

File Ref: C135-E01

Ask For: Mr Porter

9 October 2009

Notice of Committee Meeting - Thursday 15 October 2009

A meeting of the Environment Committee will be held in the Council Chambers, District Council Administration Building, Seymour Street, Blenheim on **Thursday 15 October 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 15 OCTOBER 2009 commencing at 1.30 pm**

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| 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 Clr P J S Jerram 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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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 & C Norman - 202 Wither Road, 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).**
- **B A & L M Rogers - 1052 State Highway 63, Wairau Valley - exemption for doors opening into pool area (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **J Buckley & M Neiman - 9 Rousell Place, Blenheim - exemption to install a Poolsaver coverstar automatic pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **P J & K Schriffer, 22 Hope Drive, Blenheim - exemption to install a Poolsaver coverstar automatic pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**

2. Moorings - Double Cove, Queen Charlotte Sound (M180-Q01)

(Report prepared by the Harbour Master)

Purpose

1. The purpose of this report is to update the Committee on the issue relating to mooring use in Double Cove, Queen Charlotte Sound.

Background

2. The Committee will recall that at the previous meeting, the matter of poisoned wilding pines in eastern arm of Double Cove was brought to its attention.
3. The eastern arm of Double Cove has been used as a safe anchorage for many years as little wind usually reaches inside the Cove. However, during storm events, effects are felt inside the Cove. There are 27 moorings along the western shore, where it is deep to the edge of the bank.
4. Since the western face of the bay is relatively steep, it was considered likely that poisoned trees would fall towards the lower slope and end up in the water and likely cause damage to vessels on moorings.
5. Following discussions with the landowner, work has now been undertaken and the felling of poisoned trees completed. All practical precautions were put in place to prevent trees falling into the water, but it was accepted that this would happen to some. These were retrieved and loaded onto a barge. To ensure navigation safety matters were addressed, appropriate navigation warnings were issued. Some photos are **attached** for information.
6. The area will be monitored on an *ad hoc* basis by the harbour patrol, although no regular patrols are undertaken during winter months.

Conclusion

7. Trees within Double Cove have been poisoned and, as a result, posed a potential hazard to moorings located in the area.
8. The landowner has been in discussions with the Harbour Master with respect to removal of the poisoned trees.
9. Work to clear the trees has now been completed without any reports about potential hazards to navigation received.

RECOMMENDATION

That the information be received.





3. Swimming Lane - Momorangi Bay (H090-07)

(Report prepared by the Harbour Master)

Purpose

1. The purpose of this report is to inform the Committee on the potential establishment of a designated swimming lane at Momorangi Bay.

Background

2. During the course of last summer, the Manager of the DoC camping ground at Momorangi Bay approached the Harbour office with a suggestion that a swimming lane be designated in the Momorangi Bay area.
3. Currently, there are three designated swimming lanes, two in Picton and one in Waikawa Bay. The areas are delineated with yellow buoys and, at two locations, also have a moored swimming raft.
4. The current lanes are established at Labour weekend and removed at Easter of the following year.
5. The existing swimming lanes have been reserved under the provisions of the Navigation Bylaws, but it is felt that rather than establish a permanent lane immediately, a temporary lane, which would be monitored over the summer period, was a better first option. There is no doubt that Momorangi is a popular holiday area and a swimming lane could be complimentary to the amenities already there. There is some concern, however, on the impact establishment of a swimming lane may have on the boating activities that already occur in the area.
6. In conjunction with the Camp Manager, the Harbour Patrol will monitor use and impacts of the swimming lane over summer with a view of reaching a decision on its permanency at the end of the summer season.

Conclusion

7. The Camp Manager at Momorangi Bay has approached the Harbour office with a suggestion that a swimming lane be established in the area.
8. The area of Momorangi Bay is a popular holiday and camping spot, attracting many campers over the summer season.
9. To gauge success, or otherwise, of a swimming lane, it is suggested that a temporary swimming lane be declared this summer to determine its continuation.
10. The use and impact of the swimming lane will be monitored by the Camp Manager and the Harbour patrol. This information will determine whether a permanent swimming area should be reserved.

RECOMMENDATION

1. **That the information be received.**
2. **That pursuant to Part 5.7 of the Navigation Bylaws 2002, a swimming lane is established for the 2009/10 summer season.**
3. **A report on the success, or otherwise, of the temporary lane is made to the Committee following disestablishment of the lane.**

4. Aids to Navigation - Contract (H090-07)

(Report prepared by the Harbour Master)

Purpose

1. The purpose of this report is to inform the Committee on the issue relating to Aids to Navigation contract.

Background

2. The Council owns and maintains an extensive network of Aids to Navigation (AtoNs) throughout the promulgated harbour area. The network comprises of 65 lit and 24 unlit AtoNs.
3. Network maintenance has been carried out on Council's behalf through a contract. The current contractor has provided service since 2004 with the contract being extended once in 2007. At the time of extending the contract, it was the Committee's direction that on expiry of the existing contract a public process to select a new contractor be followed.
4. Following similar procedures in place at the time of the previous public process, registration of interest has been called for. This part of the process closes in early October, after which those parties that meet predetermined criteria will be invited to provide a quotation based on the contract.
5. It is recommended that the Harbour Master and the Committee Chairman be delegated to select the preferred candidates.

Conclusion

6. The Aid to Navigation contract is due to expire on 30 November 2009.
7. Currently, a registration of interest process is underway with a view of selecting preferred candidates to provide a quotation based on the contract document.
8. A sub-Committee consisting of the Committee Chairman, the Departmental Manager and the Harbour Master be authorised to select the most appropriate contractor.

RECOMMENDED

1. **That the information be received.**
2. **That the Harbour Master and the Committee Chairman be delegated to select the preferred candidates.**
3. **That a sub-Committee consisting of the Committee Chairman, the Departmental Manager and the Harbour Master be authorised to conclude the Aid to Navigation contract.**

5. Feral Pigeons - Blenheim CBD (R390-01)

(Report prepared by Dave Grueber)

Purpose

1. To present the outcomes from a recent investigation into the habits and impacts of feral pigeons (rock pigeons) in the central business district of Blenheim and for Council to consider control options.

Background

2. The Committee will be aware of the recent concerns from business occupiers and members of the public within the CBD of Blenheim regarding feral pigeons, specifically the guano associated with roosting and nesting birds. Large numbers of pigeons are found both within the urban and rural areas of Marlborough, and alarm has been raised over the damage occurring to building roofs and footpaths within the centre of Blenheim.
3. A recent survey undertaken on behalf of Council, by Wildlife Management International Limited (WMIL), a highly recognised wildlife consultant firm, highlighted that:
 - (a) Rock pigeons have been present in Marlborough since European settlement, and there is evidence that numbers have been increasing recently. Changes in bird distribution between two mapping periods (1969-1976 and 1999-2004) by the Ornithological Society of New Zealand has shown that the distribution of rock pigeons in the South Island has expanded, especially along the east coast. In Marlborough during this time, birds have extended their range up the Wairau Valley, and expanded into the Lower Awatere Valley and surrounding foothills as far south as Ward. Further expansion is likely up the Awatere Valley, in the foothills around Ward (at present birds are mostly coastal in this area), and in the Waima/Ure River.
 - (b) The Post Office Building is a central focal point for pigeons in Blenheim. Although no birds were seen to be roosting overnight or breeding on the Post Office (but this may change as the main breeding season approaches) it is the main day roost, and staging area for birds.
 - (c) Each morning from 30 minutes after first light rock pigeons start arriving onto the Post Office Building. Flocks of 20-50 birds were seen arriving for the following two hours, most of which were approaching from the north/northeast, and although not confirmed it is likely that these are Port Underwood birds. In late July/early August few birds were roosting in town at night, the birds that did were roosting in the palm trees at the Railway Station (where at least one pair were feeding young) and the Taylor River opposite the River Queen.
 - (d) Birds would congregate on the eastern side of the Post Office building from where they would then disperse further. Most birds would leave in flocks of 20-50 birds and head further up the Wairau Valley. A smaller number of birds dispersed throughout town to feed on the fruits of palm trees. In town no birds were seen on the ground feeding, or being fed by people. The morning period is very active, with new flocks arriving to join the group on the Post Office, and other flocks leaving for the feeding grounds. Overall total numbers of birds using the Post Office Building was 400-600, but usually only 200-400 birds were on the roof at any one time.
 - (e) During August about half of the birds continued to head north/northeast, but flocks of up to 40 birds moved into Phoenix palms where they roosted overnight at the Railway Station, Taylor River (both opposite the River Queen, outside Raupo Cafe, and the IRD Building), Seymour Square, Clubs of Marlborough and at Base Woodburne. In all of these areas it appeared that more birds had started to breed in these palms, and this change in behaviour is probably a reflection of the breeding season progressing into its peak. In the evening, activity around these roost trees was high. Again this is occurring during a time of high

public use so would make the birds highly visible. By the start of September almost all birds were roosting within town and few were flying out of town to roost.

- (f) A large number of starlings were roosting in the palms along the Taylor River and Clubs of Marlborough. These birds were contributing significantly to the guano found on the paths below these trees.
- (g) The risk of transmission of disease to people is very low, even for those in regular close proximity to pigeons and their droppings.

