

File Ref: C135-E01

Ask For: Mr Porter

5 June 2009

Notice of Committee Meeting - Thursday 11 June 2009

A meeting of the Environment Committee will be held in the Council Chambers, District Council Administration Building, Seymour Street, Blenheim on **Thursday 11 June 2009 commencing at 1.30 pm.**

B U S I N E S S

As per Agenda attached.

ANDREW BESLEY
CHIEF EXECUTIVE

Marlborough District Council

**Meeting of the ENVIRONMENT COMMITTEE
to be held in the Council Chambers, District Administration Building, Seymour Street,
on THURSDAY 11 JUNE 2009 commencing at 1.30 pm**

Committee

Clr G Taylor (Chairman)
Clr J L Andrews (Deputy)
Clr A D Barker
Clr G S Barsanti
Clr C R Bowers
Clr E I Davidson
Clr T Harrison
Ms T Williams
Mr C Bowron

Departmental Head

Mr H Versteegh (Manager, Regulatory Department)

Staff

Kathy Payne (Committee Secretary)

IN PUBLIC

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PUBLIC EXCLUDED

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1. Confirmation of Sub-Committee Business

RECOMMENDED

That the following approvals granted by the Swimming Pools Sub-Committee under delegated authority (Environment Committee Minute R.07/08.263) be confirmed:

- **D & D Taylor, 12 Dry Hills Rise, Blenheim - approval to use a lockable cover on an unfenced spa pool (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **D RA, A M & B S S Leonard & B G Rowe, 124 Matthews Lane, Blenheim - approval to use a lockable cover on an unfenced spa pool (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **R T & J Hogg, 10 Fuchsia Place, Blenheim - exemption for doors opening into pool area (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **K & A Taylor, 177 Wither Road, Blenheim - exemption for doors opening into pool area (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **Felina's Rental Limited - Claudia Kallenstadler, 98 Wither Road, Blenheim - exemption for doors opening into pool area (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **M & P Nicholls, 45 Lanark Lane, Conders Bend, Blenheim - exemption for doors opening into pool area (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **Mr & Mrs M Freeth, 185 Taylor Pass Road, Blenheim - exemption to install a Coverstar automatic pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **Gorman Holdings Limited, 158 Dumgree Road, Awatere Valley - exemption to install a Save T Cover II automatic pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **H & J Meyers, 33 Malthouse Road, Blenheim - exemption to install a Save T Cover II automatic pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**

2. Marine Farming Association - Beach Debris Management Strategy (M045-01)

(Report prepared by Keith Heather)

1. **Attached** is a copy of the Marine Farming Association's Beach Management Strategy.
2. One of the principal initiatives is the 'Adopt a Beach' programme whereby various marine farmers and marine farming companies visit various beaches and known 'hot spots' to collect any marine farming debris and other rubbish therefrom.

3. **Mr Graeme Coates from the Marine Farming Association will also attend the Committee Meeting to discuss this and other initiatives and provide a general update on the marine farming industry in Marlborough.**

RECOMMENDED

That the information be received.



Beach Debris Management Strategy

Version 8: 11th November 2008

Purpose

To minimise the impact of marine farming activities on the surrounding waterways and beaches

Introduction

The Adopt-A-Beach program was developed in the 1990's to manage industry and recreational debris from the beaches of Marlborough Sounds, later there was interest from Tasman Bay and Golden Bay. The programme involves volunteers from industry who each have a dedicated area to clean and provide reporting to MFA about debris found on adopted beaches.

There have been many changes since this initiative was developed and the MFA Executive requested a full review of this programme in January 2008.

Summary of Current Program

- 96 locations in Adopt-A-Beach program
- 70 participants initially joined program
- Dedicated clean up fortnight – November each year
- Each year the level of debris is reported as the being the same or less than the previous year
- Increase in industry debris, especially new ties and mussel floats

Main issues

- Only 37% of locations reported as being monitored/cleaned
- Many participants have withdrawn from the program
- Participants down to approximately ten companies/individuals who consistently participate
- No new participants have joined the program despite advertising in the newsletter regularly with a list of unadopted beaches
- Cross overs with Ivan Godsiff's work and that of participants (same beaches are targeted)
- Historic knowledge of exact locations companies/individuals regularly clean has been lost with people leaving the industry etc

In March 2008 a focus group meeting of interested participants set up a committee to develop a management strategy for the future of this program.

Key Objectives

- Minimise risk of debris overboard
- Minimise negative reports from public, council or environmental groups of industry debris on beaches or in the water in the Top of the South
- Develop tools for monitoring, recording and reporting on compliance of marine farms and level of beach debris
- Develop communication channels that provide timely reporting to industry participants

Objective 1

Minimise risk of debris overboard

Tactics

- Recommend to industry participants that the 'Environmental Code of Practice' (ECOP) is reviewed as part of an induction programme for any new vessel crew
- Provide a summary of key points from the ECOP that apply to vessel crew on a one page laminated document (with pictures) for each industry vessel

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- Randomly check vessels for compliance to ECOP
- Publish educational exerts from the ECOP in the MFA newsletter
- Use MFA and industry representatives to work with Ivan, boarding vessels and monitoring compliance (e.g checking lines)
- Provide incentives for good work practices surrounding compliance to ECOP
- Develop a set of industry standards

	Tasks	Responsibility	Timeline	Status	Estimated Cost
1	Letter to all Companies (using vessel list) outlining project and asking for a contact as 'Environmental Representative'	Joanne	June 08	Completed	\$60
2	Establish list of participating companies from responses to letter in Task 1. Include names in Strategy document as participating companies	Joanne	May/June 08	Completed	-
3	Companies to include in vessel crew induction programme, relevant sections of the ECOP	Environmental Representative	July 08 Cont	Waiting on new ECOP	-
4	AQNZ to include in accompanying letter when releasing new ECOP recommendation that relevant sections are included in employees induction programmes	Mike Mandeno		Waiting on new ECOP	-
5	Use key points in ECOP to produce A4 laminated poster for vessels. Use pictures and points such as; No debris over the side Caution when cutting off ties Use good quality knots If its in the water – pick it up	Venice	June 08	Waiting on new ECOP	\$300
6	Send relevant photos of good and bad practices to MFA office	All	Cont..	Cont	-
7	Continue with boarding of vessels and educating on best practice	Ivan Godsiff / MFA/ industry representatives	Cont..	Cont	\$2,000
9	Include educational exerts form ECOP and pictures sent in from the field in each newsletter	Venice	Aug 08 cont..	Waiting on new ECOP	
10	Develop a set of industry standards including bundling of floats and colour of buoys	Committee	Aug 08	Completed	
11	Send nominations for good Environmental practices to MFA for annual awards	All	Cont..	Cont	
	Total Estimated Budget				\$2,360

