

**Minutes of a Meeting of the  
ENVIRONMENT & PLANNING COMMITTEE**  
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim  
on THURSDAY, 5 OCTOBER 2023 commencing at 9.00 am

**Present**

Cirs G A Hope (Chairperson), B A Faulls (Deputy), J A Arbuckle, R J Innes, T P Sowman, and Mr S Harvey (Rural Representative)

**Present via Teams**

Clr A R Burgess and Mayor N P Taylor

**Also Present**

Cirs S R W Adams and S J Arbuckle

**In Attendance**

Mr P Hawes, (Manager Environmental Policy) and Nicole Chauval (Committee Secretary)

**In Attendance via Teams**

Mr H R Versteegh (Environmental Science and Policy Group Manager), Ms G Ferguson (Consents and Compliance Group Manager), Mr R Coningham (Assets & Services Manager) and Mr M Wheeler (Council's Chief Executive)

**Apologies**

**Cirs Hope/Sowman:**

**That the apology for absence from Clr B J Minehan, be received and sustained and the apology for non-attendance from Clr J D N Croad be noted.**

**Carried**

**E&P-1023-105 Declaration of Interests** -

Mayor Taylor declared an interest in Item 12 – Appeals on the PMEP

ATTENDANCE: Mr Peter Hamill, Council's Team Leader Land and Water, Dan Moore, Moawhitu Project Manager and Tehau Kaonohi-PouTaiao, Ngāti Koata were present for the following item.

**E&P-1023-106 Moawhitu Restoration Project – Securing the  
Mauri of Moawhitu Update** **E375-018-001**

Mr Dan Moore, Moawhitu Project Manager provided members with an update on the Moawhitu restoration project. *To support the update a powerpoint presentation was shown (filed in CM Record No. 23211261).* At the conclusion of the presentation members were given a brief demonstration of the virtual reality experience of the project, refer to: <https://lakes380.com/he-reo-no-te-puehu/>

It was noted that the Moawhitu restoration project is a multi-partner project on Rangitoto ki te Tonga (D'Urville Island) led by Ngāti Koata and supported by the MFE Freshwater Improvement Fund.

Members were advised that Lake Moawhitu has ongoing problems with algal blooms. This is due to the internal cycling and release of nutrients from lake-bed sediments and deforestation along with modification of the



ATTENDANCE: Ms Sarah Pearson, Council's Strategic Planner, was present for the following item.

**E&P-1023-108 Giving effect to the National Policy Statement for Freshwater Management – Report on feedback from the first round of community engagement** **N100-001-04-01**

Ms Pearson noted that the report provided members with details of the feedback received from the first round of community engagement relating to the implementation of the National Policy Statement for Freshwater Management (MPSFM) 2020.

Members were advised that the first round of community engagement focused on freshwater management unit boundaries and finding out the community's visions and values for the region's freshwater.

Engagement occurred between December 2022 and June 2023 and over 200 individual submissions were received each with multiple submission points. Council proposed six draft Freshwater Management Units (FMUs) which correspond to Marlborough's main river catchments or groups of similarly characterised catchments. Most feedback agreed with using the hydrological catchments. Amendments suggested incorporating the 'northern island' area of the East Coast Complex into the Awatere FMU.

Members were advised that other feedback received noted the large scale of the FMUs suggesting further division. A more agile and flexible option is proposed which would enable the additional use of management at the scale of smaller catchments and aquifer units. It is proposed that Catchment Care Units and Aquifer Management Units might be appropriate names for these smaller scale units which will sit within the large FMUs.

Ms Pearson noted that these feedback responses for the FMU boundaries are those of Council staff and are without formal feedback from tangata whenua and therefore still proposed.

Members were advised that Council staff are working with the Te Tauihu Working Group and feedback from them is expected to start in January 2024. Council is also working with Ngāi Tahu and Ngāti Kuri with a hui proposed for the end of October. Once community and tangata whenua feedback has been received it will be combined.

