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**MARLBOROUGH  
DISTRICT COUNCIL**

7 February 2014

Record No: 1436807  
File Ref: D050-001-E01  
Ask For: Mr Porter

## **Notice of Committee Meeting - Thursday, 13 February 2014**

A meeting of the Environment Committee will be held in the Council Chambers, District Council Administration Building, Seymour Street, Blenheim on Thursday, **13 February 2014 commencing at 1.00 pm.**

## **B U S I N E S S**

As per Agenda attached.

ANDREW BESLEY  
**CHIEF EXECUTIVE**

**Meeting of the ENVIRONMENT COMMITTEE  
to be held in the Council Chambers, District Administration Building, Seymour Street,  
on THURSDAY, 13 FEBRUARY 2014 commencing at 1.00 pm**

**Committee**

Clr P J S Jerram (Chairperson)  
 Clr D D Oddie (Deputy)  
 Clr J A Arbuckle  
 Clr G S Barsanti  
 Clr C J Brooks  
 Clr L M Shenfield  
 Mayor Sowman  
 Mr E R Beech (Rural representative)  
 Mr R Smith (Iwi representative)

**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

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## RECOMMENDED

That the following approvals granted by the Swimming Pools Sub-Committee under delegated authority (Environment Committee Minute R.13/14.166) be confirmed:

- **Seaton Family Trust – 19 Dry Hills Rise, Riverlands, Blenheim - approval to install a lockable cover on an unfenced spa pool (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **K H & K B Tilly – 284 Paynters Road, Fairhall, Blenheim - exemption to install a Coverstar pool safety cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **A G & L M Grant – 2218 State Highway 63, Wairau Valley, 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).**
- **Andrew Blake – 31 Murrays Road, Spring Creek, Blenheim - exemption to have two doors opening to pool area (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **P & P Cambie – 18 Isobel Place, Rarangi, Blenheim - exemption to install a Coverstar safety pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **G J & R M Gane – 114 Selmes Road, Rapaura, Blenheim - exemption to install a Coverstar safety pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **J M Ibbotson – 156 New Renwick Road, Blenheim - exemption to install a Safe T 3 safety pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**

## 2. Te Whanau Hou - Grovetown Lagoon Restoration Project

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(Cllr Jerram) (Report prepared by Peter Hamill)

C230-001-G01

### Purpose

1. To provide the Councillors with an overview and progress of the Grovetown Lagoon Restoration Project.
2. **The Chair of the Te Whanau Hou - Grovetown Lagoon Restoration Project Committee will provide a presentation (15 minutes).**

### Background

3. Grovetown Lagoon is an old oxbow loop of the Wairau River. Hydrological modifications and nutrient inputs from the surrounding catchment over the years have contributed to the degradation of the natural and recreational values. The Grovetown Lagoon Restoration Project - Te Whanau Hou was established with a vision to improve the state of the greater Grovetown Wetland and Lagoon area. The Grovetown Lagoon Restoration Project - Te Whanau Hou is comprised of members of the Council, Department of Conservation, local community, NZ Landcare Trust, Nelson/Marlborough Fish and Game, Rangitane, Ngati Rarua and Ngati Toa.
4. The project was launched on Saturday 2 February 2002 with a dawn ceremony tree planting at Grovetown Lagoon to observe World Wetland Day. Since this time weed control and planting of thousands of native species has been undertaken around the Lagoon in order to restore the riparian vegetation back to native species. Grovetown and Spring Creek School children have been involved with the plantings since the beginning of the project.
5. The Council and the Department of Conservation have provided annual funding for the project. In 2005 the Te Whanau Hou - Grovetown Lagoon Incorporated Society (the Society) was set up to allow the group to apply for funding from external agencies such as the Lotto Grants Board.
6. Part of the Society's vision is to have a public walkway around the perimeter of the Lagoon. This walkway would be approximately 3 kilometres long and give the public an opportunity to enjoy the wildlife that inhabits the Lagoon. Viewing hides and small board walks will be constructed to allow the public to view some of the native bird species that inhabit the Lagoon, including black swans, paradise shelduck, New Zealand scaup, grey teal, pukeko and kotuku.
7. Through funding received from Walking Access New Zealand, the Society has completed the first 750 metres of the track. The Society is currently applying for funding to complete the walking track.
8. Recently the Council purchased a large wetland adjacent to the Grovetown Lagoon and the Society is currently working with staff from the Asset and Services Department to develop a management plan for the wetland area.

### Summary

9. The Te Whanau Hou - Grovetown Lagoon Incorporated Society has continued to progress the development of the Grovetown Lagoon area to a community space and would like to share the progress with the Council.

### RECOMMENDED

**That the information be received.**

### 3. Review of the Regional Pest Management Strategy 2012 – Update

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(Cllr Jerram) (Report prepared by Sarah Edmonds)

E315-002-005-01

#### Purpose

1. The purpose of this report is to provide an update on the progress that has been made on the major review of the Regional Pest Management Strategy for Marlborough 2012 and to appoint a new sub-committee to continue the review process through the next term of Council.