Objective 2

Minimise negative reports from public, council or environmental groups of industry debris on beaches or in the water in the Top of the South

Tactics

- Develop a roster of industry participants to monitor and clean identified 'hot spots' quarterly
- Identify secondary areas and ensure all are adopted and cleaned regularly, at least yearly
- Identify low impact areas and ensure they are adopted and cleaned every second year
- Develop structured program to audit a set number of farms for compliance
- Environmental mentor to conduct regularly monitoring, cleaning and reporting on identified areas

- Conduct beach clean programme at least once per year

	Tasks	Responsibility	Timeline	Status	Estimated Cost
1	Develop roster of 5 key companies to clean identified hot spots quarterly. MMC – Dean Condon EBA/Sealord – Jonathan Large Sanford – Dave Herbert ASL – Phil Gibbons Clearwater Mussels – Mike Holland	Joanne	June 08	Completed	-
2	Ivan to identify secondary areas to be included in the beaches requiring adoption for yearly monitoring and annual clean	Ivan	April 08	Completed	-
3	Ivan to identify low impact areas to be included in the beaches requiring adoption for a 2 yearly monitoring	Ivan	April 08	Completed	-
4	Re-launch programme to all members and ask for interested participants – develop form	Joanne/Venice	June/July 08	Completed	-
5	Using list of interested participants – allocate areas as appropriate	Joanne Ivan Godsiff Dave Herbert Phil Gibbons Jonathan Large	July/Aug 08	Completed	-
6	Develop & implement program to check set number of farms for compliance in conjunction with the random audit lights check	Joanne Graeme Coates		Completed	\$1,500
7	Ivan Godsiff to continue monitoring set beaches as identified and other areas as required	Ivan Godsiff		Cont	\$8,000
8	Organise yearly beach clean in September each year	Venice	Sept 08	Cancelled, companies chose to schedule within work downtimes	\$3,000
9	Organise publicity around beach clean programme	Graeme Coates	Sept 08	As above	
	Total Estimated Budget				\$12,500

Objective 3

Develop tools for monitoring, recording and reporting on compliance of marine farms and level of beach debris

Tactics

- Develop template document for reporting on compliance to ECOP of marine farms
- Develop database to record and report information on compliance to ECOP of marine farms
- Redesign Beach Clean report to ensure information collected is consistent
- Develop database to record and report on information on beach debris collected

	Tasks	Responsibility	Timeline	Status	Estimated Cost
1	Develop simple form to report on compliance on industry vessels – circulate to committee	Joanne	May 08	Completed	-
2	Develop form to report on compliance on marine farms – circulate to committee	Joanne	May 08	Completed	-
3	Redesign beach debris feedback form – circulate to committee	Joanne	May 08	Completed	-
4	Provide graphs in newsletter to report on compliance on vessels and farms	Joanne	Dec 08	In progress.	-
5	Provide graphs in newsletter to report on beach debris feedback – Yearly (August)	Joanne	Aug 09	In progress	-
6	Report all non compliance issues on farms directly to the farm owner	MFA office	Ongoing	Cont	-

7	Report all non compliance issues on industry vessels directly to vessel operator	MFA office	Ongoing	Cont	-
	Total Estimated Budget				-

Objective 4

Develop communication channels that provide timely reporting to industry participants

Tactics

- Develop and document communication channel from representatives on the water, to MFA, to vessel crew and other industry participants
- Develop communication methods to reach interested and relevant parties for urgent debris/compliance issues
- Develop communication methods to reach interested and relevant parties for results from beach cleans, surveys of farms and other environmental information

	Tasks	Responsibility	Timeline	Status	Estimated Cost
1	Schedule 10min Environmental update to members within MFA AGM Include bag/bucket with ties collected and weight – compare this to total Kg collected in three years (i.e. equals 10,000 bags/ buckets of this size and x metres of rope) - ask for members to join up as participants, emphasis they must comply with rules of participation - Hamish Wilson to talk about advantages at resource consent hearings	Graeme	July 08	Completed	-
2	Use December 08 newsletter to report on beach clean up September 08 and results of compliance reports to date	Joanne	Nov 08	Reporting each newsletter	-
3	E-mail committee members (top 5 participating companies) with any urgent compliance issues. The company who is in the best position to action will use 'reply to all' to advise others	All	Ongoing	Cont	-
4	Advise participating companies that copies of the completed strategy and result figures/graphs will be available if required at any consent hearings etc			Completed	-
	Total Estimated Budget				-

Budget and Funding

Objective	Funding requirements	Funding source
Debris overboard	\$2,360	MFA
Debris in the water or on the beaches	\$12,500	MFA
Reporting / recording and analysis	-	-
Communication	-	-

Participating Companies

Beach Debris Participants and Allocated Area/s

Company	Contact	Area/s monitored
MFA Environmental Mentor	Ivan Godsiff	<ul style="list-style-type: none"> Hikapu Reach (Right hand side bay before Nikau Bay) Piripaua (Beatrix Bay) Top Richmond Bay Ketu Bay Wynens Bay Orchard Bay Top Garnes Bay
Roster for Hotspots - Pelorus Marlborough Mussel Company Sealord/EBA Sanford Aotearoa Seafoods Limited Clearwater Mussels	Dean Condon Jonathon Large Dave Herbert Phil Gibbons Mike Holland	Hotspots monitored through roster <ul style="list-style-type: none"> Wet Inlet Elie Bay Te Puraka Point Horseshoe Bay Brightlands Bay
Roster for Hotspots – Port Underwood Port Aquaculture Limited Aotearoa Seafoods Limited Nelson Ranger Fishing	Andrew Schwass Phil Gibbons Bill Roundhill	Hotspots monitored through roster Wharf area Whataroa Bay Horahora Jerdan Bay Whangatoetoe Bay Whongakoko Bay Kaikoura Bay Tumbledown Bay
Company	Area	
Apex Marine Farms	Ngaruru Bay	Tory Channel
Apex Marine Farms	Oyster Bay	Tory Channel
ASL	Kenepuru Sound	South side
ASL	Tawhitinui Reach	South side - Tawero pt to Cregoe pt (not incl Brightlands Bay hotspot)
ASL	Mahau Sound	
ASL	Pelorus Hot Spot Roster	
ASL	Port Underwood Roster	
Brown & Buchanan	Yncyca Bay	Pelorus Sound
Clarke, Graeme	Crail Bay	Except Wet Inlet, top Elie Bay
Clearwater Mussels	Waihinau Bay	Except Bulwer area (NZKS)
Clearwater Mussels	French Pass	Okuri Pt to and incl Man-O-War Bay
Clearwater Mussels	Port Ligar	
Clearwater Mussels	Pelorus Hot Spot Roster	
Covered by Hotspot Roster	Elie Bay	Crail Bay
Covered by Hotspot Roster	Wet Inlet	Crail Bay
Covered by Hotspot Roster	Brightlands Bay	
Covered by Hotspot Roster	Horseshoe Bay	
Covered by Hotspot Roster	Te Puraka Pt	
Dick, Bill & Margaret	Cutters Bay	Port Underwood
Elaine Bay Aquaculture	Anakoha Bay	Pelorus Sound
Elaine Bay Aquaculture	Forsyth Bay	Exept West side (NZKS)
Elaine Bay Aquaculture	Clova Bay	Pelorus Sound
Elaine Bay Aquaculture	Grant Bay	Pelorus Sound
Elaine Bay Aquaculture	Otatara Bay	Pelorus Sound
Elaine Bay Aquaculture	East Bay	Queen Charlotte Sound
Elaine Bay Aquaculture	Waimaru Bay	Waimaru to Te Puraka Pt
Elaine Bay Aquaculture	Pelorus Hot Spot Roster	