Comments

4. WMIL recommends that should Council develop a control plan, a long term view is needed to develop a managed approach to rock pigeons in Blenheim. Pigeons are extending their range in the South Island, and there needs to be acceptance that pigeons will always be a part of both the rural and urban landscape in Blenheim. The key is developing a long term management approach which will minimise the impacts of pigeons. An integrated applied research control programme could provide this balance.
5. Future decision making in regard to pigeon management needs to be carefully considered to ensure that any action is not exacerbating the problem. Rapid, un-thought out action may end out more costly, and further research surrounding management options is recommended. Both cost benefit analysis and risk assessment should be taken into consideration before any significant control options are instigated.
6. One area where Blenheim may differ is around public perception of pigeons. Nowhere was anybody seen to feed birds, and it is unlikely that there are many people in Marlborough who value the birds as “feathered friends”. However, this does not necessarily mean that the public will not be opposed to poisoning birds.
7. A significant finding is that the town pigeons are part of a wider rural population rather than a separate urban one. This creates both positives and negatives for pigeon management in Blenheim.
8. A key positive is knowing that the Blenheim birds are travelling into rural areas to feed, as this increases the available control options. Generally rural landowners are more aware of pest issues and can tolerate control programmes. By confirming feeding areas of Blenheim birds these can be targeted for control.
9. The main negative is that the pattern of behaviour has changed drastically over the period of the study, with it appearing to be related to the onset of spring, and most birds starting to breed. The shifts in behaviour will need to be better known when planning control operations. It is likely that pigeon behaviour may continue to change throughout the year with changing seasons. It will be most important for any control operation to know the best time, and method, to target birds and further observations should be carried out to assess pigeon habits throughout the year before initiating any control programme.
10. Unfortunately the Post Office building is perfectly suited to pigeons, the large gently sloping roof providing sunny roosting areas. The only possible option would be to exclude pigeons by netting the roof. However birds would probably then shift to numerous ledges surrounding the building.
11. Netting the entire building is possible (and is widely used overseas on historical buildings), but again this may encourage birds onto other buildings and although curing the Post Office Building concerns, it may only shift the problem to others. A detailed cost benefit analysis, taking into consideration the risk of transferring the problem, is probably the only way to properly evaluate this option.
12. Although no pigeons have been seen to be feeding on the ground within town during this study, it is known that pigeons do feed on the ground at times.

13. At present pigeons are heavily reliant on Phoenix palms, and there are scores of younger palms which are not yet being used by birds. Growth rates of these trees suggest that in 10-15 years time they will be suitable for pigeons, and it is likely that there will be an increase in pigeon numbers within Blenheim. Long term Council should plan for the replacement of these trees. At present there is a 10 year window to encourage tree growth. The urban planning process which is currently underway should take this into mind, and along with encouraging biodiversity, it should look at mitigating pigeon problem areas. Replacing palms with native trees, and habitat enhancement along the Taylor River would help to reconnect the town with the river.

Considerations

14. In considering management intervention a number of management options are available from doing nothing, providing information, landowner responsibility or full intervention by Council. The best approach may be a mix of these measures.
15. It is suggested that consideration be given to manage the Phoenix palms under the control of Council, to negate fruit ripening and becoming a feed source and consider the future of these large palms, including consideration for a replacement specie for young recently established palms.
16. It is also suggested that the control of pigeons roosting or nesting on privately owned buildings, including cleaning of privately owned footpaths or business frontages should be the responsibility of the building owners. Various options are also available to mitigate any impacts and this information is available (e.g. "Hotfoot" paste).
17. If Council is to undertake any level of control it is suggested that an ongoing behavioural study to determine the exact time to poison the birds in a rural area needs to be undertaken to get best effect.
18. WMIL assessment is that this study would be once a week throughout the remaining months until March-April where an increase in daily monitoring would take place to enable winter feeding locations to be established. This would cost up to \$15,000.00.
19. The cost of any poisoning regime, if considered necessary, would cost up to \$10,000.00.
20. Council needs to be aware that any intervention into feral pigeons will require ongoing intervention and eradication is not considered an option.

Summary

21. Pigeons are extending their feral range in Marlborough and eastern South Island.
22. The impacts from pigeons are seen by business owners as causing damage to building structures, footpaths etc. However the overall costs and effects are unknown.
23. They are common within Blenheim CBD and up to 600 use the Post Office as a staging area and a few use Phoenix palms as a feed source.
24. Few roost in Blenheim over winter months but numbers increase during nesting periods in spring.
25. Starlings also roost in the palms and add guano to 'ground scene'.
26. Private building owners should take responsibility for pigeon control and cleaning of private business frontages and footpaths on their buildings. Information is available to businesses on how to manage pigeons.
27. If any approach to control is considered by Council it needs to be planned on a long term ongoing basis and that the social implications of intervention are considered.
28. Costings approaching \$25,000.00 are envisaged in the first year if any formal control intervention is undertaken by Council, and ongoing annual costs will occur. This will need to be funded by a rate increase.

RECOMMENDED

1. That the information be received.
2. That no recommendation be made pending Council decision.

6. Regional Pest Management Strategy for Marlborough - Operational Plan Report 2008/2009 (R405-07)

(Report prepared by Dave Grueber and Ben Minehan)

1. The Environment Committee, acting in its capacity as a management agency for the Regional Pest Management Strategy for Marlborough, is required pursuant to section 85 of the Biosecurity Act 1993 to adopt an operational plan report on an annual basis.
2. The Committee will also be aware that this operational plan report has been aligned to the Regional Pest Management Strategy 2007. The operational plan report is also aligned to Council's annual plan report.
3. The operational plan entitled "Regional Pest Management Strategy for Marlborough - Operational Plan Report 2008/2009" is **attached separately** for the Committee's adoption.
4. Council is required to make this report available to the public and the appropriate Ministers of the Crown.

RECOMMENDED

1. **That the information be received.**
2. **That the Regional Pest Management Strategy for Marlborough - Operational Plan Report 2008/2009 be adopted, and made available to the public and appropriate Ministers of the Crown.**

7. Regional Pest Management Strategy for Marlborough - Operational Plan 2009/2010 (R405-07)

(Report prepared by Dave Grueber and Ben Minehan)

1. The Environment Committee, acting in its capacity as a management agency for the Regional Pest Management Strategy for Marlborough, is required pursuant to Section 85 of the Biosecurity Act 1993, to adopt an operational plan on an annual basis.
2. The Committee will also be aware that the operational plan has been reviewed and amended and aligned to the Regional Pest Management Strategy 2007. The operational plan is also aligned to the LTCCP.
3. The operational plan entitled “Regional Pest Management Strategy for Marlborough - Operational Plan 2009/2010” is **attached separately** for the Committee’s adoption.
4. Council is required to make the plan available to the public and the appropriate Ministers of the Crown.

RECOMMENDED

1. **That the information be received.**
2. **That the Regional Pest Management Strategy for Marlborough - Operational Plan 2009/2010 be adopted, and made available to the public and appropriate Ministers of the Crown.**

8. Chilean Needlegrass Meeting at Awapiri Station, Upper Awatere Valley (R390-06-02)

(Report prepared by Ben Minehan)

Purpose of Report

1. The purpose of this report is to advise the Committee of a meeting held with the Upper Awatere farming community as a result of concerns being raised about the spread of Chilean Needlegrass from the containment area at Blind River.

Comments

2. Several members of the Upper Awatere farming community expressed concern to Council with regard to stock from the Upper Awatere area being grazed in or near the Chilean Needlegrass containment area at Blind River.
3. As a result of these concerns Councillor Peter Jerram and Council Officer, Ben Minehan, convened a meeting of the Upper Awatere farming community at Awapiri Station (Cookhouse) on 18 September 2009.
4. Council Officer, Ben Minehan, gave a presentation on the biology and modes of spread of Chilean Needlegrass in the Australian situation and the situation here in New Zealand. The implications for the Upper Awatere farming community if Chilean Needlegrass was spread from the containment area into the extensive country of the Upper Awatere Valley were discussed.
5. The Upper Awatere farming community is concerned that Chilean Needlegrass could be moved into the extensive hill country in the valley and for this reason it was implied that no stock should be grazed on a property with a known history of Chilean Needlegrass and transported back up to the Awatere Valley.
6. Further liaison with the Upper Awatere community is expected to continue. Council is waiting on feedback from the community on their views in order to implement any procedures to mitigate any potential spread risks, which could also result in enforcement by Council.
7. A field day is also expected to be run at the end of October to allow Upper Awatere farmers and those landowners from outside the containment area to come and have a look at which Chilean Needlegrass infestations. This will assist the Marlborough community in being better informed and should result in the early detection of any other isolated patches of this invasive plant pest being discovered.

RECOMMENDED

That the information be received.

9. Marlborough Landscape Group (E225-R03-08)

(Report prepared by Nicky Eade)

Purpose

1. The purpose of this report is to firstly provide a general update to Councillors on the activities and processes of the Marlborough Landscape Group and secondly to ratify the updated Group Strategy.

Background

2. As Councillors are aware, the Marlborough Landscape Group was established in 2002 in response to widespread community concerns about rapid land use change in Marlborough, particularly in relation to vineyard development and expansion.
3. The Group's focus has since widened to include the whole of the Marlborough region and broader landscape issues.
4. With the current review of the Regional Policy Statement and other resource management plans underway, the Group is well placed to provide input.
5. The current Strategy document underpinning the Group was developed in 2004 and then reviewed in early 2007. It has recently been further reviewed to more accurately reflect the roles and functions of the Group.

Comments

6. The new strategy sets out the Group's objectives which are "to encourage landscape enhancement, on private and public land" and "to discourage loss or degradation of the Marlborough landscape".
7. It also sets out nine major concerns of the Group and polices and methods of implementation to address these objectives and concerns. The main methods include: encouraging landscape protection and improvement; creating awareness of landscape issues; and informing policy development.
8. The strategy also sets out group membership, administration and funding matters. It has been decided that membership will be reviewed in the New Year and any membership changes will be put forward for approval by this Committee.
9. A new facilitator has been engaged to help with administration and management of the Group following the resignation of Penny Wardle in August. Bev Doole will take up this role from October.
10. It is also timely to reaffirm Councillor representation on the Group. It is recommended that a Councillor from the Environment, Assets and Services and Environmental Policy Committees be seconded to the Group and that a Councillor take on the position of Chair.

Summary

11. The Marlborough Landscape Group continues to provide a valuable link between the community and the Council with a focus on landscape issues. Landscape management is set out as an important matter within the Resource Management Act 1991 and the Landscape Group is well placed to act as a focus group in relation to the current policy reviews being undertaken by the Council (using Boffa Miskell consultants).
12. The Group's Strategy has recently been reviewed and amended and forwarded to Councillors to consider.
13. That Councillor representation is reaffirmed.