#### Background

2. In February 2013, a scoping paper was presented to the Environment Committee describing the reasons for and a proposed process required for undertaking the major review of the Regional Pest Management Strategy for Marlborough 2012. As a result of that meeting a major review commenced.
3. A sub-committee was established to undertake the review in conjunction with biosecurity staff and a strategic planner. The membership of the sub-committee comprised Councillors P J S Jerram, G I T Evans, D D Oddie, J A Arbuckle and Rural Representative Ross Beech.
4. In July 2013 the sub-committee met. The notes from the meeting were provided to the Environment Committee in August 2013 via the information pack and have also been included in the information package attached to this agenda for members' information. No further meetings have been held.

#### Comments

##### Where is the Review at?

5. The review is still very much in the early stages. Since the meeting of the sub-committee in July 2013, staff have continued to conduct an internal review of the existing pest programmes. Material to be used as a basis for consultation is also being prepared.
6. In September 2013 the Council received advice from the Ministry for Primary Industries that they want to slow down the National Policy Direction (NPD) process so that the NPD and supporting guidance material can be released at the same time. This has come about as a result of a local government submission on the NPD. It was intended that the NPD would come in to force in 2013. It is now likely that the NPD will be enacted some time in 2014.
7. The impact of the delay in the NPD being enacted means there is more time to consult with the community and stakeholders prior to releasing a Proposed Regional Pest Management Plan (Proposal). It is appropriate for work aligning Council's approach with the new legislation and policy direction continues, even though it is not yet finalised.
8. An initiative for South Island regional councils to work collaboratively on developing Regional Pest Management Plans is in the process of being established. A meeting was organised for 4 February 2014 for staff representatives from Marlborough District Council, West Coast Regional Council, Environment Canterbury, Otago Regional Council and Environment Southland to determine the feasibility and benefits of the concept. The Council is interested in any joint benefits, efficiencies and standardisation opportunities that may arise from a collaborative approach.

## **Summary**

### **Next Steps**

9. With a newly elected Council in October 2013, and subsequent changes to the membership of the Environment Committee, a new sub-committee needs to be appointed to carry out the review of the Regional Pest Management Strategy for Marlborough 2012 during the next Council term.
10. It is intended that the review will continue as proposed in the scoping paper prepared last year.

### **RECOMMENDED**

1. **That the information be received.**
2. **That the Environment Committee approve the continuation of the major review of the Regional Pest Management Strategy for Marlborough 2012 as outlined in this report.**
3. **That the Environment Committee appoint a sub-committee (to be known as the Regional Pest Management Plan Review Sub-Committee) represented by: Councillor (Wairau/Awatere Ward), Councillor (Marlborough Sounds Ward), Councillor (Blenheim Ward) and the elected Rural Representative.**

## 4. Chilean Needlegrass Update

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(Cllr Jerram) (Report prepared by Shona Sam and Jono Underwood)

E315-004-003-01#02

### Purpose

1. To provide an update on the Chilean Needlegrass season, programme initiatives, research and future of the programme.

### Background

2. There has been a more dedicated focus over the 2013/14 season on the Chilean Needlegrass (CNG) programme. This includes both the regional assistance initiative and working closely with other regional councils and the Ministry for Primary Industries through a National Partnership. A major component of this partnership is the Sustainable Farming Fund (SFF) awareness project to raise the profile of CNG.
3. During the CNG season here in Marlborough, the majority of properties were visited either formally or informally. There was a good level of response from the visits and the inspections showed most properties were controlling more than the requirements set by the Council, particularly in the core areas. There has been a positive response by those landholders affected by CNG as a result of Council staff meeting with them and they are keen to see any sort of assistance for CNG control. Many had some good ideas of how they would benefit from assistance. There is still a degree of complacency by some who have dealt with CNG for a long time and those behaviours will take some time to overcome.
4. There have been several avenues used thus far to educate and foster awareness of the CNG issue. These include displays at rural shows, a reception area display here at the Council office and newspaper articles.
5. In September 2013 a trial for the use of Taskforce within vineyard areas was established. The preliminary results suggest some stunting effects on the grapevines themselves (including reduced fruit set) but the trial is still ongoing and the full sampling regime is yet to be completed and analysed.

### Comments

6. Future events planned to continue raising the profile of CNG include a community meeting held in Seddon on 3 February 2014 to discuss the programme and future changes. A presence is also planned at the Flaxbourne A&P show in March 2014 and farmers field trips/workshops are being organised for the next CNG season at the end of 2014. Through the SFF project, a video outlining CNG issues has been developed to increase awareness featuring all three CNG affected regions and is now available on the Council website.
7. Two feasible CNG programme ideas from the community are currently being investigated by Council. These are:
  - An increased effort and support to helicopter spraying of larger areas with Taskforce herbicide.
  - A student assistance programme where Council supplies summer student workers to assist landholders searching known areas and undertaking control.
8. There are also ongoing discussions around modifying the Council regulations within the CNG programme to tighten up on spread risks.



9. The vineyard residue trial sampling will continue. There are two other possible research topics anticipated for this year:
  - A project based around rejuvenating areas treated using Taskforce, including techniques and best pasture species to be used.
  - A small project to investigate other possible spread avenues of CNG from property to property - this would initially focus on the movement of CNG seed by rabbits.
10. Close contact has been maintained with other affected regions over the CNG season and a meeting has been arranged here in Marlborough on 12 February 2014. Such meetings will take place on a regular basis to ensure regional programmes and issues are discussed thoroughly and planning work around the SFF project can take place.

