

MARLBOROUGH DISTRICT COUNCIL  
15 SEYMOUR STREET  
PO BOX 443, BLENHEIM 7240  
NEW ZEALAND

TELEPHONE (0064) 3 520 7400  
FACSIMILE (0064) 3 520 7496  
EMAIL [mdc@marlborough.govt.nz](mailto:mdc@marlborough.govt.nz)  
WEB [www.marlborough.govt.nz](http://www.marlborough.govt.nz)



10 April 2024

Record No: 2488816  
File Ref: D050-001-02  
Ask For: Mike Porter

## **Notice of Council Meeting – Wednesday, 10 April 2024**

Notice of the Council Meeting to be held in the Council Chambers, 15 Seymour Street, Blenheim on Wednesday, 10 April 2024 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 WEDNESDAY, 10 APRIL 2024 commencing at 9.00 am**

**Open Meeting**

1.	Karakia	Page	1
2.	Apologies	Page	1
3.	Declaration of Interests	Page	1
4.	Iwi Committee Representatives	Page	1
5.	Minutes		
5.1	Council – 26 February 2024	Pages	5 - 29
5.2	Extraordinary Council – 21 March 2024	Pages	30 - 32
6.	Committee Reports		
6.1	Environment & Planning Committee	Pages	33 - 65
6.2	Economic, Finance & Community Committee	Pages	66 - 71
6.3	Regional Transport Committee	Pages	72 - 74
6.4	Regional Transport Committee	Pages	75 - 77
7.	Fast-Track Approvals Bill (also refer to separately attached document)	Pages	78 - 80
8.	2024-34 Long Term Plan Consultation Document (also refer to separately attached document)	Page	81
9.	2024-34 Long Term Plan Supporting Information (also refer to separately attached document)	Page	82
10.	Decision to Conduct Business with the Public Excluded	Page	83

**Public Excluded**

1.	Public Excluded – Confirmation of Minutes		
1.1	Council – 26 February 2024	Pages	1 - 3
1.2	Extraordinary Council – 21 March 2024	Pages	4 - 5
2.	Public Excluded – Committee Reports		
2.1	Regional Transport Committee	Pages	6 - 7
3.	Property Purchase	Pages	8 - 14
4.	Land Purchase	Pages	15 - 17
5.	Determination of Items able to be Released to the Public	Page	18



## Marlborough District Council

**Order Paper for the  
COUNCIL MEETING**  
to be held in the Council Chambers, 15 Seymour Street, Blenheim  
on WEDNESDAY, 10 APRIL 2024 commencing at 9.00 am

### 1. Karakia

---

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

---

### 3. Declaration of Interests

---

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. Iwi Committee Representatives

---

The new Iwi Committee Representatives (Dawn McConnell – Assets & Services Committee; Lewis Smith – Environment & Planning Committee; and RaNae Niven – Economic, Finance & Community Committee) will be welcomed to Council.

## **5. Minutes**

---

- 5.1 Confirmation of the Minutes of the Council Meeting held on 26 February 2024  
(Minute Nos. Cncl-0224-258 to Cncl-0224-312)



**Minutes of a Meeting of the  
Marlborough District Council  
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim  
on MONDAY 26 FEBRUARY 2024 commencing at 9.00 am**

### **Present**

The Mayor N P Taylor (in the Chair), Clrs S R W Adams, S J Arbuckle, A R Burgess (to 12.41 pm), J D N Croad, D A Dalliessi, B G Dawson, B A Faulls, M R K Flight, G A Hope, R J Innes, B J Minehan, J C Rosene and T P Sowman.

### **Present via Teams**

Clr J A Arbuckle.

### **In Attendance**

Mr M S Wheeler (Chief Executive), Mr G K Blake (Chief Financial Officer), Mr R P Coningham (Manager Assets & Services), Ms G M Ferguson (Consents & Compliance Group Manager), Mr M F Fletcher (Manager Strategic Finance), Mr R Foitzik (General Counsel), Mr D G Heiford (Manager Economic, Community & Support Services), Mr J Joseph (Kaihautū), Mr A J Lyall (Property & Community Facilities Manager), Mr H R Versteegh (Environmental Science & Policy Group Manager), Mr D G Walters (Communications Manager), Ms S L Young (Chief Information Officer), Mr N P Henry (Strategic Planning & Economic Development), Mr J J Cunliffe (Stormwater Lead), Mr S A Donaldson (Planning & Development Engineer), Mr A D Johnson (Manager Environmental Science & Monitoring), Ms C L Lake (Financial Services Manager), Mr S J Murrin (Marlborough Roads Manager), Ms J A Tito (Parks & Open Spaces Manager), Mr A White (Rivers & Drainage Engineering Manager), Ms T A Dever (Financial Reporting & Funding Manager), Mr R V Hutchinson (Parks & Open Spaces Officer), Mr M W Lucas (Solid Waste Manager), Mr G P Smail (Parks & Open Spaces Officer), and Mr M J Porter (Democratic Services Manager).

### **Karakia**

The meeting opened with a karakia from Clr Burgess.

## **Cncl-0224-258 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 No. Cncl-1223-204;
- The interest as declared under Minute No. EFC-0224-244 (Minute No. EFC-0223-e-31); and
- The interests declared at the meeting by Clr Hope (Minute No. Cncl-0224-290), Clr Adams (Minute No. Cncl-0224-298) and Clrs J Arbuckle & Croad (Minute No. Cncl-0224-307).

## **Cncl-0224-259 Long Term Plan Budgets 2024-34** **F230-L24-03**

The Mayor welcomed everybody and introduced the purpose of the budget side of the meeting as per the Agenda. The Mayor also acknowledged the work of the Finance Team and other staff who had worked on reports.

## **Cncl-0224-260 Budget Summary** **F230-L24-03**

Mr Blake provided Council with an overview of the budgets proposed for inclusion in Council's 2024-34 Long Term Plan (LTP).

Mr Blake reported that the proposed budgets maintain a continuation of existing levels of service and a Capital Expenditure programme that in the main focuses on core infrastructure. There is a very large Capital Expenditure programme budgeted to address core infrastructure requirements. This coupled with post COVID high levels of inflation across all costs and activities has driven the proposed rate increases.

The draft Rates increase for 2024-25 is 7.79% before adding 0.68% for the introduction of Wheelie Bins for Kerbside Rubbish and Recycling Collections. This equates to 8.47% which excludes the impact of the COVID Rates Relief Reserve, which adds a further 5.11%, a total of 13.58%. An agenda paper proposed options to unwind the COVID Rates Relief reserve, the preferred of which would soften the impact on rates for 2024-25 and future years, reducing 2024-25 by 2.20%. Other agenda papers for Levels of Service changes and the review of Fees and Charges total + 1.25% on Rates. If all Levels of Service and Fee Review papers and preferred options, including unwinding the COVID Rates Relief Reserve, were selected by Council the Rates increase was estimated at 12.63%.

Mr Blake further reported that consideration by Council of papers in relation to funding of the Emergency Events Reserve and the Impact of Funding Depreciation on Revalued Three Waters Assets may lead to future years Rates impacts. In addition to the Rates increase referred to above consultation is proposed on options to address the funding of the costs of fixing the Marlborough Sounds Roads storm damage. For the remainder of this Budget Summary the terms "Roads and Footpaths" excludes any potential costs associated with the fixing of the Marlborough Sounds Roads.

Council has previously agreed that the Rates Cap remains at LCGI + 3%, which for 2024-25 gives a cap of 5.89%. While the cap has been exceeded in 2024-25, the remaining proposed increases are forecast to remain within the "cap" for eight of 10 years of the LTP. To manage the impact on Rates, extensive use has been made of the Infrastructure Upgrade and Depreciation Reserves. The Infrastructure Upgrade Reserve is being drawn on more heavily over the course of the LTP because it repays the borrowing that is growing as a result of the increased capital expenditure programme. Council, in September 2023, agreed to change the debt cap to "net interest will be less than 15% of total rates". By adopting a conservative approach, 15% is only half of that permitted by the LGFA, and using the Budget Meeting version of the LTP, Council debt peaks at \$282M in 2031 which is well within this self-imposed cap. Council's forecast debt levels will remain within the covenants for LGFA borrowing increases. The use of debt is one of the main methods of achieving intergenerational equity.

**The Mayor/Clr Croad:**

**That Council receive the information contained in this Budget Summary Paper and adopt it as supporting information to the 2024-34 Long Term Plan.**

**Carried**

## **Cncl-0224-261    Water and Sewerage Capital Budgets    F230-L24-03**

Mr Donaldson provided an overview of Water and Sewerage projects and capital budgets over the 2024-34 Long Term Plan period.

The report included specific detail on the projects proposed and their capital costs.

**Clrs Croad/Hope:**

**That the water and sewerage budget and programme for the 2024-34 Long Term Plan period be received and the information be adopted as supporting information.**

**Carried**

## **Cncl-0224-262    Road and Footpaths Budget    F230-L24-03, R800-006-002-02**

Mr Murrin provided an overview of major roading expenditure, broken down into four categories: Maintenance; Renewals; and Capital Improvements. It was noted that expenditure is split into subsidised and unsubsidised. Subsidised expenditure attracts a subsidy from Waka Kotahi NZ Transport Agency. The current subsidy for Council's standard roading programme is set at 51%.

It was further reported that Waka Kotahi NZ Transport Agency subsidised Roding Programme is funded in a 3-year block and is known as the 2024-27 National Land Transport Programme (NLTP). The 2024-25 year is the first year of the new NLTP.



Mr Murrin further reported that the only major capital improvements proposed in the long term plan are bridges. There is \$1m budgeted in 2026-27 for design for the replacement of the High Street bridge and \$13m in 2028-30 for construction. There is also \$6.5m budgeted in 2030-31 for an additional crossing of the Taylor River in Blenheim.

The report included specific detail on the risks not currently budgeted for.

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

Carried

## **Cncl-0224-263      Marlborough Sounds Future Access Works Programme**

**E210-007-29-05**

Mr Wheeler advised that the purpose of the report was to provide a recap on the Programme Business Case (PBC) for the Marlborough Sounds Future Access Study (MSFAS), and an outline of the process which will be used to finalise a detailed works programme for implementation of the MSFAS; to seek Council approval to include the recommended conceptual works programme and financial assistance rate assumptions from the PBC in the Long Term Plan (LTP) budgets, which will then be subject to consultation through the LTP process; and to support the recommended conceptual works programme and financial assistance rate assumptions as the basis for the Sounds roading access project (including the preferred option), which will then be the subject of consultation through the LTP process (refer Minute No. Cncl-0224-264 below).

Mr Wheeler reported that Council embarked on the MSFAS to support the case for funding safe and resilient long-term access solutions for the Sounds transport network, following the major storm events of 2021 and 2022. The purpose of the PBC was to identify the combination of activities (network repairs, replacement and improvements, etc) that represent the best-value-for-money response to the case for change. The draft PBC was reviewed by an independent expert engaged by Council, who considered that the PBC was fit for purpose. Council endorsed the PBC and submitted it to Waka Kotahi NZ Transport Agency for consideration in October 2023. The PBC was reviewed in detail by Waka Kotahi NZ Transport Agency's investment team and a senior management group before being presented to their Board in December 2023. Council was advised by Waka Kotahi NZ Transport Agency staff on 14 December 2023 that the PBC had been endorsed in full, and that applications for final funding could be submitted subject to more detailed design work, site investigations, option optimisation and a decision of Council to proceed and provide its share of funding through the LTP process. The endorsement of the PBC by Waka Kotahi NZ Transport Agency is what led to this report (and the following report on rating options) being prepared. Final funding decisions will be able to be made by each of the respective funders following the culmination of the 2024-34 LTP process, and more detailed design and site investigation work. It is anticipated that this will be from June/July 2024 onwards. Budgets will be reviewed annually as part of Annual Plan processes. Budget changes may initiate amendments to Sounds roading access cost allocation, depending on the final funding option/system adopted.

**Cirs Faulls/Innes:**

- 1. That Council reconfirms the findings of the Programme Business Case (PBC) now endorsed by Waka Kotahi NZ Transport Agency.**
- 2. That Council approves the PBC recommended conceptual works programme, with the addition of annual inflation estimates provided by BERL, for inclusion in the Long Term Plan budget to be consulted on during the 2024-34 Long Term Plan process.**
- 3. That Council supports the PBC recommended conceptual works programme and financial assistance rate assumptions as the basis for the Sounds Roding Access proposal to be consulted on as part of the Long Term Plan process.**

Carried

## **Cncl-0224-264 Marlborough Sounds Roding Funding Recovery**

**E210-007-29-05**

Mr Fletcher advised that the purpose of the report was to outline and seek approval to consult on funding options for the Council's contribution to the estimated costs of the recovery works for the Marlborough Sounds transport network.

Mr Fletcher reported that as a result of two major weather events that occurred in July 2021 and August 2022, there was extensive damage to the Sounds roading network, and a need for significant repairs and improvements, generating a consequential funding need. While a large portion of the circa \$140M Tranche one and two funding approved by Waka Kotahi NZ Transport Agency at a 95% Financial Assistance Rate has been applied to necessary Sounds repairs, there is a need for further recovery works and for additional Council funding. The uninflated estimated total cost of the remaining repair and improvement works are identified in the Programme Business Case (PBC) for the Marlborough Sounds Future Access Study (MSFAS) at \$234M over a 25-year period, with the majority of costs planned for the 2024-34 period. Waka Kotahi NZ Transport Agency have agreed in principle to fund 71% of repair costs, 51% of improvements and at present 0% of maritime expenditure. The challenge for Council is to develop an appropriate funding mechanism for its share of the cost (which amounts to approximately \$106M). Members noted that Council will not have access to Waka Kotahi NZ Transport Agency's funding contribution unless it contributes the balance of the funding.

Mr Fletcher explained all options as per the agenda. Mr Fletcher further explained that Option 5 (UAC for the remainder of Marlborough) builds on Options 3 (Maintain the current rates weighting of 100 for all properties within the five Sounds Zones and a reduced weighting for the balance of Marlborough and Sounds Admin Rural Properties) and 4 (A further developed weighting approach, but with Zone costs to be recovered at a Zone Level). Under this option a uniform charge is proposed to recover the share of the costs of the Sounds Roads recovery, not being recovered from Zones 1-5 as identified in the report and Sounds Admin Rural. This approach was proposed as properties in these areas are in general not expected to gain a significantly greater or lesser benefit because of their use, size and value. Under this option, the average value for non-Sounds properties rates identified in the table above becomes the UAC, starting at \$38.07 in 2025 and rising to \$259.15 for 2034.

### **Cirs Minehan/Faults:**

- 1. That Council agree to consult on the five options contained in this paper, including the do minimum option and four funding options as part of the Long Term Plan consultation process; and**
- 2. That Council agree that Option 5 (UAC for the remainder of Marlborough) is the Council's preferred option, for the purpose of the 2024-34 Long Term Plan consultation.**

### **Carried**

ATTENDANCE: The meeting adjourned at 10.32 am and reconvened at 10.51 am.

## **Cncl-0224-265 Levels of Service Increases: COVID-19 Rates Relief Reserve**

**F230-L24-03**

Mr Fletcher advised that the purpose of the report was to propose a means by which the rating impact of the COVID-19 Rates Relief Reserve (Reserve) can be reversed.

Mr Fletcher explained all options as per the agenda. Mr Fletcher further explained that under Option 5 (Transition over three years and Sell Carbon Credit to finance the remainder) the \$4.5M of assistance would be reduced by \$1.5M per annum. To cover the other \$3.0M for 2024-25 and \$1.5M for 2025-26 Council would sell its share of the Carbon Credits it holds as part of Marlborough Regional Forestry. Under this option, the rates increase would be 2.91% in 2024-25 and a further 1.72% and 1.72% in 2025-26 and 2026-27. Members noted that circa \$4.9M of credits would remain to provide a potential source of funds for future investment opportunities.

Members considered the recommendation as proposed by staff and agreed that the motion should include that up to \$4.5M of carbon credits could be sold.

**Cllrs Dalliessi/Croad:**

1. **That Council adopt Option 5 (Transition over three years and Sell Carbon Credit to finance the remainder; noting that rate increases would be 2.91% in 2024-25 and a further 1.72% in both 2025-26 and 2026-27) to transition away from using the COVID-19 Rates Relief Reserve to manage Rates.**
2. **That Council agree to sell up to \$4.5M of carbon credits.**

**Carried**

## **Cncl-0224-266 Depreciation Funding**

**F230-L24-05**

Mr Fletcher advised that the purpose of the report was to brief Council on the results of the WSP Valuation of Three Waters assets as at 30 June 2023 and resulting impact on depreciation.

Mr Fletcher reported that WSP has completed an independent valuation of Council's Three Waters assets, including irrigation. This valuation has yielded a significant increase of \$260.4M in the valuation and corresponding \$13.8M increase in depreciation. Members noted that recommended best practice was that Councils fully fund depreciation to fund renewals and avoid increased debt.

**The Mayor/Cllr S Arbuckle:**

1. **That Council receive the WSP Valuation Report.**
2. **That Council agree to progressively move to fully funding depreciation over the period of the Long Term Plan commencing in the 2026-27 financial year as per Option 3 (Progressively move to funding the additional depreciation from 2026-27 and the remaining seven years of the Long Term Plan at an annual cost of circa \$1.75M per annum).**

**Carried**

## **Cncl-0224-267 Emergency Events Reserve Funding F230-L24-12-03**

Members noted that the purpose of the report was to consider the funding of the Emergency Events Reserve.

Mr Fletcher reported that the Emergency Events Reserve is forecast to move into deficit over the course of the LTP. Council has other Reserves, cash deposits and lending facilities to call upon if required whilst the Reserve remains in deficit. Staff proposed that a \$0.5M addition to rates be applied each year from the 2026-27 year to replenish this Reserve. A balance of \$10M to \$15M is targeted, the level of which was subject to prior consultation.

**Cllrs Croad/Hope:**

1. **That Council agree to establish a new General Rate of \$500,000 in the 2026-27 financial year and then a further \$500,000 per annum to fund the Emergency Events Reserve; and**
2. **That Council agree to review the decision in 1. (above) if three waters debt is transferred to a new entity as part of implementing "Local Water Done Well".**

**Carried**

## **Cncl-0224-268 Reserve Balances**

**F230-L24-12-03**

Mr Blake outlined the forecast balances for Council's significant Reserves.

**Cllrs Croad/Minehan:**

**That Council receive and adopt this paper as supporting information.**

**Carried**

## **Cncl-0224-269 Infrastructure Upgrade Reserve**

**F230-L24-03**

Mr Blake provided a specific update on the Infrastructure Upgrade Reserve.

**The Mayor/Clr Sowman:**

**That Council receive and adopt this paper as supporting information.**

**Carried**

## **Cncl-0224-270 Capital Expenditure Schedule**

**F230-L24-03**

Members noted the summary of the proposed capital expenditure programme for the 2024-34 Long Term Plan. Mr Blake reported that the majority of the larger items are commented on in previous items. It was noted that the figures in this schedule differ from those contained in the above items, due to the budget adjustments made to broadly align with the funding envelope agreed in the Long Term Plan.

**Cirs Croad/Dawson:**

**That the information be received and adopted as supporting information.**

**Carried**

## **Cncl-0224-271 Forecast Financial Statements**

**F230-L24-03**

The full statements were tabled at the meeting.

Mr Blake explained the forecast Financial Statements reflecting the income, expenditure and funding decisions in the 2024-34 Long Term Plan.

The report included the Statement of Comprehensive Revenue and Expense; Statement of Changes in Net Assets / Equity; Statement of Financial Position; Statement of Cash Flows; and the accompanying Financial Statement Notes.

**Cirs Hope/Sowman:**

**That the information presented be received as supporting documentation.**

**Carried**

## **Cncl-0224-272 Council Activities**

**F230-L24-03**

Mr Blake advised that the purpose of this paper was to present for Council's information each of Council's Activities and provide a guide to the structure of each the Activity Statements. The intention was that this information would be made available to the public during the consultation process as supporting information. The papers were separately attached to the Agenda (filed in CM – Record No. 2434384).

**The Mayor/Clr Dawson:**

- 1. That Council note the availability of the information contained in the separate Activity Attachment.**
- 2. That Council receive and adopt the information as supporting information.**

**Carried**

## **Cncl-0224-273 Levels of Service Increases: Small Townships Programme**

**E105-002-01**

Mr Lyall advised that the purpose of the report was to consider whether to continue with funding the Small Townships Programme after 2028.

Staff reported that Council approved funding for a new Small Township Programme (STP) in the 2015-25 Long Term Plan. STP arose from the Growing Marlborough Strategy with a focus on enhancing existing settlements and supporting defined communities. Debt funding was approved across the 2015-25 LTP period, with an annual budget approved through to 2028. In the 2021-31 LTP staff sought a continuation of the programme through to 2031 but were requested to table a continuation request at the 2024-34 LTP. STP is all about linking the aspirations of communities with good outdoor public space design. The community is the key

stakeholder in this process and establishes a vision and priorities for localised projects. Developing a sense of place and unique identity supported by connectivity and accessibility is critical to achieving the right result.

The STP annual budget is debt funded at a cost of approximately \$6 per ratepayer per annum across Blenheim Vicinity and General Rural rating areas. Options for the future of STP include ending the programme in 2028, continuing the programme in its current form or repositioning STP within a Council department and allocating a fixed project related capital budget. The STP programme was developed as rural and small communities felt that they were falling under the Council radar. The programme that is in place now appears to be addressing that matter.

**Cirs Faulls/S Arbuckle:**

1. That Council approve the Small Townships Programme activity being incorporated into the Community Facilities Department of Council from the 2024/25 financial year.
2. That Council approve a continuation of the \$750,000 per annum funding for the period of the 2024-34 Long Term Plan to the 2033/34 financial year, using the existing debt funding mechanism.

**Carried**

## Cncl-0224-274 Levels of Service Increases: Community Facilities: Structures and Recreational Funding R510-021-01

Ms Tito explained that the purpose of the report was to request funding for improvements to Council's recreational facilities to maintain and/or to increase current levels of service to meet safety requirements.