RECOMMENDATIONS

- 1. That the information be received.**
- 2. That the draft strategy (September 2009) of the Marlborough Landscape Group be approved.**
- 3. That the Committee consider named representatives from the Environment, Assets and Services and Environmental Policy Committees for the Marlborough Landscape Group.**

10. Hieracium and Tussock Grassland Decline - Awatere Valley, Marlborough (E225-H03)

(Report prepared by Nicky Eade)

Purpose

1. The purpose of this report is to update Councillors on the tussock grassland/hieracium monitoring programme which the Council has been supporting over the last few years.

Background

2. Hieracium is an exotic plant which is actively invading and dominating much of New Zealand's hill and high country, displacing short tussock grasslands and reducing both conservation and production values. Research into the biology and management of hieracium species has focussed mainly on bio-controls and grazing management.
3. As part of this research effort a project in Marlborough was initiated in the early 1990s by Landcare Research and the Hieracium Control Trust with the aim of providing information around the management and control of hieracium species in tussock grasslands. Animal proof enclosure sites were established in Limestone Valley on Mt Gladstone Station in the Upper Awatere Valley. These were part of a national network of sites. Alan Rose has carried out the work on an annual basis, initially he was employed as a scientist with Landcare Research and later became an independent consultant under the name of 'Upland Research'. Along with the annual monitoring a detailed five yearly monitoring is also undertaken as well as some specific work on bio-control agents.
4. The Marlborough District Council was approached to contribute to the ongoing research in 2002. Since this time the Council has continued to contribute approximately \$10,000.00 to the programme annually so that it could continue. It was viewed as a piece of locally relevant research that we could assist with and that would provide some management information for Marlborough landowners.
5. A paper summarising the results of the work was published in "The Journal of Ecology" in 2007. This paper found that hieracium cover increased steadily over time while short tussock grass species declined. The exclusion of grazing animals had no effect on this continuing take over by hieracium species.

Comments

6. As the research has now been going for over 15 years Council staff decided to review the need for ongoing annual monitoring. Following discussion with the Awatere landowners and with consultant Alan Rose, we have decided to reduce the monitoring frequency to five yearly. We believe the results to date indicate continued increase in hieracium species and that five yearly monitoring will be adequate to provide an overview of ongoing trends.
7. Fence maintenance of the enclosure plots is crucial to the integrity of the research and this task will be undertaken by Council staff, in conjunction with the landowners, on a twice yearly basis.
8. The reduction from annual monitoring will also mean that cost savings are achieved.

Summary

9. This research has been ongoing for over 15 years and the results show that hieracium species will continue to become more dominant and other species will continue to decline with or without grazing.
10. Council staff recommend that the work is supported in the medium term on the basis of a reduced monitoring frequency. This will mean the five yearly detailed monitoring which was last carried

out in the 2008/2009 year will be repeated in 2013/2014 by Upland Research. The cost for this work will be approximately \$20,000.00 every five years which results in a net saving of \$30,000 over the five year period.

11. Exclosure plot fences will be maintained by Council staff.

RECOMMENDATIONS

1. **That the information be received.**
2. **That the hieracium/short tussock grassland research programme continues to be supported by the Council but is reduced to a five yearly monitoring frequency.**

11. Recreational Water Quality 2008-09 (W180-02)

(Report prepared by Fleur Tiernan)

Purpose

1. The purpose of this report is to present the results of the 2008-09 recreational water quality programme. The separately **attached** reports detail the results of the 2008-09 monitoring programme:
2. This report also presents the first of five environmental report cards required to be published by the Council by the LTCCP. The recreational water quality report card (**attached**) summarises the information in the two reports above.

Background

3. Thirty one popular swimming sites are monitored annually as part of the Council's Recreational Water Quality programme. 18 of the sites are situated on coastal waters and 13 are situated in rivers.
4. Sites are monitored on a weekly basis from the beginning of November to the end of March each year. The results are assessed against the Ministry for the Environment guidelines for marine and freshwater swimming sites.
5. Results are assessed as follows:

On a weekly basis results are compared with the following guidelines and reported to the public via the Council website.

| Coastal Sites | | River Sites | |
|---|--|---|--|
| Acceptable 'Green Mode' <140 /100mL (Enterococci) | Highly likely to be uncontaminated Safe 😊 | Acceptable 'Green Mode' <260 /100mL (E. coli) | Highly likely to be uncontaminated Safe 😊 |
| Alert 'Amber Mode' >140 /100mL | Potentially contaminated OK 😐 | Alert 'Amber Mode' >260 /100mL | Potentially contaminated OK 😐 |
| Action 'Red Mode' > 280 / 100mL | Highly likely to be contaminated Unsafe 😞 | Action 'Red Mode' > 550 / 100mL | Highly likely to be contaminated Unsafe 😞 |

These results are then assessed on an annual basis and Beach Grades or Suitability for Recreation Grades are determined for each site. The Beach Grade incorporates the latest five years of microbiological data plus a risk assessment for each site. The methodology for determining these grades is outlined by the Ministry for the Environment.

6. 2008-09 Results

Rainfall related events are responsible for the majority of exceedances recorded in 2008-09. Portage is the exception, where four out of the five exceedances were during dry weather. High rainfall in the Rai Valley during November and December 2008 resulted in some of the highest bacteria numbers recorded. After consultation with the District Health Board three of the four Rai Valley sites had warning notices put in place to warn the public of the unacceptable risk of infection/illness from contact with the water. These notices were taken down after two consecutive results showed that the water was again deemed 'safe' for recreational use. The figures below summarise the results for the 2008-09 bathing water season.

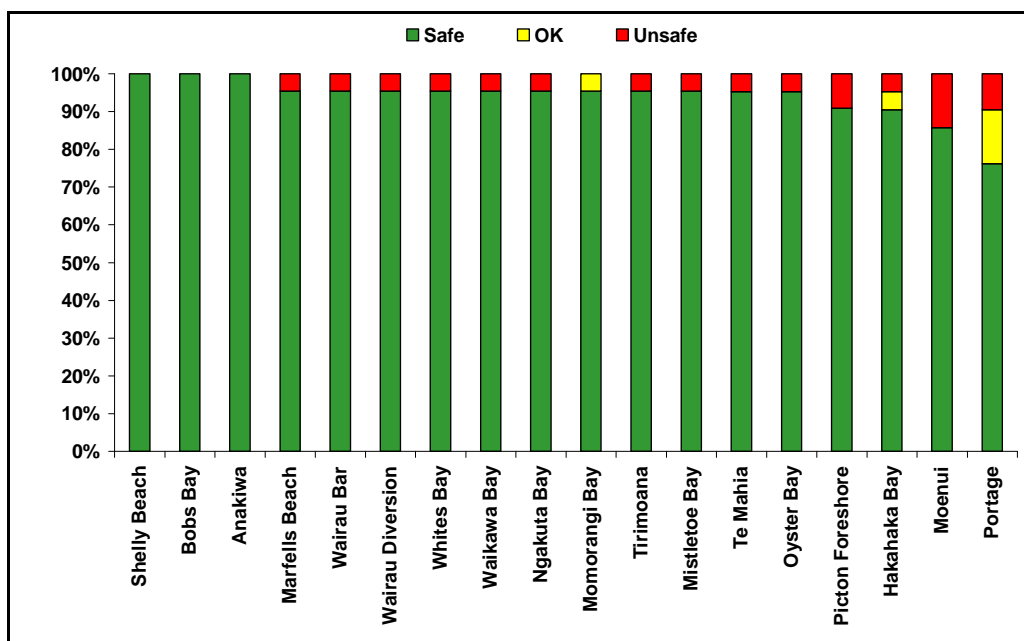


Figure 1: Coastal water bathing sites ranked according to the percentage of time they were suitable for contact recreation.

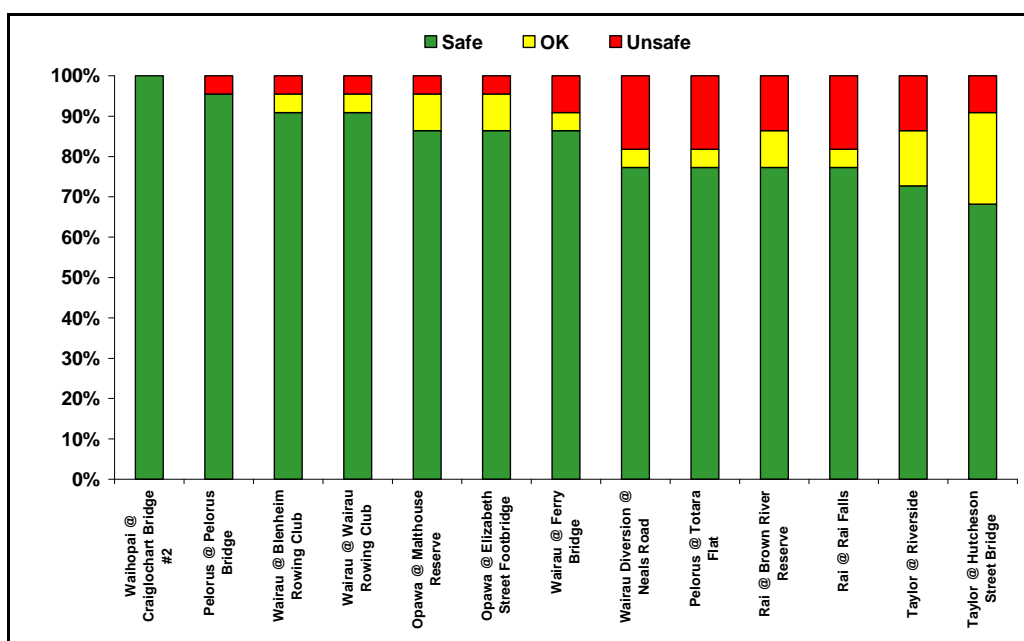


Figure 2: Freshwater bathing sites ranked according to the percentage of time they were suitable for contact recreation.

7. Suitability for Recreation Grades (SFRGs)

Regular sampling throughout the summer season is necessary in order to determine complete beach grades which accurately reflect water quality conditions at a site. All but one of the freshwater sites have enough data to determine complete beach grades, whilst only 10 of the 18 coastal sites have enough data. Nonetheless the final grades, shown below, for the coastal and freshwater sites are considered to be representative.

