Present
Councillors P J S Jerram (Chairperson), T E Hook, J A Arbuckle, G S Barsanti, D W R Dew, G I T Evans, Mr E R Beech (Rural representative) and Mr R Smith (Iwi representative).

In Attendance
Mayor Sowman (from 2.45 pm), Councillors J L Andrews, J C Leggett and F D Maher, Mr H R Versteegh (Manager, Regulatory Department) and Kathy Payne (Committee Secretary).

Clrs Barsanti/Evans:
That the apology for absence from Councillor D D Oddie be received and sustained.
Carried
Apologies were also received from Councillor G Taylor and Councillor F D Maher for lateness.

R.11/12.468 Confirmation of Sub-Committee Business
Clrs Barsanti/Arbuckle:
That the following approvals granted by the Swimming Pools Sub-Committee acting under delegated authority (Regulatory Committee Minute (R.10/11.212) be received and the recommendations adopted:

- J B & K D Winstanley - 4 Orchard Lane, Springlands, 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).

Carried

ATTENDANCE: Mr M Spencer, Council’s Environmental Protection Officer, was present for the following item.

The report to the Committee provided an overview of the Compliance Group’s ongoing monitoring programme of forest harvesting and land disturbance activities for the period 1 December 2011 - 1 June 2012. This included a description of how monitoring is undertaken and the rating system used to determine compliance with plan rules and resource consents. Monitoring results and the improvements that occurred as a consequence were also noted. The overall relationship with the industry and future monitoring activities, with the emphasis on continuous improvement to minimise compliance costs to both the Council and forestry companies, were also discussed in the report. The Environmental Guidelines booklet for forestry which has been produced to assist the industry was included with the order paper.

During discussion the Committee said they were encouraged by the good results being obtained. Mr Spencer advised that the Council can only enforce the removal of woody material in permanently flowing streams and therefore education would be the main focus in this area. He said they would keep visiting forestry sites until they are compliant.
ATTENDANCE: Mrs R Anderson, Council’s Policy Portfolio Manager, and Environmental Scientists, Messrs P Davidson and V Wadsworth, were present for the following item.

R.11/12.470 Water Resources Allocation and State Reports
R425-02-18-02

Members were aware that a review of the current state of allocation of the region’s freshwater resources has identified most as being either fully or over-allocated and that this will be a significant issue to resolve as no further water can be allocated in these circumstances.

Two reports, “Marlborough Surface Water Allocation Status 2012” and “Aquifer Safe Yield Review 2012”, were presented to document the current state of allocation for the region’s freshwater resources. The information will be used in the review of the Regional Policy Statement and Marlborough Resource Management Plans. The work also supports the review of the water allocation framework.

Members were aware that in July 2011 the National Policy Statement (NPS) on Freshwater Management came into effect. The NPS requires councils to, amongst other matters, set water quantity allocation limits and to phase out existing over-allocation. As part of the wider review of the region’s current planning documents, and to enable the Council to respond to the Freshwater NPS, the existing water allocation framework is being reviewed.

Mr Wadsworth and Mr Davidson presented the key conclusions from their reports.

Mr Wadsworth advised that surface water is an instantaneous resource and for most of the year there is sufficient water available in Marlborough for all reasonable requirements. The three major rivers have Sustainable Flow Regimes and water is allocated on a multi class system. However parts of Marlborough are seasonally water short. He advised that the main rivers are fully allocated in Classes A and B, although 40% of Wairau B was available.

Mr Davidson referred to Page 5 of the Aquifer Safe Yield Review report which shows the safe yield, water allocation and use for the combined Wairau Aquifer. He said that all aquifers are over-allocated relative to plan limits and most are over-allocated compared with safe yield. However, actual abstraction from wells is generally less or close to the safe yield in most summer seasons.

The Chairman noted that although there is over-allocation there is room for further allocation if underutilised water is made available but it needs to be considered very carefully. The question of how water is allocated if there is some freed up is on the agenda for the Water Allocation Working Group.

Groundwater meter records, how water is currently allocated, the transferring of water and new allocations were also discussed.

Clrs Barsanti/Evans:
That the reports “Marlborough Surface Water Allocation Status 2012” (V Wadsworth) and “Aquifer Safe Yield Review 2012” (P Davidson) be received.
Carried
ATTENDANCE: Mr P Davidson was also present for the following item.


The report to the Committee provided an update on the state and trends of groundwater quality for 2012. The report “Groundwater Quality State and Trends 2012” and the accompanying summary was included with the order paper for members’ information.

