

File Ref: C135-E03

Ask For: Mike Porter

6 November 2009

Notice of Committee Meeting - Monday 16 November 2009

A meeting of the Environmental Policy Committee will be held in the Council Chambers, District Council Administration Building, Seymour Street, Blenheim on **Monday 16 November 2009 commencing at 1.30 pm.**

B U S I N E S S

As per Agenda attached.

ANDREW BESLEY
CHIEF EXECUTIVE

Marlborough District Council

**Meeting of the ENVIRONMENTAL POLICY COMMITTEE
to be held in the Council Chambers, District Administration Building, Seymour Street,
on MONDAY 16 NOVEMBER 2009 commencing at 1.30 pm.**

Committee	Clr J Bunting (Chairman) Clr F D Maher (Deputy) Clr A D Barker Clr G S Barsanti Clr C R Bowers Clr E I Davidson Clr G A Hope Clr P J S Jerram Clr G Taylor
Departmental Head	Mr F Pauwels (Manager, Environmental Policy Department)
Staff	Kathy Payne (Committee Secretary)

Open Meeting

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1. Iwi Management Plans - Current Relevance and Context and a Pilot Project to Support Second Generation RMA Planning (S360-14/01)

(Report prepared by Francis Pauwels and Ian Shapcott)

Purpose

1. The purpose of this report is to provide a general reorientation about Iwi Management Plans (IMPs) and their context and relevance under the Resource Management Act. The report also introduces a prospective association between the Council and a local iwi, Ngati Kuia, involving a collaborative process around the development of the *Ngati Kuia Iwi Environmental Management Plan - IEMP*.

Representatives from Ngati Kuia will be in attendance to make a presentation about their IEMP and working with the Council.

Background

2. In recent years a number of changing factors have been lifting the profile of IMPs. Changes to the Resource Management Act in 1993 have elevated the statutory importance of IMPs. As Iwi proceed to manage the outcomes of Treaty settlement, IMPs are viewed as a vitally important resource management tool for post-settlement iwi. Most importantly for the relationship between Tangata Whenua and the Council, it is highly desirable that Marlborough iwi can put forward up-to-date IMPs, as a key element to support the review of the Marlborough Regional Policy Statement (Marlborough RPS) and Marlborough's resource management plans - the so-called "second generation plans". Up-to-date IMPs will express the current aspirations of iwi to achieve their own sustainable resource management outcomes. A number of Marlborough iwi have recently expressed their intentions to develop IMPs as soon as practically possible.

Comments

3. Ngati Kuia has approached the Council to work collaboratively on the drafting of the Ngati Kuia IEMP. This is a timely request, given the current review processes, and it provides an opportunity to pilot a partnership process to develop the IEMP and the Marlborough RPS in a way that they can pull together and also complement each other. In this regard, the Council is able to offer a level of in-kind support, to assist with the structural shape of the IEMP, and also to work with the thinking around a level of alignment between the IEMP and the Marlborough RPS.
4. Ngati Kuia advises that:
Our primary focus is on getting our working relationship with the Council right, including consultation processes. The IEMP will focus on key taonga, with Pelorus Sounds being the main focus for this year. It is also important that we don't duplicate any of the Council's strategies but rather compliment them, by focusing on gaps or added value strategies.
5. As well as refreshing the relevance and context of IMPs, the material below is also provided to support the Ngati Kuia presentation. In clarifying the most up-to-date thinking around IMPs and their current statutory position, reference has been made to the **Quality Planning Website** (which is owned and administered by MfE). What follows involves information paraphrased from that source, based upon:

FREQUENTLY ASKED QUESTIONS ON IWI MANAGEMENT PLANS

What is an iwi management plan?

An iwi management plan (IMP) is a term commonly applied to a resource management plan prepared by an iwi, iwi authority, rūnanga or hapū. IMPs are generally prepared as an expression of rangatiratanga to help iwi and hapū exercise their kaitiaki roles and responsibilities. IMPs are a written statement identifying important issues regarding the use of natural and physical resources in their area.

While the Resource Management Act 1991 (RMA) does not define IMPs, it refers to these plans as 'planning documents recognised by an iwi authority'.

- IMPs are often holistic documents that cover more than RMA matters. They may assume a variety of shapes and forms; from formal planning documents similar to council policy documents, to informal statements of iwi policies, or detailed memos or reports.

What is the statutory recognition for an iwi management plan?

The Resource Management Act 1991 (RMA) describes an iwi management plan (IMP) as '...a relevant planning document recognised by an iwi authority and lodged with the council'. Section 2 of the Act defines an iwi authority as 'the authority which represents an iwi and which is recognised by that iwi as having authority to do so'.

IMPs must be taken into account when preparing or changing regional policy statements and regional and district plans (sections 61(2A)(a), 66(2A)(a), and 74(2A)(a)) The RMA is silent on how IMPs are developed, and they therefore assume a variety of shapes and forms.

The RMA establishes three criteria for IMPs to be taken into account when making plans under the RMA; they must be:

- recognised by an iwi authority
- relevant to the resource management issues of the region/district
- lodged with the relevant council(s).

A number of provisions from the RMA provide for Māori interests in resource management. IMPs can assist in implementation of the Act by:

- Guiding councils in giving effect to Part 2, particularly sections 6(e), 6(f), 6(g), 7(a), and 8.
- Informing the preparation or change of regional policy statements and regional and district plans.
- Informing the preparation and assessment of applications for resource consent.

The responsibility for preparing iwi management plans (IMPs) rests with iwi/ hapū, not local authorities.

The IMP should identify the area affected by the plan and state which iwi authority has recognised the plan as a 'relevant planning document' for the purposes of the Resource Management Act 1991 (RMA).

What does an iwi management plan contain?

The contents of an iwi management plan (IMP) will depend on the priorities and preferences of the iwi/hapū preparing the plan. IMPs are often holistic documents that cover more than resource management issues under the Resource Management Act 1991 (RMA). Some IMPs will address economic, social, political and cultural issues in addition to environmental and resource management issues.

Much like council plans, IMPs may include issues, objectives, policies and methods relating to ancestral taonga, such as rivers, lakes, seabed and foreshore, mountains, land, minerals, wāhi tapu, wildlife and biodiversity, and places of tribal significance.

IMPs often detail how the iwi/ hapū expect to be involved in the management, development and protection of resources, and outline expectations for engagement and participation in RMA processes.

At a minimum, an IMP should identify the area of interest (rohe) to the iwi/hapū preparing the plan and state the resource management issues of significance to tangata whenua within that area.

How do I use an iwi management plan?

Iwi management plans (IMPs) are not just about the Resource Management Act 1991 (RMA). They can provide useful insight and information for:

- Councils, in carrying out their powers and functions under various statutes (for example, in preparing Long Term Council Community Plans).
- People considering applying for resource consents or permissions for resource use under other statutes.

IMPs provide a starting point for achieving the purposes of the RMA in relation to recognising and providing for Māori cultural values and interests. In particular they:

- Provide a general understanding of tangata whenua values and interests in the natural and physical resources in a particular area.
- Must be taken into account when preparing or changing regional policy statements and regional and district plans (sections 61, 66, 74).
- Provide a starting point for consultation with iwi and hapū on council plans and policies (Schedule 1 clause 3(1)(d), clause 3B, and clause 3C).
- Provide a starting point for understanding potential effects of a proposed activity on Māori cultural values when making an application for resource consent (section 88 and schedule 4).
- May be cited in submissions and/or evidence relating to applications for resource consent, and decision makers may have regard to IMPs under section 104(1)(c).

In particular, council practitioners can use an IMP to:

1. More effectively understand what is important to iwi/hapū, including matters outside the RMA.
2. Gain a clearer insight into what 'sustainable management' means from a tangata whenua perspective, and how this can be delivered in their region/district.
3. Identify and understand the expectations of iwi/hapū. For example, how they would like to be consulted and on what, and how things of value identified by tangata whenua might be managed both within and outside the RMA framework.
4. Guide a potential applicant for resource consent on what information is required for assessing potential environmental effects, including effects on Māori cultural values (Identify key areas where the capacity and capability of tangata whenua could be enhanced to help manage natural and physical resources).
5. Improve their understanding of the foundations on which relationships between iwi/hapū and local authorities can be fostered and, through this, improve relationships.

What does it mean to 'take into account' an iwi management plan when preparing or changing a plan?

Having identified the relevant factors for decision making, the Courts have held that the obligation to 'take into account' an iwi management plan (IMP) consists of a number of elements:

- weigh the relevant factors being considered
- effect a balance between these factors that is appropriate to the circumstances
- be able to show that you have done so.

What is the role of iwi management plans in the next generation of Resource Management Act plans?

As councils prepare their second generation of district and regional plans and regional policy statements under the Resource Management Act 1991 (RMA), iwi management plans (IMPs) can:

- Help identify the tangata whenua of a region/district and their values and interests.
- Assist the development of more specific plan provisions to better provide for the relationship of tangata whenua with important sites, areas and resources.
- Form the basis for improved relationships between local authorities and tangata whenua consistent with the Local Government Act 2002 and the RMA, in particular clause 3B of the First Schedule introduced by the 2005 amendment.

What do iwi management plans mean for resource consent applications?

Iwi management plans (IMPs) can be used in the resource consent process to:

- Identify the relevant tangata whenua and their preferred method of engagement for potential resource consent applicants.

RECOMMENDED

That the information be received and that the Council proceed to work collaboratively with Ngati Kuia, to assist in the development of the Ngati Kuia Iwi Management Plan.

2. Regional Policy Statement Review - Social Research: Proposed Mātaimai Application - Marine Management Area - for the Marlborough Sounds (R425-02/04/01)

(Report prepared by Ian Shapcott)

1. **A presentation by Angela MacKenzie, social scientist, will outline her Masters of Applied Science Environmental Management thesis, which was supported by the Council, and which will contribute to the review of the Marlborough Regional Policy Statement.**
2. Angela's research focused primarily on a proposed mātaimai application - marine management area - for the Marlborough Sounds (by the Te Atiawa iwi). The study explores how individuals and groups develop points of view and subsequently respond to new forms of marine protected areas, modelled on this particular mātaimai proposal.
3. The Marlborough Sounds are a highly valued entity, particularly locally; esteemed for recreational, commercial and customary purposes. Over the past two decades, or so, changes in land and sea uses have increased the pressure on marine and terrestrial natural resources, contributing to concerns about the loss of fundamental values within the area, and a consequent escalation of tensions over how the Sounds are managed.
4. Because there is a general lack of recent research literature about the social fabric of the Sounds, Angela's research is particularly valuable, in that it covers current stakeholder perceptions and provides an understanding of how individuals relate to the Sounds' environment. The research acts as a vehicle by which to interpret the range of attitudes and values of the stakeholder groups, and adds to our essential understanding about the Sounds' community.

RECOMMENDED

That the information be received.

3. Review of the Marlborough Regional Policy Statement - Update of Progress (R425-02)

(Report prepared by Pere Hawes)

Purpose

1. The purpose of this report is to provide the Committee with an update on progress with the review of the Marlborough RPS.

