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**MARLBOROUGH  
DISTRICT COUNCIL**



Only Marlborough

7 May 2021

Record No: 2190516  
File Ref: D050-001-02  
Ask For: Mike Porter

## **Notice of Council Meeting – Thursday, 13 May 2021**

Notice of the Council Meeting to be held in the Council Chambers, 15 Seymour Street, Blenheim on Thursday, 13 May 2021 to commence at 9.00 am.

### **BUSINESS**

As per Order Paper attached.

**MARK WHEELER  
CHIEF EXECUTIVE**



**Order Paper for the  
COUNCIL MEETING  
to be held in the Council Chambers, 15 Seymour Street, Blenheim  
on THURSDAY, 13 MAY 2021 commencing at 9.00 am**

**Open Meeting**

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## Marlborough District Council

**Order Paper for the  
COUNCIL MEETING**  
to be held in the Council Chambers, 15 Seymour Street, Blenheim  
on THURSDAY, 13 MAY 2021 commencing at 9.00 am

### 1. Karakia

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Tēnā koutou, tēnā koutou, tēnā koutou katoa  
E te Atua tō mātou Kai-hanga,  
ka tiāho te maramatanga me te ora, i āu kupu kōrero,  
ka tīmata āu mahi, ka mau te tika me te aroha;  
meatia kia ū tonu ki a mātou  
tōu aroha i roto i tēnei huihuinga.  
Whakakī a matou whakaaro ā mātou mahi katoa,  
e tōu Wairua Tapu.  
Āmine.

(God our Creator,  
when you speak there is light and life,  
when you act there is justice and love;  
grant that your love may be present in our meeting.  
So that what we say and what we do may be filled with your Holy Spirit.  
Amen.)

### 2. Apologies

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### 3. Declaration of Interests

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Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

## **4. Minutes**

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- 4.1 Confirmation of the Minutes of the Council Meeting held on 1 April 2021  
(Minute Nos. Cncl-0421-322 to Cncl-0421-330)

**Minutes of a Meeting of the  
Marlborough District Council  
held in the Council Chambers, 15 Seymour Street, Blenheim  
on THURSDAY 1 APRIL 2021 commencing at 9.00 am**

### **Present**

The Mayor J C Leggett (in the Chair), Clrs J L Andrews, J A Arbuckle, C J Brooks, J D N Croad, B G Dawson, B A Faulls, M J Fitzpatrick, G A Hope, F D Maher, D D Oddie, M A Peters, T P Sowman and N P Taylor.

### **In Attendance**

Messrs M S Wheeler (Chief Executive), A P Quirk (District Secretary) and M J Porter (Democratic Services Manager).

### **Karakia**

The meeting opened with a karakia.

## **Cncl-0421-322 Declaration of Interests** -

Members were reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

A number of declarations were noted in the agenda:

- The various interests as declared under Minute Nos. Cncl-0221-239;
- The interest as declared under Minute No. PF&C-0321-309 (Minute No. PF&C-0321-310);
- The interest as declared under Minute No. PF&C-0321-315;
- The interests as declared under Minute No. Grnt-0321-295; and
- The interest declared at the meeting by Clr Maher with reference to the Environment Information Pack of 11 March 2021 (in particular Item 43 [U200598] on page 29 under the title of *Resource Consent Approvals Under Delegated Authority*).

## **Cncl-0421-323 Confirmation of Minutes** -

Clr Arbuckle questioned a conflict in the wording of the commentary against the resolution under Minute No. Cncl-0221-279 (Road Naming Sub-Committee). The Sub-Committee was delegated the power to name or alter the name of roads in the Marlborough region, however, the commentary inferred that this still needed ratification by Council.

**Clr Taylor/The Mayor:**

**That the words “prior to ratification by Council” be deleted from the second paragraph of the commentary under Minute No. Cncl-0221-279 (Road Naming Sub-Committee).**

**Carried**

**The Mayor/Clr Taylor:**

**That the Minutes of the Council Meeting held on 25 February 2021 (Minute Nos. Cncl-0221-239 to Cncl-0221-281), as amended above, be taken as read and confirmed.**

**Carried**

NB: Clr Arbuckle voted against Minute No. Cncl-0221-279

## Committee Reports

### **Cncl-0421-324 Assets & Services Committee** -

**Cirs Fitzpatrick/Brooks:**

That the Committee report contained within Minute Nos. A&S-0321-282 to A&S-0321-291 be received and the recommendations adopted.

Carried

### **Cncl-0421-325 Environment Committee** -

It was noted that Clr Brooks had tendered her apology for non-attendance at this meeting. Staff are to amend the apologies resolution accordingly.

**The Mayor/Clr Hope:**

That the Committee report contained within Minute Nos. Env-0321-296 to Env-0321-308 be received and the recommendations adopted.

Carried

### **Cncl-0421-326 Planning, Finance & Community Committee** -

**Cirs Peters/Croad:**

That the Committee report contained within Minute Nos. PF&C-0321-309 to PF&C-0321-321 be received and the recommendations adopted.

Carried

### **Cncl-0421-327 Grants Sub-Committee** -

**Cirs Andrews/Sowman:**

That the Sub-Committee report contained within Minute Nos. Grnt-0321-292 to Grnt-0321-295 be received and the recommendations adopted.

Carried

### **Cncl-0421-328 Resource Hearing Sub-Committee Membership** **D050-001-R12**

Members noted that the purpose of the report was to appoint Councillor Thelma Sowman to the Resource Hearing Sub-Committee.

It was reported that the workload for some members (outside of the Sub-Committee) means that they are not able to provide the time needed now for the anticipated number of hearings that are needed to be set. Councillor Sowman has shown an interest and is keen to join the Sub-Committee. Councillor Sowman has completed the "Making Good Decisions" course with an excellent pass mark.

**Cirs Oddie/Arbuckle:**

That Councillor Thelma Sowman be appointed to the Resource Hearing Sub-Committee.

Carried

**Cncl-0421-329 Review of Representation****D050-004-022-11**

Members noted that the purpose of the report was to outline the Representation Review process and procedures; to consult with iwi on the issue of a Māori ward; and to appoint three councillors (one from each ward), with the Mayor as ex-officio, to undertake the community consultation for the Representation Review.

In summary, staff reported that the report outlined the key timeline, issues and process for the Representation Review. Clrs Taylor, Hope and Croad have indicated their preparedness to be appointed to undertake the community consultation for the Representation Review. This panel would be assisted by the independent consultant from electionz.com and relevant Council staff.

The report covered in detail commentary under the following headings: Background, Legislation, Population Formula, Fair and Effective Representation, Māori Wards, Review of Ward Structure, Community Boards; and gave Council two options (either “undertake a Representation Review using an independent consultant to undertake and coordinate the review” or the “status quo of staff putting up options for Council to review”). Members agreed to go with “undertake a Representation Review using an independent consultant to undertake and coordinate the review”.