### **Summary**

11. There has been a good response over the 2013/14 CNG season to both the new approach by Council staff and the initiatives offered. Personal visits paid dividends with plenty of open discussions and some good initiatives put forward for the future.
12. Future awareness displays and educational initiatives are being planned for both landholders that already have CNG, and for those that do not and need to be more aware of the issue.
13. Research planned through the national partnership is being initiated and the three regions affected with CNG are continuing to share information and progress through the national partnership.

### **RECOMMENDED**

**That the information be received.**

## 5. The Marlborough District Council and Indigenous Biodiversity Protection in Marlborough

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(Clr Jerram) (Report prepared by Nicky Eade)

E310-006-001

### Purpose

1. The purpose of this report is to provide the Councillors with an overview of the role that the Council plays in managing indigenous biodiversity resources (native plants and animals and their habitats) in Marlborough.

2. **Nicky Eade will provide an overview of Council's roles in indigenous biodiversity protection in Marlborough (15 minutes).**

### Background

3. New Zealand's indigenous biodiversity is internationally unique for a range of reasons including:
  - (a) Its evolution on an isolated island landmass over a long period of time (80 million years);
  - (b) The lack of mammal species and ground based predators;
  - (c) The high level of endemism (species found only in New Zealand); and
  - (d) The very late arrival of humans and associated mammalian pests animals only 800-100 years ago.
4. Through the Resource Management Act 1991, councils have a clear role in ensuring that biodiversity resources are protected and maintained. In 1997 the first New Zealand State of Environment Report identified biodiversity decline as New Zealand's "most pervasive environmental issue" and the NZ Biodiversity Strategy (2001) focussed on halting the continued decline of biodiversity through a range of strategies. The role of local government in protecting biodiversity resources on private land has also been confirmed through various subsequent reports and some guidance has been provided by central government about the main priorities for this protection. In recent years the public support for a pest or predator free New Zealand has become more widespread based on the well-publicised challenge set by the late Sir Paul Callahan.
5. While indigenous biodiversity includes fresh water and marine habitats, as well as land based (terrestrial) habitats, the main focus to date in Marlborough has been on land based habitats. The Significant Natural Areas (SNA) project has been the main method that the Council has used to carry out these functions.
6. The SNA project was established in 2001 and has involved a long-term commitment to work closely with landowners in Marlborough to identify, protect and manage these areas on private land. This programme continues in 2014 and has been incorporated in to the draft second generation resource management plans as an ongoing method to achieve biodiversity gains. So far about 700 sites have been identified covering about 45,000 hectares and about 80 sites covering about 2,000 hectares have been protected in some way through the programme. A more recent ecological survey focusing specifically on wetlands is adding some new sites in to the programme.
7. The Tui to Town project arose out of the SNA project as a method to engage the public and encourage and promote habitat restoration on the Wairau Plain area which has less than 1% of its land area remaining in natural habitat. The project involves the reporting of tui sightings and also the promotion, and in some cases funding assistance, to recreate native habitat areas through planting programmes on private land.

8. Other ways that the Council promotes the protection of biodiversity include through targeted pest and weed control programmes through the Biosecurity Section of Council. Some total control plants which pose a threat to ecological values are managed in partnership with the Department of Conservation. The Council also supports a number of community based initiatives such as the Rarangi and Tuamarina Landcare groups and the Grovetown Lagoon Restoration project.
9. Partnership and collaboration are central to biodiversity work. As well as working with private landowners and the wider community to protect indigenous biodiversity, the Council also has close partnerships with other agencies, including the Department of Conservation, various industry sectors and environmental groups, such as Fish and Game and Forest and Bird.

## **Comments**

10. The Council works to promote the protection and maintenance of indigenous biodiversity in the Marlborough region in a range of ways as outlined above.
11. The Council has developed a number of relationships to assist it in carrying out its work in this area, including a local working group to assist with the management of the SNA project, and regular attendance of the Regional Biodiversity Forum which meets six monthly to progress issues in a nationally consistent way across the country.
12. Through the Regional Forum a programme to develop national biodiversity monitoring indicators is underway using Landcare Research as the lead agency. The development of these biodiversity monitoring indicators at the local Marlborough level will be an important area of work over the next few years.
13. As a unitary authority the Council has a range of roles potentially impacting on biodiversity in the region. Examples include operational roles such as roading and rivers management, the control of the use of land through subdivision and land use consents, and biosecurity roles dealing with pest plants and animals.
14. The development of a Biodiversity Strategy is planned to help guide biodiversity actions within the Council and set out a road map for future programmes to protect, manage and monitor biodiversity in the region.

## **Summary**

15. Indigenous biodiversity is central to the New Zealand identity and is internationally unique from a scientific perspective.
16. Local authorities have an important role in working towards the protection and maintenance of indigenous biodiversity through a range of roles.
17. The Significant Natural Areas project (SNA) forms a large part of the Council's work in this area, however in the future, state of environment monitoring will also become more important.

