

Comments on applications for referral under the COVID-19 Recovery (Fast-track Consenting) Act 2020

This form is for local authorities to provide comments to the Minister for the Environment on an application to refer a project to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

Local authority providing comment	Marlborough District Council
Contact person (if follow-up is required)	Mark Wheeler (Chief Executive)
	Click or tap here to enter text.
	Click or tap here to enter text.

Comment form

Please use the table below to comment on the application.

Project name	Wairau Housing Development Project
General comment – potential benefits	The project if approved will provide long term benefit to the housing stock in Blenheim as it is of greater density that would otherwise be permitted under the current District Plan provisions.
General comment – significant issues	There are no significant issues arising, other than we believe that the applicants should construct the duplex and terraced housing before subdivision of them (explanation below). A staged development would be acceptable as long as access and servicing was sequential.
Is Fast-track appropriate?	Yes – see answer to ministers specific question 1 below.
Environmental compliance history	Nil
Reports and assessments normally required	Yes – see answer to ministers specific question 2 below.
Iwi and iwi authorities	Rangitane o Wairau; Ngāti Toa Rangatira; Ngāti Rarua; Ngāti Tama; Ngāti Koata; Ngāti Kuia; Te Ati Awa o Te Waka a Maui; Ngati Apa ki te Ra To.
Relationship agreements under the RMA	Nil
Insert responses to other specific requests in the Minister's letter (if applicable)	Specific Question 1: We believe that the FTCA would be the best option for the proposal to be processed under. Not necessarily because of the timeframes needed under the RMA, but because of the greater uncertainty of approval under the current Proposed Marlborough Environment Plan (PMEP). The site is zoned Urban Residential 2 under the PMEP, and the proposal would be a Discretionary Activity and seem to conflict with the current policies for this zone (such as Policy 12.1.3 which seeks to maintain a lower density living with fewer multi-level storied buildings or apartment and with larger lot sizes), meaning it is possible that the proposal may not obtain approval under the RMA processes. As referred to in the application Council has identified though the requirements of the NPS-UD and subsequent Housing and Business Assessment 2022 that there is a long term shortage of housing, and is undertaking a review of the housing and subdivision provisions to address that long term shortage. However that process may take several years before the provisions of the PMEP are changed. While there is no guarantee that the provisions will change to allow the proposed development as a controlled activity, it is anticipated that the provisions will be more enabling for such development than at present.

	Specific Question 2: In addition to the full set of concept building plans and scheme plans, we would normally require the following reports and assessments for a project like this: (a) Geotechnical report that includes an assessment of liquefaction risk (in accordance with Councils Liquefaction Assessment Guidelines (Sep 2021). (b) PSI/DSI/RAP as applicable under the NESCS in relation to soil contamination. (c) Servicing and roading engineering plans together with confirmation documents from the relevant service providers that roading, water, sewer, electricity and telecommunication connections can be provided. (Note these providers normally set out their conditions for the provision of such connections). (d) On-site stormwater assessment. (e) Traffic safety audit report for proposed roading. (f) Details of the staging and sequencing of development. While the application says that the subdivision will proceed first and there will be no staging, this is highly unlikely and undesirable as it would mean that vacant titles would be created with potentially no housing constructed by the applicant. We would expect that the duplexes and terraced housing dwellings would need to be constructed prior to subdivision, but accept that the larger lots (to later contain stand-alone dwellings) could be created via subdivision before building. (g) Site plans showing original and final contours/heights and areas of proposed cut and fill. (h) Landscape plan for roads and reserves to vest in MDC. (i) Site Management Plan dealing with construction effects.
Other considerations	We note that some of the private rights of way or JOALs will exceed the normal maximum 6, and this can lead to problems with maintenance responsibilities. It would be beneficial if this issue can be considered with proposed methods to reduce problems with maintenance.

Note: All comments, including your name and contact details, will be made available to the public and the applicant either in response to an Official Information Act request or as part of the Ministry's proactive release of information. Please advise if you object to the release of any information contained in your comments, including your name and contact details. You have the right to request access to or to correct any personal information you supply to the Ministry.