Mr Davidson verbally presented the key findings of the report. It was noted that the quality of Marlborough’s groundwater which is laboratory tested for a range of common constituents remains high and has not changed significantly from the 2010 baseline report. He advised there are minor trends in some parameters that are being investigated in relation to land use and climate factors. Fluctuations in the quality of insecure aquifers is commonly driven by natural leaching processes associated with spring rains and the bigger the river the more dilution there is of nitrates. Results from the new well at Rai Valley will be available in three months.

Clrs Jerram/Hook:
That the report “Groundwater Quality State and Trends 2012” and scorecard be received.
Carried

ATTENDANCE: Mr D Lane, Council’s Water Information Services Coordinator, was present for the following item.

R.11/12.472 Measurement and Reporting of Water Takes  E380-007-006

Support was sought from the Committee to develop policy direction to implement the measurement and reporting of water takes within the region as Council has a responsibility to implement the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 as per the report included with the order paper.

Members were advised that over 50% of Marlborough’s water permits, takes less than 5l/s, are not covered by the new metering regulations and it was suggested that policy development needed to include this group of permits holders for a one-tier water management regime for the region.

Mr Lane advised that a review of data requirements is needed to ensure data collected is sufficient and that excessive data requirements are not being placed on permit holders. It was also considered important for data collection to be efficient for Council to transition towards managing information electronically and for this to occur the installation of data loggers, to record daily use and default reporting of data to Council on a monthly basis, was seen as a minimum requirement. Mr Lane advised a reminder system was being included. He said Council was fortunate that meters have been installed as a condition of consent and the data being received is improving.

The Chairman noted there were major implications in the report for members to consider and subsequently for the Water Allocation Working Group and the Resource Management Plan Review Sub-committee to work through.

Clrs Barsanti/Hook:
1. That the information be received.
2. That the Resource Management Plan Review Sub-committee acknowledges this report and takes into consideration the recommendations while developing Council policy.
Carried
R.11/12.473 Earthquake-Prone Building Policy C270-14-00

Approval was sought from the Committee of whether to roll-over the existing 2006 Earthquake-prone Building Policy or to seek public input into an amended policy. The report to the Committee provided background on earthquake-prone buildings in Marlborough, information on Council’s existing policy, details of the review process and the options identified.

One of the options put forward was to retain the proposed 2011 policy (a carry over of the 2006 policy) substantially as is but include policies on establishing and maintaining a register of unreinforced masonry buildings and policies on assessing the extent to which Council may take action in relation to verandahs that pose a risk in an earthquake. The policy would need to be again notified to the public for further submission (using the special consultative procedure). A further review would also be necessary following the findings of the Royal Commission and likely Central Government amendments to the Act. The other option available was to confirm the proposed 2011 policy without amendment and undertake a review following the release of the Royal Commission findings and any Central Government action.

The Statement of Proposal and the proposed Earthquake-prone Building Policy 2012 were included with the order paper for members’ information.

The Committee was in favour of the first option and asked that the consultation time for submissions be extended by one month.

Clrs Jerram/Hook:
1. That Council retain the proposed 2011 policy (a carry over of the 2006 policy) substantially as is but include policies on establishing and maintaining a register of unreinforced masonry buildings and policies on assessing the extent to which Council may take action in relation to verandahs that pose a risk in an earthquake.

2. That the Summary of Proposal be approved.

3. That the Summary of Proposal be notified to the public for further submission (using the special consultative procedure) on 5 July 2012.

4. That the Summary of Proposal be sent to the Marlborough Chamber of Commerce, CBD building owners and the Department of Building and Housing.

5. That the submission period be from 5 July to 7 September 2012.

6. That a further review be undertaken following the findings of the Royal Commission and likely Central Government amendments to the Act.

7. That Council undertake a public education programme on the risks associated with unsecured chimneys.

Carried

ATTENDANCE: Mr P Hawes, Council’s Manager Environmental Policy, was present for the following two items.

R.11/12.474 Marlborough Sounds Perception Survey R425-02-19-01

The purpose of the report was to inform the Committee of the outcome of a nationwide survey undertaken to establish how people value the Marlborough Sounds and why. The information will support development of resource management provisions to protect the values that make the Marlborough Sounds significant. Corydon Consultants were commissioned to undertake a follow-up survey to the one undertaken in 2001, and their report “New Zealanders’ Perceptions of The Marlborough Sounds In 2012 - Results of a Nationwide Survey” which was included with the order paper.
Members were advised that the findings of the survey were similar to that of 2001 in that people still value the Marlborough Sounds highly and more than they did in 2001. The qualities that contributed to the perception included scenic beauty, unspoilt natural character, peace and tranquillity and the opportunity to undertake land and water based recreation. A range of land and water uses were perceived to threaten these values and one of the changes that the survey picked up, compared to 2001, was the importance of water quality to the way in which people perceive the Marlborough Sounds and concern over the threats to water quality. The Committee noted that a deeper understanding of land freshwater and coastal water was required.

