise. Planners are best prepared to enter the work force with an undergraduate qualification in planning, resource management, law, or a science for those interested in regional consents such as water, soil and discharges.

Every region in New Zealand operates under a council which requires planners. New Zealand planners are also welcomed overseas and can easily work in the United Kingdom, Canada, and Australia. This means that once you are qualified and have some experience in planning you have lots of flexibility and options available to you.

Planning is a profession that includes people of different backgrounds, genders, and culture. A recent NZPI survey recorded the profession as 41.6% male, 57.8% female and .6% as other gender. Planning is for the community, and this means that diversity and life experience are encouraged. Remuneration for planners is competitive and increases with years of experience and entry to management or specialist roles.

Day to day work involves writing reports, giving presentations, and working with the clients and the community. The work is diverse and interesting, and no application or day is ever the same. The best skills a planner can have to manage their day to day are project management and communication skills.

The MDC planning team currently has opportunities available for graduates, emerging and experienced planners. You will work with a team of supportive professionals in an organisation that offers career and learning development. There is an established pathway with full Council support for staff to develop and achieve recognition as they progress from graduate to senior planner

If you are keen to make a difference by shaping the future and improving the quality of life for the people of Marlborough and protecting and improving our natural and built environment then planning could be the career for you! Contact us if you would like to have a chat about the career opportunities available in this area at Council.



Jasper Lake, Marlborough.

## Permitted Marginal and Temporary Activities

Council can waive the resource consent requirement for 'marginal or temporary' rule breaches under 87BB of the RMA.

To qualify to be a deemed permitted marginal or temporary activity, the activity must meet the following criteria:

- The activity would be a permitted activity except for a marginal or temporary non-compliance.
- Any adverse environmental effects of the activity are no different in character, intensity, or scale than they would be in the absence of the marginal or temporary non-compliance.
- Any adverse effects of the activity on a person are less than minor.
- If these criteria are met, Council can provide written notice to the person that their activity is permitted, and a resource consent is not required.

Information required to be provided:

- Property number.
- Person proposing to undertake the activity (applicant).
- Location of the activity - address and legal description.
- Description of the activity.
- Plan assessment (which Rule or Standard is breached).
- Assessment of Effects – to show that the adverse effects if the proposed activity are no different in character, intensity, or scale than they would be in the absence of the marginal non-compliance.

Currently Council is not charging applicants for Notices of Permitted Activity Status. However, as they do take time and cost the Council to prepare we will be proposing a charge for them from 1 July 2023. The cost proposed is a flat fee of \$200.00

## How can we plan better for the unexpected?

Unfortunately, many of us have been affected by a summer of extreme weather events. Undoubtedly there are more frequent and more extreme weather events, and this is coupled with living in a country that straddles major fault lines with its largest urban areas constructed around volcanoes.

New Zealand is not alone in its vulnerability to natural disasters. There is an emerging international field for planners who are disaster response experts. The key speaker at the NZPI Conference 2023 in Christchurch is Laurie Johnson who is the Chief Catastrophe Response & Resiliency Officer, California Earthquake Authority Principal. Laurie is an internationally recognised urban planner specialising in disaster recovery and catastrophe risk management. She began her planning career working with communities that were struck by the 1989 Loma Prieta earthquake. Since then, she has been involved in post-disaster recovery planning, management and research following many of the world's major urban disasters, including earthquakes in California, Japan, New Zealand, and China. Her work is

detailed in her book, *After Great Disasters: An In-Depth Analysis of How Six Countries Managed Community Recovery* (2017).

The focus of the NZPI Conference 2023 is Rising up to the Challenges that we face in planning for our current and future environments. Her presentation will include key findings on how recovery and resilience planning offer opportunities to improve building construction and design, renew infrastructure, create new land use arrangements, reinvent economies, and improve governance. The key message is that lessons learned from past disasters can help planners develop and implement effective resilience plans ahead of disasters and also be ready to rise to the challenges presented by future disasters. Our next newsletter will include a summary of Laurie Johnson's presentation in Christchurch.

## RC Processing Customer Satisfaction Survey

The RC Team attaches a customer survey to every decision that is issued. To date in the 2022/23 year only 17 customers have responded to the RC processing survey. 59% of the respondents were agents and 41% were applicants.

The types of consents were – 12% Land Use; 6% Land Disturbance, 6% River - surface or bed activity, 47% Coastal Permits - moorings, 12% Coastal Permits - other coastal permit, 6% Water Permits and 6% Discharge Permits – domestic wastewater and 5% Discharge Permits – other.

All our customers who used the online application system were satisfied or very satisfied with using the system.

The respondents who did not use the online application system gave the following reasons for not using the online system:

- 14.3% didn't know about the online system.
- 42.9% found the online system too complicated to use.
- 42.9% find that the online system takes more time than other methods.
- 42.9% were unsure how to use the Council online system.
- 29% had other reasons for not using the online system.