## **RECOMMENDED**

**That the information be received.**

## 6. Marlborough Forestry Survey

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(Clr Jerram) (Report prepared by Christina Bright and Guy Boddington)

E355-003-003

### Purpose

1. The Marlborough Forestry Survey aims to collect spatial data for Marlborough's forestry, building a spatial picture for the thousands of hectares of planted forest in terms of compartment area, tree species and tree age.
2. **Christina Bright and Guy Boddington will provide a presentation (15 minutes).**

### Background

3. Forestry is an important part of New Zealand's economic growth, making up 3% of the nation's Gross Domestic Product (GDP). In 2012, forestry was the fourth largest contributor to Marlborough's GDP. Locally the sector is entering an exciting new phase as wood production volumes are expected to increase in the coming years as forests planted 2-3 decades ago reach optimal harvesting age.
4. Currently the primary source of data on Marlborough forestry is obtained through the Ministry for Primary Industries (MPI). While this is useful for forecasting at a national level, this information is mostly tabular and lacks a regional perspective. The Marlborough Forestry Survey project arose out of a need for a better spatial understanding of Marlborough's forestry industry.
5. With the idea of a project in mind, Ron Sutherland from the Marlborough Forest Industry Association was consulted. The concept of generating a better regional understanding was discussed with Ron, whose comments and perspectives were considered during preparation of the survey. Ron is well respected by Marlborough forestry owners, therefore his input was appreciated.
6. The project aims to collect spatial information on:
  - The compartment and/or stand areas;
  - Species planted; and
  - The plantation year.
7. It is intended that the gathering of this information from corporate and private forestry owners will build upon the work/data gathered already by MPI, refining it to gain a better and more accurate picture of forestry in Marlborough.
8. Work on the project began at the end of October 2013, and is expected to run long-term, with work on the project to occur when time permits.

### Outcomes/Comments

9. On average, the predominant commercial species *Pinus radiata* is harvested at 25 to 30 years of age in Marlborough. It can therefore be predicted relatively accurately when trees will be felled and the approximate tonnage that will come on stream (1 hectare yields approximately 500 tonnes), based on information we have requested from forestry owners/managers.
10. The original letter that made first contact with corporate owners/managers outlined seven key points justifying why knowing when different tree species would be felled and their locations would be beneficial. These were:
  - Increasing efficiency in the production economy in terms of forestry and logging;

- Focus on value add/innovation;
  - Better understanding the likely effects on the local economy;
  - Providing opportunities for better understanding of after-harvesting effects that benefit growers and planners;
  - Investigating sophisticated geospatial mapping technologies and opportunities;
  - Capturing data that may be useful for adding unique Marlborough information in to a future National Environmental Standard for Forestry and district plans; and
  - Providing useful information for rural fire prevention planning.
11. An alternative time consuming method was considered for obtaining the information needed. This would have involved orthophoto and satellite imagery analysis. This approach was disregarded due to time constraints. In addition, this approach would only identify parcels of forestry, not the species and tree ages, two characteristics which are difficult to determine from aerial imagery. In order to capture all three vital data types, extensive time consuming field work would have to have been undertaken. Instead it was decided to proceed with a survey of forestry owners/managers.
  12. The first round of contact at the end of October 2013 was with corporate forestry owners/managers, of which 12 corporates were identified and contacted with a letter. The second round of contact commenced during November 2013 after the encouraging response from corporates. Approximately 400 letters were sent to private owners with forests greater than 20 hectares in area. The letters, similar to those sent to the corporates, were designed to gauge interest levels in participating, and were each accompanied by aerial imagery for the owners to annotate and return to Council. There is a possibility that a third round of contact will be made with private owners with forests smaller than 20 hectares in size.
  13. Corporate owners/managers have predominately returned data in the form of geospatial data sets, which can be analysed easily on GIS programmes. Private owners have predominately returned the original aerial image with the data annotated on it. This has been scanned to safely record the information.
  14. It is intended that as time permits the information will be captured with GIS software to create the spatial data set that will allow a detailed picture of Marlborough forestry to be produced.

## Summary

15. Marlborough's forestry industry is entering an exciting new phase as wood production volumes are expected to increase in the coming years. With forestry being a considerable economic contributor to Marlborough's GDP the industry is vitally important to understand. Our current understanding is limited to the mostly tabular data provided by MPI, which lacks a spatial and regional perspective. To enhance local understanding and to build a better regional picture of Marlborough's forestry, spatial data is required. The Marlborough Forestry Survey project was created to collect spatial information on compartment areas and the associated tree species and tree age for Marlborough forests. This information can be utilised to predict relatively well when trees will be felled and the approximate tonnage that will come on stream.
16. Work began at the end of October in 2013 with 12 corporates receiving a letter, followed by contacting private owners and managers with forests greater than 20 hectares in size. The response from corporates and privates has been positive. Work is expected to continue as time permits, with the option to contact private owners/managers with forests less than 20 hectares in size in future. It is intended that the data collected will be captured on GIS software, allowing the regional picture of Marlborough's forestry industry to be produced.

## RECOMMENDED

**That the information be received.**

## 7. Best Practice Guidelines for Salmon Farm Management

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(Cllr Jerram) (Report prepared by Steve Ulrich)

E325-008-001-03

### Purpose

1. To provide an update on progress towards developing best practice guidelines (the guidelines) for salmon farm management in the Marlborough Sounds.

