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8 March 2024

Record No: 2448747
File Ref: D050-001-E01
Ask For: Nicole Chauval

Notice of Committee Meeting – Thursday 14 March 2024

A meeting of the Environment & Planning Committee will be held in the Council Chambers, 15 Seymour Street, Blenheim on Thursday, **14 March 2024 commencing at 9.00 am.**

BUSINESS

As per Agenda attached.

MARK WHEELER
CHIEF EXECUTIVE



**Meeting of the ENVIRONMENT & PLANNING COMMITTEE
to be held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY, 14 MARCH 2024 commencing at 9.00 am**

Committee

Clr G A Hope (Chairperson)
Clr B A Faults (Deputy)
Clr S J Arbuckle
Clr A R Burgess
Clr R J Innes
Clr B J Minehan
Clr T P Sowman
Mayor N P Taylor
Mr S Harvey (Rural Representative)
Iwi Representative (to be advised)

Departmental Head

Mr H Versteegh (Environmental Science and Policy Group Manager)
and Ms G Ferguson (Consents and Compliance Group Manager)

Staff

Nicole Chauval (Committee Secretary)

In Public

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1. Apologies

An apology from Cllr Burgess for absence and an apology from Cllr Flight for non-attendance have been received.

2. 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.

3. Wairau Plain Drainage and Groundwater Report

(also refer separate report available on Council's website)

(Clr Burgess) (Report prepared by Peter Davidson and Andy White)

E345-007-001

Purpose of report

1. To present the report 'Wairau Plain Drainage and Groundwater'.

Executive Summary

2. 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. Land drainage is becoming increasingly common in marginal grape growing areas such as the coastal Wairau Plain.
3. The secondary outcome from the research is for the information be used by Assets and Services as part of the Wairua Flood network scheme review.
4. The main findings of the report were:
 - 4.1 Although data is limited, there is strong anecdotal evidence that land drainage has exerted significant influence over groundwater level historically and the legacy continues today.
 - 4.2 That drainage has lowered groundwater levels is consistent with trends in MDC state of the environment observations over the time of the Wairau Valley flood protection scheme since its inception in 1960.
 - 4.3 Notwithstanding this, the effect of historical land drainage is static and doesn't explain the long-term declining Wairau Aquifer groundwater level trend.
 - 4.4 The MDC drainage network is well documented, but private works aren't which has affected the completeness of the report, but not its overall conclusions.
 - 4.5 This report represents the first comprehensive summary of the MDC drainage network since the 1987 and provides an invaluable resource for MDC long-term planning.
 - 4.6 The perennial nature of most MDC Lower Wairau drains suggests widespread and constant groundwater inputs from below the land surface.
 - 4.7 Groundwater is dynamic and while the current focus is on low levels, the 2022 storm event demonstrated the excessively high levels pose short term risks which will be exacerbated by rising sea level in coastal areas.
 - 4.8 Effective short-term and long-term management is needed to mitigate the extremes of groundwater availability, and this requires an integrated council approach across all functions.

RECOMMENDATION

That the report be received

Background

5. The long-term declining trend in Wairau Aquifer levels generated a series of work streams to understand the causes. These included the Gravel Bed Rivers (GBR) national project, analysis of climate/hydrological patterns since 1960 and a review of metered water use. These results showed Wairau River summer flows were lower in recent times due principally to consented abstraction from the Wairau River channel, while the long-term declining trend is caused by falling Wairau River channel bed levels relative to the most permeable Wairau Aquifer layers.
6. A known contributor to the declining groundwater trend is land drainage but less hard data exist than for other influences on groundwater levels to allow an internal MDC analysis. AQUALINC was

commissioned to carry out a literature review, correlate groundwater levels with drainage scheme interventions and interview MDC drainage staff and longstanding Wairau Plain farmers.

7. The aim of the research was to understand the influence of drainage on groundwater since European settlement for hydrologic completeness and to determine if any policy and/or operational intervention would provide any mitigation of risks, especially in the Lower Wairau. Land drainage is becoming increasingly common in marginal grape growing areas such as the coastal Wairau Plain.
8. 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.

Next steps

9. The document has been identified by MDC Assets & Services as a valuable piece of work that will help to inform the upcoming review of the Wairau flood management scheme.

Attachment

Attachment 3 – 'Wairau Plain Groundwater and Drainage AQUALINC Report' is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>

Author	Peter Davidson, Environmental Scientist Groundwater Quantity & Quality & Andy White, MDC Rivers & Drainage Group Manager
Authoriser	Alan Johnson, Environmental Science & Monitoring Manager

4. Late Summer 2024 Marlborough Climate, Rainfall, River, Wetland & Aquifer Status Update

(Clr Burgess) (Report prepared by Charlotte Tomlinson and Peter Davidson)

E345-007-001

Purpose of report

1. To update the Environment Committee on the latest state of Marlborough water resources, climate and climate predictions through autumn 2024.

RECOMMENDATION

That the information be received.

Background

2. The hot, dry weather conditions experienced especially south of the Wairau River continue.
3. These have brought extremely low rainfall and runoff which had severely depleted soil moisture by early summer, caused moderately low river flows, record low groundwater levels and springs/wetlands.
4. There is intense public interest in the state of Marlborough's water resources and the climate outlook through autumn.
5. MDC hydrology staff will brief Councillors on the latest conditions with input from Marlborough Research Centre climate staff.
6. There will be opportunities for detailed questions and staff will come prepared with information on all water resources.

Presentation

A presentation will be given by Charlotte Tomlinson and Peter Davidson (20 minutes).

Author	Charlotte Tomlinson, Environmental Scientist – Surface Hydrology & Peter Davidson, Environmental Scientist – Groundwater Hydrology
Authoriser	Alan Johnson, Environmental Science & Monitoring Manager

5. National Policy Statement for Freshwater Management – Work programme update

(Clr Burgess) (Report prepared by Sarah Pearson)

M100-14-05-02

Purpose of report

1. To provide 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.

Executive Summary

2. The Government is looking to review and replace the National Policy Statement for Freshwater Management 2020 (NPSFM 2020) by 2026 to rebalance Te Mana o Te Wai to better reflect the interests of all water users.
3. The deadline for councils to notify plan changes has been extended to 31 December 2027.
4. Environmental and primary production sectors advocacy organisations have been active since the election, contacting councils and in the media with opposing opinions on the direction that councils' NPSFM policy work programmes should take.
5. Councils are fully aware of the risks of both continuing or stopping work. The choices councils are currently making across the country are closely linked to their position in the planning cycle, progress with NPSFM 2020 implementation and state of freshwater resources.
6. Marlborough's position in the planning cycle is considered positive. 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.
7. To date Council's NPSFM work programme has completed, with the community, 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 our regional understanding; scientifically, culturally and socially, taking the extra time provided by Government to ensure that any policy changes are evidentially supported, fully assessed and tested.
8. 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.
9. Marlborough's Iwi have indicated that they want to keep going, but they are looking to take advantage of the extra time provided by Government to fully participate in our regional freshwater management in a considered and sustainable way for all.
10. Combing all these factors the NPSFM work programme will continue, focusing on working with Iwi to understand Māori freshwater values and visions, and assessing freshwater management in light of multiple science projects that will be completing in the next 6 to 12 months.

RECOMMENDATION

That the report be received.

Background/Context

11. As detailed in the February 2024 Environment and Planning Committee Agenda (Item 13) the new coalition Government is looking to review and replace the National Policy Statement for Freshwater
-

Management 2020 (NPSFM 2020) focusing on rebalancing Te Mana o te Wai to better reflect the interests of all water users, and to allow district councils more flexibility in how they meet environmental limits:

<https://www.marlborough.govt.nz/repository/libraries/id:2ifzri1o01cxbymxkvwz/hierarchy/documents/your-council/meetings/2024/environment-planning-2024-list/Environment%20%26%20Planning%20Committee%201%20February%202024%20Agenda.pdf>

12. This is likely to take 18 to 24 months, but in the interim the deadline for councils to give effect to the NPSFM 2020 has been extended to 31 December 2027. The choice of when to notify plan changes prior to that date sits with regional councils.
13. Recent communication from the Ministry for the Environment has indicated that they do not anticipate any changes will be made to the NPSFM 2020 until it is replaced in 2026.
14. This leaves all councils in the position of being required to give effect to a current policy statement which will be reviewed and replaced in the next two years.
15. There has been a plethora of articles in the media and letters to councils from both environmental and primary production advocacy organisations regarding councils' freshwater work programmes.
16. Two opposing actions have been suggested; councils must continue with plan changes to give effect to the NPSFM 2020 as soon as practicable as it is the law, contrasting with, councils must stop all work related to the NPSFM 2020 as to continue when a full replacement of the policy statement has been indicated is a waste of time, resources and ratepayer money.
17. Councils are fully aware of the risks of both continuing or stopping work on their freshwater policy work programmes. What is clear is that the choices being made are closely linked to where each council is at in their planning cycle, progress with NPSFM 2020 implementation and the state of freshwater resources.

Council's Planning Cycle Position

18. The Proposed Marlborough Environment Plan (PMEP) was notified in 2016. The PMEP gives effect to the NPSFM 2014. Through the plan hearings process, some changes were made to align the PMEP to the 2017 changes. While it is acknowledged that the PMEP does not give full effect to the NPSFM 2020 it is none the less a fully integrated, second-generation plan which has extensive water quality and water allocation provisions.
19. Mediation on the freshwater topics of quality and allocation were completed in April 2023 and all appeals subsequently resolved. Consent orders for water quality and water allocation topics were issued by the Environment Court through October and November 2023 and as such provisions can now be treated as operative.
20. This situation has many positives;
 - modern operative water quality and water allocation provisions safe-guarding of the life-supporting capacity of our region's freshwater,
 - providing a level of certainty for our communities around freshwater management,
 - there is no legal requirement under the RMA (s79) to review the PMEP as it is less than 10 years old.
21. Consideration of all these factors leads to the conclusion that there is little benefit in continuing to progress a variation to the PMEP to give effect to the NPSFM 2020 by December 2024.
22. It is recognised however that under the law there is a requirement to give effect to National Policy Statements as soon as reasonably practicable. As discussed more fully later there are many reasons why "as soon as practicable" is not urgent as time is still required to meaningfully complete working with Iwi and to considered freshwater management in light of updated science.

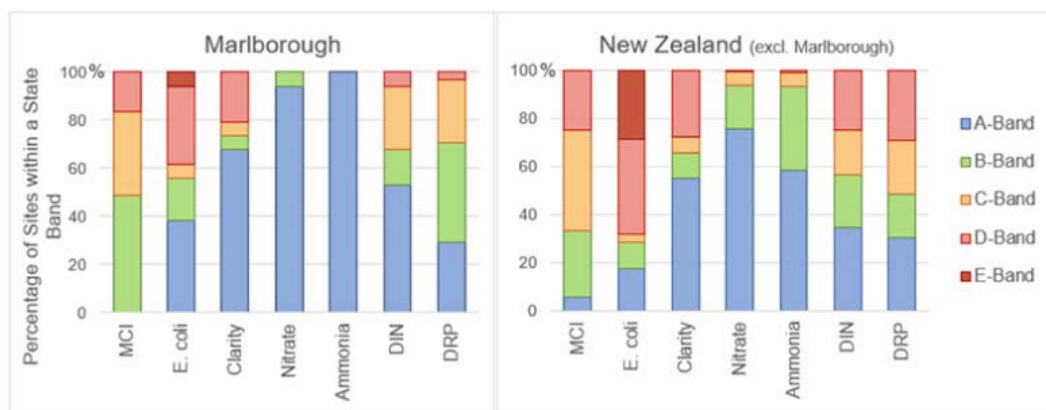
23. The counterfactual would be to continue to progress a variation to the PMEP to give effect to the NPSFM 2020 in the next 6 to 12 months, most likely in 2025, which would meet the RMA legal requirement to give effect to current national policy statements. However, within the following year, 2026, the replacement NPSFM is likely to be enacted and currently requires plan changes to be notified by the end of 2027. Effectively this results in three plan changes in under ten years. This would be highly confusing and a significant drain of time, resources and funding for Council, Iwi, our communities and industries. The risks with continuing with a variation to the PMEP to give effect to the NPSFM 2020 seem significant and unwarranted given Marlborough's plan cycle position.

Council's NPSFM Work Programme to Date

24. Council staff have been actively undertaking a work programme to notify a variation to the PMEP by the 31 December 2024. This has included two rounds of community engagement which looked to complete the first three steps of the National Objective Framework (NOF) (NPSFM 2020 Subpart 2, Clause 3.7 (2)).
25. These steps included identification of proposed Freshwater Management Units (FMU), visions, values and environmental outcomes for each FMU, with visions and environmental outcomes to become objectives in the PMEP.
26. The remaining NOF steps require:
- Identification of attributes for each value.
 - Identification of baseline states for those attributes.
 - Setting of target attributes states to meet outcomes.
 - Setting of environmental flows and levels, rule limits and preparing action plans to meet outcomes.
27. It was originally scheduled that these steps would be combined and consulted on with community towards the end of July 2024. However, community consultation fatigue has been a real issue across New Zealand in the freshwater space including in Marlborough. To continue with community engagements at this stage would likely exacerbate this fatigue and combined with the current uncertainty it is prudent to pause community consultation on the remaining steps of the NOF. Once the replacement NPSFM is in place further community engagement can be undertaken.
28. Council staff are working on finalising the collation of submissions from the second round of engagement and will present these at the Environment and Planning Committee meeting in April. Reports on all community engagement work to date will then be available via the council freshwater management website pages. Analysis of submissions and resultant changes to FMU visions, values and outcomes will also be completed to inform future work.
29. Throughout 2023 significant work has been undertaken with Marlborough's Iwi through a series of wānanga with Te Tau Ihu Iwi and separate hui with Ngāi Tahu and Ngāti Kuri, building relationships and understanding of freshwater cultural values, visions and issues.
30. While there is a pause on further community engagement on the remaining NOF steps, there is still considerable work to be done and understanding to be gained on cultural values and visions as well as evaluating recent and ongoing scientific understating of our region within a policy context.
31. The NPSFM implementation stage that the Council is at, neither requires urgent notification of a variation nor a stop work. There is much to be done to consolidate the community feedback and progress with scoping and assessment of attributes, analysing targets, and identification and testing of corresponding limits against current PMEP limits based on the directional aspirations that have been gained through this past engagement work.

Marlborough's Freshwater Situation

32. In comparison to the rest of New Zealand's surface water quality state, the latest monitoring results utilising data from 2018-2022 reveals that Marlborough boasts comparatively good river health.



State of the Environment River Health Monitoring Report 2023 – Comparison between Marlborough and the Rest of New Zealand (excluding Marlborough)

33. Clearly Marlborough is not immune from water quality issues, with E.coli levels being the most obvious. However, the PMEP already identifies degraded and at-risk catchments which have undergone more intensive studies to determine the causes of problems. These have active catchment care programmes operating with the aim of improving freshwater outcomes, including the Taylor River Improvement Project and the Te Hoiere Restoration Project, and catchment groups actively working in Are Are Creek, Flaxbourne, Linkwater and Tuamarina.
34. The region has also had a water allocation regime for a significant period which our communities and industries are well acquainted with. While there is always room for refinement, and this is recognised in the PMEP and is actively being undertaken as new science comes online, there are controls in place for management of both our surface waters and groundwater aquifers.
35. Our science programmes also provide ongoing critical monitoring and investigations to help inform policy. As we progress, it is also hoped and anticipated that all knowledge systems can be utilised for example including mātauranga Māori and cultural health monitoring. The Te Hoiere Restoration Project is leading the way as an exemplar catchment scale enhancement programme in our region which we can learn from and use to develop similar programmes in other catchments.
36. Together with the currency of the PMEP, current scientific monitoring programmes and the active, ongoing catchment care and hill country erosion programmes, there is already much work being done regionally to monitor, maintain and enhanced the region's freshwater. Added to this is the current state of our region's freshwater, while not diminishing that there is work to be done, the scale of freshwater degradation both spatially and in magnitude is not like other regions. This enables and requires that any management changes are well considered and supported by the most up to date science, data and assessment.
37. These factors all combine to reduce the risk of any serious degradation occurring to the region's freshwater during the NPSFM replacement period.

Council's Proposed Ongoing Freshwater Science and Engagement Work Programme

38. Council staff are seeing the extension of time to give effect to the NPSFM as an opportunity.
39. There is still considerable work to be done with Marlborough's Iwi. The extended time frame is welcomed to complete this process, which has gained considerable momentum in 2023, and ensure it is meaningful and has tangible positive outcomes that will improve regional freshwater management. This will enable a fuller understanding of mātauranga Māori and Māori freshwater values, Iwi visions, and cultural monitoring with which to boost the cultural framework within the PMEP.
40. Several scientific projects and non-regulatory programmes are reaching milestones in the next 6-12 months which will significantly advance our local knowledge of our regional freshwater environment. (see Table 1).

41. Other preparatory work will include knowing and understanding our freshwater baselines and trends in the context of community and Iwi desired outcomes. Establishing value and visions based objectives and targets using the most update to date science in order to make more informed decisions on management regimes, refining limit setting and realistic timescales and undertaking robust testing of options.