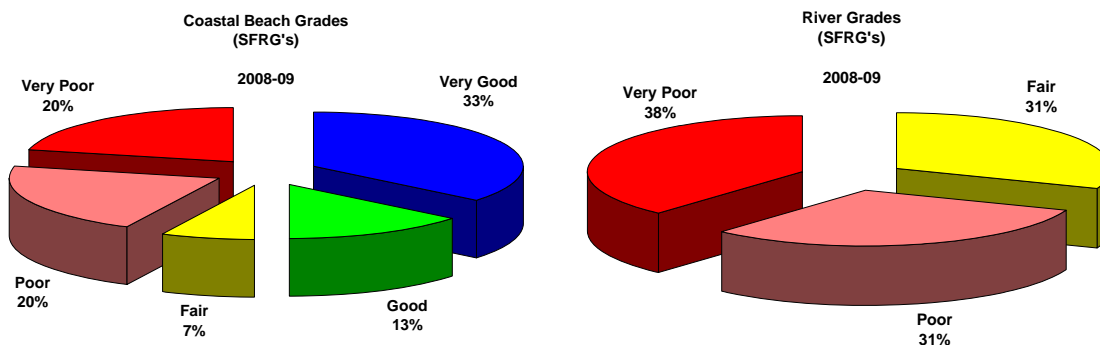


Figure 3: Suitability for Recreation Grades for Marlborough's popular swimming spots.

Comments

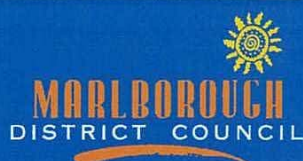
- Exceedances of MfE's bathing water guidelines are commonly recorded during rainfall events, reflecting the impact diffuse pollution has on Marlborough's recreational water quality. This result is consistent with other regions around New Zealand. Urban areas and areas of intensive agriculture have the poorest water quality. Initiatives are in place to help address this problem. The Clean Streams Accord aims to address bacterial contamination from dairy farms whilst the Council's 'Stormwater Strategy' aims to minimise bacterial contamination from urban runoff. However these areas will always be deemed as 'high risk' for recreational use.

Summary

- Exceedances of MfE's bathing water guidelines are common following high rainfall.
- Nearly 70% of Marlborough's river swimming sites are graded 'poor' or 'very poor', reflecting in part, their location in urban and intensive agricultural areas.
- 40% of Marlborough's coastal swimming sites are graded 'poor' or 'very poor'.
- Diffuse pollution remains Marlborough's biggest threat to recreational water quality.

RECOMMENDED

- That the information be received.
- That the Marlborough Freshwater and Coastal Recreational Water Quality 2008-09 reports be received.



Recreational Water Quality Annual Monitoring Summary 2008-09

KEY POINTS

- 31 popular swimming sites are regularly monitored every summer
- Wet weather often leads to exceedances of MfE's guidelines for swimming beaches and rivers
- Swimming should be avoided during and after wet weather, particularly in urban and intensively farmed areas
- 80% of coastal swimming sites were deemed safe for more than 95% of the time during the 2008-09 summer
- Only 30% of river swimming sites were deemed safe for more than 90% of the time during the 2008-09 summer
- Approximately 50% of coastal beach sites have a Grade (SFRG) 'Very Good' or 'Good'
- River sites are graded at best as Fair. Nearly 70% of river sites are graded 'Poor' or 'Very Poor'
- Diffuse pollution remains the biggest threat to recreational water quality in Marlborough

Why we monitor:

Every summer 13 river swimming spots and 18 coastal beaches are sampled for the presence of bacteria (*E. coli* in freshwaters and Enterococci in coastal waters). The number of bacteria present in the sample gives an indication of the risk of contracting illness or infection from being in contact with the water. The numbers are based on the Ministry for the Environment (MfE's) bathing water guidelines. Sampling takes place once a week from November to March. Results are published once a week on the Council's website. The purpose of the monitoring is to inform the public of the relative safety of our popular swimming sites.

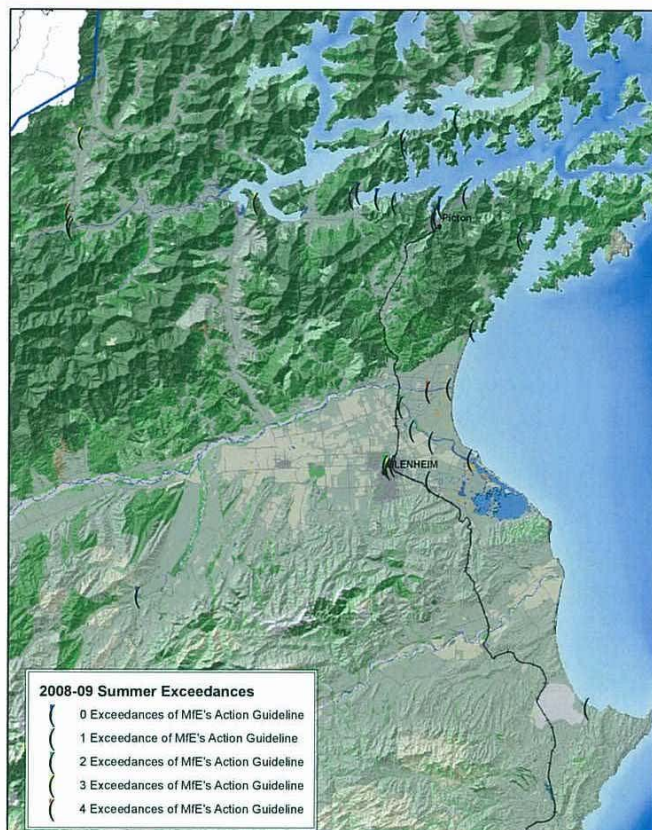
Coastal Water Results 2008-09:

Our coastal water quality is generally very good in terms of compliance with the recreational water quality standards. In 2008-09 80% of monitored beaches were safe to swim at for over 95% of the summer time.

This year Marfells Beach exceeded the MfE action guideline for the first time since sampling began at this beach in 1996. It is not known what may have caused this exceedance but it is likely that seagulls and other birds may have had a very localised impact.

The best water quality was at Shelly Beach in Picton, Bobs Bay in Picton and Anakiwa. There were no exceedances at any of these sites in 2008-09.

Moenui and Portage had the poorest water quality. Over the last 2 years rainfall events have led to a number of exceedances at Moenui. Investigations are ongoing as to the source of this contamination.



Summary of water quality for popular swimming sites in Marlborough. The Action Guideline level for freshwater and coastal waters are 550 *E. coli* /100mL and 280 Enterococci /100mL

Freshwater Results 2008-09:

Our rivers are highly prized for recreational activities, from swimming to kayaking, rowing and fishing. A wet spring in 2008 led to numerous exceedances of MfE's guidelines, the worst were recorded for the Rai Valley catchment. Health warning signs were put up in December due to the unacceptable bacteria levels at the Brown River Reserve, the Rai Falls and at the Pelorus at Totara Flat.

Once the floods abated the water quality remained good for the rest of the summer. This is an improvement over previous summers where frequent dry weather exceedances have been recorded for these sites.

The Taylor River had the poorest water quality. Swimming at the Taylor River was only considered safe for approximately 70% of the time.

The best water quality was recorded at the Waihopai at Craiglochart where it was safe to swim for 100% of the time and at the Pelorus Bridge, which only had one exceedance of the guidelines during the heavy spring rainfall.

Beach Grades:

Our swimming sites are graded each year to reflect the general water quality that can be expected from them. Beaches and rivers are graded using the Ministry for the Environment's methodology. The Grade incorporates data from 5 years of sampling in addition to incorporating a risk assessment for the site.

The quality of our river sites are typical of that seen throughout New Zealand. Although there is a perception that our rivers are generally safe for swimming they often suffer from high bacteria loads during wet weather. This has resulted in many of our rivers sites being graded 'Fair' at best, in addition most popular swimming sites are located in lowland and urban areas, areas which are particularly susceptible to bacterial contamination, especially after rainfall.



The Rai River in flood November 2008. (Maike van der Heide, The Marlborough Express).



The Outward Bound school with students at the Rai Falls.

What do MfE's guidelines mean?

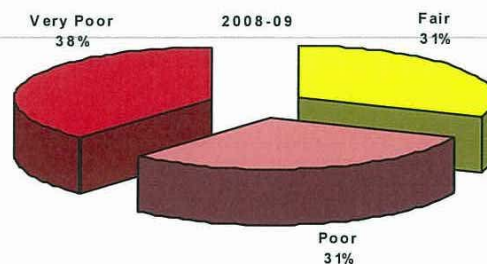
Each week water samples are assessed against MfE's guidelines for recreational waters. The results are posted on the Council website each week. The guidelines denote the *level of risk* of contracting illness/infection from being in contact with the waters. This level of risk is described below:

Coastal sites

River sites

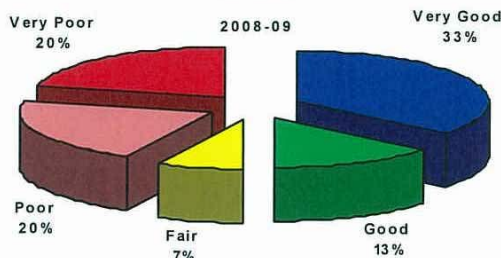
| | |
|--|--|
| <p>Acceptable</p> <p>'Green Mode' <140 /100mL (Enterococci)</p> <p>Highly likely to be uncontaminated Safe 😊</p> | <p>Acceptable</p> <p>'Green Mode' <260 /100mL (E. coli)</p> <p>Highly likely to be uncontaminated Safe 😊</p> |
| <p>Alert</p> <p>'Amber Mode' >140 /100mL</p> <p>Potentially contaminated OK 😐</p> | <p>Alert</p> <p>'Amber Mode' >260 /100mL</p> <p>Potentially contaminated OK 😐</p> |
| <p>Action</p> <p>'Red Mode' > 280 / 100mL</p> <p>Highly likely to be contaminated Unsafe 😞</p> | <p>Action</p> <p>'Red Mode' > 550 / 100mL</p> <p>Highly likely to be contaminated Unsafe 😞</p> |

Suitability for Recreation Grades (SFRG's)



2008-09 River Grades

Suitability for Recreation Grades (SFRG's)



2008-09 Coastal Water Grades

What can you do to help protect our waterways?