**Clrs Brooks/Arbuckle:**

1. That Council note the process and procedures for the representation review.
2. That Council appoint three (3) councillors (Clr Nadine Taylor, Clr Gerald Hope and Clr David Croad), with the Mayor as ex-officio, to undertake the community consultation for the Representation Review, to be assisted by the independent consultant from electionz.com and Council staff.

Carried

**Cncl-0421-330 Decision to Conduct Business with the Public Excluded**

**The Mayor/Clr Taylor:**

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)
- Landing Reserve

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.
Landing Reserve	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 9.25 am.

Confirmed this 13<sup>th</sup> day of May 2021

J C LEGGETT  
**MAYOR**

Record No. 2168482



## **4. Minutes**

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- 4.2 Confirmation of the Minutes of the Extraordinary Council Meeting held on 9 April 2021  
(Minute Nos. Cncl-0421-331 to Cncl-0421-332)

**Minutes of the  
EXTRAORDINARY MEETING of the MARLBOROUGH DISTRICT COUNCIL  
held in the Council Chambers, 15 Seymour Street, Blenheim  
on FRIDAY 9 APRIL 2021 commencing at 10.00 am**

### **Present**

The Mayor J C Leggett (in the Chair), Ctrs J L Andrews, J A Arbuckle, C J Brooks, J D N Croad, B G Dawson, B A Faulls, M J Fitzpatrick, G A Hope, M A Peters, T P Sowman and N P Taylor.

### **Present via Zoom**

Clr D D Oddie.

### **In Attendance**

Messrs M S Wheeler (Chief Executive), M F Fletcher (Chief Financial Officer) and M J Porter (Democratic Services Manager).

### **Karakia**

The meeting opened with a karakia.

### **Apology**

**The Mayor/Clr Taylor:**

**That the apology for absence from Clr F D Maher be received and sustained.**

### **Carried**

## **Cncl-0421-331 Declaration of Interests -**

Members were reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

## **Cncl-0421-332 2021-31 Long Term Plan Consultation Document -**

Members noted that the purpose of the report was to adopt Council's 2021-31 Long Term Plan Consultation Document (as separately attached to the Agenda and filed in CM – Record No. 2169508).

Staff advised that the Local Government Act 2002 was amended in 2014 and required Council to produce a Consultation Document as the basis for public participation in decision making on its 2021-31 Long Term Plan (LTP). In previous years, a Summary of the draft LTP had been widely distributed, with the draft LTP also available, as the basis of public consultation.

Staff reported that the Consultation Document sets out the major issues and projects over the next 10 years, the impact on rates, debt and levels of service of those projects. It also summarises Council's Infrastructure and Financial Strategies, and proposes a potentially fairer rating system. The Consultation Document also outlines the key issues Council is facing, outlines options and seeks community feedback on them. Members noted that virtually all the items contained in "Part One - Investing in Infrastructure" have been consulted upon in either previous Long Term or Annual Plans.

A report from Mr Ian Marshall (Chair of Council's Audit and Risk Sub-Committee) was circulated to members. Mr Marshall noted: "I confirm that the attached 2021-2031 Consultation Document has been reviewed by the [Audit and Risk] Committee and has been audited by Audit NZ. Based on these procedures I recommend to Council that the Consultation Document be formally adopted."

Members noted that the Auditor's Report drew attention to one issue; Government's proposal on the delivery of Three Waters (referred to as an Emphasis of Matter).

**The Mayor/Clr Hope:  
That Council adopt its 2021-31 Long Term Plan Consultation Document**

**Carried**

The meeting closed at 10.24 am.

Confirmed this 13<sup>th</sup> day of May 2021

J C LEGGETT  
MAYOR

Record No. 2187291

## **5. Committee Reports**

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### **5.1 Assets & Services Committee**

Assets & Services Committee Meeting held on 15 April 2021  
(Minute Nos. A&S-0421-333 to A&S-0421-339)



**Report and Minutes of a Meeting of the  
ASSETS & SERVICES COMMITTEE  
held in the Council Chambers, 15 Seymour Street, Blenheim  
on THURSDAY 15 APRIL 2021 commencing at 9.00 am**

**Present**

Cirs N P Taylor (Chairperson), M J Fitzpatrick (Deputy), J L Andrews, C J Brooks, F D Maher, M A Peters, B G Dawson, Mr R Hunter (iwi representative)

**Present via Zoom**

Mayor J C Leggett

**Also Present**

Cirs J A Arbuckle, J D N Croad and T P Sowman

**Also Present via Zoom**

Clr D D Oddie

**In Attendance**

Mr Richard Coningham (Manager – Assets & Services Department) and Nicole Chauval (Committee Secretary).

**Apology**

**Clr Andrews/Mr Hunter:**

**That the apology for non-attendance from Clr B A Faulls be noted.**

**Carried**

Clr Taylor presented Liam Falconer and Mesfin Desta with the New Zealand Certificate in Infrastructure Works Level 3 – Plant Operation Specialising in Pipe Construction.

ATTENDANCE: The Mayor withdrew from the meeting at 9.30 am during the following item.

**A&S-0421-333 Declaration of Interests** -

Clr Brooks declared an interest in Item 7 – Grovetown Lagoon Management Plan

ATTENDANCE: Tessa Dever, Management Accountant – Operations, was present for the following item.

**A&S-0421-334 Financial Report for Period Ended 28 February  
2021** **F275-001-02**

Tessa Dever, Council's Management Accountant – Operations, presented the financial report for the Assets & Services, Property and Community Facilities Department for the eight month period to 28 February 2021.

Members were supportive of the new format for the financial report. Ms Dever advised that all committee financial reports will be presented in this way. The Significant Activity report is also being revamped and the new layout will be available for the next committee meeting report.

Ms Dever noted for the reporting period that income is favourable to budget by \$2.9M, expenditure is unfavourable to budget by \$0.3M and Capex is favourable to budget by \$50.8M. It was noted that while the programmed work is \$92.3M for the year, only \$57.2M was funded through the annual plan process. This will ensure multiple projects can be kept on the go.

Members were advised that the major variances between actual and budget were: unbudgeted grant revenue of \$6.3M from the Department of Internal Affairs (DIA) for sewer, water and stormwater projects. Roothing income is behind budget by \$3.9M due to lower NZTA roading subsidies. It was noted that these subsidies are directly correlated to lower roading expenditure both operational and/or capital. Capital expenditure is behind budget in all activities due to the timing of projects which have been impacted for a number of reasons which were detailed in the agenda.

It was noted that the accrual entries have been completed to account for February revenues and expenditures, including outstanding retention values of \$1.2M for 44 separate construction contracts.

Key financial information was noted in the agenda item and variances greater than \$300K were explained to provide a balance between major variances and those explained by activity in the financial report which was attached to the agenda item.

Members were advised that the total financed capital expenditure for 2020/21 is \$57.2M with total actual year to date expenditure of \$27.1M (47%), net of asset disposals. Currently Council is forecasting \$56.7M. It was noted that this figure has been refined based on the best information available at the time and factors in an expected increase in expenditure over the next four months with the acceleration of the roading programme and a number of infrastructure projects commencing.