Work programme areas and completion timeline		
Iwi Engagement – Māori freshwater values, visions and TMOTW in the local context, PMEP gaps	<ul style="list-style-type: none"> • Te Puni Kōkiri (TPK) – Eight Te Tau Ihu Iwi • Ngāti Kuri / Ngāi Tahu 	<p>End 2024</p> <p>End 2024</p>
Relevant Current MDC Science Projects	<ul style="list-style-type: none"> • Wairau aquifer and gravel bed rivers project • Wairau low flow habitat and ecological monitoring (potential for further summers to be added) • Catchment loss gauging project – No. 1 = Rai / Pelorus hydrological study • Lake monitoring (5 years of data required (2027)). • Review and update to Aquifer safe yields. • Riverlands Aquifer and Rarangi Shallow Aquifer Review • Deposited sediment – Wairau River soft bottom / hard bottom boundary 	<p>End 2024</p> <p>Mid 2024</p> <p>Mid 2025</p> <p>2024 – 2nd year,</p> <p>Mid 2024</p> <p>Mid 2024</p> <p>Mid 2024</p>
Non-Regulatory Programmes	<ul style="list-style-type: none"> • Te Hoiere Restoration Project • Draft Rangitahi/Molesworth Management Plan • Freshwater and the Economy in Marlborough • National Freshwater monitoring integration project (Molesworth case study aligning DOC and MDC monitoring) 	<p>Mid 2025</p> <p>Late 2024</p> <p>End 2024</p> <p>Still scoping</p>
Freshwater management preparatory work	<ul style="list-style-type: none"> • FMU Values visions and outcomes - confirmation • Baselines and trend analysis • Values visions and outcomes linkage to attributes • Current state vs target state – scale identification 	<p>Mid 2024</p> <p>Mid 2024</p> <p>Mid – Late 2024</p> <p>Late 2024</p>

Table 1 - Iwi, science and non-regulatory programmes milestones

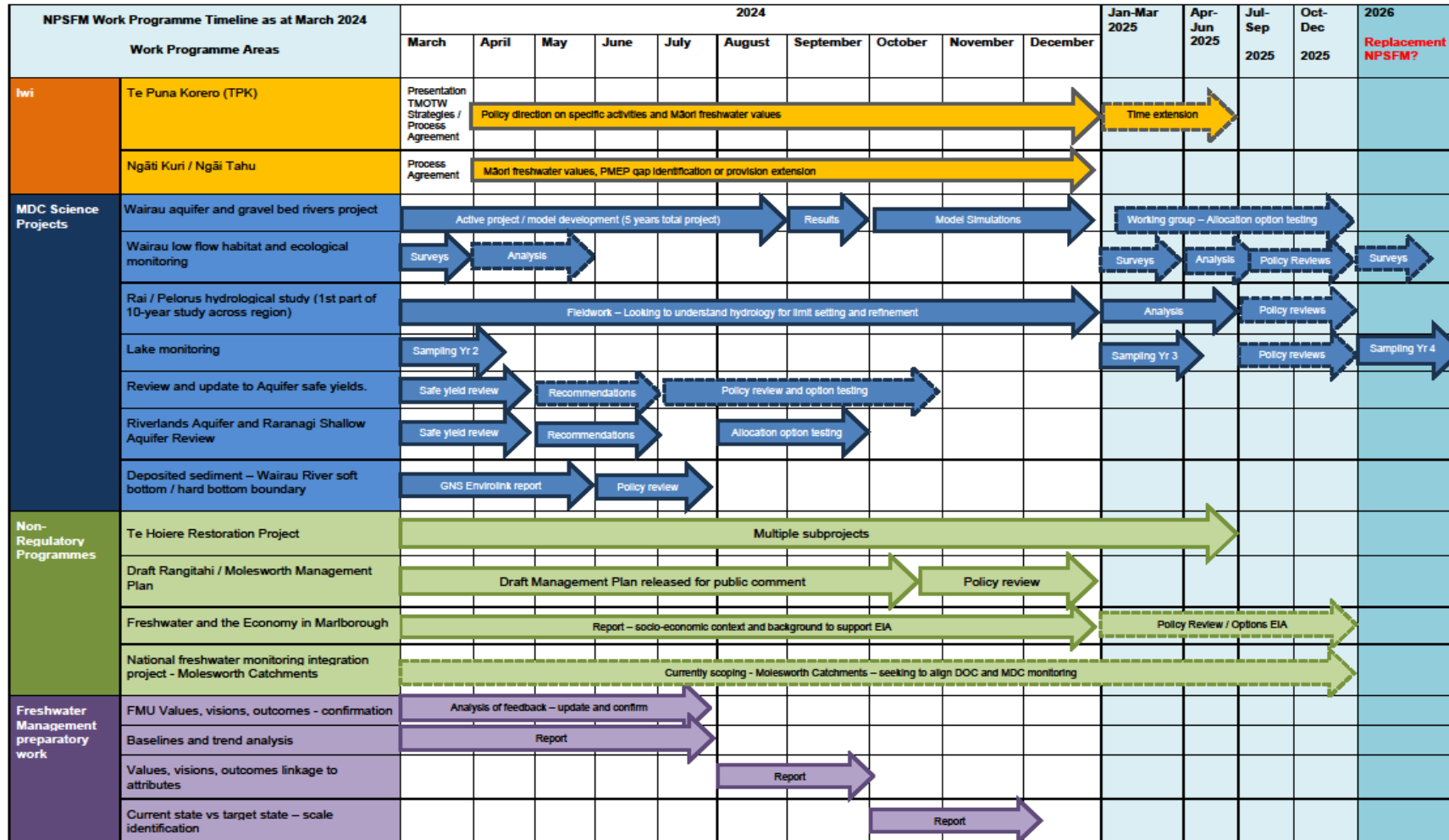
What's Next

42. Combing all these factors the NPSFM work programme will continue, focusing on working with Iwi to understand Māori freshwater values and visions, and assessing freshwater management in light of multiple science projects that will be completing in the next 6 to 12 months.
43. The first task 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.
44. Staff will continue to closely monitor Government information on the NPSFM review, liaise with the Ministry of Environment as needed, and report to this Committee when changes occur.

Attachment

Attachment 5 – Work programme timeline Page 11

Author	Sarah Pearson, Strategic Planner
Authoriser	Pere Hawes, Environmental Policy Manager



6. Annual Air Quality Monitoring Report – Blenheim 2023

(also refer separate report available on Council's website)

(Cllr Burgess) (Report prepared by Sarah Pearson)

E300-004-003-01

Purpose of report

1. To present the Annual Air Quality Monitoring Report – Blenheim 2023, prepared by Emily Wilton, Environet Limited.
2. PM₁₀ is the only air pollutant likely to exceed the National Environmental Standard for Air Quality (NES) in Marlborough and is required to be measured continuously in Blenheim.
3. Concentrations of PM₁₀ exceeded the maximum concentration of 50 micrograms per cubic metre (50 µg/m³) on only one occasion in 2023. This occurred on 5 July 2023 with a concentration of 54.5 µg/m³.
4. As the NES allows for one exceedance per year, the NES was not breached for the 2023 calendar year. However, the exceedance does constitute a breach of the NES rather than an exceedance because it occurred less than a year after the previous exceedance, which occurred on 7 July 2022.
5. The annual average PM₁₀ concentration for 2023 was 14µg/m³ which is at the lowest annual average recorded at this site. The Ministry for the Environment (MfE) guideline specifies an annual average for PM₁₀ of 20 µg/m³ however the NES does not currently include an annual average guideline for PM₁₀.
6. Previous trend assessments for PM₁₀ had concluded that data were not indicative of overall improvement or degradation in PM₁₀ concentrations in Blenheim and that no trend was evident. However, if the 2021 data are disregarded owing to a localised source contributing to PM₁₀ that year, as discussed in the 2021 Blenheim air quality monitoring, then 2022 and 2023 data are likely indicative of a downward trend in PM₁₀.
7. A key question for PM₁₀ in Blenheim is whether reductions in PM₁₀ have been sufficient to ensure that the NES will be met under worst case meteorological conditions. It is likely that worst case meteorological conditions than those experienced during 2023 will occur and these would likely result in greater than one exceedance of 50 µg/m³. Ongoing compliance with the NES is therefore likely to depend on emission reductions continuing beyond 2023.
8. For the past decade the scientific community has been of the view that the smaller fraction of PM₁₀ particles, those less than 2.5 microns in diameter (PM_{2.5}), are a stronger indicator of health impacts. MfE have indicated that a review will be made of the NES which would look to move the focus from PM₁₀ to PM_{2.5}. In 2020, MfE indicated that they were looking to move away from the current PM₁₀ standard to a daily average standard for PM_{2.5} of 25 µg/m³ and an annual average PM_{2.5} standard of 10 µg/m³.
9. Towards the end of 2021 the World Health Organisation (WHO) released revised guidelines for PM₁₀ and PM_{2.5}. The revised WHO annual PM_{2.5} guideline value of 5 µg/m³ and daily guideline of 15 µg/m³ are significantly lower than the 2020 MfE proposed NESAQ values. It is currently unclear which, if any, of the WHO guidelines MfE will adopt for the NES review, as such the 2020 proposed NES values for PM_{2.5} have been used for the reporting values for PM_{2.5} concentrations for the 2023 year.
10. PM_{2.5} results for 2023 show that Blenheim exceeded the proposed MfE 24-hour average NES for PM_{2.5} on 15 occasions. However, monitoring of PM_{2.5} did not commence until June 2023. Typically, two exceedances occurred during May, so the absence of data for this period is only likely to impact exceedance numbers slightly. The number of exceedances of the proposed PM_{2.5} NES in 2023 was significantly lower than previous years (prior minimum was 27 in 2022). The maximum measured PM_{2.5} concentration for 2023 was 49 µg/m³ recorded on 5 July 2023.
11. Calculation of an annual average for PM_{2.5} is not possible due to monitoring not commencing till June 2023, however an estimate of around 11 µg/m³ was made assuming 2022 averages for the months of January to May.
12. While there is a downward trend in annual average, maximum and fourth highest daily PM_{2.5} concentrations, if the 24-hour average proposed NES for PM_{2.5} were introduced, significant reductions

in daily winter PM_{2.5} concentrations would still be required to be compliant and consequent air quality management required to meet this target would likely be significant.

13. If the NES for PM_{2.5} were reduced further in line with the 2021 WHO guideline revisions, additional, more stringent air quality management would likely be required for Blenheim, which exceeded the WHO daily guideline of 15 µg/m³ for the period recorded 63 times in 2023.

RECOMMENDATION

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

Background/Context

14. The National Environmental Standards for Air Quality (NES) sets maximum concentrations for several air pollutants. The main air pollutant of concern in urban areas of New Zealand is particulate matter.
15. Currently the NES focuses on PM₁₀ which is particulate matter smaller than 10 micrometre (0.001mm) in diameter. These small particles are easily inhaled and become lodged in airways and lungs and the smallest particles are absorbed into the blood stream. They can cause respiratory as well as cardiovascular problems and premature death with prolonged exposure above acceptable levels.
16. The maximum concentration of PM₁₀ allowed is a daily average of 50 µg/m³. This level is permitted to be exceeded once in a 12-month period. Every additional exceedance is considered a breach of the NES.
17. One of the main proposed changes to the NES is a move of the focus to the PM_{2.5} fraction for which there is scientific evidence that these smaller particles, less than 2.5 microns in diameter, are a stronger indicator of health. The proposal is to move from the current PM₁₀ daily average standard of 50 µg/m³ to a PM_{2.5} daily average standard of 25 µg/m³ and an annual average PM_{2.5} standard of 10 µg/m³. The proposal would allow three or less exceedances in a 12-month period to the PM_{2.5} daily average standard.
18. The Ministry for the Environment (MfE) was reviewing the NES for particulate matter having undertaken public consultation in mid-2020 with a summary of submissions published in December 2020.
19. In September 2021 the World Health Organisation (WHO) released revised guidelines for PM₁₀ and PM_{2.5} including annual and daily guidelines for the latter (See Environment Committee Information Pack - 8 September 2022 for more detail). The revised WHO annual PM_{2.5} guideline value of 5 µg/m³ and daily guideline of 15 µg/m³ are significantly lower than the 2020 proposed NES values.
20. In July 2022 an updated Health and Air Pollution in New Zealand study was released, known as HAPINZ 3.0. (See Environment Committee Information Pack - 8 September 2022 for more detail). This was jointly commissioned by the MfE and Waka Kotahi (in partnership with Te Manatū Waka Ministry of Transport and Ministry of Health).
21. The HAPINZ study found that the primary health impact resulting from air pollution (in terms of social cost) is premature mortality (death) in adults. However, the costs of increased morbidity (illness and disease) was also found to be considerable. In all regions, domestic fires dominated regions PM_{2.5} social costs – with contributions ranging from 59% to 88%. On average domestic fire impacts were more than four times those of motor vehicles for PM_{2.5} pollution from anthropogenic sources.
22. The findings of this report are expected to be taken into consideration by MfE when considering changes to the NES. The new coalition Government's Resource Management reforms will likely impact on any amendments to the NES but at this stage it is unclear just what that impact will be and any associated timeframes.
23. Blenheim is currently the only airshed gazetted for Marlborough and as such concentrations of PM₁₀ are required be monitored continuously. This is done at the Redwoodtown Bowling Club site, with PM_{2.5} also being measured since 2017. Blenheim was required to comply with the NES for PM₁₀ by winter 2017.

- 24. The most recent air emission inventory for Blenheim completed in 2022 showed domestic heating was still the main source of daily winter PM emissions, accounting for 94% of the daily winter PM₁₀ and 96% of the daily winter PM_{2.5}. Industrial, transport and outdoor burning sources make up the remaining percentages. (See Environment Committee Agenda Item 5 - 8 September 2022 for more details on the results of the air emission inventory).
- 25. The PM₁₀ standard is usually breached during the winter months when emissions from domestic home heating coincide with meteorological inversion conditions which are conducive to elevated concentrations.

Assessment/Analysis

- 26. Concentrations of PM₁₀ exceeded 50 µg/m³ in Blenheim on one occasion during 2023, which occurred on 5 July 2023, with the maximum measured concentration of 54.5 µg/m³.
- 27. As the NES allows for one exceedance per year, the NES was not breached for the 2023 calendar year. However, the exceedance does constitute a breach of the NES rather than an exceedance because it occurred less than a year after the previous exceedance, which occurred on the 7 July 2022.

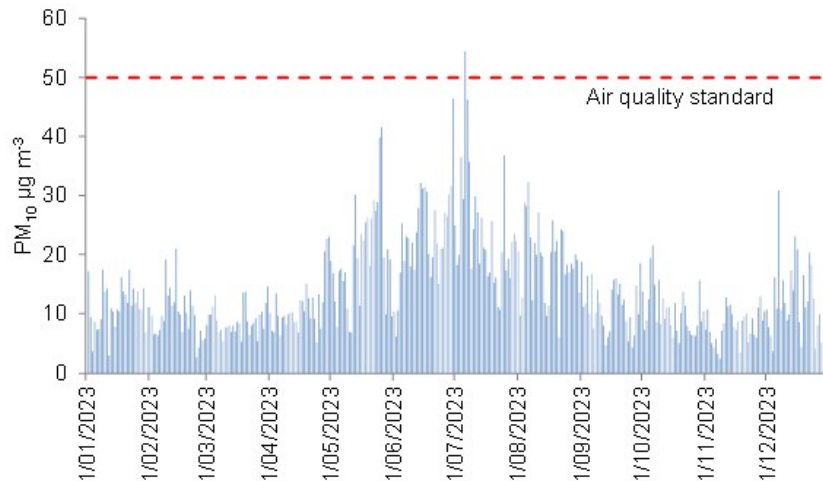


Figure 1: 24-hour average PM10 concentrations measured at the Redwoodtown – Bowling Club site during 2023.

- 28. The annual average PM₁₀ concentration for 2023 was 14µg/m³ which is at the lowest annual average recorded at this site. MfE guidelines specify an annual average for PM₁₀ of 20 µg/m³ however the NES does not currently include an annual average guideline for PM₁₀. The revised WHO guidelines specify an annual average for PM₁₀ of 15 µg/m³. As a comparison annual average PM₁₀ concentrations for 2022 and 2021 were 15 µg/m³ and 19 µg/m³ respectively.

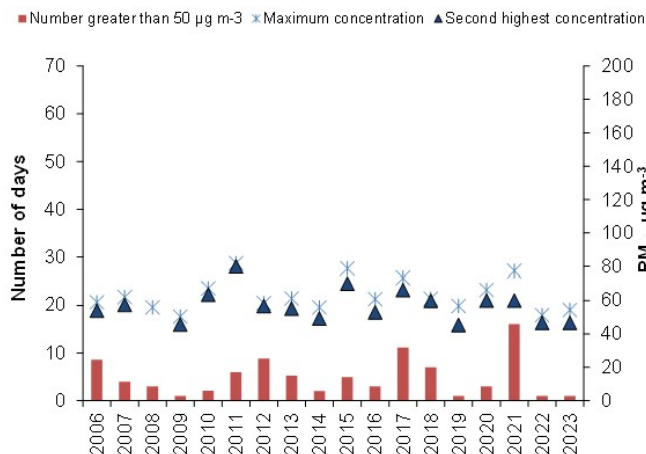


Figure 2: Number of days when 50 µg m⁻³ was exceeded, the maximum concentration and the second highest concentration from 2006 to 2023.

29. Concentrations of PM_{2.5} exceeded 25 µg/m³ (24-hour average proposed NES) on 15 occasions. However, monitoring of PM_{2.5} did not commence until June 2023. Typically, two exceedances occurred during May, so the absence of data for this period is only likely to impact exceedance numbers slightly.
30. The number of exceedances of the proposed PM_{2.5} NES in 2023 was significantly lower than previous years (prior minimum was 27 in 2022). The maximum measured PM_{2.5} concentration for 2023 was 49 µg/m³ recorded on 5 July 2023.
31. However, when the daily PM_{2.5} results are compared against the WHO daily guideline of 15 µg/m³ this was exceeded 63 times and would likely have been more had there not been a delay to the start of the monitoring. As a comparison the WHO daily guideline of 15 µg/m³ was exceeded 80 times in 2022.
32. Calculation of an annual average for PM_{2.5} was not possible due to the delayed started of the monitoring, however an estimate of around 11 µg/m³ was made assuming 2022 averages for the months of January to May. This was similar to the 2021 average of 10.8 µg/m³, but still well above the new WHO AQ guideline of 5 µg/m³.

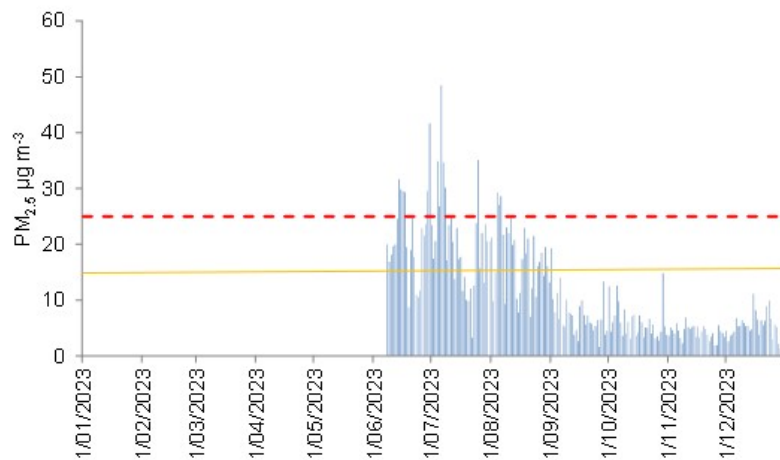


Figure 3: 24-hour average PM_{2.5} concentrations measured at the Redwoodtown – Bowling Club site during 2023. Red dotted line is the MfE 24-hour average proposed NES, orange line the WHO daily PM_{2.5} guideline.

33. Comparison of the annual average, maximum and fourth highest daily PM_{2.5} concentrations at Redwoodtown since monitoring commenced in 2017 suggest a downward trend in PM_{2.5} concentrations since 2017.