Foote Family	Wilson Bay	Pelorus Sound
Goulding, Jim	Waitata Bay	Waitata Reach
Island Aquafarms Ltd	Crail Bay	Pelorus Sound
Just Mussels	Elaine Bay	Elaine Bay to & incl Deep Bay to the south & north to Camel Pt
Just Mussels	Deep Bay	Tennyson Inlet
King, A & S	Double Bay/St Omer Bay	Double Bay to Weka Point
Maclab	Admiralty Bay	All bar Matatoko Pt to Whangapoto
Maclab	Catherine Cove	Durville Island
Marlborough Mussel Co	Kauauroa Bay	Tawhitinui Reach
Marlborough Mussel Co	Beatrix Bay	
Marlborough Mussel Co	Croisilles Harbour	
Marlborough Mussel Co	Tawhitinui Bay	Incl Tapapa Pt
Marlborough Mussel Co	Pelorus Hot Spot Roster	
MFA	Kenepuru Sound	North Side - Point to Double Bay
MFA	Nydia Bay	Pelorus Sound
Nelson Ranger Fishing	Port Underwood Roster	
NZ King Salmon	Ruakaka Bay	Queen Charlotte Sound
NZ King Salmon	Ontanerau Bay	Queen Charlotte Sound - East Bay
NZ King Salmon	Claypoint	Tory Channel
NZ King Salmon	Bulwer	Waihinau Bay - NW side
NZ King Salmon	Forsyth Bay	West side
Orchard, Gary & Ellen	Weka Point to Waitaria Bay	Kenepuru Sound
Port Aquaculture Limited	Port Underwood Roster	
Reef Point Holdings	Admiralty Bay	Matatoko Pt to Whangapoto Pt
Sanford	Four Fathom Bay	Pelorus Sound
Sanford	Maori Bay	Pelorus Sound
Sanford	Nikau Bay	Pelorus Sound
Sanford	Port Gore	
Sanford	Pelorus Hot Spot Roster	
Sea Health	Garnes Bay	Fitzroy Bay
Sea Health	Saville Bay	Fitzroy Bay
Talleys	Hallam Cove	
United Fisheries	Fairy Bay	Pelorus Sound
United Fisheries	South East Bay	Pelorus Sound
Waghorn, Murray	Canoe Bay	Canoe Bay to Camel pt
Waghorn, Murray	Pipitea Bay	Tawhitinui Reach
Womersley, Chris	Picnic Bay	Sheep pt to and incl Picnic Bay

3. Marine Farm Light Audits (M045-02)

(Report prepared by the Harbourmaster)

Purpose

1. The purpose of this report is to update the Committee of a recent marine farm light audit carried out.

Background

2. The Committee will be aware that over the past two years Council has reviewed conditions of consent attached to individual marine farm consents. This process included a review of farm lighting requirements
3. Since it was held that authorisation of lighting requirements for individual farms/sites was better dealt with under the Maritime Transport Act, this was seen as an ideal opportunity to rationalise the number of lights each farm required and sought to introduce retro reflective tape in conjunction with radar reflectors, where appropriate, in areas where it was considered that lights would be superfluous.
4. The majority of consents have now been reviewed, a representative audit to gauge compliance with the new lighting requirements was recently undertaken, a matter the Marine Farm Association was advised of in advance.
5. In total, 25 sites were visited and audited against light, reflective tape and radar reflectors that are required to be in place with the following results:
 - (i) Seven sites were found not to comply with the required number of lights. Of these sites, five did not have sufficient lights fitted, two sites had one light fail each. It was noted that there were six sites that displayed more lights than were authorised, but all lights were working - these do not form part of the non-compliant totals.
 - (ii) 24 sites failed to comply with the required number of radar reflectors.
 - (iii) 25 sites failed to comply with reflective tape requirements.
6. Marine farm light compliance has been an ongoing issue for many years. Initially it was due to the light types used - the old D-cell operated lights. With advances in technology, cost effective solar powered lights have commonly been in use for the past five to ten years with significant success. This is demonstrated by only two failing lights in the representative sample.

Conclusion

7. Since the review of the majority of marine farm consent conditions have now been completed, an audit to gauge compliance with individual lighting requirements has recently been undertaken.
8. The results of the audit have shown an unacceptable level of compliance, particularly with respect to the application of reflective tape and radar reflectors. It was also noted that in some instances, sites have failed to implement new light requirements.

RECOMMENDED

1. **That the information be received.**
2. **No further recommendation is made pending discussion.**

4. Surveillance - Terrestrial Pest Plants (R390-01)

(Report prepared by Dave Grueber)

Purpose

1. The purpose of this report is to present the document entitled: "*Marlborough District Council RPMS- Pest Plant Surveillance Report April 2009*" which supports a visual presentation by Te Ngahere, of approximately 20 minutes.