- Keep stock out of waterways to prevent faecal contamination
- Ensure sewage from boats and campervans is correctly disposed of
- Ensure septic tanks are properly maintained and can cope with increased volumes, particularly important during the summer months.

What is the Council doing to protect our waterways?

- Regular monitoring helps to identify problem areas, it also shows if an area is experiencing an improvement or a decline in water quality
- The Council has a 'Stormwater Strategy' in place to help minimize pollution from urban runoff.
- The Council with the help of the farming community are working towards minimising the effects of stock, particularly dairy herds, on water quality through eliminating stock crossings and fencing and planting riparian margins to prevent stock access to waterways, thereby reducing the faecal load to waterways.
- It is illegal to dump sewage from boats within 500m of the shoreline.

For more information on recreational water quality go to www.marlborough.govt.nz

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12. Winter Air Quality 2009 (E225-A02)

(Report prepared by Fleur Tiernan)

Purpose

1. The purpose of this report is to present the air quality results for the 2009 winter (May to August) for the Marlborough region.

Background

2. PM₁₀ is the only air contaminant currently being regularly monitored in Marlborough.
3. There are three air quality monitoring sites in Marlborough, two are located in Blenheim and one is located in Picton. The details of each are listed below:

| | Location | Frequency of monitoring | Method of monitoring | Reporting period |
|---------|---|-------------------------|----------------------|--|
| AIR-015 | 106 SH6, Middle Renwick Road, Springlands, Blenheim. | 1 in 3 days | Hi-vol | 1 filter collected after 24 hours (midnight to midnight) and sent to ELS LTD for analysis. |
| AIR-016 | Redwoodtown Bowling Club, 65E Weld Street, Redwoodtown, Blenheim. | Hourly | 1020 BAM | A 24-hour average calculated from hourly readings from midnight to midnight. |
| AIR-025 | 1 Lincoln Street, Picton. | 1 in 3 days | Hi-vol | 1 filter collected after 24 hours (midnight to midnight) and sent to ELS Ltd for analysis. |

4. Blenheim is the only designated airshed in Marlborough. The Ministry for the Environment guidelines state that daily monitoring of PM₁₀ must be carried out in designated airsheds. AIR-016 is the only site that records daily PM₁₀ concentrations; it is located in an area in Blenheim deemed to have the poorest ambient air quality. AIR-015 is the longest running air quality site in Marlborough and therefore provides a good indication of long term trends in air quality for Blenheim. AIR-016 is a temporary site located in Picton, it has been operational since June 2008 and was established to investigate ambient air quality in Picton.

5. The results for each of the sites for the 2009 winter are shown in the graphs below:

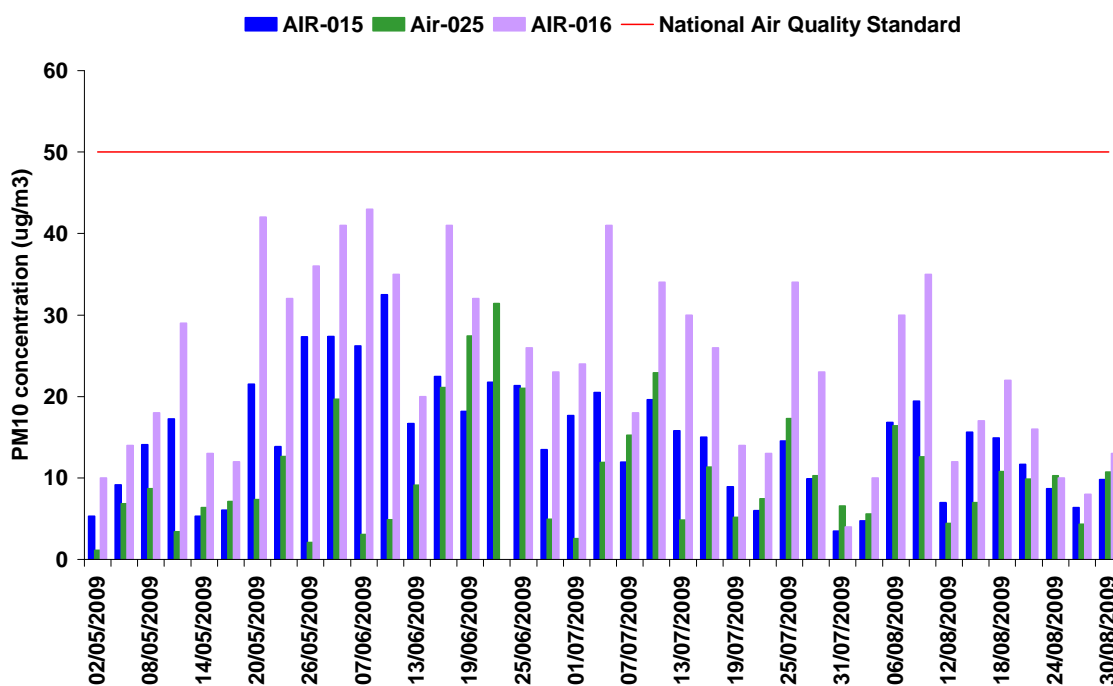


Figure 1: Comparisons of daily PM₁₀ concentrations for the three sites.

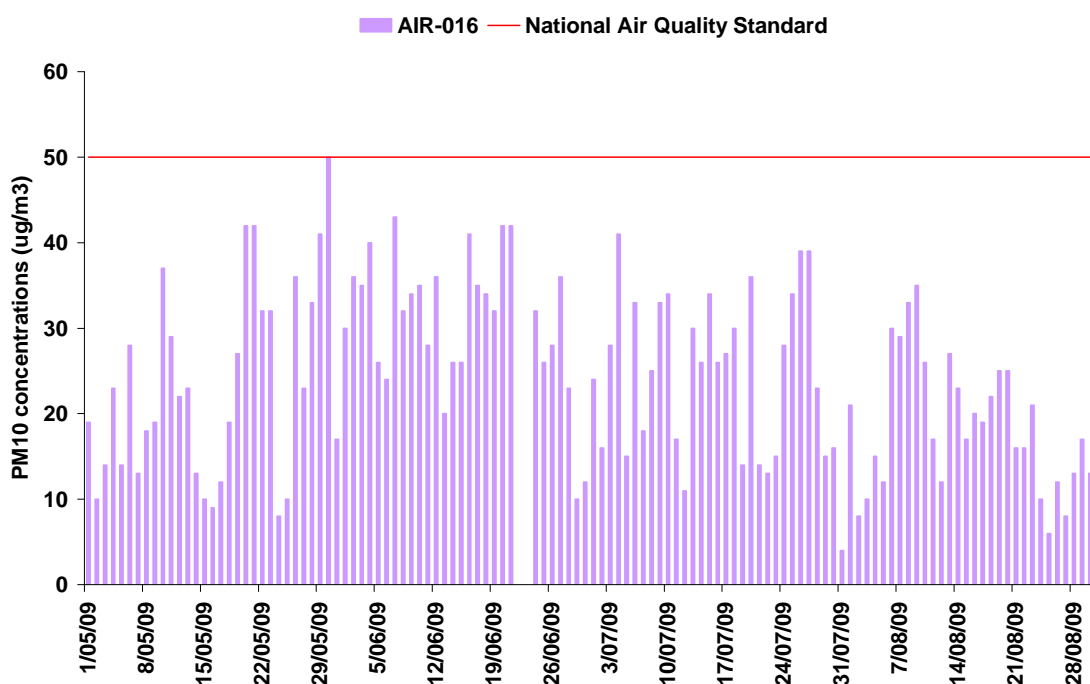


Figure 2: Daily PM₁₀ concentrations measured at AIR-016, Blenheim Bowling Club, Redwoodtown.

6. There were no exceedances of the National Air Quality Standard for PM₁₀ for the 2009 winter period. The highest daily PM₁₀ concentrations was 50ug/m³, recorded at Blenheim Bowling Club on the 30 May 2009 (Figure 2).

7. Despite having one of the coldest winters on record, for the first time since monitoring at Redwoodtown began, there were no exceedances of the National Air Quality Standard for PM₁₀. There has been an apparent decrease in PM₁₀ concentrations in recent years as evident in the graph below, however it is *unlikely* that the absence of exceedances this winter is as a result of a reduction in PM₁₀ emissions within the airshed. It is more likely that meteorological conditions contributed to the low PM₁₀ concentrations recorded this winter.

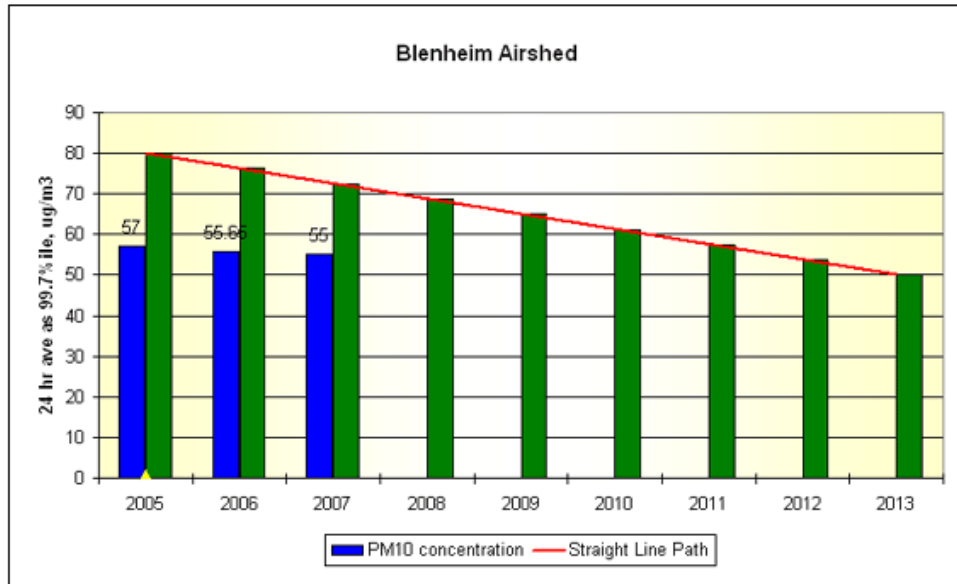


Figure 3: Blenheim’s PM₁₀ concentrations as depicted on MfE’s website.

