

Proposed Marlborough Environment Plan

**Section 42A Hearings Report for Hearing Commencing 28
May 2018**

Report dated 23 April 2018

**Report on submissions and further
submissions Topic 9: Natural Hazards**

ADDENDUM 7 May 2018

**Report prepared by
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1. A number of submissions were not included in the principal report and some errors have been identified. I now report on these as follows and make a recommendation where appropriate.

General

2. Te Runanga o Toa Rangatira (166.49) requests that Chapter 11 Natural Hazards – is referenced back to the Tangata Whenua chapter. This matter is covered in paragraph 97 of my principal report in a similar submission from Runanga o Toa Rangatira (166.34) in which I note that there are already appropriate references in the MEP.

Recommendation

3. That there is no change to the MEP.

Policy 11.1.6

4. Te Runanga o Toa Rangatira (166.50) requests that Policy 11.1.16 should have input from Iwi in the Gravel Management Plan Objective 5.2 and that reference should be made to the NPS-FM Objective D1 and Policy D1. It appears that the appropriate reference is Policy 11.1.6 which deals with gravel extraction (refer paragraphs 81/82 of my principal report) although the submitter should confirm this.
5. The submitter should clarify the reference to Objective 5.2, although I note that Iwi consultation is a matter for the gravel strategy rather than the MEP. In respect of reference to the NPS –FM, I note that there are references to this document in a number of places in the MEP including Chapter 15 Resource Quality. As indicated in the MEP the document needs to be read as a whole (e.g. Structure of the MEP (page1-40) and Marlborough’s Tangata Whenua Iwi (page 2-5)). Accordingly I do not consider there is a requirement for a change to the policy.

Recommendation

6. That there is no change to the MEP.

Rule 2.7.8 and Rule 2.9.8

7. In Rule 2.7.8 and Rule 2.9.8 Transpower (1198.43 and .50) requests that “National Grid “ is added to “transmission lines” so that it reads “National Grid transmission lines “ in 2.7.8 (a) and 2.9.8 (a)¹ respectively (refer paragraphs 236 and 237 and 239 and 240 of principal report). The principal report queries whether this change is necessary but the recommendation in paragraph 265 recommends that the change be accepted. Until further evidence is heard, I consider that this particular recommendation should not proceed at present in order to make it consistent with paragraph 237. I also note that amendments to Rule 2.9.8 are not included in the Recommendation. At this stage “maintenance” and “replacement” can be included In Rule 2.9.8 which is consistent with Rule 2.7.8.

Rule 2.8.1.5

8. NZTA (1002.135) suggests amending Rule 2.8.1.5 to restrict bird nesting to “Threatened” or “At Risk” bird species while D and R Robbins (640.19) suggests the restriction is to “native” nesting birds. As discussed in paragraphs 247-249 of my principal report I suggest

¹ Not 2.9.8 (ca) as shown in paragraph 2.9.8

restricting the nesting to “indigenous” bird nesting and accordingly both submissions are met in part (refer paragraph 271 for amendment)

9. In paragraph 247 John Hickman (455.37) should read John Hickman (455.57) and George Melhopt (456.37) should read George Melhopt (456.57).

Recommendation

10. That Rule 2.8.15 is amended in accordance with paragraph 271 of the principal report.

Zoning Map 28

11. S and S White (93.15) state that Flood Hazard Zoning Level 2 & 3 is somewhat inaccurate and ask that this matter be given consideration as many of these areas are developed, stock grazing areas and are only affected by exceptionally large floods for what is often normally short intervals. The submitters request that they be allowed to continue their livestock operation on their areas (which I presume are on Zoning Map 28). I note the flood hazard areas and rules do not restrict stock grazing and accordingly the submission is accepted but there is no requirement to amend the plan.

Zoning Maps 159-160 and 169-170

12. Constellation Brands Ltd (631.58 -.61) seeks retention of Planning Maps 156-160 and 169-170. These submissions are similar to 631.42 which is referred to in paragraph 476 of my principal report, in which the support is noted. I note the respective maps are retained except for an amendment to Zoning Map 169 which is discussed in paragraph 475 of my principal report.