### Background

2. On 28 November 2013, Council's Environment Committee was briefed on actions taken to ensure the long-term compliance of the New Zealand King Salmon (NZKS) farms. This included support for the NZKS initiative to develop the guidelines for salmon farm management.
3. The successful development of the guidelines should lead to greater certainty around consent compliance; and assist the salmon industry to develop and adopt world-class sustainable practices.
4. This report-back provides an update of progress towards the development of the guidelines.

### Comments

5. Terms of reference for the development for the guidelines were agreed with NZKS in late November 2013, following presentation of a draft terms of reference to the Environment Committee meeting.
6. The visit of Professor Kenneth Black of the Scottish Association of Marine Farms to Marlborough then provided impetus to getting the guidelines process successfully underway in early December. Whilst he was here, Professor Black also gave two public talks on the evolution of the Scottish salmon farm industry. These were in Blenheim and Portage and attracted over 50 people at each venue.
7. The Council sought Professor Black's expertise to provide technical advice on environmental effects of salmon farming and to assist in the guidelines. NZKS secured the services of Dr Catriona Macleod of the University of Tasmania to also support the process. Professor Black's programme is set out in the table below.
8. Two workshops were held in Blenheim and Nelson to commence the guidelines process. The preceding boat trip to view the NZKS salmon farms in Queen Charlotte Sound provided many of the workshop participants the opportunity to interact outside the formal setting of the Board of Inquiry or hearing.
9. Relationship development and issue identification were therefore the primary goals of the first workshop, along with setting out the framework and next steps for developing the guidelines. Feedback from different participants reflected that this had been successfully achieved.
10. Two sub-committees have subsequently been set up, with representation from NZKS, Marlborough District Council, Cawthron, National Institute of Water and Atmospheric Research (NIWA), Ministry for Primary Industries (MPI) and the Sounds Advisory Group. One work stream is best practice farm management and operational guidelines, which is being co-ordinated by NZKS. The other is tasked with developing monitoring and standards, and is being led by Cawthron on behalf of NZKS.
11. The sub-committees will get work underway in earnest in February. It is anticipated that they will report to the wider steering committee in April/ May with their recommendations. Following that, it is likely that public comment will be sought on the guidelines, before finalisation of that version by

presentation to a future Environment Committee meeting and concurrent sign-off by NZKS in June 2014.

12. The implementation of the guidelines is a separate and ensuing project following completion of the guidelines.

**Professor Black's programme in Marlborough and Nelson December 2013**

<b>Date</b>	<b>Event</b>	<b>Participants</b>
Sunday 8 December	Familiarisation of NZKS salmon farms - Queen Charlotte Sound boat trip	Marlborough District Council Councillors and staff, NZKS and Dr Macleod, Sounds Advisory Group, Cawthron, NIWA, MPI
Monday 9 December - Tuesday 10 December	Best practice guidelines workshop - Blenheim	Marlborough District Council, NZKS, Sounds Advisory Group, Cawthron, NIWA, MPI, Aquaculture NZ, Ngai Tahu Seafoods Limited
Tuesday 10 December	Public talk on the evolution of the Scottish salmon farming industry - Blenheim	Public
Wednesday 11 December	Public talk on the evolution of the Scottish salmon farming industry - Portage	Public
Thursday 12 December	Best practice monitoring and innovation - Nelson	Marlborough District Council, NZKS and Dr Macleod, Sounds Advisory Group, Cawthron, NIWA, MPI, Aquaculture NZ, Sanford, Ngai Tahu Seafoods, Tasman, Waikato and Southland Regional Councils
Friday 13 December	Breakfast with Minister Hon Nick Smith	NZKS and Dr Macleod

**Summary**

13. The development of the guidelines for salmon farm management has been successfully initiated. The visit of Professor Kenneth Black played a key role in this. The first round of workshops has been held with participants drawn from a range of groups. Smaller sub-groups of workshop participants have been set up to work on operational practices and environmental standards. It is anticipated that the guidelines will be completed in April/May. A further report-back will be scheduled for the June meeting of the Environment Committee.

**RECOMMENDED**

**That the information be received.**

## 8. Development of Hydrodynamic Models for the Marlborough Sounds

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(Clr Jerram) (Report prepared by Steve Ulrich)

E325-001-001 & E325-001-002

### Purpose

1. To inform the Environment Committee of progress towards completion of hydrodynamic models for the Queen Charlotte Sound and Pelorus Sound.