Background

2. The Council is required to review the Marlborough RPS 10 years after it became operative. The RPS was made operative in 1995 and the statutory review commenced in 2006. Two rounds of public consultation have already occurred and these have confirmed the issues to be included in the draft RPS. The structure and content of the draft RPS have also been confirmed and these matters have been the subject of previous reports to the Committee. Work currently focuses on the preparation of RPS provisions.

Comments

3. The provisions currently being prepared involve establishing objectives in relation to each of the issues, policies to achieve the objectives and methods to implement the policies. Progress on this task is summarised in the table below. Staff from the Regulatory Department and Assets and Services Department have made a significant contribution to this process.

Chapters completed	Chapters nearing completion	Chapters in preparation
Te Tau Ihu iwi	Integrated management	Regionally significant resources
Soil Quality	Use of the coastal environment	Use of the rural environment
Water Quality	Air Quality	Townships and small settlements
Biodiversity and natural areas	Transportation	Allocation of public resources
Energy	Access	Natural character and landscapes
Climate Change	Heritage resources	Natural hazards
Waste	Monitoring	

Focus Groups

4. The Council has previously endorsed the use of focus groups to “test run” the draft RPS provisions. This is on the basis that the greatest flexibility to modify provisions exists prior to notification of the Proposed Marlborough RPS.
5. The focus groups, based on particular resource areas (e.g., freshwater, marine, rural, built environment) or on existing groups (e.g., Iwi Working Group, Sounds Advisory Group, Landscape Group, SNA Group), have now been established and focus group meetings have commenced. The focus groups will continue over the next four to six months.

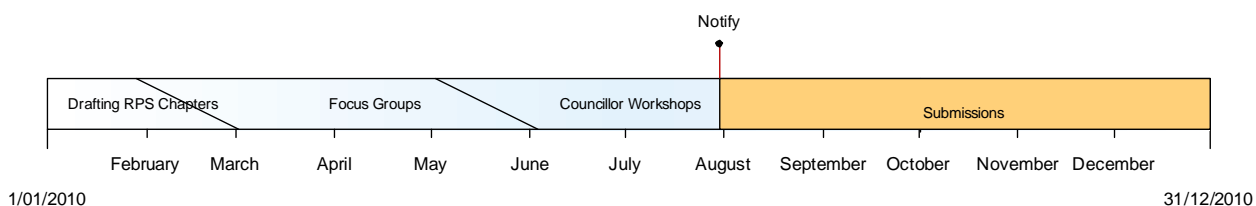
6. There will be a need to reconvene the Iwi Working Group in early 2010 in order to confirm the Te Tau Ihu chapter and for the iwi to consider other draft provisions.

Supporting Projects

7. Many of the RPS chapters still in preparation rely on supporting projects. The following projects are currently underway:
 - Natural character, landscape and amenity values study: A review of the Council’s current management of natural character, landscape and amenity. Targeted completion December 2009.
 - Wetlands inventory: Compiling an inventory of significant wetlands and the threats to those wetlands. Targeted completion December 2009.
 - Water allocation and reallocation: Developing a water allocation framework that enables the reallocation of water amongst water users once full allocation is reached. Targeted completion December 2009. A methodology is being applied to three trial catchments. If successful, this trial will need to be rolled out across the District.
 - Urban Development Strategy: A strategy to guide the development and growth of Blenheim and Marlborough’s other townships and small settlements. Phase 1 (CBD) completed; Phase 2 (Blenheim and South Marlborough) targeted completion December 2009; Phase 3 (Marlborough Sounds) completion date to be confirmed.
 - Current review and update of aquaculture management provisions: Targeted completion December 2009.
 - Groundwater Protection Zones: Development of groundwater protection zones to manage activities in close proximity to community water supply wells that have the potential to contaminate groundwater and adversely affect the quality of drinking water. Targeted completion December 2009.
 - Significant Marine Areas: Identification of significant marine habitats in Marlborough. Targeted completion December 2009.

Timeline

8. The projects described above are fundamental “building blocks” to the review of the Council’s resource management framework. The majority of these projects described above will not be completed until December 2009. Although some drafting can occur as these projects progress, the associated RPS provisions cannot be confirmed until after the completion of the work.
9. Other priority work also arose during the past 12 months which has diverted staff resource from the review. This includes work on worker accommodation issues and a plan change for frost fans, both of which were not originally included on the 2009 environmental policy work programme.
10. Given current progress with the preparation of draft RPS chapters and the supporting projects, the need for focus groups to be held (over a four to six month period), it is anticipated that the notification target will be July/August 2010.
11. A timeline for this process is set out below:



Summary

12. The RPS review is progressing. Draft chapters that have been completed are now to be considered by focus groups. Other chapters that rely on external contracts will be developed as the contracts

are completed. This requires an extension to the timeline for the completion of the draft RPS and the notification of the Proposed RPS.

RECOMMENDED

- 1. That the information be received.**
- 2. That the target date for notification of the Proposed Marlborough RPS will be July/August 2010.**

4. Resource Management (Simplifying and Streamlining) Amendment Act (R425-02)

(Report prepared by Pere Hawes)

Purpose

1. The purpose of this report is to brief the Committee on changes to the Resource Management Act that affect or change the process of plan development.

Background

2. The Resource Management (Simplifying and Streamlining) Amendment Act came into effect on the 1 October 2009. The Act was the first of two phases of the National Government's reform of the Resource Management Act. As the title of the Amendment Act suggests, the objective was to improve processes of the principal Act that were considered to be "burdensome and costly".

Comments

3. The changes introduced by the Amendment Act apply to the resource consent process, making decisions of proposals of national significance, preparing and implementing national instruments, decision making, dealing with matters of trade competition and the establishment of an Environmental Protection Agency. The Ministry for the Environment held a workshop at the Council on the 20 October to outline these changes.
4. Of particular relevance to this Committee are the changes to plan development and change processes. This report provides a summary of those changes.
5. The objective of the Amendment Act in terms of plan development and change processes was to reduce the time and costs of the processes for developing, reviewing and changing plans, while improving the ability of councils to respond to emerging issues. The following are the more substantive changes to the plan development and change processes.

Further submissions

6. Prior to the Amendment Act, any person could make a further submission opposing or supporting an original decision. The Amendment Act constrains the ability to make further submissions to the following people:
 - A person representing a relevant aspect of the public interest.
 - A person who has a greater interest in the proposed policy statement or plan greater than the public interest.
 - The Council.
7. The period for making further submissions has also been reduced from 20 working days to a maximum of 10 working days.
8. In practice, it will be difficult to make a determination that a further submitter does not meet the criteria above. This will probably mean that most further submissions are accepted. The reduction in timeframe may have greater effect in reducing the number of further submissions received.

Decisions on submissions

9. Prior to the Amendment Act, the Council was required to make decisions on all submissions. As submissions were broken down into submission points, this often resulted in individual decisions on each submission point. The Amendment Act provides the Council with the flexibility to group submissions and then make decisions on that collective grouping of submissions.
10. In practice, the Council already groups similar or like submissions in terms of preparing officer reports and to facilitate deliberations. The above change will make the task of preparing decisions simpler and faster, as it will avoid having to make effectively the same decision multiple times for

each submission received. However, under this format there will also need to be care exercised to ensure that there has been a response on all valid submission points within a submission.

11. When notifying decisions on submissions, the Council is now only required to serve notice of the decision on submitters, as opposed to the decision itself. The Council still has to provide a copy of the decision on request. At this stage, it is considered that the Council should, out of courtesy, continue to provide decisions to all submitters. The distribution of decisions does not dramatically increase the time or cost over and above the service of the notice of decision.

Combined planning documents

12. The RMA previously allowed for the production of combined policy statements and plans. The Amendment Act has supposedly made this intent clearer. This includes a clear statement that two or more territorial authorities can co-operate to produce policy statements or plans.
13. Obviously, the Council already has integrated regional coastal plans, regional plans and district plans and is working toward combining the Marlborough RPS and the resource management plans.
14. One of the implications of the Amendment Act is that the Council will now need to clearly identify which provisions are regional policy statement, regional coastal plan, regional plan and district plan provisions. Given that the Council is working toward a combined planning document through its current review processes, it will have to consider how this identification is to be made.

Legal effect of proposed plans

15. Prior to the Amendment Act, unless otherwise specified, plan rules took effect from the date of notification. The Amendment Act has pushed the time at which plan rules take effect out to after decisions have been made on submissions. There are a number of exceptions to ensure that the Council can effectively respond to “goldrush” issues. These include:
 - The rule protects or relates to water, air, soil, significant indigenous vegetation or significant habitats of indigenous fauna, heritage.
 - An application is successfully made to the Environment Court to allow the rule to have effect.

10 year reviews of plans

16. Policy statements and plan reviews are no longer required to be reviewed every 10 years. This is to enable “rolling reviews” to take place over time. This ability does not apply to operative planning documents so the current RPS review must continue.
17. If a provision in a policy statement or plan has not been reviewed within a 10 year period, then a review of the provision must take place. The Council will have to look at its system of recording changes to its planning documents to ensure it complies with this requirement.
18. The Minister for the Environment receives a new power under the Amendment Act to direct that a regional or district plan be reviewed. One of the circumstances that this power may be exercised in is where a territorial authority is not responding to emerging issues.

Trade competition

19. Significant changes have been made to RMA in an attempt to prevent anti-competitive behaviour occurring through plan development processes. This includes preventing trade competitors lodging anti-competitive submissions on plan changes or using surrogates to make similar submissions. In reality, it will be difficult for councils to prove that such activity is occurring. This is possibly reflected in new powers of the Environment Court to declare anti-competitive behaviour and for the High Court to award damages as a result of the behaviour.
20. The Bill considered by the Local Government and Environment Select Committee originally contained proposals to remove the non-complying class of activities in plans and to limit appeals on plan matters to points of law. These proposals were removed from the Bill.

21. The commencement date for the Amendment Act is 1 October 2009. All plan changes notified prior to the 1 October continue to be processed and are determined as if the amendments to the RMA had not been made under the transitional provisions of the Amendment Act. This applies to Variations 42 and 50 to the Wairau/Awatere Resource Management Plan, the plan changes dealing with aquaculture authorisations and the recently notified heritage and frost fan plan changes.

Summary

22. The Resource Management (Simplifying and Streamlining) Amendment Act came into effect on the 1 October 2009. This introduced minor changes to the way in which planning documents are prepared and changed. Council's processes will have to be adjusted to ensure an approach consistent with the new requirements.

RECOMMENDED

That the information be received.

5. Seasonal Worker Accommodation (W045-15-57)

(Report prepared by Emma Richardson)

Purpose

1. The purpose of this report is to recommend plan changes to provide greater certainty to those wanting to provide seasonal worker accommodation within the community.

Background

2. The accommodation of seasonal workers came to prominence as an issue during the 2008 pruning season as a result of complaints from individual residents. The main concerns raised by the residents related to overcrowding and the potential for insanitary conditions.
3. These issues have since been the subject of two investigations, with the subsequent reports considered by the Committee as follows:
 - Issues Associated with Seasonal Worker Accommodation in Marlborough (November 2008), prepared by Wellbeing Works.
 - Seasonal Worker Accommodation in Marlborough Report (August 2009), prepared by Wellbeing Works.
4. The findings of the reports were that, although there were instances of overcrowding, it was not a widespread issue. An increase in the provision of worker accommodation was noted between the 2008 and 2009 pruning seasons.
5. An investigation into the options to manage overcrowding associated with worker accommodation has been ongoing. At its last meeting, the Committee decided to review the Wairau/Awatere Resource Management Plan and the Marlborough Sounds Resource Management Plan to establish the extent to which the provisions provide for seasonal worker accommodation.