Introduction

2. The Regional Pest Management Strategy (RPMS) covers terrestrial and aquatic pest plants specified as those having the status of either "Total Control", "Containment Control" or "Surveillance".
3. Although Marlborough District Council (Council) has detailed data of existing pest plant locations of all three pest status groups as above, continued and ongoing monitoring and surveillance is considered the most important method in Council's overall pest management role. Additionally, being on the "lookout" for not only new sites of pest plants known to be in Marlborough, but potential pest plants previously unknown to be in Marlborough, enables Part Three of the RPMS to be met.
4. During the 2008 surveillance programme, a search focused on waterways and aquatic plants.
5. Surveillance recently completed focused on terrestrial pest plants in urban and peri-urban areas.
6. Results from ongoing surveillance provide information and data sets, to allow better decision and recommendation making for the RPMS review in 2012.

Background

7. Council contracted Te Ngahere Limited to undertake terrestrial pest plant surveillance, in designated areas of Marlborough based on their potential to support pest plant populations. Pest plant species investigated were not limited to those known to be in Marlborough (those listed in the RPMS), but required the identification and data logging of all sites, of all nationally known pest plants, focusing on:
 - (a) Proximity to human habitation and modified areas.
 - (b) Unmanaged areas, e.g. rail corridors, dump sites.
 - (c) Potential areas for garden escapes, e.g. residential areas adjacent to conservation areas.
 - (d) Favourable climates supporting various species.
 - (e) Old established gardens where species may have been introduced before national or local controls existed.
 - (f) Areas adjacent to known infestations.
 - (g) Areas that are natural corridors for spread, e.g. tracks, streams.
8. Once the priority areas were identified they were searched and geographical information was recorded as way points and inspection track logs on a GPS allowing for permanent GIS records to be made. For each relevant specie, additional information of plant numbers found, date of record, coverage, age and class, were recorded. A list of more common species, e.g. Banana Passionfruit, Chinese Privet, was additionally recorded, based on presence and/or significant absence from a particular area.

Findings

9. The key conclusions of the surveillance undertaken were:

General Observations:

- (a) Blenheim and Renwick are far less “weedy” than Havelock, Picton and Waikawa.
- (b) Blenheim is remarkably free of pest plants compared with most urban centres.

RPMS Species found during surveillance:

- (a) New sites of total control species identified (some of which are now under control) are Moth Plant, Parrots Feather, Eel Grass, Spartina, Boneseed.
- (b) Two new sites of the containment control species Reed Sweetgrass was identified outside previously known areas and are now under a control regime.
- (c) Surveillance species being Blue Morning Glory, Climbing Asparagass, Cotton Thistle, Ginger were recorded.

Non-RPMS Species found during surveillance:

- (d) Species noted generally as pest plants but not included in the current RPMS that were identified were, Giant Reed, Chilean Rhubarb, Chocolate Vine, Elaeagnus, Banana Passionfruit, Bay.

Summary

- 2. New sites of pest plants currently within the RPMS were identified.
- 3. Sites of pest plants recorded within the National Pest Plant Accord but not included in the RPMS were recorded.
- 4. A wider surveillance of the Marlborough Sounds, (with observation and assistance from DoC), Seddon, Ward and Rai Valley during 2009-10 is required to gather more robust data for review.
- 5. An analysis of the data recorded will provide added direction and consideration to be given during the review of the RPMS during 2010.
- 6. Steps to ensure that areas currently relatively free of pest plants remain that way.
- 7. **Te Ngahere Limited will provide a 20 minute power point presentation to the Committee.**

RECOMMENDED

That the information be received.

5. Invasive Ant Survey (File R390/08-14)

(Report prepared by Dave Grueber)

Purpose

1. The purpose of this report is to present the findings of the recent Invasive Ant Survey and ensuing workshop by way of a visual presentation of approximately 20 minutes, by Mike Bell.

Introduction

2. The Regional Pest Management Strategy for Marlborough 2007 (RPMS) lists Darwin ants only, as an invasive ant surveillance pest.
3. Both Argentine and Darwin ants are known to be in Marlborough, but no information on distribution or abundance was available prior to the current survey recently undertaken.
4. Anecdotal evidence suggested that Darwin ants may be widespread and that one site of Argentine ants had been confirmed by Landcare Research or DoC sometime in the last two years.
5. Both ant species are a worldwide tramp species, readily spread by human intervention.
6. They invade and adapt to new environments and form super colonies.
7. Argentine ant is listed worldwide in the "top 100" invasive pests.
8. Argentine ant impacts on environmental and human infrastructure, to a greater degree than does Darwin ants.
9. A more in depth survey of invasive ants was seen to be necessary to fulfil the objectives of the RPMS for surveillance pests, and data gathering is seen as priority for assessing the future direction and recommendations for the review of that RPMS, during 2010.

Background

10. The lack of robust data and the recognition that invasive ants impact on ecological and human activities and infrastructure determined that a robust survey be undertaken to meet the outcomes in the RPMS.
11. Council contracted Te Ngahere Limited to undertake a survey of ants, primarily using bait stations, baited with both protein and carbohydrate attractants.
12. The survey was conducted in proximity to the urban areas of Ward, Seddon, Blenheim, Picton, Renwick, Havelock and Rai Valley, primarily targeting the baiting of street corners, footpaths and public places. A publicised account of the survey in the Express newspaper inviting public feedback regarding ants on properties provided 40 additional survey sites.
13. Additionally, while carrying out other work, Council staff surveyed Okiwi Bay, French Pass and D'Urville Island.

Survey Results

14. The key conclusions of the surveillance undertaken were:
 - (a) Eleven species of ants were collected in the bait stations overall, many of them either native or endemic but two species, Darwin and Argentine, were more widespread than previously known.

- (b) Darwin ants are well established and generally widely dispersed in Blenheim and Picton, with singleton sites identified in Seddon and Renwick, and six sites in Havelock.
- (c) Argentine ants were identified in 16 sites surveyed in Blenheim and one site only in Picton.
- (d) The known Blenheim sites are essentially in an area between the Opawa in the north, the rail line in the west and south, and Dunbeath Street in the east.
- (e) Obviously the survey findings are indicative of “where we looked” and a conclusion that these sites are the only sites of invasive ants would be in error.

Workshop

- 15. A workshop involving Councillors, Richard Toft, ant expert of Entecol Limited, Peter Visser, Key Industries, a producer of ant control products, Robin Van Zoolen of Tasman District Council with eight years experience in ant control, Kerry Brown of DoC and Council staff was held to discuss the survey results.
- 16. The workshop focus was around:
 - (i) Impacts of Darwin and Argentine ants.
 - (ii) What can be done (do nothing vs control)?
 - (iii) Control options, costs, when, how, success?
 - (iv) Need for further surveillance to “fill the gaps”?