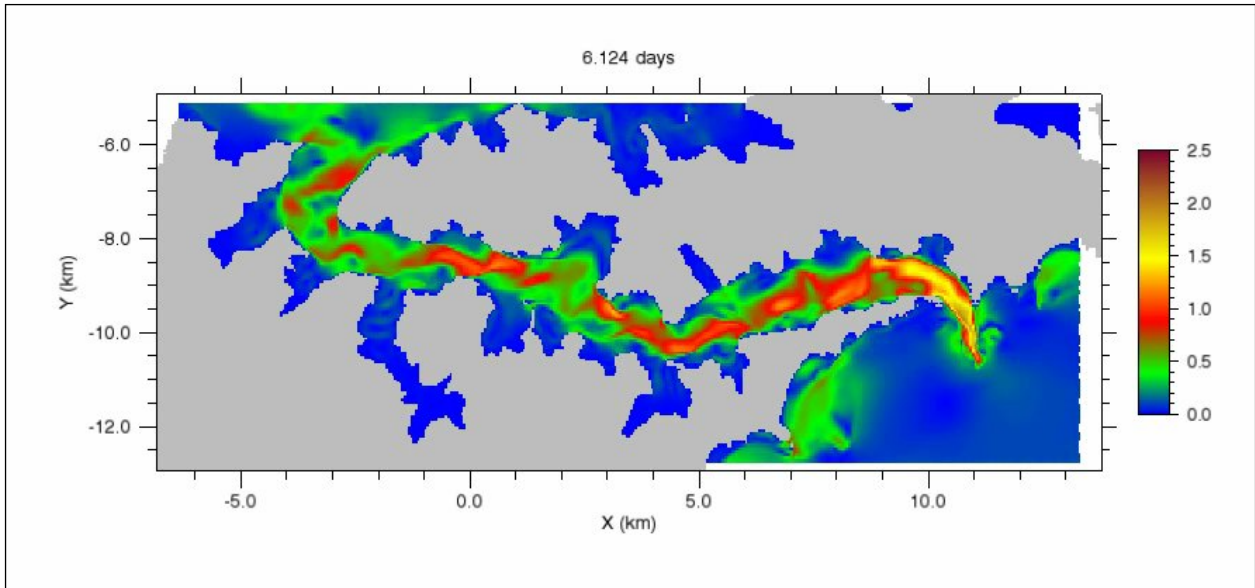
### Background

2. Council has contracted the National Institute of Water and Atmospheric Research (NIWA) to develop hydrodynamic models of the Queen Charlotte Sound and Pelorus Sound.
3. A hydrodynamic model simulates water movement from tides, wind and residual currents. NIWA is developing a three dimensional model for each Sound which can model changes in the temperature and stratification of the water column over seasonal and annual periods.
4. NIWA will link the hydrodynamic models with water quality (nutrients) and ecological (phytoplankton and zooplankton) processes. This will assist Council in providing a baseline of water quality in the Sounds and enable an understanding of the effects from land use and aquaculture on key environmental health measures. These environmental measures include nutrient concentrations, algal biomass and benthic deposition of organic matter.
5. Both NIWA and the Council have made significant ongoing investments in collecting data to validate and test the models. Council's monthly water quality sampling in both Sounds provides a key contribution to the model development and validation.
6. The Ministry for Primary Industries is supporting the development of the Pelorus Sound model through its Aquaculture Planning Fund.
7. This report updates progress on the development, and delivery, of the two hydrodynamic models.

### Comments

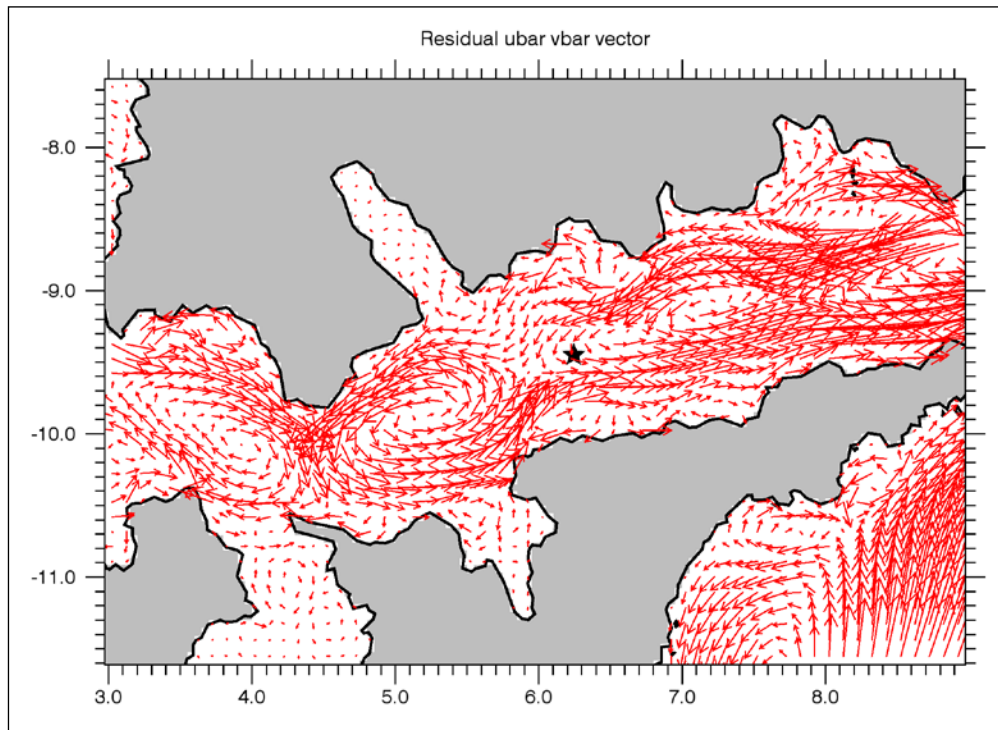
8. The Queen Charlotte Sound model is being developed before the Pelorus Sound model. The Queen Charlotte Sound model was due to be delivered in June 2013. However, due to resource issues at NIWA, the model has been significantly delayed.
9. NIWA provided an update to Council staff in mid-January 2014 on progress towards developing the models. Significant work has occurred on the Queen Charlotte Sound model and NIWA is confident it will be delivered by 31 May 2014. NIWA advised that they will meet the 30 June deadline for the Pelorus Sound model, although work has yet to commence in earnest. NIWA is aware of the importance of delivering the models on time.
10. Preliminary outputs from the Queen Charlotte Sound model are shown below. Figure 1 is a snapshot at the end of a six day simulation of tidal movement through Tory Channel. Tory Channel is effectively a tidal pump exchanging water with Queen Charlotte Sound. Sub-surface mooring data indicate that there is an underlying south-westward flow, providing support for the idea that nutrients are brought in to Queen Charlotte Sound from the ocean.