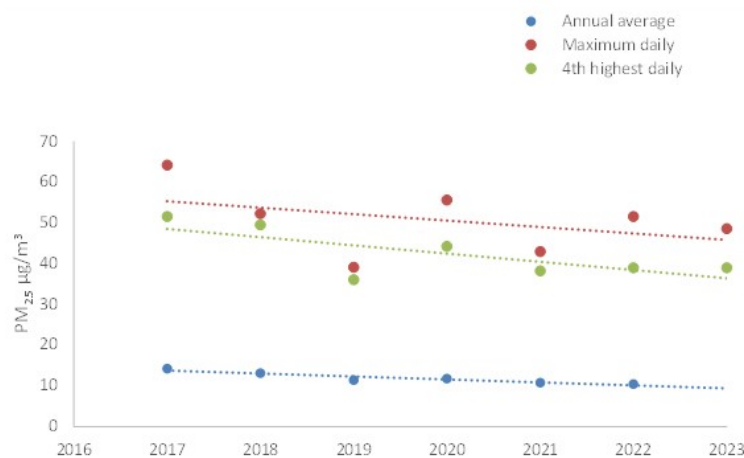


Figure 4: Summary PM_{2.5} concentrations from 2017 to 2023.

34. Daily variations in PM₁₀ and PM_{2.5} on high pollution/exceedance days generally show peak concentrations during the evening with a smaller peak occurring mid-morning. These days are

associated with key meteorological conditions of low wind speeds and a south-westerly wind direction. The data from the only exceedance day in 2023, 5 July 2023, shows this pattern.

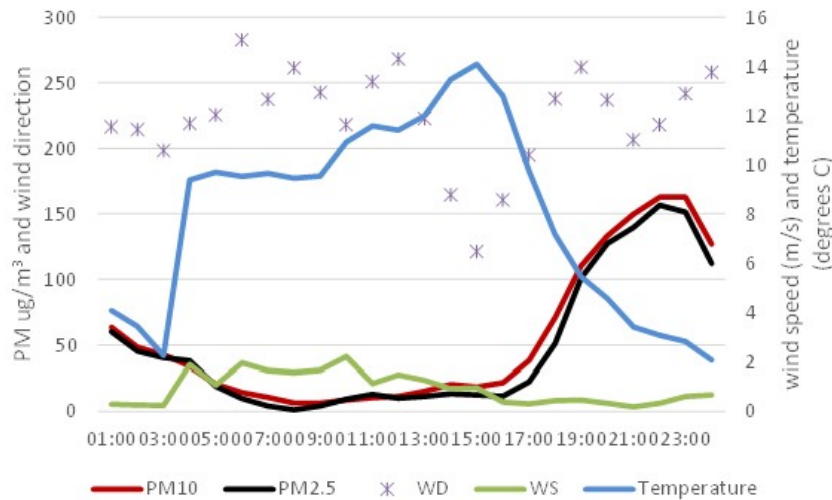


Figure 5: 5 July 2022 - Hourly average PM₁₀, PM_{2.5}, wind speed, direction, and temperature when PM₁₀ concentrations exceeded 50 µg m⁻³ (24-hour average).

35. Meteorological conditions can impact concentrations of PM₁₀ and a trend assessment was undertaken in 2012 to provide a tool for comparing year to year PM₁₀ concentrations whilst minimising the impact of variability in meteorological conditions. The following graph shows the trends in PM₁₀ concentrations after adjusting for meteorological conditions.

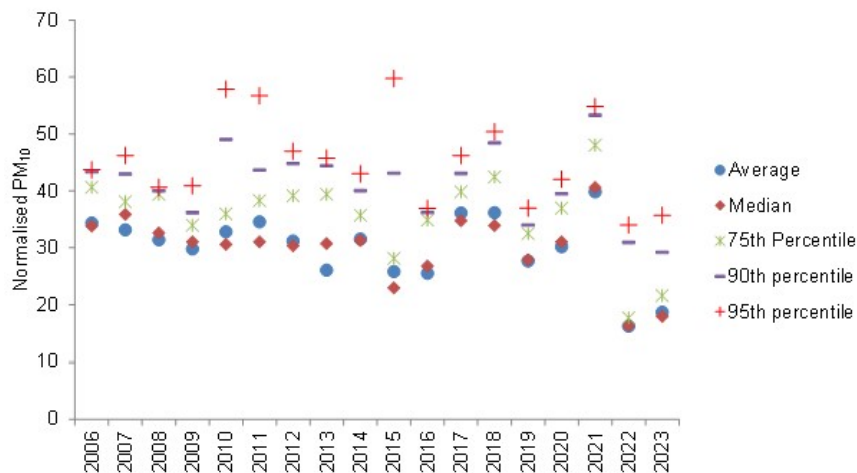


Figure 6: Trends in PM₁₀ concentrations after adjusting for meteorological conditions.

36. Results for 2023 are relatively consistent, albeit slightly higher than 2022 data which was lower than any previous values for all PM₁₀ indicators. Previous assessments had concluded that the data are not indicative of overall improvement or degradation in PM₁₀ concentrations in Blenheim and that no trend was evident. However, if the 2021 data are disregarded owing to a localised source contributing to PM₁₀ that year, as discussed in the 2021 air quality monitoring report, then 2022 and 2023 data are likely indicative of a downward trend in PM₁₀. This is supported by the PM_{2.5} data which suggests a reduction in concentrations since 2017.
37. This year further assessments were carried out using polar plots of PM_{2.5} and PM₁₀ concentrations in Blenheim which illustrate hourly average concentrations by wind speed and direction. The PM_{2.5} plot is relatively consistent with elevated concentrations occurring when wind speeds are low, while the PM₁₀ plots illustrate a source of coarse mode (PM₁₀-PM_{2.5}) concentrations occurring with wind speeds greater than 5 ms⁻¹ from a southeast wind direction. Sources that might result in coarse mode particulate concentrations under high wind speeds include unpaved yards, storage of aggregates, earthworks or construction sites.

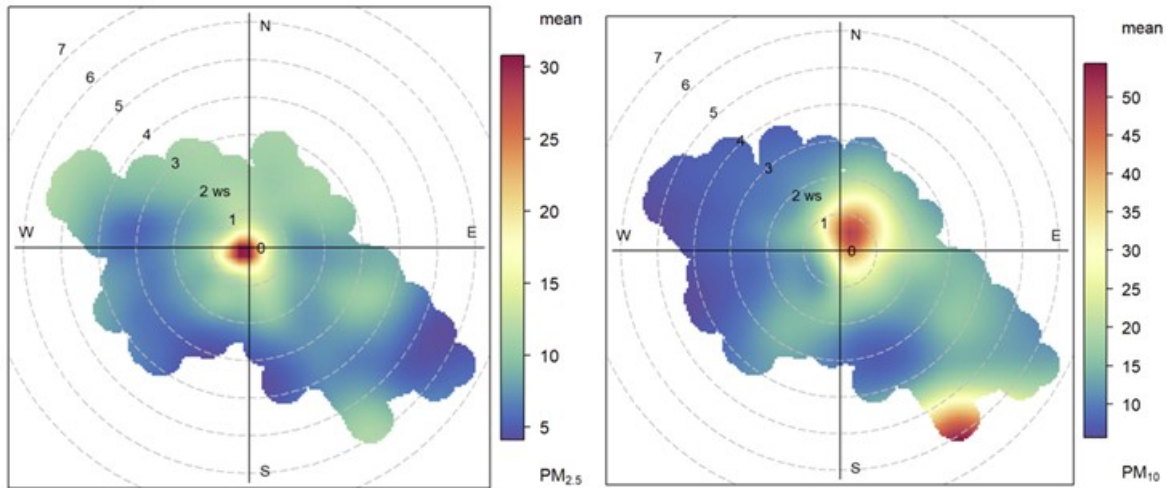


Figure 7: Polar plots of hourly average PM_{2.5} and PM₁₀ concentrations in Blenheim for winter 2023

38. It would be interesting to evaluate past years data using these polar plots, in particular 2021 when there were 16 exceedances of the PM₁₀ standard, with data indicating elevated coarse mode (PM₁₀-PM_{2.5}) concentrations. These were believed to be due to localised subdivision earthworks to the east of the monitors, polar plots would help establish if this was the source.
39. A key question for PM₁₀ in Blenheim is whether reductions in PM₁₀ have been sufficient to ensure that the NES will be met under worst case meteorological conditions. It is likely that worst case meteorological conditions than those experienced during 2023 will occur and these would likely result in greater than one exceedance of 50 µg/m³. Ongoing compliance with the NES is therefore likely to depend on emission reductions continuing beyond 2023 with further reductions in emission likely to be required for ongoing compliance. A minimum of five years with no breaches is required for an airshed to no longer be considered polluted.
40. Management measures to reduce PM₁₀ concentrations to meet the NES have been included in the Marlborough Environmental Plan (MEP).
41. Changes to the NES would likely result in the requirement for a review of both regulatory controls and non-regulatory measures, with potentially significant management measures required to result in reductions in particulate concentrations to meet revised targets.

Next steps

42. To update the Council's website pages relating to air quality with the 2023 results and report.

Presentation

A short presentation will be given by Sarah Pearson (10 minutes).

Attachment

Attachment 6 – 'Annual Air Quality Monitoring Report - Blenheim 2023' is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>

Author	Sarah Pearson, Strategic Planner
Authoriser	Alan Johnson Science and Monitoring Manager

7. Marlborough Common Passage Plan

(also refer separate report available on Council's website)

(Clr Innes) (Report prepared by Jake Oliver)

H100-001-01

Purpose of report

1. To update Council on the progress to date for the Marlborough Common Passage Plan (MCP).
2. To provide Council with a copy of the draft MCP that is intended to be promulgated to users and brought into effect.

Executive Summary

3. The MDC Harbourmaster has a statutory role to regulate Navigation Safety within the Marlborough Harbour Limits. As ferries develop and vessel traffic of varying types increases, so the need for a common passage plan becomes more evident.
4. This then entails promulgation of the plan so that the various activities within the water space which may potentially conflict with each have a mechanism to be deconflicted.
5. 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. The MCP helps to prepare vessels for transits of the pilotage areas described in Maritime Rule Part 90.
6. The MCP improves 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. The MCP seeks to achieve consistency across vessels by ensuring that vessels arrive at pilot boarding grounds (PBG) or pilotage limits and depart berths in a state that is standardised, predictable and well informed. It also seeks to improve water space management and situational awareness between piloted and non-piloted vessels within the Marlborough Sounds.

RECOMMENDATION

That the information be received.

Background/Context.

7. 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. The MCP helps to prepare vessels for transits of the pilotage areas described in Maritime Rule Part 90.
8. 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. The MCP seeks to achieve consistency across vessels by ensuring that vessels arrive at pilot boarding grounds (PBG) or pilotage limits and depart berths in a state that is standardised, predictable and well informed. It also seeks to improve water space management and situational awareness between piloted and non-piloted vessels within the Marlborough Sounds.
9. The MDC Harbourmaster in consultation with Port Marlborough, Interislander and StraitNZ have begun the process of developing a common passage plan for the passage from Tory Channel/Kura Te Au entrance through to Picton and back out to sea.

10. The genesis of this project stems from a need to define the required water space for commercial shipping within the Sounds and from separate navigation risk assessments conducted for MDC and Interislander.
11. Following work with a Pilotage Consultant the draft MCPP was produced and provided to Port Marlborough, Interislander, and StraitNZ. Having received feedback from the parties above by a close of date of the 27 January 2024. Comments were compiled and responded to by the 16 February 2024.
12. The intention is that the MCPP will be in effect and existing operations will begin to transition to the new plan between 1 April and 31 July 2024.
13. Once a new passage plan has been received and approved, the existing plan approvals will be revoked.
14. Transit monitoring via TransitAnalyst for performance of the vessels compared to the MCPP will commence from the 1 August.
15. There will be no changes made to the MCPP 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.

Next Steps

16. To publish the MCPP and bring the new passage plan into operation.
17. To provide Council with a report on adherence to the plan and compliance 60 days after first operation.

Presentation

A short presentation will be given by the Harbourmaster (10 Minutes)

Attachment

Attachment 7 – 'Marlborough Common Passage Plan' is available on Council's website via the following link
<https://www.marlborough.govt.nz/your-council/meetings>

Author	Jake Oliver, Harbourmaster
Authoriser	Hans Versteegh, Environmental Science and Policy Group Manager

8. Whangarae Estuary Broadscale Habitat Mapping Report 2023

(also refer separate report available on Council's website)

(Clr Innes) (Report prepared by Katie Littlewood)

E325-002-002

Purpose of report

1. To report the findings from the State of the Environment (SOE) monitoring report in Whangarae Estuary in 2023.

Executive Summary

2. A repeat SOE monitoring report for Whangarae Estuary has been prepared by Salt Ecology for MDC. The report outlines the main findings and changes to the estuary since it was last mapped in 2016.
3. Findings show the estuary in a 'very good' condition and observes the lack of human impacts on this estuary make it an important reference site to inform comparisons with other estuaries in Marlborough that are impacted by human activities.

RECOMMENDATION

That the information be received.

Background/Context

4. The Marlborough coastal marine area includes over 65 estuaries and intertidal areas. These areas are biodiversity hotspots providing habitat and nursery grounds for many species and providing numerous ecosystem services. These areas are also receiving environments where the impacts of land use and activities upstream are easily observed.
5. Estuary and intertidal monitoring includes broadscale mapping, fine-scale mapping, seagrass and sediment monitoring, which give Council robust information about the changing state of each estuary, and of the intertidal areas in our CMA collectively.
6. SOE monitoring in estuaries and intertidal areas are important to establish broadscale baseline records of intertidal substrate and vegetation and ongoing changes in these environments over time.
7. In 2016 Marlborough District Council (MDC) established the first SOE monitoring at Whangarae Estuary and contracted the fieldwork and reporting to Salt Ecology for repeat mapping and reporting.
8. In 2023 Salt Ecology were contracted to undertake repeat SOE mapping at Whangarae Estuary and provide a report to MDC (Attachment 1) outlining the broad-scale results and changes in the estuary since 2016.

Report Findings:

9. The report findings highlight Whangarae Estuary in 'very good' condition with well flushed tidal flats dominated by firm substrate, and the presence of shellfish beds and seagrass.
10. 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.
11. 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.

Presentation

A short presentation will be given by Katie Littlewood (10 Minutes)

Attachment

Attachment 8 – 'Whangarae Estuary: 2022/2023 Broad-scale Intertidal Habitat Mapping Summary; Salt Ecology Short Report 028; Prepared by Keryn Roberts for Marlborough District Council, June 2023' is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>

Author	Katie Littlewood, Principal Coastal Scientist
Authoriser	Hans Versteegh, Environmental Science and Policy Group Manager

9. Chilean Needle Grass Programme Update

(Clr Faults) (Report prepared by Jono Underwood)

E315-003-009-01

Purpose of report

1. To provide the Committee with an update on of the larger strategic Biosecurity programmes that is aiming to contain the pest plant Chilean needle grass (*Nassella neesiana*) ('CNG').

Executive Summary

2. Council continues to deliver a priority programme targeting the containment of the high threat pest plant Chilean needle grass (*Nassella neesiana*).
3. As has been experienced in recent years, the 2023/2024 season resulted in a big effort put in by occupiers, Council staff and numerous contract teams over the critical seeding period from late October through to mid-January.
4. A total of 9 new affected properties were discovered this season with the land area having been recorded as affected by CNG now 2,612ha – an increase of 21.9ha or 0.84% from 2022/2023.
5. On the selected baseline sites from 2019, where output metrics are being tracked over time, the number of plants per unit effort trend can be variable but is still slightly trending upwards over the long term. This demonstrates the difficult nature of managing this specific plant.

RECOMMENDATION

That the information be received.

Background – Chilean needle grass

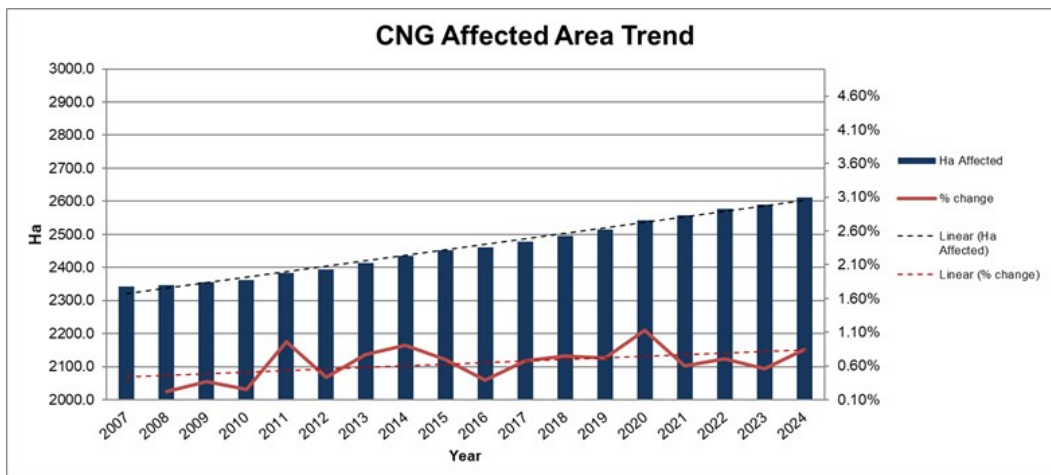
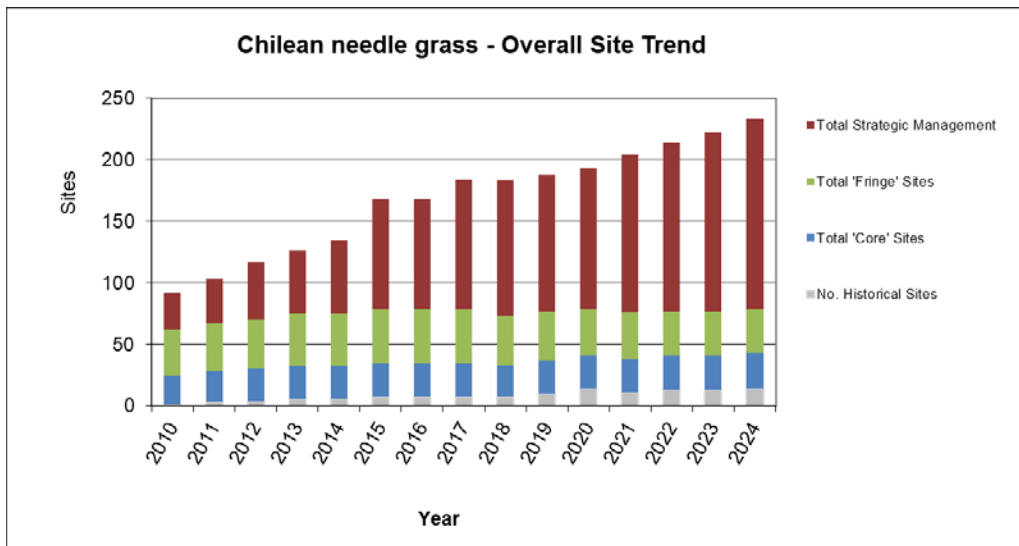
6. There is also a long history relating to Chilean needle grass in Marlborough with it first being recorded in the 1940's in the Blind River area. Even though it has been in Marlborough for some 80 plus years now, its distribution is relatively confined.
7. While the distribution may be somewhat confined, the long term impacts should this species build to high densities across Marlborough would be severe. Recent publicity associated with a study conducted by AgResearch¹ pointed to a potential cost to New Zealand in the vicinity of \$1.1 billion over the next 200 years should adequate management not occur.
8. While Council has delivered a programme for many years, it was not until ~2014 that the programme shifted gears in conjunction with the community and support via the Chilean Needle Grass Action Group. This ultimately led to additional resources being directed toward the programme in the Long Term Plan 2018-2028 that also aligned with the new Regional Pest Management Plan.
9. Since that time, the Biosecurity Team and several local contractor resources have been delivering intensive on-ground search and destroy operations over the key seeding season to support occupiers' year-round efforts. These additional inputs have been aimed at either intervening early for any new infestations or putting as much pressure as possible on the more lightly infested properties. For the more moderate to heavily infested properties, Council continues to support those occupiers with advice around pasture renovations and carrying out compliance checks of boundaries to support neighbouring control efforts.