Comments

6. A review of the existing provisions of the Wairau/Awatere Resource Management Plan and Marlborough Sounds Resource Management Plan has been completed. This identified that the current planning framework is silent on the activity of seasonal worker accommodation. This situation creates uncertainty as to the status of seasonal worker accommodation and how any proposal for such accommodation should be considered. This is borne out by difficulties processing resource consent applications for seasonal worker accommodation facilities.
7. It is recommended that plan changes be prepared to provide an appropriate planning framework for seasonal worker accommodation. Work has been undertaken on the possible scope of the plan changes and it is proposed that they involve the following:
 - The introduction of a clear definition for seasonal worker accommodation.
 - Permitted and/or controlled activity rules to enable small scale seasonal worker accommodation in either rural or residential environments, provided it does not accommodate for more than a set number of seasonal workers.
 - Discretionary activity rules to provide for medium to larger scale seasonal worker accommodation in either rural or residential environments. A requirement for resource consent would ensure the adverse effects of accommodating a larger number of seasonal workers within these environments are avoided, remedied or sufficiently mitigated.
 - The establishment of an appropriate threshold for the application of the above rules. This threshold should make a distinction between residential scale seasonal worker accommodation and accommodation provided at a commercial scale.
8. The plan changes would only apply to new seasonal worker facilities. Although these plan changes do not directly manage the issue of overcrowding, they do improve the existing situation by

providing certainty as to how worker accommodation is to be considered in a resource management context. This would assist people wanting to build and/or operate new worker accommodation facilities, those neighbouring such facilities and Regulatory Department staff dealing with specific proposals.

9. It would be possible to use the minimum space requirements from the accommodation guidelines as performance standards within the plan changes. This would ensure that minimum standards to avoid overcrowding apply to any new facility.
10. Subject to the Committee's approval, provisions implementing the above direction will be reported to the next Committee meeting. As set out in Agenda Item 4, these plan rules will not take effect until decisions are made on submissions (as a result of the Resource Management Amendment Act). Notification of the plan changes early in 2010 would create the potential for the rules to take effect during the 2010 pruning season.
11. Work is ongoing on other initiatives to improve the standard of seasonal worker accommodation. The results of this work will be reported through to the next Committee meeting.

Summary

12. The Wairau/Awatere Resource Management Plan and the Marlborough Sounds Resource Management Plan are silent on the activity of seasonal worker accommodation. The notification of plan changes to provide for seasonal worker accommodation would create a more certain planning environment for considering specific seasonal worker accommodation proposals in the future.

RECOMMENDED

That the Committee endorse the approach outlined in paragraph 7 of this report as the basis for changes to the Wairau/Awatere Resource Management Plan and Marlborough Sounds Resource Management Plan to provide for seasonal worker accommodation.

6. Family Flats (M135-15-22/W045-15-54)

(Report prepared by Emma Richardson)

Purpose

1. The purpose of this report is to:
 - Inform the Committee of the current issues associated with plan provisions relating to family flats; and
 - To obtain Committee approval to review the Wairau/Awatere Resource Management Plan and Marlborough Sounds Resource Management Plan to define and appropriately provide for family flats.

Background

2. Family flats are currently referred to within both the Wairau/Awatere Resource Management Plan and the Marlborough Sounds Resource Management Plan (the Plans), only in the context that they are not considered to be a 'residential unit'. As a consequence of this, it can be interpreted that the standard rules and restrictions relating to residential units do not apply to family flats.
3. The absence of rules and parameters associated with the construction of a 'family flat' has created an opportunity for those people unable to meet the minimum site area requirements for the construction of a second dwelling on site, to construct the same dwelling as a permitted activity under the descriptor of a 'family flat'.

Comments

4. Repeatedly where a second dwelling unit is constructed under the guise of a family flat, the effects of the family flat are then argued by landowners to be the same as a second dwelling unit. Often, it is then argued by landowners to be a rationale to subdivide the site into smaller land parcels that are unable to meet the Plans' standards.
5. This is having a number of adverse effects on the environment, with adverse effects on amenity being particularly noticeable in residential and semi-residential areas, and adverse effects on character and form being more significant within rural environments.
6. To clarify provisions pertaining to family flats and to ensure rules are consistent with the Plans' objectives, changes to both the Wairau/Awatere Resource Management Plan and the Marlborough Sounds Resource Management Plan are recommended.
7. Plan changes that define and provide for family flats within both the rural and residential environment by placing parameters around what such accommodation would reasonably encompass, are therefore proposed.
8. Plan changes that provide a cascading of family flat activity status from Permitted, Controlled to Discretionary, may be an appropriate means to provide accommodation for dependent family members. This form of plan change would support the establishment of legitimate family flats as being a permitted or controlled activity, whilst providing that the construction of family flats unable to meet controlled activity standards or more akin to second residential unit, as a discretionary activity.

Summary

9. The existing provisions contained within the Plans, in effect, enable the construction of a second dwelling unit of significant size and scale under the descriptor of a family flat, which is leading to unintended and undesirable environmental effects on the amenity and character of both rural and residential areas. The instigation of plan changes is therefore recommended.

RECOMMENDED

That the Council approve a review of the Wairau/Awatere Resource Management Plan and the Marlborough Sounds Resource Management Plan, to define, provide for and set parameters around family flats. This review should ensure that any definitions and provisions recommended are consistent with other plan changes simultaneously under review.

7. Plan Change 15: Oyster Bay - Outcome of Appeal (M135-15-305/07)

(Report prepared by Pere Hawes)

Purpose

1. The purpose of this report is to inform the Committee of the outcome of the Environment Court case Oyster Bay Developments Ltd v Marlborough District Council.

Background

2. In 2006, Oyster Bay Developments Ltd applied for a private plan change to rezone approximately 26 hectares of land at Oyster Bay from Rural 1 to Sounds Residential. This purpose of the application was to facilitate a subsequent residential subdivision of the land.
3. After hearing evidence from the applicant and lay evidence from submitters, the Council rejected the private plan change application in 2007. The main grounds for doing so was that the rezoning would enable a scale of development out of keeping with the surrounding environment. This decision was appealed to the Environment Court by Oyster Bay Developments Ltd.

Comments

4. The appeal of the Council's decision was heard by the Environment Court over a two week period in July and then again in September by Judge Sheppard and two commissioners. Port Underwood Association also took part in the appeal. The Court disallowed the appeal in its decision issued 22 September 2009.
5. In the hearing, Oyster Bay Developments Ltd modified the proposal originally considered by the Council (e.g., reducing the rezoned area but increasing the density of development, including no build zones, moving from on-site management of domestic wastewater to a communal scheme). The Council challenged this modification on legal grounds. The first part of the Court decision covers this jurisdictional issue. The Court found that it could consider the modified proposal.
6. In terms of the merits of the case, the Court found that natural character was determinative of the appeal. The Court weighed up the expert evidence presented by both Oyster Bay Developments Ltd and the Council in this regard. They found that the scale of development that would be enabled by the rezoning would have a significant impact on the natural character of the coastal environment of Oyster Bay by creating (in combination with the existing development) a "settlement". The Court did not believe that such a settlement would be appropriate to the natural form and environmental characteristics of the area.
7. The Council's evidence also highlighted the significant latent potential for residential development in Port Underwood in terms of the existing zoning. In the context of the impact on natural character, the Court agreed with the Council that it was not good planning practice to rezone this land given this latent potential.
8. The Council is currently pursuing costs in relation to the appeal.

RECOMMENDED

That the information be received.

8. Blenheim Urban Design Strategy - Public Consultation (E225-B07)

Report prepared by Neil Henry

Purpose

1. The purpose of this paper is to inform the Committee of the results of the recent public consultation on the Blenheim Urban Design Strategy. A decision is also required as to the location of a new Blenheim i-site due to its potential implications for the design and development of the Alfred St car park building.

Background

2. Environmental Policy Committee meetings on 10 June 2009 and 24 August 2009 received reports detailing the draft and final report from Urbanism+ on the Blenheim Town Centre Strategy. One of the next steps identified was to seek public comments and feedback on a summarised version of the report.
3. The publicised consultation period ran from 3 September until 9 October 2009. A number of submissions were received after this date (those received by 23 October were included in the analysis). The summarised report (circulated at the Environmental Policy Committee meeting on 24 August) was the main means of consultation that focused upon 12 questions around key aspects of the report. People were asked to score from 1 (disagree), 3 (neutral) to 5 (agree). A full report was also available on request with much more detail about proposed projects.
4. The main publicity channels used were:
 - initial press release;
 - weekly feature on Thursday MDC pages in Marlborough Express;
 - paid radio advertising;
 - displays in Blenheim and Picton libraries; and
 - the MDC website
5. Local and national media covered certain aspects of the consultation in some detail, focusing upon issues such as traffic lights, SH1 bypass and the proposed relocation of the Blenheim *i-site*. The timing and content of responses received reflected this coverage.
6. A total of 306 responses in various formats were received. Percentage scores (see **attachment**) were only applied to those responses that had used the summary forms (around 260 of the total). Some people did not tick every box.
7. The report to the 10 June Committee meeting identified that the next steps following the public consultation are to prioritise the recommendations in the Urbanism+ report and to consider the funding options. Results from the public consultation will inform these processes.

Comments

8. Overall, a very positive response to almost all of the proposals was received from the public:
 - A scale of 1-5 was used, where 1 = disagree, 2 = slightly disagree, 3 = neutral, 4 = slightly agree, 5 = agree.
 - Eleven of the twelve questions received a majority 'agree' score (i.e. scoring 4 or 5) of at least 60%. Q11 (footpaths) achieved 76% agree, and Q3 (riverside) and Q7 (trees) achieved 75% agree score. Q11 also scores the **lowest disagree** score (1 or 2) - only 3%.
 - The only area with a majority **disagree** was Q9 (alter the lampposts) which scored 36% disagree (scoring 1 or 2), 35% agree (4 or 5) and 29% neutral (3). Q9 also achieved the highest **neutral** score (29%) of all of the questions.