Members were advised that from the feedback received in this first round of engagement, staff will prepare proposed visions for each FMU and environmental outcomes for each value identified. The proposed visions and environmental outcomes will be presented to the community in a second round of engagement which will be undertaken in a similar way to the first. Community and industry meetings will also occur but will be more of a drop in format where people can view information, including the proposed visions and outcomes and provide feedback rather than just a presentation being given.

It is proposed that this second round of engagement will run for six weeks, finishing on 15 December. Council staff will then collate this feedback in January which will be reported back to the committee and be used to inform the next stage of the process, iwi feedback will be combined once received.

**Clr Faulls/Simon Harvey:**  
**That the report be received.**

**Carried**

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

**E&P-1023-109 Proposed National Policy Statement for Natural Hazard Decision-making 2023** **N100-001-09**

Ms Lawson, Council's Strategic Planner, noted that the purpose of the report was to inform the Committee of the proposed National Policy Statement for Natural Hazard Decision-making 2023 (**NPS-NHD**) which was

released for consultation on 18 September 2023. An associated discussion document, Proposed National Policy Statement for Natural Hazard Decision-making: Discussion document. Wellington: Ministry for the Environment, has also been released.

Members were advised that the proposed NPS-NHD is intended to apply to decisions that result in or enable new development and aims to direct how decision makers consider natural hazard risks in making those decisions.

It was noted that the NPS-NHD is intended to be an interim measure, to be developed and implemented by early 2024, while the more comprehensive national direction is to be developed over the next one to two years. According to the information released by the Government, it is intended that the NPS-NHD will ultimately be included in the comprehensive National Direction for Natural Hazards and then transitioned into the National Planning Framework as part of the resource management reforms.

Ms Lawson reported that the proposed NPS-NHD is out for public consultation until 20 November 2023 and Council staff will review the proposed NPS-NHD and associated discussion document and prepare feedback for consideration at the next Committee meeting in November.

The Chair then proposed that along with himself, Clrs Burgess, Faulls and Mineham be appointed to a working group to consider Council's submission.

**Clrs J Arbuckle/Innes:**

1. **That the report be received.**
2. **That Clrs Hope, Burgess, Faulls and Minehan be appointed to a working group to consider Council's submission.**

**Carried**

## **E&P-1023-110      Draft Transitional National Planning Framework Proposal**

**N100-004-01**

Ms Lawson noted that on 11 September 2023 the Ministry for the Environment (Ministry) released a draft transitional National Planning Framework (NPF) proposal for targeted engagement, as well as an associated guidance document.

Members were advised that the Minister for the Environment and the Minister of Conservation (the Ministers) are now carrying out pre-notification engagement on the draft transitional NPF proposal with specified groups, including individuals or organisations they consider representative of the local government sector, to assist in its further development before public notification. This pre-notification engagement period will last until December 2023.

It was noted that following the pre-notification engagement period, the transitional NPF proposal will be finalised and it is expected to be publicly notified in April 2024. All interested parties will have the opportunity to make submissions on the proposal. A Board of Inquiry will consider those submissions and provide recommendations to the Minister on the transitional NPF proposal. The Ministry anticipates decisions on the transitional NPF proposal to be made, and the transitional NPF to come into force, in 2025.

Members were advised that Council staff will review the draft transitional NPF proposal and the associated guidance document and provide a further update to the Committee.

**Clrs Hope/Innes:**

**That the report be received.**

**Carried**

## **E&P-1023-111      Port Otago Ltd v EDS – Supreme Court decision**

**L150-013-05-17**

Members noted that the purpose of the report was to provide an update to the Committee on the Supreme Court decision in Port Otago Limited v Environment Defence Society Incorporated.

Ms Lawson advised that the Marlborough District Council (**Council**) had supported Port Otago Limited (**Port Otago**) in opposing the Environmental Defence Society Incorporated's (**EDS**) arguments through the



on enabling effective partnership arrangements to implement the requirements of the NPS-IB. Members requested that once the work programme has been completed that a workshop be arranged.