The Southern Valleys and Upper Condors upgrade, which has attracted \$3M of Government shovel ready project funding, has commenced with approx. \$450k in costs expected in March with a further \$450k expected before year end.

A number of contracts have started including the Muller Road services update, Renwick Watermain Replacements and the Lower Tuamarina Stopbank berm upgrade.

**Clrs Peters/Fitzpatrick**

**That the financial report for the period ended 28 February 2021 be received.**

**Carried**

ATTENDANCE: Alec McNeil, Council's Solid Waste Manager, was present for the following item.

## **A&S-0421-335 Waste Fees and Charges**

**W300-006-008-14**

The report to the Community sought approval to implement the proposed waste fees and charges from 1 July 2021.

Members were advised that the annual review of waste fees and charges has been completed. This year will see a significant increase in landfill gate fees predominantly attributable to the changes in waste disposal levy and carbon price at the regional landfill site. Cost recovery for these increases is via increased gate fees, and amendment to the kerbside refuse collection targeted rate.

It was noted that revised waste fees and charges are initiated by Government legislative changes which are designed to support the policy of landfill avoidance. Any attempt to reduce the impact of these changes would undermine this policy approach.

**Clrs Fitzpatrick/Brooks:**

- 1. That approval is given to implement the updated waste fees and charges with effect from 1 July 2021.**
- 2. That Council recovers all costs associated with an increase in the waste disposal levy, landfill carbon price and contract escalations from user pays (gate fee) contributions and an amendment to the kerbside refuse collection targeted rate.**

**Carried**

ATTENDANCE: Braden Prideaux, Council's Sustainable Transport Manager, was present for the following item.

## **A&S-0421-336 Trial Bus Service**

**R800-003-003-01**

It was noted that the report to the Committee provided an update on the trial bus services and sought a decision on whether to continue or discontinue the trial bus services.

By way of background it was noted that during the 2018-28 LTP decision process Council allocated extra funding to enable additional bus services to be trialled in the 2018-21 period. The trial period for the Renwick, Picton and West Commuter bus services finishes in June 2021.

It was reported that the cost calculations provided are dependent on 2021-24 funding from Waka Kotahi NZ Transport Agency. A decision is expected late April 2021.

During discussion some members considered that extending the trial for a further two years was too long and that one year was preferred option. It was noted that the total cost per passenger was quite considerable and compared that to utilising the subsidy provided by the Total Mobility Scheme.

Members discussed the use of smaller vehicles and whether that could assist in reducing costs. It was noted that in order to receive funding from Waka Kotahi NZ Transport Agency buses need to meet the standards as set in the Requirements for Urban Buses in New Zealand. Ritchies do not have any smaller vehicles that meet these requirements and sourcing small buses or vehicles would likely incur additional costs to Council.

Some members viewed the service as worthwhile particularly in regards to climate change and getting people out of their cars and using public transport. It was noted that it may take a while for people to make use of the service and in the initial stages it needs to be viewed as a social service rather than an economic one.

Members discussed the proposal to discontinue the West commuter bus service. It was noted that during the April and May 2020 all commuter services were suspended due to COVID-19. Since July 2020 patronage numbers have continued to decline, with an average of 33 people a month using this service between November 2020 and February 2021. The net cost to Council to continue this service is \$51.70 per passenger in 2021-22. This calculation has applied an average of 33 patrons per month from the November 2020 to February 2021 period. This is equivalent to 1.5 people using this service each day it operates.

At the conclusion of discussion on the issue the following motion was put to the vote. The premise for this motion was that the Forestry and Land Development Reserve be added to the recommendation and that the Renwick bus service be reduced to one year and reviewed at the end of that the term.

Cllrs Peters/Fitzpatrick:

1. That Council allocate \$44,000 from the Forestry and Land Development Reserve for a 2 year extension of the Picton bus service (no changes to days of operation) over the 2021-23 period, subject to Waka Kotahi NZ Transport Agency funding.
2. That Council allocate \$15,000 from the Forestry and Land Development Reserve for a one year extension of the Renwick bus service (operating Tuesdays, Thursdays and Saturdays during off-peak hours only) and review in 12 months.
3. Discontinue the West Commuter bus service, with the last day of service on 21 May 2021.

On a show of hands the vote was tied 4 to 4.

The Chair advised that she was reluctant to use her casting vote and would prefer that the item lie on the table for further discussion at a Full Council meeting. Following additional discussion Cllrs Peters and Fitzpatrick withdrew their amendment to reduce the extension to one year for the Renwick bus service with a review of the service in 12 months. The following motion was then put to the vote.

Cllrs Dawson/Brooks:

1. That Council allocate \$44,000 from the Forestry and Land Development Reserve for a 2 year extension of the Picton bus service (no changes to days of operation) over the 2021-23 period, subject to Waka Kotahi NZ Transport Agency funding.
2. That Council allocate \$30,000 from the Forestry and Land Development Reserve for a 2 year extension of the Renwick bus service (operating Tuesdays, Thursdays and Saturdays during

off-peak hours only) over the 2021-23 period, subject to Waka Kotahi NZ Transport Agency funding.

3. **Discontinue the West Commuter bus service, with the last day of service on 21 May 2021.**

**Carried**

Clr Brooks requested that she be kept informed on any promotional campaign for the service.

ATTENDANCE: Clrs Peters and Dawson withdrew from the meeting at 10.00 am at the end of the above item.

**A&S-0421-337 Road Exchange Proposal – Bill Bryants Road,  
Croisilles R800-004-S42**

The report sought consideration from the Committee to approve an application for a road exchange involving land on Bill Bryants Road, Croisilles (PN529746).

Members were advised that a dwelling has been built on a section of the paper road and acquisition of that portion of road would enable the dwelling to be solely on the applicant's property. The applicant owns the adjoining land and there does not appear to be any adjacent property owner who relies on that part of the legal road proposed to be stopped.

It was noted that the application had been circulated widely and there were no objections to the proposal.

It was noted that the sole beneficiary in this case is the applicant and on that basis all costs involved in the process would be the responsibility of the applicant. The exchange would appear to provide an equitable outcome with no unequal value between the road to vest and road to be stopped.

Members were advised that Council's Planner has noted that the portion of road to be stopped should be held by amalgamation into the adjacent Lot 2 DP 349762 to avoid the creation of an additional separate title.

In the meantime the road to be stopped would not have any underlying zoning under the Proposed Marlborough Environment Plan (PMEP) once stopped. To overcome the issue of zoning a legal agreement would be registered on the title requiring the use of the land to comply with the rules as set out in the Coastal Environmental Zone of the PMEP while the land is unzoned, such requirement to be at the full cost of the applicant.