- The highest **agree** score (5) was Q1 (library relocation to Queen St) achieving 65% agree.
 - The highest **disagree** score (1) was Q9 (alter the lampposts) scoring 31%.
9. Around 40 of the respondees did not use the summary form, and many more people made written comments on the summary form and/or on a separate sheet. These views were captured separately and grouped to identify the most common issues raised. They were not attributed to the percentage scores as these were based around a package of projects (e.g. 'upgrade the street network included traffic lights, signage, diverting SH1, cycle lanes etc).
 10. The main issues raised were:
 - No traffic lights (43 comments)
 - Keep Blenheim *i-site* at its current location (25 comments)
 - Longer SH1 bypass needed than the proposed short route (11 comments)
 - Do not relocate the theatre adjacent to Combined Clubs building (11 comments)
 - Support for co-location of the library and art gallery (9 comments)
 - More trees are a must have (8 comments)
 11. A long list of other comments that could not be grouped has been drawn up. Whilst these are not as many in number as the highlighted grouped comments, they should be reviewed to ensure the most important points are understood and considered in the project development and prioritisation stage.
 12. Council has an allocation of \$1.8 million capital funding for a new i-site building. A decision is required on the location of a new i-site due to the potential implications this could have on the design of the new Alfred St car park building.
 13. The Urbanism + report tested four potential sites for a new i-site and recommended that the proposed Alfred St car park is the best site to deliver multiple benefits to the town. Additional attractions located within the i-site and close to the proposed location, coupled with good pedestrian linkages to town would 'hold' people for longer in Blenheim and encourage greater spending. Furthermore, the report highlighted the importance of an 'active' street frontage for car parks, and an i-site would be an appropriate frontage for the new building.
 14. The operators of Blenheim i-site, Destination Marlborough, submitted that its focus is on the whole of Marlborough region rather than just the town. In regional terms, their view i-site is therefore best located at the highest profile location for passing trade - the interesection of SH1/SH6 on Sinclair St/Boyce St. Destination Marlborough also stated that the operational effectiveness of the i-site may be compromised if moving the centre led to fewer customers. Also, development of other income streams such as a café may not be possible in Alfred St as it would directly compete with similar services close by.

Summary

15. The public consultation for the Blenheim Urban Design Strategy took place from 3 September until 9 October. The consultation was well publicised locally, with some national coverage on specific issues.
16. Over 300 responses were received by 23 October.
17. Overall, a very positive response to almost all of the proposals was received from the public.
18. The most popular proposals related to footpaths, trees, the riverside and relocating the library. The least popular proposal was altering the lampposts.
19. Written comments were also received. The main issues here were: 'no traffic lights' and 'keep Blenheim *i-site* in its current location'.

20. The most immediate issue for Council to decide on is the location of the new i-site as design work on Alfred St car park cannot be completed until the decision is made.
21. A number of other decisions need to be made by Council following the public consultation process so that Blenheim Urban Design Strategy can be finalised. It is intended that a report will be presented to the next Environmental Policy committee on this.

RECOMMENDED

- 1. That the results of the public consultation be received.**
- 2. That the Committee note that a decision is needed on the location of the Blenheim i-site**
- 3. That the Committee note that a report will be presented to the next Committee meeting outlining issues that need to be considered so that the Blenheim Urban Design Strategy can be finalised.**

Blenheim Urban Design Study - public consultation

Final results 3 Sept – 23 Oct 2009

Headlines

- A total of 306 comments were received during the consultation period
- Overall, a very positive response to almost all of the proposals was received from the public.
- Eleven of the twelve questions received an overall '**agree**' score (i.e. scoring 4 or 5) of at least 60%.
- The only area with an overall **disagree** was Q9 (alter the lampposts)
- The highest **agree** score (5) was Q1 (library relocation to Queen St)
- The highest **disagree** score (1) was Q9 (alter the lampposts)

Comments received

- Around fifty of the responses received did not use the summary form, and many more people made written comments on the summary form and/or on a separate sheet.
- These views were captured separately and grouped to identify the most common issues raised. They were not attributed to the percentage scores as these were based around a package of projects (e.g. 'upgrade the street network included traffic lights, signage, diverting SH1, cycle lanes etc)
- A long list of other comments that could not be grouped has been drawn up. Whilst these are not as many in number as the highlighted grouped comments, they should be reviewed to ensure the most important points are understood and considered in the project development stage.

The main issues raised were:

- No traffic lights (43 comments)
- Keep i-site at current location (25 comments)
- Longer SH1 bypass needed (than proposed short route) (11 comments)
- Do not relocate the theatre adjacent to Combined Club building (11 comments)
- Support the co-location of the library and art gallery (9 comments)
- More trees a must have (8 comments)

Other general comments were made about parking, Blenheim School, retail centre, cost, process and other areas.

Consultation methodology

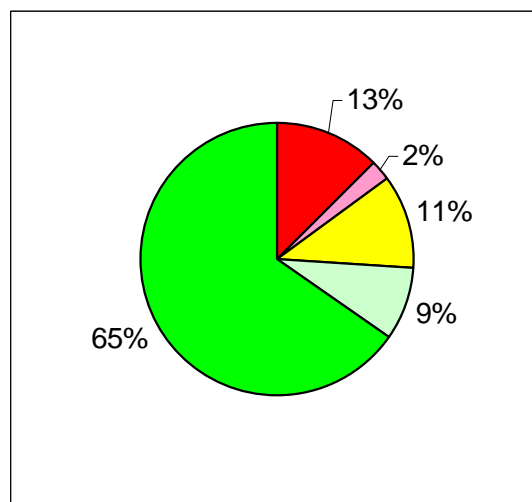
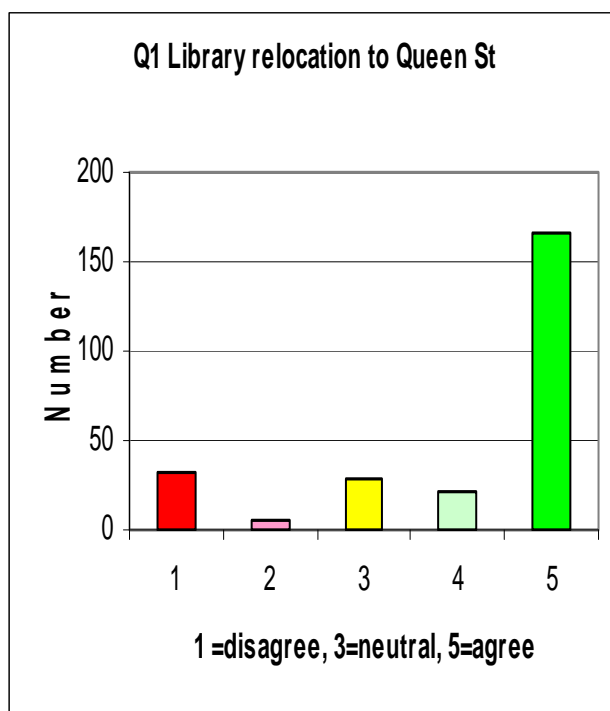
- The publicised consultation period ran from 3 September until 9 October 2009. A number of submissions were still being received by 23rd October.
- A summary report was the main means of consultation which had twelve questions around key aspects of the report. People were asked to score from 1 (disagree), 3 (neutral) to 5 (agree).
 - Q1. Library relocation to Queen St
 - Q2. Art gallery relocation to Queen St
 - Q3. New Riverside parks
 - Q4. Market Place and Bythell Place green spaces

- Q5. *i-site* relocation to Alfred St
 - Q6. Upgrading the street network
 - Q7. Increasing the number of street trees
 - Q8. Bike/walk
 - Q9. Alter the lampposts
 - Q10. Queen St pocket park
 - Q11. Improving the footpaths
 - Q12. Establishing an Urban Design Panel
- A full report was also available on demand with much more detail about proposed projects. Neither report included any indicative project costs.
 - The main publicity channels used were:
 - initial press release,
 - weekly feature on Thursday MDC pages in Marlborough Express,
 - paid radio advertising,
 - displays in Blenheim and Picton libraries, and
 - MDC website
 - A total of 306 comments in various formats were received. Percentage scores (below) were only applied to those responses that had used the summary forms (around 260 of the total). Some people did not tick every box.
 - By 10 October, 1326 downloads were made from the MDC website (note: the report was divided into many sections, so this figure includes multiple downloads by the same person)

Summary form responses

Q1. Library relocation to Queen Street (254 responses)

- Highest agree score of the twelve categories (65% scored 5)



Grouped comments

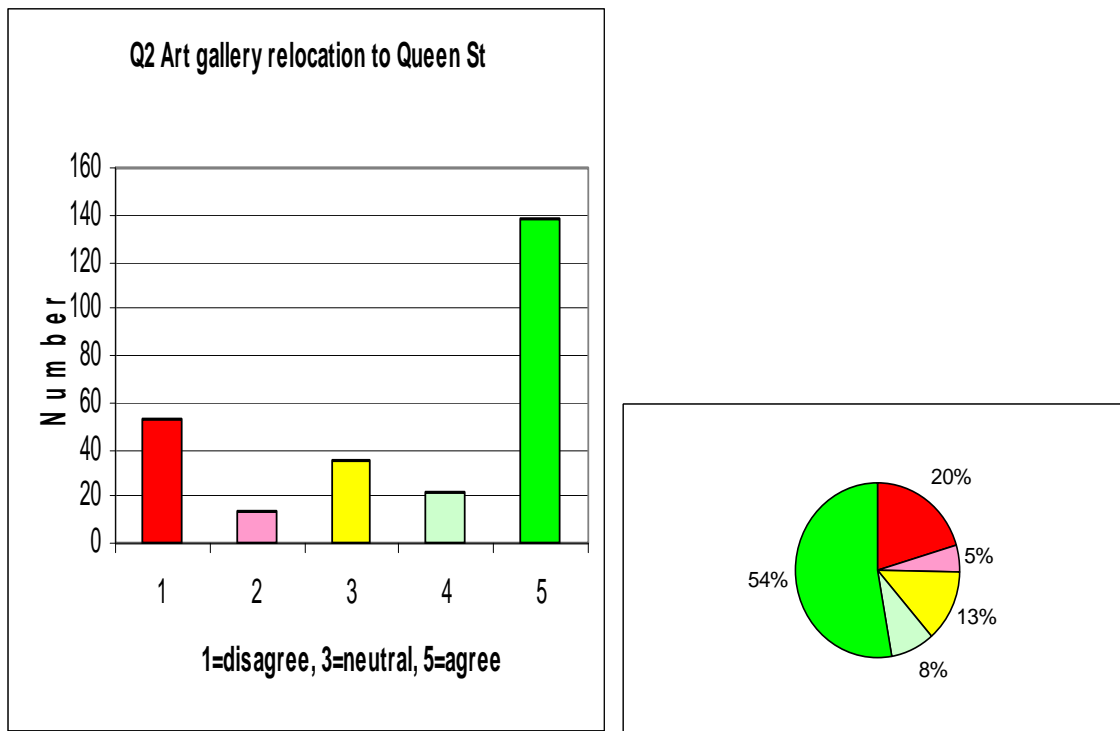
Don't relocate to theatre site	2
Good to centralise	6
Prefer riverside site	2

Other comments

- Site assembly would take too long - library is at full capacity now
- Ratepayers will not like having to buy the Noel Leeming site to accommodate the library
- Library - System of cost recovery from non-ratepayers
- Proposed library relocation to Civic theatre site is excellent, and gallery to same site is also good
- Please design library as well as current building by locating children's section upstairs
- Library/Art centre would be great - J.S.Parker living here - art should be town focus
- If library relocates, need to make best re-use of existing building - would need modifications
- Library/art gallery - cant wait to see that revolting building (Noel Leeming/theatre) be redeveloped into a new library and art gallery
- Library - use Shoe Warehouse/Noel Leeming end instead of theatre (better positioned for sun and north west wind) Large windows on the Queen Street side, include a coffee area. Needs dedicated car parking area.
- Library/art gallery - how will it be funded. Should also be combined with new theatre to help meet costs.
- Alternative library site is Work and Income building on Alfred St
- Library - look at cost, we do not want another rate increase

