

**Minutes of a Meeting of the
MARLBOROUGH DISTRICT COUNCIL
held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY 15 MAY 2014 commencing at 3.00 pm**

Present

The Mayor A T Sowman, Cllrs J L Andrews, J A Arbuckle, J P Bagge, G S Barsanti, C J Brooks, B G Dawson, G I T Evans, T E Hook, P J S Jerram, D D Oddie, L M Shenfield and T M Sloan.

In Attendance

Messrs A R Besley (Chief Executive), A P Quirk (District Secretary) and M J Porter (Democratic Support Manager).

Prayer

The meeting opened with a prayer.

Apology

Cllrs Barsanti/Hook:

That the apology for absence from Cllr J C Leggett be received and sustained.

Carried

C.13/14.408 Confirmation of Minutes -

Staff advised in response to a question on how they conveyed the request under Minute No. C.13/14.360 (Renwick Community Memorial Hall Committee) that this had been done by letter to the individuals concerned. Mr Quirk will confirm this with the Ward Councillors.

The Mayor/Cllr Sloan:

That the Minutes of the Council Meeting held on 3 April 2014 (Minute Nos. C.13/14.351 to C.13/14.363) be taken as read and confirmed.

Carried

Committee Reports

C.13/14.409 Resource Hearing Commissioner Decisions -

Cllrs Oddie/Arbuckle:

That the Resource Hearing Commissioner Decisions as contained within the reports dated 5 to 6 March 2014 (U090660, U130743, U130781) and 26 March 2014 (U130727, U130728, DES0055) be received and the recommendations adopted.

Carried

C.13/14.410 Regional Planning & Development Committee -

Staff are to respond directly to a question on the Scout Jamboree planned for December 2016/January 2017 (Minute No. D.13/14.368 refers).

Cllrs Hook/Sloan:

That the Committee report contained within Minute Nos. D.13/14.364 to D.13/14.372 be received and the recommendations adopted.

Carried

C.13/14.411 Assets & Services Committee -

The Mayor and other Councillors responded to a question regarding the outcome of a meeting with Te Atiawa (Minute No. P.13/14.381 Picton Foreshore Reserve Management Plan) that good progress has been made and Appendix 1 has been signed off. Members were appreciative of Te Atiawa's input and noted that they wished to be involved at the beginning of the process.

It was pointed out to the meeting that in regard to Minute No. P.13/14.382 (Seddon Cemetery Headstones – Earthquake Damage) that it should be minuted that the earthquakes had also damaged Headstones at Ward Cemetery.

Clrs Sloan/Andrews:

That the Committee report contained within Minute Nos. P.13/14.373 to P.13/14.384 be received and the recommendations adopted.

Carried

C.13/14.412 Community & Finance Committee -

Clrs Arbuckle/Shenfield:

That the Committee report contained within Minute Nos. A.13/14.385 to A.13/14.396 be received and the recommendations adopted.

Carried

C.13/14.413 Environment Committee -

Clrs Jerram/Oddie:

That the Committee report contained within Minute Nos. R.13/14.397 to R.13/14.407 be received and the recommendations adopted.

Carried

C.13/14.414 Adoption of Plan Change 24: New Zealand King Salmon Co. Limited Plan Change Request M135-15-24-16

Members noted that the purpose of the report was to recommend the adoption of Plan Change 24. Staff reported that New Zealand King Salmon Co. Ltd (NZKS) lodged a request with the Environmental Protection Authority on 15 August 2011 to change the Marlborough Sounds Resource Management Plan to enable the establishment of eight new salmon farms within Coastal Marine Zone 1 (Plan Change 24) by creating a specific salmon farming zone, Coastal Marine Zone 3, at each of the eight sites. The sites were in Waitata Reach of Pelorus Sound, Port Gore and in Queen Charlotte Sound/Tory Channel. NZKS subsequently applied for an additional site in Coastal Marine Zone 2 (White Horse Rock), and for coastal permits for salmon farming at the proposed sites, to be considered concurrently with the plan change request.

The Minister of Conservation directed that the applications be referred to a Board of Inquiry on 3 November 2011. A Board of Inquiry was subsequently appointed by the Minister and comprised Judge Gordon Whiting (chairperson), Helen Beaumont, Mark Farnsworth, Edward Ellison and Michael Briggs. The NZKS proposal was publicly notified on 31 March 2012 and 1271 submissions were received. The Council submitted in opposition to the plan change request and the nine resource consent applications. The reasons for opposition are set out in previous reports to the Environment Committee. The Board of Inquiry heard submissions during an eight week hearing from 27 August 2012 to 18 October 2012.

The Board on Inquiry issued its final decision on 22 February 2013. It determined to approve Plan Change 24 in part by allowing the plan change with respect to the proposed Papatua (Port Gore), Ngamahau (Tory Channel), Waitata and Richmond (both Waitata Reach, Pelorus Sound) Coastal Marine Zone 3 sites. It rejected Plan Change 24 in part by declining the proposed Kaitapeha, Ruaomoko (both Queen Charlotte Sound), Kaitira and Tapipi (both Waitata Reach, Pelorus Sound) Coastal Marine Zone 3 sites. The resource consent application for White Horse Rock was also declined.

The Board on Inquiry's decision was appealed to the High Court and (on being unsuccessful) then to the Supreme Court by Sustain our Sounds Inc (for all four approved sites) and the Environmental Defence Society Inc (for the Papatua site). The Supreme Court issued its decision on each of the two appeals on 17 April 2014. The appeal by Sustain our Sounds Inc was unsuccessful, while the appeal by Environmental Defence Society Inc was successful. The Supreme Court press releases, which contain a summary of each decision, were attached separately to the agenda. The final outcome was that the plan change to rezone specific areas of coastal space currently zoned Coastal Marine Zone 1 to Coastal Marine Zone 3 was approved in respect of three of the eight sites proposed by NZKS: Ngamahau, Waitata and Richmond.

Staff further reported that clause 18 of the First Schedule of the RMA now requires the Council to adopt Plan Change 24 and then send it to the Minister of Conservation for his approval.

Cirs Hook/Jerram:

That Plan Change 24 be adopted and referred to the Minister of Conservation for his approval in accordance with Clause 18 of the First Schedule of the Resource Management Act 1991.

Carried

C.13/14.415 Decision to Conduct Business with the Public Excluded

Cirs Shenfield/Andrews:

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

- **Confirmation of Public Excluded Minutes**
- **Committee Reports (Public Excluded Sections)**
- **Property Issue**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Minutes and Committee Reports	As set out in the Minutes	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.
Property Issue	To enable the Council, as holder of the information, to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) provided for under Section 7(2)(i)	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.

Carried

The meeting closed at 3.50 pm.

Confirmed this 26th day of June 2014

A T SOWMAN
MAYOR

Record No. 14140279