



**Minutes of a Meeting of the  
ENVIRONMENT & PLANNING COMMITTEE  
held in the Council Chambers, 15 Seymour Street, Blenheim on  
THURSDAY, 9 MARCH 2023 commencing at 9.00 am**

**Present**

Cirs G A Hope (Chairperson), B A Fauls (Deputy), J A Arbuckle, A R Burgess, B J Minehan, Mayor N P Taylor and Mr S Harvey (Rural Representative)

**Present via Teams**

Clr R J Innes

**Also Present**

Clr J D N Croad

**In Attendance**

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

**Apologies**

Cirs Hope/J A Arbuckle:

That the apology for absence from Clr T P Sowman be received and sustained and the apology for non attendance from Cirs S R W Adams and S J Arbuckle be noted.

**Carried**

**E&P-0323-292 Declaration of Interests** -

No interests with items on the agenda were declared.

ATTENDANCE: Alan Johnson, Council's Environmental Science and Monitoring Manager, Mike Ede, Council's Team Leader Environmental Monitoring, Peter Hamill, Council's Team Leader Land & Water, Peter Davidson, Council's Environmental Scientist – Groundwater, Charlotte Tomlinson, Council's Hydrologist were present for the following item and Jono Underwood, Council's Biosecurity Manager was present for the following two items.

**E&P-0323-293 Environmental Science and Monitoring Group  
E360-000-002**

Mr Johnson noted that the purpose of the report was to provide an overview of the Environmental Science and Monitoring Group (ESMG) functions, key areas of responsibility and challenges.

To highlight the report a powerpoint presentation was shown (presentation filed in CM Record No. 2358328). Each member of the team had a section within the presentation highlighting their areas and some of the challenges and pressures they face.

Members were advised that the ESGM deliver a range of statutory based functions pursuant to the Proposed Marlborough Environment Plan, the Regional Pest Management Plan, including a number of national directives under the Resource Management Act 1991 and Biosecurity Act 1993.

The core activities of the ESGM focus on state of the environment monitoring, reporting, investigations and collection of environmental data. In addition, the ESGM delivers several environmental programmes that

provide for both economic, and social wellbeing of the community and help protect and restore the natural environment.

It was reported that the collection of high-quality environmental data managed over the long term is a prerequisite to sound decision making for policy development, hazard management and achieving a range of community outcomes including resource consent requirements.

The ESMG works in an integrated way within Council and also works collaboratively with various stakeholders in the community.

At the end of the presentation Alan Johnson acknowledged Rachel Russell, Council's Te Hoiere Programme Manager, and her team, who were present in the public gallery, noting that they hadn't presented today as they had presented at the previous Committee meeting.

Members asked a number of questions at the meeting.

**Cirs Hope/Faults:**  
**That the information be received.**

**Carried**

Postscript: The ESMG presentation was emailed to Councillors following the Committee meeting.

ATTENDANCE: Brent Holmes, Council's Senior Biosecurity Officer and Liam Falconer, Council's Senior Biosecurity Officer were present for the following item.

**E&P-0323-294    Key Species-led Programme Updates**  
**E315-003-009-01, E315-003-019-01, E315-003-021-01**

Jono Underwood, Council's Biosecurity Manager, noted that the purpose of the report was to provide the Committee with an update on three of the larger pest-led programmes being implemented by the Biosecurity Team. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2358323).

It was reported that three of the larger pest-led programmes are those managing the threats from the invasive pest plants Chilean needle grass and nassella tussock, and the invasive marine pest Mediterranean fanworm. These three programmes consume a large portion of both Biosecurity staff time and operating budget but the investment is proportionate to the threat posed by these key invasive species to Marlborough.

Mr Holmes advised that over 600 properties in Marlborough have infestations of nassella tussock to varying degrees and of these properties, approx. 385 have more than a low-level infestation and are managed through an active inspection regime. It was noted that biosecurity staff carry out an annual transect monitoring programme to assess the long-term trends of nassella tussock density at a regional scale and MDC continues to support research into the viability of biocontrol agents for nassella tussock.