Q2. Art gallery relocation to Queen St (261 responses)

- Highest number of responses to Q2 of all questions (261 responses)



Grouped comments

Should not be considered	6
Co-location of Library and Art Gallery is good	9

Other comments

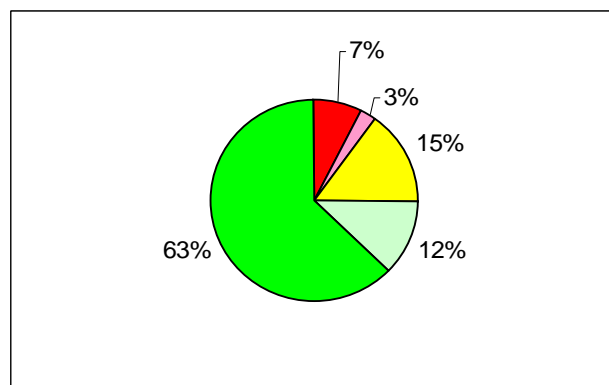
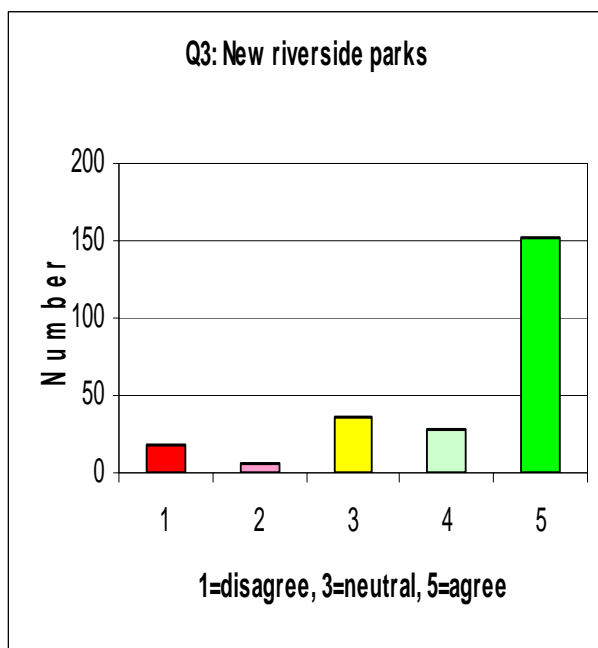
- Riverside location for art gallery
- Gallery weekend opening hours hopelessly inadequate. Marlborough gallery has more visitors with no MDC funding.
- Council should close Millennium gallery and support the Marlborough gallery instead
- The art gallery needs to make provision for local artists to display their work on a regular basis for sale.
- High St gallery is off the beaten track, and shows mainly members work
- Art gallery - present location is appropriate - could be modified to accommodate more items. If it must be moved, then move it to Picton.
- Art gallery have good quality standards not turn into tourist/kitschy shop
- Strongly support the relocation of the art gallery to Queen St - facilitates extra retail spend in the town.
- Art gallery to have enough disability parking right at entrance of gallery. More space for locally approved artists to exhibit.
- Strongly supports proposal to develop new public art gallery - current building is filled to capacity, business has outgrown the building, current location off the beaten track,
- Supports the contents Millennium Art Gallery submission (see line above)
- New building better offers better storage of collections, more space for local exhibitions, better location, shared facilities
- New art gallery should be a low priority - 10 yrs
- Don't relocate library and art gallery to current theatre site
- Site assembly would take too long - library is at full capacity now

Q2. Other comments ctd

- Proposed library relocation to Civic theatre site is excellent, and gallery to same site is also good
- Library/Art centre would be great - J.S.Parker living here - art should be town focus
- Library/art gallery - cant wait to see that revolting building (Noel Leeming/theatre) into new library and art gallery
- Library/art gallery - how will it be funded? Should also be combined with new theatre to help meet costs.

Q3. New riverside parks (244 responses)

- Second highest overall agree score (4 or 5) with Q7 of 75%



Grouped comments

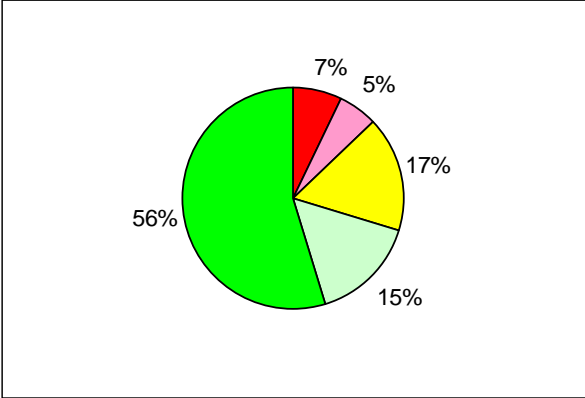
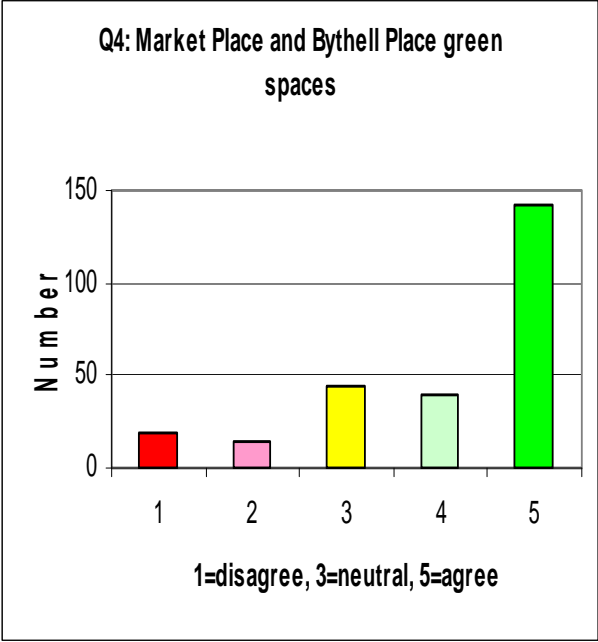
Great idea

6

Other comments

- Don't improve riverside
- Riverside - Gradual slope good for mobility
- More planting on riverside - east of Crinoline Bridge, south bank opposite River Queen, along Taylor river particularly upper High St and Monro St
- Continue to develop Taylor River. Encourage restaurants to be concentrated in one area i.e. river bank or Queen Street.
- We need more grass, and should make more use of the river
- More attention for east bank of riverside
- Riverside - be aware of river flooding issues
- Riverside - make better use of boathouse theatre area, plus more retail and restaurants, but not bars
- No bars on riverside area
- Riverside - revisit proposals by Neil Charles Jones and Sir Michael Fowler - work should be bold and innovative
- Riverside parks, lampposts, footpaths and green spaces to be improved later
- New lighting of trees and river should be low priority, as is laser show.
- Does not support riverside development where flooding is a risk
- Proposal also compromises peaceful river environment, loss of established trees on ground liable to subsidence

Q4. Market Place and Bythell Place green spaces (259 responses)



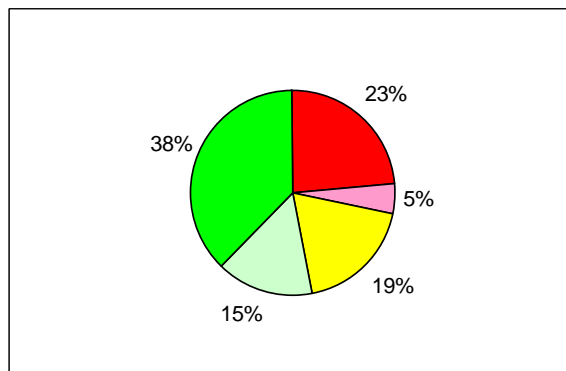
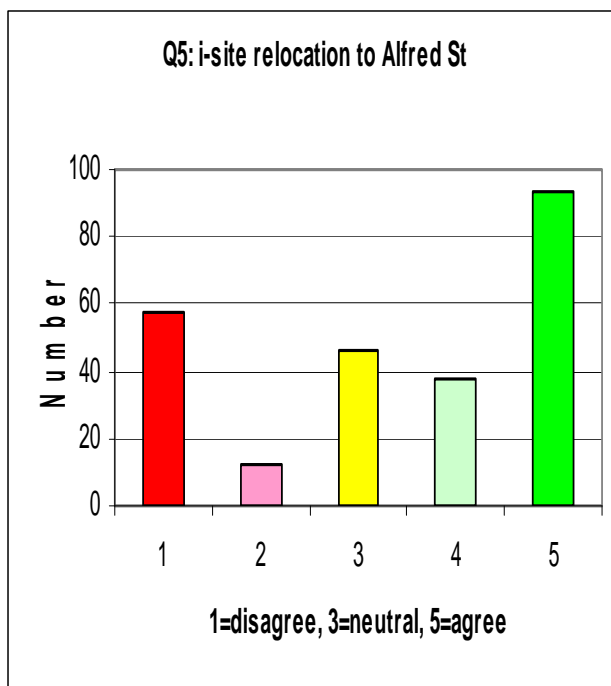
Grouped comments

Will constrain markets 2
 Waste of money 2

Other comments

- Implementation of green spaces should be flexible
- Ensure visibility for vehicles at Bythell Place if works go ahead
- Need to fix or remove Bythell Place fountains
- More green space
- Improving green spaces is not a priority
- Happy with Bythell Place as it is

Q5. *i*-site relocation to Alfred Street (247 responses)



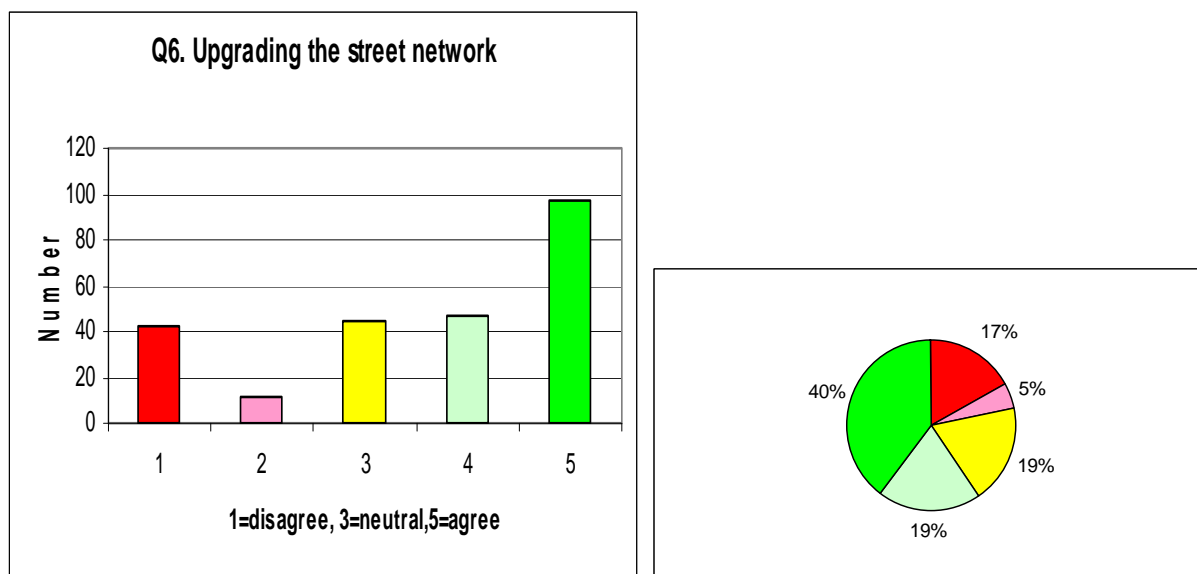
Grouped comments

Proposals are a great idea	7
Keep <i>i</i> -site at current location	25
Upgrade current site	5