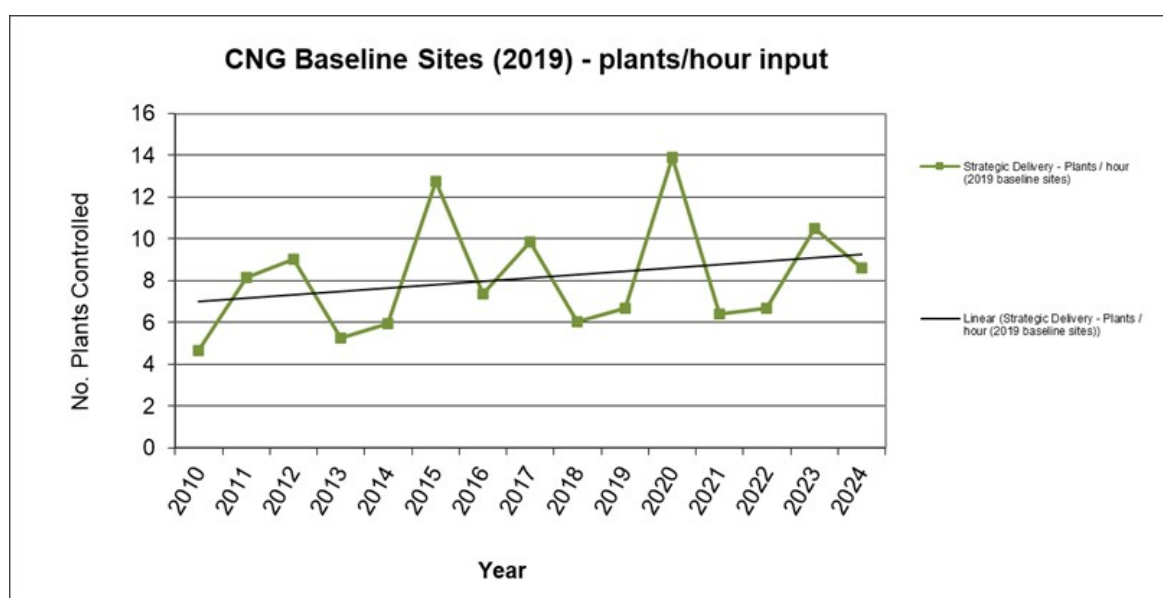
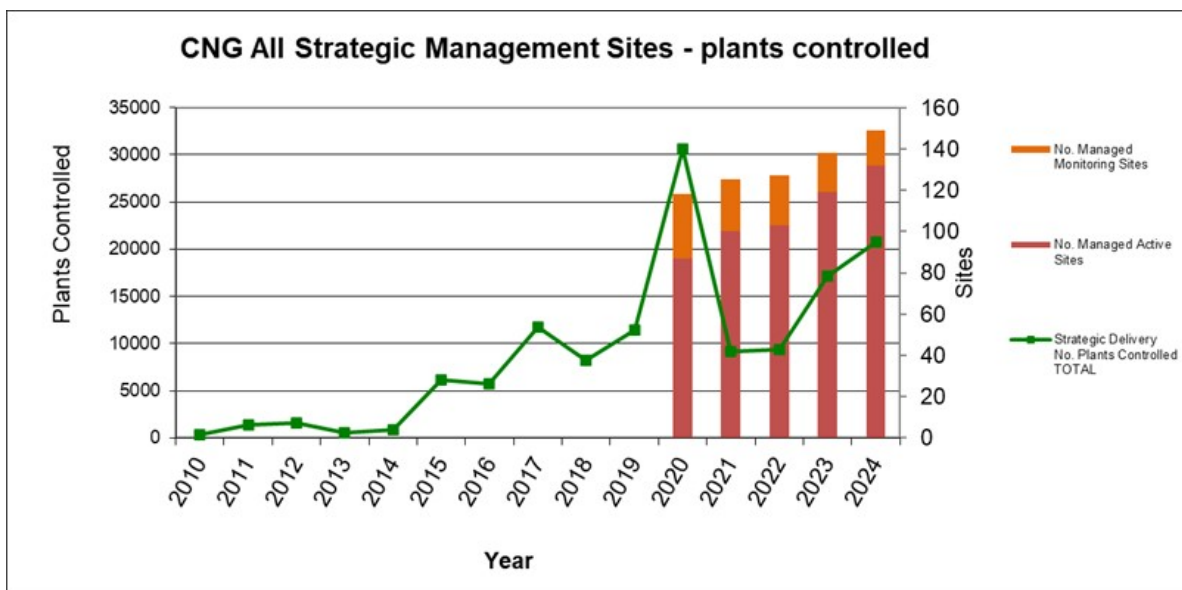
¹ <https://www.newshub.co.nz/home/new-zealand/2024/01/new-study-warns-chilean-needle-grass-poses-1-1b-threat-to-new-zealand.html>

10. However, even with this enhanced level of input and investment by Council since 2014, there continues to be new infestations discovered and ongoing difficulties preventing low to moderate infestations escalating to become more troublesome.

The 2023/2024 Season

11. At the outset of the season, there were 209 affected properties. At the time of writing, there are now 219 affected properties. Discounting one property split, there were 9 new affected properties discovered over the last season. In summary:
- 11.1 2 new pastoral properties (one infestation on a boundary) in the Omaka Valley area.
 - 11.2 1 new pastoral property in the upper Marama Rd/lower Medway Valley area.
 - 11.3 1 urban street berm in Blenheim (first detection in the urban environment).
 - 11.4 1 new pastoral property in the Maxwell Pass area.
 - 11.5 1 new lifestyle property adjacent to an existing infestation at Ben Morven Road.
 - 11.6 1 new lifestyle property adjacent to an existing Taylor Pass Road infestation.
 - 11.7 1 new commercial property adjacent to the Omaka infestation.
 - 11.8 1 new pastoral property adjacent to existing infestations in the Marfells Beach Road area.





Comments

12. There has been a trend of an increasing lack of understanding and engagement of spread risk within properties owned by bigger companies, with staff and managers constantly changing. Mowers during the seeding season this year has been of particular concern.
13. Contractor resource continues to be an issue to deliver the operational programme with the limited resources in Marlborough being stretched at this time of year. As number of our longer-term contracts are up for renewal this year, we expect price increases this year will begin to have an impact on the amount of work that we are able to deliver throughout the Marlborough region.
14. While there are some biological challenges with this particular pest plant, such as staggered germination and multiple seeding points, the commentary around this pest being recognised at a national threat aligns with what is being observed here in Marlborough.
15. For many years, both the affected Councils and members from the Marlborough community, have advocated for Central Government recognition and resulting support to no avail.
16. One of constraints in Marlborough is the capacity for the community to both resource a programme of the scale and intensity that may be needed. In addition, it would also require the affected landholders

to accommodate that same programme in and around their various enterprises. Nonetheless, these matters could be worked through via a co-design approach.

Presentation

A short presentation will be given by Liam Falconer and Jono Underwood (10 minutes).

Author	Jono Underwood, Biosecurity Manager
Authoriser	Alan Johnson, Environmental Science & Monitoring Manager

10. Court Proceedings Update – Regional Pest Management Plan Amendment

(Clr Faulls) (Report prepared by Jono Underwood)

E315-002-008-05

Purpose of report

1. To provide the Committee with an update on the Court proceedings associated with the amendment of the Regional Pest Management Plan made by Council in 2020 – insertion of a new programme for pest conifers.

Executive Summary

2. In April 2023, Council appealed the March 2023 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 held a hearing on the case in Blenheim on 30 August 2023.
3. The High Court judgment was received on Friday 22 December 2023. The judgement dismissed all of Council's concerns explained as alleged errors of law.
4. The case has now returned to the Environment Court judgement and direction whereby the parties were directed to jointly agree drafting to give effect to the Environment Court decision.
5. The parties are to jointly report back to the Environment Court by mid-March whether agreement has been reached, or not, at which stage the Environment Court will make a final decision.

RECOMMENDATION

That the information be received.

Background

6. Council notified its decision on an amended Regional Pest Management Plan, to insert a new programme for pest conifers, in July 2020. One of the submitters through the plan making process made an application to the Environment Court on that decision. As a result, the plan was not able to made [operative].
7. Through late 2020 and early 2021, Council entered into mediation with the submitter in an attempt to reach an agreed position. This was unsuccessful and as such, after lengthy delays, a hearing was ultimately scheduled in the Environment Court for late September 2022.
8. In summary, the case was focussed around the desire for specific content and or provisions inserted into the RPMP programme for pest conifers to address concerns associated with his property. This also extended to explicit responsibility and liability statements.
9. Council maintained the position that the programme was of regional nature, and developing such bespoke provisions as demanded did not have a justified basis. This was particularly relevant when assessing plan contents and approaches against Biosecurity Act 1993 (BSA) requirements and in particular, the associated National Policy Direction for Pest Management. In addition, Council argued that the primary matter of concern are not those that form the basis for site-led programme under the National Policy Direction for Pest Management (NPD).
10. On the requested statements, again Council maintained the position that a regional plan has a purpose to deliver on our regional leadership role under the BSA and such an instrument is not the appropriate mechanism to address historical liability matters.

11. The Environment Court released an interim decision in March 2023. The Court agreed with that a site-led programme [approach] be developed in relation to the Stronvar property. The entire decision was interim in nature given the Court left it to the parties to undertake the drafting to give effect to that direction.
12. Maintaining its position, Council appealed the interim decision to the High Court in April 2023 in order to avoid potentially unnecessary time and cost moving through to a final decision of the Environment Court, at which stage appeal could be a likely outcome.
13. A fundamental part of Council's case was that site-led programmes under the BSA and NPD are there to support the management of the subjects [pest species] that threaten the values of defined sites, not the potential impact of the control techniques. In addition, Council alleged the Environment Court extended its jurisdictional powers by reaching into the earlier stages of the 2019/2020 plan making material in order to reach its decision.
14. An overarching concern held by Council which contributed to the decision to make the High Court appeal was that there were wider concerns raised around the precedence associated with bespoke property-level provisions being used in a regional instrument (or what could be a national instrument). This approach has the potential to undermine efficient and effective delivery of broader biosecurity interventions, given the quantum of properties that can be covered by these programmes.
15. The High Court decision released on 22 December 2023 dismissed all of Council's alleged errors of law.

Comments

16. While there are outstanding concerns with the High Court judgement, particularly in relation to the long term case law implications associated with any regional or national Plan making under the Biosecurity Act 1993, it was decided not to pursue a further appeal.
17. Being the first case to be heard in the Courts in relation to making a pest management plan under the Biosecurity Act 1993, the decisions have now set the first case law around specific matters.

Next Steps

18. The parties will need to agree on drafting to enable a 'site led' programme and set of provisions to satisfy the Court requirements, while ensuring the provisions meet all statutory tests.
19. If parties cannot agree on all provisions, we expect the Environment Court Judge will determine the final outcome or next steps in the proceedings.

Presentation

A short verbal presentation will be given by Jono Underwood (5 minutes).

Author	Jono Underwood, Biosecurity Manager
Authoriser	Alan Johnson, Environmental Science & Monitoring Manager

11. Alignment of the Proposed Marlborough Environment Plan with the NES for Commercial Forestry

(also refer separate report available on Council's website)

(The Chair) (Report prepared by Pere Hawes)

N100-002-08

Purpose of report

1. The purpose of this report is to identify rules within the Proposed Marlborough Environment Plan (PMEP) that duplicate or are in conflict with the National Environmental Standard for Commercial Forestry (NES-CF) and to recommend amendments to the PMEP rules to remove the duplication or conflict.

Executive Summary

2. On 3 November 2023 the NES for Plantation Forestry was replaced with the NES-CF. This broadened the scope of the regulations to also include "exotic continuous-cover forestry".
3. The PMEP contains rules managing carbon sequestration forestry of both exotic and indigenous species.
4. Section 44A of the RMA requires the Council to align the PMEP rules with the regulations of the NES. In particular, the Council is required to remove rules that duplicate or conflict with the regulations.
5. This report sets out instances of duplication and conflict and provides recommendations to align the PMEP provisions with the NES-CF. The recommended changes will result in exotic carbon sequestration forestry managed via the NES-CF, while indigenous carbon sequestration forestry will continue to be managed under the rules of the PMEP.

RECOMMENDATIONS

1. That the report be received.
2. That the amendments to PMEP provisions recommended in Appendix 1 to remove duplication or conflict with NES-CF regulations be adopted.
3. That the results of the alignment process be provided to the forestry industry.

Background

6. From 1 May 2018, the environmental effects of plantation forestry were managed under national direction via the NES for Plantation Forestry. It contained regulations that apply to particular activities related to plantation forestry, including:
 - Afforestation;
 - Harvesting;
 - Replanting
 - Pruning and thinning to waste;
 - Mechanical land preparation;
 - Earthworks;
 - Forestry quarrying; and
 - River crossings.
7. On 3 November 2023 the NES for Plantation Forestry was replaced with the NES-CF. The purpose of the NES-CF is, like its predecessor, to manage the environmental effects of plantation forestry. However, the NES-CF now also applies to exotic continuous-cover forestry to ensure all exotic forests

planted for commercial purposes, including carbon sequestration, are managed under national direction.

8. The NES-CF provides the following definition of “exotic continuous-cover forestry”:

An exotic continuous cover established for commercial purposes that will not be harvested or replanted, or is intended for low intensity harvesting² or replanting.

PMEP Alignment

9. Section 44A of the RMA requires the Council to align the PMEP rules with the regulations of the NES. In particular, the Council is required to remove rules that duplicate or conflict³ with regulations in the NES.

10. See also comments regarding the exercise of stringency for afforestation later in this report.

11. The PMEP currently regulates carbon sequestration forestry. Carbon sequestration forestry is defined in the PMEP as:

means the planting and management of areas of shrubs and vegetation the purpose of which is only for carbon sequestration.

12. As such, the PMEP rules apply to carbon sequestration forestry involving both exotic and indigenous species.

13. Where the PMEP rules for carbon sequestration regulate exotic continuous-cover forestry they are in conflict with the NES-CF. It is therefore recommended that the PMEP is aligned as follows:

13.1 Including a new definition for *exotic continuous-cover forest or forestry* from the NES-CF, and excluding this from the current MEP definition of *carbon sequestration forestry planting*.

13.2 Adding references to exotic continuous-cover forest or forestry to the rules which currently apply to carbon sequestration forestry planting.

13.3 Amending Rule 3.7.1 which relates to harvesting of carbon sequestration forestry on steep erosion prone land, so that it only applies to exotic continuous-cover forestry harvesting where it is also within the coastal environment, as this limits it to a matter over which the MEP may be more stringent.

13.4 Updating references to the NES-PF to refer instead to the NES-CF.

14. The introduction of a definition of exotic continuous-cover forestry will have the effect of distinguishing between carbon sequestration involving exotic and indigenous species. Exotic continuous-cover forestry will be regulated under the regulations of the NES-CF, while carbon sequestration forestry involving indigenous species will continue to be regulated by the existing provisions of the PMEP. The only exception is Rule 3.7.1 where Council already exercises stringency (see para 13 below) and this is recommended to be retained.

Stringency over afforestation

15. The NES-CF also now provides control over the location of new plantation and continuous cover forests. This means that the Council has the discretion to have more stringent or more lenient rules. Any changes to the PMEP to implement this discretion must go through the usual RMA plan making process (the First Schedule process).

16. This report only addresses issues of conflict and duplication and recommends changes to the PMEP to achieve alignment.

² Low intensity harvesting requires 75% of the canopy cover to be maintained at all times.

³ A rule conflicts with a NES regulation if the rule is more stringent than the regulation and the NES does not provide for the rule to be more stringent; or if the rule is more lenient than the regulation and the NES does not provide for the rule to be more lenient.

Next steps

17. Pending adoption of the recommendations within this report, the PMEP provisions will be aligned in the manner set out in Appendix 1.
18. The results of the alignment exercise will be communicated to the forestry industry.

Attachment

Attachment 11 – 'NESCFC Alignment Report' is available on Council's website via the following link
<https://www.marlborough.govt.nz/your-council/meetings>

Author	Pere Hawes, Manager Environmental Policy
Authoriser	Hans Versteegh, Manager of Environmental Policy, Science and Monitoring

12. Variation 6 to the Proposed Marlborough Environment Plan – ‘Kerepi’

(also refer separate report available on Council’s website)

(The Chair) (Report prepared by Jamie Sigmund)

M100-11-17

Purpose of report

1. To receive the Section 32 report for a variation to the PMEP to rezone 12 hectares of land from Rural Environment to Urban Residential 4.
2. 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).

Executive Summary

3. 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.
4. Consultation with Iwi authorities, appropriate Ministers, other statutory parties, and adjoining landowners has occurred. The next step is for the variation to proceed to public notification as required by the RMA.
5. The Committee must adopt the variation for it to be publicly notified. If adopted, public notice will occur once the item is confirmed by full Council (early April 2024).

RECOMMENDATIONS

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.**

National Direction and Residential Land Supply in Blenheim

6. The National Policy Statement on Urban Development 2020 (NPS-UD) seeks to ensure that there is sufficient supply of zoned and serviced land to meet housing demand. There is an emphasis in the NPS-UD on providing development capacity in locations, and of a form, which will meet the needs of communities, and encourage development of well-functioning urban environments.
7. As part of Councils monitoring functions under the NPS-UD, an assessment was made of future housing needs and requirements for Blenheim. The ‘*Housing and Business Development Capacity Assessment, 2021*’ (HBA) was reported to the Planning, Finance and Community Committee in February 2022.
8. The HBA identified a potential shortfall in the provision of land zoned for residential activity of 906 dwellings, equating to an area of 82 ha of land at current densities of development. While much of the shortfall occurs in the long-term provision of land (out to 30 years), the HBA identified potential constraints to developing residentially zoned land soon enough to meet anticipated demand over the next five years.
9. These constraints relate to landowners releasing land for residential subdivision in a timely fashion and infrastructure-ready land being available for development.