In response to a query on how much Central Government is providing to implement this, Ms Lawson advised that for the implementation plan government had indicated there would be extra communication support and also support for identifying SNAs but priority would be given to those areas that haven't started an SNA programme. How funds are apportioned is unclear.

Members expressed their concern in regard to the potential to lose the goodwill from landowners that has been fostered to date. Mr Hawes advised that staff are very mindful of protecting the relationship with current SNA landowners and will carefully manage transitioning those existing SNA's into the Plan.

**Cirs Innes/Fauls:**  
**That the report be received.**

**Carried**

ATTENDANCE: The meeting adjourned at 10.31 am and resumed at 10.40 am.

ATTENDANCE: Mr Jono Underwood, Council's Biosecurity Manager, Steve Pawson, University of Canterbury School of Forestry (via Teams) were present for the following item.

## **E&P-1023-113 Eucalyptus Bronze Bug Update**

**E315-002-005-10, E315-002-005-11**

Mr Underwood, Council's Biosecurity Manager noted that the purpose of the report was to provide an update to the Committee on the background, impact and likely consequences of the eucalyptus bronze bug (*Thaumastocoris peregrinus*) into the Marlborough Region.

A report commissioned by the Marlborough Research Centre and prepared by the University of Canterbury, Steve Pawson, investigating the biology, ecology, impacts and control options for the bronze bug was electronically circulated with the agenda and is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>. To highlight the report a powerpoint presentation was shown (presentation filed in CM Record No. 23213978)

Members were advised that the bronze bug was first detected in New Zealand on 10 March 2012 during surveillance activities in Auckland by Biosecurity New Zealand. A decision was made to not attempt eradication and since then the bronze bug has progressively dispersed through the North Island and now to the South Island.

It was reported that currently, the bronze bug is widely established across Marlborough with impacts already noted by Council's Parks & Open Spaces Team. Anecdotally, many other trees have clearly visible signs of ill health, likely a result of bronze bug attack. With the current trend of a warming climate, it is highly likely that impacts from the bronze bug will become more apparent across the region.

It was noted the *Eucalyptus viminalis* or 'manna gum' has shown to be particularly susceptible to the bronze bug.

Members were advised that the option to attempt any form of coordinated or broadscale intervention by agencies is not feasible. Not only on the grounds of resource availability but also the technical feasibility given the established nature of the bronze bug in New Zealand and the fact it is clearly highly mobile. However, the report did highlight a range of control options available should a tree owner/manager decide to intervene and reduce bronze bug impacts.

Members asked a number of questions at the meeting and at the conclusion of the presentation Mr Pawson noted he had additional background information on the eucalyptus bronze bug that he will forward for members' information.

**Cirs Innes/Simon Harvey:**  
**That the report be received.**

**Carried**

*Postscript: Jono Underwood emailed members additional information and reports supplied by Stephen Pawson on the Bronze Bug. (Filed in CM 23214929)*

ATTENDANCE: Mr Jamie Sigmund, Council's Strategic Planner, Implementation & Review, and Connon Andrews, NIWA's Coastal Climate Risk and Infrastructure (via Teams) were present for the following item.

## **E&P-1023-114      Marlborough District Sea Level Rise Assessment**

**I100-004-P267, E320-003-001**

Mr Jamie Sigmund noted that the purpose of the report was to provide the Council with the results of a District Assessment of Sea Level Rise for Marlborough.

It was noted that Council contracted the National Institute of Water and Atmosphere (NIWA) to undertake an Assessment of Sea Level Rise (SLR) for the Marlborough District and this report is available on Council's [website](#). The SLR assessment has used the latest international and national sea level rise projections, vertical land movement data, and the latest national 'interim' SLR guidance material (MfE, August 2022).

Mr Connon Andrews of NIWA provided further information on the assessment via powerpoint presentation. The presentation covered the methodology used by NIWA to assess the inundation risk of sea level rise and summarised the results of the assessment for Marlborough, particularly for the Lower Wairau Plain, Picton and Havelock.

(Presentation filed in CM Record No. 23215347).