8. Exceedances of the National Air Quality Standard for PM₁₀ generally occur on cold still nights, when wind speeds are below 2.5m/s. An analysis of winds for the coldest week during the winter (when the mean daily temperature remained below 3°C), shows wind speeds exceeded 2.5m/s. Increased wind speeds will have the effect of dispersing pollutants before they are allowed to build to high level.

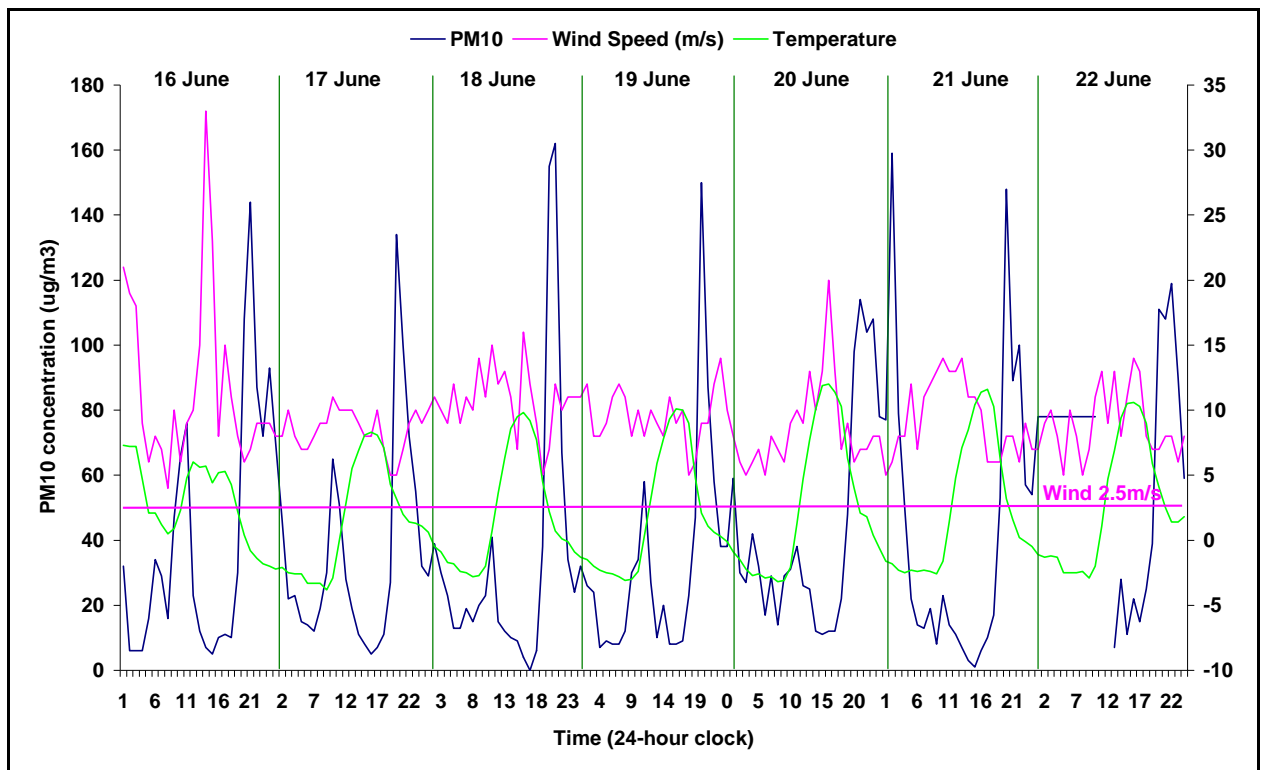


Figure 4: PM₁₀ concentrations during the coldest week of the winter depicted against wind speed and temperature.

9. Factors that will have contributed to a reduction in PM₁₀ emissions in the Blenheim airshed include:
 - (a) The introduction of an NES for all new woodburners.
 - (b) The conversion to 'clean heat' options such as heat pumps.
 - (c) An improvement in the type and the amount of insulation in houses.
 - (d) Improvements in industrial emissions within and around the airshed.

Comments

10. A project to assess the long-term trends in PM₁₀ emissions and concentrations in Blenheim is currently being carried out. Funding for the project is being provided by FRST under the Envirolink project scheme.

Summary

11. For the first time since monitoring began at the Redwoodtown Bowling Club, there have been no exceedances of the National Air Quality Standard for PM₁₀.
12. It is likely that a combination of meteorological conditions and a reduction in PM₁₀ emissions in the Blenheim airshed led to this result. Work is being carried out to determine what the 'real' long term trend in PM₁₀ emissions and concentrations in Blenheim is.

RECOMMENDED

That the information be received.

13. Environmental Science & Monitoring Activity Work Programme 2009/2010 (E225-01)

(Report prepared by Alan Johnson)

1. The purpose of this report is to inform the Committee of the detailed Environmental Science and Monitoring Group Work Programme for 2009/2010. For the purpose of this report the functions and projects described exclude Biosecurity activities.
2. The Committee will be aware that the Environmental Science and Monitoring Group has a range of responsibilities prescribed under the Resource Management Act 1991 for monitoring and promoting the sustained management of the district's natural and physical resources.
3. In the context of environmental sustainability, the Resource Management Act (section 35) provides an overall duty to Council to gather information, monitor, review and manage this information. In general terms the group has responsibility for:
 - (a) Monitoring, investigations and reporting on the state of the environment, which includes land, water, air and water resources (fresh and coastal).
 - (b) Monitoring and providing science-based information to assist in strategic policy development.
 - (c) Monitoring the effectiveness of Council Regional Policy Statement and Plans.
 - (d) Providing technical input into resource consents.
 - (e) Facilitating environmentally sustainable resource use and development of protection practices through various methods, including education and advocacy.
 - (f) The group also monitors and provides predictions for hydrological flood events for Council.
4. The **attached** table provides a summary of the proposed work programme and external expenditure items for 2009/2010. The Environmental Science and Monitoring Group project budgets amount to \$920,100 including recent carry forward approvals of \$123,000, while the environmental monitoring network (hydrology activity) budget is \$119,621.
5. The programme is funded predominantly from rate revenue, however revenue sources, such as funding from research agencies and government assistance, is also used for specific projects. The project expenditure is for external costs such as contractors, laboratory results, materials and specialist expertise where necessary. The work programme is managed by Council's Environmental Scientists responsible for the various disciplines.
6. All projects identified in the overall programme are in accordance with Council direction and approval in terms of the Regional Policy Statement and Resource Management Plans including action on issues following Council resolution.
7. The work programme may vary throughout the year in response to new issues and this may result in a need to redirect resources to achieve priority goals.

RECOMMENDED

That the information be received.

Environmental Science and Monitoring Activity

Work Programme Summary 2009/2010

Environmental Science and Monitoring Activity

Work Programme Summary 2009/2010

| Function | Project | Methodology/Purpose | Estimated Budget | Project Manager |
|---|---|--|------------------|-----------------|
| Groundwater Quality & Quantity | Monitor groundwater quantity | Regional groundwater level network of 18 wells monitored to identify patterns or trends, and SOE reporting. | \$3,000 | Peter Davidson |
| | Monitor groundwater quality | Regional groundwater quality sampling network of 31 wells to monitor and identify patterns or trends for microbes, pesticides, general chemical parameters, nutrients, heavy metals and SOE reporting. | \$23,500 | |
| | Archive aquifer observations and parameters | Update and maintain the following records: well logs, aquifer test observations, water quality observations, environmental isotope measurements, well head elevations, well level observations and flow gauging. | | |
| | Monitoring instruments and equipment | Installation of a new dissolved oxygen meter. | \$4,500 | |
| | Groundwaters of Marlborough publication | Update and peer review groundwater publication, desktop publish and print. | \$30,000 | |
| | Northbank tributaries flow interaction with Wairau River, scree water storage and general science investigations | Resourced by University of Canterbury student, flow gauging, water quality measurements and aquifer testing Issues requiring science investigations to resolve resource consent matters. | \$13,500 | |
| | Spring Creek hydrology | Fingerprinting of recharge source and age dating using chemistry and isotopes methods. | \$2,000 | |
| | Taylor River/groundwater arsenic survey | In conjunction with Assets and Services to sample wells/channel to identify source of arsenic. | \$5,000 | |
| | Establish permanent groundwater quality monitoring site at Rai Valley | To measure urban impacts on ground water systems and SOE reporting. | \$7,500 | |
| | Wairau Valley Township-Potability Survey | To analysis information to determine potability issues. | \$2,000 | |
| | Lessons from Christchurch City on impacts of urbanisation on freshwater spring flow | Provide a summary report and visit CHCH to view sites and gain a briefing. | \$7,500 | |