10. Consequently, the HBA recommended that Council should be prepared to consider proposals to rezone land not currently zoned for residential purposes as a means of managing the short-term risk of demand exceeding supply. Variations 6 is a proposed response to land availability issues in the short term.

Background Context

11. The Collet Group Ltd, an experienced developer who has completed a range of comprehensive residential developments in Tasman District and Nelson City previously, purchased the site in 2022. They have a vision to create a residential development of mixed densities that facilitate a variety of housing options based on good urban design principles, which would lead to the creation of a diverse community.
12. The vision for this work was named 'Kerepi', with the Collet Group Ltd envisaging that the development would yield approximately 172 residential lots, with the potential to provide an alternative and more affordable housing option than is currently available in the Blenheim market via Medium Density Housing (MDH).
13. Variation 6 is proposed to rezone the 12.00ha 'Kerepi' site, currently zoned Rural Environment, to Urban Residential 2 Greenfields, an existing PMEP zone, comprising 5.57ha; and Urban Residential 4, a new zone subject to Variation 7, comprising 6.43 ha. The purpose of Urban Residential 4 is to enable MDH development in a manner that is consistent with principles of good urban design and that will create liveable residential environments.
14. An indicative road layout is also proposed for the site to guide the provision of a road network within the site and to enable connectivity external to the site. A small area of existing Council drainage reserve is proposed to be rezoned Open Space 3.
15. The provisions of the Urban Residential 4 Zone are contained in a separate variation, Variation 7. This report should be read in conjunction with the report on Variation 7.
16. It is noted that the Wairau Awatere Resource Management Plan (WARMP) is still operative but in general there are no provisions in the MEP relating to the matters in Variation 6 which are subject to appeal, and as such the relevant provisions in the MEP can be treated as operative in accordance with section 86F of the RMA. Significant weight can also be placed on the relevant objectives and policies of the MEP given how far through the First Schedule process has progressed.
17. To commence this variation process, approval was sought from the Environment and Planning Committee at the 24 August 2023 meeting. Approval was granted and ratified at Full Council.
18. Schedule 1 of the RMA sets out the process through which a variation (when a plan is proposed) or a plan change (when a plan is operative) is to progress. As an overview of the process, Council is required to consult on the variation with iwi authorities and statutory parties, produce an evaluation report under Section 32, publicly notify the variation, receive submissions, summarise submissions, publicly notify the summary, draft a Section 42A report evaluating submissions and further submissions before progressing to a hearing.
19. A Section 32 report – a report evaluating the appropriateness of options in achieving the purpose of the Resource Management Act – has been prepared. Consultation with iwi authorities and relevant statutory authorities has occurred (see below). The Section 32 report also records the advice received from those consulted.
20. Finally, the Section 32 Report includes a summation of all technical matters documented as part of the variation, including geotechnical, hazard assessment, soil contamination, traffic assessment, infrastructure servicing etc.

Pre-Notification Consultation

21. Pre notification consultation has progressed in accordance with Schedule 1 (RMA) requirements.

22. Pre notification correspondence was sent to all nine Marlborough Iwi on the 18th of October 2023. Each letter was followed up by phone calls to appropriate Pou Taiao staff between the 28 to 30th November 2023. No advice was provided by iwi authorities and there were no objections to the variation proceeding to public notification.
23. Formal engagement occurred with the Ministry of Housing and Development and Kainga Ora policy staff on the 6th of November 2023. Several positive comments regarding the variation intent were expressed at this meeting, with no objections received to progressing the variation, only support for the intent.
24. Collet Group Ltd took responsibility for consulting with adjoining landowners. Council provided the Collet Group Ltd with a spatially identified list of adjoining landowners (36), with a letter outlining the variation, and future intent of the 'Kerepi' proposal sent out on the 31st of August 2023 by the Collet Group to each identified landowner.
25. Three individual landowners engaged with the Collet Group Ltd process seeking additional information, a record of these three contacts is recorded within the Section 32 report. There was no objection to the variation that arose from the Collet Group Ltd letter. No communication or contact was made with Council on this matter from adjoining landowners.
26. As per Clause 4A of the RMA a copy of the proposed plan provisions for the variation were circulated to all Marlborough Iwi, and appropriate Ministers (MHUD, MfE, Min Ag, MPI), no responses were received by Council on the proposed provisions.
27. The Section 32 report contains more detail regarding the pre-engagement consultation that has occurred ahead of the Schedule 1 process.

Public Notification

28. The next step in the process is to publicly notify the variation. This provides an opportunity for any person or group, including those parties that have already been consulted to make formal submissions on the proposal.
29. Submissions received by the Schedule 1 process are summarised with people provided an opportunity to further submit on submissions received (the submissions summary will be provided to the Environment & Planning Committee recommending adoption prior to it being notified).
30. The RMA requires that a minimum of 20 working days is provided to allow parties to submit on the variation. Council does not propose to extend this submission period as the variation is limited to one site with limited people that could be affected by the proposal.
31. Aside from the public notices recommended to be published in local newspapers, notification of the variation will occur via a letter to all Marlborough ratepayers. It will also be advertised on the Council website, and on other social media platforms where appropriate.

Option One – Proceed with Variation 6 (Recommended Option)

32. Proceed with the variation to public notification.

Advantages

33. The variation will give effect to the direction provided in the PMEP and will assist to address both short-term and long-term residential land supply shortfalls identified by Council's Housing and Business Assessment (HBA).
34. The variation will respond to Council requirements under national direction via the NPS-UD.
35. A planning framework will be provided in Variation 7 that will guide subsequent residential subdivisions and development enabled by the rezoning proposed by this variation.

Disadvantages

36. There are not considered to be any disadvantages. However, it should be noted that Variation 6 also relies on Variation 7 proceeding through the First Schedule process to be implemented in full. To minimise any risk, it is recommended that Variation 6 and 7 are publicly notified at the same time and proceed through the First Schedule process concurrently.

Option Two – Resource Consents (not recommended)

37. The resource consent process utilising the Rural Environment Zone provisions could be used to enable residential development on the site.

Advantages

38. There are not considered to be any advantages.

Disadvantages

39. The resource consent application would be assessed against the PMEP provisions for the Rural Environment Zone. The zone does not contemplate residential development of this intensity. There is therefore a risk that the resource consent application would not be successful.
40. There are currently no PMEP provisions to guide medium density housing contemplated by Collet Group Ltd.

Option Three – Do nothing (not recommended)

41. The do-nothing approach would result in Council not taking any action.

Advantages

42. There are not considered to be any advantages.

Disadvantages

43. Council would not be giving effect to its existing planning framework, or directions under the RMA.
44. This option would not address the concerns that were raised in the HBA 2022, and therefore not provide any rezoning of land for additional housing to meet the short or long-term shortfall that has been identified.
45. This option would not provide any suitable mechanism for either market ready sections, or higher density housing of a different type to meet an identified need, while potentially not addressing housing affordability concerns.

Attachments

Attachment 12.1 – Proposed 'Kerepi' allotments and MDH layout

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Attachment 12.2 – "Section 32 Report – Variation 6 & 7 – 'Kerepi' and Urban Residential Four 'Greenfields'" is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>

Author	Jamie Sigmund, Strategic Planner (Implementation & Review)
Authoriser	Pere Hawes, Manager Environmental Policy

Attachment 12.1
Proposed 'Kerepi' allotments and MDH layout



13. Variation 7 to the Proposed Marlborough Environment Plan – Urban Residential Four ‘Greenfields’

(also refer separate report available on Council’s website)

(The Chair) (Report prepared by Jamie Sigmund)

M100-11-20

Purpose of report

1. To receive the Section 32 report for a variation to the PMEP to introduce provisions to manage medium density residential development in greenfields situations. This includes policy provisions, a proposed rule framework, and proposed zoning.
2. 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).

Executive Summary

3. 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.
4. Consultation with Iwi authorities, appropriate Ministers, other statutory parties, and adjoining landowners has occurred. The next step is for the variation to proceed to public notification as required by the RMA.
5. The Committee must adopt the variation for it to be publicly notified. If adopted, public notice will occur once the item is confirmed by full Council (early April 2024).

RECOMMENDATIONS

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.**

Background/Context

6. Variation 7 to the PMEP is proposed to create a new zone, Urban Residential 4, to provide for medium density housing (MDH) in a greenfield situation.
7. The Urban Residential 4 Zone is proposed for the internal portion of the “Kerepi Site” (see report for Variation 6, and attachment 1).
8. The Urban Residential 4 Zone provisions (Variation 7) could also apply to other sites if other developments in greenfield areas propose to undertake medium density housing (MDH) development. This would require a further plan change to rezone each site.
9. It is noted that the Wairau / Awatere Resource Management Plan (WARMP) is still operative but in general there are no provisions in the MEP relating to the matters in Variation 7 which are subject to appeal, and as such the relevant provisions in the MEP can be treated as operative in accordance with section 86F of the RMA. Significant weight can also be placed on the relevant objectives and policies of the MEP given how far through the First Schedule progress has progressed.
10. The concept of the Urban Residential 4 Zone initially arose as a result of an approach by Collet Group Ltd to implement a form of MDH on a site located at 44-46 Old Renwick Road, Blenheim. Collet Group

Ltd are an experienced developer, who has completed a range of residential developments previously in Nelson City and Tasman District.

11. The "Kerepi" site was purchased by the Collet Group Ltd in 2022 with a vision to create a residential development of mixed densities that will facilitate a variety of housing options based on good urban design principals. This would lead to the creation of a diverse community in which the development would yield approximately 172 residential lots/housing units and provide a more affordable new housing option that is currently limited in the Blenheim market.
12. Collet Group Ltd initially proposed to rezone the site Urban Residential 2 (Greenfields) with an overlay to provide for development on part of the site for MDH. However, this option did not align with the structure and rules of the PMEP and was potentially contrary to the objectives and policies of the Urban Residential 2 (Greenfields) Zone.
13. Reflecting previous Council decisions, work had been occurring on options for providing sufficient land for housing, including the provision of higher density housing. These issues were highlighted in the Housing and Business Development Capacity Assessment 2021 (HBA). As a response to this Council has commenced a review of the existing Urban Residential 1 zone and associated provisions.
14. The best option to facilitate MDH on the Kerepi site (and potentially elsewhere in Marlborough) was the implementation of a new zone, the Urban Residential 4 Zone, the provisions of which are contained in this variation (Variation 7). The Variation contains policies, rules and performance standards that reflect higher density, including provision for minimum areas, bulk, location, outdoor areas and outlook spaces.
15. Council also intends to concurrently notify Variation 6 which as discussed above, provides for the rezoning of the 'Kerepi' site from Rural Environment in which part of the site will be zoned the new Residential 4 Zone and the other part, the existing Urban Residential 2 (Greenfields) Zone.
16. The provisions of the Urban Residential 4 Zone have arisen as a result of the concept put forward by Collet Group Ltd, but the provisions draw heavily upon the review of the Urban Residential 1 Zone provisions.
17. Urbanism Plus Ltd, urban designers were commissioned to report on medium density housing in the Marlborough, and Blenheim context, this resulted in the report *Urban Design Advice - Medium Density Housing in Marlborough District (May 2023)*.
18. The report contains a commentary on medium density housing in the Marlborough context and concluded that the Urban Residential 1 Zone provisions are not adequate for managing appropriate MDH outcomes, particularly in terms of best practice urban design outcomes. The report goes on to set out urban design objectives and recommended rules and rationale for a new medium density housing zone.
19. The report also included a review of the 'Kerepi' MDH proposal in which it noted that the standards in the Urban Residential 1 Zone are not reflective of the type of development which is proposed by the Collet Group Ltd for the 'Kerepi' development.
20. The suggested provisions in the Urbanism Plus Ltd report form the basis of the Variation 7 provisions, noting that the provisions were reviewed and amended as appropriate following review by MDC staff, Collet Group Ltd representatives, with feedback from both Marlborough Roads and Ministry of Housing and Urban Development representatives.
21. As such, it is proposed to create a new zone, subject of this variation, which contains new policies, rules and performance standards that reflect a higher density form of residential development than currently anticipated by MEP.
22. The review of the Urban Residential 1 Zone is continuing, with additional analysis underway, Council staff intend to bring an update to this Committee on progress at a future meeting.

Amendments to MEP via the proposed new zone

23. The Variation contemplates the creation of a new zone, Urban Residential 4, to provide for MDH in a greenfields situation. Proposed changes to MEP being considered by this variation include;
 - a. Amendments include two new policies, Policy 12.1.7 and Policy 12.2.4A in Chapter 12 Urban Environments of Volume 1.
 - b. Consequential minor changes to Objective 12.1, Policy 12.2.5, Policy 12.2.9, and Methods of Implementation 12.M.1.
 - c. The creation of a new Urban Residential Zone 4 and rules in Chapter 5A of Volume 2.
 - d. Amendments to the rules in Chapter 24 Subdivision of Volume 2.
24. A full description of the proposed planning provisions is provided in the attached Section 32 Report

Chapter 5A Urban Residential 4 Zone

25. A new chapter is proposed, this contains rules and performance standards that reflect the higher density in the new zone, including provisions relating to permitted activities, minimum areas, outdoor areas, and outlook spaces.
26. Specific performance standards are contemplated in the proposed Chapter 5A which reflect the higher density in the new zone and the need to provide for a high level of amenity. As well as bulk and location standards relating to setbacks, height and recession planes standards.
27. The permitted activities include buildings for residential purposes up to 2 stories in height in which residential units are stand alone, attached or semi-detached, and includes terraced housing and apartments and multi-unit dwellings.

Chapter 24 Subdivisions

28. These proposed provisions provide for subdivision in the Urban Residential 4 Zone including provision for lots with development and vacant lots. Encouragement is given to lots with development plans in order to provide an integrated development by providing for these activities as controlled activities.
29. As part of the variation there is no minimum lot size for lots with development plans as the lot size is effectively set by compliance with the performance standards in Chapter 5A.
30. The creation of vacant lots is a restricted discretionary activity with a minimum and maximum lot sizes stipulated given that the development on the site is not known and cannot be assessed at this stage.
31. The sizes reflect the requirement that there should be sufficient area to accommodate future development while encouraging higher density development.

Applicability of Urban Residential 4 Zone to other Sites

32. In addition to the 'Kerepi' site, Council considers the Urban Residential 4 Zone provisions are a sound basis for providing MDH on other greenfield areas in the district. Those greenfield sites could be added to the PMEP by way of appropriate plan changes for the relevant sites. The zone provisions have therefore been constructed to ensure they have the potential to be portable for MDH development on other greenfield sites in the Blenheim context.

Pre-Notification Consultation

33. Pre notification consultation has progressed in accordance with Schedule 1 (RMA) requirements.
34. Pre notification correspondence was sent to all nine Marlborough Iwi on the 18th of October 2023. Each letter was followed up by phone calls to appropriate Pou Taiao staff between the 28 to 30th November 2023. No advice was provided by iwi authorities and there were no objections to the variation proceeding to public notification.
35. Formal engagement occurred with the Ministry of Housing and Development and Kainga Ora policy staff on the 6th of November 2023. Several positive comments regarding the variation intent were

expressed at this meeting, with no objections received to progressing the variation, only support for the intent.

36. Collet Group Ltd took responsibility for consulting with adjoining landowners. Council provided the Collet Group Ltd with a spatially identified list of adjoining landowners (36), with a letter outlining the variation, and future intent of the 'Kerepi' proposal sent out on the 31st of August 2023 by the Collet Group to each identified landowner.
37. Three individual landowners engaged with the Collet Group Ltd process seeking additional information, a record of these three contacts is recorded within the Section 32 report. There was no objection to the variation that arose from the Collet Group Ltd letter. No communication or contact was made with Council on this matter from adjoining landowners.
38. As per Clause 4A of the RMA a copy of the proposed plan provisions for the variation were circulated to all Marlborough Iwi, and appropriate Ministers (MHUD, MfE, Min Ag, MPI), no responses were received by Council on the proposed provisions.
39. The Section 32 report contains more detail regarding the pre-engagement consultation that has occurred ahead of the Schedule 1 process.

Public Notification

40. The next step in the process is to publicly notify the variation. This provides an opportunity for any person or group, including those parties that have already been consulted to make formal submissions on the proposal.
41. Submissions received by the Schedule 1 process are summarised, with any person provided an opportunity to further submit on submissions received. (The submissions summary will be provided to the Environment Committee recommending adoption prior to it being notified).
42. The RMA requires a minimum of 20 working days is provided to allow parties to submit on the variation. I do not propose to extend this submission period as the variation is limited to a specific type of residential development at greenfield locations. At present, it is proposed to apply the UR4 provisions to one site. The appropriateness of rezoning other greenfield sites in the future would be subject to separate First Schedule process.
43. Aside from the public notices recommended to be published in local newspapers, notification of the variation will occur via a letter to all Marlborough ratepayers, it will also be advertised on the Council website, and on other social media platforms where appropriate.
44. Public notification if approved would occur post the next full Council meeting (April 2024).

Option One – Proceed with Variation 6 (Recommended Option)

45. Proceed with the Variation to public notification.

Advantages

46. The Variation will have positive effects by providing an additional zone to enable residential development and address issues of housing supply, type and affordability identified in the HBA by:
 - a. Providing for a diversity of housing, including smaller housing units to meet the changing community needs.
 - b. Increasing housing affordability by an increase in supply and choice.
 - c. Providing an appropriate zone and performance standards to enable further medium density housing to be developed across Blenheim/Marlborough.
 - d. A higher density of housing will also result in a more efficient use of infrastructure.
47. This Variation will close a perceived gap in the region's planning framework by providing for MDH. A planning framework will exist to guide subsequent medium density residential subdivisions and development enabled by the rezoning of land to UR4.

48. The Variation will address both short term and long-term residential land supply shortfalls identified by Councils Housing and Business Assessment (HBA).
49. The Variation will respond to Council requirements under national direction via the NPS-UD.

Disadvantages

50. The enabling of MDH is likely to have an impact on the transport network throughout Marlborough/Blenheim with a higher density for residential housing. This may result in new roads, increased trips on existing road network or the need to consider additional alternative transport modes.
51. Higher density housing may place greater demand on Council infrastructure services but will result in a more efficient use of infrastructure.
52. Potential for reverse sensitivity effects such as rural activities in proximity to site.

Option Two – Do nothing (not recommended)

53. The do-nothing approach would result in Council not taking any future looking action.

Advantages

54. There are not considered to be any advantages.

Disadvantages

55. Council is not giving effect to national direction under the NPS-UD 2020.
56. This option would not address the concerns that were raised in the HBA 2022, and therefore not provide for additional housing to meet the short term or long-term shortfall that has been identified.
57. It would also not provide any suitable mechanism for managing higher density housing to meet an identified need, while potentially not addressing housing affordability concerns.
58. MDH development in a greenfields context may still be proposed through the resource consent process but without a planning framework to assess the proposal, potentially leading to poorer outcomes for the community.