The report provided a number of recommendations to refine future inundation hazard for the Lower Wairau Plain and to improve the supporting information and confidence around the Marlborough SLR assessment. It was noted that cross Council business units agree with the direction of these recommendations and a work programme will be developed.

In response to a query on the future work that has been identified and whether there was budget for that, Mr Hawes noted that funding was available through the existing climate change budget.

Mr Coningham, Council's Assets & Services Manager (via Teams) noted as part of the recommendation a more detailed study, particularly for the lower Wairau, will help to better inform Council on what the possible effects are if we don't address things such as stop bank heights in certain areas. There will be lots of challenges that Council will need to look at over the coming years and decades with this type of work.

Mr Hawes noted that the next substantial piece of work expected of government is the Climate Change Adaptation Bill which the Ministry is continuing to develop and was expected to be introduced to Parliament this year. This Bill will begin to address questions around processes for communities to adapt to the impacts of a changing climate.

Mr Sigmund advised that Council's Climate Change Action Plan, the Marlborough District sea level rise assessment with a link to the spatial mapping information is available on the website via the following link <https://www.marlborough.govt.nz/environment/climate-change>

**Cirs Hope/Innes:  
That Council:**

- 1. Receive the Marlborough District Sea Level Rise Assessment Report.**
- 2. Adopt the NIWA recommendations to undertake hydro-dynamic modelling for the Lower Wairau Plain.**
- 3. Undertake a process of sharing the report findings with iwi, industry groups and the community.**

**Carried**

## **E&P-1023-115      Appeals on the PMEP**

**M100-09-01**

Mr Hawes, Council's Manager Environmental Policy advised members on the progress with resolving appeals made to the Environment Court on the PMEP.

It was reported that mediation on the National Policy Statement for Indigenous Biodiversity has involved lengthy mediation and discussions between the parties since June 2021. The NPSIB was gazetted on 7 July 2023 and came into effect on 4 August 2023. Work has commenced to consider the content of the NPSIB and any implications on the outstanding matters of appeal. There are proposals put forward by Council to resolve outstanding appeal points on identification of SNA within the PMEP and on offsetting/compensation provisions. These proposals follow consideration of the implications of the NPSIB.

All water quality appeals points have been resolved.

There are a total of seven consent memoranda now with the Court for consideration and a further consent memorandum is in preparation. Any result on the consent orders issued by the Court will be reported to the Committee through future updates.

**Cllrs Hope/J Arbuckle:  
That the report be received.**

**Carried**

ATTENDANCE: Mr Jono Underwood, Council's Biosecurity Manager, was present for the following item.

## **E&P-1023-116 Biosecurity - Operational Plan Report 2022/2023** **E315-002-005-10, E315-002-005-11**

Mr Underwood noted that the purpose of the report was to seek Council approval of the Biosecurity Operational Plan Report for 2022/2023 including approval for the amendments to the Biosecurity Operational Plan contained within the 2022/2023 report.

Members were advised that a final report has been prepared on the Biosecurity Operational Plan at the completion of the 2022/2023 financial year, covering the activities of Council's Biosecurity Section. A review of the Biosecurity Operational Plan 2018-2028 was also carried out by Biosecurity staff on 24 August 2023. Proposed amendments are contained within Part Four of the report.

It was noted that it has been a successful year for the Biosecurity Section with 100% of the operational delivery targets achieved and many of the pest programmes continue to be on track. Of particular importance, there continues to be no establishment of all of the pests under Exclusion Programmes within the Regional Pest Management Plan. For those programmes not on track, this often reflects the biological challenges and realities of managing invasive species and even those at low incidence.

There was discussion on the Chilean needlegrass group and members noted the importance of Council's continued support of the group but also the need to ensure active community involvement in the group.

Members acknowledged the biosecurity team for their work and passion in continuing to protect Marlborough against invasive species.