**Clrs Maher/Brooks:**

1. **That the Council approve:**
  - a) Pursuant to Sections 116, 117 and 120 of the Public Works Act 1981 the stopping of the area of unformed legal road shown as Section 1 (Part Legal Road) (574.38m<sup>2</sup>/0.057338ha or thereabouts) on the attached aerial and for this to be amalgamated with an adjoining title to Part Section 12 SO5053 Lot 2 DP349762 held by Wairangi Bay Forestry Partnership;
  - b) Pursuant to Section 114 of the Public Works Act 1981 the declaration as road the land shown as Part Section 2 on the same aerial (574.38m<sup>2</sup>/0.057338ha or thereabouts) and the vesting of this in Council.
2. **That there is no severance between the road to vest and the outer edges of the property boundary.**

***NB This may involve an irregular boundary of the road to vest. It should be a minimum 20 m width and ensure continuity for the rest of the unformed legal road.***
3. **That a legal agreement is entered into with Council and signed by the owners and registered on the title that extends to the area of stopped road requiring the use of that land to comply with the rules set out in the Coastal Environment Zone of the PMEP, the agreement to be in place while the land is un-zoned and such agreement shall be prepared by the Solicitor acting for Council.**
4. **That approval be on the basis that all survey, legal, administrative, accredited agent's and other costs and disbursements, even if the process does not proceed for whatever reason, are the sole responsibility of the applicant.**



5. That no compensation is payable by either party, it being deemed that the exchange of road to vest and road to be stopped is equitable.
6. That it be acknowledged that at this stage Council gives no commitment to completion of the processes given the statutory requirements under the Public Works Act.

**Carried**

ATTENDANCE: Linda Craighead, Council's Planner – Parks and Open Spaces and Jane Tito, Manager Parks and Open Spaces, were present for the following item.

**A&S-0421-338 Grovetown Lagoon Management Plan**

**R510-009-G02-01**

The report to the Committee sought approval to prepare a management plan under the Reserves Act 1977 for the Grovetown Lagoon wetland area.

By way of background members were advised that the Restoration of Grovetown Lagoon began in 2002 when local iwi brought to the attention of the Council the degraded state of the area. Since that time local iwi, the Council, the Grovetown community and Department of Conservation (DOC) have been working together to enhance the Lagoon. The arrangement was formalised in December 2005 with the incorporation of the Te Whanau Hou Grovetown Lagoon Incorporated Society.

A management plan was subsequently prepared setting out an overall vision to restore the Lagoon to enhance the habitat for fish and bird life, and to enable gathering of food and encourage recreational use. Development of the plan was supported by staff at the time, however, it was not formally adopted as a Council plan nor is it a reserve management plan prepared under the Reserves Act 1977. The report is available on Council's website (refer <https://www.marlborough.govt.nz/your-council/meetings?item=id:2c04w58zn1cxby2fdm9>)

Members were advised that early discussions with the Department of Conservation who also administer land near the Lagoon, including land on which the Wairau Rowing Club sits, have considered the possibility of managing all public land and waterways associated with the Lagoon through a single management plan. This would need further discussion but if possible would be a practical approach to managing this area.

Strong relationships and partnerships have been developed with three iwi (Ngāti Toa Rangatira Ki Wairau, Te Rūnanga o Ngāti Rārua and Te Rūnanga a Rangitāne o Wairau) through the inception of the restoration project, development of the original management plan and ongoing work to improve the quality of the lagoon environment. A continuation of this relationship and partnership will be very important in development of the reserve management plan.

The process for developing a management plan is prescribed in the Reserves Act and essentially comprises an initial submission period in which people are invited to make suggestions about the proposed plan. Drafting of the plan occurs and this is notified with a two month period provided for submissions to be made.

It was noted that the next steps will be for staff to work with the Grovetown Lagoon Executive Committee to initiate the first round of submissions and further discussions with the Department of Conservation for opportunities to include the water area of the Lagoons in the management plan.

It was suggested that a more formal process by way of a Memorandum of Understanding would be beneficial in terms of the relationship with iwi. However, members were advised the current facilitator for the Grovetown Lagoon Executive Committee would be preparing the reserve management plan. The facilitator would continue with the current partnership that exists with iwi in managing the lagoon area, when developing the reserve management plan.

It was requested that regular updates be provided in the Information Package.

**Cirs Andrews /Fitzpatrick:**

**That Council approve the preparation of a reserve management plan under the Reserves Act 1977 for the Grovetown Lagoon wetland area.**

**Carried**

NB: Clr Brooks declared a conflict of interest in the above Grovetown Lagoon Management Plan item and did not take part in discussions nor vote on the item.

**A&S-0421-339 Information Package** -

Cllrs Fitzpatrick/Andrews:

That the Assets and Services Information Package dated be received and noted.

Carried

The meeting closed at 10.12 am.

Record No. 2183149

## **5. Committee Reports**

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### **5.2 Environment Committee**

Environment Committee Meeting held on 22 April 2021  
(Minute Nos. Env-0421-340 to Env-0421-348)



**Minutes of a Meeting of the  
ENVIRONMENT COMMITTEE**  
held in the Council Chambers, 15 Seymour Street, Blenheim  
on THURSDAY, 22 APRIL 2021 commencing at 9.00 am

**Present**

Mayor J C Leggett (Chairperson), Councillors G A Hope (Deputy), J A Arbuckle, J D N Croad, B A Faulls, T P Sowman and Mr E R Beech (Rural representative)

**Present via Zoom**

Clr D D Oddie (Deputy)

**Also Present**

Councillors J L Andrews, C J Brooks, N P Taylor, M A Peters and B G Dawson (from 10.01 am)

**In Attendance**

Mr H R Versteegh (Environmental Science and Policy Group Manager) and Nicole Chauval (Committee Secretary)

**Apologies**

**The Mayor/Clr Arbuckle:**

**That the apology for non-attendance from Clrs F D Maher and B G Dawson for lateness be noted.**

**Carried**

**Env-0421-340 Declaration of Interests -**

No interests with items on the agenda were declared.

**Env-0421-341 Resource Hearing Commissioner Decision -**

**Clrs Arbuckle/Croad:**

**That the Resource Hearing Commissioner Decisions as contained within the reports dated 17 December 2020 (U190814), 23 February 2021 (U200816) and 2 March 2021 (U191018) be received and the recommendations adopted.**

**Carried**

ATTENDANCE: Scott Wilson, Hydrogeologist Lincoln Agritech Limited was present for the following item and Peter Davidson, Council's Groundwater Scientist, was present for the following two items.

**Env-0421-342 Gravel Bed Rivers National Project Update**

**E345-007-001**

The purpose of the report was to provide members with an update on the progress and interim findings of the national Gravels Bed Rivers Project, particularly those relating to the Wairau River. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2185197).

It was noted that the Gravel Bed Rivers (GBR) project is a five year national study focused on the water exchange between alluvial aquifers which supply a significant amount of the municipal drinking water and crop irrigation water in New Zealand, and braided rivers which is their principal source of recharge. At the completion of the study a report containing recommendations and conclusions will be produced.