Workshop Outcomes

- 17. That it is recognised that the RPMS provides for an “active” approach for pests described a “Surveillance” in the Strategy and is one of gathering information, recording spread and density, impacts and options for control.
- 18. Although Darwin ants are the only ant specie listed in the RPMS, intervention is possible where potential risks arise from new pests or pest sites.
- 19. Clear guidance was given from Councillors that a three phased plan should be developed, essentially with the help of Richard Toft.
- 20. Phase One is to establish a delimiting survey to ascertain the extent of ant infestation on the basis of:
 - (a) The known Argentine ant sites of Blenheim and Picton.
 - (b) The Darwin ant sites of Renwick, Seddon, Picton and Havelock.
- 21. That survey is being undertaken currently, and Phases Two, and if necessary Three, of the plan hinge on the outcome of the data gathered during the delimiting survey.
- 22. The plan will be presented to the Committee late July 2009.
- 23. **Consultant Mike Bell, will provide a power point presentation for the Committee’s information.**

RECOMMENDED

That the information be received.

6. State of the Environment Report Marlborough 2008 (E225-11)

(Report prepared by Peter Hamill and Alan Johnson)

Purpose

1. The purpose of this report is to present to the Committee for adoption, a draft version of the publication *2008 State of the Environment Marlborough* prior to the report being made available to the public.

Introduction

2. Council has a statutory responsibility for monitoring and reporting on the state of the environment under the Resource Management Act 1991. Section 35 of the Act imposes a duty on the Council to monitor: *The state of the whole or any part of the environment of its region or district to the extent that is appropriate to enable the local authority to effectively carry out its functions under this Act.*
3. Monitoring, investigations and research provide Council with scientifically based information, and is a prerequisite to effective management of our natural resources.
4. Information obtained by Council over the years has been used in the preparation of the *2008 State of the Environment Marlborough* report by staff during the last six months. A draft document has been circulated to Councillors for their information. It is anticipated that further formatting and layout will be required before the final public launch.
5. This report is more detailed than previous state of the environment reports and highlights relevant aspects of Marlborough's environment that have been subject to a monitoring programme and/or have come under resource pressure during the past 10 to 15 years. Using the information obtained over that period, this report describes how our resources have been affected by those pressures.
6. Because of this the *2008 State of the Environment Marlborough* report, will become a significant and integral part of the Council's process to review the Marlborough Regional Policy Statement. It will also provide the community with an insight into the monitoring information, issues and activities that the Council is involved in.
7. As can be expected there are always limitations to the overall content of such a report. Not all natural resources can comprehensively be monitored due to funding limitations. The report however details monitoring information gathered over a long period of time on highly significant issues associated with monitoring key natural resource issues such as fresh water. Other monitoring issues have recently evolved in terms of significance and have been enabled through resourcing changes, e.g. biodiversity.
8. Notwithstanding the current monitoring programme and reporting framework the intention is to ensure future monitoring programmes continue to be subject of review and be aligned to current issues and Council policy.

Structure of the Report

Report Background & Setting the Scene

9. The first chapter of the report provides background as to why we monitor, what the Council actually monitors, the role of iwi and the use of public resources. While the second chapter sets the scene for Marlborough's environment, its history and people which are described along with the importance of the environment to Marlborough's economy.

Pressures on the Environment

This part of the report includes a series of chapters about the significant pressures that have been experienced in Marlborough. These chapters are on biosecurity risks, land use change, waste management, climate change and infrastructure and energy.

State of Marlborough's Environment

The remaining chapters of the report include information on the major natural resources of air, freshwater, land, coastal areas and biodiversity as well as chapters about heritage and landscape, the townships and small settlements of Marlborough and natural hazards.

Structure of Chapters

Aside from the first two chapters, each chapter includes the following information:

- An introduction including a brief insight to issues and responses followed by a description of significant issues or development pressures;
- Overview of any national implications where relevant and what we know from monitoring over time; and
- What we are doing to address particular issues.

In most chapters we have included narrative or case studies within a text box about specific issues or responses undertaken by the Council.

Public Release of Report

10. Staff intention prior to the public release of the report is to complete desk top publishing, and proceed with printing a limited number of hard copy documents. It is further anticipated that the report will be provided in electronic format via the Council website and by compact disc for the wider community.
11. The launch of the report is to be by public notification and copies of the report provided to key stakeholders and agencies. Following the launch staff intend to roll out a series of presentations to key stakeholders, agencies and interested groups over the next few months.

Summary

12. The Council is required by statute to undertake state of the environment monitoring and report on the condition of the environment. The *2008 State of the Environment Marlborough* report has been prepared using Council monitoring information and provides an analysis of the pressures on our natural and physical resources and how we as a community have responded to these pressures.
13. The *2008 State of the Environment Marlborough* report has been structured into a comprehensive document that foreshadows the last 10-15 years of environment monitoring in the District and coincides with the preparation and review of the Regional Policy Statement.
14. The intention is to publicly release the report and follow up with rolling out a series of presentations to interested stakeholder, agencies and interest groups.
15. Finally the production of the report could never have been possible without the technical ability and dedication of many Council staff and external expertise along with ongoing community commitment to resourcing of these environmental monitoring programmes.

RECOMMENDED

1. **That the information be received.**
2. **That Council adopt the “2008 State of the Environment Report Marlborough” and approve public notification of the report.**

7. Marlborough Environment Awards 2009 (F135-11)

(Report prepared by Nicky Eade)

Purpose

1. The purpose of this report is to update Councillors on the results of the 2009 Marlborough Environment Awards.

Background

2. The Awards are held every two years. A Charitable Trust consisting of several local organisations oversees the Awards with the Council having the main operational responsibility for running and funding the Awards.

Comments

3. Awards were presented to seven winners at the 2009 Marlborough Environment Awards dinner event held at Drylands Restaurant on Hammerichs Road on 8 May. MC Ian Mitchell capably led the 150 guests through the evening. The guest speaker was Alison Ballance, a writer and film maker currently working for Radio Zealand as their science and environment producer. The award winners are set out below.

Supreme Award jointly sponsored by the Marlborough Research Centre and Plant and Food Research

Won by the Plaisier family at "Tui Nature Reserve" in Pelorus Sound

Landscape Award sponsored by Morgans Road Nursery

Won by Hunters Wines Limited on Rapaura Road

Habitat Enhancement Award sponsored by Spy Valley Wines

Won by the Plaisier family of "Tui Nature Reserve"

Efficiency Award sponsored by Prenzel Distillery

Won by Nikki and Rob Marshall of Marlborough Plumbing and Heating

Innovation Award sponsored by Cuddons Engineering

Won by Rick Rawlings of Link Systems 2001 Limited

Farming Award jointly sponsored by Federated Farmers and Fonterra

Won by Paul and Muff Newton, Havelock

Forestry Award sponsored by the Marlborough Forest Industry Association

Won by Lou Jowers, Okaramio

Winegrowing/Horticulture Award sponsored by Rapaura Vintners

Won by Seresin Estate, Renwick

4. A programme of seven field days to each of the winning entrants was run through May following the dinner.

Summary

5. A full summary report and budget will be presented to the next meeting. The Awards trustee organisation met several times to assist with management decisions and the contribution of Penny Wardle as coordinator, and voluntary assistance from Tim Newsham from the Marlborough Environment Centre, is acknowledged.

