

## **Kenepuru Road – Council Meeting 22 September and supporting CEO Report - A Review and Comment**

### **1. Introduction**

- 1.1 On 22 September the full council met to consider certain recommendations and supporting narrative set out in a report prepared by Mr Wheeler ( CEO).
- 1.3 KCSRA has reviewed the report presented to that meeting on this matter (the Report), This review discusses that report (Report) and the various significant concerns it raises, in our view, for users of the Kenepuru Road network.

### **2. The Report**

- 2.1 The Report refers to a need for a long term strategy that ultimately considers resilience and financial sustainability of lower trafficked roads. Because of this it is determined to adopt a short term storm recovery position **of providing basic safe access where possible and where roads are *more resilient***.
- 2.2 Key parts of Kenepuru Road appear to be the only major roading excluded from being provided with short term basic safe access. This appears to have been determined on the basis that Marlborough Roads considers the priority roads to be *more resilient* than Kenepuru Road.
- 2.3 However, as far as we can see, **no assessment of Kenepuru Road’s resilience had actually been undertaken**. More to the point, no point of difference or threshold of what is ‘acceptable resilience’ has been identified.
- 2.4 There also appears to be sufficient available resources to effect basic safe access to **all** of Marlborough’s roads affected by the 2022 event. As such, we do not see the need to ration funding and prioritise roads on the basis of a ‘relative resilience’ factor – howsoever that factor might be determined.
- 2.5 What is most concerning is **that this seems to have all been determined even before an assessment of Kenepuru Road**, noted as occurring ‘over the next few weeks’, has actually occurred. This might infer that a predetermination has been held that nothing should be done with Kenepuru Road – an inference we hope is not correct.
- 2.6 Further local observation, by experienced people, is to the effect that there is **not a significant amount of fundamental damage** to the road from the August 22 event. Accordingly, in our view, the urgent remedial work required to provide basic safe access and to protect the infrastructure with the reinstatement of basic water management **would not actually be relatively significant**. There is nothing in the Report to suggest that the relative cost of this for Kenepuru Road would be any higher than the relative cost of 2022 event damage for other roads in the region.
- 2.7 We are also concerned that a coincidence of two storm events **and an historical lack of basic maintenance** on Kenepuru Road is being confused with low road resilience. Our understanding is that the 2021 storm event was very localised, with Kenepuru Road receiving more rain than other part of the Sounds and the Sounds receiving more rain than other parts of the region. It is a mistake to confuse this matter of chance as a matter of road resilience.

- 2.8 The Report also identifies the perceived values of other roads in the region ranking them as ‘priority’ for short term basic access. This is a subjective exercise at best but more concerning is that there appears to have been no assessment of these values as against the values of the roads that have been excluded from priority – **in particular key parts of Kenepuru Road. The values of these roads are not even mentioned.** In any event, and as noted, there appears to be sufficient funds available to effect short term basic safe access for **all** roads - so the need for some sort of priority regime based on ‘relative values’ is difficult to rationalise.

### **3. Public Values**

- 3.1 The Sounds are the Jewel in the Crown of Marlborough. Kenepuru Road serves a vast geographical peninsular of the Sounds, with, we understand, close to 1,000 residences accessible off it, as well as farms and businesses. There are thousands of people directly financially affected by Kenepuru Road and magnitudes more indirectly affected by it, including the many thousands of visitors to the peninsula each year and the school, resorts, accommodation businesses and other industries that service the central Sounds.
- 3.2 People have **paid hundreds of thousands, if not millions, in roading contributions from subdivisions** toward Kenepuru Road. They have paid special rates for the Kenepuru Road, and they have paid general rates toward Kenepuru Road. Significant private investment has been effected on the central Sounds peninsula on the back of Kenepuru Road.
- 3.3 In our view the Report **has, somewhat conveniently, under-recognised the regional** significance and public value of Kenepuru Road.

### **4. Protecting Infrastructure Value**

- 4.1 Also of significant concern is the apparent readiness of Council to abandon its public stewardship responsibilities and expose a substantial piece of high cost, valuable and potentially irreplaceable roading infrastructure to the likelihood of significant damage by failing to attend to even basic asset protection or preservation measures – such as cleaning water tables (drains) and culvert pipes.

### **5. Funding**

- 5.1 We do appreciate that Kenepuru Road, whilst regionally significant, is nonetheless long and has an attendant maintenance cost. As pointed out, it also has a vast array of stakeholders – well beyond its ratepayers alone. It is not insignificant that under the proposed Marlborough Environment Plan Council is proposing to impose coastal occupation charges<sup>1</sup> on all occupiers of coastal marine space. We also note that, at least from an RMA perspective, Council has an obligation to see public access to the coastal environment maintained and enhanced. Funds raised by coastal occupation charges, which could be significant, may assist with the Kenepuru Road maintenance equation.
- 5.2 It is also relevant to note that MDC is able to derive an economic rent or tender returns through allocating rights for ‘in demand’ coastal permits, such as coastal

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<sup>1</sup> Through section 64A of the Resource Management Act 1991 (RMA).

permits to undertake aquaculture activity<sup>2</sup>. We understand that 50% of the funds from this source would go into central government's consolidated fund and 50% would go to Council. Based on current values we have estimated that up to \$20M pa could be raised for Council through this funding source. As for coastal occupation charges this source of funds, if adopted by Council, would assist with the Kenepuru Road maintenance equation.

## 6. Summary

- 6.1 In short, we are concerned that the decision *not* to effect even basic safe access to sections of Kenepuru Road disaffects a significant array of people and activity. It also renders a high cost, valuable and potentially irreplaceable piece of roading infrastructure unprotected and needlessly open to significant deterioration – all with little apparent basis.
- 6.2 Withholding expenditure on key parts of Kenepuru Road is a matter that at the very least demands extensive public consultation and evaluation. That has not occurred and in the meantime it seems to us that the road should be immediately protected and basic safe access provided on it.
- 6.3 We urge **all users of the Kenepuru Road network** to personally approach senior Council staff and Councillors to bring to their attention this most unfortunate turn of events and the urgent need to correct the same.

KCSRA

October 2022

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<sup>2</sup> Sections 165F to 165ZA of the RMA