Option Three – High Density Overlay (not recommended)

59. Under this option, an area with a residential zoning could have a 'high density overlay' applied to the site to provide for medium density housing (rather than a new zone).

Advantages

60. Strategic approach for planning future development in terms of low and medium density development, although some uncertainty how overlay applies in the zone.
61. Infrastructure (roading and services) could be developed in an integrated manner that is likely to lead to better environmental outcomes (e.g. Centralised stormwater retention/treatment).

Disadvantages

62. Variation process likely to be more complicated and lengthier as "zoning" overlays are not part of PMEP structure and may be contrary to the residential zone e.g. If the site was zoned Urban Residential Zone (greenfields) the relevant objectives and policies would require amendment, given the zone does not provide for this development.
63. Unlikely to be efficient because the regulatory difficulty in implementing a density overlay in the existing framework of the PMEP.

Option Four – Utilise existing Urban Residential 1 Zone provisions (not recommended)

64. The Urban Residential 1 Zone provides for higher density living and its provisions could potentially be utilised.

Disadvantages

65. However, the HBA recommended the Urban Residential 1 Zone provisions are reviewed given their relative ineffectiveness in promoting higher density development while the Urban Design Advice - Medium Density Housing in Marlborough District (May 2023) report concluded that the Urban Residential 1 Zone provisions are not adequate for managing appropriate MDH outcomes, particularly in terms of best practice urban design outcomes.
66. Given this, Option 4 does not appear to be a practicable option, particularly as the Urban Residential 1 Zone provisions, while high density, are not enabling of the envisaged Kerepi development.

Option five – Resource Consents (not recommended)

67. The resource consent process utilising existing provisions could be used to enable higher density residential development of sites in Marlborough.

Advantages

68. Environmental outcomes controlled but at a smaller scale on a site-by-site basis.
69. No resources expended on Variation process.

Disadvantages

70. There are no urban design principles/guidelines which would help to tailor the development to meet a high urban design standard.
71. Cost to community and submitters in submitting on multiple resource consent proposals. Changes to consents commonly required as the site develops and matures, resulting in ongoing time and costs to the consent holders (preparation of applications), the District Council (processing and administration of applications), and potentially for adjoining landowners (where they may be identified as affected parties).
72. The existing suite of objectives, policies and rules applying in the zone may be very restrictive in regard to residential development, and the resource consent process would provide a great deal of uncertainty as to the outcomes that can be achieved.
73. Likely added servicing costs of incremental development rather than strategically planned servicing.
74. Risk of insufficient residential land to meet future growth needs and corresponding increase in housing costs.

Attachments

Attachment 13.1 – Proposed 'Kerepi' allotments and MDH layout

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Attachment 13.2 – "Section 32 Report – Variation 7 – 'Urban Residential Four 'Greenfields'" is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>

Author	Jamie Sigmund, Strategic Planner (Implementation & Review)
Authoriser	Pere Hawes, Manager Environmental Policy

Attachment 13.1

Proposed 'Kerepi' allotments with UR4/ MDH layout indicated

Note: MDH locations are identified via the smaller centrally located indicative parcels outlined in red



14. National Policy Statement – Urban Development Indicator Monitoring 2022-2023

(also refer separate report available on Council's website)

(The Chair) (Report prepared by Jamie Sigmund)

N100-001-06-01

Purpose of report

1. To present the 2022-2023 National Policy Statement Urban Development annual monitoring report.

Executive Summary

2. The National Policy Statement on Urban Development 2020 (NPS-UD) sets out objectives and policies for urban development under the Resource Management Act 1991. Councils must give effect to these objectives and policies.
3. The Marlborough District Council is considered 'Tier 3' under the NPS-UD. The Council is not required to complete the full monitoring requirements of a Tier 1 or 2 council, instead we are strongly encouraged to monitor development within our urban environments.

RECOMMENDATION

That the report and presentation be received.

Background

4. This report provides an annual summary of housing and commercial development market indicators for the period from the 1st of July 2022 through to the 30th of June 2023.
5. This is the second annual monitoring report since the Housing and Business Assessment (HBA) 2022 was released.
6. The purpose of these reports is to monitor urban development activity in Marlborough, with a particular focus on Blenheim as the region's largest urban centre. Council monitors a range of indicators quarterly but summarises and reports on these on an annual basis.
7. Monitoring requirements identified by the NPS-UD include the following:
 - a) the demand for dwellings
 - b) the supply of dwellings
 - c) prices of, and rents for, dwellings
 - d) housing affordability
 - e) the proportion of housing development capacity that has been realised:
 - (i) in previously urbanised areas (such as through infill housing or redevelopment); and
 - (ii) in previously undeveloped (ie, greenfield) areas
 - f) available data on business land.
8. Additional Council urban development indicators covered in this report include:
 - a) Building Consents Issued – Housing New
 - b) Building Consents Issued – Commercial
 - c) Resource Consents Issued – Subdivisions
 - d) Development Contributions – Household Equivalent Units (second year reported on)
 - e) Greenfields spatial analysis (second year reported on)

Key Findings of the Report

9. Residential and commercial development indicators continue an upward trend over the ten years of reporting data available for the report, a very slight decrease was noted over the last annual report, with four of the six key indicators showing a downturn.
10. Mean dwelling sales value for the region decreased on average \$10k for the period. In conjunction with this the mean weekly residential dwelling rent prices has increased by \$10 since the last period.
11. The number of approved consents for new residential dwellings for both Blenheim and the region in general has decreased during the period, with the region wide number decreasing by 29 to 209 in the period, for Blenheim this was a decrease of 24 to 114.
12. Meanwhile the approved commercial building consents for Blenheim was up by 1 from the period to 12, overall, the commercial numbers for the region were up by 5 to a total of 20.
13. The Ministry of Social Development - social housing applications, saw a drop in applications from 252 to 216.
14. A summary table is provided below, Colour is used to indicate direction of trend since the previous reporting year (green upwards movement, red downward trend).

Median Dwelling Sales Price (Marlborough): \$670k (\$10k decrease since the last period)	Mean Dwelling Rent Price (Marlborough): \$473.50 (\$10 increase since the last period)
New Dwelling Consents Issued: 114 (decrease of 24 since last period)	New Subdivision Consents Issued: 48 (decrease of 24 since last period)
Commercial Consents Issued: 12 (Increase of 1 since last period)	Ministry of Social Development Applications **: 216 (Decrease of 36 since last period)

** This indicator reflects the number of applications received for social housing by the Ministry of Social Development. It does not represent the total number of individuals in need of housing, data source, Ministry of Social Development.

Urban Development Dashboard.

15. Since the previous annual report was released, Council has developed a digital system for reporting, the new online 'dashboard' is a more efficient means of collecting and communicating residential development indicators for Marlborough, digitally enabling information access to all public users.
16. Having this data and system available online shifts Councils reporting availability to near real time as opposed to quarterly, or annual (dependent upon the supply of data to Council in some instances).
17. The primary focus of recording trends and information for 'Blenheim' remains, but where available 'wider' Marlborough information is also now available.
18. This system is not intended to replace the annual report on NPS-UD urban development indicators.
19. A link to the dashboard is located on the MDC website: <https://www.marlborough.govt.nz/your-council/resource-management-policy-and-plans/national-policy-statements/national-policy-statement-on-urban-development-cap>

Presentation

Staff will provide a quick demonstration of the dashboard (10min).

Attachment

Attachment 14 – 'National Policy Statement on Urban Development Monitoring Report 2022-2023' is available on Council's website via the following link <https://www.marlborough.govt.nz/your-council/meetings>

Author	Jamie Sigmund, Strategic Planner
Authoriser	Pere Hawes, Manager Environmental Policy

15. Additional Multi-beam Coverage for Marlborough

(The Chair) (Report prepared by Jamie Sigmund)

E325-017-03

Purpose of report

1. Inform and update the committee on the availability of new multi-beam echo sounding (MBES) data for the Marlborough region.

Executive Summary

2. Land Information New Zealand (LINZ) has recently made freely available to Council new MBES data, extending our data coverage within our regional coastal area.
3. The data is now available on Council mapping systems for internal and external use.
4. A short presentation will be provided outlining the extent of the newly acquired MBES data.

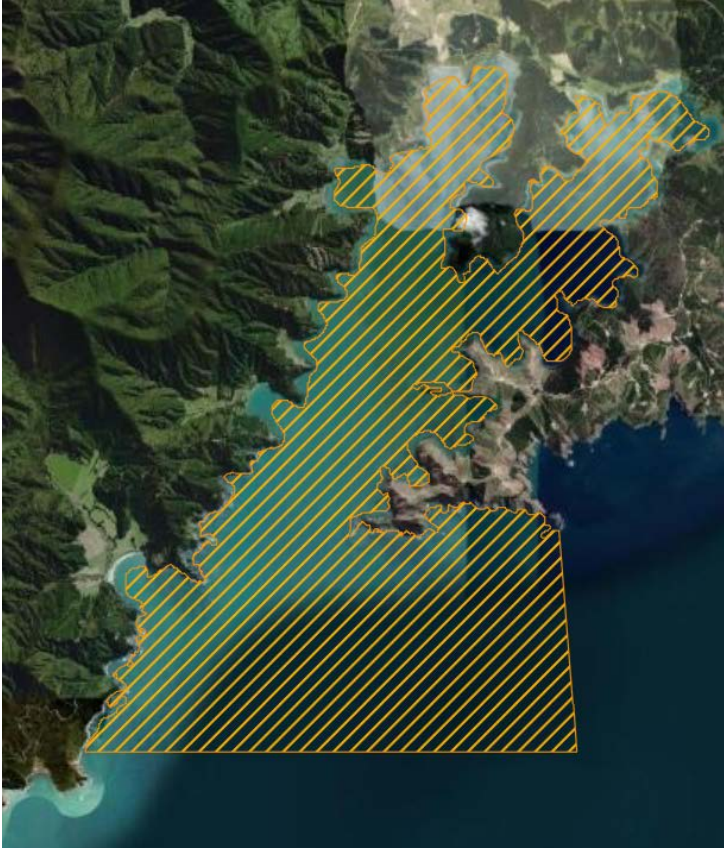
RECOMMENDATION

That the information and presentation be received.

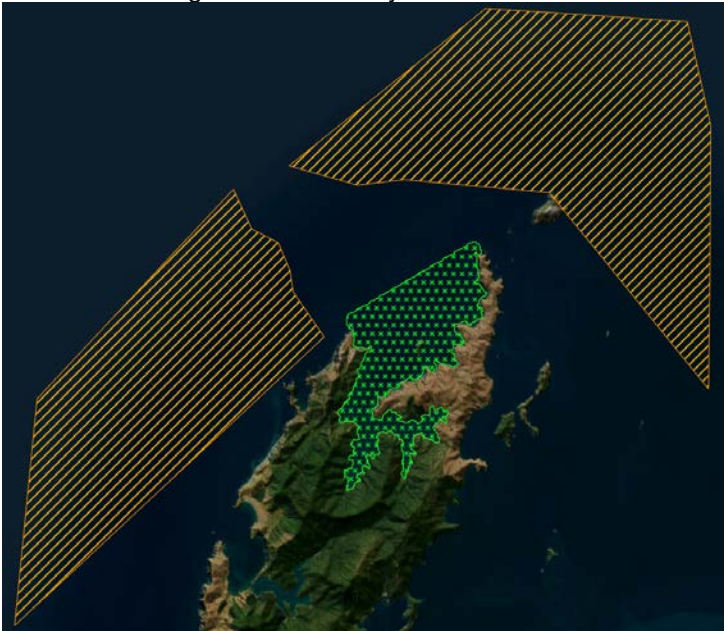
Background/Context

5. As the New Zealand Hydrographic Authority, LINZ commissions surveys to map New Zealand's seafloor, coastline, and other marine features. The identification and prioritisation of new survey areas is informed by hydrographic risk assessment analysis, which informs the national 'HYPLAN'.
6. Through existing relationships with LINZ Council has contributed to both processes, providing technical input from our regional perspective that informs national priority areas, and decision making for survey work over the next 5 to 10 years.
7. The following MBES areas and associated data has been made available from recently completed surveys:
 - a. Cape Campbell 2018 (additional coverage to what Council had there before)
 - b. Cloudy Bay 2018
 - c. Kekerengu (partial coverage) 2018
 - d. Croisilles Harbour 2022
 - e. Stephens Island 2022
 - f. Port Hardy 2022
 - g. Port Underwood 2023 (part coverage, remaining area yet to be surveyed)
8. This recent acquisition adds approximately 30,000ha of new MBES data (Pelorus 32,000 ha, Queen Charlotte Sound 43,000 ha).
9. From the provided Bathymetric and Backscatter data provided to Council from LINZ staff have been able to derive additional datasets to create alignment with MBES data collected in earlier surveys (Queen Charlotte and Pelorus Sounds) including Aspect, Rugosity, Curvature, Contours and Slope.
10. Additional 'HYPLAN' survey areas have been identified within the Marlborough region, with additional survey work planned for later in 2023, in conjunction with additional survey data already collected which is currently subject to quality control testing. This is likely to be available later in 2023 (remainder of Port Underwood, and two additional Western Marlborough Sounds areas, see areas a and b below).

- a. Port Underwood survey area



- b. Western Marlborough Sounds survey area



11. Staff continue to work alongside LINZ regarding potential future opportunities within the region, this includes future hydrographic surveys, risk assessment and additional modelling.

Presentation

Staff will outline the extent of the newly acquired MBES data (10min).

Author	Jamie Sigmund, Strategic Planner (Implementation & Review)
Authoriser	Hans Versteegh, Environmental Science & Policy Group Manager

16. Appeals on PMEP Variation 1: Marine Farming

(The Chair) (Report prepared by Pere Hawes)

M100-11-002-07

Purpose of report

1. To report on progress with resolving appeals on PMEP Variation 1: Marine farming appeals.

Executive Summary

2. 32 notices of appeal on Variation 1 were lodged with the Environment Court.
3. Formal mediation on Variation 1 appeals commence on 12 March 2024.
4. 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.

RECOMMENDATION

That the report be received.

Appeals received

5. The Variation 1 Hearings Panel publicly notified their decision on 19 May 2023.
6. The Environment Court received 32 notices of appeal. The list of appellants is shown in Attachment 17. Most of the appellants are marine farmers or represent marine farming interests. The full notices of appeal are available on the Council website: <https://eservices.marlborough.govt.nz/programmes/ListProgrammeEvents?id=5682424>. There is a total of 678 discrete appeal points.
7. Most of the appeals comprise one or more of three distinct categories of subject matter:
 - Appeals on the management framework (objectives, policies, methods and rules);
 - Appeals on inclusion of specific AMA on Schedule 1;⁴
 - Spatial appeals relating to the aquaculture management area (AMA) overlay. These typically relate to the non-provision of AMA, propose options for relocating of lines from inappropriate farms and/or seek adjustments to the boundaries of the AMA.
8. This breakdown has been used to structure the formal mediation commencing on 12 March.

Environment Court process

9. The Environment Court manages all appeal processes in accordance with their Practice Note 2023. There are typically three options. The matters subject to appeal can be resolved between the parties (informal mediation), they may be resolved through Court assisted mediation (formal mediation), or they may proceed to Court hearing (in which case the Environment Court determines the outcome). Appellants may also withdraw their notice of appeal.
10. In accordance with Council's Instrument of Delegation, any agreed settlement between the parties achieved through mediation must be approved by either the Manager of Environmental Policy or the

⁴ Those seeking to re-consent Schedule 1 farms are required to assess effects on the benthic environment as a matter of control. Many farms included on Schedule 1 are located in parts of the coastal marine area that have not had the benefit of multi-beam echosounder survey.

Manager of Environmental Policy, Science and Monitoring, or otherwise deferred back to the Committee. The Managers are required to consult with the Chair as part of the process of reaching agreement.

11. An agreement to resolve appeals from either formal or informal mediation is referred to as a “consent memorandum”. If the Court agrees to the mediated agreement, it confirms the agreement by way of a Court decision called a “consent order”.
12. The Court issued a minute on 23 August 2023 instructing the Council to propose a structure for mediation of Variation 1 appeals. In response, Council emphasised that it needed to better understand the relationship between the Variation 1 appeals and outstanding PMEP appeals (A significant number of original PMEP appeal points made by marine farmers were placed on hold during the relevant mediation pending the decision on Variation 1).
13. Council provided a final response to the Court on 22 December 2023 proposing a format, structure and timing for formal mediation (see below for further details).
14. The Court has set the following initial directions for mediation:
 - The Objectives, policies, and rules topic is set down on 12 to 14 March and 19- 21 March
 - The allocation method topic is set down on 26 – 28 March
 - Transition, miscellaneous and Ngai Tahu’s appeal are scheduled for 9 – 11 and 17 – 19 April.

MEP Appeals Version

15. In accordance with Clause 16B of the First Schedule of the RMA, the provisions of Variation 1 have been merged with the PMEP. This means that the provisions of Variation 1 can be accessed from the Appeals Version of the PMEP. As for the substantive PMEP provisions, provisions of Variation 1 subject to appeal are specifically identified. The Appeals Version of the PMEP is available on the Council website: <https://www.marlborough.govt.nz/your-council/resource-management-policy-and-plans/proposed-marlborough-environment-plan/decisions-on-the-pmep/appeal-process/appeals-version-of-the-pmep>.
16. The Appeals Version of the PMEP will continue to be updated on an ongoing basis as appeals on Variation 1 are resolved and consent orders are issued by the Environment Court.

Approach to resolution of appeals

17. Formal mediation commences on the management framework appeal points only at this point in time. This mediation takes place from 12 to 28 March and 9 to 19 April.
18. There will be a pause in the mediation schedule to allow parties to consider the implications of any of the management framework mediated outcomes on the spatial AMA based appeals.
19. Council has been directed to propose a mediation schedule by late June 2024; for the spatial appeals (and potentially for outstanding and related PMEP appeals) to take place later in the year.
20. A work programme is now in place for the Schedule 1 appeals and, as such, no mediation is proposed at this stage for these appeals. See below for report on progress on this work programme.
21. Matters discussed during mediation are confidential to the parties to allow discussions to occur on a without prejudice basis. For this reason, it is not possible to update the Committee on progress with resolution of the specific appeal points or the detail of the resolution. As per the Council delegation, the Chair of the Environment and Planning Committee will be briefed about the general course of the mediation to date and on the specific agreed outcomes from that mediation.
22. In the initial report to the Environment Court, Council advised the Court that it intended to undertake informal discussions on appeals where there were no or few S274 parties. See below for a report on progress on these appeals.