Clr Barsanti/Mr Beech:
That the report “New Zealanders’ Perceptions of The Marlborough Sounds In 2012 - Results of a Nationwide Survey” be received.

Carried

R.11/12.475 Resource Management Plan Review Sub-committee C135-R14

The notes of the Resource Management Plan Review Sub-committee meeting held on 17 April 2012 were included with the order paper for ratification by the Committee.

Councillor Evans requested that Section 4 be amended to reflect that it was a Ward farmer who requested a peer review of the proposed landscape maps.

Clrs Dew/Barsanti:
That the notes of the Resource Management Plan Review Sub-Committee meeting held on 17 April 2012 be ratified, subject to the amendment outlined above.

Carried

ATTENDANCE: Mr J Underwood, Council’s Senior Biosecurity Officer (Animals), was present for the following item.

R.11/12.476 Argentine Ant Control Proposal E315-005-009

A proposal to undertake a progressive Argentine Ant (Linepithema humile) control programme in the Main Street area of Blenheim (as shown on the map in the order paper) commencing October 2012 was put forward for consideration by the Committee.

The background, distribution history, proposal, benefits, costs and source of funding were outlined in the report to the Committee. Community consultation would be undertaken as the proposed programme falls outside the scope of the Regional Pest Management Strategy.

It was noted that Argentine Ants are listed on the top 100 invasive species list by the IUCN Invasive Species Specialist Group and that economically, the risk to horticulture would be the greatest concern.

Mr Underwood advised the greatest benefit of undertaking control in the Argentine Ant Core Area would be the reduced risk of Argentine Ants spreading to recreational facilities and the wider Marlborough area. He advised that the initial surface spray was only registered for use for approved commercial handlers but the ongoing bait control could be used by landholders.

Members of the public were encouraged to bring to Council samples of ants for identification. The key distinguishing features of the Argentine Ant is that it is light brown in colour and Argentine Ants do not have the pungent smell when squashed that Darwin Ants have.

Clrs Evans/Hook:
1. That the information be received.
2. That the proposed Argentine Ant Control Programme is supported in principle for commencement in 2012/13.
3. Argentine Ants are to be assessed for inclusion into the Regional Pest Management Strategy during the upcoming full review.

Carried

ATTENDANCE: Mr A van Wijngaarden, Council's Harbour Master, was present for the following two items.

R.11/12.477 Derelict Vessel - Waikawa Bay H090-07

The Committee was advised of a derelict and apparently abandoned vessel. The vessel is an unnamed launch of about 8 meters which has been occupying various moorings and also drifting. Harbours staff have had to move the vessel several times leaving on board letters for the owner to contact the Harbours Office but to date no owner has been identified.

Powers pursuant to the Local Government Act allow for derelict or abandoned vessels to be removed from the waters and costs incurred recovered from the owner where the owner is known.

The Committee requested that the owner be given the minimum 28 days to remove the vessel.

Cls Barsanti/Hook:
1. That the information be received
2. That in the event of no owner being identified that this vessel be disposed of in accordance with the provisions of the Local Government Act section 650K through sale, if possible, of any or part of the vessel in an attempt to cover costs.
3. That the owner be given 28 days to remove the vessel from the waters of the District. Failure to receive a response will result in the vessel being removed by the Council.

Carried

R.11/12.478 Marine Farm Light Audits M045-02

Members were aware that over the past two years Council has reviewed conditions of consent attached to individual marine farm consents and that this process included a review of farm lighting requirements. Ongoing marine farm light audits are now being carried out and the areas audited to date and the number of farms compliant, were detailed in the order paper. Subsequent to the report presented at the 3 May 2012 Committee meeting, auditing has been carried out at Catherine Cove and Admiralty Bay. The Harbour Master advised that infringement notices have been issued for those farms that did not have any operational lights.

Cls Barsanti/Arbuckle:
That the information be received.

Carried

R.11/12.479 Information Package

Cls: Jerram/Barsanti
That the Regulatory Department Information Package dated 14 June 2012 be received and noted.

Carried
R.11/12.480  Decision to Conduct Business with the Public
Excluded

Cirs Jerram/Barsanti:
That the public be excluded from the following parts of the proceedings of this meeting, namely:

- Response Strategy
- Infringement Notices
- Monitoring Reports

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:

<table>
<thead>
<tr>
<th>General Subject of each matter to be considered</th>
<th>Reason for passing this resolution in relation to each matter</th>
<th>Ground(s) under Section 48(1) for the passing of this resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Response Strategy</td>
<td>In order to protect the privacy of natural persons, as provided for under Section 7(2)(a).</td>
<td>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.</td>
</tr>
</tbody>
</table>

Carried

The meeting closed at 4.20 pm.

Record No: 12196893