**Mr S Harvey/Cllr Faulls:**

- 1. That the report be received.**
- 2. That the annual report on the Biosecurity Operational Plan for the 2022/2023 financial year be approved by the Council in accordance with section 100B(2) of the Biosecurity Act 1993.**
- 3. That the amendments proposed within Part Four of the 2022/2023 Biosecurity Operational Plan Report, as a result of the annual review of the Operational Plan, be approved by the Council in accordance with section 100B(1)(b) and (c) of the Biosecurity Act 1993.**

**Carried**



ATTENDANCE: Ms Steffi Henkel, Council's Environmental Scientist Water Quality, was present for the following item.

## **E&P-1023-117 State of the Environment River Health Monitoring Report 2023**

**E375-001-003-03**

Ms Henkel presented the 'River Health - Monitoring 2023' report to the Committee. The report is available on Council's website. To highlight the report a powerpoint presentation was shown (presentation filed in CM Record No. 23211258)

Ms Henkel noted that river health has become a focal point in recent years due to new legislation, such as the National Policy Statement for Freshwater Management (NPS-FM), and National Environmental Standards introduced in 2020. Long-term monitoring of water quality is essential for effective freshwater resource management as it allows council to assess the effectiveness of plan rules and concentrate improvement efforts where water quality is currently compromised.

Ms Henkel further noted that the report provided results for various parameters using data from the most recent five years of monitoring (2018-2022). Where available, attribute states based on the limits outlined in the NPS-FM are provided for sites and parameters with sufficient data.

It was reported that although more than 72% of the states are in the A or B-Band, out of the 34 sites, 19 (56%) exhibit at least one attribute in the D or E band. For most attributes, the D band signifies a state below the national bottom line. However, the NPS-FM does not specify a national bottom line for some of the attributes, including the E. coli attribute, which registers the highest number of sites in the lower bands.

Members raised whether there has been any visible effects from the release of dung beetles, Ms Henkel noted that results are not likely to be visible until at least 5 years following release. Ms Henkel also responded to a query regarding identifying the source of E. coli advising that it is difficult to differentiate between sources as their markers are very similar.

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

**Carried**

ATTENDANCE: Cllr S Arbuckle withdrew from the meeting at 12.16 pm.

ATTENDANCE: Mr Matt Oliver, Council's Senior Environmental Scientist Land, was present for the following two items.

## **E&P-1023-118 GNS Storm Report Recommendations**

**E355-015-003-02, E355-015-003-03**

Mr Oliver noted that the purpose of the report was to provide the committee with options for delivery of the recommendations contained in the GNS Report Phase II: Remote mapping of Landslides triggered by the July 2021 and August 2022 Marlborough Storms and selected field investigations of landslide impact for consideration.

Members were advised that council staff had requested a quotation and work proposal from GNS to carry out the recommended work. These are divided into four work packages which were detailed in the agenda item and totalled \$395,000 to complete.

Members discussed the three options presented which were to either reprioritise \$30k of existing budget to undertake Work Package 1 (WP1) with the remaining WPs presented to the LTP over 2 years or defer all costs to LTP over 2 or 3 years or maintain the status quo.

Cllr J Arbuckle indicated that his preference was to prioritise the \$30k of existing budget and to also undertake the other work packages as he considered it was critical work. Council's CE Mark Wheeler (via Teams) and the Mayor noted that the \$30k is able to be budgeted for but advised that LTP workshops are currently

underway and these will provide councillors with the opportunity to ensure Council's priorities and work streams are right rather than making a decision on a single paper in isolation.

Mr Oliver reported that the majority of GNS work would be delivered by external contractors who wouldn't be able to undertake the work all at once.

The Chair then proposed the following motion which was Moved by Clr Faulls, Seconded Clr Sowman that the Council approve the reprioritisation of \$30,000 from existing budgets to Work Package 1 (Multivariate Analysis and RIL retraining).

**Cirs Faulls/Sowman:**

**That the Council approve the reprioritisation of \$30,000 from existing budgets to Work Package 1 - Multivariate Analysis and RIL retraining.**

**Carried**

## **E&P-1023-119      Completion of PGF LiDAR Programme    c315-19-071**

Mr Oliver noted that the purpose of the report was to provide an update on the completion of the Provincial Growth Fund (PGF) LiDAR programme. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 23211257).