RECOMMENDED

That the information be received.

8. Significant Natural Areas Project - Biodiversity Fund Application Success (E225-W02)

(Report prepared by Nicky Eade)

Purpose

1. The purpose of this report is to inform Councillors of the results of the latest application to the central government Biodiversity Fund for funding to assist with Biodiversity protection projects through the Council's Landowner Assistance Programme which operates as an integral part of the Significant Natural Areas project.

Background

2. The Biodiversity Fund was established in 2002 to provide financial assistance to promote biodiversity protection projects on private land in New Zealand. The Fund closely aligns with the Council's Significant Natural Areas project and there have been a number of successful applications to the fund over several years.

Comments

3. In December 2008 an application to the Biodiversity fund was prepared and submitted on behalf of five landowners involved in the significant natural areas project. The Biodiversity Fund has recently informed Council that all five applications were successful and up to \$118,125.00 has been approved. Council will also contribute to these projects along with the landowners. The projects include three wetland restoration projects (two on the Wairau Plains and one up the Wairau Valley near the Branch River), one riparian stream fencing project on a Sounds farm and an animal pest management programme on a Sounds property managed primarily for nature conservation purposes.

Summary

4. The five projects approved by the Biodiversity Fund are all substantial and will make important contributions to Biodiversity protection and restoration in the Marlborough District, along with a number of other projects already completed or underway through the Landowner Assistance Programme.

RECOMMENDED

That the information be received.

9. Linkwater Aquifer Baseline Hydrology Report (G045-01)

(Report prepared by Peter Davidson)

Purpose

1. The purpose of this report is to present the GNS Science document entitled: “*Linkwater catchment groundwater residence time, flow pattern, and hydrochemistry trends*” (**attached**).

Introduction

2. Linkwater is a low-lying, 5 kilometre long plain separating Okiwi Bay at the head of Queen Charlotte Sound from the Mahakipawa Arm Sound.
3. Following the 1998 and 2001 summer droughts, there has been a trend towards irrigation of cropping and dairy farmland in the relatively high rainfall Marlborough Sounds catchments.
4. Riparian type aquifers associated with the Rai-Pelorus River system, Tuamarina River or Are Are Creek, have limited groundwater storage and are currently managed as an extension of these river systems.
5. The Linkwater Aquifer is unique amongst the Marlborough Sounds catchments in that it lacks a perennially flowing river and has two seawater coastal boundaries. Different management approaches are likely to be needed to reflect these physical dissimilarities.
6. As a first step in understanding potential management issues and allocation limits, the Council commissioned a preliminary study of aquifer properties and dynamics. The study consisted of a review of the local geology, and measurements of groundwater environmental isotopes and hydrochemistry during a 2006 field survey.

Findings

7. The key conclusions of the GNS study were:
 - (a) The Linkwater Aquifer consists of an approximately 80 metre thick sequence of sands, silts and clay-bound gravels originally eroded from local hills.
 - (b) A lack of continuous water bearing layers points to the absence of a large, powerful river of the magnitude of the present day Pelorus flowing through Linkwater over geological time. The poorly sorted sediments are typical of small local streams such as Cullens Creek.
 - (c) Well yields vary from high to low, reflecting the geological variability and seasonal fluctuations in aquifer recharge.
 - (d) Cullens Creek is the most important surface waterway in the catchment in terms of flow and its influence on the nature of sediments hosting the Linkwater Aquifer. This is reflected in less permeable and more claybound gravels in eastern areas distant from Cullens Creek.
 - (e) Water bearing layers can occur at any depth and their location is unpredictable.
 - (f) Groundwater is recharged by flow losses from Cullens Creek in the western catchment, and by rainfall everywhere else. Cullens Creek is ephemeral for part of most summer seasons and during this phase all channel flow is lost to groundwater.
 - (g) There is a large variation in the age of groundwater from less than 3 years, to residence times of greater than 100 years.

- (h) Groundwater age increases with well depth. Generally speaking the older, deeper groundwater is more mineralised. There are some signs of land use impacts on shallow groundwater quality of the type generally associated with intensive agriculture.
- (i) Groundwater flow mimics the surface topography, moving from high ground towards the coast. A groundwater divide exists in the Linkwater school area with aquifer flow towards Okiwi Bay to the east, and towards the Mahakipawa Arm in the west.
- (j) Distinctive grey sediments representing a long-gone freshwater lake, occupied most of the Linkwater area 25,000 years ago, based on drilling records.
- (k) The scientific results from this study are unambiguous which is not always the case in these types of investigations. The Council and community can have a high level of confidence in the report findings.

Summary

- 8. The GNS Science report represents the first systematic investigation of groundwater resources at Linkwater.
- 9. It provides baseline chemical and isotope results for measuring future changes in the Linkwater Aquifer.
- 10. Council staff have scheduled further work to assess the safe yield of the Linkwater aquifer, seasonal variability in well levels and the impact of current consented levels of abstraction.

Acknowledgements

- 11. Council staff would like to thank local landowners for their cooperation during the 2006 survey and apologise for the delay in the release of this report. Copies of the report will be mailed to all landowners in the Linkwater catchment after its approval by the Council.

RECOMMENDED

- 1. **That the report “Linkwater catchment groundwater residence time, flow pattern, and hydrochemistry trends” be accepted.**
- 2. **That the report be made available to the Linkwater community.**

10. Aid to Navigation Replacement (H090-07)

(Report prepared by the Harbourmaster)

Purpose

1. The purpose of this report is to inform the Committee of proposed changes to some unlit Aids to Navigation within Queen Charlotte Sound.