All the respondents were satisfied or very satisfied with the amount of communication received from planning officers. The satisfied customers commented that planning officers were responsive, helpful, gave good advice and direction and that they appreciated being able to review draft conditions. Respondents also provided constructive feedback on their preference for receiving one request for all additional information required rather than receiving multiple requests.

All the respondents found the response to any communication regarding the processing of their consent to be acceptable or above their expectations.

All the respondents found their decision document and all correspondence from the planning officer to be understandable with many of them finding it clearly understood.

All the respondents found the resource consent conditions and what is required to achieve compliance to be understood or clearly understood.

88% of the respondents' applications were not notified; 12% were limited notified and none were publicly notified. All the respondents found the notification decision fully understandable.

None of the respondents attended a pre-hearing meeting or a hearing with a Councillor hearing panel or an independent commissioner. Consequently, there were no responses to the questions about the hearing experience.

All the respondents rated the helpfulness and professionalism of planning officers highly with 62.5% rating them as excellent. The respondents commented that they found the planning team easy to deal with, polite, professional, and pragmatic.

All the respondents were satisfied or very satisfied with the RC Team processing of their application. Respondents commented that they found the process quicker and smoother than expected. Respondents also provided constructive feedback on the difficulty of using the online process for the first time and were unsure if they needed to do anything when they received the section 88 check decision. Issues with using the online system and understanding the automated responses are diminishing as customers become more familiar with it.

None of the respondents asked to be contacted to discuss their consent but all comments and feedback have been taken on board, addressed, and relayed to the relevant staff. The RC Team welcome your feedback to improve process and appreciate you taking the time to complete the survey

## Solid Fuel Woodburners

Now that Autumn is upon us it is timely to remind people of the statutory provisions governing the use of solid-fuel burners in residential households, set out in the [Resource Management \(National Environmental Standards for Air Quality\) Regulations 2004](#) (NESAQ).

Air pollution from particulate matter can affect human health, particularly in terms of respiratory and cardiovascular diseases. In New Zealand one of the main sources of particulate matter of concern is the burning of solid fuel for home heating during winter.

The NESAQ regulates particulate matter with a focus on PM10, and requires Councils monitor for PM10 and report any breaches over and above the levels prescribed in the regulation. It also prescribes how Councils must respond to any breaches in the air quality standards. Additionally, the NESAQ sets a design standard for a woodburner, that it discharges less than 1.5 grams of particles for each kilogram of dry wood burnt.

One of the ways for Council to meet this obligation is to manage the effect of household solid-fuel burners on air quality through the Proposed Marlborough Environment Plan (PMEP). The Plan utilises the “Blenheim Airshed” overlay and applies rules governing the using of small-scale solid fuel burning appliances both outside and within this spatial extent.

The PMEP, Volume 2 Rules, [Chapter 5 - Urban Residential 1 and 2 Zones \(including Urban Residential 2 Greenfields Zone\)](#) provides in Rule 5.1 for the discharge of contaminants to air both outside and within the Blenheim Airshed as a permitted status activity, on the proviso of compliance with the applicable standards set out in Rule 5.3. The standards are tied to the technical requirements related to solid fuel burning appliances set out in Volume 3 Appendices, [Appendix 8 – Discharge to Air](#).

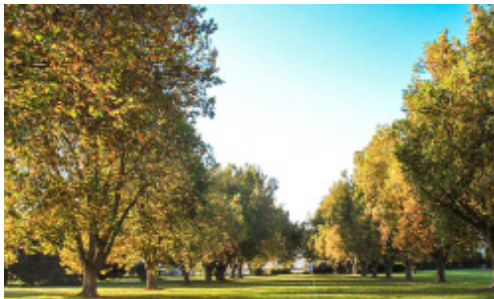
There are parallel provisions in [Chapter 6 – Urban Residential 3 Zone](#).

Within the Blenheim Airshed the standards managing discharge to air of contaminants from the burning of solid fuel are applicable depending on the age of the appliance, when it was installed and the type of appliance. These provisions reflect the obligations established by the NESAQ. The provisions distinguish between appliances installed before and after 9 June 2016.

The Council’s “Blenheim Air Emission Inventory 2022” report recorded a 35% reduction in PM10 emissions since the 2017 air emission inventory. Although a similar number of households are using wood burners in 2022 compared to the 2017, many of those households have since converted to NES compliant burners.

However, there is still around 383 kilograms of PM10 discharged on a typical winter’s day from domestic home heating in Blenheim. Of the households contributing to the average daily PM10 in winter 46% of the appliances were installed between 2006 and 2016 and a further 28% installed pre-2006.

There is still a lot of work to be done to bring these households into compliance with the standards in the PMEP and the NESAQ.



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## Next Issue out 1 June 2023