**Figure 1:** Representation of tidal movement through Tory Channel. The different colours reflect current speed in knots.

11. The variable current speeds shown in Figure 1 reflect that the complexity of tidal eddies and backflows caused by the network of bays and bathymetry within Tory Channel. Figure 2 shows a representation of the complexity of water movement through the channel. The data was collected by an acoustic current profiler moored on the bottom of the channel, and by monthly deployments of a current meter at different locations within Tory Channel. NIWA also installed an acoustic current profiler in Outer Queen Charlotte Sound.



**Figure 2:** Representation by directional arrows of current tidal eddies and back flows in Tory Channel. The black star is the position of the NIWA subsurface mooring which was deployed from June 2012 to May 2013. The acoustic current profiler measures water column velocities over a depth range using the Doppler effect of sound waves scattered back from particles within the water column.

12. When the models have been completed, NIWA scientists will present them to the Environment Committee and other stakeholders. This will include running simulations of water temperature and current flows. NIWA will expand upon the practical utility of the models, as well as the long-term scientific understandings that can potentially emerge from ongoing sampling and future scenario modelling.
13. This will include a discussion of which areas are indicated to be most sensitive to increased aquaculture farming. The models can therefore be used to identify areas most and least suitable for aquaculture and also determine carrying capacity in the Sounds environment.
14. NIWA will run the model at a nominal cost for any future uses/scenarios required by the Council. This will assist Council in its planning, consenting and state of the environment reporting functions.

### **Summary**

15. Council has contracted NIWA to develop coupled hydrodynamic-ecological models for both Queen Charlotte Sound and Pelorus Sound. The models are due to be delivered to Council by June 2014. The models will assist Council in its regulatory functions. NIWA has been asked to present the models to Council's Environment Committee and stakeholders.

### **RECOMMENDED**

**That the information be received.**

## 9. Winery Wastewater and Grape Marc Monitoring

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(Clr Barsanti) (Report prepared by Jane Robertson)

E330-002-004

### Purpose

1. The purpose of this presentation is to inform Council of the Compliance Group's ongoing monitoring of the discharge of winery wastewater and grape marc to land for the period 1 July 2012 – 31 May 2013. (Winery Wastewater and Grape Marc Monitoring Report **attached**).
2. To provide a summary of the findings from a pilot study undertaken in April 2013 to assess the chemical composition of fresh and aged grape marc to determine potential environmental impacts of discharging this waste by-product on the soil and water environments.

3. **Jane Robertson and Brenda Pottinger will provide a presentation of the Winery Wastewater and Grape Marc Monitoring report. (15 minutes).**

### Background

4. The 2013 New Zealand Winegrower's Vineyard Register & Annual Report indicates that Marlborough has 73% proportion of the grapes grown in New Zealand; with 23,232 producing hectares and 252,000 tonnes produced in 2013.
5. Liquid waste from the winemaking process predominantly consists of water used for cleaning floors, equipment, fermentation tanks and barrels. Liquid waste is typically seasonal in nature, with the highest volume generated at vintage time.
6. Grape marc is the solid end product once grapes have been pressed for juice. It contains seeds, stems skins and pulp. There is limited information of the chemical composition of grape marc. An estimated 38,000 tonnes of grape marc was produced by Marlborough wineries in 2013.

### Comments

7. Based on the information provided for Council's compliance reports for the 2012/2013 season, the Compliance Group considers that wineries still need to be more familiar with the permitted activities standards and resource consent conditions for discharging wastewater to land. Some wineries do not appear to have taken on board the recommendations and comments from the previous 2011/2012 monitoring period. In addition, better record keeping is still required by many of the wineries as daily volumes applied for the annual reporting period are poorly documented. As such, daily discharge volumes are often an estimate or cannot be determined, particularly during the non-vintage period.

### Summary

8. The Compliance Group is taking a proactive and constructive partnership approach to monitoring the discharge of winery wastewater and grape marc with education and relationship building being key objectives. Consequently, good co-operation is received from the industry. The emphasis is on continuous improvement to ensure environmental impacts are minimised or averted and compliance costs to both the Council and wine companies are minimised.

### RECOMMENDED

**That the information be received.**

# Winery Wastewater and Grape Marc Monitoring Report 2012-2013

The purpose of this report is to inform Council of the Compliance Group's ongoing monitoring of the discharge of winery wastewater and grape marc to land for the period 1 July 2012 – 31 May 2013.