It was noted that although the average numbers are moving downwards, the monitoring programme needs to be running for at least 10 years before trends of the annual estimates can be determined.

Mr Falconer provided an update on the invasive species fanworm noting that dive surveillance across main vessel hubs occurs twice a year and targeted dives are undertaken when high risk vessels arrive. All incursions to date have been controlled and no active sites remain. It was noted that the combination of rapid response efforts by the Biosecurity Team, ongoing surveillance, and working with key local partners such as Marlborough Marinas ensures the invasive marine pest does not establish in Marlborough waters.

Mr Falconer advised that there are currently 209 properties affected with Chilean needle grass. The Biosecurity Team, and a number of local contractor resources have been delivering on-ground search and destroy works over the key seeding season to support occupiers' year-round efforts. These additional inputs are aimed at either intervening early for any new infestations or putting as much pressure as possible on the more lightly infested properties. For the more moderate to heavily infested properties, Council continues to support those occupiers with the likes of pasture renovations and also carrying out compliance checks of boundaries to support neighbouring control efforts.

**Cirs Hope/J A Arbuckle:**  
**That the information be received.**

**Carried**

ATTENDANCE: The meeting adjourned at 10.46 am and resumed at 11.01 am

ATTENDANCE: Mr Peter Davidson, Council's Environmental Scientist – Groundwater Quantity & Quality and Matt Oliver, Environmental Scientist – Land was present for the following item.

## **E&P-0323-295      Wairau Plain Land-Use Intensification Modelling E345-007-001**

Mr Davidson advised that the purpose of the report was to present the Wairau Plain nitrate-nitrogen predictor tool and forecasts of nitrate-nitrogen concentrations leached to groundwater for potential future crop types. To highlight this report the Groundwater Impacts Model for the Wairau Plains was shown and variations were demonstrated (excel spreadsheet filed in CM Record No. 2358321).

Members were advised that currently, rural areas of the Wairau Plain are predominantly used for growing grapes and nitrate nitrogen levels in groundwater are low, especially north of Rapaura Road due to the diluting effects of transmissive aquifer flows. It was noted that groundwater underlying land southwards to New Renwick Road contain increasing levels of nitrate nitrogen which in certain seasons and sites can exceed the surface water limit in the Proposed Marlborough Environment Plan (PMEP).

Mr Davidson advised that the model predicted that if current Wairau Plain vineyards were replaced with market gardening, pip fruit or dairying, groundwater nitrate-nitrogen concentrations would exceed the annual maximum limit in the PMEP.

**Cirs Hope/J A Arbuckle:**  
**That the information be received.**

**Carried**

The Chair advised that Item 6 – Variation 7 to the Proposed Marlborough Environment Plan – Significant Wetlands, Item 7 – Variation 8 to the Proposed Marlborough Environment Plan – Rezoning Open Space and Item 8 - Variation 9 to Proposed Marlborough Environment Plan - Notable Trees would be considered together.

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

## **E&P-0323-296      Variation 7 to the Proposed Marlborough Environment Plan – Significant Wetlands M100-11-13**

Ms Walker noted that the purpose of the report was to seek approval for the preparation and consultation for the three variations to the Proposed Marlborough Environment Plan (PMEP):

Variation 7 - to include new significant wetlands, remove other wetlands and make boundary adjustments to existing sites, giving effect to Council's Biodiversity Criteria for Significance.

Variation 8 - to rezone Council reserves as required to ensure the appropriate management of activities undertaken at those sites and to consider the appropriateness of zoning at one location in East Bay.

Variation 9 - to consider the inclusion of new notable trees, the removal of two trees that may no longer meet the threshold and to amend the location of others that may be incorrectly mapped. In addition, the variation would consider whether the policy cascade (objective through to rules) for the maintenance of notable trees is achieving the purpose for which they have been drafted. Approve the preparation and consultation on a variation to the Proposed Marlborough Environment Plan to consider:

- the inclusion of new notable trees;
- the removal of two trees that may no longer meet the threshold and to
- amending the location of trees that may be incorrectly mapped.
- whether the policy cascade (objective through to rules) for the maintenance of notable trees is achieving the purpose for which they have been drafted.