Ms Tito reported that funding of \$4,221,500 was sought for 10 projects which involve new development, replacements and upgrades to aged equipment, an increase in asset use and asset planning reports. A number of these projects meet the growth criteria for funding from the Land Subdivision Account. It was proposed for the balance to be debt funded. Members noted that the opening balance of the Land Subdivision Account as at 1 July 2023 is \$6,413,407. The proposed budget for projects to be funded from this Reserve is \$2,195,050. The remaining balance of the Land Subdivision Account balance will be \$4,123,357.

Members queried the use of the funding set aside for College Park and also advised that more information will be required at the deliberation stage.

**Cirs Rosene/S Arbuckle:**

1. That Council approve \$2,195,050 from the Land Subdivision Account over the 2024-29 financial years as per the following table to fund the growth components of the works required:

Name of park and description of proposed project	Cost	Growth Driven (Percent)	Land Subdivision Account	Debt-funded	OpEx	LTP Year Commencement
Safety Audit with Plan for Barnes Dam Track <i>A safety audit with plan of action for improving the Barnes Dam Track.</i>	\$15,000	100%	0	0	\$15,000	FY 2024/25
Safety Audit with Plan for Mt Takorika and Waterfall Tracks (Havelock) <i>A safety audit with plan to develop the Mt Takorika Track to NZ Standard specification</i>	\$20,000	100%	0	0	\$20,000	FY 2024/25
Mountain Bike Park carpark <i>Upgrade to entry to WHFP / MTB Track</i>	\$80,000	100%	\$80,000	0	0	FY 2024/25
Rutherford/Pickering memorial <i>Update to audio system and dated panelling.</i>	\$80,000	70%	\$56,000	\$24,000	0	FY 2024/25
A&P Park Pavilion	\$3,700,000	50%	\$1,850,000	\$1,850,000	0	FY 2026/27 to FY 2027/28

<i>New pavilion to replace aging and deteriorating facility</i>						
Structures Report <i>A maintenance inspection report (every 3 years) specifically of Parks and Open Spaces structures.</i>	\$60,000	100%	0	0	\$60,000	FY 2024/25
Renwick Pump Track <i>Additional funding to allow for price increases and size increase to area</i>	\$75,000	100%	\$75,000	0	0	FY 2024/25
Auckland Street Skate and Basketball Park <i>Upgrade to skate park features to suit wider range of participation</i>	\$191,500	70%	\$134,050	\$57,450	0	FY 2025/26 to FY 2026/27
Total:	\$4,221,500.00		\$2,195,050.00	\$1,931,450.00	\$95,000.00	

2. That Council approve \$1,931,450 of rate funded debt to fund the non-growth component of the works required to upgrade the community recreational facilities to meet level of services safety and demand requirements.
3. That Council approve Operating Expenditure of \$95,000 for the 2024/25 financial year to be funded from general rates.

**Carried**

## **Cncl-0224-275 Levels of Service Increases: Freedom Camping Monitoring**

**R510-005-05**

Members noted that the purpose of the report was to seek annual funding to manage monitoring of responsible camping across the Marlborough District.

Ms Tito reported that following a review of the 2018/19 responsible camping season and the increasing numbers of visitors, it was agreed that a contractor be engaged to specifically manage responsible camping on a seasonal basis. This activity was jointly funded by Council's operational budgets and a fund set up (at the time) by central government. Between 2018 to 2021 Council applied for and received funding from central government that allowed for a comprehensive monitoring programme of responsible camping across Marlborough. In 2021 the government advised that funding for freedom camping monitoring would be discontinued. From 2021 to 2023 Council approved funding for the monitoring of freedom camping each year.

While Covid-19 pandemic did have a significant impact on international visitor numbers there was an increase in New Zealanders travelling and camping at responsible camping sites. Ms Tito advised that currently there is no funding within Council budgets for the responsible camping monitoring and enforcement function. Staff were seeking approval of a \$95,000 budget each year to allow the contracted service to continue. This budget would provide for 8 hours a day (2 shifts of 4 hours) between 1 December and 31 March each year to be provided by a contractor. Staff considered that this resource will meet the current demands of the Responsible Camping Control Bylaw 2022. Staff proposed that the funding be provided from rates due to the community good aspect of the activity and the need for the ongoing service.

At the meeting staff were requested to investigate other ways of delivering this monitoring activity.

**Cirs Innes/Flight:**

**That Council approve funding of \$95,000 per annum from rates to cover responsible camping monitoring across the Marlborough District.**

**Carried**

ATTENDANCE: The meeting adjourned at 12.41 pm and reconvened at 1.30 pm.

## Cncl-0224-276 Levels of Service Increases: Public Conveniences Facility Renewals Programme

**R510-011-07-001**

Mr Smail advised that the purpose of the report was to seek Council approval to undertake a public conveniences facility renewals programme.

Mr Smail reported that it was proposed to replace four (4) existing public toilet facilities to meet current demand and establish 12 (twelve) new facilities to provide for future demand over the next 10 years. The delivery of these public toilet facilities is proposed across the 10-year cycle of the 2024-34 Long Term Plan (LTP), with an estimated capital cost of \$3,685,000 which includes individual projects approved of \$2,205,000 in previous LTP and Annual Plan cycles. In total there was already \$4,015,000 capital approved of which \$2,205,000 relates to the programme referred to in this paper. The additional approval would take the total budget to \$5,495,000.

Mr Smail further reported that Council currently operates 71 public toilet facilities with a wide range of site locations, formats, age and use demand; 33 facilities are within urban locations and connected to usual 3-waters and power reticulated services with the remaining 38 facilities in rural small town or remote locations (these are non-reticulated and connected to in-ground septic wastewater dispersal systems or wastewater containment holding tanks).

Members generally agreed with the proposal (Clr Dalliessi did not support) but agreed that the four Whale Trail facilities are to be removed from year 2 (2025-26 financial year).

### Clrs Croad/Hope:

- That Council approve an additional \$1,480,000 for the capital budget requirement of the Public Conveniences Facility Renewals programme as per the following table:

Facility Location	Facility Proposal	Project Estimate	2024-34 LTP Delivery (by FY, in \$000s)								
			24-25	Budget Change	25-26	Budget Change	26-27	Budget Change	27-34	Budget Change	
Blenheim: Horton Park	Renewal	\$225,000	\$ 225K	\$ 75K		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Blenheim: Oliver Park	Renewal	\$180,000	\$ 180K	\$ 30K		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Blenheim: Taylor River Reserve - Dog Park	New	\$200,000	\$ 200K	\$ 200K		\$ -	-\$ 100K	\$ -	\$ -	\$ -	\$ -
Blenheim: Taylor River Reserve - Pony Club	New	\$200,000		\$ -	\$ 200K	\$ 200K		-\$ 100K	\$ -	\$ -	\$ -
Blenheim: Westwood	New	\$330,000		\$ -	\$ 330K	-\$ 70K		\$ -	\$ -	\$ -	\$ -
Havelock: Havelock Domain	New	\$50,000		\$ -	\$ 50K	\$ 50K		\$ -	\$ -	\$ -	\$ -
Flaxbourne: Ward	New	\$300,000		\$ -		\$ -	\$ 300K	\$ 300K	\$ -	\$ -	\$ -
Blenheim: Mountain Bike Park Carpark -WH	New	\$100,000		\$ -		\$ -	\$ 100K	\$ 100K	\$ -	\$ -	\$ -
Blenheim: Pollard Park	Renewal	\$375,000		\$ -		-\$ 400K		\$ -	\$ 375K	\$ 375K	\$ 375K
Blenheim: Omaka Cemetery	New	\$200,000		\$ -		-\$ 150K		\$ -	\$ 200K	\$ 200K	\$ 200K
Blenheim: Withers - Redwood St Carpark	New	\$200,000		\$ -		-\$ 100K		\$ -	\$ 200K	\$ 200K	\$ 200K
Picton: Endeavour Park	New	\$300,000		-\$ 25K		\$ -		\$ -	\$ 300K	\$ 300K	\$ 300K
Rural: Fairhall Cemetery	Renewal	\$275,000		\$ -		-\$ 275K		\$ -	\$ 275K	\$ 275K	\$ 275K
Blenheim: Pollard Park - Churchill Glade	New	\$300,000		\$ -		\$ -		\$ -	\$ 300K	\$ 300K	\$ 300K
Picton: Essons Valley	New	\$150,000		-\$ 55K		\$ -		\$ -	\$ 150K	\$ 150K	\$ 150K
Blenheim: Eastern CBD	New	\$300,000		\$ -		-\$ 300K		\$ -	\$ 300K	\$ 300K	\$ 300K
<b>LTP 2024-34 - Total</b>		<b>\$3,685,000</b>	<b>\$ 605K</b>	<b>\$ 225K</b>	<b>\$ 580K</b>	<b>-\$ 1045K</b>	<b>\$ 400K</b>	<b>\$ 200K</b>	<b>\$ 2100K</b>	<b>\$ 2100K</b>	<b>\$ 2100K</b>
Existing Approved Budget - for these projects		\$2,205,000									
<b>Additional Budget Required</b>		<b>\$1,480,000</b>									

- That Council approve the operational budget requirement of the Public Conveniences Facility Renewals programme of \$160,000 as per the following table (noting that the four (4) Whale Trail facilities have been deleted from Year 2 (being the 2025-26 financial year) budget requirement):

2024-34 LTP Year	Operational Budget Estimate	Additional	Cumulative Year Total – Additional Budget
FY 2024/25	52,500		52,500
FY 2025/26	29,500		82,000
FY 2026/27	27,000		109,000
FY 2027/28	0		109,000
FY 2028/29	9,500		118,500
FY 2029/30	11,000		129,500

FY 2030/31	0	129,500
FY 2031/32	10,500	140,000
FY 2032/33	8,500	148,500
FY 2033/34	11,500	160,000

**Carried**

Clr Dalliessi requested that her vote against the above motion be recorded.

ATTENDANCE: Clrs Adams and Rosene rejoined the meeting during the above item at 1.38 pm.

## **Cncl-0224-277      Levels of Service Increases: Resurface Riverside Park Boardwalk      R510-009-R06-01**

Mr Hutchinson advised that the purpose of the report was to seek funding from the Forestry and Land Development Reserve to resurface the Riverside Park boardwalk and replace the lighting system.

Mr Hutchinson reported that with realignment of the state highway through Blenheim in 2001, the removal of the Symons Street bridge created an opportunity for the redevelopment of Riverside Park. As part of the redevelopment, a boardwalk was built along both sides of the Taylor River, and this has been an incredible asset to the town as both a commuting option and a recreational space. Over several years however, the boardwalk decking has begun to breakdown with the decking being under water at times either during flood events or when water levels remain high. The decking boards once clear of the Taylor River now sit on the silt that has built up and are slowly rotting and decaying. Ad hoc repairs to the boardwalk decking have occurred with the cost to repair increasing each year as more of the decking fails. Staff have undertaken an assessment of the boardwalk with advice from an engineer who has confirmed the pine treated beams and bearers supporting the boardwalk are in good condition.

Staff proposed a board that is made of sustainable recycled plastic. The synthetic product has a longer life than natural timber, is suitable in a marine environment, does not deteriorate with prolonged immersion in water and will result in less maintenance cost.

The electrical system and lights on the boardwalk have deteriorated due to the long-term immersion in water and this system will need to be replaced at the same time as the boards are replaced. The lighting system will have a water resistance capacity. The cost to resurface the boardwalk decking and replace the lighting system is \$493,600.

**Clrs Dawson/Sowman:**

**That Council approve funding of \$493,600 from the Forestry and Land Development Reserve in the 2025/26 financial year to resurface the Riverside Park boardwalk (with synthetic boards) and replace the existing lighting and cabling.**

**Carried**

## **Cncl-0224-278      Levels of Service Increases: Community Facilities - Cost Increase to Open Spaces Contract      R510-021-01-**

Mr Lyall advised that the purpose of the report was to seek approval to increase the annual budget of the open space contract "Maintenance of Carpark Plots and Trees" by \$248,875 for the period of the contract (seven years) from 1 July 2024.

Staff reported that the contract for the "Maintenance of Carpark Plots and Trees" was recently tendered in the open market. The criteria for evaluating the tenders includes track record; methodology, resources, management and technical skills and price. Council received five tenders. The tender range was \$841,845 to \$1,588,655 annually. The preferred tenderer has the lowest price. The current contract price is \$592,970. The major difference in price range is primarily due to low availability of arborists for specialised tree work at heights and additional traffic management requirements (health and safety) since the tender last went to market. Staff are working with the preferred tenderer to see if they can identify any cost savings for Council that would not impact on current service levels.



At the meeting staff were asked to look into preparing a policy for roundabout plantings.

**The Mayor/Clr Croad:**

1. That Council approve a budget of \$248,875 per annum from rates to meet the increased cost of the Parks and Open Spaces Maintenance of Carpark Plots and Trees contract.
2. That staff report to the 10 June 2024 Council meeting on options for the maintenance of carpark plots and trees.
3. That the current Parks and Open Spaces Maintenance of Carpark Plots and Trees contract be continued in the interim.

**Carried**

**Cncl-0224-279 Levels of Service Increases: Council's District Administration Buildings – Detailed Seismic Assessment PN256722**

Members noted that the purpose of the report was to seek funding of \$80,000 to carry out a Detailed Seismic Assessment (DSA) of two of Council's administration buildings located in Seymour Street, Blenheim.

Mr Lyall reported that Council's district administration building (DAB) is made up of three separate buildings constructed between 1975-2005. The 1975 building has had a DSA completed and has a NBS rating of 70%. In mid-2023 an ISA was carried out on the 1995 and 2005 buildings. They were assessed at 50% and 60% of NBS respectively. Mr Lyall recommended that both buildings have a detailed seismic assessment (DSA) carried out on them to confirm their rating and the level of risk.

**Clrs Dawson/Croad:**

**That Council approve funding of \$80,000 from the Emergency Events Reserve in the 2024-25 financial year to complete detailed seismic assessments of Council's District Administration Buildings located in Seymour Street, Blenheim and constructed in 1995 and 2005.**

**Carried**

**Cncl-0224-280 Levels of Service Increases: Capital Expenditure Increase – Peninsula Road Stopbank Repair & Upgrade R710-03-002**

Mr White advised that the purpose of the report was to request Capital Expenditure (CapEx) budget of \$8.7m for the design, repair, and upgrade of Primary stopbanks LW05 and LW06, along and under Peninsula Road, Spring Creek.

Mr White reported that primary stopbanks LW05 & LW06 are two critical pieces of flood protection infrastructure that prevent deep-fast moving water from flooding the township of Spring Creek, SH1, and KiwiRail's Main North Line. In recent years, LW05 has become compromised in several locations due to internal instability following the 2016 Kaikōura earthquake, and erosion of its unprotected foundations during the July 2021 and August 2022 flood events. Where faults in these discrete locations have been revealed they have been repaired, however a picture is emerging that the stopbank is vulnerable along its entire length. Post-event analysis of the July 2021 flood event has also highlighted a need to increase the flood capacity safety margin of both LW05 and LW06 to ensure that the assets are able to function as intended and provide the level of service required of them during a future 1% AEP (1 in 100yr ARI) event.

Mr White, in summary, reported that action is required with some urgency to repair and upgrade sections of LW05 and LW06. Until the work is undertaken the stopbanks will remain at an elevated risk of failing before reaching their design limits, comprising the safety of Spring Creek township and key transport links during a flood event.

**Cirs Adams/Hope:**

**That Council approve Capital Expenditure budget of \$8.7M in the 2024-25 financial year for the design, repair, and upgrade of Primary stopbanks LW05 and LW06 and associated works, under and adjacent to Peninsula Road, Spring Creek.**

**Carried**

**Cncl-0224-281 Levels of Service Increases: Dam Safety Compliance R450-002-T01**

Mr White advised that the purpose of the report was to request increased Operating Expenditure (OpEx) budget for the Taylor Dam, in order to meet legislative requirements brought in under the newly enacted Building (Dam Safety) Regulations 2022.

Mr White reported that the newly enacted Building (Dam Safety) Regulations 2022 require Dam Owners to fulfil a number of new compliance activities to ensure that High Potential Impact Dams like the Taylor Dam, are well operated, maintained, regularly monitored, and that potential risks of dam incidents and failures are reduced. The Taylor Dam is inadequately funded to meet these incoming compliance requirements, requiring a significant increase in its annual OpEx budget. Staff believe the compliance requirements will improve Council’s understanding of and response to the risk of dam failure.

**Cirs Adams/Innes:**

**That Council approve an increased Operating Expenditure budget of \$660,000 over the 2024-34 Long Term Plan period, spread as per the following table to meet the Dam safety compliance requirements for the Taylor Dam:**

Operational Expenditure (Summarised)	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34
<b>Minor Maintenance</b>											
Consultancy	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000
Insurance	\$20,208	\$19,544	\$19,544	\$19,544	\$19,544	\$19,544	\$19,544	\$19,544	\$19,544	\$19,544	\$19,544
Greenscape and minor works contracts	\$19,260	\$19,260	\$19,260	\$19,260	\$19,260	\$19,260	\$19,260	\$19,260	\$19,260	\$19,260	\$19,260
<b>Compliance with Building (Dam Safety) Regulations 2022</b>											
Potential Impact Classification (PIC) Assessment	\$0	\$30,000	\$0	\$0	\$0	\$0	\$30,000	\$0	\$0	\$0	\$0
Intermediate Dam Safety Review	\$0	\$0	\$20,000	\$20,000	\$20,000	\$20,000	\$0	\$20,000	\$20,000	\$20,000	\$20,000
Comprehensive Dam Safety Review (CDSR)	\$0	\$65,000	\$0	\$0	\$0	\$0	\$65,000	\$0	\$0	\$0	\$0
Dam Safety Assurance Programme (DSAP)	\$0	\$110,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Dam Safety Assurance Programme (DSAP) Audit	\$0	\$0	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
Survey and monitoring	\$0	\$20,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
<b>Total Budget</b>	<b>\$51,468</b>	<b>\$275,804</b>	<b>\$90,804</b>	<b>\$90,804</b>	<b>\$90,804</b>	<b>\$90,804</b>	<b>\$165,804</b>	<b>\$90,804</b>	<b>\$90,804</b>	<b>\$90,804</b>	<b>\$90,804</b>

**Carried**

**Cncl-0224-282 Levels of Service Increases: Sediment Removal – Taylor and Ōpaoa Rivers R730-06-001, R730-08-001**

Members noted that the purpose of the report was to request increased Operating Expenditure (OpEx) budget for sediment removal out of the Taylor and Ōpaoa Rivers, between Alfred Street bridge and Marshall Place.

Mr White reported that the Taylor and Ōpaoa Rivers between Hutcheson Street Bridge and Marshall Place have aggraded an average of 1m since 2013. This will begin to affect Council’s ability to provide channel capacity for a 1% AEP (1 in 100yr ARI) flood event if allowed to continue beyond this next LTP period. The most appropriate course of action in the midterm is for Council to engage in sediment removal out of the Taylor and Ōpaoa Rivers during the 2024-25 and 2025-26 financial years followed by a period of monitoring to determine future sediment removal requirements and its frequency.

Mr White further recommended that efforts be made during the next LTP period to co-develop a comprehensive Taylor and Ōpaoa River management plan with Council’s Environmental Science and Parks & Open Spaces

teams, providing a longer-term sustainable approach to the problem through a combination of engineering and nature-based solutions.

**Cirs Adams/Dalliessi:**

**That Council approve an increased Operating Expenditure budget as set out in the following table for sediment removal out of the Taylor and Ōpaoa Rivers between Alfred Street bridge and Marshall Place.**

Operational Expenditure (Summarised)	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34
<b>Minor Maintenance</b>											
Taylor below Burleigh – Operating Costs	\$65,487	\$66,335	\$66,335	\$66,335	\$66,335	\$66,335	\$66,335	\$66,335	\$66,335	\$66,335	\$66,335
Lower Ōpaoa – Operating Costs	\$117,787	\$117,394	\$117,394	\$117,394	\$117,394	\$117,394	\$117,394	\$117,394	\$117,394	\$117,394	\$117,394
<b>Taylor &amp; Lower Ōpaoa Dredging</b>											
Alfred Street to Marshall Place	\$0	\$150,000	\$650,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Budget</b>	<b>\$183,274</b>	<b>\$333,729</b>	<b>\$833,729</b>	<b>\$183,729</b>	<b>\$183,729</b>	<b>\$183,729</b>	<b>\$183,729</b>	<b>\$183,729</b>	<b>\$183,729</b>	<b>\$183,729</b>	<b>\$183,729</b>

**Carried**

**Cncl-0224-283 Levels of Service Increases: Kaimiko Stream, Ōkiwi Bay R750-16-001**

Mr White advised that the purpose of the report was to consider a budget for FY24-25 to fund gravel removal and erosion protection (including consenting), at the mouth of the Kaimiko Stream, Ōkiwi Bay.

Mr White reported that in recent years, Ōkiwi Bay residents have requested a higher level of service to protect several waterfront houses from coastal flooding, and gravel removal/erosion protection at the mouth of the Kaimiko Stream. Gravel extraction and erosion protection at the mouth of the Kaimiko, are the only activities consistent with the Rivers and Drainage Engineering Objectives; however, these are discretionary outside of built up Sounds Areas in terms of Council's current levels of service. There is however no legal requirement to undertake such works and significant precedent issues would arise should such works be undertaken. The Sounds Watercourse OpEx budget is primarily focused on flood response and emergency works, across the whole Marlborough Sounds area, and, is insufficient to fund the proposed works without a single increased budget to cover the anticipated costs. The beneficiaries of this work are one or two properties only.

Members discussed whether there are other options for works on un-rated rivers. It was agreed that this issue is to be sent to the Long Term Plan Working Group for further discussion.

**Cirs Croad/Sowman:**

**That Council does not approve funding to remove gravel and provide erosion protection.**

**Carried**

**Cncl-0224-284 Levels of Service Increases: Waitohi Domain Truck Park – Port Marlborough Lease Exit PN527605#08**

Mr Coningham advised that the purpose of the report was to gain approval for budget to terminate the Port Marlborough lease of the Waitohi Domain Truck Park.