Members were advised the PGF LiDAR programme has been completed with the receipt of final approval from LINZ of the acceptability of the final block of data. The PGF LiDAR project has taken over three years and was completed within the timeframe and budget.

The resulting LiDAR data has been used across multiple Council sections and by many external users. It represents a major upgrade in the mapping of Marlborough land surface and has allowed the implementation of many advanced spatial tools to improve land management, planning, and policy outcomes.

**Cirs Innes/Hope:**

**That the information be received.**

**Carried**

ATTENDANCE: Mr Zeke Hoskins, Council's Environmental Science Technician, was present for the following item.

## **E&P-1023-120      Working for Nature/ Mahi mō te Taiao Grant E390-003-23-01**

Mr Hoskins advised that the purpose of the report was to inform Council on the decisions made by the Grant Sub-Committee regarding which applicants were to be successful in the Working for Nature/ Mahi mō te Taiao 2023-2024 grant round and to provide an update on the 2022-2023 grant round which has concluded.

Members were advised that \$111,500 has been allocated for the 2023-2024 funding round, increasing from \$110,00 available in the previous year. A total of 24 projects were applied for, 10 for Habitat Marlborough, 12 under Protecting Marlborough, and 2 under Environmental Advocacy. Funding requested through this round totalled \$184,393.50.

Partial or full funding was provided to 14 applicants in support of their projects. There were nine projects which received full funding. The remaining five applicants received partial funding and would therefore need to find alternative funding or reduce the project scope.

The following applications received either partial or full funding:

**Habitat Marlborough:**

Brawn Vineyards Ōpaoa River Restoration.....\$319.78  
Growing Trees, Growing Children .....\$3,210.00

Harvey Bay Stream Rewilding Project.....	\$2,700.00
Te Ara Restoration.....	\$3,590.00
Waikawa Stream Habitat Enrichment.....	\$5,000.00
<b>Total .....</b>	<b>\$14,819.78</b>

**Protecting Marlborough:**

Hinepango Wetland Restoration.....	\$12,820.88
Kaipupu Sanc. & Mabel Island Weed Control .....	\$7,003.00
Lake Elterwater Willow Control.....	\$14,020.00
Pest Free Ngakuta Bay.....	\$9,250.03
Ungulate Control.....	\$10,000.00
Wattle Control – Waikawa .....	\$15,000.00
Wild Waikawa Restoration.....	\$10,000.00
<b>Total .....</b>	<b>\$78,093.91</b>

**Environmental Advocacy:**

Kaipupu Signage Project .....	\$2,300.00
Marlborough SNA's Learning .....	\$2,000.00
<b>Total .....</b>	<b>\$4,300.00</b>

Correspondence was sent to all applicants in July, advising the outcome of their application.

**Cirs J Arbuckle/Fauls:**

1. That the report be received.
2. That Council ratify the decisions made by the Grant Sub-Committee.

**Carried**

**E&P-1023-121 Information Package** -

1. Cirs J Arbuckle, Fauls and Innes advised members that following the review of the Marlborough Landscape Group's Strategy the Group have come to the decision to disband. A paper will be prepared for the Environment & Planning Committee to officially advise of the Group's decision.

Members expressed their appreciation for the work undertaken by the Landscape Group and its members since its inception in 2003.

2. The Chair reflected on the agenda items being presented and their significance and raised whether there was appetite from members to extend the length of time for meetings to discuss the items in more depth.

Mr Versteegh, Council's Environmental Science & Policy Group Manager (via Teams), noted that the Committee meetings provided a record of the items and the decision but noted that workshops would be the most suitable platform to assist members in understanding the programmes of work, their linkages to the Plan and Policy Statements and prioritising delivery of that.

Members indicated their support and agreed that workshops were the best approach, staff to arrange.

**Cirs Hope/Innes:**

**That the Regulatory Department Information Package dated 5 October 2023 be received and noted.**

**Carried**

The meeting closed at 1.04 pm.

Record No: 23216633