Progress with resolution of appeals

23. As set out above, effort to date has focussed on informal discussions on appeals where there were no or few S274 parties. These have tended to be spatial appeals relating to specific AMA. The discussions have been positive.
24. To date, agreement has been reached to resolve, or partially resolve, six appeals. Consent memoranda have been prepared in each case and were submitted to the Environment Court during November and December last year.
25. Proposals to resolve other appeals or appeal points are with two appellants.
26. Discussions are continuing with two further appellants.
27. A workstream with respect to the Schedule 1 appeals is underway. This involves expert input into determining what benthic information will be necessary to satisfy Council as to the potential effects on the benthos from the siting of a marine farm. A report from the technical experts is expected by the end of March 2024.
28. All consent orders that are issued will be incorporated into the PMEP Appeals Version.

Next steps

29. Council is preparing for the formal mediation taking place in March and April.
30. Council will continue to pursue resolution of four further appeals, as detailed in this report, through informal mediation of Variation 1 appeals.
31. Progress with the resolution of appeals on Variation 1 will continue to be regularly reported to this Committee through future agenda items.

Attachment

Attachment 16 – List of appellants

Page 52

Author	Pere Hawes, Manager Environmental Policy
Authoriser	Hans Versteegh, Manager of Environmental Policy, Science and Monitoring

Attachment 16

Lodgement #	Appellants
ENV-2023-CHC-38	Kuku Holdings Limited
ENV-2023-CHC-39	Vincent Smith
ENV-2023-CHC-47	Clova Bay Residents Association Incorporated
ENV- 2023-CHC-48	Kenepuru and Central Sounds Residents Association Incorporated
ENV- 2023-CHC-49	Apex Marine Farm Limited
ENV- 2023-CHC-50	Aroma (N.Z.) Limited and Aroma Aquaculture Limited
ENV- 2023-CHC-51	Jonathan Tester and Ciaran Hughes
ENV- 2023-CHC-52	Talleys Group Limited
ENV- 2023-CHC-53	Canantor Mussels Limited, KPF Investments Limited & Parkhurst Enterprises General Partner Limited
ENV- 2023-CHC-54	Shane McCarthy
ENV- 2023-CHC-55	Port Gore Partnership and Slade King & King Limited
ENV- 2023-CHC-56	Carl Elkington, Tui Elkington, Shane McCarthy, Talleys Group Limited, Kapua Marine Farms Ltd, Aroma (N.Z.) Limited & Aroma Aquaculture Limited
ENV- 2023-CHC-57	Kapua Marine Farms Limited
ENV- 2023-CHC-58	P H Redwood & Company Limited & PHR Processing Limited
ENV- 2023-CHC-59	KPF Investments Limited & United Fisheries Limited
ENV- 2023-CHC-60	Ngāti Rārua Ātiawa Iwi Trust Board
ENV- 2023-CHC-61	Marine Farming Association Incorporated & Aquaculture NZ
ENV- 2023-CHC-62	Marine Farming Association Incorporated
ENV- 2023-CHC-63	Clearwater Mussels Limited
ENV- 2023-CHC-64	David Hogg & PB Partnership
ENV- 2023-CHC-65	MacLab (NZ) Limited & MacLab (NZ) Marine Assets Limited
ENV- 2023-CHC-66	Marlborough Aquaculture Limited
ENV- 2023-CHC-67	Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu
ENV- 2023-CHC-68	Ngāi Tahu Seafood Resources Limited
ENV- 2023-CHC-69	Robert & Simon Pooley
ENV- 2023-CHC-70	Scott Madsen Family Trust
ENV-2023-CHC-71	Helen Tester, Ronald Bothwell & Rosemary Bothwell
ENV-2023-CHC-72	Tory Channel Aquaculture Limited
ENV-2023-CHC-73	Sanford Limited
ENV-2023-CHC-74	Hori (George) Elkington
ENV- 2023-CHC-76	Ayakulik Limited

17. Appointment of Hearings Commissioners

(Clr Faulls) (Report prepared by Sue Bulfield-Johnston)

R450-004-02

Purpose of Report

1. The purpose of this report is to present Graham Taylor for inclusion on the list of Hearings Commissioners.

Executive Summary

2. Graham Taylor is being submitted to serve as Independent Commissioners on matters such as hearings on applications for resource consent.
3. Graham is a resource management planning consultant specialising in land use planning, resource consent, subdivision district and regional plans amongst other things. He has been a Director of Resource Management Group Limited since its inception in 2001. Graham has gained extensive experience through working for private, corporate, central and local government entities and through involvement in a variety of projects throughout Canterbury and the South Island. Graham is an accredited and experience hearing commissioner and a full member of the New Zealand Planning Institute.
4. He is also a panel member of the Environmental Protection Agency determining fast track applications under the COVID-19 Recovery (Fast-track Cosenting) Act 2020.
5. Recent major projects that Graham has been involved in have included:
 - Bathurst Resources – Selwyn District Council (SDC) and Ecan consents for Coal Mining activity.
 - Farrington Oval / Bellgrove Developments – EPA panel member for fast-track residential developments in Rolleston and Rangiora – landuse / subdivision / regional consents.
 - Southeast Earthworks – SDC and Ecan consents for Quarry extension.
 - Kevler Developments – SDC consents for 266 lot subdivision.

RECOMMENDATIONS

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.**

Background/Context

6. Under the Marlborough District Council Resource Management Act 1991 Instrument of Delegation Council may delegate its function as a consent authority to a Hearings Commissioner.
7. Hearings Commissioners can be called on to hear and determine applications for resource consent pursuant to section 34A of the Resource Management Act, 1991.
8. This list of Hearings Commissioners can be beneficially extended with the inclusion of the following person as below:
9. Council has the discretion to decide who they employ as an independent Commissioner. The above person meets the accreditation requirements of section 39A of the Resource Management Act 1991 and is not a member of the Council or Council staff.
10. Any further expressions of interest to be included as a Council Hearings Commissioner will be forwarded to the Environment Committee for consideration.

11. Council is not bound to employ the services of a commissioner once they are appointed before Full Council.

Graham Taylor

12. Graham is a highly experienced planning professional having accumulated over 35 years experience in this field. He has acquired hearing commissioner experience through serving as an independent commissioner or as a member of a panel for consenting authorities across the South Island. Graham would be a welcome addition to the Hearing Commissioner list.

Next steps

13. If approved a contract for services will be provided to Graham Taylor.

Attachments

Attachment 17 – Summary CV of Graham Taylor

page 55

Author	Sue Bulfield-Johnston, Administrator and Hearings Facilitator, Advocacy and Practice Integration
Authoriser	Gina Ferguson, Consents and Compliance Group Manager,



GRAHAM TAYLOR – DIRECTOR; RESOURCE MANAGEMENT GROUP LIMITED

ROLE

Planning Services Lead

SKILLS, EXPERIENCE AND BACKGROUND

Graham Taylor is a resource management consultant and founding Director of Resource Management Group Ltd (RMG). He has over 35 years experience as a planner with local authorities and as a consultant in the Wellington and Canterbury/South Island regions. He has been a director of RMG since its inception in 2001.

Graham has extensive experience as a planner, specialising in land use planning, resource consents, subdivision, district and regional plans, plan changes, project management, designations and is an accredited hearings commissioner. He has worked for a broad range of clients including private, corporate, development, central and local government organisations across a wide range of sectors.

He has been involved in a wide variety of projects throughout Canterbury and the South Island, including provision of expert evidence at Council Hearings and the Environment Court.

Graham is an accredited hearings commissioner and a full member of the New Zealand Planning Institute.

Specialisations:

- Land Use Planning
- Resource Consents and Designations
- Plan Changes
- Hearings Commissioner
- Public Consultation
- District and Regional Plan Assessment
- Assessment of Environmental Effects
- Expert Evidence
- Subdivision Consents
- RMA and Local Government Act processes
- RMA Project Management

Graham's relevant project experience includes

- Hearings Commissioner – Christchurch City, Environment Canterbury, Hurunui District, Selwyn District, Tasman District Councils - Independent hearings commissioner – hearing, consideration and delegated decisions on plan change and resource consent hearings for notified and non-notified applications, and RMA objections.
- EPA Expert Consulting Panel Member – Panel member of Environmental Protection Agency panels determining fast track applications under the COVID-19 Recovery (Fast-track Consenting) Act 2020.
- Resource Consent Processing and Reporting – Hutt City, Christchurch City, Hurunui District, Selwyn District, Tasman District, Kaikoura District Councils - Over 30 years' experience processing and reporting on resource consent and other RMA applications, including provision of expert evidence at hearings and Environment Court, associated Local Government processes, engagement and management of external experts, and management and review of resource consent processing undertaken by RMG staff.
- Various Clients – Plan Submissions, Resource Consent / Plan Change Applications - Assisting a wide range of clients with preparation and lodgment of plan submissions, resource consents and private plan change applications including project management and provision of expert evidence for a wide range of land use and subdivision activities.
- Selwyn District Council – Senior Advisory Panel member providing advice and peer review inputs on proposed Selwyn District Plan review.

OFFICE LOCATION

Christchurch

18. Climate Change Sub-Committee

(The Chair)

D050-001-C04

1. The minutes of the Climate Change Sub-Committee meeting held on 30 January 2024 are **attached** for ratification by the Committee.

RECOMMENDATION

That the minutes of the Climate Change Sub-Committee meeting held on 30 January 2024 be ratified.

**Minutes of a meeting of the
CLIMATE CHANGE SUB-COMMITTEE
held in the Council Chambers and via Teams, 15 Seymour Street, Blenheim
on TUESDAY, 30 JANUARY 2024 commencing at 1.00 pm**

Present:

Cirs G A Hope (Chairperson), A R Burgess, R J Innes and Mayor N P Taylor

Also Present

Clr S R W Adams

In Attendance

Richard Coningham (Assets & Services Manager), Alan Johnson (Environmental Science & Monitoring Manager), Jamie Sigmund (Strategic Planner - Implementation and Review), Rachel Baggs (Data Analyst), and Nicole Chauval (Committee Secretary)

In Attendance via Teams

Kaye McIlveney (Solicitor)

Apologies

That the apologies for non-attendance from Pere Hawes (Manager Environmental Policy) and Mark Lucas (Solid Waste Manager) be noted.

The Chair, Clr Hope, welcomed Committee members and public to the meeting. The Chair outlined the process for the meeting noting that only members of the Sub-Committee and staff were able to speak to the items on the agenda, however there would be an opportunity at the end of the meeting for discussion.

**1. Climate Change – Emissions Inventory Report 2022/23 C315-20-185,
E320-003-001, W470-04-02**

Members received the Council's Emissions Inventory report for the years 2022/23 for Council control operations. The inventory report was separately attached to the agenda.

It was noted that in March 2020, Council approved its Climate Change Action Plan. The first task in the action plan was for Council to generate an emissions inventory report on operations that it has control over for the purpose of setting a baseline by which to measure initiatives moving forward to reduce emissions in Council operations.

Members were advised there has been a reduction in Council's omissions from the previous reports. It was reported that Council uses an external third party to ensure independence in the analysis.

Mr Coningham noted that it is pleasing to see that some of Council's initiatives particularly in regard to waste minimisation has resulted in a reduction in omissions from the landfill which is Council's largest emitter.

It was noted that the inventory report is only for Council controlled operations not region wide as it is the Council's view that various industries should be reporting on their own omissions and sharing that separately. It was noted Council's roading contractor provides information in their monthly reports to Council regarding their fuel consumption which is their main emitting area.

Mr Coningham reported there are requirements from Central Government to have plans in place by 2030 to reduce the amount of green waste and food waste going to landfill. Work is being undertaken in relation to that with discussions happening with the new solid waste contractor in terms of the wheelie bin operation and how they can deal with those areas moving forward.

The Chair also noted that the consent for the Liquid Wastewater stream is due for renewal in 2025. This will be a huge piece of work in conjunction with other parties.

Cirs Innes/ Burgess:
That the report be received.

Carried

2. Climate Change Action Plan Update – January 2024

Members were advised that when the Climate Change Working Group was established a goal for the group was to put in place an action plan. The action plan would focus on the long-term future of Council in terms of various initiatives that could be undertaken in relation to its own operations and work where it could with the community. The action plan was included with the agenda report.

Mr Coningham noted that a lot of the information in the report is business as usual and is reported through Council's Environment & Planning Committee and Assets & Services Committee and noted that this was why it has taken some time in providing an update.

Council has undertaken an initial sea level rise mapping exercise for Marlborough as part of the Climate Change Action Plan. This report was presented to the Environment Committee in October 2023 and sea level rise projection maps are available on Council's [website](#) for the public to view based on various scenarios.

It was reported that there is future work required particularly around the Wairau where the initial mapping (Bathub Mapping) indicates that there could be quite a bit of sea level rise affecting the lower Wairau Plains. Due to that there is an additional report being carried out to focus specifically on the lower Wairau with what is called a multi-dimensional mapping which will be able to give more accurate analyse on areas that will be affected and what potential mitigations could be put in place for those areas.

Jamie Sigmund, Council's Strategic Planner (Implementation & Review), is working with NIWA on this and it is projected to take 12 months to carry out.

Once the report is received Council will be able to move into another step on the action Plan Dynamic Adaptive Pathways which is talking with the communities to share that information and then being able to get their feedback on potential ways forwards in terms of how we can address sea level rise in those particular areas.

It was noted the other areas being focused on are:

- changing the Council vehicle fleet to hybrid vehicles. This is being undertaken as leases come up for renewal.
- Installing more efficient air conditioning units
- Energy efficiency buildings. Most effective time to do that is when a new building is being built as opposed to retrofitting eg Te kahu o Waipuna roof solar panels

Cirs Hope/Innes:
That the report be received.

Carried

3. Climate Change Karanga Marlborough – Overview

A member of the Climate Change Karanga Marlborough group performed a karakia prior to Budyong Hill's presentation.

Budyong Hill spoke to the Committee and provided a powerpoint presentation. The report and powerpoint are attached as Attachment 1 and Attachment 2.

4. General Business

- 4.1 Bill Holvey, a member of the public, was present for the meeting and provided three articles for members' information and are attached as Attachment 3.

There being no further business the meeting closed at 2.00 pm

Record No. 2426964

Introduction.

Climate Karanga Marlborough appreciates the opportunity to be present and contribute at this inaugural meeting of the Climate Change Subcommittee. You have asked us for an overview of CKM, which we are happy to provide.

You will be familiar with some of our faces but CKM is a wide and growing regional network of about 140 highly skilled individuals from a diversity of backgrounds – education, health, viticulture, farming, engineering, energy.... We are also artists, builders, lifestyle block owners, and most importantly parents and grandparents held together by a value system that says we need to look after our world to ensure that those who come after us can still have a good life. Members of CKM take part on local pest management and biodiversity projects, produce articles for local and national consumption and write submissions to government, the Climate Commission and Council. We believe that we cannot have healthy, meaningful lives without a healthy natural environment around us. We are part of nature and nature is part of us.

We congratulate the Sub-Committee on bringing in voices from the Marlborough community from the outset of its working and hope proactive community engagement will be a key component of its function. What is of prime interest to us is to understand what the Sub-Committee's purpose is and what the thoughts of the committee members are about this purpose. It is not at all clear to us at this point. Is it focused only on reducing Council's carbon emissions and improving their resilience, or is its role to have a wider view of what the whole region needs to do? Are you responsible for establishing and leading the Climate Forum referred to in the Climate Action Plan?

We want to be upfront with you and say our hopes for this committee are that it takes a leading role and responsibility within the Council structure and within the wider Marlborough community. That it will show bravery and be an impassioned voice not only on the threats we all face due to global heating but also on other related threats such as ocean acidification and the overall integrity of the biosphere. We are very concerned for the myriad other lifeforms that share this amazing planet. They have the right to live on a planet with a biosphere that can continue to support all of them.

We are aware that the Climate Change Working Group comprising staff from across Council, is tasked with championing implementation of the Climate Action Plan. Does this include keeping you up to date with recent climate information? Are you exposed to information from the wider environmental science world regarding the various global challenges that are and will increasingly impact us here in Marlborough? We are keen to find out from you what sort of information is shared with you by the Staff Working Group? We hope that this committee's role is not just to receive reports such as the ones tabled today. Of course it is necessary that implementation of the Climate Action Plan is documented and this and the Emissions Inventory are important aspects of the Council meeting its responsibilities but these reports could just as easily be received by the Environment and Planning Committee as they have in the past.

We note in the Climate Action Plan that one of the "focus areas" is - "Decisions of

Council consider the implications of climate change for current and future generations."

In due course, we hope to share some of our ideas on where and how the Council can take a lead with this focus in mind.

Our key concerns.

The large increase in global catastrophes and extreme events during 2023 have been shocking, and even experts who have been working for years on the climate crisis did not expect the magnitude of changes.

See <https://www.theguardian.com/environment/2024/jan/09/2023-record-world-hottest-climate-fossil-fuel>

1. We are exceeding 6 out of the 9 planetary boundaries as defined by the Stockholm Resilience Centre. To quote from two authors of their 2023 update assessing planetary resilience.

"We don't know how long we can keep transgressing these key boundaries before combined pressures lead to irreversible change and harm." Johan Rockström.

"Earth is a living planet, so the consequences are impossible to predict." Sarah Cornell.

See <https://www.stockholmresilience.org/research/research-news/2023-09-13-all-planetary-boundaries-mapped-out-for-the-first-time-six-of-nine-crossed.html> AND

<https://www.stockholmresilience.org/research/planetary-boundaries.html> for further info.

2. Global Heating is only a symptom of a much bigger dilemma facing humanity: that is our diseased relationship with Planet Earth. We wish to point out there is a big difference between a problem and a dilemma. Calling global heating a problem suggests there are solutions that can fix it.
3. We must find ways to reduce our energy use. The concept of energy descent needs to be better understood. It is our excessive energy use that is the main reason we are exceeding planetary boundaries.
4. We can't simply replace fossil fuels with renewable energy and expect to carry on our current high energy lifestyles. Mother Nature cannot continue to provide us with all the resources we require to do that and cannot continue to absorb the levels of waste that arise from it.
5. Issues such as ocean heating and ocean acidification are not something that have just appeared in the last couple of decades. It has taken us many decades to reach this point and the inertia of this process is so big that it will take many decades to stop the heating and acidification and to help Nature to turn it around. With the oceans absorbing 93% of the excess heat caused by GHG emissions and 30% of the CO₂ we have to plan and prepare for things to get worse before they get better. The marine heatwaves highlighted in the November report to Council were not rare, unexpected events but rather inevitable consequences of our way of living on planet Earth.
6. We are dealing with a long-term and ongoing predicament, not a series of problems for which all we have to do is find a series of more or less technological fixes.

The lack of central direction.

We understand that Councils throughout the country are faced with the awkward situation of having to deal with the impacts of climate crises while still waiting for guidelines from central government regarding roles and responsibilities and resource allocations.