Other comments

- Put *i*-site on art gallery site
- Did not know what an *i*-site is, had to look it up
- Keep main *i*-site where it is, put small one at new Alfred St carpark
- Make *i*-site presentable and attractive to the travelling public (on current location). *i*-site not practical in Alfred St with extra traffic being channelled through town
- Move *i*-site across the road to opposite Marl Lines building. Provides a number of design and fit-out ideas to attract people to town from this site.
- If *i*-site moves, use railway station car park for free campervan parking
- If *i*-site is moved close the exiting one instead of retaining as a satellite. Also, good signage will be required to the new one.
- No wine tasting at new *i*-site
- Need to recognise that few *i*-sites make a profit or break-even - need to broaden industry funding eg wineries
- Maybe move *i*-site to riverside
- If *i*-site moves, need to improve current location as it is the first thing many travellers see in Blenheim. May need a shuttle to new *i*-site
- Need good signage for new *i*-site location to work
- Destination Marlborough strongly disagree with moving *i*-site its visibility in current location is key reason, plus parking and transport interchange
- *i*-site should be retained on its current site as Blenheim is not a 'destination' town.
- Proposed *i*-site location also has problems - low volume traffic, little parking for campervans, cars towing boats etc (comment from local international tourism consultant)
- *i*-site - not sure leaving existing *i*-site as satellite office - neither would operate to full potential
- On this site they should relocate theatre, new parking building, mall, *i*-site and bus station - thus multiply enhancing the town

Q6. Upgrading the street network (242 responses)



Grouped comments

No traffic lights	43
Proposed SH bypass good idea	5
Expensive	4
Improve intersections at Nelson St - Boyce St, Batty's Road etc	8
Truck bypass for Blenheim	6
Longer SH1 bypass needed instead	11
No to proposed SH1 bypass (petition type response)	11

Other comments

- Extension of Henry St across the river has got good appeal
- Lights at Market, Main and Maxwell only
- Traffic island at Curry/Nelson St a good idea
- Proposal to move SH1 closer to residential area near river should not be included in the new draft
- Proposal also compromises peaceful river environment, loss of established trees on ground liable to subsidence
- Make area next to the rail station a park, which shops and coffee houses
- Lights at post office only
- Take ownership of Blenheim school and swing the road directly towards Alfred and Seymour St intersection and create a pedestrian precinct between Clubs/Criterion
- Put multi storey behind Criterion for theatre and town patrons
- Proposed SH1 bypass would make use of Boathouse Theatre untenable for productions – alternative route required
- Look at intersection of Kinross and Redwood St – maybe block off back entrance to The Warehouse
- No traffic lights yet, people should find an alternative route if town is busy
- Town copes well without traffic lights
- Will increase traffic jams
- Look at positioning of pedestrian crossings in Blenheim
- Grove Road bridge needs widening, no mention of this in the Plan

Q6 other comments continued

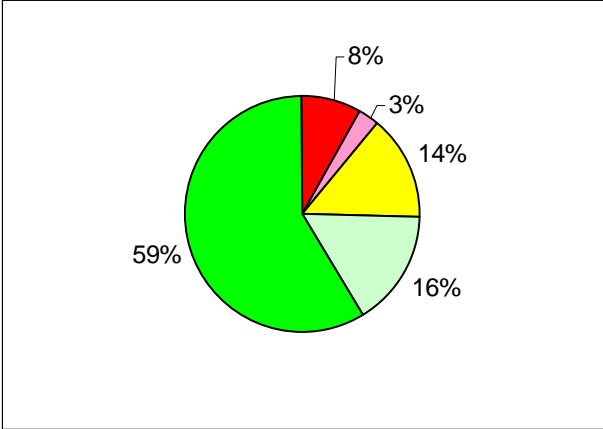
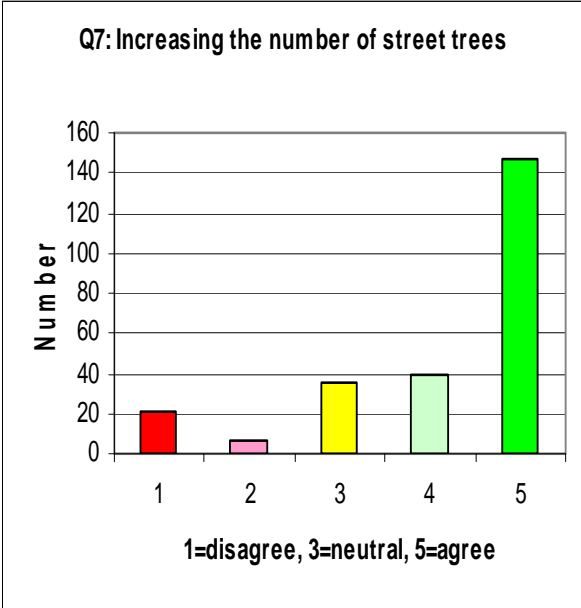
- If traffic lights are installed then a traffic flow control system must be co-ordinated across

the town.

- Only traffic lights at Scott St, Main St, Maxwell road and Market St intersection
- No need for Henry St bridge
- Simple, accessible wayfinding is also essential
- Make Henry St into another semi-ring road as far as Nelson St junction.
- Enlarge some roundabouts
- Do not extend Queen St northwards
- Grove Road bridge should be widened
- Dedicated cycle lanes/share with pedestrians. Improve provision for cyclists in town i.e. Timaru cycle lanes. SH1 crossing for pedestrians including schoolchildren especially near Lucas Street.
- Traffic flow - Concerned about traffic flow on SH1 if traffic lights are installed. Redwood Street roundabout to a signalised intersection. Sinclair & Redwood streets flow without having to cross railway line. Close off Park Terrace. Move Symond Street/Main Street roundabout. Parking restrictions.
- Wayfinding is top priority, Civic buildings located in key locations throughout town centre.
- Cycle lanes - shared berms for pedestrians/cyclists
- Traffic - does not agree with assertions in report about flows, or how lights will improve situation. Suggest changes to roundabouts and pedestrian crossings
- Suggests an improved layout to Main St/SH1 'eggabout', and to a legible ring road using a different colour. Take out blue poles as they are confusing
- Need to widen Opawa bridge - it is an embarrassment. Only install traffic lights if it will improve traffic management - not a civic decision
- Cycle lane over Hutcheson St bridge is not supported - many cyclists are schoolchildren who would be directed onto a main town arterial. Use Henry St bridge instead.
- Short SH1 bypass is putting a band aid on our problem
- Need to improve Grove Road bridge
- Create bypasses on SH1 and SH6 (maps supplied)
- If i-site is moved close the existing one instead of retaining as a satellite. Also, good signage will be required to the new one.
- Need good signage for new i-site location to work
- Developing 2-6 Horton Street into a community based facility and have received a PIM report and will apply for a building permit. The proposed road change (short SH1 bypass) will completely destroy our property and community facilities and is not acceptable.

Q7. Increasing the number of street trees (251 responses)

- Second highest overall agree score (4 or 5) with Q3 of 75%



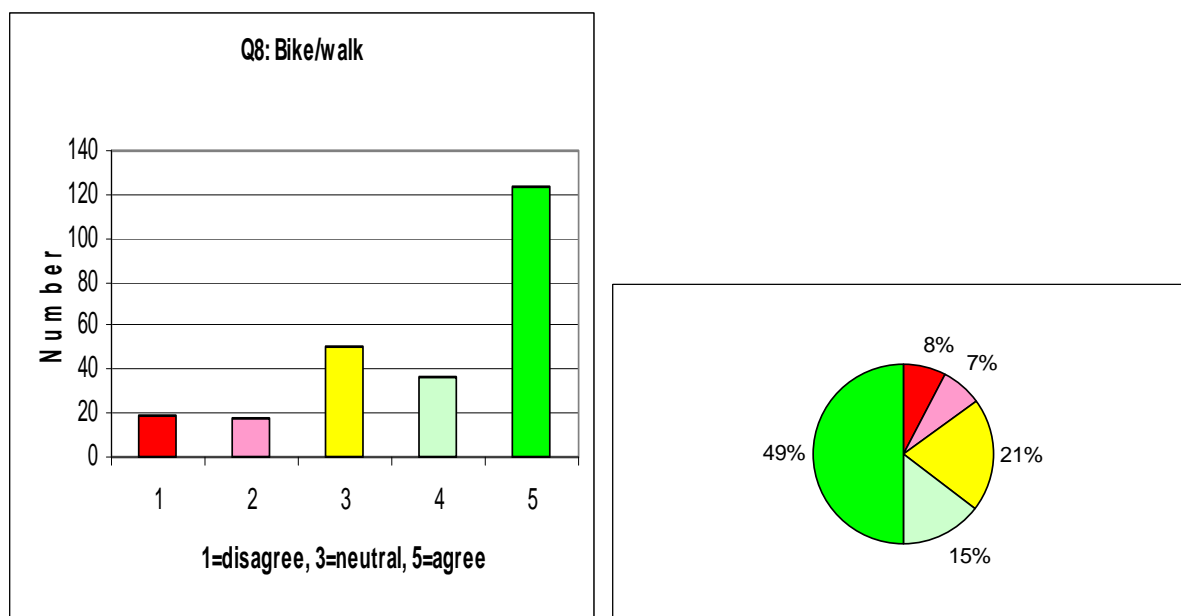
Grouped comments

More trees a must have	8
More evergreen trees	3
Leave palm trees	2

Other comments

- New trees should not be at the expense of parking
- More non-native trees
- Street trees - need to fix the pigeon problem first
- Trees - leaves on pavements are dangerous as they are slippery for young and old. Pigeons also a problem.
- Trees - good idea, but more staff will be needed to clear up autumn leaves
- Town needs heaps of trees - riverside, approaches to town
- Vandals destroy trees, and new footpaths would have to be dug up - do not support this proposal.
- Preserve heritage buildings and trees

Q8. Bike/walk (248 responses)