Mr Coningham reported that post the 2016 Kaikoura Earthquake, Council obtained partial funding from Government to construct a temporary truck park on Waitohi Domain. Post SH1 reopening, Council leased the land to Port Marlborough on a long-term lease to recover costs involved with the construction of the truck park. Due to increasing issues with trucks parking on the roads in Picton, Council now needs to terminate the existing lease of the truck park to Port Marlborough, who require compensation for the termination of the lease and lost income from subleases the Port has entered into. Once Council takes back the land, further investment is required to instal an ablutions block to cater to truck drivers who will use the truck park. Currently there are no ablutions available on the site. Income will be generated from trucks parking and drivers using the facilities. Based on early financial modelling it is expected a return on capital of 7.5% on the facility investment, before cost of funding, is achievable.



Staff reported that the Harbours and Coastal Science activities were combined to form the Nautical and Coastal Science activity. The merger of these two teams has provided Council with effective means to monitor and manage both navigational safety and the environment in Marlborough's coastal marine area (CMA). Marlborough's coastal marine area (CMA is approximately 725,00 hectares and 18,000km of coastline, equating to about 10% of New Zealand's coastline. Almost 40% of the Marlborough district falls within the CMA, with 90% of Marlborough's coastline located within the Marlborough Sounds. Council faces numerous challenges in the CMA with increasing pressures in navigational safety, increase in both industry and recreational boat traffic, environmental stressors, land use practices and climate change. Council's Nautical and Coastal Science team give effect to the Maritime Transport Act 1994, Local Government Act 2002, Resource Management Act 1991, New Zealand Coastal Policy Statement 2010 and the proposed Marlborough Environment Plan.

Members noted that the report outlined Nautical and Coastal Science budget increase requests, including a detailed breakdown of the work focus and justifications for budget increases in the following areas: Nautical & Coastal Central Budget, Harbour Operations, Aids to Navigation, Climate Change Resilience, Coastal Water Quality, Intertidal Monitoring, Ecologically Significant Marine Sites and Ship Wake Monitoring.

A change to the allocation of \$12,000 (from existing levels of service to additional levels of service) in the 2024/25 financial year was noted and is reflected in the resolution below.

**Cirs Innes/Faults:**

1. That Council approves operating budget increases to meet existing levels of service of \$151,000 in the 2024/25 financial year and \$23,000 in the 2025/26 financial year, as per the following table:

	2024/25	2025/26
<b>Nautical &amp; Coastal – Central</b>	<b>\$79,000</b>	
<b>Harbours</b>	<b>Nil</b>	
<b>Coastal Science</b>	<b>\$72,000</b>	<b>\$23,000</b>
<b>Total</b>	<b>\$151,000</b>	<b>\$23,000</b>

2. That Council approves operating budget increases for additional levels of service of \$67,000 in the 2024/25 financial year, \$118,000 in the 2025/26 financial year, \$175,000 in the 2026/27 financial year, \$245,000 in the 2027/28 financial year and \$30,000 in the 2028/29 financial year, as per the following table:

	2024/25	2025/26	2026/27	2027/28	2028/29
<b>Nautical &amp; Coastal – Central</b>		<b>\$53,000</b>	<b>\$23,000</b>		
<b>Harbours</b>	<b>\$17,000</b>	<b>\$35,000</b>	<b>\$47,000</b>	<b>\$155,000</b>	<b>\$30,000</b>
<b>Coastal Science</b>	<b>\$50,000</b>	<b>\$30,000</b>	<b>\$105,000</b>	<b>\$90,000</b>	
<b>Total</b>	<b>\$67,000</b>	<b>\$118,000</b>	<b>\$175,000</b>	<b>\$245,000</b>	<b>\$30,000</b>

3. That Council approves a Capital budget increase of \$75,000 in the 2024/25 financial year for Harbours to design, commission and build a suitable system for monitoring ships wake.

Carried

**Cncl-0224-288      Levels of Service Increases: Funding Landslide Risk Assessment for the Marlborough Sounds**  
**E385-002-002**

Mr Johnson advised that the purpose of the report was to consider a funding provision for undertaking a landslide risk assessment for the Marlborough Sounds.

Mr Johnson reported that the Resource Management Act places responsibility on Council for managing natural hazards and determining options for mitigation. The July 2021 and August 2022 storm events severely impacted the Sounds environment causing extensive landslips. As an outcome of reporting on these events, landslip mapping and assessments alongside additional research and hazards risk analysis has been recommended as the next step in refining the council understanding of the potential risks. The risk assessment process would involve fine scale mapping of relict landslips and geomorphology mapping, followed by a vulnerability risk assessment. The outputs from the projects will better inform the community and Council of





**Cncl-0224-292      Levels of Service Increases: Council Heritage Resources and Funding      A200-000-01**

Mr Heiford advised that the purpose of the report was to outline the heritage services being provided by Council and to request a budget increase for these services.

Staff reported that the Marlborough Museum (Museum) and Edwin Fox Ship and Visitor Centre (Edwin Fox) are currently operating within the grant that Council previously gave to the Marlborough Heritage Trust. The grant is sufficient for both the Museum and Edwin Fox to keep operating the core services. However, an increase will be needed if the Museum is to fulfil its aim for visitors to have an excellent experience and make Marlborough heritage more accessible to the public. The uncertainty around the ownership of the Museum building means that budget estimates do not include any maintenance obligations or other costs that the Marlborough Historical Society may wish to pass onto Council. An increase in the Edwin Fox budget is required as the Visitor centre needs some maintenance. The Museum's and Edwin Fox's IT systems need upgrading to enable connection to the Council IT systems and also their websites and branding need refreshing.

**Cirs Croad/Rosene:**

1. **That Council fund an extra \$20,000 per annum from rates in the 2024-34 Long Term Plan (LTP) to enable the Edwin Fox Visitor Centre to meet the levels of service and progress the projects outlined in the report.**
2. **That Council fund an extra \$40,000 per annum from rates in the LTP to enable the Marlborough Museum to meet the levels of service and progress the projects outlined in the report.**
3. **That Council agree to fund a capital cost of \$118,000 from rates in the 2024/25 financial year for the upgrade of the Museum's and Edwin Fox's IT systems to enable connection to the Council IT systems.**
4. **That Council agree to fund \$18,000 from rates in the 2024/25 financial year for the refreshing of the Museum's and Edwin Fox's website and branding.**

**Carried**

**Cncl-0224-293      Levels of Service Increases: Arts Culture and Creativity Strategy / Implementation      A200-0000-01**

Mr Heiford advised that the purpose of the report was to provide Council with the Arts Culture and Creativity Strategy 2024 and implementation plan for Marlborough. Members noted that a revised strategy had been received prior to the meeting.

Staff reported that during 2023, engagement and extensive consultation with key stakeholders was undertaken. This gathering of data and input provided the framework for the Arts, Culture and Creativity Strategy which has been developed with the six pathways outlined below. The strategy is for a ten-year period, with a review after the first three to 5 years depending on progress. Iwi engagement has been undertaken with an Iwi Advisory Panel (led by Dr Peter Meihana), established to help guide the strategy development. The implementation plan is based around projects and further research, investigation and collaborations that will rely on partnership and co-funding as Council cannot provide all the outcomes set out in the strategy and implementation plan. Effective measures and performance indicators will need to be developed.

Costs associated with the implementation plan are presented based on costs relating to the three stages of the strategy with Stage 1 totalling \$59,000, Stage 2 totalling \$157,000, and Stage 3 totalling \$277,000; being \$493,000 in total. The staging is not based around years, the implementation will be spread across 3 to 5 years depending on progress, funding and development of the key items in the plan. As stages 1 and 2 may take some time to develop and be spread over multiple years the budget proposed was year 1 \$50,000 (and may be spread across 2 years), year 2 \$75,000 and year 3 \$75,000.

Further discussion on the Te Reo components of the Strategy was suggested at the meeting.



**The Mayor/Clr Faults:**

1. That Council fund from rates the implementation budget for Year 1 \$50,000 / Year 2 \$75,000 / Year 3 \$75,000 noting that the first two stages of the plan may be spread over 4 years.
2. That the implementation plan progress be reviewed with funding to be considered as part of the 2027-37 Long Term Plan budget.

Carried

**Cncl-0224-294 Levels of Service Increases: Marlborough  
Public Art Gallery Funding A200-003-13**

Mr Heiford advised that the purpose of the report was to review and approve increased Council funding for the Marlborough Public Art Gallery.

Mr Heiford reported that the Millennium Public Art Gallery (MPAG) has been operated by the MPAG Trust (MPAGT) in their new building since 30 June 2023. The gallery is funded via operating grants from Council, donations and the proceeds from fundraising events. It is also heavily reliant on volunteers to operate. Council increased the operating grant to the MPAG as part of the 2023 annual plan. The MPAG have increased operating costs on the new facility due to the increase in footprint occupied by the gallery and the modern climate control systems required to maintain the art works on public display and in storage. The gallery has specialist requirements for the management and maintenance of art works.

**Clrs Adams/Hope:**

1. That Council approve the funding of Millennium Public Art Gallery staffing increase by an extra \$30,000 per annum from the 2024/25 financial year.
2. That Council agree to fund the storage, maintenance and conservation of the Marlborough Collection (subject to a separate contract for service being negotiated) and funded up to \$25,000 per annum.
3. That Council agree that all operating funding be CPI adjusted on an annual basis if CPI adjustments are reinstated.

Carried

ATTENDANCE: The meeting adjourned at 4.08 pm and reconvened at 4.30 pm.

**Cncl-0224-295 Fees & Charges: Cemeteries R510-001-000-01**

Mr Smail advised that the purpose of the report was to consider an increase in cemetery fees to recover a greater proportion of total operating costs.

Staff reported that Council has statutory obligations to operate and maintain public cemeteries in Marlborough under the Burial and Cremation Act 1964. The day-to-day maintenance and responsibility for burials and interments is managed through cemetery and open space maintenance contracts. At present Council has a policy of a 50/50 ratepayer funded/user pays share for cemetery related operating costs; this being approved by Council after considering fees from other councils, a public consultation, hearing and decision-making process in 2019. Up until this the proportion had been around 70% ratepayer funded/30% user pays.

**Clrs Croad/Dalliessi:**

1. That Council agree to consult through the 2024-34 Long Term Plan process on changing the proportion of cemetery costs to 30% funded by ratepayers and 70% funded by users; and
2. That Council agree to transition to the proposed proportions over a three year period if the above resolution is adopted at the deliberation meeting in June 2024.

Carried

**Cncl-0224-296 Fees & Charges: Parking Fees****R800-002-01**

Mr Lyall advised that the purpose of the report was to propose changes to Blenheim's Central Business District (CBD) parking fees and time limits to distribute parking more evenly across the CBD. It was proposed to leave Picton's CBD parking areas and fees unchanged.

Mr Lyall reported that parking in Blenheim's CBD is showing high occupancy levels in central off-street carparks (82%) and consistently low levels in the off-street parking on the CBD edges (18%). This proposal will free up spaces in the core of the CBD for retail and business activity and incentivise cheaper options for all day parking on the edges of the CBD. The outer carparks are a distance of approximately 300 metres from the core of the CBD. Scenario modelling using current meter activations and revenue data has been undertaken. The scenarios, which use assumptions based on parking behaviour, show that the proposed time limits and fee structure will produce sufficient revenue to break-even. An allowance has also been included for the enforcement contract increases which is currently being prepared for tender by NZTA.

Staff are to provide elected members with more information on lease holders.

**Cllrs Croad/Flight:**

**That Council approve the proposed fee changes and time limit changes for off-street and on-street parking in Blenheim's CBD for consultation in the 2024-34 Long Term Plan process:**

- (a) **Blenheim on-street (kerbside) parking fee to increase from \$1.80 per hour to \$2.00 per hour (first hour free to still apply); High, Wynen and Queen Street off-street carparks be time limited to 4 hour parking and the fee increased to \$2.00 per hour from \$1.20 per hour (first hour free to still apply).**
- (b) **Clubs of Marlborough, Kinross and Alfred Street Parking Building off-street carparks become all day carparks and the fee increased to \$1.50 per hour and \$6.00 per day (first hour free to still apply).**
- (c) **Railway Station and Scott Street off-street carparks remain as all day car parks and the fee reduced to \$1 per hour from \$1.20 per hour and \$4.00 per day from \$4.80 per day (first hour free to still apply).**

**Carried****Cncl-0224-297 Fees & Charges: Dog Control Fees Review for the 2024/2025 Registration Year****E305-001-001**

Ms Ferguson advised that the purpose of the report was to review the current dog control fees for the 2024/2025 registration year.

Staff reported that the current dog registration fees were last increased in 2022; prior to that the last increase was 2018. The current dog fees have been reviewed and it is recommended to increase the dog registrations as per the proposed fee schedule. An increase of CPI 4.7% for registration fees 2024/25 year in line with the Consumers Price Index (CPI) December Annual CPI figure reported by Statistics NZ. With the proposed dog registration fee increase the revenue is forecast to maintain Council's approved 80/20, fees recovery and rates funding split. This aligns with Council's Revenue and Financing Policy.

**Cllrs Hope/Fauls:**

**That Council adopts by resolution the proposed changes to the below fees schedule for dog registration commencing 1 July 2024 for the 2024/2025 registration year:**

<b>Fee Category</b> (All fees and charges are GST inclusive)	<b>Current Fees</b> <b>2023/24</b>	<b>Proposed Fees</b> <b>2024/25</b>
<b>(Category 1)</b>	<b>\$62</b>	<b>\$65</b>
<b>(Category 2)</b>	<b>\$92</b>	<b>\$96</b>
<b>Working Dog</b>	<b>\$22</b>	<b>\$23</b>
<b>10 + working dogs (for each extra dog)</b>	<b>\$11</b>	<b>\$12</b>
<b>Guide, Hearing, Police and Council approved Companion Dogs</b>	<b>No fee</b>	<b>No fee</b>
<b>Old Dog</b>	<b>\$46</b>	<b>\$48</b>
<b>Dangerous Dog</b>	<b>\$138</b>	<b>\$144</b>
<b>Replacement Tag (if lost or damaged)</b>	<b>\$5</b>	<b>\$5</b>

<b>Fee Category</b> (All fees and charges are GST inclusive)	<b>Current Fees</b> 2023/24	<b>Proposed Fees</b> 2024/25
<b>Multiple Dog Licence</b> (2 or more dogs in non-rural areas)	\$75	\$79
<b>Seizure fee</b>	\$100	\$100
<b>Pound Fee – first impounding registered.</b>	\$75	\$75
<b>– first impounding unregistered</b>	\$100	\$100
<b>Pound Fee - second impounding</b>	\$150	\$150
<b>Pound Fee - third impounding and subsequent impounding</b>	\$200	\$200
<b>Pound - Daily Sustenance &amp; Care (to cover food, exercise, cleaning the pound etc.)</b>	\$15	\$15
<b>Pound - Surrender fee</b>	\$100	\$100
<b>Microchipping fee</b>	\$25	\$25

Carried

## **Cncl-0224-298 Fees & Charges: Proposed Fee Structure for Dam Safety Programme R450-002-T01**

Ms Ferguson advised that the purpose of the report was to introduce a new fee structure within the Building Control Group's Fees and Charges Policy to recover the administration costs relating to managing its functions under the Building (Dam Safety) Regulations 2022.

Staff reported that Council has obligations to meet in response to the Building (Dam Safety) Regulations 2022 which will come into force on 13 May 2024. All classifiable dams will be subject to post-construction dam safety requirements which will be administered by the Building Control Group. Processes, procedures, and digital infrastructure are required to enable the successful administration of these Regulations. It was proposed that the fees to administer the regulations be passed onto the owners of classifiable dams and that the proposed fee structure will provide the classifiable dam owners with some certainty regarding the compliance costs in relation to meeting their obligations of the regulations.

**The Mayor/Clr Hope:**

**That Council approve consultation under Section 83 of the Local Government Act 2002 for the fee structure proposed below to introduce the new fee schedule for recovering charges associated with dam safety programme activities effective from 1 July 2024:**

<b>Dam Safety Programme Charges</b>	
<b>Fees and Charges</b>	<b>Fee Breakdown</b>
<b>Dam Classification Certificate (Form 1) Fee</b>	<b>\$559.00</b>
<b>Dam Safety Assurance Programme (Form 2) Fee</b>	<b>\$738.00</b>
<b>Annual Dam Compliance Certificate (Form 3) Fee</b>	<b>\$470.00</b>
<b>Refusal Fee</b> <i>For Form 1, Form 2 or Form 3</i>	<b>\$201.00</b>
<b>Officer Charge Out Rate (as applicable)</b> <i>For work not covered by the flat fee schedule (per hour).</i>	<b>\$179/Hour</b> (Minimum of 1 hour charged out as 0.5 increments of hourly rate thereafter.)
<b>Specialist Advice - Consultants Review Fees (as applicable)</b>	<b>Consultant's fees, plus 15% (service charge).</b>
<b>Inspections and Travel Costs (as applicable)</b>	<b>Additional Inspection Fees, plus Travel Zone Charges as per Fee Schedule</b>

Carried

NB: Clr Adams declared an interest in the above and did not participate in discussion nor vote on the issue.

**Cncl-0224-299 Fees & Charges: Revision of Building Control Fees 2024-2025 R450-002-B01**

Ms Ferguson advised that the purpose of the report was to review the fees and charges for Building Control functions and consider an increase and change to the existing "Flat" fees schedule for the 2024/2025 year.

Staff reported that the fees were last increased in July 2023. The current fees have been reviewed and it was recommended that there is a 4.7% increase to the Building Control group fees and charges for the 2024/2025 financial year in accordance with the Consumers Price Index (CPI) annual change in December 2023; also introducing new officer charge-out rate for pre-application meetings/discussion for Certificate of Acceptance applications, new value band in 'Band A' works for projects having a value between \$10,000,000 and \$14,999,999, and changes to the Band F, Zone 1 fees for project value of less than \$7500 with revised fees that address inconsistencies with fees assessment.

**Cirs Hope/Dalliessi:**

**That Council adopt Option A (4.7% Fee increase, and 4.7% increase to general rates for swimming pool inspections) and additional fee categories (new officer charge-out rate for pre-application meetings/discussion for Certificate of Acceptance applications; a new value band in 'Band A' works for projects having a value between \$10,000,000 and \$14,999,999; and changes to the Band F, Zone 1 fees for project value of less than \$7500 with revised fees that address inconsistencies with fees assessment) to the existing fee schedule for charges associated with Building Control activities effective from 1 July 2024.**

**Carried**

**Cncl-0224-300 Fees & Charges: Annual Review of Resource Consent Fees – Resource Management Act 1991 R450-002-R02**

Ms Ferguson advised that the purpose of the report was to review the fees and charges under the Resource Management Act 1991 (the Act) and consider a proposed increase to the existing fee schedule for charges.

Staff reported that the fees were last increased in July 2023. The current fees have been reviewed and it was recommended that there is 4.7% increase to the Resource Consent charges for the 2024/2025 financial year in line with the Consumers Price Index (CPI) December Annual CPI figure reported by Statistics NZ.

**Cirs Hope/S Arbuckle:**

**That Council adopt Option A (4.7% Fee increase) to the existing fee schedule for charges associated with consent processing activities under Resource Management Act 1991 (RMA) effective from 1 July 2024.**

**Carried**

**Cncl-0224-301 Fees & Charges: Proposed Environmental Health Fees 2024/2025 E350-004-009-02**

Ms Ferguson advised that the purpose of the report was to review the fees and charges under the Food Act 2014 and Health Act 1956 and a proposed schedule of fees and charges for consideration.

Staff reported that Council can set fees under the Food Act 2014 through the special consultative procedure and for Health Act 1956 function by resolution. Fees under the Sale and Supply of Alcohol Act 2012 are fixed fees set by Regulation. These cannot be altered unless done under the development of a Bylaw by Council or a change in the Regulation by parliament. A review of the current fees and the costs of undertaking the required activities was undertaken and it was recommended that there is 4.7% increase to the Environmental Health Fees for the 2024/2025 financial year in line with the Consumers Price Index (CPI) December Annual CPI figure reported by Statistics NZ.

**Cllrs Flight/Minehan:**

**That Council adopt Option A (4.7% Fee increase) to the existing fee schedule for charges associated with Environmental Health Fees effective from 1 July 2024.**

**Carried**

**Cncl-0224-302 Fees & Charges: Annual Review Resource Consent & Permitted Activity Monitoring Fees & Charges - Resource Management Act 1991 2024-2025** **E360-005-007-01**

Ms Ferguson advised that the purpose of the report was to review the for Monitoring activities under the Resource Management Act 1991 (the RMA) and consider an increase to the existing fees schedule for the 2024/2025 year.

Staff reported that the fees were last increased in July 2023. The current fees have been reviewed and it was recommended that there is a 4.7% increase to the RMA Monitoring charges for the 2024/2025 financial year, except for the Monitoring Administration fees which was proposed to not increase.

**Cllrs S Arbuckle/Croad:**

**That Council adopt Option A (4.7% Fee increase) to the existing fee schedule for charges associated with RMA monitoring activities effective from 1 July 2024.**

**Carried**

**Cncl-0224-303 Fees & Charges: Proposed Amendments to Geographic Information System Fees and Charges** **I100-003-001-005**

Ms Young advised that the purpose of the report was to introduce a new fee schedule for Geographic Information System (GIS) consultancy advice, contract work and printing services.

Ms Young reported that a review of the current *GIS Output Map Fees* has been carried out and a new fee schedule was proposed.

**Cllrs Hope/Minehan:**

**That Council agrees that the current *GIS Output Map Fees* schedule is replaced with a new *GIS Fees and Charges* schedule as follows:**

<b>GIS Services Provided</b>	<b>Proposed Fees (incl. GST)</b>	<b>National average (based on data from 25 Councils across NZ)</b>
Miscellaneous consultancy hourly rate (15+ mins)	\$149.50	\$110
A4	\$5.75	\$5
A3	\$11.50	\$8
A2	\$17.25	\$18
A1	\$23.00	\$27
A0	\$34.50	\$38

**Carried**

**Cncl-0224-304 Fees & Charges: Proposed Amendments to Land Information Memorandum Fees as per Section 44A of the Local Government Official Information and Meetings Act 1987 1100-005-002-03**

Ms Young advised that the purpose of the report was to increase the existing fee for Land Information Memorandums (LIM).

Ms Young reported that a review of LIM fees has been carried out and proposed a fee increase to Residential and Commercial/Rural/Industrial. This increase reflects the inflationary pressures seen across Council and ensures the LIM activity is funded completely by these fees.