It was noted that the preparation of the variations will involve consultation with relevant parties, including landowners, tangata whenua, and ministers of the Crown who may be affected.

Members were advised that an evaluation report pursuant to Section 32 of the RMA will be drafted and that document along with the final version of the proposed variations will be brought back to the Environment and Planning Committee for approval to progress to public notification in due course.

**Cllrs Fauls/Burgess:**

**That Council approve the preparation of, and consultation on, a variation to the Proposed Marlborough Environment Plan to include new significant wetlands and to remove or make boundary adjustments to existing significant wetlands.**

**Carried**

## **E&P-0323-297      Variation 8 to the Proposed Marlborough Environment Plan – Rezoning Open Space**

**M100-11-10**

**Cllrs J A Arbuckle/Minehan:**

**That Council approve the preparation and consultation for a variation to the Proposed Marlborough Environment Plan (PMEP) to rezone Council reserves as required to ensure the appropriate management of activities undertaken at those sites and to consider the appropriateness of zoning at one location in East Bay.**

**Carried**

## **E&P-0323-298      Variation 9 to the Proposed Marlborough Environment Plan – Notable Trees**

**M100-11-10**

In response to a query on Recommendation 4 Ms Walker confirmed that consultation was being undertaken on whether a resource consent for minor maintenance was necessary. A resource consent would still be required for the removal of a notable tree.

Members were advised that the variations will be publicly notified and those residents close to the trees will be contacted directly.

**Cllrs Fauls/Mr S Harvey:**

**That Council approve the preparation and consultation on a variation to the Proposed Marlborough Environment Plan to consider:**

1. **the inclusion of new notable trees;**
2. **the removal of two trees that may no longer meet the threshold and to**
3. **amending the location of trees that may be incorrectly mapped.**
4. **whether the policy cascade (objective through to rules) for the maintenance of notable trees is achieving the purpose for which they have been drafted.**

**Carried**

ATTENDANCE: Ms Kim Lawson, Council's Strategic Planner, was present for the following two items.

**E&P-0323-299 Submission on Natural and Built Environment  
Bill and Spatial Planning Bill L150-019-R04**

Ms Lawson noted that the purpose of the report was to inform the Committee on Marlborough District Council's submission to the Select Committee on the Natural and Built Environment Bill (NBE Bill) and Spatial Planning Bill (SP Bill).

Members were advised that the Council had prepared a submission on the NBE Bill and SP Bill. The sub-committee of the Environmental and Planning Committee approved the submission, and Council filed the submission on 3 February 2023.

The Council provided an oral submission to the Select Committee on Wednesday, 1 March 2023 where the Mayor presented three key points of the Council submission. Details of the key areas of importance to Marlborough were detailed in the agenda item.

Ms Lawson advised that the submission to the Select Committee can be viewed on Parliament's website via the following links - [https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCEN\\_EVI\\_129831\\_EN13210/marlborough-district-council](https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCEN_EVI_129831_EN13210/marlborough-district-council)

[https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCEN\\_EVI\\_129832\\_EN13206/marlborough-district-council](https://www.parliament.nz/en/pb/sc/submissions-and-advice/document/53SCEN_EVI_129832_EN13206/marlborough-district-council)

Oral submissions can also be viewed but are only available on the Environment Committee's facebook page, scroll down to view, MDC presented to Environment Subcommittee B on 1 March:  
<https://www.facebook.com/environmentSCNZ/>

**The Mayor/Clr Minehan:  
That the submission on the NBE Bill and SP Bill be received.**

**Carried**

**E&P-0323-300 EDS Legal Proceedings – NES-PF L150-018-43**

Members noted that the purpose of the report was to inform the Committee of the legal proceedings filed by the Environmental Defence Society (EDS) and served on the Council.