Members were advised that the GBR project is using a suite of new geophysical tools and real time subsurface observations techniques to provide fresh insights into the hydraulics. The initial findings from the field observations and modelling show a complex hydraulic connection exists, but steady progress is being made. Flow exchange is controlled by the river deposited gravels which are being modified by changes in natural catchment sediment load, climate, localised human activities and hydrology.

It was noted that it is important that the messages to the community highlight that all users of the water need to view it as a precious resource and therefore treat it as such.

It was noted that the PMP has controls built into it to protect and control water usage. It was suggested that an agenda item on water usage be provided to a future committee meeting.

**Clr Hope/Mr Beech:**  
**That the information be received.**

**Carried**

ATTENDANCE: Hannah Nguyen, Council's Data Quality Analyst, was present for the following item.

**Env-0421-343      Wells & Geology Database      E345-007-001**

Members were advised that after four years of development and quality checking of records, the upgraded Wells & Geology (W & G) database is now live and actively being used by Marlborough District Council and the local drilling company.

Hannah Nguyen, Council's Data Quality Analyst and Peter Davidson, Council's Groundwater Scientist gave members a demonstration of the database.

It was noted that a feature of W & G is that it provides an electronic portal for water well drilling companies to send well records to Marlborough District Council online. This saves significant staff time and provides all data not just a summary and eliminates transfer errors.

Information from the database has many applications including the assessment of liquefaction risk in 2020, a lithologic review for the recharge mechanism model and 3D modelling of subsurface hydrogeology. Well locations and drillers logs or records are mapped and made available to the public via Smartmaps on the Marlborough District Council website.

**Clrs Croad/Sowman:**  
**That the information be received.**

**Carried**

ATTENDANCE: Clr Dawson joined the meeting at 10.01 am during the following item.

ATTENDANCE: Jono Underwood, Council's Biosecurity Manager, Angela Fitchell (Trust Secretary) and Christine Aston (Trustee) were present for the following item. Rupert Wilson, Chairperson DISECT and Rangitoto Birdsong Governance Committee was present via Zoom for the following item.

**Env-0421-344      D'Urville Island Stoat Eradication Charitable  
Trust – Rangitoto Birdsong Project      E315-018-002**

The purpose of the report was for the Committee to consider the re-confirmation of Council funding, and variation to the existing funding agreement with the D'Urville Island Stoat Eradication Charitable Trust (DISECT) who are delivering the Rangitoto Birdsong Project.

The Chair of DISECT/Rangitoto Birdsong Project Governance Committee, Rupert Wilson, covered what had been achieved by the group to-date. It was noted that DISECT had approached the funding bodies with a proposition to 're-activate' the project.

Members were advised that to address the financial risk of committing funding upfront while DISECT work through the initial phases of re-activation, Predator Free NZ Limited has offered for solely their funding to support DISECT in the initial re-activation phase. This will take the project to a point where either the project risks can be assessed as being surmountable or not. The original timeframe for this was 30 June 2021 the group now request an extension to 31 July 2021.

Members were supportive of the extension but noted that they needed to be satisfied that the access issues were addressed. It was noted that should the plan on moving forward either not be provided, or in the opinion of all the funding bodies does not address the project risks, then the termination clause within the agreement is to be triggered.

Members were advised that the current Project Manager has vacated the role and the Trustees are currently recruiting for a replacement.

**Cirs Faulls/Hope:**

1. **That the information be received.**
2. **That approval be given to vary the existing funding agreement with the D'Urville Island Stoat Eradication Charitable Trust to begin in the 2021/2022 Financial Year on the condition that a suitable plan is established prior to 31 July 2021 outlining how the current issues are going to be addressed to achieve an equivalent project outcome.**

**Carried**

ATTENDANCE: Val Wadsworth, Council's Environmental Scientist – Hydrology and Gregor Macara (Climate Scientist - NIWA), were present for the following item.

**Env-0421-345 Climatic Change Report**

**E320-004-20**

Members were advised that the report provided information on Climate Change projections and impacts for Marlborough and informed Council of areas where climate change impacts may require further investigation and actions.

It was noted that the report summarises likely changes in temperature, rainfall, drought, and sea level rise in the Marlborough District over the remainder of this century. It discussed the probable impacts of these changes on river flows, droughts, forestry, horticulture, and ecosystem and human health. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2185625).

The report is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>

A workshop is being held this afternoon on the report.

It was noted that Council has established a Climate Change Working Group which is the primary mechanism through which Council coordinates its climate change response.

**Cirs Oddie/Croad:**

**That the report be received.**

**Carried**

ATTENDANCE: Georgia Murrin, Council's Environmental Health Technician, was present for the following item.

**Env-0421-346 Markets/Events Inspections**

**E350-004-009-02**

It was noted that the report provided an update to the Committee on the inspections undertaken by the Environmental Health Team of markets and events in Marlborough from 1 July 2020 to June 2021. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2185665).

Members were advised that under the Health Act 1956 the Council is directed to complete inspections in the District regularly and to ascertain if any conditions are likely to be injurious or offensive to health. The Environmental Health Officers and Technicians continue to routinely inspect markets and events in Marlborough to ensure compliance with the legislative requirements of both the Food Act 2014 and the Sale and Supply of Alcohol Act 2012.

Members were advised that to-date the team have inspected 12 markets and of those inspections no significant non-compliances were noted.

It was reported that Food Stall Licences were previously issued for food vendors under old Bylaws but this has now been dis-established due to the cost to business owners and activity already being checked under requirements of the Food Act.

**Cirs Faulls/Croad:  
That the report be received.**

**Carried**

ATTENDANCE: Jane Robertson, Council's Animal Control Contract Manager, was present for the following item.

**Env-0421-347      Dog Microchipping      E305-006-005-01**

Members were advised that Animal Control is embarking on a microchipping campaign to capture those dogs which are not currently microchipped and improve compliance with the microchipping requirements in the Dog Control Act 1996.

It was noted that letters will be sent to all dog owners who do not have their dogs' microchipped to notify them of their legal obligations and inform them of the microchipping special that Animal Control will be holding for the month of May. At the end of the campaign the numbers of microchipped dogs will be reviewed and infringements will be issued to owners of any remaining dogs which are not microchipped after the amnesty period is completed. Infringement notices will be waived if microchipping certification or verification can be provided within 28 days of the notice being issued.

Members were advised that Animal Control do not automatically know that a microchip has been registered and will be contacting the local vet clinics to let them know that dog owners may be requesting microchip certification from them as a result of the letters being sent out.

Communication will be via social media and the newspapers to inform dog owners of the microchipping campaign and special discounted price at Animal Control for the month of May.

A follow up report on the results of the microchipping campaign will be provided to a future Committee meeting.

**Cirs Arbuckle/Sowman:  
That the information be received.**

**Carried**

**Env-0421-348      Information Package      -**

It was suggested that information be regularly included on the Council page regarding noxious plant pests.

It was noted that the Landscape Working Group has met and finalised a work plan. It was suggested that contact be made with Alan Johnson to organise an agenda item seeking approval from the Committee on the workplan.