Grouped comments

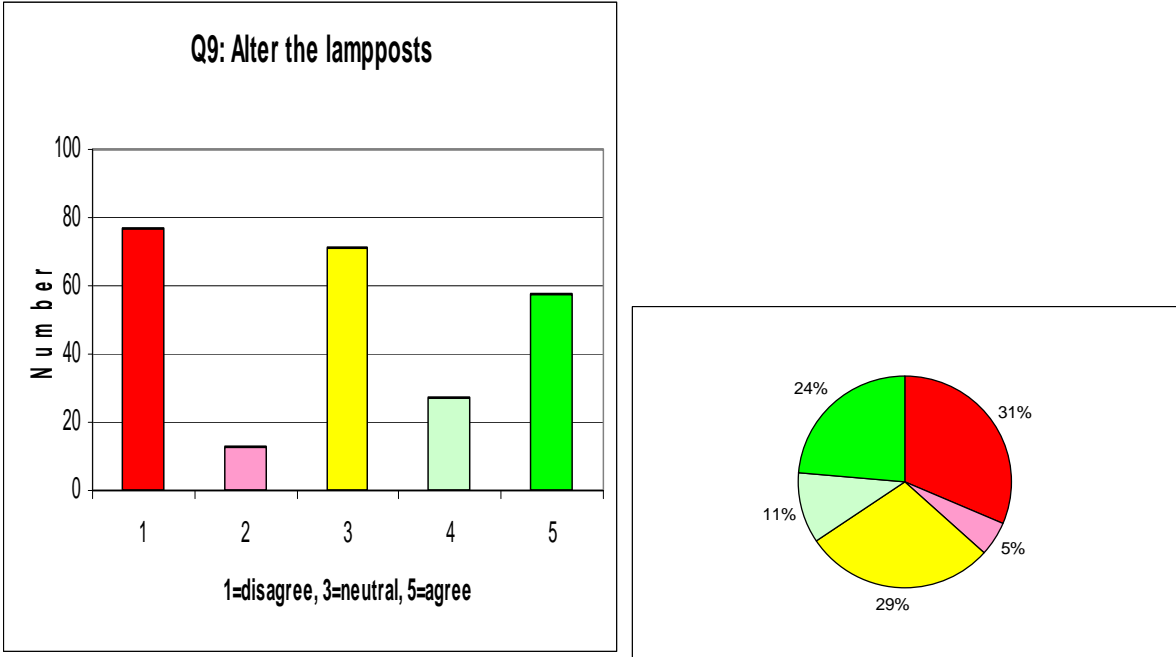
None

Other comments

- Further develop cycle routes, develop cycle hub
- Suggested cycle route needs revision
- Improve cycle lanes in rural areas only
- Few cyclists use the existing cycle paths in Redwood St
- Cycle/walk facilities must be planned, designed & constructed to improve and encourage active transport. More links to Taylor river
- Dedicated cycle lanes/share with pedestrians. Improve provision for cyclists in town i.e. Timaru cycle lanes. SH1 crossing for pedestrians including schoolchildren especially near Lucas Street.
- Cycle lanes - shared berms for pedestrians/cyclists
- Cycle lane over Hutcheson St bridge is not supported - many cyclists are schoolchildren who would be directed onto a main town arterial. Use Henry St bridge instead.

Q9. Alter the lampposts (246 responses)

- Only category with an overall majority disagree (1 or 2) score (36%)
- Highest disagree score (1) 31%, and highest neutral score 29%



Grouped comments

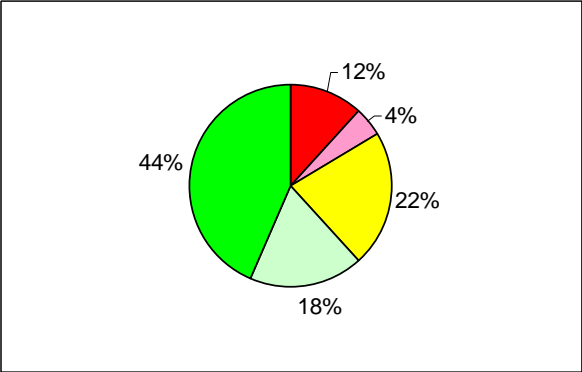
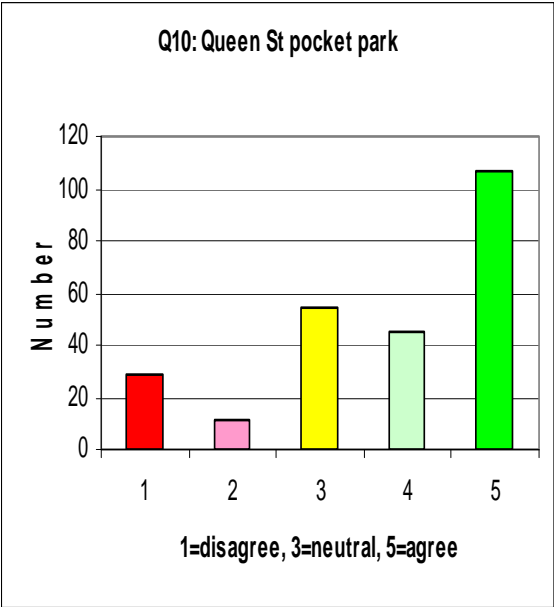
Don't alter lights	6
Prefer option 3 (new tops and integrated seating)	2
No seats	2

Other comments

- Lampposts - option 1 preferred (same design, change colour coding)
- Lampposts - just remove lanterns
- Replacing the lampposts are not a priority
- Retain arches as well as lampposts, change colour if you wish
- Lampposts - prefer a traditional design like they have in Nelson
- Lampposts - use downlights
- (Marlborough Lines) Lamps within lampposts will need replacing soon. Bespoke design causes problems when replacing.

Note: Marlborough Lines comments that the lamps attached to the lampposts will need replacing soon as they leak and often cause faults. Bespoke design of lamps causes problems with replacements. (An appropriately designed 'off the shelf solution' could be the answer).

Q10. Queen St pocket park (246 responses)



Grouped comments

No buildings on the park

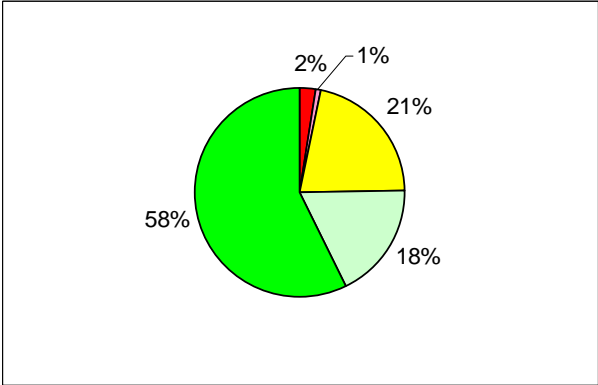
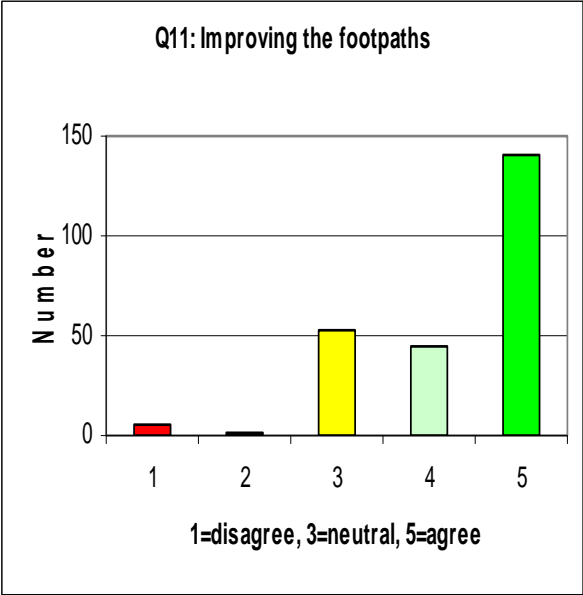
3

Other comments

- Close Charles St to create bigger courtyard for gallery with new pocket park, and bigger market area
- Pocket park - only after Alfred St car park is complete
- Retain Queen St 'pocket park' as a car park

Q11. Improving the footpaths (247 responses)

- Highest overall agree score (4 or 5) of 76%
- Lowest overall disagree score (1 or 2) at 3%, and disagree score of 2%



Grouped comments

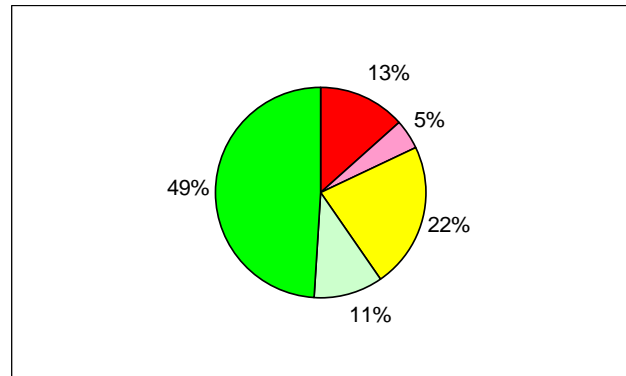
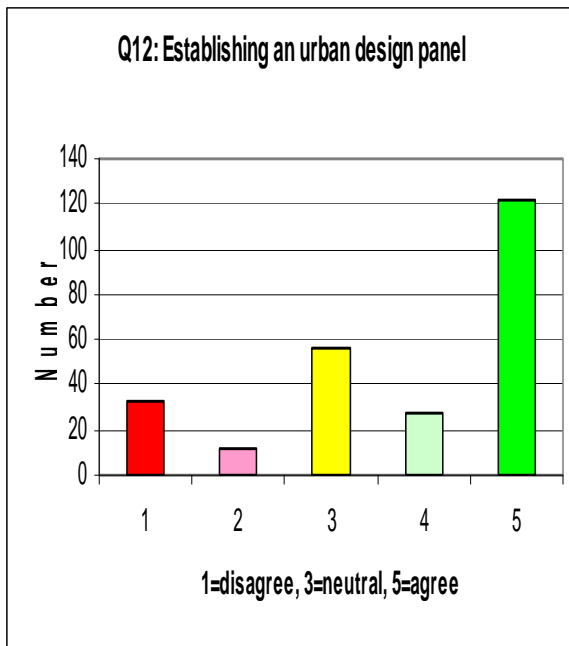
Fix non CBD footpaths

2

Other comment

- Fix footpaths

Q.12 Establishing an urban design panel (250 responses)



Grouped comments

Not required, adds to cost and process

3

Other comments

- Urban design panel - include people with track record and common sense
- Urban design panel - add ratepayer representative
- Urban design panel - more jobs for the boys and girls
- Urban design panel should be advisory only
- What is the cost of the Urban Design Panel?
- Comments about urban design panel (little changes made as a result, increases consent time) and guidelines (apply different criteria for edge of town drive thru)

Other comments received

A number of other comments were made that do not relate to previous categories. Some comments are repeated as they relate to more than one area.