| Function | Project | Methodology/Purpose | Estimated Budget | Project Manager |
|---|--|---|------------------|----------------------------|
| | Improve community understanding of groundwater resources and resolve management issues | Rarangi Water User Group liaise meeting Aquifer pamphlets, newsletters and diagrams to communicate groundwater resource issues and concepts. | \$4,500 | |
| Surface Water Quantity | Monitor the state of Marlborough's surface water quantity and identify patterns or trends | Regional surface water (quantity) network Note - network operated and maintained by Environmental Monitoring Team SOE reporting and data archiving. | | Val Wadsworth |
| | Flood monitoring and prediction for extreme events | Monitor river conditions, Severe Weather warnings, telemetered alarms, predict likely flood magnitude, and report as per Flood plan. | | |
| | Surface Water Flow Data | Increased web site data availability by making historical data available for web site download. First year goal to provide data for Wairau, Waihopai and Awatere Rivers. Includes data quality assurance component. | \$12,500 | |
| | East Coast low flow yields | Investigate possible methodology to better determine runoff, if necessary using consultants, then implement monitoring, and/or source data as appropriate. | \$7,000.00 | |
| Fresh Water Ecosystems, & Coastal Monitoring | Implementation of Freshwater Fish monitoring strategy | Surveying representative waterways across the range of River Environment Classification (REC) present in Marlborough. | \$1,000 | Peter Hamill |
| | Monitoring of culverts to assess suitability for fish passage | Survey culverts under Marlborough's roading network to assess their suitability for fish passage. | | |
| | Biological monitoring of impacts on the benthic communities from inter-island ferry operations and publish report | To manage the existing monitoring contracts to monitor inter-island ferry operations. | \$30,150 | Peter Hamill & Neil Morris |
| | Ship wake monitoring from inter island ferry operations | To manage the existing monitoring contracts to monitor effects of ferry wake. | \$15,500 | Neil Morris |
| | Identify Regionally significant wetlands pursuant to section 6 of the RMA | To scope, investigate, field validation, and prepare a schedule of regionally significant wetlands for RPS review. | \$50,000 | Peter Hamill |
| | Identify Regionally significant habitats and species in Marlborough's marine environment pursuant to section 6 of the RMA | To scope, investigate, schedule and prepare a report of regionally significant marine habitats and species for RPS review DOC joint project. | \$40,000 | |
| | Identify values pursuant to section 6 RMA associated with Wairau fresh water springs and their relationships with groundwater allocation as an indicator of ground water health and allocation methodology. | To scope, investigate fresh spring values and their association with groundwater allocation for RPS review. | \$5,000 | |
| | Identify catchments and in stream values pursuant to section 6 of the RMA associated with the freshwater resources within these catchments | To scope, investigate and prepare a schedule of catchments and values associated with freshwater resources within each catchment for RPS review. This project is linked to river classification and water quality standards review. | | Peter Hamill |

| Function | Project | Methodology/Purpose | Estimated Budget | Project Manager |
|--|--|--|------------------|-------------------------|
| | Monitor the recovery of the benthic environment after the removal of a Mussel Farm | To manage the existing monitoring contracts to monitor effects of removal of a mussel farm. | 12,840 | |
| | Grovetown Lagoon Project | To provide technical and administrative assistance to the Te Whanau Hou group. | \$15,000 | |
| Fresh Water Ecosystems, & Coastal Monitoring (cont) | Implementation of self reading of water meters by the resource users. | Implementation of self reading of water meters by the resource users & development and implementation of a web based software package to allow direct input of water meter data by the resource users. Assist water user meter audits and information sharing. | \$19,750 | Peter Hamill & Mike Ede |
| | Promotion and implementation of educational programme to primary schools, including Wai Korero & Pest Fish programmes | Implementation in conjunction with Enviro schools programme, resource kits and educational material. Technical workshops. | \$8,000 | |
| Fresh & Coastal Water Quality | Recreational (coastal and freshwater) water Quality monitoring | Regional network of 13 freshwater bathing sites monitoring for Escherichia coli (E. coli), 18 coastal water bathing sites monitored for Enterococci. Telemetry and automated monitoring. Manual sampling and field measurements, lab analysis, reporting. Medium term monitoring outcomes. | \$27,500 | Fleur Tiernan |
| | Freshwater quality SOE monitoring | Regional network of 28 core freshwater sites monitored for E.coli, range nutrients, oxygen, conductivity, turbidity, pH. Macroinvertebrates for 47 water management zones. Telemetry and automated monitoring. Manual sampling and field measurements, lab analysis, reporting. | \$54,600 | |
| | Clean Streams Accord: Rai Valley Water Quality Monitoring | Network of 14 sites within the Rai Valley catchment monitoring bacteria levels (E.coli). Telemetered monitoring at 1 site. Manual sampling and field measurements, lab analysis & reporting. | \$38,000 | |
| | Rai/Pelorus valley Collaborative water quality project | Landcare Trust led SFF project to determine contamination sources. Promote & enhance community water quality issues by modelling bacteria and nitrate loads. (Long term project) | | |
| | Water Quality Standards Review for input into Regional Policy Statement | Incorporating a review to develop: River classifications and water management zones. This project is linked to a review of fresh water values. | | |
| | Review water quality Strategy and procedure manual | | | |
| | Mill Stream monitoring to assess water quality | Review of 2008-09 data. Report on the state of water quality of Mill Stream and Recommendations for management. | | |
| Air Quality | Air Quality monitoring for Blenheim and Picton airshed | Regional network of 3 air quality sites monitoring PM10 for compliance with NES. Telemetry and automated monitoring. Manual sampling and field measurements, lab analysis, reporting. | \$31,500 | Fleur Tiernan |
| | Air Quality Policy development input. | To continue to develop policy measures to reduce Pm10 emission levels in Blenheim airshed. | | |
| Land Management | Monitoring condition of SNA sites protected through the Landowner assistance programme | Field visit by ecologist using monitoring sheet and photo points to record condition and change. (30 sites) Develop SOE report card. | \$33,000 | Nicky Eade |

| Function | Project | Methodology/Purpose | Estimated Budget | Project Manager |
|---|--|---|------------------|-----------------|
| | Develop a monitoring programme for Marlborough's biodiversity over representative sites | Develop a broader monitoring programme to measure biodiversity outcomes. | \$2,000 | |
| | Significant Natural Area restoration & assistance programme | To provide assistance to landowners to promote the protection of significant natural areas on private land including initiative. | \$151,000 | |
| Land Management (cont) | Establish a Marlborough biodiversity forum | Approximately two meetings/workshops per year. | | Nicky Eade |
| | SNA survey work at a minimal level (2 properties, 1 being the current monitor farm) | Continue with SNA surveys as requested at a limited scale. | \$12,000 | |
| | Native seed collection eco-sourcing project | Set nets at select tree sites and provide seeds for propagation. | \$10,000 | |
| | Landcare group support | To support existing or new landcare groups that may form through providing advice, facilitation, printing and publications and some limited financial assistance. | \$1,000 | |
| | Marlborough Landscape Group | To facilitate & manage the landscape group. review the landscape Strategy. Implement landscape operational plans. | \$100,000 | |
| | Hieracium invasion monitoring project - Uplands Research | To continue to fund an established monitoring and research programme to assess the long term changes in hieracium cover in tussock grasslands in the Awatere Valley, with and without grazing. (Programme under review) | \$12,000 | |
| | Monitoring of soil quality | Sampling soils from a range of different landuse activities in the Marlborough Region - 20 new sites. Long-term monitoring, SOE Reporting. | \$23,500 | Colin Gray |
| | Soil compaction survey on dairy farms | Sampling soils from a range of different dairy pasture sites. | \$10,000 | |
| | Soil Intactness (Erosion) survey | Completion of project using point sample analysis derived from ortho-rectified aerial photos to determine extent of soil intactness. | \$8,000 | |
| | Investigation of re-contoured soils in South Marlborough | Compares and contrasts in-situ soil characteristics and behaviour on representative natural and re-contoured sites in order to quantify the impact of re-contouring on soil properties. | \$12,500 | |
| | Natural hazards project for RPS - Soil mapping on loess soils South of Blenheim | Soil sampling and mapping the distribution of loess soil, that are susceptible to gully erosion south of Blenheim. | \$10,000 | |
| | Land use and land cover analysis | To monitor and analysis changes in both land use and cover, using spatial analyst tools and field verification methods. GIS staff inputs and SOE outputs. | | |
| | Audit of clean fill sites in Marlborough | Desktop review, site visit and sampling of identified clean fill sites in Marlborough to ensure they comply with guidelines. | \$10,000 | |
| | Land Contaminated Data base | To continue risk screening data and advising the public of information and risks. | | |
| | Investigating contaminated sites | Investigation of priority sites. Desktop review, site visit and sampling of priority potentially contaminated sites identified on Councils Sites Risk Register. | \$36,500 | |
| OSET National testing Programme (Septic Tanks) | National testing of an advanced On-Site Effluent Treatment system. | \$1,500 | | |

| Function | Project | Methodology/Purpose | Estimated Budget | Project Manager |
|--|--|--|--------------------|------------------------|
| General | Web Site review | ESM Group to undertake a comprehensive review of environmental information and real time data interface with Council Web site. | | ESM Team |
| | State of the Environment report cards and community awareness | Review and develop a 'report card' for environmental reporting. Undertake a coordinated campaign to increase public awareness of SER and issues. | \$3,000 | |
| | Review of Environmental Information Systems | Review data quality, security, and opportunities for systems to interface with real time monitoring data and the web site. Undertake a user needs analysis & GIS data | \$2010 | |
| | Envirolink research Coordination (MDC Share) | | \$7,500 | |
| | Regional Council collective Science Strategy Coordination (MDC Share) | | \$3,250 | |
| | Science based technical advice | Advise provided for resource consent and policy sections of Council. | | |
| Environmental Review Sub Budget (Estimated) | | | \$920,100 | |
| Environmental Monitoring Network | Environmental Monitoring Network 'operations and management' | Ongoing management and maintenance of Councils automated regional monitoring sites and information: rainfall network of 22 automated sites river flow network of 21 sites water level network of 31 sites groundwater level network of 29 sites groundwater temperature of 11 sites groundwater conductivity of 11 sites river water quality 3 sites air quality (Pm10) of 3 sites | \$70,621 | Mike Ede, and EMO Team |
| | Environmental Monitoring Network 'Capital infrastructure' | To manage the existing network and facilitate upgrades to equipment and new stations as required. | \$49,000 | |
| Monitoring Network Sub Budget | | | \$119,621 | |
| Total Estimated Expenditure | | | \$1,039,721 | |

14. Monitoring of Swimming Pool Fences (C270-01)

(Report prepared by Graham Roberts)

Purpose

1. The purpose of this report is to inform members on progress with monitoring of swimming pool fences.

Background

2. Under the Fencing of Swimming Pools Act the Council has a responsibility to monitor the safety of swimming pools located in its district. The responsibility for maintaining swimming pool fences in a safe and sound condition is always the responsibility of the pool owner. Council's role is to ensure that pool owners are meeting their obligations and take appropriate action where they do not.
3. In the normal course of events the Council monitors a minimum of 15% of pools in its district annually for compliance with the Fencing of Swimming Pools Act.
4. The monitoring of pool fencing involves a visit to sites known to have swimming pools to ensure that existing fencing is maintained in a safe condition, that gates automatically close as required and that the owner has not placed any items near the fence that could allow a child to climb the fence. In addition, the monitoring includes checking on pools that have been advised as being emptied to ensure they remain empty and to respond to information about non-complying or unfenced pools.
5. The monitoring of pool fencing will commence in the month of October and continue through until the end of the swimming season. Letters will be forwarded to all pool owners advising them of the upcoming monitoring and an advertisement will be placed in the newspapers to advise people of the monitoring.
6. In due course the results of the pool monitoring will be reported back to the Committee.

