

Proposed Marlborough Environment Plan

**Section 42A Hearings Report for Hearing Commencing
Monday 26 February 2018**

Addendum to Report dated 20 November 2017

**Report on submissions and further submissions
Topic 5: Landscapes – Issues, Objectives,
Policies, and Methods**

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Introduction

This report is an addendum to the report titled “*Report on Submissions and Further Submissions, Topic 5: Landscapes*” dated 20 November 2017. Following the completion of the original report it was identified that several additional submissions logged against the Zones topic, should have instead been addressed in the Landscape topic. These submissions relate to the extent of the Marlborough Sounds Coastal Landscape over urbanised business areas of Picton and Havelock.

This addendum report should be considered in conjunction with the report of 20 November 2017.

Analysis of additional submissions

The submissions of **Z Energy Ltd, Mobil Oil NZ Ltd, and BP Oil Ltd (1004/104, 105, 106, 107 and 108)** seek amendments to the planning maps so that the Marlborough Sounds Coastal Landscape does not apply to the business zones of Picton, and Havelock. The submission notes the application of the overlay within highly developed and urbanised business areas would create confusion for plan users given that no corresponding rules apply in these areas, and that it would be inappropriate and unnecessary for objectives and policies for the overlay to apply to discretionary resource consent applications.

This issue has been similarly raised in the submissions of **Port of Marlborough Ltd (433.217)**, which was addressed in Section 5.3 of the s42A report of 20 November 2017. The analysis of that submission also applies to the submissions of Z Energy, Mobil Oil NZ Ltd, and BP Oil Ltd.

In summary the analysis notes the urbanised areas of Picton and Havelock have a distinctly contrasting character to the remainder of the Marlborough Sounds, and have a zoning which provides for urban expectations of development. Applying the landscape management framework of Chapter 7 to these areas would conflict with the zone expectations for development, and potentially present a regulatory burden to appropriate subdivision, use, and development in these areas. It was therefore recommended that the extent of the Marlborough Sounds Coastal Landscape be amended to exclude zones with urban expectations of development. This recommendation is considered to similarly address the issues raised by the oil companies.

Recommendation

Amend the Marlborough Sounds Coastal Landscape overlay in Chapter 4 to exclude areas zoned as:

- Port Zone
- Port Landing Zone
- Marina Zone
- Industrial 1 Zone
- Business 1 and 2 Zones
- Urban Residential 2 Zone.¹

¹ Submissions 433/217 Port of Marlborough Ltd, 1004/104, 105, 106, 107 and 108 Z Energy Ltd, Mobil Oil NZ Ltd, and BP Oil Ltd.

Appendix 1 (addendum): Recommended decisions on decisions requested

Submission Number	Submission Point	Submitter	Volume	Chapter	Provision	Recommendation
1004	104, 105, 106, 107, and 108	Z Energy Ltd, Mobil Oil NZ Ltd, and BP Oil Ltd.	4	Zoning Maps	Zoning Maps 34, 35, 36, 38, 57	Accept