Updated rainfall information was circulated to members prior to the meeting and papers copie provided at the meeting. (Filed in CM Record No. 2185809)

**Clr Croad/The Mayor:**

**That the Regulatory Department Information Package dated be received and noted.**

**Carried**

The meeting closed at 11.00 am.

Record No: 2186134



## **5. Committee Reports**

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### **5.3 Planning, Finance & Community Committee**

Planning, Finance & Community Committee Meeting held on 29 April 2021  
(Minute Nos. PF&C-0421-349 to PF&C-0421-361)

**Report and Minutes of a Meeting of the  
PLANNING, FINANCE & COMMUNITY COMMITTEE  
held in the Council Chambers, 15 Seymour Street, Blenheim  
on THURSDAY 29 APRIL 2021 commencing at 9.00 am**

### **Present**

Clrs M A Peters (Chairperson), J D N Croad, J L Andrews, J A Arbuckle, C J Brooks, B G Dawson, G A Hope, F D Maher, T P Sowman, N P Taylor and Mayor J C Leggett

### **Present via Zoom**

Clrs B A Faulls and D D Oddie

### **In Attendance**

Messrs M F Fletcher (Chief Financial Officer), D G Heiford (Manager, Economic, Community & Support Services) and N Chauval (Committee Secretary)

### **Apologies**

**Clrs Arbuckle/Brooks:**

**That the apology for absence from Clr M J Fitzpatrick and apologies from Clrs G A Hope, D D Oddie and B A Faulls for withdrawing from the meeting early be received and sustained.**

### **Carried**

## **PF&C-0421-349 Declaration of Interests** -

Clr Taylor noted a conflict of interest with Item 9 – Appeals on the PMEPP Decision.

ATTENDANCE: Jacqui Lloyd, General Manager – Destination Marlborough, was present for the following two items.

## **PF&C-0421-350 Destination Marlborough – Draft Annual Plan** **E100-004-01**

The purpose of the report was to present Destination Marlborough's 2021/22 Draft Annual Plan. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2186274).

The draft Annual Plan was attached to the agenda for members' information.

Members were advised that the draft plan does not include target commitments and measurables as the Board will approve these at the 1 June 2021 board meeting.

Jacqui Lloyd spoke to the report and noted that the tourism industry is operating in a time of crisis and that DM's focus is on supporting the tourism system, to lead and coordinate economic growth activities alongside the tourism industry, stakeholders, Māori/iwi and communities to assist in economic recovery.

It was noted that Destination Marlborough has contracted with MBIE to deliver three additional tranches of work over and above that of their core funding. This work is contracted through the Strategic Assets Protection programme (STAPP) and the Regional Events Fund.

**Clrs Croad/Taylor:**

**That Destination Marlborough Trust's draft business plan for 2021/22 be received.**

### **Carried**

At the end of discussion members noted their ongoing support for the excellent work that DM do for the region.



phase report is expected in June 2021. TEAM will also discuss the continuing role of TEAM following the June report.

**Cirs Croad/Taylor:**  
**That the information be received.**

**Carried**

ATTENDANCE: Dorien Vermaas, Council's Economic Development Programmes Manager, was present for the following item.

**PF&C-0421-352      Marlborough Economic Development,  
Smart+Connected and Smart Business  
Marlborough update      U045-04-03-01**

Members were provided with an update on Marlborough Economic Development initiatives and Smart+Connected and Smart Business Marlborough activities for the period 28 January 2021 and 14 April 2021.

It was noted that business support activity has continued in the period and updated economic data from Infometrics has been received. Business Trust Marlborough continue to provide support to local businesses.

Members were advised that the Screen Marlborough office has continued to support the potential establishment of a film studio at a development site in Blenheim. Funding for a feasibility study to assess the opportunity was approved by the TEAM Covid-19 Economic Recovery Group in March 2021 and consultancy EY has been engaged to complete the work. A report is expected in four to six weeks.

It was noted that a delegation from Marlborough Film Studios and Angel Investors Marlborough (AIM) will tour Peter Jackson's Stone Street Studios and the Park Road Post Production facilities in Miramar, Wellington on 7 May 2021. The delegation will be accompanied by Dorien Vermaas and Alan Simpson from the MDC Economic Development team.

There have been two new enquiries relating to filming activity in the region and Screen Marlborough also provided sponsorship to a local-film group to enter the 48-hour film challenge in March 2021.

It was noted that a template for the projects has been produced and this is available for use by all Smart and Connected Chairs.

Members were advised that an Economic Well-being strategy, which is a big piece of work for the region, is being developed. A draft of the strategy is likely to be available by August and will be presented to the Committee for consideration.

Members were advised that Council received an award for the best corporate or commercial focused project at the recent 2021 Sister Cities New Zealand conference for the Marlborough-Ningxia sister region wine technology project. The award was presented at a ceremony at Te Papa, Wellington.

Smart+Connected Industry groups continue to hold regular meetings and work on collaborative projects. Community groups have met monthly since the last update and are progressing a number of projects.

Members were advised that the next bi-annual Smart+Connected regional networking meeting is currently being planned with the date still to be confirmed.

**Cirs Croad/Andrews:**  
**That the information be received.**

**Carried**

ATTENDANCE: Mark Wheeler, Council's Chief Executive, was present for the following item.

## PF&C-0421-353 Housing Challenges – Work Programme Timetable

U045-04-03-01

The report to the Committee outlined actions and timetables to undertake the recommendations of the Levels of Service Increases – Housing Supply Challenges paper adopted at the February LTP Budget meeting.

Members noted that the recommendations encourage private developers to come on board and get ahead of the game. It was noted that Council is not the final solution but part of it with the recommendations showing Council is willing to use all measures necessary to create success for everyone.

**Cllrs Brooks/Arbuckle:**

**That the proposed Work Programme and Timetable be approved.**

<b><i>Recommendations and Action</i></b>	<b><i>Timetable</i></b>
<p><b><i>Recommendation 1</i></b></p> <p><b>That the provision of infrastructure and the regulatory requirements to enable appropriate housing on zoned land to continue to be given high priority</b></p> <p>Staff continue to prioritise the work required</p> <p>Current work is focussed on the construction of the Richardson Ave/New Renwick Road/Battys Road roundabout (Marlborough Roads) and the design of stormwater treatment retention requirements, reticulation routes and discharge options to service the Clifford/Marris land in Battys Road</p>	<p><b>Battys Road – Clifford/Marris</b></p> <p>Roundabout: - underway - completed mid-July 2021</p> <p>Stormwater design agreed 31 July 2021</p> <p>Stormwater consent application – to be lodged August 2021</p>
<p><b><i>Recommendation 2</i></b></p> <p><b>That discussions with land owners and developers continue to encourage and support residential subdivision and development</b></p> <p>These discussions are ongoing</p> <p>There has been increased interest and discussion from developers over recent weeks</p>	<p>Ongoing</p>
<p><b><i>Recommendation 3</i></b></p> <p><b>That impediments to sequential infrastructure development for residential zones be addressed and the use of designations under the Resource Management Act 1991 (RMA) and other powers under the Local Government Act 2002 and the Public Works Act are considered where negotiated settlements cannot be reached.</b></p> <p>Our General Counsel is considering the scope of public works these processes could be applied to</p>	<p>Powers will be used when required</p>