Ms Lawson advised that EDS has sought declarations in the Environment Court that the National Environmental Standards for Plantation Forestry (NES-PF) breach the Resource Management Act 1991 (RMA) for permitting harvesting (and related earthworks) in high erosion risk areas of the Marlborough Sounds. EDS has served the proceedings on the Council, and other parties.

Members were advised that Council has instructed a barrister to assist and represent it in these proceedings and the Council has filed its intention to appear in opposition to the relief sought.

**Clrs J A Arbuckle/Hope:  
That the information be received.**

**Carried**

ATTENDANCE: Mr Jamie Sigmund, Council's Strategic Planner, Implementation & Review, was present for the following item.

**E&P-0323-301 Regional Sea Level Rise Modelling  
I100-004-P267, E320-003-001**

Mr Sigmund noted that the purpose of the report was to provide Council with information on the initiation of region wide Sea Level Rise modelling.

Mr Sigmund reported that the National Institute of Water and Atmosphere (NIWA) has been engaged to undertake 'first pass' Sea Level Rise (SLR) inundation modelling for the region. The SLR modelling will use the latest national sea level rise projections, vertical land movement data, and recently updated national SLR guidance material (MfE, August 2022).

It was noted that the project is a specific action within the MDC Climate Change Action Plan 2020 (2. (b)).

Members were advised that the guidance material outlines a ten-step decision making cycle (DAPP) for managing the implications of 'Climate Change' and the potential impacts of SLR. The guidance material focuses on three main types of coastal hazards that are exacerbated by climate change - Coastal erosion; Coastal inundation, or gradual persistent inundation from high tides due to sea-level rise and rising groundwater and salinisation in coastal lowlands caused by sea-level rise.

The Mayor provided members with additional background information noting the planning undertaken by the previous Council by way of a Climate Action Plan being established. It was noted that there are various strands of work currently underway and noted that it is important that this work be communicated out to the community.

It was noted that this 'project' integrates with Climate Change policies, objectives, and methods that have already been actively developed with the community as part of the proposed Marlborough Environment Plan (PMEP). All appeals on the 'Climate Change' Topic, Issues, Objectives, Policy, and Methods have now been resolved. This is an important factor as having the MEP framework beyond challenge means that we have a strong connection to several strategic elements of the MfE DAPP process and the 10-step decision making cycle.

Budyong Hill, Climate Karanga Marlborough, was present in Chambers and was invited by the Chair to speak to members. Mr Hill congratulated the Hearing Panel for their work on the PMEP Chapter 19 Climate Change noting initially it was underwhelming but what we have ended up with is considerably better.

**The Mayor/Clr Faults:**

- 1. That the information be received.**
- 2. That upon completion of the 'first pass' SLR modelling that modelling results, and future considerations are reported back to Council.**

**Carried**

ATTENDANCE: Ms Sue Bulfield-Johnston, Council's administrator and Hearing Facilitator, Advocacy and Practice Integration, was present for the following item.

**E&P-0323-302 Resource Consent Hearings Update R450-004-22**

The report to the Committee provided a rolling summary of hearings scheduled and completed for applications for resource consent.

It was noted that eight hearings have been completed in the year commencing 1 July 2022. Decisions have been issued for all but one of the applications. A table listing the hearings was attached to the agenda item for members' information.

Three hearings have been scheduled through to May 2023 and one request for a hearing has been received.

Ms Bulfield-Johnston noted a hearing date has now been set for the Marberry Estate Ltd. The hearing will be scheduled for one and a half days commencing with a site visit on the morning of 27 April and hearing to commence that afternoon.

Ms Bulfield-Johnston further advised that for the combined hearing of DKNZ Enterprises Ltd and AB & DM Fitzpatrick two submitters were scheduled to be heard, both have withdrawn their submissions and whether a hearing is now required is to be resolved.

Cllrs J A Arbuckle/Fauls:  
That the report be received.

Carried

## **E&P-0323-303 Information Package**

Cllrs Hope/Minehan:  
That the Regulatory Department Information Package dated 9 March 2023 be received and noted.

Carried

There being no further business the meeting closed at 11.58 am

Record No: 2359302