**Cirs Minehan/S Arbuckle:**

**That Council agrees to a proposed fee increase and a new charge:**

1. That LIM fees are increased from \$386.40 to \$425.04 Residential and Commercial/Rural/Industrial from 668.40 to \$735.24.
2. That a new charge of \$132 per hour will be incurred for a LIM request that is cancelled part way through processing.

Carried

**Cncl-0224-305 Staffing Requirements and Accommodation H500-000-07**

Mr Wheeler advised that the purpose of the report was to provide a brief overview of Council's staffing requirements to meet existing and proposed levels of service.

Mr Wheeler reported that the additional roles proposed for 2024/25 which are not already funded are:

2024/25			
Department		+ FTE's	Funding Comment
Assets and Services	3 Waters		
	• Picton Water Metering to reduce consumption	x 2	Capitalise
	• Drinking water treatment Project Engineer to assist with achieving statutory requirements	x 1	Capitalise
	• Backflow/Tradewaste Officer. Additionally this position will assist the management of senior staff retirements in 2025	x1	Rates
	Rivers and Drainage	1.5	Better Off Funding
	• Wairau Scheme review		
	• To support operational requirements and enable CAPEX project delivery		
Regulatory & Environment	Nautical and Coastal	0.5	Rates
	• Provide improved navigation safety response and maintenance in order to meet the required 24/7 nature of the activity and replace retiring casual staff		
Support Services Library	Replace 1 of terminating 2.5 fixed term positions with a general role focussed on Library Security and Building Management whilst providing operational support across several other functions.	1	Rates

The estimated salary and overhead cost for these positions was \$762,500 per annum. Given recruitment timeframes a 6-month 2024/25 budget of \$381,250 was proposed. This budget will be split between Capex (\$175k 24/25 & \$350k 25/26 +) and Opex (\$206k 24/25 & \$413k 25/26 +). There is a consistent level of vacancies and for some roles and increasing recruitment time due to the shortage of and demand for skilled

personnel nationwide. It was proposed that a reduction in budget of \$400k per annum be provided to accurately reflect the consistent underspend of salary budgets.

Mr Wheeler further reported that Council has sufficient land to the north of the building (freed up by the demolition of the old Millenium Gallery) and to the eastern rear of the building to extend. Extension planning should consider medium to longer term growth but also whether the current facilities for meeting rooms, storage, staff and Councillor amenities and the public interface are optimal. A clearer vision of staff needs and a good architect who can advise on modern office concepts as well as construction design are required to undertake initial concept work. A budget of \$100,000 was proposed for concept design work in 2025/26. No capital budget is proposed until this concept work has been done.

**Clrs Croad/Sowman:**

1. **That the Opex budget be increased for salaries and overheads for 2024-2025 of \$206,500 and following years of \$413,000 to fund the additional staff proposed in this report.**
2. **That the Capex budget be increased for salaries and overheads for 2024-25 of \$175,000 and following years of \$350,000 to fund additional staff required for Three Waters projects.**
3. **That the operating salaries and overheads budgets be decreased by \$400,000 per year to allow for unfilled vacancies throughout the year and reflecting the increasing recruitment timeframe.**
4. **That a budget of \$100,000 be provided in 2025/26 for concept design work for a possible extension of the Administration building from Forestry and Land Development Reserve.**

Carried

## **Cncl-0224-306      Development Contributions Policy      F230-L24-06**

Mr Blake advised that the purpose of the report was to review Council's Development Contributions Policy and resulting charges.

**The Mayor/Clr Rosene:**

**That Council approve the Development Contributions Policy for consultation at the same time as the Long Term Plan.**

Carried

## **Cncl-0224-307      Exemption of Council Controlled Organisations      S400-001-03**

Mr Fletcher advised that the purpose of the report was to obtain Council's agreement to exempt Marlborough Housing for the Elderly Trust from being a Council-Controlled Organisation in accordance with the provisions of section 7 Local Government Act 2002.

**Clrs Hope/Adams:**

**That Council, in accordance with Section 7 of the Local Government Act 2002, exempt the Marlborough Housing for the Elderly Trust from being a Council Controlled Organisation.**

Carried

NB: Clrs J Arbuckle and Croad both declared an interest in the above and did not participate in discussion nor vote on the issue.

## **Cncl-0224-308      Confirmation of Minutes      -**

**The Mayor/Clr Croad:**

**That the Minutes of the Council Meeting held on 14 December 2023 (Minute Nos. Cncl-1223-204 to Cncl-1223-215) be taken as read and confirmed.**

Carried

## Committee Reports

### Cncl-0224-309 Assets & Services Committee -

Clrs Dawson/Rosene:

That the Committee report contained within Minute Nos. A&S-0124-216 to A&S-0124-226 be received and the recommendations adopted.

Carried

### Cncl-0224-310 Environment & Planning Committee -

Clrs Hope/S Arbuckle:

That the Committee report contained within Minute Nos. E&P-0224-227 to E&P-0224-243 be received and the recommendations adopted.

Carried

### Cncl-0224-311 Economic, Finance & Community Committee -

Clrs Croad/Adams:

That the Committee report contained within Minute Nos. EFC-0224-244 to EFC-0224-257 be received and the recommendations adopted.

Carried

Mr Blake advised that following the decisions made at the meeting the provisional rates increase was approximately 12.65%.

### Cncl-0224-312 Decision to Conduct Business with the Public Excluded -

The Mayor/Clr Hope:

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	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 5.41 pm.

Confirmed this 10<sup>th</sup> day of April 2024

N P TAYLOR  
**MAYOR**

Record No. 2481962

## **5. Minutes**

---

- 5.2 Confirmation of the Minutes of the Extraordinary Council Meeting held on 21 March 2024  
(Minute Nos. Cncl-0324-xxx to Cncl-0324-xxx)



**Minutes of the  
EXTRAORDINARY MEETING of the MARLBOROUGH DISTRICT COUNCIL  
held in the Council Chambers, 15 Seymour Street, Blenheim  
on THURSDAY 21 MARCH 2024 commencing at 1.05 pm**

**Present**

The Mayor N P Taylor (in the Chair), Clrs S R W Adams, S J Arbuckle, B G Dawson, B A Faulls, G A Hope, R J Innes, B J Minehan, J C Rosene and T P Sowman.

**Karakia**

The meeting opened with a karakia from Clr Burgess.

The Mayor welcomed all to the meeting.

**Apologies**

**Clrs Innes/S Arbuckle:**

That the apologies for absence from Clrs J A Arbuckle, J D N Croad and M R K Flight be received and sustained.

Carried

**Cncl-0324-349 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-0324-350 Decision to Conduct Business with the Public Excluded** -

**Clrs Adams/Innes:**

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- Appointment of the Chief Executive

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
Appointment of the Chief Executive	In order to protect the privacy of natural persons, as provided for under Section 7(2)(a).	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 1.35 pm.

Confirmed this 4<sup>th</sup> day of April 2024

N P TAYLOR  
**MAYOR**

Record No. 2481984

## **6. Committee Reports**

---

### **6.1 Environment & Planning Committee**

Environment & Planning Committee Meeting held on 14 March 2024  
(Minute Nos. E&P-0324-317 to E&P-0324-335)

**Minutes of a Meeting of the  
ENVIRONMENT & PLANNING COMMITTEE  
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim  
on THURSDAY, 14 MARCH 2024 commencing at 9.00 am**

**Present**

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

**Also Present**

Cirs S R W Adams, J A Arbuckle, J D N Croad and D A Dalliessi

**In Attendance**

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

**Apologies**

Cirs Hope/Minehan:

**That the apology for absence from the Mayor N P Taylor and Clr A R Burgess be received and sustained and the apology for non attendance from Clr M R K Flight be noted.**

**Carried**

**E&P-0324-317 Declaration of Interests** -

No interests with items on the agenda were declared.

ATTENDANCE: Mr Peter Davidson, Council's Environmental Scientist – Groundwater, was present for the following two items and Andy White, Council's Rivers & Drainage Engineering Manager, was present for the following item.

**E&P-0324-318 Wairau Plain Drainage and Groundwater Report**  
**E345-007-001**

Mr Davidson presented the Wairau Plain Drainage and Groundwater Report to members. The report is available on Council's [website](#)

Members were advised that the prominent aim of the research was to understand the influence of drainage on groundwater systems since European settlement for hydrologic completeness and to determine if future drainage requires any policy and operational intervention, especially in the Lower Wairau.

Mr White noted that the project evolved through discussions with Council Rivers & Drainage group around the role high groundwater tables played in Wairau Plain surface flooding during the July/August 2022 storm events. The report reviewed aquifer response and documented the previously undefined hazards for Marlborough of groundwater flooding. The information from the report will be used by Assets and Services as part of the Wairau Flood management scheme review.

The main findings of the report were detailed in the agenda item.

Cirs Fauls/Sowman:

**That the report be received.**

**Carried**

ATTENDANCE: Ms Charlotte Tomlinson, Council's Hydrologist and Rob Agnew, Plant and Food Marlborough Scientist were present for the following item.

**E&P-0324-319 Late Summer 2024 Marlborough Climate,  
Rainfall, River, Wetland & Aquifer Status Update  
E345-007-001**

Members noted that the purpose of the report was to provide update on the latest state of Marlborough water resources, climate and climate predictions through autumn 2024.

To highlight the information Ms Tomlinson and Mr Agnew provided powerpoint presentations (presentations filed in CM Record Nos. 2457001 and 2457002).

Members were advised that the top of the South Drought Committee had met yesterday. MPI have advised that drought classification has not been made for Marlborough at this time although a number of organisations had sent letters explaining the local conditions. It was noted that MPI and the Ministry of Agriculture are the ones that make the decision on classifying whether areas are in a drought.

Clr J Arbuckle noted the information presented today is powerful and queried whether the decision makers were getting this type of information in front of them. Ms Tomlinson advised that there may be a disconnect between the national data, models and local expertise.

It was raised whether the information that Council collects could be provided to the appropriate organisations for better decision making. Ms Tomlinson noted the next top of the South Drought Committee meeting is at the end of March and Ben Knowles from NIWA has been invited to attend to discuss the drought index that NIWA has created and answer those types of questions.

During the presentation Mr Davidson noted the declining trend of the Wairau Aquifer and discussed possible mitigation of that by lifting the riverbed levels and having more responsive ways of managing water allocation in dry conditions. It is proposed that separate workshops will be held with staff, Councillors and the public later this year on this.

Invited by the Chair, Mr Budyong Hill from Climate Karanga Marlborough, present in the public gallery, posed a question to Mr Davidson who provided a detailed response on the natural gravel supply for the Wairau River catchment.

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

**Carried**

Postscript: At the conclusion of the meeting members were advised that there had been a media release from the Minister of Agriculture advising that the decision had been made to classify drought conditions in Marlborough, Tasman, and Nelson districts as a medium-scale adverse event.

ATTENDANCE: Clr Dalliessi withdrew from the meeting at 10.13 am during the following item.

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

**E&P-0324-320 National Policy Statement for Freshwater  
Management – Work programme update  
M100-14-05-02**

Ms Pearson provided an update on the Council's work programme relating to the National Policy Statement for Freshwater Management 2020 (NPSFM 2020) in light of the new coalition Government's intention to review and replace this policy statement in the next 18 to 24 months.

The work programme areas and completion timelines were detailed in the agenda item and the work programme timeline was attached to the agenda item for members' information.

It was reported that the deadline for councils to notify plan changes has been extended to 31 December 2027.

Members were advised that Marlborough's position in the planning cycle is considered positive as the Proposed Marlborough Environment Plan (PMEP) is a modern plan with extensive operative water quality and water allocation provisions which give effect to the NPSFM 2014 and 2017 versions.

Members were advised that to date the NPSFM work programme has completed three of the six steps as prescribed in the NPSFM 2020. To be ready to respond to the reviewed NPSFM Council must continue to build regional understanding to ensure that any policy changes are evidentially supported, fully assessed and tested.

Ms Pearson noted that the state of Marlborough's freshwater is comparatively good when compared to the rest of New Zealand's regions. The risk of any serious freshwater degradation occurring during the NPSFM replacement period is considered low, due to an extensive monitoring network and programmes underway to address known issues and make improvements, combined with PMEP provisions.

Members were advised that Marlborough's Iwi have indicated they wish to keep going and will take advantage of the extra time provided by Government to fully participate in Council's regional freshwater management. This will enable a fuller understanding of māturanga Māori and Māori freshwater values, Iwi visions, and cultural monitoring with which to boost the cultural framework within the PMEP.

Ms Pearson advised members that the next steps will be to complete the analysis of submissions to the second round of community engagement, and review of the values, visions and environmental outcomes for each FMU. Also staff will continue to closely monitor Government information on the NPSFM review, liaise with the Ministry of Environment as needed, and report to the Committee when changes occur.

**Clrs Hope/Innes:**  
**That the report be received.**

**Carried**

Attendance: Clr J Arbuckle withdrew the meeting at 10.23 am during the following item.

## **E&P-0324-321      Annual Air Quality Monitoring Report – Blenheim 2023      E300-004-003-01**

Ms Pearson presented the Annual Air Quality Monitoring Report – Blenheim 2023, prepared by Emily Wilton, Environet Limited to members. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2456999).

The report noted that during 2023 there was only one exceedance of 50 µg/m<sup>3</sup> (24-hour average) for PM<sub>10</sub> in Blenheim for the calendar year. As one exceedance per year is tolerated, there were no breaches of the NES for PM<sub>10</sub> for the 2023 calendar year. However, as the exceedance has occurred within 365 days of the previous exceedance this is considered a breach of the NES. The maximum PM<sub>10</sub> concentration in 2023 was 54.5 µg/m<sup>3</sup> (24-hour average).

Members were advised that the annual average PM<sub>10</sub> concentration for 2023 was 14 µg/m<sup>3</sup> and is the lowest concentrations measured since the NES was introduced. Data for 2023 is consistent with there being a decrease PM<sub>10</sub> concentrations in Blenheim over time. It was noted that an airshed must be compliant with the NES for PM<sub>10</sub> for five consecutive years to be considered non-polluted.

It was further advised that concentrations of PM<sub>2.5</sub> exceeded 25 µg/m<sup>3</sup> (24-hour average proposed NES) on 15 occasions but monitoring for PM<sub>2.5</sub> did not commence until June 2023. The number of exceedances of the proposed PM<sub>2.5</sub> NES in 2023 was significantly lower than previous years (prior minimum was 27 in 2022).



Ms Pearson noted that management measures to reduce PM<sub>10</sub> concentrations to meet the NES have been included in the Proposed Marlborough Environment Plan (notified June 2016). Measures are based on a 2012 assessment which predicted concentrations would reduce from 2012 to 2018 in the absence of regulation.

Ms Pearson provided members with an update on the monitoring site in Picton noting it is anticipated that the machine will be online for this winter to measure PM<sub>10</sub>.

**Cirs Hope/S Arbuckle:**

**That the 'Annual Air Quality Monitoring Report - Blenheim 2023' be received.**

**Carried**

ATTENDANCE: Mr Jake Oliver, Council's Harbourmaster, was present for the following item.

### **E&P-0324-322    Marlborough Common Passage Plan    H100-001-01**

Mr Oliver presented the draft Marlborough Common Passage Plan (MCP) which was separately attached to the agenda for members' information. To highlight the report and a powerpoint was shown (presentation filed in CM Record No. 2456997).

Members were advised that the MCP is a document produced and issued by the Marlborough District Council (MDC) which seeks to improve pre-pilotage communications between pilots, the holders of pilotage exemption certificates and the vessels they service.

Mr Oliver reported that the MCP seeks to improve the readiness of vessels transiting pilotage areas within the Marlborough Sounds ensuring that voyage plans, waypoints and other planning considerations have been completed in a standardised manner. It also seeks to improve water space management and situational awareness between piloted and non-piloted vessels within the Marlborough Sounds.

Mr Oliver advised that the draft MCP was provided to Port Marlborough, InterIslander, and StraitNZ and their feedback has been received and responded to.

It was reported that the intention is the MCP will be in effect and existing operations will begin to transition to the new plan between 1 April and 31 July 2024. Once the new passage plan has been received and approved, the existing plan approvals will be revoked. Transit monitoring via TransitAnalyst for performance of the vessels compared to the MCP will commence from the 1 August 2024.

Members were advised that there will be no changes made to the MCP for the first 60 days of operations, after this period comments may be submitted and considered in line with the change policy in the document. Any exceedances within the first 60 days will be captured and collated into a report that will be provided to Council, Port Marlborough, InterIslander and StraitNZ.

**Cirs Innes/Fauls:**

**That the information be received.**

**Carried**

ATTENDANCE: Ms Katie Littlewood, Council's Principal Coastal Scientist, was present for the following item.

### **E&P-0324-323    Whangarae Estuary Broadscale Habitat Mapping Report 2023    E325-002-002**

Ms Littlewood advised that the purpose of report was to present the findings from the State of the Environment (SOE) monitoring report in Whangarae Estuary in 2023 to the Committee. The Whangarae Estuary: 2022/2023

Broad-scale Intertidal Habit Mapping Summary; Salt Ecology Short Report 028 was separately attached to the agenda for members' information. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2456995).

Members were advised that the report findings highlight Whangarae Estuary is in 'very good' condition with well flushed tidal flats dominated by firm substrate, and the presence of shellfish beds and seagrass. Mud-elevated sediments have expanded since 2016 in the south-east arm, likely credited to repeat flood events in 2021 and 2022. This contributes to the 'fair' score for Salt Marsh Extent and 'poor' score for Seagrass.

Ms Littlewood noted that the Whangarae Estuary represents an important reference site in which comparison can be made to other estuaries in Marlborough. The limited human pressures and lack of development in the catchment makes Whangarae Estuary one of the most natural estuaries in Marlborough.

**Cirs Innes/Minehan:**  
**That the information be received.**

**Carried**

ATTENDANCE: Jono Underwood, Biosecurity Manager was present for the following two items and Liam Falconer Council's Senior Biosecurity Officer (Operations Lead) was present for the following item.

## **E&P-0324-324 Chilean Needle Grass Programme Update** **E315-003-009-01**

Members noted that the purpose of the report was to update members on the larger strategic Biosecurity programmes that is aiming to contain the pest plant Chilean needle grass (*Nassella neesiana*) ('CNG'). To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2456992).

As part of the presentation Mr Falconer noted that work has been carried out by seven contract teams plus internal staff with 2948 hours of work undertaken. 272 properties have been visited with 10 new properties located, there are currently 220 active properties.

Members were advised that for large companies that have regular staff and manager changes has meant the consistent messaging around the spread risk within properties has been difficult. Mowers during the seeding season this year has also been of particular concern.

It was noted that contractors have been brought over from Nelson as contractor resource continues to be an issue with the limited resources in Marlborough being stretched as it is peak time for contractors.

Members were advised that there a number of longer-term contracts up for renewal and it is expected price increases will begin to have an impact on the amount of work that Council is able to deliver throughout the Marlborough region.

Mr Underwood noted that Council and members from the Marlborough community continue to advocate to Central Government that is it not just a regional issue.

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

**Carried**

## **E&P-0324-325 Court Proceedings Update – Regional Pest Management** **E315-002-008-05**

Mr Underwood noted that in April 2023, Council appealed the interim decision of the Environment Court to the High Court out of concern relating to a number of legal determinations which were made for which there has been no previous established case law. The High Court Judgement was received on 22 December 2023 with the judgement dismissing all of Council's concerns explained as alleged errors of law.



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

**E&P-0324-327      Variation 6 to the Proposed Marlborough  
Environment Plan – 'Kerepi'      M100-11-17**

Mr Sigmund noted that the purpose of the report was to receive the Section 32 report for a variation to the PMP to rezone 12 hectares of land from Rural Environment to Urban Residential 4 and to recommend adoption of the variation and seek approval to proceed with the variations to public notification, in accordance with Schedule 1 of the Resource Management Act 1991 (RMA). An aerial of the proposed "Kerepi allotments was attached to the agenda for members' information.

Members were advised that the provisions of the Urban Residential 4 Zone are contained in a separate variation, Variation 7 and this report should be read in conjunction with the report on Variation 7.

Mr Sigmund advised that pre-notification consultation has occurred with Iwi authorities, other statutory parties, and adjoining landowners. Formal engagement occurred with the Ministry of Housing and Development and Kainga Ora policy staff where positive comments regarding the variation intent were expressed with no objections received to progressing the variation, only support for the intent.

Three individual landowners engaged with the Collet Group Ltd process seeking additional information and a record of this is noted within the Section 32 report which was separately attached to the agenda for members' information. There was no objection to the variation that arose from the Collet Group Ltd letter nor from adjoining landowners.

Members were advised that the next step is for the variation to proceed to public notification as required by the RMA.

**Cllrs Innes/Hope:  
That Council:**

- 1. Adopt the 'Variation' and the accompanying Section 32 report for the purposes of public notification.**
- 2. Approve the public notification of the variation, in conjunction with Variation 7, in accordance with Schedule 1, RMA as soon as practicable.**
- 3. Approve a 20-working day timeframe for making submissions.**

**Carried**

**E&P-0324-328      Variation 7 to the Proposed Marlborough  
Environment Plan – Urban Residential Four  
'Greenfields'      M100-11-20**

Mr Sigmund noted that the purpose of the report was to receive the Section 32 report for a variation to the PMP to introduce provisions to manage medium density residential development in greenfields situations. This includes policy provisions, a proposed rule framework, and proposed zoning. The report also recommends adoption of the variation and seeks approval to proceed with the variations to public notification, in accordance with Schedule 1 of the Resource Management Act 1991 (RMA).

Members were advised that the Urban Residential 4 Zone is proposed for the internal portion of the "Kerepi Site". The proposed 'Kerepi' allotments and MDH layout were attached to the agenda for members' information.

It was noted that pre-notification consultation has occurred as for Variation 6 and a Section 32 report has been prepared evaluating the effectiveness and efficiency of a proposal to rezone 12 hectares of land on Blenheim northern periphery zoned Rural Environment to facilitate the residential subdivision and development of the site.

Members were advised that the next step is for the variation to proceed to public notification as required by the RMA.