<b>Recommendations and Action</b>	<b>Timetable</b>
and the processes to be followed	following attempted negotiation failure
<p><b>Recommendation 4</b></p> <p><b>That Council considers the rationale for any Council intervention in housing matters being considered beyond its mandated role and what outcomes it is seeking to achieve.</b></p>	As required
<p><b>Recommendation 5</b></p> <p><b>That the feasibility of Council purchasing zoned but undeveloped residential land and subdividing it be explored and a report to Council outlining feasibility and funding options be prepared.</b></p> <p>Staff have engaged an independent property advisor to assist with this work</p>	Staff aim to present this feasibility report to Council in July 2021
<p><b>Recommendation 6</b></p> <p><b>That Council-led development of “affordable” housing or apartments on Council-owned land be investigated and a feasibility and funding options report be prepared.</b></p> <p>This work would follow the feasibility report on developing residential land. Staff will require independent advice and information from the local construction industry to complete this analysis</p>	Feasibility report to be prepared by 30 September 2021
<p><b>Recommendation 7</b></p> <p><b>That Council continues to monitor and report on housing data and information according to the National Policy Statement on Urban Development (NPS-UD) methodology utilising updated Statistics NZ information when it is available and that this work informs planning for new residential zoning capacity requirements.</b></p> <p>Staff will complete the Housing and Business Assessment (HBA) as planned informed by the information below becoming available:</p> <ul style="list-style-type: none"> <li>• updated population projections from Statistics New Zealand</li> <li>• updated internal (staff) population growth projections</li> <li>• survey of local businesses regarding business land need</li> <li>• Wine Marlborough Labour Market Survey (to be released soon)</li> <li>• updated modelling for infrastructure</li> </ul>	Estimated date of completion – Oct-Dec 2021

<b>Recommendations and Action</b>	<b>Timetable</b>
<p>provision</p> <ul style="list-style-type: none"> <li>additional demand anticipated for homes or alternative accommodation generated by the iReX and Combined Colleges projects</li> </ul> <p>Staff will formulate responses to any shortfalls in adequate supply of houses and/or land for urban development that may be identified in HBA including a refresh of the 2010 Growth Strategy work to inform potential zoning decisions.</p> <p>Staff will continue to progress online dash-boarding tools and reporting for regular monitoring of urban development indicators and activity ongoing to inform planning and reporting.</p>	
<p><b>Recommendation 8</b></p> <p><b>That a housing preferences survey of our community be commissioned looking at style, location and cost aspirations and the survey outcomes be discussed with the Marlborough and Central Government housing stakeholders to inform action plans.</b></p> <p>A Housing Preference Survey to be undertaken to identify community need in terms of type, size, location and price-point of homes to inform the HBA;</p> <p>A contractor may be engaged to assist with completion of the HBA given resourcing constraints.</p>	<p>Estimated date of completion of the HBA – Oct- Dec 2021</p>
<p><b>Recommendation 9</b></p> <p><b>That Council work with the Ministry of Education and KiwiRail to assist the understanding and possible solutions to housing supply challenges related to the Combined Colleges and iReX projects.</b></p>	<p>As project plans progress</p>
<p><b>Recommendation 10</b></p> <p><b>That the current rating policy for rezoned but undeveloped rural land be reviewed for consultation in the 2022/23 Annual Plan with progress in the development of that land being a key consideration.</b></p>	<p>Review progress of the subject land development in November 2021 to inform the rating policy review</p>
<p><b>Recommendation 11</b></p> <p><b>That further strategic planning work be undertaken through the Senior Housing Sub-Committee on the Senior Housing Unit Renewal Plans.</b></p>	<p>Underway and ongoing</p>

<b><i>Recommendations and Action</i></b>	<b><i>Timetable</i></b>
<p><b><i>Recommendation 12</i></b></p> <p>That a budget of up to \$100,000 from the Forestry and Land Development Reserve be provided to assist with any planning and analysis work required to implement these recommendations</p>	Approved
<p><b><i>Recommendation 13</i></b></p> <p>That a work programme including a timetable be prepared for the above to be considered at the Planning Finance and Community meeting on 20 April 2021.</p>	Completed

Carried

## **PF&C-0421-354      Housing for Seniors Sub-Committee**

**D050-001-H01**

The Minutes of the Housing for Seniors Sub-Committee meeting held on 25 March 2021 were attached for ratification by the Committee.

Clr Andrews expressed her concern that there was no lift access for the George Street Development and requested that the decision to not install lifts be revisited.

Members discussed the request and noted that the Housing for Seniors Sub-Committee had discussed the plans at length in the planning phase and the development has been built to a level of provision that supports senior members of the community. It was noted that space has been allocated to retro fit a lift if required.

**Clrs Brooks/Andrews:**

**That the Minutes of the Housing for Seniors Sub-Committee meeting held on 25 March 2021 be ratified.**

Carried

## **PF&C-0421-355      Small Townships Programme Sub-Committee**

**D050-001-S03**

The Minutes of the Housing for Small Townships Programme Sub-Committee meeting held on 8 April 2021 were attached for ratification by the Committee.

**Clrs Brooks/Arbuckle:**

**That the Minutes of the Small Townships Programme Sub-Committee meeting held on 8 April 2021 be ratified.**

Carried

ATTENDANCE: Clr Oddie re-joined the meeting at 10.50am during the following item.



ATTENDANCE: Pere Hawes, Council's Manager Environmental Policy, was present for the following two items.

**PF&C-0421-356      Appeals on the PMEP Decision      M100-09-01**

Mr Hawes advised that the purpose of the report was to inform the Committee of progress with resolving appeals made to the Environment court on the PMEP.

Members were advised that 51 notices of appeal on the PMEP were lodged with the Environment Court. In response to multiple Environment Court directions, a structure, process and timeline for managing the appeals has been proposed by the Council and was confirmed by the Court in December 2020. The initial focus for the first half of 2021 will be on mediating appeals on Section 6 matters, matters of national importance. The topics include natural character, landscape, indigenous biodiversity, open space and public access, cultural matters and heritage and are collectively referred to as "Group 1" topics.

The current mediation schedule for Group 1 runs to the end of August 2021 with Landscape being the next topic which commences on 4 May 2021 and runs to 20 May 2021.

Informal discussions continue to occur with some appellants regarding options for resolving specific appeal points, as time and resources allow.

Members were advised that with court assisted mediation progress reports are unable to be given as the discussions and outcomes are confidential to those parties. However, once court assisted mediation is completed any agreements between parties will be filed in the form of memoranda and these are public documents. It was noted that in terms of mediation, to date, almost all parties have entered into the discussion with good faith and open mindedness.