Relocation of theatre

- Siting the new theatre next to the RSA could have very negative visual impacts for the approach to the CBD, will block views of and access to the river.
- New theatre should be built at 2 High St, not car park. Pictures a mini Sydney Opera House making full use of natural surroundings
- Better choice of location for theatre than alongside the Clubs building
- 100% against the siting of the theatre on the Clubs site
- Put the theatre by the clubs of Marlborough
- On this site they should relocate theatre, new parking building, mall, i-site and bus station – thus multiply enhancing the town
- Proposed theatre not to be built next to the RSA (have they not lost enough already?)
- New theatre (if needed at all) to be built on existing site or on land the Council have bought in High St. As regular users of the theatre we have seldom seen the theatre full to capacity
- Ratepayers don't want a new Civic Theatre and all the rest of the 'hair brained' ideas they dream up
- The Civic theatre should not go alongside Clubs of Marlborough – shut out the view, people with disabilities who need clubs carpark. Civic Theatre in Alfred Street.
- Don't put new theatre at Convention Centre site, what's wrong with old Clubs site for this use?
- Civic Theatre should not go next to Combined Clubs – suggest over the tracks if it has to be moved.
- Don't move theatre to combined clubs site – insufficient parking there already
- New theatre – proposed design would impact on clubs and sunstrike could be a driver hazard. Would increase clubs heating costs due to shadow
- New theatre – proposed design would impact on clubs and sunstrike could be a driver hazard – why not shift to High St next to river?
- New theatre OK next to clubs – need covered walkway from Alfred St car park
- Resiting of Civic theatre – Council needs to take more time and either convince the public the site by the Clubs Marlborough is the best or find a better site.
- Get a quote to repair theatre roof – it's a good, central venue and is not often full

Retail centre

- Queen St Noel Leeming – support removal, but should try to retain as a retail site
- Blenheim needs a theme, and rigorous standards of building design in CBD
- Get food outlets to neighbour up and make use of the forum area with outside seating, shift other retailers to alternative sites
- More attention for Market St required, recent revamp has not been a success.
- Create a mall through the centre of Market St from Maxwell Road through to Alfred Street
- Concentrate market activity at Market Place
- I like the idea of holding markets in Market Square
- Queen St-Market St pedestrian only
- Ensure plenty of seating in the shopping area. Current seating could be extended.
- More shops needed in the CBD to encourage people who currently travel to Nelson and Christchurch
- Use vacant shops to display details about activities in Blenheim
- Queen St-Market St pedestrian only
- "The Forum" needs to be changed to 'Market Place'.
- What are the plans for the current Farmers building when it is vacated? – it could become a huge white elephant
- Markets in town centre a good idea.

Retail centre comments ctd:

- We need to be quite definite about creating a more appealing town centre and perhaps take some bolder moves to create identity
- Market street needs to be more vibrant – more accent on street market style – more relaxed environment for shoppers.
- More town centre markets and events needed.
- Blenheim lacks quality and variety of shops. Real estate offices break up the continuity of the shopping centre too much.
- Market place – concerned raised areas will restrict space for concerts etc. Also not a high priority.
- Pedestrianise Market St (except deliveries) and make it a pedestrian mall
- Standard of buildings in town is poor and shabby, Council needs a carrot and stick approach to improve
- Markets in town ran at a loss
- Small group congregation points should be a high (not medium) priority, put at Farmers building
- Support out of town shopping, if CBD rents drop this is good as it may encourage high quality, low volume boutiques

Cost

- No to everything. Where is the money to come from? Many ratepayers DO NOT have any extra money
- Assess the economic climate carefully before proceeding, all plans should be on hold in the current environment
- Council's biggest problem is living within its income
- The poor ratepayers are going to find it difficult now, with unnecessary building of the new Civic Theatre and building of swimming pool
- We pay too much in rates now, stop spending on upgrades. Have a postal referendum for things like this. Read letters to the editor in the Express
- Purchase of theatre site is central to Library/Gallery plans in Queen St – this is costly, who pays?
- Total project should be put forward as a package with timeline – no cherry picking. Funding by intergenerational equity is fair for these projects.
- Council likes the idea to relocate library and art gallery to theatre site as it takes away the problem of buying the current theatre from the theatre trust
- It is never cheaper to do than now
- Concerned about the cost of these projects. Council should focus on basics first
- Council should not be prioritising theatres and galleries before the district's core infrastructure is up to scratch
- Ratepayers will not like having to buy the Noel Leeming site to accommodate the library
- Library – System of cost recovery from non-ratepaying users
- Library – look at cost, we do not want another rate increase
- What is the cost of the Urban Design Panel?
- Spend money on water and sewage before superficial facelifts to town centre

Process

- Congratulate MDC for its vision in developing the strategy, very impressed with Urbanism plus
- Could local firm/Council staff undertaken this work more cheaply with better local knowledge?
- I would prefer a face to face interview rather than a written response
- Disagree with use of out of town consultants – mentioned previous projects using outside consultants – Boulder bank and Berlin wall

Process ctd:

- I attended the presentations made to community - plan is well thought, researched, clever and forward thinking
- We know what is wrong with the town. Listen to local people rather than spending money on Auckland planners.
- Report has much jargon, does not source where views come from, the goals are nebulous. Inquiry by Design is prescriptive, constrain outcomes, and begin with set themes
- Many initiatives are grab bags without idea of cost, demand or ability to implement.

Blenheim school

- If Blenheim School closes try to retain the buildings - craft shop, market on the grounds, or wine planting and sales
- Council should purchase Blenheim school site
- Oppose retention of Blenheim school exclusively for Maori use
- Leave Blenheim school alone
- Leave the Blenheim School - it's history and needs to stay
- Take ownership of Blenheim school and swing the road directly towards Alfred and Seymour St intersection and create a pedestrian precinct between Clubs/Criterion

Parking

- Need more disabled car parks, especially on Market St and close to various chemists
- Easy and cheap carparking close to the town centre
- Put parking in most appropriate places that don't block views or connections, sort out traffic flow, get rid of some traffic in the centre
- Blenheim needs free parking, and more convenient parking - it is why malls and supermarkets succeed. 80c per hour is disgusting compared to \$1 for two hours in Nelson.
- Put multi storey behind Criterion for theatre and town patrons
- New trees should not be at the expense of parking
- Retain Queen St 'pocket park' as a car park

Other

- Blenheim's town planning, lack of green trees, demolition of historic buildings and traffic congestion is a result of lack of vision, lack of taste and greed
- Need to include Seymour Square into the town centre
- Develop high standard catering and cooking
- Bars and restaurants appears more than once in the document - where will the patrons come from?
- Council should purchase/secure first option on northern riverbank development to change from commercial use to residential use
- This (northern riverbank development) would be a better land use, greater enhancements and more aesthetically pleasing
- I've been here 40 years and still don't know where the town's heart is
- I like Raupo restaurant - actually uses river asset
- Enormous amount of unrealised potential in Blenheim.
- Spend money on water and sewage before superficial facelifts to town centre
- Preserve heritage buildings and trees
- Wanted a 4 or 5 star hotel - where and when?
- Bring back the boulder banks, at least they are original
- Ensure new buildings allow people spaces and soft plantable areas in front. Bring beauty of Seymour Square into the centre by connections and pocket parks
- Wilson/Mayson family strongly in favour of developing central Blenheim area

Other ctd

- Don't bulldoze Old Marlborough Club building and there are no similar venues in town - excellent for special events. Keep area next to Centre Point as a green area.
- Urban spaces be enhanced and improve habitat for biodiversity i.e. Council's Tui to Town project.
- McDonalds generally supports the report recommendations (4.1, 5.2.2, 5.2.3).
- More information on ecological goals needed.
- Legibility, connectivity and building design are subjective - disagrees that it is difficult to find way around on foot or by car.
- Large structural changes are needed - easy to get lost, hard to find places. People will visit if Blenheim is easy to access and use town centre.
- What consideration has been given to compensation to businesses affected by loss of roadside parking in this area?
- Clubs Marlborough would like all references to Marlborough Club (next to Clubs Marlborough) removed as the Clubs own this land.
- Does not support streetscape improvements
- Support town centre signs
- No tui's (too windy), no sculptures or clutter
- Family restaurant is required (no alcohol), children's play area, ice cream parlour
- Does fire station need to be relocated? Space is there for extension. Doesn't support redevelopment of fire station land
- Why are grape farmers allowed to make noise during the night when other people cannot

9. Urban Growth Project (E225-M01)

(Report prepared by Francis Pauwels)

Purpose

1. The purpose of this report is to update the Committee on progress with the Urban Growth Project and to highlight key findings to date.

Background

2. The Urban Growth Project is Stage 2 of a 3-stage process to determine where and how urban Marlborough could develop over the next 25 years.
 - (a) Stage 1. Blenheim Town Centre: final Report received, public feedback received, the next step is to prioritise projects and identify funding options.
 - (b) Stage 2. Urban Growth Southern Marlborough: Consultation and design workshops completed, report in drafting stage to be completed by end of November 2009, some further work required on rural residential, large format retail (LFR) and infrastructure planning (scheduled for December 8-10 2009).
 - (c) Stage 3. Urban Growth Northern Marlborough: Scheduled for public consultation to begin February 2010.

Comments

3. The Urban Growth Project scope included all the Southern Marlborough townships (Ward, Seddon, Renwick, Wairau Valley, Rarangi, Tuamarina, Spring Creek and Grovetown as well as Blenheim.
4. The project has included involvement from local developers, engineers, surveyors, Council technical staff, Environmental scientists and Policy staff.
5. The process has involved community consultation, followed by design workshops and presentation back of initial ideas and design solutions in each township.
6. In general Council has worked with the various residents' associations as the first point of contact.
7. The timeframe being considered is 25 years from the last census of 2006 indicating demand for approximately 3000 more households to be delivered by a mix of infill, renewal, intensification and green fields developments.
8. The key issues constraining growth in each township have included water supply, water quality, flooding / hazard management, road safety and suitable land availability.
9. Where growth is possible each township has had varying levels of design solutions developed. In some cases (e.g. Ward) this involves simple main road treatments and in other cases (e.g. Seddon) more extensive community facility concept plans.
10. For Blenheim, urban growth options have been identified to the North, West, South and East. Some of the key considerations include land suitability, roading connectivity, flooding issues, infrastructure capacity and reverse sensitivity. In addition one of the guiding values has been to provide the community with a level of choice for housing and commercial location.
11. The Rural Residential aspect still requires more resolution however the approach emerging is to cater for demand in a very tightly measured way so that impacts on aspects such as infrastructure, roading, land stability, reverse sensitivity, unintended consequences can be controlled.
12. The LFR aspect has been looked at briefly and will be considered further in early December. The project team is working on the assumption that there is commercial and community demand for some new retail in Blenheim. The approach emerging is that any developments should be

concentrated where possible (to avoid 'pepper-potting' around town), should be well positioned for access off/onto main roads and should be a minimum of 500m² so as to avoid the speciality type shops being drawn away from the Town Centre. Several sites have been identified as possibilities for LFR including Northwest, East, Alabama Rd and Battys Rd.

13. One of the outcomes of this project will be a clearer direction for infrastructure investment in growth as capacity for each of the new urban growth areas is planned for. This will assist future planning.
14. The major outcome of the project will be some clearly defined policies in the Regional Policy Statement indicating how and where Marlborough urban growth should occur and as importantly where it should be constrained.
15. New zoning areas in the district plan can be promulgated as well as new rules/guidelines for residential housing and subdivision. The purpose is to allow for new types of integrated development (higher density / smaller sites) as well as more residential intensification in areas such as close in to the town centre.
16. The timeline for this Stage 2 is for the draft report to be received by the end of November 2009 and a final report made available for public submission by February 2010.

RECOMMENDED

That the information be received.

10. Information Package

RECOMMENDED

That the Environmental Policy Information Package dated 16 November 2009 be received and noted.