Background

2. The Committee will be aware that Council provides and maintains in excess of 70 Aids to Navigation throughout the Sounds. The majority of these are lit but some more out-of-the-way Aids to Navigation are either spar/pillar type or buoys marking areas of danger. In total there are only four buoys remaining within the network, two in Queen Charlotte Sound, one in Port Underwood, and one in Pelorus.
3. Although there is a prescribed maintenance routine provided by contract, it has been found that in some areas, recreational craft use these buoys as moorings resulting in damage and, on occasion, the buoy mooring failing resulting in it being off station.
4. Over the past few years, timber spar/pillar markers have gradually been replaced by driving a railway iron into the danger area, sleeving it with a PVC pipe and filling this with concrete. This has been found to be a cost effective solution.
5. Since the areas where Aids to Navigation which are currently buoys are generally relatively shallow, it is the intention to replace these with a spar/pillar type configuration as described above. The reason for this is two-fold:
 - (i) Buoy anchors require to be lifted and serviced at regular intervals and, when lost, the additional costs associated with replacement and reestablishment, is high.
 - (ii) The new structure, once established, requires considerably less by way of maintenance than a buoy configuration does. It also allows for the Aids to Navigation to become lit should this be a requirement in the future.

Conclusion

6. There are several unlit buoy Aids to Navigation throughout the Sounds.
7. In areas where dangers are marked by buoys, it has been decided that these should be replaced by a spar/pillar type configuration. These changes will reduce maintenance costs whilst maintaining the high degree of safety provided by Aids to Navigation.

RECOMMENDED

That the information be received.

11. Collision - *Jewd/Krystana* (H090-05)

(Report prepared by the Harbourmaster)

Purpose

1. The purpose of this report is to inform the Committee of the recent collision between the yacht *Jewd* and the launch *Krystana*.

Background

2. The Committee will be aware from the news media reports of the collision that occurred off the Snout on the afternoon of 14 April 2009 involving the yacht *Jewd* and the launch *Krystana*.
3. It is not the intention of this report to delve into the causes that led to the accident - these are currently being investigated by Maritime New Zealand - but rather to provide the Committee with a broad overview of events.
4. At the time of the collision, the weather was fine and clear with a NNE breeze of 10-15 knots.
5. *Jewd* was a 6.8 metre trimaran and was en route to Waikawa Bay public launching ramp. *Krystana* is a 15 metre launch and was en route from Waikawa marina to Lochmara Bay.
6. At the time of the accident, *Jewd* was under full sail, making for the public launching ramp in Waikawa Bay.
7. As a result of the impact, all occupants from the yacht found themselves in the water, but were rescued by *Krystana* and another launch that had witnessed the accident. Moderate injuries were sustained by some of the yacht's occupants, but there were no injuries sustained on board *Krystana*.
8. With respect to damage, the yacht was a total constructive loss with the launch sustaining damage on both bows. The **attached** photos give some indication as to damage sustained by each vessel.
9. The incident is currently under investigation by Maritime New Zealand but there is no indication as to when a report will be available for release.

Conclusion

10. The yacht *Jewd* and the launch *Krystana* were involved in a collision in the vicinity of the Snout in clear weather conditions.
11. Moderate injuries were sustained by some of those on board *Jewd*.
12. The incident is under investigation by Maritime New Zealand.

RECOMMENDED

That the information be received.



12. Appointment of Hearings Commissioners (C270-11)

(Report prepared by Louise Walker)

1. The Marlborough District Council Resource Management Act 1991 Instrument of Delegation requires that a list of suitably qualified and independent persons be appointed from which Hearings Commissioners shall be engaged.
2. To date Council has approved a pool of 34 Hearings Commissioners who can be called on to hear and determine applications for resource consents pursuant to section 34A(1) of the Resource Management Act 1991.
3. All expressions of interest to be included in Council's pool of Hearings Commissioners are forwarded directly to the Environment Committee for a determination to be made as to the suitability of the candidate.
4. Marilyn Brown Neil Penney and Jo Stafford have applied to be part of this pool of Hearings Commissioners. Below is a brief of their employment and relevant experience.

Ms Marilyn Brown

5. Marilyn is currently a director at NM Associates Limited - Architects and Planners.
6. Marilyn has over 25 years professional experience in decision making processes under the Resource Management Act 1991, rules of natural justice, conflict resolution and formal facilitation processes.
7. Marilyn is a member of NZPI and the Resource Management Law Association.
8. Marilyn holds the appropriate making good decisions course qualification, required to undertake a role as a Commissioner.

Mr Neil C Penney

9. Neil is currently a director and principal at NM Associates Limited - Architects and Planners.
10. Neil is a widely experienced architect, urban designer and master planner and has acted as an independent hearings commissioner for the Wellington City Council.
11. Neil holds the appropriate making good decisions course qualification, required to undertake a role as a Commissioner.

Mr Jo Stafford

12. Jo has a Bachelor in Resource and Environmental Planning and in his career has been a Senior Lecturer at Victoria University in this field.
13. Most recently Jo has been a consultant for Primal Communications. His primary tasks were public relations, marketing and exporting. He has also been required to consult with iwi to assist with their resource management needs as well as representing clients who have needed cultural impact assessments performed.
14. Jo holds the appropriate making good decisions course qualification, required to undertake a role as a Commissioner.

Commissioner Pool

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

RECOMMENDED

That Ms Marilyn Brown, Mr Neil C Penney and Mr Jo Stafford be appointed to act as a Hearings Commissioner as and when required.

13. Proposed Alterations to Resource Management Act 1991 Schedule of Fees - Consents Administration, Monitoring and Supervision Fees (C270-00 & C270-05)

(Report prepared by Garth Congdon)

1. At the Environment Committee meeting held on 19 March 2009 it was agreed that the special consultative process be undertaken for the proposed alterations to the Resource Management Act 1991 Schedule of Fees - Consents Administration, Monitoring and Supervision Fees.
2. The proposed fees were duly advertised beginning on 9 April 2009. No submissions were received.
3. It is therefore recommended that the proposed alterations as set out below be adopted. The new fees are to take effect from 1 July 2009.

RECOMMENDED

1. **That Council adopt the proposed alterations to the Resource Management Act 1991 Schedule of Fees - Consents Administration, Monitoring and Supervision Fees.**

Consents - Administration, Monitoring & Supervision		Charge \$
Sampling including the contracting of an independent consultant	Variable	Actual
Consultancy charges	Variable	Actual
Laboratory costs	Variable	Actual
Administration fee	Flat	\$40.00
Site Inspection	Variable	
Environmental Protection Officer	Per Hour	\$130.00
Assistant Environmental Protection Officer	Per Hour	\$91.00
Student Environmental Protection Officer	Per Hour	\$65.00

2. **That the new fees take effect from 1 July 2009.**

14. Review of Fees for Land Information Memoranda and Project Information Memoranda (I090-00)

(Report prepared by Kirsty Crawford)

1. At the Environment Committee meeting held on 19 March 2009 it was agreed that the special consultative process be undertaken for the proposed alterations to the fees charged for Land Information Memoranda and Project Information Memoranda.
2. The proposed fees were duly advertised beginning on 9 April 2009. No submissions were received.
3. It is therefore recommended that the proposed alterations as set out below be adopted. The new fees are to take effect from 1 July 2009.