Members were reminded of Pere Hawes' delegation to make decisions noting that he does work closely with the chair of the Planning, Finance & Community Committee.

**Cirs Arbuckle/Croad:  
That the report be received.**

**Carried**

NB: Cllr Taylor declared an interest in the above and did not take part in discussions nor vote on the issue.

ATTENDANCE: Louise Walker, Council's Strategic Planner, was present for the following item.

**PF&C-0421-357      Variation 1 and 1A – Aquaculture Submission  
Summary      M100-11-002-03, M100-11-004-03**

It was noted that the purpose of the report was to decide if late submissions to Variations 1 and 1A (Aquaculture Variations) to the proposed Marlborough Environment Plan will be accepted. To approve a summary of decisions requested in submissions to Variations 1 and 1A to the proposed Marlborough Environment Plan and to further progress the process through the notification of the summary of decisions. To approve a copy of the Apex Marine Farm Limited submission being provided to all persons that have provided feedback on draft Variation 1B.

By way of background members were advised that Variation 1: Marine Farming and Variation 1A: Finfish Farming were publicly notified on 2 December 2020 with a total of 112 submissions being received. Subsequent to the closing date, one late submission, from McGuinness Institute, and two amended submissions, one from Apex Marine Farm Limited and the other from the Marine Farming Association and Aquaculture New Zealand, were received.

Members were advised that the Council is required to publicly notify a summary of decisions requested in submissions. This allows for further submissions on submissions to be made.

It was noted that a third draft variation (Variation 1B) seeking two new AMAs in Onapua Bay, which processing had run concurrently with Variations 1 and 1A, was not notified with the other two variations, this was due to ongoing consultation with landowners in the Bay. Since the public notification of Variation 1 and 1A, residents have provided feedback on the proposal. The feedback is currently in the process of being considered.

It was noted that the next step of the First Schedule process for the variations is to publicly notify a summary of decisions requested in submissions; these were available on Council's website for members' information. It included decisions requested in submissions received by the closing date of submissions, but also the late submission and late amendments to submissions, received after closing.

The late submissions were received from McGuinness Institute and Apex Marine Farms Limited. It was noted that a submission from Marine Farming Association and Aquaculture New Zealand was received within timeframes, however, 24 working days after the close of submissions the submitter provided an additional map showing proposed adjustments to Forsyth Bay already sought in submissions.

It was noted that summarising or any other processing of submissions had not commenced at the time of receipt of the documents from McGuinness Institute or Apex Marine Farm Limited. The Marine Farming Association and Aquaculture New Zealand amendment was received after submissions were made available online for viewing but the amendment only sought the inclusion of a map to support an existing submission point.

Members discussed the proposal and noted that it was not considered that any person would be affected if the late submission and amendments were accepted at this point in time. It was noted that if a person does consider themselves to be adversely affected then they have the opportunity to make a further submission opposing the late submission or amendment.

Members discussed and agreed that a copy of the Apex Marine submission be provided to all persons that have provided feedback on draft Variation 1B along with information on the further submission process.

**Cls Peters/Taylor:**  
**That Council:**

1. **Accept the late submission from McGuinness Institute and the amended submissions from Apex Marine Farm Limited, and Marine Farming Association and Aquaculture New Zealand.**
2. **Adopt the summary of decisions requested in submissions, as set out in CM Record No: 2189399 and 2189402.**
3. **Publicly notify the summary of decisions requested as soon as possible in the Marlborough Express, Blenheim Sun, Nelson Evening Mail, Dominion Post and Christchurch Press.**
4. **Extend the period for making further submissions under Clause 7(1)(c), pursuant to Sections 37 and 37A of the RMA 1991, to 20 working days from the date of notification of the summary of decisions requested in submissions.**
5. **Provide a copy of the Apex Marine submission to all persons that have provided feedback on draft Variation 1B along with information on the further submission process.**

**Carried**

ATTENDANCE: the meeting adjourned at 10.59am and resumed at 11.14 am.

**PF&C-0421-358**

**Audit & Risk Sub-Committee**

**D050-001-A05**

The Minutes of the Audit & Risk Sub-Committee meeting held on 29 March 2021 were attached for ratification by the Committee.

Martin Fletcher noted that the Picton Ferry Terminal was not an emphasis matter.

**Cls Peters/Croad:**

**That the Minutes of the Audit & Risk Sub-Committee meeting held on 29 March 2021 be ratified.**

**Carried**



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
Confirmation of Public Excluded Minutes	As set out in the Minutes and Reports	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 11.43 am.

Record No: 2189468

## **6. Waste Management and Minimisation Plan 2021-27**

(also refer to the separate attachment)

(Clr Fitzpatrick) (Report prepared by A McNeil)

W300-006-008-12

### **Purpose of report**

1. To adopt the Waste Management and Minimisation Plan (WMMP) 2021-27 (separately attached).

### **Executive Summary**

2. A Council Hearings Panel has reviewed submissions to the draft WMMP 2021-27. No substantive changes were made to the plan in response to the submissions. The WMMP 2021-27 is now presented in its final format for adoption by Council.

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## **RECOMMENDATION**

**That Council adopt the Waste Management and Minimisation Plan 2021-27.**

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### **Background/Context**

3. The draft waste management and minimisation plan 2021-27 was put out for consultation from 1 to 31 March 2021. The consultation process was aligned to the special consultative procedure set out in section 83 of the Local Government Act 2002.
4. Submissions were received using the Council online submission form. Submissions that were received by email or hard copy were entered into the online system to provide appropriate recording and tracking functionality. Sixteen submissions were received.
5. Submitters to the consultation process were given the option to speak to their submission at a Hearings Panel on 21 April 2021. No submitters chose to speak at the hearing.

### **Assessment/Analysis**

6. The Hearings Panel considered each submission and agreed on the response to be sent back to the submitter. Consideration was also given to any changes to the draft WMMP 2021-27 as a result of the submissions. No substantive changes were made to the plan in response to the submissions.
7. The WMMP 2021-27 is now presented in its final format for adoption by Council.

### **Option One (Recommended Option)**

8. Council adopts the Waste Management and Minimisation Plan 2021-27.

### *Advantages*

9. Council conclude the review of waste management and minimisation plan 2021-27 which allows the work plans contained in the document to be implemented, noting that the work plans are subject to further Council and community consideration as they progress.

### *Disadvantages*

10. Nil

### **Next steps**

11. The adopted WMMP 2021-27 is published on the Council website.

12. The Ministry for the Environment are notified of the adoption of the plan for the purpose of updating the waste disposal levy records.
13. WasteMINZ are notified of the adoption of the plan for the purpose of updating the waste sector.

**Attachment**

Attachment 6.1 – Waste Management and Minimisation Plan 2021-27 (attached separately to the Agenda paper)

Author	Alec McNeil, Solid Waste Manager
Authoriser	Stephen Rooney, Operations and Maintenance Engineer

## 7. Decision to Conduct Business with the Public Excluded

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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)

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 and Reports	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.