RECOMMENDED

That the information be received.

15. 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 37 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. Russell Karu has applied to be part of this pool of Hearings Commissioners. Below is a brief of his employment and relevant experience.

Mr Russell Karu

5. Russell has practised in the resource management and local government fields for the past 15 years and has directly advised councils in that capacity for the past two to three years.
6. Russell has spent most of his career practising law at Russell McVeagh in Auckland after receiving his Masters in Law from Harvard Law School.
7. Russell is of Hauraki-Tainui descent. He has guest lectured the Maori components of the Masters in Environmental Law class at Auckland School of Law and has also taught both Treaty of Waitangi papers at Auckland and Waikato Law Schools.
8. Russell is a member of the Maori Lawyers' Association and Resource Management Lawyers' Association.
9. Russell holds the appropriate Making Good Decisions course qualification required to undertake a role as a Commissioner.

Commissioner Pool

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

RECOMMENDED

That Mr Russell Karu be appointed to act as a Hearings Commissioner as and when required.

16. Delegations - Building Control (L135-02)

(Report prepared by Kaye McIlveney)

Purpose

1. The purpose of this report is to request Committee approval to:
 - (a) Recommend to Council the delegation of powers under the Building Act 2004 (BA04), the Fencing of Swimming Pools Act 1987, the Machinery Act 1950, the Plumbers, Gasfitters and Drainlayers Act 1976, the Building (Accreditation of Building Consent Authorities) Regulations 2006 and the Amusement Devices Regulations 1978 to the Chief Executive, with authority for the Chief Executive to sub-delegate to staff of Council as provided in the recommendations of this report.
 - (b) Recommend to Council the delegation of powers under the Building Act 2004 to set fees, to authorise enforcement officers (s229 BA04), and to adopt significant policies under the Building Act (ss131, 132, 161 and 162 BA04) to this Committee.
 - (c) Recommend to Council the delegation of powers under the Building Act 2004 to grant building consent subject to a waiver or modification of the building code (section 67 BA04) and to issue a certificate of acceptance (section 96 BA04), on the recommendation of the Building Control Group Leader, to the Chair of the Environment Committee and as an alternate to the Chair of the Hearings Committee.

Background

2. The Building Act and related delegations need review.

Proposal

3. Once Council has delegated its powers to the Chief Executive, the Chief Executive will sub-delegate relevant powers to officers of Council.

RECOMMENDED

1. **That, pursuant to section 232 of the Building Act 2004 and clause 32 of the Seventh Schedule to the Local Government Act 2002, Council delegate all its functions, powers and duties under the Building Act 2004, the Fencing of Swimming Pools Act 1987, the Machinery Act 1950, the Plumbers, Gasfitters and Drainlayers Act 1976, the Building (Accreditation of Building Consent Authorities) Regulations 2006 and the Amusement Devices Regulations 1978 to the Chief Executive, except the functions, powers and duties delegated to this Committee below with authority for the Chief Executive to sub-delegate relevant functions, powers and duties to staff of Council; and**
2. **That, pursuant to section 232 of the Building Act 2004 and clause 32 of the Seventh Schedule to the Local Government Act 2002, Council delegate its functions, powers and duties to set fees, to authorise enforcement officers (s229 BA04), and to adopt significant policies under the Building Act (ss131, 132, 161 and 162 BA04) to this Committee.**
3. **That, pursuant to section 232 of the Building Act 2004 and clause 32 of the Seventh Schedule to the Local Government Act 2002, Council delegate its functions, powers and duties to grant building consent subject to a waiver or modification of the building code (section 67 BA04) and to grant a certificate of acceptance (section 96 BA04), on the recommendation of the Building Control Group Leader, to the Chair of the Environment Committee and, as an alternate, to the Chair of the Hearings Committee.**

17. Dog Control Policy and Practices Annual Report for 2008/2009 (D135-01-01)

(Report prepared by Kaye McIlveney & Shelley Lines)

Purpose

1. The purpose of this report is to request the Committee to approve the Dog Control Policy and Practices Annual Report for the 2008/2009 year. A copy of the report is **attached**.

Background

2. Section 10A of the Dog Control Act 1996 requires Council to prepare an annual report on its dog control activities for the previous financial year.

Proposal

3. Once Council has approved the report, a copy of the report must be:
 - publicly notified; and
 - provided to the Secretary for Local Government, within one month of its release.

RECOMMENDED

1. **That the report be approved;**
2. **That the report be publicly notified and a copy be provided to the Secretary of Local Government.**

File Ref: D135-01/01

Dog Control Policy and Practices Annual Report

- 1 July 2008 to 30 June 2009
(Section 10A of the Dog Control Act 1996)

Background

Section 10A of the Dog Control Act 1996 requires the Marlborough District Council (“Council”) to report on its administration of Dog Control Policy and Practices in respect of each financial year.

This report focuses on the 2008/09 financial year which is the period 1 July 2008 – 30 June 2009.

The objectives of this report are to:

- Report on Council’s administration of dog control policies and practices;
- Provide information on dog control activities.

This report will be provided to the Secretary for Local Government and will be publicly notified within one month of its release.

Operations

The Dog Control function has been contracted out to Maataa Waka Ki Te Tau Ihu Trust since 1998. The contract was renewed on 1 April 2009 for a further two years.

Council retains the administration of the contract, makes decisions on classifications, objections to classifications and infringements, and on prosecutions.

Dog Control Policy

As required by the Dog Control Amendment Act, the Council has adopted a Policy on Dogs.

This Policy deals with various matters, as required by Section 10 of the Dog Control Act including dog areas, fees and education.

The Policy is scheduled for review during 2009. The review has not been completed at the time of this report. Council’s Dog Control Bylaws are also under review, they will be publicly notified on 1 October with submissions closing on 27 November 2009.

A copy of the current Policy can be viewed on the Council’s website www.marlborough.govt.nz.

Dog Areas

Dog areas are set out in the Policy on dogs and in Council’s Dog Control Bylaws.

Dogs are allowed off leash in dog exercise areas, provided they are kept under control at all times. There are a total of seven dog exercise areas in the Marlborough District.

Dogs are prohibited from areas that have an intense public use, where dogs may compromise the enjoyment of the area, where ecological or economic values would be threatened, where space is limited on narrow walkways and pedestrians may be threatened. Currently there are several dog prohibited areas in Marlborough.

Dogs are allowed in, but must be kept on leash, in any public area that is not identified as a dog prohibited area or dog exercise area.

The current dog areas are being reassessed as part of the Policy and Bylaw Reviews. The draft Bylaw allows more areas where dogs can be taken on and off leash.

Fees

The registration fee structure for the 2008/09 year was:

- \$65 fee for non working dogs;
- \$20 fee for working dogs;
- A fee for dogs classified as dangerous that is 50% above the standard fee;
- A rebate for owners of more than 6 dogs that have no recent recorded breaches of the Dog Control Act.

A new fee system for 2009/10 has been introduced providing for lower fees for owners who meet specified criteria.

Dog control is funded entirely from dog registration fees, there is no rate funding. The fees are set to cover the expected cost of the dog control function.

Education

A dog safety education course is available to schools and groups of primary school aged children. The purpose of this course is to promote safety around dogs as well as responsible dog ownership and care.

Information on various aspects of dog behaviour, care and responsible ownership are available from Animal Control. Information on relevant topics is distributed to owners of dogs that come to Animal Control's attention.

There is also a monthly feature regarding dogs in the newspaper. These features include articles on dog health and dog behaviour. These features can also be viewed on the Council website.

Animal Control's dog, Mate, also attends community events and the dog safety programme for children.

Dogs and Owners

There were 10,100 dogs registered in the Marlborough district to 5735 owners. 2290 dogs were registered as working dogs (including disability assist dogs and Police dogs) and 7810 were registered as non-working dogs.

Enforcement

Disqualifications and Probationary Owners

Marlborough currently has one disqualified owner and two classified as probationary.

Menacing and Dangerous Dogs

There are seven dogs classified as dangerous and 73 as menacing.

Infringements

A total of 160 infringement notices were issued. Eighty-four of these notices were for unregistered dogs and 56 were for uncontrolled or roaming dogs. The remainder were for a variety of other breaches.

Complaints

A total of 1544 complaints were received in the 2008/09 year. A majority related to lost or found dogs or dog nuisance. 112 complaints related to a dog attack or rush. All complaints were attended to and resolved.

Prosecutions

There have been no prosecution actions during the 2008/09 registration year.

Impounded/Unclaimed/Surrendered Dogs

There were 239 dogs impounded for various reasons. The majority of these dogs were released to their owners and the ones that were not claimed were either sent to the SPCA or destroyed, depending on temperament and characteristics.

All dogs that are surrendered to Animal Control or are not claimed undergo an assessment. Those dogs determined to have the temperament and characteristics suitable for a family environment are sent to the SPCA for re-homing.

There is an agreement between Council and SPCA with respect to the costs of caring for these dogs.

During 2008/09 a total of 49 dogs were sent to the SPCA for re-homing.

Unregistered Dogs

Dog control runs two projects to identify and address unregistered dogs, being the Unaccounted for Dog Project and the Property Inspection Programme.

As part of these projects dogs were found that had been previously registered, but not re-registered for the 2008/09 registration year. Dogs that were still in Marlborough and alive were correctly registered. Records were also updated for those dogs that had died, changed address or were gone with no contact address. Owners of unregistered dogs received an infringement notice.

Copy to: Secretary for Local Government
Department of Internal Affairs
PO Box 805
Wellington 6140

18. Information Package

RECOMMENDED

That the Regulatory Department Information Package dated 15 October 2009 be received and noted.

19. 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:

- Enforcement Action

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 |
|--|--|--|
| Enforcement Action | 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. |