**Cirs Hope/Minehan:  
That Council:**

1. **Adopt the 'Variation' and the accompanying Section 32 report for the purposes of public notification.**
2. **Approve the public notification of the variation, in conjunction with Variation 6, in accordance with Schedule 1, RMA as soon as practicable.**
3. **Approve a 20-working day timeframe for making submissions.**

**Carried**

## **E&P-0324-329      National Policy Statement – Urban Development Indicator Monitoring 2022-2023      N100-001-06-01**

Mr Sigmund presented the 2022-2023 National Policy Statement Urban Development annual monitoring report to members. A copy of the report was available on Council's website for members' information.

It was noted that the National Policy Statement on Urban Development 2020 (NPS-UD) sets out objectives and policies for urban development under the Resource Management Act 1991 which councils must give effect to.

Members were advised that the Marlborough District Council is considered 'Tier 3' under the NPS-UD and therefore is not required to complete the full monitoring requirements of a Tier 1 or 2 council, instead are strongly encouraged to monitor development within our urban environments.

Mr Sigmund provided members with a demonstration of the [Urban Development Dashboard](#). It was noted that the purpose of the dashboard is to monitor urban development activity in Marlborough with a particular focus on Blenheim as the region's largest urban centre.

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

**Carried**

## **E&P-0324-330      Additional Multi-beam Coverage for Marlborough      E325-017-03**

Members noted that the purpose of the report was to inform and update the committee on the availability of new multi-beam echo sounding (MBES) data for the Marlborough region.

It was reported that Land Information New Zealand (LINZ) has recently made freely available to Council new MBES data, extending our data coverage within our regional coastal area. The data is now available on Council mapping systems for internal and external use.

Mr Sigmund provided members with a demonstration of the mapping system and is available [here](#) on Council's website.

Mr Sigmund advised that staff will continue to work alongside LINZ regarding potential future opportunities within the region, this includes future hydrographic surveys, risk assessment and additional modelling.

**Cirs Hope/Mr Harvey:  
That the information and presentation be received.**

**Carried**

ATTENDANCE: Cllr Croad withdrew from the meeting at 11.55 am at the commencement of this item.

**E&P-0324-331 Appeals on PMEP Variation 1: Marine Farming**  
**M100-11-002-07**

Members noted that the purpose of the report was to provide members with the progress with resolving appeals on PMEP Variation 1: Marine farming appeals.

It was reported that 32 notices of appeal on Variation 1 were lodged with the Environment Court. Formal mediation on Variation 1 appeals commence on 12 March 2024.

In the meantime, progress is being made to resolve appeals through informal mediation. Consent memoranda have been submitted to the Court to resolve, in full or in part, six appeals with respect to aquaculture management areas (AMA). Another two proposals to settle appeals on AMA are with the appellants and discussions continue with two further appellants.

**Cllrs Hope/Innes:**  
**That the report be received.**

**Carried**

**E&P-0324-332 Appointment of Hearings Commissioners**  
**R450-004-02**

Members noted that the purpose of the report was to present Graham Taylor for inclusion on the list of Hearings Commissioners. Summary CV for the proposed commissioner was attached to the item for members' information.

It was noted that Council is not bound to employ the services of a Commissioner once they are appointed.

**Cllrs Faulls/Sowman:**  
1. **That the report be received.**  
2. **That Graham Taylor be appointed to act as a Hearings Commissioner as and when required and that they be advised accordingly.**

**Carried**

**E&P-0324-333 Climate Change Sub-Committee**  
**D050-001-C04**

The minutes of the Climate Change Sub-Committee meeting held on 30 January 2024 were presented for ratification by the Committee.

**Cllrs Hope/S Arbuckle:**  
**That the minutes of the Climate Change Sub-Committee meeting held on 30 January 2024 be ratified.**

**Carried**

**E&P-0324-334 Animal Control Sub-Committee**  
**D050-001-A04**

The minutes of the Animal Control Sub-Committee meeting held on 1 February 2024 were presented for ratification by the Committee.

**Cllrs Faulls/Minehan:**  
**That the minutes of the Animal Control Sub-Committee meeting held on 1 February 2024 be ratified.**

**Carried**

## **E&P-0324-335 Information Package**

**Cllrs S Arbuckle/Faulis:**

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

**Carried**

The meeting closed at 12.06 pm.

Record No: 2462349

## Appendix 1

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
<b>Volume 2</b>			
<b>Chapter 25 – Definitions</b>			
<b>Carbon sequestration forestry planting</b>	<i>means the planting and management of areas of shrubs and vegetation the purpose of which is only for carbon sequestration.</i>	<p>The NES-CF now includes a definition (and applies to) “<i>exotic continuous-cover forestry</i>”.</p> <p>(a) <i>means a forest that is deliberately established for commercial purposes, being at least 1 ha of continuous forest cover of exotic forest species that has been planted and—</i></p> <p>(i) <i>will not be harvested or replanted; or</i></p> <p>(ii) <i>is intended to be used for low-intensity harvesting or replanted; and</i></p> <p>(b) <i>includes all associated forestry infrastructure; but</i></p> <p>(c) <i>does not include—</i></p> <p>(i) <i>a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or</i></p> <p>(ii) <i>forest species in urban areas; or</i></p> <p>(iii) <i>nurseries and seed orchards; or</i></p> <p>(iv) <i>trees grown for fruit or nuts; or</i></p> <p>(v) <i>long-term ecological restoration planting of indigenous forest species; or</i></p>	<p>The definitions of these activities are similar, in that they relate to plantings which are intended to generally not be harvested. The PMEP definition is focused on carbon sequestration, whereas the NES-CF refers to a broader commercial purpose, but because of the exclusions in the latter definition, there is unlikely to be much in the way of a practical difference between them in this regard. The key difference is that the PMEP definition is not limited to exotic plantings and would therefore capture native plantings undertaken for the purpose of carbon sequestration.</p> <p>The effect of the two definitions is that <i>exotic continuous-cover forestry</i> is considered to in effect, be captured in the definition of <i>carbon sequestration forestry planting</i>. However, the latter definition cannot simply be replaced in the PMEP with the former, because it would change the effect (i.e. it would no longer apply to indigenous carbon sequestration forestry).</p> <p>To align with the NES-CF, it is recommended that:</p> <ul style="list-style-type: none"> <li>the definition from the NES-CF is added to the PMEP;</li> <li>the definition of <i>carbon sequestration forestry planting</i> is amended to exclude anything which falls within the <i>exotic continuous-cover forestry</i> definition; and</li> <li>the rules which currently apply to <i>carbon sequestration forestry</i> are amended as set out further below in this table.</li> </ul> <p>Add new definition as follows:</p> <p><b><u><i>exotic continuous-cover forest or forestry</i></u></b></p> <p>(a) <u><i>means a forest that is deliberately established for commercial purposes, being at least 1 ha of continuous forest cover of exotic forest species that has been planted and—</i></u></p> <p>(ii) <u><i>will not be harvested or replanted; or</i></u></p>



Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
		<p>(vi) willows and poplars space planted for soil conservation purposes.</p>	<p><u>(ii) is intended to be used for low-intensity harvesting or replanted; and</u></p> <p><u>(b) includes all associated forestry infrastructure; but</u></p> <p><u>(c) does not include—</u></p> <p><u>(i) a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or</u></p> <p><u>(ii) forest species in urban areas; or</u></p> <p><u>(iv) nurseries and seed orchards; or</u></p> <p><u>(iv) trees grown for fruit or nuts; or</u></p> <p><u>(v) long-term ecological restoration planting of indigenous forest species; or</u></p> <p><u>(vi) willows and poplars space planted for soil conservation purposes.</u></p> <p>Amend the definition of <b>Carbon sequestration forestry planting</b> as follows:</p> <p><i>means the planting and management of areas of shrubs and vegetation the purpose of which is only for carbon sequestration, but excludes exotic continuous-cover forest or forestry.</i></p>
<b>Vegetation clearance</b>	<p>means the destruction or the removal of indigenous and exotic plant vegetation, including by cutting, burning, cultivation, crushing, spraying or chemical treatment but does not include:</p> <p>(a) Plantation forestry harvesting that is managed under the NESPF, carbon sequestration (non-permanent) forestry harvesting and woodlot forestry harvesting;</p>	<p>As the NES-CF now covers exotic continuous-cover forestry, the exemption in the vegetation clearance definition for harvesting managed under the NESPF should be broadened. A minor change is recommended to the reference to carbon sequestration, to remove “(non-permanent)”, as this aligns with all other reference to carbon sequestration forestry (including the definition), none of which include this.</p>	<p>Amend the definition of <b>Vegetation clearance</b> as follows:</p> <p><i>means the destruction or the removal of indigenous and exotic plant vegetation, including by cutting, burning, cultivation, crushing, spraying or chemical treatment but does not include:</i></p> <p>(a) <del>Plantation Commercial</del> forestry harvesting that is managed under the NES<del>PF</del>CF, carbon sequestration <del>(non-permanent)</del> forestry harvesting and woodlot forestry harvesting;</p>

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
<b>Chapter 2 – General Rules</b>			
Rule 2.7.1.	<b>2.7.1. Alteration, repair or maintenance of an existing structure, including any associated release of detritus, in, on or over the bed of a lake or river</b>  Note: <i>Rule 2.7.1 does not apply to river crossings that are managed under the National Environmental Standards for Plantation Forestry 2017.</i>	The definition of river crossing has been updated to explicitly include fords. This does not affect the rule/ note, just clarifies that the NES equally applies to fords.  There is a need to update the note to refer to the amended NES.	<b>2.7.1 - Alteration, repair or maintenance of an existing structure, including any associated release of detritus, in, on or over the bed of a lake or river.</b>  Note: <i>Rule 2.7.1 does not apply to river crossings that are managed under the National Environmental Standards for <u>Plantation Commercial</u> Forestry 2017.</i>
Rule 2.9.1.	<b>2.9.1. Alteration, repair or maintenance of an existing structure, including any associated temporary damming of water or release of detritus, in, on or over the bed of a lake or river</b>	N/A – the rule sets out the conditions for 2.7.1, but the note in 2.7.1 addresses the cross-over with the NES, so no changes are needed to the permitted activity conditions.	
Rule 2.7.5.	<b>2.7.5. Construction or placement of a new structure in, on, under, or over the bed of an ephemeral river.</b>  Note: <i>Rule 2.7.5 does not apply to river crossings that are managed under the National Environmental Standards for Plantation Forestry 2017.</i>	There is a need to update the note to refer to the amended NES.	<b>2.7.5 - Construction or placement of a new structure in, on, under, or over the bed of an ephemeral river.</b>  Note: <i>Rule 2.7.5 does not apply to river crossings that are managed under the National Environmental Standards for <u>Plantation Commercial</u> Forestry 2017.</i>
Rule 2.9.5.	<b>2.9.5. Construction or placement of a new structure in, on, under, or over the bed of an ephemeral river.</b>  Note: <i>Where the construction or placement of any new river crossing is managed by the National Environmental Standards for Plantation Forestry 2017, the standards in 2.8 and Standards 2.9.5.1 and 2.9.5.2 do not apply.</i>  2.9.5.1. <i>With the exception of post and wire fences and any attached pipeline, the structure must not be within 8m of a perennially flowing or intermittently flowing river.</i>  2.9.5.2. <i>The structure must not divert any groundwater.</i>  2.9.5.3. <i>The structure must not be located in, or within 8m of, a Significant Wetland.</i>  2.9.5.4. <i>The construction or placement must comply with all the permitted activity land disturbance</i>	There is a need to update the note to refer to the amended NES.  However, there is currently a discrepancy between the note in 2.7.5 and that in 2.9.5, whereby the note in 2.7.5 says that the rule does not apply at all to river crossings managed under the NES, which would mean that none of the conditions in 2.9.5 would apply. The note in 2.9.5 however implies that some of the standards are intended to still apply. It is recommended that a Clause 16 amendment is made to remove the note from 2.9.5, given the note in 2.7.5 was added through a consent order and effectively renders the note in 2.9.5 void.	<b>2.9.5. - Construction or placement of a new structure in, on, under, or over the bed of an ephemeral river.</b>  <del>Note: <i>Where the construction or placement of any new river crossing is managed by the National Environmental Standards for Plantation Forestry 2017, the standards in 2.8 and Standards 2.9.5.1 and 2.9.5.2 do not apply.</i></del>  2.9.5.1. <i>With the exception of post and wire fences and any attached pipeline, the structure must not be within 8m of a perennially flowing or intermittently flowing river.</i>  2.9.5.2. <i>The structure must not divert any groundwater.</i>  2.9.5.3. <i>The structure must not be located in, or within 8m of, a Significant Wetland.</i>  2.9.5.4. <i>The construction or placement must comply with all the permitted activity land disturbance</i>

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<i>rules for the Zone in which the activity is taking place.</i>		<i>rules for the Zone in which the activity is taking place.</i>
<b>Rule 2.7.7.</b>	<b>2.7.7. Culvert installation and replacement in, on, under, or over the bed of a river.</b>  Note: <i>Where the construction or placement of any new river crossing is managed by the National Environmental Standards for Plantation Forestry 2017, Rule 2.7.7 does not apply.</i>	There is a need to update the note to refer to the amended NES.	<b>2.7.7 - Culvert installation and replacement in, on, under, or over the bed of a river.</b>  Note: <i>Where the construction or placement of any new river crossing is managed by the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017, Rule 2.7.7 does not apply.</i>
<b>Rule 2.9.7.</b>	<b>2.9.7. Culvert installation and replacement in, on, under, or over the bed of a river.</b>	N/A – the rule sets out the conditions for 2.7.7, but the note in 2.7.7 addresses the cross-over with the NES, so no changes are needed to the permitted activity conditions.	
<b>Rule 2.16.3.</b>	<b>2.16.3 - Discharge of stormwater to water.</b>  Note 1: <i>Where the discharge of stormwater to water is managed by the National Environmental Standards for Plantation Forestry 2017, Rule 2.16.3 does not apply.</i>	There is a need to update the note to refer to the amended NES.	<b>2.16.3 - Discharge of stormwater to water.</b>  Note 1: <i>Where the discharge of stormwater to water is managed by the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017, Rule 2.16.3 does not apply.</i>
<b>Rule 2.17.3.</b>	<b>2.17.3. - Discharge of stormwater to water.</b>	N/A – the rule sets out the conditions for 2.16.3, but the note in 2.16.3 addresses the cross-over with the NES, so no changes are needed to the permitted activity conditions.	
<b>Chapter 3 – Rural Environment Zone</b>			
<b>3.1.1 Permitted Activities</b>	<i>Unless expressly limited elsewhere by a rule in the Marlborough Environment Plan (the Plan), the following activities shall be permitted without resource consent where they comply with the applicable standards in 3.2 and 3.3, except that for plantation forestry activity regulated by Parts 1 to 9 of the NES for Plantation Forestry, the standards in 3.2 do not apply.</i>	The note is still relevant, but there is a need to update it to refer to all commercial forestry activities, not just plantation forestry, and to refer to the amended NES.	<i>Unless expressly limited elsewhere by a rule in the Marlborough Environment Plan (the Plan), the following activities shall be permitted without resource consent where they comply with the applicable standards in 3.2 and 3.3, except that for <del>plantation commercial</del> forestry activity regulated by Parts 1 to 9 of the NES for <del>Plantation</del> <u>Commercial</u> Forestry, the standards in 3.2 do not apply.</i>
<b>Rule 3.1.6.</b>	<b>3.1.6. Plantation forestry afforestation</b>	These rules apply to plantation forestry managed under the NES-PF, with the conditions amended through the previous alignment exercise to ensure they are only more stringent than the NES in areas where that was, previously, restricted; or	
<b>Rule 3.3.6.</b>	<b>3.3.6. Plantation forestry afforestation.</b> <b>3.3.6.1. Planting must not be in, or within:</b>		

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<p>(a) [Deleted]</p> <p>(b) [Deleted]</p> <p>(c) [Deleted]</p> <p>(d) [Deleted]</p> <p>(e) 10m of a Significant Wetland;</p> <p>(f) [Deleted]</p> <p>(g) an Afforestation Flow Sensitive Site;</p> <p>(h) [Deleted]</p> <p>(i) the Limestone Coastline Outstanding Natural Feature and Landscape;</p> <p>(j) the Wairau Dry Hills High Amenity Landscape.</p> <p>3.3.6.2. Planting must not be within such proximity to any abstraction point for a drinking water supply registered under section 55 of the Water Services Act 2021 as to cause contamination of that water supply.</p>	<p>to manage matters beyond the scope of the NES.</p> <p>The changes to the NES-CF allow for the Council to consider any area in which the PMEP should be more stringent (or lenient) than the NES-CF regulations in regard to afforestation. However, this is a matter that must be considered through a plan change process, rather than being a matter of alignment resulting from the NES-CF.</p> <p>Under NES-CF, all provisions are extended to apply to 'commercial forestry', which by definition includes both plantation forestry, as well as exotic continuous-cover forestry. However as these are treated separately in the MEP, amending this rule to also cover exotic continuous-cover forestry would expand the activity to which it applies. This is considered to extend beyond simply aligning the PMEP with the NES-CF. As such, it is not recommended that 3.1.6 or 3.3.6 are amended.</p> <p><i>See also the assessment of Rule 3.1.11 in relation to the status of exotic continuous-cover forestry in the Rural Zone.</i></p>	
<b>Rule 3.1.7.</b>	<b>3.1.7. Plantation forestry replanting.</b>	<p>These rules apply to plantation forestry managed under the NES-PF, with the conditions being those that were allowed, under the original NES, to be more stringent.</p> <p>Under NES-CF, all provisions are extended to apply to 'commercial forestry', which by definition includes both plantation forestry, as well as exotic continuous-cover forestry. However as these are treated separately in the MEP, amending this rule to also cover exotic continuous-cover forestry would expand</p>	
<b>Rule 3.3.7.</b>	<p><b>3.3.7. Plantation forestry replanting.</b></p> <p>3.3.7.1. Replanting must not be in, or within:</p> <p>(a) 8m of a Significant Wetland;</p> <p>(b) [deleted].</p> <p>3.3.7.2. Replanting must not be within such proximity to any abstraction point for a drinking water supply registered under section 55 of the Water Services Act 2021 as to cause contamination of that water supply.</p>		

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
		the activity to which it applies. This is considered to extend beyond simply aligning the PMEP with the NES-CF. As such, it is not recommended that 3.1.7 or 3.3.7 are amended.	
<b>Rule 3.1.8.</b>	<b>3.1.8. Plantation forestry harvesting.</b>	These rules apply to plantation forestry managed under the NES-PF, with the conditions being those that were allowed, under the original NES, to be more stringent.	
<b>Rule 3.3.8.</b>	<p><b>3.3.8. Plantation forestry harvesting.</b></p> <p>3.3.8.1. <i>Harvesting must not be in, or within</i></p> <p>(a) <i>[Deleted]</i></p> <p>(b) <i>8m of a Significant Wetland.</i></p> <p>(c) <i>[Deleted].</i></p> <p>3.3.8.2. <i>Harvesting must not be within such proximity to any abstraction point for a drinking water supply registered under section 55 of the Water Services Act 2021 as to cause contamination of that water supply.</i></p> <p>3.3.8.3. <i>Except within an existing forestry track or forestry road, wheeled or tracked machinery must not be operated in or within 8m of a Significant Wetland.</i></p> <p>3.3.8.4. <i>Harvesting must not cause any conspicuous change in the colour or natural clarity of the water in a Significant Wetland, or the coastal marine area.</i></p>	<p>Under NES-CF, all provisions are extended to apply to 'commercial forestry', which by definition includes both plantation forestry, as well as exotic continuous-cover forestry. However as these are treated separately in the MEP, amending this rule to also cover exotic continuous-cover forestry would expand the activity to which it applies. This is considered to extend beyond simply aligning the PMEP with the NES-CF. As such, it is not recommended that 3.1.8 or 3.3.8 are amended.</p>	
<b>Rule 3.1.11.</b>	<b>3.1.11. Conservation planting and carbon sequestration forestry planting.</b>	The NES-PF did not manage exotic continuous-cover forestry; but this is now included in the NES-CF. As discussed above, it is recommended that the definition of <i>carbon sequestration forestry planting</i> is amended so that it excludes anything which is captured in the definition of <i>exotic continuous-cover forestry</i> . However, as the latter is considered to fall within the former, there is a need to consider if the rule should continue to apply to <i>exotic continuous-cover forestry</i> .	<b>3.1.11. Conservation planting, <u>exotic continuous-cover forestry planting</u> and carbon sequestration forestry planting.</b>
<b>Rule 3.3.11</b>	<p><b>3.3.11. Conservation planting and carbon sequestration forestry planting.</b></p> <p>3.3.11.1. <i>The following species must not be planted:</i></p> <p>(a) <i>Douglas fir (Pseudotsuga Menziesii);</i></p> <p>(b) <i>Lodgepole pine (Pinus contorta);</i></p> <p>(c) <i>Muricata pine (Pinus muricata);</i></p> <p>(d) <i>European larch (Larix decidua);</i></p> <p>(e) <i>Scots pine (Pinus sylvestris);</i></p> <p>(f) <i>Mountain or dwarf pine (Pinus mugo);</i></p>	<p>Because of the changes to Regulation 6 of the NES-CF, additional stringency may be applied by a Council to afforestation (i.e. planting). The standards applying to</p>	<p><b>3.3.11. Conservation planting, <u>exotic continuous-cover forestry planting</u> and carbon sequestration forestry planting.</b></p> <p>...</p> <p>3.3.11.6 <i>In the case of <u>exotic continuous-cover forestry planting or carbon sequestration forestry planting</u> must not be within an Afforestation Flow Sensitive Site.</i></p>