RECOMMENDED

1. That Council adopt the proposed alterations to the Resource Management Act 1991 Schedule of Fees Land Information Memoranda and Project Information Memoranda.

FEE TABLE: LGOIMA 1987 - Land Information Memoranda

Note

Land Information Memoranda (LIM) provides an applicant with information about a property, held by Council. They can be applied for at any time and may take up to 10 days to complete.

Land Information Memorandum	Charges \$	Proposed
Application charge - Residential	\$300.00	\$315.00
Application charge - Commercial/Industrial/Rural	\$525.00	\$545.00

FEE TABLE: Building Act - Project Information Memoranda

Note

Project Information Memoranda (PIM) are recommended to be applied for at the commencement of the planning for proposed works. They can be applied for at the time of lodging a Building Consent. A Project Information Memorandum application must be made in respect of any Building proposal and a separate fee paid as noted below.

Project Information Memorandum	Charges \$	Proposed
Application (Other than minor)		
Application charge - Intermediate Fee	\$150.00	\$165.00
Application charge - Standard Fee	\$300.00	\$330.00

Minor Applications

Application charge - Spaceheaters & Minor Works	\$25.00	\$40.00
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Minor Works do not include, structural alterations, connection to services, increased demand on existing waste or stormwater systems

2. That the new fees take effect from 1 July 2009.

15. Companion Dogs (D135-01-01 & D135-05-02)

(Report prepared by Kaye McIlveney)

Purpose

1. The purpose of this report is to request the Committee to approve “companion dogs” as a class of dog for which “working dog” status applies under the Dog Control Act 1996.

Background

2. Council has received three requests for dogs to be classed as “companion dogs” under the Dog Control Act 1996. Technically, there is no longer a “companion dog” category under the Act. Council can, instead, classify them as “working dogs”.
3. Two of the dogs are owned by people who are deaf. The dogs, though not trained by the Hearing Dogs for Deaf People NZ, are expected to assist the owners. The owners become alert to the dogs natural actions if there is a visitor for example. Deaf Aotearoa has written in support of these applications. They consider that the dogs will be essential to the owners’ safety in the home as the owners cannot hear a knock on the door, a child calling, a smoke alarm, a telephone or doorbell ring. It is expected that the dogs will alert their owners to all of these things. Deaf Aotearoa also advised that a local vet is interested in assisting with the training of these dogs.
4. The third application came from a person who suffers from acute anxiety and concerns for their personal safety. The applicant states that the dog greatly alleviates their anxiety when in public and when engaged in normal daily life. Their application was supported by letters from medical professionals and from a vet certifying that the dog is a suitable dog for that purpose.

Comment

5. The Dog Control Act 1996 provides that certain dogs (termed “disability assist dogs”) are treated as working dogs under the Act. This entitles the owners of those dogs that fit the criteria to the working dog level of registration fees which is lower than that for non-working dogs.
6. Disability assist dogs are also entitled to enter public places and premises registered under the Health Act 1956 in which dogs are normally prohibited (s75 Dog Control Act 1996).
7. Disability assist dogs must be certified as being a dog trained (or in training) to assist a person with a disability by one of the organisations specified in the Act. The organisations that can make this certification are listed in the Act. The organisations are:
 - (a) Hearing Dogs for Deaf People New Zealand.
 - (b) Mobility Assistance Dogs Trust.
 - (c) New Zealand Epilepsy Assist Dogs Trust.
 - (d) Royal New Zealand Foundation of the Blind.
 - (e) Top Dog Companion Trust.
 (We understand that the Top Dog Companion Trust is now defunct.)
8. None of these particular dogs have been trained by any of the above organisations so they cannot be certified and cannot become disability assist dogs.

9. However, Council may, by resolution, include as working dogs any specific dog or any dogs owned by a particular class of persons. This would give the owners a more limited benefit than if the dogs were disability assist dogs but would entitle them to the reduced registration fees payable for working dogs and to enter public places under the control of Council in which dogs are normally prohibited (as provided in Council Bylaws). It would not entitle the owner and dog to the benefits of section 75 of the Act (they would not be entitled to enter restaurants and other premises licensed under the Health Act 1956 from which dogs are normally banned for health reasons).
10. In this case, it is recommended that, rather than approve individual dogs, Council create a class of dogs known as companion dogs.

Summary

11. Council has received three applications for dogs to be classed as working dogs. The dogs assist their owners in their daily lives but are not “disability assist” dogs. Council can, by resolution, include as working dogs any specific dog or any dogs owned by a particular class of persons. It is appropriate for this class of dogs to receive the benefits of working dog status.

RECOMMENDED

1. **That Council declare, by resolution, that any dog of the class “companion dogs”, being a dog owned by a person with a disability and kept solely or principally for the purpose of assisting the person with their disability, be classed as a “working dog” under section 2 of the Dog Control Act 1996.**
2. **That any application for “companion dog” status be supported by a letter from a disability assistance organisation or a medical practitioner.**
3. **That individual applications for “companion dog” status be determined by the Chief Executive, the Regulatory Department Manager, the Manager Compliance, or the Animal Control Administrator.**

16. Dairy Shed Effluent and Stream Crossing Surveys (Ref 13/1/1/1)

(Report prepared by Joanne Smart)

1. Please find **attached** the 2008/09 report on the Dairyshed Effluent and Stream Crossing Surveys.

RECOMMENDED

That the Dairyshed Effluent and Stream Crossing Surveys 2008/2009 report be received.

17. Information Package

RECOMMENDED

That the Regulatory Department Information Package dated 11 June 2009 be received and noted.

18. Decision to Conduct Business with the Public Excluded

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

- Unauthorised Activities: Workers' Accommodation
- Unauthorised Land Disturbance (1)
- Unauthorised Land Disturbance (2)
- Unauthorised Works in a Waterway
- Stream Crossing Progress
- Winery and Wastewater Survey

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
Unauthorised Activities: Workers' Accommodation Unauthorised Land Disturbance (1) Unauthorised Land Disturbance (2) Unauthorised Works in a Waterway Stream Crossing Progress Winery and Wastewater Survey	In order to protect the privacy of natural persons, as provided for under Section 7(2)(a).	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.