We note that LGNZ openly regrets the lack of leadership from central government and calls on them to take up the reins of leadership regarding climate change and adaptation to change. We think such calls are in vain. - Internationally and nationally governments have shown themselves too much beholden financially and otherwise to industry lobbies and large companies, who depend on fossil fuel consumption (successive IPCC COPs conferences have demonstrated that.) We believe leadership is going to come from grass roots, and that is what the Council and its committees including this sub-committee should be fostering.

Leadership from the Sub-Committee.

Our hope is that the Sub-committee serves as a catalyst within Council to ensure the requisite leadership is adopted with bravery. An important aspect of the role of a committee such as this one should be to keep abreast of the implications of planetary limits being exceeded.

In that regard, we encourage this committee, with the support of MDC, to take a long-term view of its activity, knowing that we all have to put our long-term hats on and work towards not only adaptation but still also mitigation.

Conclusion.

We would like to finish with the following quote from [Barry Commoner](#) which is just as relevant today as when he wrote it in 1971. In his book *The Closing Circle*, he said: *"We are in an environmental crisis because the means by which we use the ecosphere to produce wealth are destructive of the ecosphere itself. The present system of production is self-destructive; the present course of human civilisation is suicidal."*

Commoner is best known for his four "laws of ecology", which he outlined in the first chapter of *The Closing Circle*.

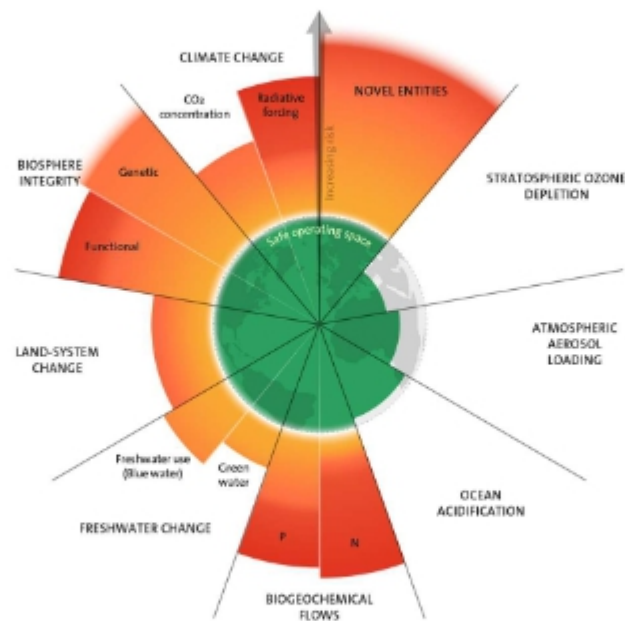
These are:

- **Everything is connected to everything else** - There is one ecosphere for all living organisms and what affects one, affects all.
- **Everything must go somewhere** - There is no "waste" in nature and there is no "away" to which things can be thrown.
- **Nature knows best** - Humankind has fashioned technology to improve upon nature, but such change in a natural system is likely to be detrimental to that system.
- **There is no such thing as a free lunch** - Exploitation of nature will inevitably involve the conversion from useful to useless forms.

CKM presentation to MDC Climate
Change Sub-committee –
30/01/2024.



PLANETARY BOUNDARIES



OUR KEY CONCERNS

1. We are exceeding 6 out of the 9 planetary boundaries as defined by the Stockholm Resilience Centre.
2. Global Heating is only a symptom of a much bigger dilemma facing humanity: that is our diseased relationship with Planet Earth.
3. We must find ways to reduce our energy use.
4. We can't simply replace fossil fuels with renewable energy and expect to carry on our current high energy lifestyles.
5. Issues such as ocean heating and ocean acidification are not something that have just appeared in the last couple of decades.
6. We are dealing with a long-term and ongoing predicament, not a series of problems for which all we have to do is find a series of more or less technological fixes.

THE FOUR LAWS OF ECOLOGY.

- **Everything is connected to everything else** - There is one ecosphere for all living organisms and what affects one, affects all.
- **Everything must go somewhere** - There is no “waste” in nature and there is no “away” to which things can be thrown.
- **Nature knows best** - Humankind has fashioned technology to improve upon nature, but such change in a natural system is likely to be detrimental to that system.
- **There is no such thing as a free lunch** - Exploitation of nature will inevitably involve the conversion from useful to useless forms.

Thanks to Barry Commoner.



The Resomator CREDIT: Supplied

Water Cremation - The Future For New Zealand Funerals

Saturday 23 February 2019, 11:58AM

By RedPR
5812 views

CHRISTCHURCH

Dissolving the deceased in water is a far more environmentally sustainable way of caring for the bodies of our loved ones, than the process of flame cremation or burial.

That from the company planning to introduce water cremation to New Zealanders.

Water Cremation Aotearoa New Zealand spokesperson Debbie Richards, says the process, also called Alkaline Hydrolysis, is not currently an option in New Zealand however there's an opportunity to introduce water cremation as an option here, after the Law Commission recommended changes to the Cremation Regulations Act 1973.

"The changes allow for different ways for us to manage the death of a loved one and the choices around where their body ends up," she says. "Water cremation has massive environmental benefits but also we would like the recycled water that is left at the end of the process, to go back into the land, in a place that family (and others) can visit and enjoy."

Richards is talking about a native forest or plantings onto which the recycled water can be used and possibly surrounded by a bird sanctuary. She is in the early stages of discussions with Ngāi Tahu as she says it's essential to recognise Tangata Whenua as Kaitiaki of the land, something that is so important to all of us.

Although it is currently not legal or illegal to carry out water cremation in New Zealand, with the recent changes suggested by the law commission, Richards thinks it will be an option in the next couple of years.

"As a society focused on environmental sustainability, and of course climate change is a major concern, providing an option for families that puts something positive back into the land, has to be a good thing," she says.

Water Cremation Aotearoa New Zealand is planning to bring a Resomator machine into the country; a pressurised chamber that dissolves a body over a period of between three to four hours leaving a liquid and porous bones which can be crushed and provided to a family should they wish to have a physical memento of their loved one.

"I visited the US and the UK late last year where these machines have been developed, to see them working," says Richards. "We believe this is truly the way of the future," she says.

ENDS

Note: Debbie Richards is based in Christchurch

<https://watercremationaotearoanewzealand.com/>

infonews.co.nz
INDEX

Cremation by water

By Rebecca Speare-Cole

CO-OP Funeralcare is to pilot water cremations called resomation.

The little-known green alternative to traditional cremations and burials involves placing the body in a pressurised container of water and potassium hydroxide.

Over four hours, tissues and cells are converted into a watery solution. Softened bones are treated to become powder, which can be given to loved ones.

Resomation does not release air pollutants or toxic gases and is already popular in parts of the US, Canada and South Africa. Co-op will announce its pilot areas later this year.

(canistic potash)

IX 12/7/23

Environment

Andy Brew

Express

28/8/23

Climate-conscious pensioner Bill Holvey said he would try and stick around for a bit longer on planet Earth – at least until greener ways to be cremated are legalised in New Zealand.

The 87-year-old said he had decided to go back on his decision to donate his body to medicine following his death after learning his remains would be cremated in a fossil fuel guzzling crematorium afterwards.

"I'm getting a bit long in the tooth now, so I made a pledge to donate my body to the Otago Medical School for medical research," he said.

"But I've written to them and said I'm no longer happy with the idea of having my essential being being converted into CO₂ because we've already got too much bloody CO₂ in the atmosphere anyway.

"Cremations concern me because you're putting CO₂ into the air, and you're burning fossil fuels."

Holvey said he had read of a new cremation technique involving water – alkaline hydrolysis aka aquamation – that was being used in the United States, Canada, and the UK, but the process was not currently legal in New Zealand.

Aquamation involves placing the body in an alkaline solution, heated and then treated so that it dissolves leaving only the skeletal remains and waste water behind.

The process released significantly fewer emissions into the atmosphere than a crematorium furnace and, therefore, caused less harm to the environment, Holvey said.

The method made global headlines last year when the Archbishop Desmond Tutu was aquamated following his death in December 2021.

If Holvey was to be processed post-mortem, that's the way he would like to go, he said.

"The water cremation seems a real sensible alternative, because once you're reduced down to a slurry and dried into powder, then it can be scattered on the earth and taken up by trees and whatever," he said.

It is estimated that cremating one corpse required two to three hours at up to 1300C – enough energy to release around 260kg of carbon dioxide (CO₂) into the atmo-

sphere. Around 70 per cent of the more than 30,000 people who die in New Zealand each year are cremated.

Yet the number of cremations across the country were expected to continue to rise as the prices for burials continues to increase.

And with several crematoriums around the country being blamed for excessive smoke and air pollution by local residents, Holvey said new laws legalising water cremations should come in sooner rather than later.

"Surely it can't take that much to get it into law, but everything happens so slowly going through the legislative process, apart from pay rises for politicians," he said.

"For a country that is supposedly trying to reduce its greenhouse gases, it really should be looking at it hard and quickly, and not in five years' time.

"In the meantime I'm sort of in limbo, so I've got to stay alive until we sort this out," Holvey said.

Meanwhile, Ethan Williams, funeral director and embalmer at Geoffrey T Sowman Funeral Directors, said he held a personal interest in water cremations and would be keeping a close eye on any developments to legalise the practice here in New Zealand.

"I have done quite a bit of research into alkaline hydrolysis because I'm a bit into new technology and seeing how we can use it to benefit those that we care for and give people more options," he said.

Sorting the day's catch at Kollam beach

MANJUNATH K RAMA/FFGETTY

Spotlight South Asia



INDIA

Net gains as plastic catch helps rebuild Kerala's roads

By Neeta Lal

For years, plastic caught by fishing communities on the Kollam coast in India's southern state of Kerala was thrown back into the water, damaging aquatic ecosystems and killing fish.

But fishers are spearheading an initiative to clean up the ocean - along with their hauls of fish, they pull in and collect the waste that gets enmeshed in their nets. Bottles, ropes, toys, shoes, discarded fishing nets and polythene bags are sorted, washed, shredded, before being recycled into material added to asphalt for local roads.

In 2017, the Kerala government's harbour engineering department (HED) launched its *Suchitwa Sagaram* (Clean Sea) initiative, providing nylon bags to the 1,000-odd fishing boats for the crew to collect the rubbish. The plastic is processed onshore then sold to roadbuilders.

Nearly 3,000 fishers and boat owners in Kollam are involved and the programme is expanding to other harbours. With one million people working in the fishing industry in Kerala, of whom 25% are directly involved in fishing, the project could have a real impact.

Peter Mathias, president of the

All Kerala Fishing Boat Operators' Association, said: "Previously, we didn't care much about the plastic we collected in our nets. We'd simply take the fish and toss the rest back into the ocean. But not any more - we're now protecting the ocean to save our livelihoods. Had we continued to be reckless, there wouldn't have been any more fish for us to catch."

Washing and sorting the plastic is also providing jobs for a small group of local women in a traditionally male-dominated sector. "Most of the garbage is too mangled to recycle in traditional ways. So we shred it into strips and sell it to local construction companies, who mix it with asphalt to construct roads. This helps us pay the women's salaries. This road surface is increasingly popular as it makes the roads more resilient to India's extreme heat," said VK Lotus, an engineer with the HED.

"Every kilometre of plastic road uses the equivalent of a million plastic bags, saving around one tonne of asphalt. This not only saves the environment but also cuts costs by roughly 8-10% per kilometre of road paved with plastic as compared with a conventionally built road," she said.

Since its launch, about 80,000kg of plastic waste has been collected off Kollam, of which more than half was recycled to lay 135km of road.

The project has resonated with many fishing communities - including clam collectors and divers - along Kerala's 600km coastline. Other groups are now seeking funds to help launch their own plastic collection and recycling programmes.

The initiative has not only brought economic gains for Kollam but also changed attitudes in the fishing community about their environment. They now try to ensure that local people and tourists do not litter the land or sea with rubbish, and have pledged to cut back on plastic use. "Our boats also carry stickers to create awareness against marine pollution," added Mathias.

Despite the Covid pandemic leading to rising fuel prices and fewer fishing boats going to sea, there is determination for the project to continue.

Mathias believes the community has never before been so united and effective in protecting the ocean. "Our future depends on it. Our children are also getting inspired, which can be life-transforming," he said.

NEETA LAL IS A JOURNALIST BASED IN DELHI

19. Animal Control Sub-Committee

(Clr Faults)

D050-001-A04

1. The minutes of the Animal Control Sub-Committee meeting held on 1 February 2024 are **attached** for ratification by the Committee.
-

RECOMMENDATION

That the minutes of the Animal Control Sub-Committee meeting held on 1 February 2024 be ratified.

**Minutes of a Meeting of the
ANIMAL CONTROL SUB-COMMITTEE
held in the Council Chambers, 15 Seymour Street, Blenheim
on TUESDAY, 1 FEBRUARY 2024 commencing at 1.30 pm**

Present

Cirs B A Faulls (Chairperson), B J Minehan and T P Sowman

In Attendance

Jamie Clark (MDC Animal Control – Contract Manager), Rachel Williams, (Compliance Manager), Emyr Butler (Team Leader - RMA Enforcement & Investigation) and Nicole Chauval (Committee Secretary)

Apologies

No apologies were received.

Cir Faulls welcomed Rachel Williams to the meeting and congratulated her on joining Council as the new Compliance Manager.

1. Animal Control Sub-Committee – Minutes

The minutes of the Animal Control Sub-Committee held on 16 November 2023 were presented for ratification by the Committee.

Cirs Faulls/Sowman:

That the Minutes of the Animal Control Sub-Committee meeting held on 16 November 2023 be confirmed as a true and correct record.

Carried

2. Matters arising, action items & update from previous minutes – 16 November 2023.

Actions

	Description	Notes
	Invite Susanne Owen, SPCA, to the next Animal Control meeting in 2024.	Emailed invitation to attend and included Sub-Committee meeting dates for 2024. No response has been received. Members suggested meeting with Susanne at the SPCA Centre, Jamie Clark to follow-up.
	Organise meeting dates for 2024 suggested coinciding with the Environment & Planning Committee.	Completed
	Order additional supply of drink bottles for Dog Education Officer.	Quote being obtained this afternoon. Showed members an image of what is proposed for the bottle.
	Jacki Jenkins to speak with the Contract Manager to ascertain the resources	Ongoing. AC dealing with this matter

	Description	Notes
	currently held by the Contractor for Education and what other resources would help in presenting the programme.	Once the kit has been organised Jamie Clark to invite Jacki Jenkins to a meeting to update the committee.

3. Key Areas

a) **Bylaws**

- No issues identified at this time

b) **Contractor**

Full complement of staff – Update – an Officer of Animal Control was recently assaulted while undertaking their role. They will be off work for several weeks. Police are investigating and Council is undertaking a Health & Safety assessment.

Members requested that their best wishes be extended to the staff member concerned.

Requested CPI increase (5.6%) for the coming year as per contract. A paper is being drafted for the Council Budget meeting. The paper will be circulated to members for their information/ signoff.

A table identifying the patrol hours was included in the agenda and members were pleased to see that the patrol hours were up. Jamie Clark noted there had been discussions with Animal Control re what is required in the patrol report and future reporting will provide more detailed information.

c) **Review fees**

- Paper going to Council re fees increase. Draft agenda item to be circulated to members for information/sign off.

d) **Dog Registration Update**

- As of 22/01/2024 there were 10,700 active dogs and 77 unaccounted for dogs.

Members were advised that all unaccounted for dogs have been followed up. The process was discussed and members noted the considerable number of hours it takes to follow up on any unregistered dogs.

Members were advised on the process regarding registering dogs and noted the information that is sent to all dog owners. The process for when officers come across unregistered dogs while out on patrol was outlined.

Members noted the recent events regarding the seizure of a number of dogs and the subsequent social media campaign. Members requested that they be early if there is the likelihood of similar events occurring in the future.

e) **Education Update**

Education visits are going well with 35 visits undertaken since July 2023. Currently half way through the reporting period.

f) **Microchipping Update**

As at January 2024 there are 8636 microchipped dogs. It was noted the microchipping programme is still available through Council. Currently there are 19 unaccounted for not chipped dogs down from 87.

g) Infrastructure – Pound

- No issues or concerns at this time

4. Discussion for the Blenheim Dog Park

- No update as still waiting for resource consent.

5. Renwick Dog Park Update

- No issues identified at this time with the addition of a freedom camping site in the carpark area.
- Will continue to monitor for any issues and Jamie Clark will pass on to Parks and Open Spaces to action if necessary.

6. Signage update

- Some concerns raised regarding Endeavour Park Picton.

Area is prohibited and they need to walk around it to continue their walk.

Responded several times and supplied information related to the bylaw review. Clr Faulls advised that it had also been raised at the Picton Regional Forum to try and get the information out there.

- Bins/bags Picton Waikawa Track – Jamie Clark will be getting an updated report that will provide information on the bin numbers and complaints / issues received. The process used to determine whether a bin is suitable/warranted for a particular area was discussed. It was noted that the cost of a bin is approx \$1600. Signage in the area is being replaced.
- Shelly Bay – a number of dogs were seen at Shelly Bay over the long weekend, Animal Control have been informed and they will undertake additional patrols. Currently waiting on the finalisation for signage in conjunction with QC Yacht Club as they require signage for parking.
- For members' information Jamie Clark noted that an article had recently appeared on Stuff regarding Nelson City Council considering the ditching of free doggy doo bag dispensers and instead issuing free doggy bags.

7. SPCA Update

- Invited to attend meeting 23/01/24

8. Cat Management

- Appears Tasman District Council is considering a change to its bylaw where they're proposing that cats will have to be microchipped, registered and de-sexed. It won't be enforced, and would only apply to any future cats.
- Jamie Clark will continue a watching brief.

9. General Business

- Unaccounted for Dogs – situation update – down to 92 and by the end of March they need to be registered. Members noted that the follow up work is time consuming.

10. Decision to Conduct Business with the Public Excluded

Clr Faulls / Sowman

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

- Confirmation of Public Excluded 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
Minutes and Committee Reports	As set out in the Minutes and Reports	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.

There be no further business the meeting closed at 2.50 pm.

Actions

	Description	Person Responsible	Time frame
	Contact SPCA to discuss Animal Control Committee members visiting the centre instead of the SPCA attending an Animal Control Sub-Committee meeting.	Jamie Clark	As soon as practical

Meeting Dates

	Date	Time	Venue
1.	Thursday, 18 April 2024	1.30 pm to 3.30 pm	Koromiko Room
2.	Thursday, 11 July 2024	3.00 pm to 5.00 pm	Koromiko Room
3.	Thursday, 3 October 2024	3.00 pm to 5.00 pm	Koromiko Room

Record No. 2427532

20. Information Package

RECOMMENDATION

That the Regulatory Department Information Package dated 14 March 2024 be received and noted.