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<p>(g) Corsican pine (<i>Pinus nigra</i>).</p> <p>3.3.11.2. That the planting of vegetation must not occur where that vegetation when fully grown, could shade a formed and sealed road between 10.00 am and 2.00 pm on the shortest day of the year except where the topography already causes shading.</p> <p>3.3.11.3. There must be no carbon sequestration forestry planting within 100m of a habitable structure or accessory building other than a pump shed located on any adjacent land under different ownership.</p> <p>3.3.11.4. Only indigenous species may be planted within the Wairau Dry Hills High Amenity Landscape except for plantings within the curtilage around a dwelling.</p> <p>3.3.11.5. Only indigenous species must be planted in, or within 8m of, a Significant Wetland.</p> <p>3.3.11.6 <u>In the case of carbon sequestration forestry planting must not be within an Afforestation Flow Sensitive Site.</u></p>	<p><i>exotic continuous-cover forestry</i> planting under these rules may therefore continue to be more stringent than the NES-CF.</p> <p>It is therefore recommended that in combination with the changes to the definitions recommended above, that the rule is amended to refer to “<i>exotic continuous-cover forestry afforestation</i>” to align with the terminology and definitions in the NES-CF.</p> <p>As a result of the Clause 16 amendment being made to 3.3.11.6 (shown using black underline), there is also a need to similarly amend that standard so that it will also continue to apply to <i>exotic continuous-cover forestry afforestation</i>.</p>	
Rule 3.1.12.	<b>3.1.12. Indigenous vegetation clearance.</b>		
Rule 3.3.12	<p><b>3.3.12. Indigenous vegetation clearance.</b></p> <p><b>Note:</b></p> <p><i>Permitted Activity standards 3.3.12.1 and 3.3.12.2 do not apply to indigenous vegetation clearance managed under the National Environmental Standards for Plantation Forestry 2017.</i></p>	There is a need to update the note to refer to the amended NES.	<p><b>3.3.12. Indigenous vegetation clearance.</b></p> <p><b>Note:</b></p> <p><i>Permitted Activity standards 3.3.12.1 and 3.3.12.2 do not apply to indigenous vegetation clearance managed under the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017.</i></p>
Rule 3.1.13.	<b>3.1.13. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	There is a need to update the reference to the amended NES.	<b>3.1.13. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017.</b>
Rule 3.3.13.	<b>3.3.13. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	As the rule does not apply to any clearance managed under the NES, there is no need to reconsider its conditions as they will not apply in any case to clearance managed under the NES. However the reference should be updated to refer to the amended NES.	<b>3.3.13. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017.</b>
Rule 3.1.14.	<b>3.1.14. Cultivation</b>		<b>3.1.14. Cultivation.</b>



Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
		There is a need to update the reference to the amended NES.  However, it is understood that an error has been made in the re-numbering of the rule, whereby the note should have been updated to refer to 3.3.14.1, 3.3.14.2, 3.3.14.3, 3.3.14.5 and 3.3.14.6. If this error is corrected under Clause 16, then the only standard applying to cultivation managed under the NES (3.3.14.4) has been deleted, the rule in totality effectively does not apply. For simplicity, and consistency with other rules, it would be simpler to note in 3.1.14 that the rule does not apply. Note this recommended change does not arise from the changes to the NES.	<u>Note:</u> <u>Where cultivation is managed under the National Environmental Standards for Commercial Forestry 2017, Rule 3.1.14 does not apply.</u>
<b>Rule 3.3.14.</b>	<b>3.3.14. Cultivation</b>  <i>Note:</i> <i>Where cultivation is managed under the National Environmental Standards for Plantation Forestry 2017, Standards 3.3.14.1, 3.3.14.2, 3.3.14.3, 3.3.14.4 and 3.3.14.5 do not apply.</i>		<b>3.3.14. Cultivation</b>  <u>Note:</u> <u>Where cultivation is managed under the National Environmental Standards for Plantation Forestry 2017, Standards 3.3.14.1, 3.3.14.2, 3.3.14.3, 3.3.14.4 and 3.3.14.5 do not apply.</u>
<b>Rule 3.1.15</b>	<b>3.1.15. Excavation</b>		
<b>Rule 3.3.15</b>	<b>3.3.15. Excavation</b>  <i>Note:</i> <i>Where excavation is managed under the National Environmental Standards for Plantation Forestry 2017, Standards 3.3.15.1, 3.3.15.2, 3.3.15.3(a), 3.3.15.4, 3.3.15.5, 3.3.15.10, 3.3.15.11 and 3.3.15.12 do not apply, and Standard 3.3.15.9 only applies to the extent that it relates to Significant Wetlands smaller than 0.25ha in area.</i>	There is a need to update the reference to the amended NES.	<b>3.3.15. Excavation</b>  <i>Note:</i> <i>Where excavation is managed under the National Environmental Standards for <del>Plantation</del> Commercial Forestry 2017, Standards 3.3.15.1, 3.3.15.2, 3.3.15.3(a), 3.3.15.4, 3.3.15.5, 3.3.15.10, 3.3.15.11 and 3.3.15.12 do not apply, and Standard 3.3.15.9 only applies to the extent that it relates to Significant Wetlands smaller than 0.25ha in area.</i>
<b>Rule 3.2.1.7.</b>	<b>3.2.1. Construction and siting of a building or structure except a temporary building or structure, an unmodified shipping container or an off-river dam (unless any Standards listed below are specified as Standards for those activities).</b>  <i>... 3.2.1.7. The following fire safety setbacks shall apply:</i>  <i>(a) A habitable structure, or accessory building that contains a small scale solid fuel burning appliance, must have a fire safety setback of at least 100m from any existing plantation forestry or carbon</i>	As a consequence of the definitions being amended, "carbon sequestration forestry" referred to in this standard would no longer include "exotic continuous-cover forestry". To ensure it continues to apply, reference should be added to the latter. However, for ease, it is better to amend the reference to plantation forestry to refer to commercial forestry, which includes exotic continuous-cover forestry.  As clause (b) does not apply to carbon sequestration forestry, no change is required to this clause.	<b>3.2.1.7.</b> <i>The following fire safety setbacks shall apply:</i>  <i>(a) A habitable structure, or accessory building that contains a small scale solid fuel burning appliance, must have a fire safety setback of at least 100m from any existing <del>plantation commercial</del> forestry or carbon sequestration forestry on any adjacent land under different ownership, or</i>  <i>(b) An accessory building, other than a pump shed, that does not contain a small scale solid fuel burning appliance must have a fire safety setback of at least 40m from any</i>

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<p>sequestration forestry on any adjacent land under different ownership, or</p> <p>(b) An accessory building, other than a pump shed, that does not contain a small scale solid fuel burning appliance must have a fire safety setback of at least 40m from any existing plantation forestry on any adjacent land under different ownership.</p>		<p>existing plantation forestry on any adjacent land under different ownership.</p>
Rule 3.4.3.	<p><b>3.4.3. Harvesting of plantation forestry that was established prior to 9 June 2016, in, or within 8m of a Significant Wetland.</b></p>	<p>This rule applies to plantation forestry, applying an activity status that is more stringent than under the NES.</p> <p>Under NES-CF, all provisions are extended to apply to 'commercial forestry', which by definition includes both plantation forestry, as well as exotic continuous-cover forestry. However as these are treated separately in the MEP, amending this rule to also cover exotic continuous-cover forestry harvesting would expand the activity to which it applies. This is considered to extend beyond simply aligning the PMEP with the NES-CF. As such, it is not recommended that 3.4.3. is amended.</p>	
Rule 3.5.1	<p><b>3.5.1. Excavation in excess of 1000m<sup>3</sup> on any land with a slope greater than 20° within any 24 month period including excavation as part of Woodlot Forestry Harvesting activities but excluding excavation as part of Plantation Forestry Harvesting.</b></p>	<p>N/A – this rule does not apply to Plantation Forestry Harvesting.</p>	
Rule 3.6.6.	<p><b>3.6.6. Quarrying and mining.</b></p> <p>Note:</p> <p>Where forestry quarrying is managed under the National Environmental Standards for Plantation Forestry 2017, Rule 3.6.6 does not apply.</p>	<p>There is a need to update the reference to the amended NES.</p>	<p><b>3.6.6. Quarrying and mining.</b></p> <p>Note:</p> <p>Where forestry quarrying is managed under the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017, Rule 3.6.6 does not apply.</p>
Rule 3.7.1	<p><b>3.7.1. Plantation forestry afforestation or woodlot forestry planting within the coastal environment on land identified as Steep Erosion-Prone Land, that has not previously been planted in lawfully established plantation or woodlot forestry.</b></p>	<p>This rule applies to plantation forestry, applying an activity status that is more stringent than under the NES.</p> <p>Under NES-CF, all provisions are extended to apply to 'commercial</p>	



Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
		forestry', which by definition includes both plantation forestry, as well as exotic continuous-cover forestry. However as these are treated separately in the MEP, amending this rule to also cover exotic continuous-cover forestry afforestation would expand the activity to which it applies. This is considered to extend beyond simply aligning the PMEP with the NES-CF. As such, it is not recommended that 3.7.1 is amended.	
Rule 3.7.2.	<b>3.7.2 Carbon sequestration forestry harvesting on steep erosion prone land.</b>	<p>The NES-PF did not manage exotic continuous-cover forestry; but this is now included in the NES-CF. As discussed above, it is recommended that the definition of <i>carbon sequestration forestry planting</i> is amended so that it excludes anything which is captured in the definition of <i>exotic continuous-cover forestry</i>. However, as the latter is considered to fall within the former, there is a need to consider if the rule should continue to apply to <i>exotic continuous-cover forestry</i>.</p> <p>Regulation 6 of the NES-CF sets out when additional stringency may be applied by a Council beyond the NES-CF controls. While this allows for greater stringency or leniency with regard to afforestation, the same does not apply to harvesting. The other matter on which stringency can be exercised which is relevant to the matter addressed in the rules is Regulation 6(1)(b), which allows the PMEP to be more stringent than the NES-PF when provisions give effect to Policy 22 of the NZCPS. Where within the coastal environment (as identified on the planning maps), the rule is therefore able to be more stringent because it is giving effect to the direction to: require that use and development not result in a significant increase in sedimentation in the CMA; to</p>	<b>3.7.2 Carbon sequestration forestry harvesting on steep erosion prone land <u>or exotic continuous-cover forestry harvesting within the coastal environment on land identified as Steep Erosion-Prone Land.</u></b>

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
		<p>control impacts of vegetation removal or sedimentation; and to reduce sediment loadings in run-off through controls on land use activities.</p> <p>As such, it is recommended that Rule 3.7.2 be amended so that it continues to apply to <i>exotic continuous-cover forestry</i> harvesting, but only where the planting is on land identified as Steep Erosion-Prone and where within the coastal environment. The rule would continue to apply in all cases to <i>carbon sequestration forestry harvesting</i> noting that by definition (as recommended above,) this would exclude “<i>exotic continuous-cover forestry afforestation</i>”.</p> <p>Harvesting of <i>exotic continuous-cover forestry</i> which are not identified as Steep Erosion-Prone Land and within the coastal environment would be managed under the NESCF.</p>	
<b>Chapter 4 – Coastal Environment Zone</b>			
<b>4.1. Permitted Activities</b>	<p><i>Unless expressly limited elsewhere by a rule in the Marlborough Environment Plan (the Plan), the following activities shall be permitted without resource consent where they comply with the applicable standards in 4.2 and 4.3, except that for plantation forestry activity regulated by Parts 1 to 9 of the NES for Plantation Forestry, the standards in 4.2 do not apply.</i></p>	<p>The note is still relevant, but there is a need to update it to refer to all commercial forestry activities, not just plantation forestry, and to refer to the amended NES.</p>	<p><i>Unless expressly limited elsewhere by a rule in the Marlborough Environment Plan (the Plan), the following activities shall be permitted without resource consent where they comply with the applicable standards in 4.2 and 4.3, except that for <del>plantation commercial</del> forestry activity regulated by Parts 1 to 9 of the NES for <del>Plantation Commercial</del> Forestry, the standards in 4.2 do not apply.</i></p>
<b>Rule 4.1.6.</b>	<b>4.1.6. Plantation forestry replanting.</b>	<p>These rules apply to plantation forestry managed under the NES-PF, with the conditions being those that were allowed, under the original NES, to be more stringent.</p>	
<b>Rule 4.3.6.</b>	<p><b>4.3.6. Plantation forestry replanting.</b></p> <p>4.3.6.1. <i>Replanting must not be in, or within:</i></p> <p>(a) <i>[deleted]</i></p> <p>(b) <i>8m of a Significant Wetland;</i></p> <p>(c) <i>200m of the coastal marine area.</i></p> <p>4.3.6.2. <i>Replanting must not be within such proximity to any abstraction point for a drinking water supply registered under section 55 of the Water</i></p>	<p>Under NES-CF, all provisions are extended to apply to ‘commercial forestry’, which by definition includes both plantation forestry, as well as exotic continuous-cover forestry. However as these are treated separately in the MEP, amending this rule to also cover exotic</p>	

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<i>Services Act 2021 as to cause contamination of that water supply.</i>	continuous-cover forestry would expand the activity to which it applies. This is considered to extend beyond simply aligning the PMEP with the NES-CF. As such, it is not recommended that 4.1.6. or 4.3.6. are amended.	
Rule 4.1.10.	<b>4.1.10 Indigenous vegetation clearance.</b>		
Rule 4.3.10.	<b>4.3.10. Indigenous vegetation clearance.</b>  <i>Note:</i> <i>Permitted Activity standards 4.3.10.1, and 4.3.10.2 do not apply to indigenous vegetation clearance managed under the National Environmental Standards for Plantation Forestry 2017.</i>	There is a need to update the note to refer to the amended NES.	<b>4.3.10. Indigenous vegetation clearance.</b>  <b>Note:</b> <i>Permitted Activity standards 4.3.10.1, and 4.3.10.2 do not apply to indigenous vegetation clearance managed under the National Environmental Standards for <u>Plantation Commercial</u> Forestry 2017.</i>
Rule 4.1.11.	<b>4.1.11 Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	There is a need to update the reference to the amended NES.	<b>4.1.11. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for <u>Plantation Commercial</u> Forestry 2017.</b>
Rule 4.3.11.	<b>4.3.11. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	As the rule does not apply to any clearance managed under the NES, there is no need to reconsider its conditions as they will not apply in any case to clearance managed under the NES. However the reference should be updated to refer to the amended NES.	<b>4.3.11. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for <u>Plantation Commercial</u> Forestry 2017.</b>
Rule 4.1.12.	<b>4.1.12. Cultivation.</b>	There is a need to update the reference to the amended NES.  However, because the only standard applying to cultivation managed under the NES (4.3.12.4.) has been deleted, the rule in totality effectively does not apply.	<b>4.1.12. Cultivation.</b>  <b>Note:</b> <i>Where cultivation is managed under the National Environmental Standards for Commercial Forestry 2017, Rule 4.1.12 does not apply.</i>
Rule 4.3.12.	<b>4.3.12. Cultivation.</b>  <i>Note:</i> <i>Where cultivation is managed under the National Environmental Standards for Plantation Forestry 2017, Standards 4.3.12.1, 4.3.12.2, 4.3.12.3, 4.3.12.5 and 4.3.12.6 do not apply.</i>	For simplicity, and consistency with other rules, it would be simpler to note in 4.1.12 that the rule does not apply. Note this recommended change does not arise from the changes to the NES.	<b>Cultivation.</b>  <b>Note:</b> <i>Where <del>cultivation is managed under the National Environmental Standards for Plantation Forestry 2017, Standards 4.3.12.1, 4.3.12.2, 4.3.12.3, 4.3.12.5 and 4.3.12.6 do not apply.</del></i>
Rule 4.1.13.	<b>4.1.13. Excavation.</b>		

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
Rule 4.3.13.	<p><b>4.3.13. Excavation.</b></p> <p>Note:</p> <p>Where excavation is managed under the National Environmental Standards for Plantation Forestry 2017 as earthworks, Standards 4.3.13.1, 4.3.13.2, 4.3.13.3(a), 4.3.13.8, 4.3.13.9 and 4.3.13.10 do not apply, and Standard 4.3.13.7 only applies to the extent that it relates to Significant Wetlands smaller than 0.25ha in area.</p>	<p>There is a need to update the reference to the amended NES.</p>	<p><b>4.3.13. Excavation</b></p> <p>Note:</p> <p>Where excavation is managed under the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017 as earthworks, Standards 4.3.13.1, 4.3.13.2, 4.3.13.3(a), 4.3.13.8, 4.3.13.9 and 4.3.13.10 do not apply, and Standard 4.3.13.7 only applies to the extent that it relates to Significant Wetlands smaller than 0.25ha in area.</p>
Rule 4.2.1.6.	<p><b>4.2.1. Construction and siting of a building or structure except a temporary building or structure, unmodified shipping container or an off-river dam (unless any Standards listed below are specified as Standards for those activities).</b></p> <p>... 4.2.1.6. The following fire safety setbacks shall apply:</p> <p>(a) A habitable structure, or accessory building that contains a small scale solid fuel burning appliance, must have a fire safety setback of at least 100m from any existing plantation forestry or carbon sequestration forestry on any adjacent land under different ownership, or</p> <p>(b) An accessory building, other than a pump shed, that does not contain a small scale solid fuel burning appliance must have a fire safety setback of at least 40m from any existing plantation forestry or carbon sequestration forestry on any adjacent land under different ownership.</p>	<p>As a consequence of the definitions being amended, “carbon sequestration forestry” referred to in this standard would no longer include “exotic continuous-cover forestry”. To ensure it continues to apply, reference should be added to the latter. However, for ease, it is better to amend the reference to plantation forestry to refer to commercial forestry, which includes exotic continuous-cover forestry.</p>	<p>3.2.1.7. The following fire safety setbacks shall apply:</p> <p>(a) A habitable structure, or accessory building that contains a small scale solid fuel burning appliance, must have a fire safety setback of at least 100m from any existing <del>plantation</del> <u>commercial</u> forestry or carbon sequestration forestry on any adjacent land under different ownership, or</p> <p>(b) An accessory building, other than a pump shed, that does not contain a small scale solid fuel burning appliance must have a fire safety setback of at least 40m from any existing <del>plantation</del> <u>commercial</u> forestry or carbon sequestration forestry on any adjacent land under different ownership.</p>
Rule 4.5.3.	<p><b>4.5.3. Plantation forestry afforestation, or plantation forestry replanting that is not provided for as a Permitted Activity.</b></p> <p>Matters over which the Council has restricted its discretion:</p> <p>4.5.3.1. Effects on Significant Wetlands.</p> <p>4.5.3.1. Effects of sedimentation.</p>	<p>This rule applies to plantation forestry managed under the NES-PF, with the matters of discretion limited to those identified through the previous alignment exercise are matters on which stringency could be exercised.</p> <p>The changes to the NES-CF allow for the Council to consider any area in which the PMEP should be more stringent (or lenient) than the NES-CF regulations in</p>	

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<p>4.5.3.1. <i>The effects on the values of the Marlborough Sounds High Amenity Landscape and the Marlborough Sounds Outstanding Natural Feature and Landscape.</i></p> <p>4.5.3.1. <i>Effects on any drinking water supply registered under section 55 of the Water Services Act 2021.</i></p>	<p>regard to afforestation. However, this is a matter that must be considered through a plan change process, rather than being a matter of alignment resulting from the NES-CF.</p> <p>Under NES-CF, all provisions are extended to apply to 'commercial forestry', which by definition includes both plantation forestry, as well as exotic continuous-cover forestry. However as these are treated separately in the MEP, amending this rule to also cover exotic continuous-cover forestry would expand the activity to which it applies. This is considered to extend beyond simply aligning the PMEP with the NES-CF. As such, it is not recommended that 4.5.3. is amended.</p>	
<b>Rule 4.5.4.</b>	<p><b>4.5.4. Plantation forestry harvesting</b></p> <p><i>Matters over which the Council has restricted its discretion:</i></p> <p>4.5.4.1. <i>Effects on Significant Wetlands.</i></p> <p>4.5.4.1. <i>Effects of sedimentation.</i></p> <p>4.5.4.1. <i>The effects on the values of the Marlborough Sounds High Amenity Landscape and the Marlborough Sounds Outstanding Natural Feature and Landscape.</i></p> <p>4.5.4.1. <i>Effects on any drinking water supply registered under section 55 of the Water Services Act 2021.</i></p>	<p>This rule applies to plantation forestry managed under the NES-PF, with the matters of discretion limited to those identified through the previous alignment exercise are matters on which stringency could be exercised.</p> <p>Under NES-CF, all provisions are extended to apply to 'commercial forestry', which by definition includes both plantation forestry, as well as exotic continuous-cover forestry. However as these are treated separately in the MEP, amending this rule to also cover exotic continuous-cover forestry would expand the activity to which it applies. This is considered to extend beyond simply aligning the PMEP with the NES-CF. As such, it is not recommended that 4.5.4 is amended.</p>	
<b>Rule 4.5.5</b>	<p><b>4.5.5. Excavation and filling to construct or upgrade forestry roads, forestry tracks or skid sites.</b></p> <p><i>Matters over which the Council has restricted its discretion:</i></p>	<p>This rule applies to specific aspects of forestry, with the matters of discretion limited to those on which stringency could be exercised under the original NES.</p>	

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<p>4.5.5.1. <i>Effects of sedimentation.</i></p> <p>4.5.5.2 <i>Reduction of sediment loadings in run-off.</i></p> <p>4.5.5.3 <i>The effects on the values of Outstanding Natural Features and Landscapes.</i></p> <p>4.5.5.4 <i>Effects on Significant Wetlands</i></p> <p>4.5.5.5 <i>Effects on any drinking water supply registered under section 55 of the Water Services Act 2021.</i></p>	It is not affected by the changes introduced to the NES-CF.	
Rule 4.6.6.	<p><b>4.6.6. Quarrying and mining.</b></p> <p>Note:</p> <p><i>Where quarrying is managed under the National Environmental Standards for Plantation Forestry 2017 Rule 4.6.6 does not apply.</i></p>	There is a need to update the reference to the amended NES.	<p><b>4.6.6. Quarrying and mining.</b></p> <p>Note:</p> <p><i>Where forestry quarrying is managed under the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017 Rule 4.6.6 does not apply.</i></p>
Rule 4.7.1.	<p><b>4.7.1. Plantation forestry afforestation, carbon sequestration forestry planting or woodlot forestry planting on land identified as Steep Erosion-Prone Land, that has not previously been planted in lawfully established commercial, carbon sequestration or woodlot forestry.</b></p>	<p>The NES-PF did not manage exotic continuous-cover forestry; but this is now included in the NES-CF. As discussed above, it is recommended that the definition of <i>carbon sequestration forestry planting</i> is amended so that it excludes anything which is captured in the definition of <i>exotic continuous-cover forestry</i>. However, as the latter is considered to fall within the former, there is a need to consider if the rule should continue to apply to <i>exotic continuous-cover forestry</i>.</p> <p>Because of the changes to Regulation 6 of the NES-CF, additional stringency may be applied by a Council to afforestation (i.e. planting). The standards applying to <i>exotic continuous-cover forestry</i> planting under these rules may therefore continue to be more stringent than the NES-CF.</p> <p>It is therefore recommended that in combination with the changes to the definitions recommended above, that the rule is amended to refer to "<i>exotic continuous-cover forestry afforestation</i>" to</p>	<p><b>4.7.1. Plantation forestry afforestation, <u>exotic continuous-cover forestry afforestation</u>, carbon sequestration forestry planting or woodlot forestry planting on land identified as Steep Erosion-Prone Land, that has not previously been planted in lawfully established commercial, <u>exotic continuous-cover</u>, carbon sequestration or woodlot forestry.</b></p>



Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
		align with the terminology and definitions in the NES-CF.	
<b>Chapter 7 – Coastal Living Zone</b>			
Rule 7.1.9.	<b>7.1.9. Indigenous vegetation clearance.</b>		
Rule 7.3.7.	<b>7.3.7. Indigenous vegetation clearance.</b>  <i>Note:</i> <i>Where indigenous vegetation clearance is managed under the National Environmental Standards for Plantation Forestry 2017, Standards, 7.3.7.1, 7.3.7.2, 7.3.7.5 and 7.3.7.6 do not apply.</i>	There is a need to update the note to refer to the amended NES.	<b>7.3.7. Indigenous vegetation clearance.</b>  <i>Note:</i> <i>Where indigenous vegetation clearance is managed under the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017, Standards, 7.3.7.1, 7.3.7.2, 7.3.7.5 and 7.3.7.6 do not apply.</i>
Rule 7.1.10.	<b>7.1.10. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	There is a need to update the reference to the amended NES.	<b>7.1.10. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017.</b>
Rule 7.3.8.	<b>7.3.8. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	As the rule does not apply to any clearance managed under the NES, there is no need to reconsider its conditions as they will not apply in any case to clearance managed under the NES. However the reference should be updated to refer to the amended NES.	<b>7.3.8. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017.</b>
Rule 7.1.11	<b>7.1.11. Excavation or filling.</b>		
Rule 7.3.9.	<b>7.3.9. Excavation or filling.</b>  <i>Note:</i> <i>Where excavation and filling are managed under the National Environmental Standards for Plantation Forestry 2017 as earthworks, Standards 7.3.9.2 to 7.3.9.6 and 7.3.9.8 to 7.3.9.15 do not apply.</i>	There is a need to update the reference to the amended NES.	<b>7.3.9. Excavation or filling.</b>  <i>Note:</i> <i>Where excavation and filling are managed under the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017 as earthworks, Standards 7.3.9.2 to 7.3.9.6 and 7.3.9.8 to 7.3.9.15 do not apply.</i>
Rule 7.5.1	<b>7.5.1. Plantation forestry afforestation, carbon sequestration forestry planting or woodlot forestry planting on land identified as Steep Erosion-Prone Land, that has not previously been planted in lawfully established commercial, carbon sequestration or woodlot forestry.</b>	The NES-PF did not manage exotic continuous-cover forestry; but this is now included in the NES-CF. As discussed above, it is recommended that the definition of <i>carbon sequestration forestry planting</i> is amended so that it excludes anything which is captured in the definition of <i>exotic continuous-cover forestry</i> . However, as the latter is	<b>7.5.1. Plantation forestry afforestation, <del>exotic continuous-cover forestry afforestation</del>, carbon sequestration forestry planting or woodlot forestry planting on land identified as Steep Erosion-Prone Land, that has not previously been planted in lawfully established commercial, <del>exotic continuous-cover</del>, carbon sequestration or woodlot forestry.</b>

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
		<p>considered to fall within the former, there is a need to consider if the rule should continue to apply to <i>exotic continuous-cover forestry</i>.</p> <p>Because of the changes to Regulation 6 of the NES-CF, additional stringency may be applied by a Council to afforestation (i.e. planting). The standards applying to <i>exotic continuous-cover forestry</i> planting under these rules may therefore continue to be more stringent than the NES-CF.</p> <p>It is therefore recommended that in combination with the changes to the definitions recommended above, that the rule is amended to refer to "<i>exotic continuous-cover forestry afforestation</i>" to align with the terminology and definitions in the NES-CF.</p>	
<b>Chapter 8 – Rural Living Zone</b>			
<b>Rule 8.1.12.</b>	<b>8.1.12. Excavation or filling</b>		
<b>Rule 8.3.11.</b>	<p><b>8.3.11. Excavation or filling</b></p> <p>Note:</p> <p>Where excavation or filling are managed under the National Environmental Standards for Plantation Forestry 2017 as earthworks, Standards 8.3.11.3 to 8.3.11.6 and 8.3.11.8 to 8.3.11.14 do not apply.</p>	<p>There is a need to update the reference to the amended NES.</p>	<p><b>8.3.11. Excavation or filling</b></p> <p>Note:</p> <p>Where excavation or filling are managed under the National Environmental Standards for <del>Plantation</del> <b>Commercial</b> Forestry 2017 as earthworks, Standards 8.3.11.3 to 8.3.11.6 and 8.3.11.8 to 8.3.11.14 do not apply.</p>
<b>Rule 8.2.1.10</b>	<p><b>8.2.1. Construction and siting of a building or structure except a temporary building or structure, or unmodified shipping container (unless any Standards listed below are specified as Standards for those activities).</b></p> <p>8.2.1.10 A habitable structure or an accessory building other than a pump shed must have a fire safety setback of at least 100m from any existing commercial forestry or carbon sequestration forestry on any adjacent land under different ownership.</p>	<p>As a consequence of the definitions being amended, "<i>carbon sequestration forestry</i>" referred to in this standard would no longer include "<i>exotic continuous-cover forestry</i>". However, because this standard already refers to commercial forestry, which does encompass the latter (rather than the narrower definition of plantation forestry), it would still apply and no change is needed.</p>	



Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
<b>Chapter 19 – Open Space 3 Zone</b>			
Rule 19.1.5	<b>19.1.5. Indigenous vegetation clearance.</b>		
Rule 19.3.3.	<b>19.3.3. Indigenous vegetation clearance.</b>  Note:  <i>Where indigenous vegetation clearance is managed under the National Environmental Standards for Plantation Forestry 2017, Standards 19.3.3.1., 19.3.3.2, 19.3.3.3(a), 19.3.3.4 and 19.3.3.5 do not apply.</i>	There is a need to update the note to refer to the amended NES.	<b>19.3.3. Indigenous vegetation clearance.</b>  Note:  <i>Where indigenous vegetation clearance is managed under the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017, Standards 19.3.3.1., 19.3.3.2, 19.3.3.3(a), 19.3.3.4 and 19.3.3.5 do not apply.</i>
Rule 19.1.6.	<b>19.1.6. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	There is a need to update the reference to the amended NES.	<b>19.1.6. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017.</b>
Rule 19.3.4.	<b>19.3.4. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	As the rule does not apply to any clearance managed under the NES, there is no need to reconsider its conditions as they will not apply in any case to clearance managed under the NES. However the reference should be updated to refer to the amended NES.	<b>19.3.4. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017.</b>
Rule 19.1.7.	<b>19.1.7. Excavation</b>		
Rule 19.3.5.	<b>19.3.5. Excavation</b>  Note:  <i>Where excavation is managed under the National Environmental Standards for Plantation Forestry 2017 as earthworks, Standards 19.3.5.1, 19.3.5.2, 19.3.5.3(a), 19.3.5.4, 19.3.5.11, 19.3.5.13, 19.3.5.14 and 19.3.5.15 do not apply, and Standard 19.3.5.12 only applies to the extent that it relates to Significant Wetlands smaller than 0.25 ha in area.</i>	There is a need to update the reference to the amended NES.	<b>19.3.5. Excavation</b>  Note:  <i>Where excavation is managed under the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017 as earthworks, Standards 19.3.5.1, 19.3.5.2, 19.3.5.3(a), 19.3.5.4, 19.3.5.11, 19.3.5.13, 19.3.5.14 and 19.3.5.15 do not apply, and Standard 19.3.5.12 only applies to the extent that it relates to Significant Wetlands smaller than 0.25 ha in area.</i>
Rule 19.2.1.4	<b>19.2.1. Construction and siting of any building and structure.</b>  19.2.1.4 <i>A habitable structure or accessory building other than a pump shed must have a fire safety setback of at least 100m from any existing plantation forestry or carbon</i>	As a consequence of the definitions being amended, “carbon sequestration forestry” referred to in this standard would no longer include “exotic continuous-cover forestry”. To ensure it continues to apply, reference should be added to the latter. However, for ease, it is better to amend the reference to plantation forestry to refer	19.2.1.4 <i>A habitable structure or accessory building other than a pump shed must have a fire safety setback of at least 100m from any existing <del>plantation</del> <u>commercial</u> forestry or carbon sequestration forestry on any adjacent land under different ownership.</i>

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<i>sequestration forestry on any adjacent land under different ownership.</i>	to commercial forestry, which includes exotic continuous-cover forestry.	
<b>Chapter 20 – Open Space 4 Zone</b>			
<b>Rule 20.1.5.</b>	<b>20.1.5. Excavation or filling.</b>		
<b>Rule 20.3.3.</b>	<b>20.3.3. Excavation or filling.</b>  <i>Note:</i>  <i>Where excavation and filling are managed under the National Environmental Standards for Plantation Forestry 2017 as earthworks, Standards 20.3.3.1, 20.3.3.2, 20.3.3.6, 20.3.3.7, 20.3.3.8, 20.3.3.9 and 20.3.3.10 do not apply, and Standard 20.3.3.5 only applies to the extent that it relates to Significant Wetlands smaller than 0.25ha.</i>	There is a need to update the reference to the amended NES.	<b>20.3.3. Excavation or filling.</b>  <i>Note:</i>  <i>Where excavation and filling are managed under the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017 as earthworks, Standards 20.3.3.1, 20.3.3.2, 20.3.3.6, 20.3.3.7, 20.3.3.8, 20.3.3.9 and 20.3.3.10 do not apply, and Standard 20.3.3.5 only applies to the extent that it relates to Significant Wetlands smaller than 0.25ha.</i>
<b>Rule 20.1.6.</b>	<b>20.1.6. Planting of vegetation but excluding planting managed under the National Environmental Standards for Plantation Forestry 2017 as afforestation or replanting.</b>	There is a need to update the reference to the amended NES.	<b>20.1.6. Planting of vegetation but excluding planting managed under the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017 as afforestation or replanting.</b>
<b>Rule 20.3.4.</b>	<b>20.3.4. Planting of vegetation.</b>	There is a discrepancy between the title of Rule 20.1.6. and the conditions set out in Rule 20.3.4. It is recommended that these are aligned.	<b>20.3.4. Planting of vegetation <del>but excluding planting managed under the National Environmental Standards for Commercial Forestry 2017 as afforestation or replanting.</del></b>
<b>Rule 20.1.7.</b>	<b>20.1.7. Vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	There is a need to update the reference to the amended NES.	<b>20.1.7. Vegetation clearance excluding where managed by the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017.</b>
<b>Rule 20.3.5.</b>	<b>20.3.5. Vegetation Clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	As the rule does not apply to any clearance managed under the NES, there is no need to reconsider its conditions as they will not apply in any case to clearance managed under the NES. However the reference should be updated to refer to the amended NES.	<b>20.3.5. Vegetation Clearance excluding where managed by the National Environmental Standards for <del>Plantation Commercial</del> Forestry 2017.</b>
<b>Rule 20.4.1.</b>	<b>20.4.1. Excavation in excess of 1000m<sup>3</sup> on any land with a slope greater than 20° within any 24 month period.</b>  <i>Note:</i>	There is a need to update the reference to the amended NES.	<b>20.4.1. Excavation in excess of 1000m<sup>3</sup> on any land with a slope greater than 20° within any 24 month period.</b>  <i>Note:</i>

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<i>Where excavation is managed under the National Environmental Standards for Plantation Forestry 2017 as earthworks, Rule 20.4.1 does not apply.</i>		<i>Where excavation is managed under the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017 as earthworks, Rule 20.4.1 does not apply.</i>
<b>Chapter 22 – Lake Grassmere Salt Works Zone</b>			
Rule 22.1.7.	<b>22.1.7. Excavation excluding where managed by the National Environmental Standards for Plantation Forestry 2017 as earthworks.</b>	There is a need to update the reference to the amended NES.	<b>22.1.7. Excavation excluding where managed by the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017 as earthworks.</b>
Rule 22.3.6.	<b>22.3.6. Excavation excluding where managed by the National Environmental Standards for Plantation Forestry 2017 as earthworks.</b>	As the rule does not apply to any clearance managed under the NES, there is no need to reconsider its conditions as they will not apply in any case to clearance managed under the NES. However the reference should be updated to refer to the amended NES.	<b>22.3.6. Excavation excluding where managed by the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017 as earthworks.</b>
Rule 22.1.9.	<b>22.1.9. Indigenous vegetation clearance.</b>		
Rule 22.3.8.	<b>22.3.8. Indigenous vegetation clearance.</b>  <i>Note: Where indigenous vegetation clearance is managed under the National Environmental Standards for Plantation Forestry 2017, Standards 22.3.8.1, 22.3.8.2, 22.3.8.4, 22.3.8.5 and 22.3.8.6 do not apply.</i>	There is a need to update the note to refer to the amended NES.	<b>22.3.8. Indigenous vegetation clearance.</b>  <i>Note: Where indigenous vegetation clearance is managed under the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017, Standards 22.3.8.1, 22.3.8.2, 22.3.8.4, 22.3.8.5 and 22.3.8.6 do not apply.</i>
Rule 22.1.10	<b>22.1.10. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	There is a need to update the reference to the amended NES.	<b>22.1.10. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017.</b>
Rule 22.3.9.	<b>22.3.9. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for Plantation Forestry 2017.</b>	As the rule does not apply to any clearance managed under the NES, there is no need to reconsider its conditions as they will not apply in any case to clearance managed under the NES. However the reference should be updated to refer to the amended NES.	<b>22.3.9. Non-indigenous vegetation clearance excluding where managed by the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017.</b>
Rule 22.4.2	<b>22.4.2. Excavation of land exceeding 500mm in depth and within 100m of the zone boundary.</b>  <i>Note:</i>	There is a need to update the reference to the amended NES.	<b>22.4.2. Excavation of land exceeding 500mm in depth and within 100m of the zone boundary.</b>  <i>Note:</i>

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<i>Where earthworks are managed under the National Environmental Standards for Plantation Forestry 2017, Rule 22.4.2 does not apply.</i>		<i>Where earthworks are managed under the National Environmental Standards for <del>Plantation</del> <u>Commercial</u> Forestry 2017, Rule 22.4.2 does not apply.</i>
<b>Volume 1</b>			
<b>Chapter 5 - Allocation of Freshwater Resources</b>			
<b>Policy 5.3.15</b>	<p><b><i>Policy 5.3.15 – Require land use consent for the planting of new plantation forestry and carbon sequestration forestry in flow sensitive areas.</i></b></p> <p><i>Afforestation of land currently in pasture has the potential to reduce water yield in the relevant catchment with consequential effects on the surface water hydrology. Water permits have been granted through the provisions of the MEP and through previous planning documents, with reliabilities based on historical surface water hydrology. If water yield is reduced by afforestation in the long-term, it creates the potential to reduce the flow reliability that water users have come to depend upon. This could mean that water users become subject to restrictions more frequently than they have been to date.</i></p> <p><i>The water resources most at risk are south of the Wairau River and specific Afforestation Flow Sensitive Sites are identified. The identified land receives low rainfall (in comparison to north of the Wairau River) and contributes run-off to smaller catchments. These factors make the water resource supplied by run-off from the land more vulnerable to changes in water yield.</i></p> <p><i>The policy does not apply to existing plantation forestry or carbon sequestration forestry or the replanting of that forest following harvest, as the effects of this forestry on water yield are part of the existing environment.</i></p>	<p>As a consequence of the definitions being amended, “carbon sequestration forestry” referred to in this policy (and related explanation) would no longer include “exotic continuous-cover forestry”. To ensure it continues to apply, reference should be added to the latter. However, for ease, it is better to amend the reference to plantation forestry to refer to commercial forestry, which includes exotic continuous-cover forestry.</p>	<p><b><i>Policy 5.3.15 – Require land use consent for the planting of new <del>plantation</del> <u>plantation commercial</u> forestry and carbon sequestration forestry in flow sensitive areas.</i></b></p> <p><i>Afforestation of land currently in pasture has the potential to reduce water yield in the relevant catchment with consequential effects on the surface water hydrology. Water permits have been granted through the provisions of the MEP and through previous planning documents, with reliabilities based on historical surface water hydrology. If water yield is reduced by afforestation in the long-term, it creates the potential to reduce the flow reliability that water users have come to depend upon. This could mean that water users become subject to restrictions more frequently than they have been to date.</i></p> <p><i>The water resources most at risk are south of the Wairau River and specific Afforestation Flow Sensitive Sites are identified. The identified land receives low rainfall (in comparison to north of the Wairau River) and contributes run-off to smaller catchments. These factors make the water resource supplied by run-off from the land more vulnerable to changes in water yield.</i></p> <p><i>The policy does not apply to existing <del>plantation</del> <u>plantation commercial</u> forestry or carbon sequestration forestry or the replanting of that forest following harvest, as the effects of this forestry on water yield are part of the existing environment.</i></p>
<b>Policy 5.3.16</b>	<p><b><i>Policy 5.3.16 – When considering any application for land use consent required as a result of Policy 5.3.15, have regard to the effect of the proposed forestry on river flow (including combined effects with existing plantation forestry and carbon sequestration forestry established after 9 June 2016) and seek to avoid any cumulative reduction in the seven day</i></b></p>	<p>As a consequence of the definitions being amended, “carbon sequestration forestry” referred to in this policy (and related explanation) would no longer include “exotic continuous-cover forestry”. To ensure it continues to apply, reference should be added to the latter. However, for ease, it is better to amend the</p>	<p><b><i>Policy 5.3.16 – When considering any application for land use consent required as a result of Policy 5.3.15, have regard to the effect of the proposed forestry on river flow (including combined effects with existing <del>plantation</del> <u>plantation commercial</u> forestry and carbon sequestration forestry established after 9 June 2016) and seek to avoid any cumulative reduction in the seven day mean annual low flow of</i></b></p>

Provision #	Provision	Effect of NES-CF Changes	Amendment Recommended
	<p><b>mean annual low flow of more than 5%.</b></p> <p><i>The policy provides guidance to determine land use consent applications required as a result of Policy 5.3.15. The threshold protects the reliability of supply for existing water permit holders by limiting the extent of flow modification. The effects of reductions in water yield on reliability are greatest at times of low flow and for this reason the seven day mean annual low flow is used in the policy. It is also important that any assessment of environmental effects considers the cumulative effects of afforestation within a catchment and any opportunities for adverse effects on water yield to be remedied or mitigated.</i></p> <p><i>The establishment of plantation forestry and carbon sequestration forestry prior to the notification of the MEP was permitted in most situations under the provisions of the previous Wairau/Awatere Resource Management Plan. Any reduction in flow shall be measured against the seven day mean annual low flow at 9 June 2016, being the date of notification of the MEP, and any assessment of cumulative effects should only consider plantation forestry and carbon sequestration forestry established after 9 June 2016.</i></p>	<p>reference to plantation forestry to refer to commercial forestry, which includes exotic continuous-cover forestry.</p>	<p><b>more than 5%.</b></p> <p><i>The policy provides guidance to determine land use consent applications required as a result of Policy 5.3.15. The threshold protects the reliability of supply for existing water permit holders by limiting the extent of flow modification. The effects of reductions in water yield on reliability are greatest at times of low flow and for this reason the seven day mean annual low flow is used in the policy. It is also important that any assessment of environmental effects considers the cumulative effects of afforestation within a catchment and any opportunities for adverse effects on water yield to be remedied or mitigated.</i></p> <p><i>The establishment of <del>plantation</del> <u>commercial</u> forestry and carbon sequestration forestry prior to the notification of the MEP was permitted in most situations under the provisions of the previous Wairau/Awatere Resource Management Plan. Any reduction in flow shall be measured against the seven day mean annual low flow at 9 June 2016, being the date of notification of the MEP, and any assessment of cumulative effects should only consider <del>plantation</del> <u>commercial</u> forestry and carbon sequestration forestry established after 9 June 2016.</i></p>

Record No: 2462349

## **6. Committee Reports**

---

### **6.2 Economic, Finance & Community Committee**

Economic, Finance & Community Committee Meeting held on 19 March 2024  
(Minute Nos. EFC-0324-336 to EFC-0324-348)



**Report and Minutes of a Meeting of the  
ECONOMIC, FINANCE & COMMUNITY COMMITTEE  
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim  
on TUESDAY 19 MARCH 2024 commencing at 9.00 am**

**Present**

Cllrs J D N Croad (Chairperson), S R W Adams (Deputy), S J Arbuckle, D A Dalliessi, B G Dawson, B A Faulls (from 9.05 am), G A Hope, B J Minehan, T P Sowman and Mayor N P Taylor

**Present via Teams**

Cllrs A R Burgess, R J Innes (from 9.05 am) and J A Arbuckle (from 9.21 am)

**In Attendance**

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

**Apologies**

Cllrs Croad/Dawson:

That the apology for absence from Cllrs M R K Flight and J C Rosene and for lateness from Cllrs R J Innes and B A Faulls and be received and sustained.

Carried

**EFC-0324-336 Declaration of Interests** -

Cllr Dawson declared an interest in Item 3 – Business Trust Marlborough Mid-Year Report 2023/24.

NB: The order of the agenda was altered at this point and the following Item 4 was heard ahead of Item 3.

ATTENDANCE: Ms Lynette Rayner, Chair of Blenheim Business Association, was present for the following item.

**EFC-0324-337 Blenheim Business Association C230-001-B04**

Ms Rayner noted that the purpose of the report was to provide members with an update on the Blenheim Business Association. To highlight the report a powerpoint presentation was shown (presentation filed in CM Record No. 2462331).

Autumn Faulkner (BBA Committee Member) and Maia Plamer (Co-ordinator) seated in the public gallery were introduced to members.

The presentation was well received by members.

Cllrs Dawson/Dalliessi:

That the information be received.

Carried

ATTENDANCE: Mr Aaron Marshall (Chair) and Beth Barnes (Deputy Chair) Business Trust Marlborough, were present for the following item.

**EFC-0324-338 Business Trust Marlborough Mid-Year Report  
2023/24 E100-005-007-02**

Ms Barnes and Mr Marshall presented the Mid-Year report to the Committee. To highlight the report a powerpoint presentation was shown (presentation filed in CM Record No. 2462332). The mid-year report was attached to the agenda for members' information.

Members acknowledged and congratulated Beth Barnes' for the BusiMums initiative. It was noted that work is being done to offer BusiMums in Havelock but will be dependent on securing sufficient numbers. Consideration is also being given to running an online course next term, this will provide opportunities to reach people who we may not have previously reached.

**The Mayor/Clr Faults:  
That the report be received.**

**Carried**

NB: Clr Dawson declared a conflict of interest and withdrew for the above item.

ATTENDANCE: Messrs Brad Olsen and Nick Brunsdon, Infometrics were present for the following item.

**EFC-0324-339 Infometrics Marlborough Annual Economic  
Profile E100-007-01**

Messrs Olsen and Brunsdon from Infometrics presented the latest Marlborough economic data, covering the 2023 Economic Profile and the most recent quarterly results.

To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2462330).

A two-page summary of the annual report was attached to the agenda item and links to the annual and the latest quarterly reports were also provided in the agenda item.

**Cirs Croad/S Arbuckle:  
That the information be received.**

**Carried**

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

**EFC-0324-340 Economic Development Update E100-010-01**

To provide an update on the activities and achievement of Annual KPI's of Council's Economic Development team between Economic, Finance and Community meeting 13 November 2023 and 19 March 2024. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2462330).

The following upcoming events were noted *Food Producers* 5th -7th April, *Tech Week* 20th-26th May, *Startup Weekend* 14th June-16th June; *Future of Work* 12th June and *Winepro* 25-27 June.

Mr Unwin provided members with an update on Winepro and noted that the internal exhibition stands have sold out and it is likely that the external stands will also sellout which is a great response for a first year.

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

**Carried**



ATTENDANCE: The meeting adjourned at 11.04 am and resumed at 11.18 am.

ATTENDANCE: The Mayor withdrew from the meeting at 11.04 am and rejoined the meeting 11.28 am during the following item.

ATTENDANCE: Ms Jodie Griffiths, Council's Community Development Administrator, was present for the following item.

## **EFC-0324-341 MDC Youth Council Plan 2023 Review**

**C150-002-027-23**

Ms Griffiths presented the outcomes from the Youth Council Plan for 2023 to members. The plan was attached to the agenda for members' information.

Ms Griffiths advised recruitment for the Youth Council is now complete and a confirmed list of Youth Council members for 2024 and a schedule meeting dates was circulated to members. It was noted that members are welcome to attend any Youth Council meetings.

It was noted that 12 of the 2023 Youth Councillors are returning this year which will allow for some continuity and mentorship to new members.

Members congratulated Ms Griffiths and her team on the successes of the Youth Council.

**Cirs J Arbuckle/Minehan:**

**That Council receive the report for the Youth Council Plan 2023 and outcomes.**

**Carried**

ATTENDANCE: Ms Linda Craighead, Council's Parks & Open Spaces- Planner, was present for the following item.

## **EFC-0324-342 Land Subdivision Reserve – Request for Funding Approval**

**R510-021-01**

Ms Craighead noted that the purpose of the report was to seek Council approval for two recreational projects that meet the growth criteria for funding from the Land Subdivision Reserve.

It was noted that funding of \$155,000 is sought for the two projects, a new pump track located at Renwick Domain and the sealing of the Mountain Bike carpark off Taylor Pass Road. Both of these projects.

Members were advised that the timing of the funding request is due to the 12 week lead in time for the Renwick Pump Track as it is sourced from Amercia.

It was noted there is sufficient funds in the Land Subdivision Reserve to cover the funding request.

**The Mayor/Cir S Arbuckle:**

**That Council approve funding of \$155,000 from the Land Subdivision Reserve for the installation of a new Pump track at Renwick Domain and the sealing of the Blenheim Mountain Bike Carpark located off Taylor Pass Road, Blenheim.**

**Carried**

The Assets & Services Information Package, Parks & Open Spaces section was viewed at this time.

**EFC-0324-343      Small Townships Programme Sub-Committee**  
**D050-001-S03**

The Minutes of the Small Townships Programme Sub-Committee meeting held on 21 February 2024 were attached for ratification by the Committee.

**Cllrs Faulis/S Arbuckle:**

**That the Minutes of the Small Townships Programme Sub-Committee meeting held 21 February 2024 be ratified.**

**Carried**

**EFC-0324-344      Long Term Plan Working Group**  
**D050-001-L21**

That the Minutes of the Long Term Plan Working Group meeting held 31 January 2024 be ratified.

**Cllrs Croad/Hope:**

**That the Minutes of the Long Term Plan Working Group meeting held on 31 January 2024 be ratified.**

**Carried**

**EFC-0324-345      Financial Report for Council – Period Ended 31**  
**January 2024**  
**F275-002-16**

Geoff Blake, Chief Financial Officer presented the Financial Report for Council for the period ending 31 January 2024.

Mr Blake advised that for this report the variance threshold for income and expenditure has been amended to \$250,000 from the \$100,000 used in the first half of the year. This amended threshold will be reassessed at the start of the new financial year.

It was noted that the forecast values included in the report are subject to further review and refinement as the year progresses.

Members were advised that the major variances between actual and budget are lower than anticipated draw down of better off funding with delays in expenditure in a number of approved projects; some of the undrawn funds have been re-allocated to projects identified as part of the Long-Term Plan; lower than anticipated roading reinstatement expenditure and subsidy for the impacts of the August 2022 flood event; in the 2023/24 year \$12.3M has been spent on the July 2021 and August 2022 events; grants received for the College Park Hockey Turf relocation; grants received for the National Wilding Conifer Control Programme; lower than anticipated expenditure on Flood Protection and Control works flood damage and interest expenses are lower than anticipated due to the savings, deferrals and delays in past capital expenditure programmes resulting in less external borrowings.

**Cllrs Croad/Minehan:**

**That the Financial Report for the period ending 31 January 2024 be received.**

**Carried**

**EFC-0324-346      Debtors Overdue Reports as at**  
**29 February 2024**  
**F220-002-020-21**

Mr Blake presented the Debtors Overdue Reports as at 29 February 2024.

Members were advised that the annual resource consent administration fees were charged in July 2023 totalling approx. \$1.3M, the balance owing as at the end of February 2024 is \$43,026. (97% have been paid.)

It was reported that the 90 Days balance includes several Development Contribution invoices that will be paid once the building project is near completion. It also includes invoices for the annual resource consent administration fees that have not been paid.

The Property Leases and Licences Debtors Report as at 29 February 2024 was attached to agenda for members' information.

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

**Carried**

## **EFC-0324-347      Rates Report as at 29 February 2024      F270-36-21**

Mr Blake noted that the purpose of the report was to advise members of the rates position as at 29 February 2024.

The Rate Levies Status Report, Rate Arrears Aged Balance Report and the Water Billing Debtors Report as at 29 February 2024 were attached to the agenda for members' information.

Members were advised that as at 29 February we had collected 58.04% of the 2023-2024 rates which is a slight decrease on the same period last year. It was noted that any ratepayer who is having difficulties paying their rates is offered extended repayment plans which see them clear their arrears and pay ongoing rates. At present we have 63 ratepayers with an agreed repayment plan.

It was noted that as of 1 March 2024 Council is no longer offering energy efficiency loans information, on the applications received for this current rating year and an overview of the previous three years was included in the agenda item.

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

**Carried**

## **EFC-0324-348      Information Package      -**

**Cirs Croad/Minehan:**

- 1. That the Economic, Finance & Community Information Package dated 19 March 2024 be received and noted.**
- 2. That the Assets & Services Information Package originally scheduled for the 12 March 2024 meeting (cancelled) be received and noted.**

**Carried**

The meeting closed at 11.50 am.

Record No: 2463225

## **6. Committee Reports**

---

### **6.3 Regional Transport Committee**

Regional Transport Committee Meeting held on 12 March 2024  
(Minute Nos. RTC-0324-313 to RTC-0324-316)



**Report and Minutes of a Meeting of the  
REGIONAL TRANSPORT COMMITTEE  
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim  
on TUESDAY 12 MARCH 2024 commencing at 1.00 pm**

**Present**

Councillors S R W Adams (Chairperson), B G Dawson, J D N Croad and J C Rosene, and Ms E Speight (Waka Kotahi NZ Transport Agency).

**In Attendance**

Mayor N P Taylor, Mr M S Wheeler (Chief Executive), Mr R P Coningham (Manager, Assets and Services Department), Mr S J Murrin (Marlborough Roads), Ms L Skilton (Marlborough Roads), Mr R Service (Waka Kotahi NZ Transport Agency), Ms A M Smith (Marlborough Roads), Mr H M Meyers (NZ Automobile Association), Mr J Bond (Road Transport Association), Mr P G Heagney (Road Transport Association), Ms J Gibbons and M J Porter (Democratic Services Manager).

**In Attendance via Teams**

Cllrs S J Arbuckle and R J Innes.

The Chairperson welcomed all to the meeting.

**Declaration of Interests**

No interests with items on the agenda were declared.

**RTC-0324-313 Confirmation of Last Meeting's Minutes**

**D050-001-R01**

The minutes of the previous meeting held on 16 June 2023 were taken as read and confirmed.

**Cllrs Dawson/Croad:**

**That the minutes of the Marlborough Regional Transport Committee held on 16 June 2023 be taken as read and confirmed.**

**Carried**

**RTC-0324-314 Marlborough RLTP 2021-27 - Decision R800-007-02**

Members noted that the purpose of the report was to approve the Marlborough Regional Land Transport Plan. Ms Skilton spoke to the report using a powerpoint presentation (filed in CM: Record No. 2457765).

Ms Skilton reported that a Regional Land Transport Plan (RLTP) is required as part of the Land Transport Management Act 2008. There is a requirement that the plan be released for public consultation for a minimum of four weeks. The final plan needs to be submitted to the New Zealand Transport Agency (NZTA) by 14 June 2024. NZTA will assess all RLTP'S for alignment with the Government Policy Statement (GPS) Approved projects and programmes of work within the RLTP will form part of the National Land Transport Programme (NLTP) which is funded by the National Land Transport Fund (NLTF).

The Government Policy Statement on Transport (GPS) was released as a draft for consultation on 4 March. The GPS provides guidance to NZTA for how they will allocate funding to the NLTP. The RLTP reflects the draft GPS however it may change slightly post consultation. It is unlikely that the RLTP will need adjusting.

It was noted that to meet the 14 June submission date, the RLTP needs to be consulted with the public at the same time as the draft 2024-34 Long Term Plan (LTP).

During the presentation by Ms Skilton, Ms Speight spoke on the changes to the GPS announced by the Government earlier in the day. Discussion ensued on these changes and the effect on the RLTP as drafted. Following this wide ranging discussion, the following procedural motion was put to the meeting.

**Cirs Dawson/Adams:**

**That the issue lie on the table until a further meeting is arranged on 26 March 2024.**

**Carried**

## **RTC-0324-315    General Business** -

The Chair raised an issue with Pak Lims Corner in Renwick. Steve Murrin agreed to look into this.

Clr Dawson raised the issue of the current harvest underway in the District. Mr Bond noted that all industries in the Harvest had met and had produced a Grape Harvest Guidelines document. Mr Bond advised that these guidelines are to be reviewed post season and any improvements implemented.

Mr Meyers referred to page 28 of the agenda, where it was stated that *“The installation of electronic travel times was considered so that travellers could manage their travel time and not stress or speed for fear of missing their ferry. However, these were never installed.”* Steve Murrin agreed to look into this. Ms Speight advised this was on the radar as part of the South Island Journey project.

## **RTC-0324-316    Decision to Conduct Business with the Public Excluded** -

**Cirs Adams/Croad:**

**That the public be excluded from the following parts of the proceedings of this meeting, namely:**

- **Confirmation of Last Meeting’s Minutes**

**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
Confirmation of Last Meeting’s 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 1.45 pm.

Record No: 2457802

## **6. Committee Reports**

---

### **6.4 Regional Transport Committee**

Regional Transport Committee Meeting held on 26 March 2024  
(Minute Nos. RTC-0324-351 to RTC-0324-353)



**Report and Minutes of a Meeting of the  
REGIONAL TRANSPORT COMMITTEE  
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim  
on TUESDAY 26 MARCH 2024 commencing at 3.30 pm**

**Present**

Councillors S R W Adams (Chairperson), B G Dawson and J D N Croad.

**Present via Teams**

Ms E Speight (Waka Kotahi NZ Transport Agency).

**In Attendance**

Mayor N P Taylor, Clr R J Innes (from 3.44 pm), Mr M S Wheeler (Chief Executive), Mr R P Coningham (Manager, Assets and Services Department) (via Teams), Mr S J Murrin (Marlborough Roads), Ms L Skilton (Marlborough Roads), Mr R Service (Waka Kotahi NZ Transport Agency), Ms A M Smith (Marlborough Roads), Mr H M Meyers (NZ Automobile Association), Mr G Walters (Communications Manager), Ms J Gibbons (Communications Advisor) (via Teams) and M J Porter (Democratic Services Manager).

**Apology**

An apology for non-attendance from Mr J Bond (Road Transport Association) was received by the Democratic Services Manager (received during the meeting but not read until after the meeting).

The Chairperson welcomed all to the meeting.

**Declaration of Interests**

No interests with items on the agenda were declared.

**RTC-0324-351 Confirmation of Last Meeting's Minutes**

**D050-001-R01**

The minutes of the previous meeting held on 12 March 2024 were taken as read and confirmed.

**Clrs Dawson/Croad:**

**That the minutes of the Marlborough Regional Transport Committee held on 12 March 2024 be taken as read and confirmed.**

**Carried**

**RTC-0324-352 Marlborough RLTP 2021-27 - Decision R800-007-02**

Members noted that the purpose of the report was to approve the Marlborough Regional Land Transport Plan. Ms Skilton spoke to the report using a powerpoint presentation (filed in CM: Record No. 2463964).

Ms Skilton reported that a Regional Land Transport Plan (RLTP) is required as part of the Land Transport Management Act 2008. There is a requirement that the plan be released for public consultation for a minimum of four weeks. The final plan needs to be submitted to the New Zealand Transport Agency (NZTA) by 14 June 2024. NZTA will assess all RLTP'S for alignment with the Government Policy Statement (GPS) Approved projects and programmes of work within the RLTP will form part of the National Land Transport Programme (NLTP) which is funded by the National Land Transport Fund (NLTF).



The Government Policy Statement on Transport (GPS) was released as a draft for consultation on 4 March. The GPS provides guidance to NZTA for how they will allocate funding to the NLTP. The RLTP reflects the draft GPS however it may change slightly post consultation. It is unlikely that the RLTP will need adjusting.

The New Zealand Transport Agency State Highway Investment Proposal (SHIP) is not likely to be finalised until early April.

The deadline for submitting a RLTP to NZTA has been extended to 1 August. Adoption of the NLTP is still expected to be 1 September 2024.

A number of edits were made at the meeting especially the rankings of Significant Activities in section 17.2 of the RLTP.

**Cirs Croad/Dawson:**

**That the Regional Transport Committee:**

- 1. Approves the Marlborough Regional Land Transport Plan (RLTP) for consultation.**
- 2. Approves delegation to Council's Asset and Services Manager and the Chair of the Regional Transport Committee to make minor edits to the RLTP prior to consultation, if required by changes to the New Zealand Transport Agency State Highway Investment Proposal (SHIP).**
- 3. Approves for the RLTP to be consulted at the same time as Council's 2024-34 Long Term Plan.**

**Carried**

## **RTC-0324-353    General Business**

Ms Skilton advised that the Speed Management Plan had been certified and Council can make changes as budget allows.

The meeting closed at 4.21 pm.

Record No: 2484857

## 7. Fast-Track Approvals Bill

(Report prepared by G Ferguson)

L150-019-R01

### Purpose of Report

1. To approve a Council submission on the Fast-Track Approvals Bill.

### Executive Summary

2. The Fast-Track Approvals Bill was introduced to Parliament on the 14 March 2024.
3. The purpose of the proposed Act is to provide a fast-track decision-making process that facilitates the delivery of infrastructure and development projects with significant regional or national benefits.
4. The closing date for submissions on the bill is the 19<sup>th</sup> April 2024.

---

### RECOMMENDATION

**That Council approve the proposed submission on the Fast-Track Approvals Bill.**

---

### Background/Context

5. The government introduced a new Fast-Track Approvals Bill to parliament on the 14<sup>th</sup> March 2024.
6. Fast-Track consenting legislation is not new to New Zealand, with the Covid-19 Recovery (Fast Track Consenting) Act passing in 2020. This Act was subsequently repealed on 8<sup>th</sup> July 2023.
7. The proposed Fast-Track Approvals Bill has some notable difference to the Covid-19 (Recovery) Fast-Track Consenting) Act 2020, these include:
  - 7.1 Decision on the granting or declining of an application being made by Ministers.
  - 7.2 The ability to consider prohibited activities for consenting under the proposed Act.
  - 7.3 The purpose of the proposed Act and weighting of matters in assessing an application.
  - 7.4 Process approvals under a range of legislation, as a 'one-stop shop'.

### Option One (Recommended Option - Approve a submission on the fast-Track Approvals Bill)

8. Approve the proposed submission on the Fast-Track Approvals Bill.

#### *Advantages*

9. Opportunity for Council to raise matters of support and concern on the proposed Bill.

#### *Disadvantages*

10. No identified disadvantage.

### Option Two – Status Quo

11. No submission made on the Fast-Track Approvals Bill.

#### *Advantages*

12. No identified advantage.

*Disadvantages*

13. Council does not take the opportunity to provide feedback on the final drafting of the Act.

**Attachment**

Separate Attachment 7.1 – Proposed Council Submission of the Fast-Track Approvals Bill

Author	Gina Ferguson, Consents & Compliance Group Manager
Authoriser	Mark Wheeler, Chief Executive.

<b>Summary of decision-making considerations</b>			
<b>Fit with purpose of local government</b>			
The proposal enables democratic engagement in the drafting of legislation.			
<b>Fit with Council policies and strategies</b>			
	<i>Contributes</i>	<i>Detracts</i>	<i>Not applicable</i>
LTP / Annual Plan	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>
Financial Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>
Infrastructure Strategy	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>
Social well-being	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>
Economic development	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>
Environment & RMA Plans	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>
Arts & Culture	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>
3 Waters	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>
Land transport	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>
Parks and reserves	<input type="checkbox"/>	<input type="checkbox"/>	<b>X</b>
This proposal contributes to the Social well-being, economic development and Environment & RMA plans through submission on the proposed Fast-Track Approvals Bill.			
<b>Nature of the decision to be made</b>			
The options do not involve a significant decision in relation to land or a body of water.			
<b>Financial considerations</b>			
There are no known financial implications.			
<b>Significance</b>			
The decision is considered of low significance under Council's Significance and Engagement Policy.			
<b>Engagement</b>			
No engagement is proposed because of the short time frame to provide a submission by.			
<b>Risks: Legal / Health &amp; Safety etc</b>			
There are no known significant risks or legal implications.			
<b>Climate Change Implications</b>			
There are no known climate change implications to this decision.			

## 8. 2024-34 Long Term Plan Consultation Document

(also refer to separately attached document)

(The Mayor) (Report prepared by M Fletcher)

F230-L24-03

### Purpose of report

1. To adopt Council's 2024-34 Long Term Plan Consultation Document (refer to separately **attached** document).

---

### RECOMMENDATION

That Council adopt its 2024-34 Long Term Plan Consultation Document.

---

### Background/Context

2. The Local Government Act 2002 was amended in 2014 and now requires Council to produce a Consultation Document as the basis for public participation in decision making on its 2024-34 Long Term Plan (LTP).
3. Please note that in accordance with the part 8 clause 45 of the Water Services Acts Repeal Act 2024 the Consultation Document has not been audited.

### Comments

4. 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.
5. Within this document Council outlines the key issues it's facing, options and seeks community feedback on them. The most significant issue relates to the Sounds Road Recovery project and its funding.

### Attachments

Separate Attachment 8.1 – 2024-34 Long Term Plan Consultation Document

Author	Martin Fletcher, Manager Strategic Finance
Authoriser	Mark Wheeler, Chief Executive

## 9. 2024-34 Long Term Plan Supporting Information

(also refer to separately attached document)

(The Mayor) (Report prepared by M Fletcher)

F230-L24-03

### Purpose of report

1. To agree that the following form the supporting documentation for Council's 2024-34 Long Term Plan Consultation Document.

---

### RECOMMENDATION

That Council agree that the following form the supporting documentation for Council's 2024-34 Long Term Plan Consultation Document.

---

### Background/Context

2. While the 2024-34 Consultation Document is significantly longer than previous Consultation Documents, it still summarises additional information that Council holds. To support Council's 2024-34 Consultation Document, it is proposed that the following documents be placed on Council's website as supporting documentation (these will be sent out separately):
  - Council's 26 February Budget Meeting Agenda including attachments.
  - The minutes of Council's 26 February Budget Meeting
  - Draft Statement of Contributions to Decision Making Processes by Māori.
  - Draft Assumptions – Attached
  - The Draft 2024-2054 Infrastructure Strategy (when all graphs included) – Attached, without graphs
  - The Draft Financial Strategy – Attached
  - Draft unaudited Financial Statements for the 2024-34 period - Attached
  - Draft Financial Impact Statements for Council as a whole and for each Activity Group – Attached

### Comments

3. Councilors will note that many of the items listed above have "Draft" in the title. This allows Councilors to modify the documents following the results of consultation. Following consultation, the documents will be re-presented to Councilors for final adoption, along with the 2024-34 Long Term Plan.

### Attachments

Separate Attachment 9.1 – 2024-34 Long Term Plan Supporting Information

Author	Martin Fletcher, Manager Strategic Finance
Authoriser	Mark Wheeler, Chief Executive

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

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)
- Property Purchase
- Land Purchase

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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>
<b>Minutes and Committee Reports</b>	<b>As set out in the Minutes and Reports</b>	<b>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.</b>
<b>Property Purchase Land Purchase</b>	<b>To enable the Council, as holder of the information, to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) as provided for under Section 7(2)(i).</b>	<b>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.</b>