This report also provides a summary of the findings from a pilot study undertaken in April 2013 to assess the chemical composition of fresh and aged grape marc to determine potential environmental impacts of discharging this waste by-product on the soil and water environments.

Council has been monitoring winery waste annually since 1999 with reports being produced since 2005.

The 2013 New Zealand Winegrower's Vineyard Register & Annual Report indicates that Marlborough has 73% proportion of the grapes grown in New Zealand; with 23,232 producing hectares and 252,000 tonnes produced in 2013.

Liquid waste from the winemaking process predominantly consists of water used for cleaning floors, equipment, fermentation tanks and barrels. Liquid waste is typically seasonal in nature, with the highest volume generated at vintage time.

Grape marc is the solid end product once grapes have been pressed for juice. It contains seeds, stems, skins and pulp. There is limited information of the chemical composition of grape marc. An estimated 38,000 tonnes of grape marc was produced by Marlborough wineries in 2013.

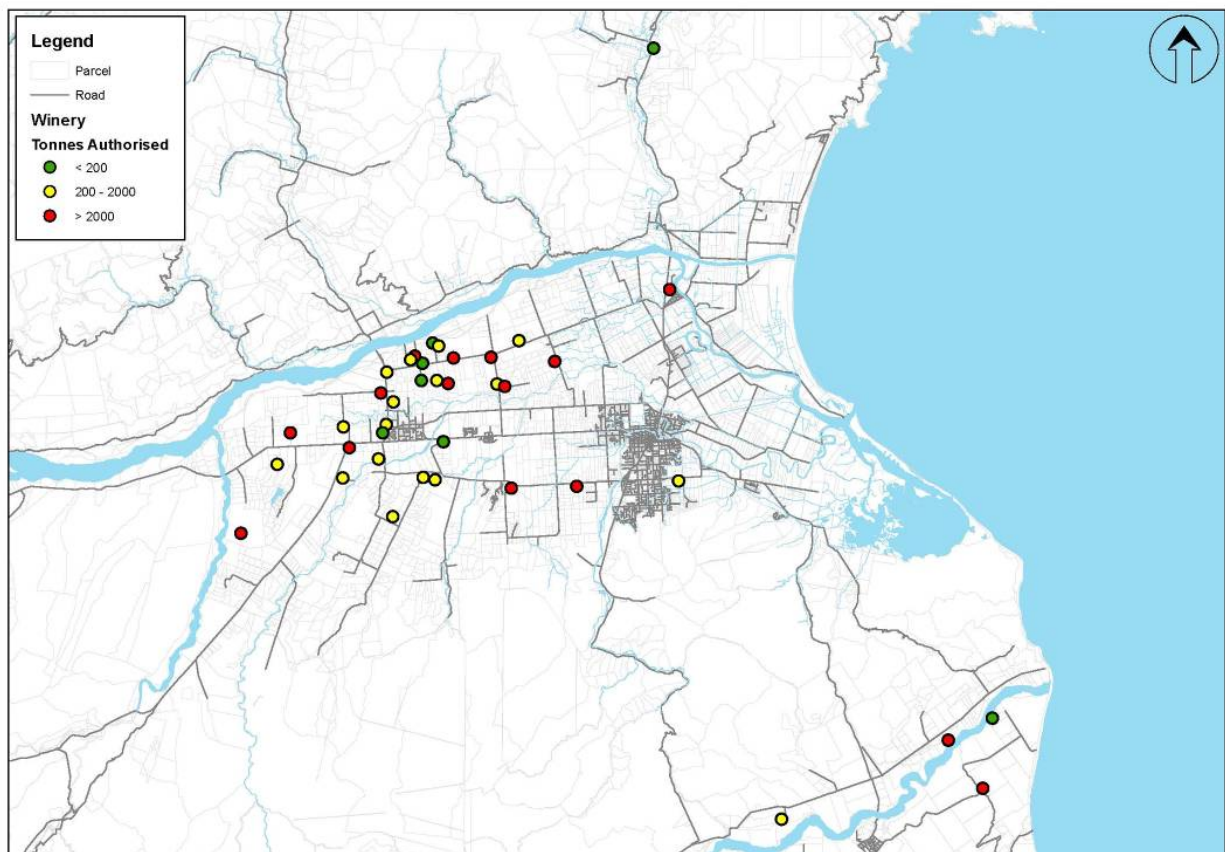


Figure 1: Map of wineries in Marlborough. Different colour dots represent the small (green), medium (yellow) and large (red) wineries.

## Where monitoring was undertaken

There are 39 wineries in the Wairau/Awatere rural zones (Figure 1). Thirty-four wineries are located in the Wairau Plains, one is located north of Blenheim and four are located in the Awatere area. For the

2012/2013 monitoring period 35 wineries were inspected. The 4 wineries that were not inspected process under 100 tonnes. Two wineries do not discharge to land.

Ten wineries were monitored for composting, stockpiling and/or spreading grape marc directly to land under Wairau/Awatere Resource Management Plan (WARMP) standards. The remaining 18 rural wineries and all 9 industrial zone wineries have their grape marc transported offsite for stock feed and/or stockpiling by farmers.

The nine wineries in the Riverlands and Cloudy Bay industrial zones that discharge directly to trade waste were not monitored for the 2013 vintage. Complaints were received about odour from one industrial site which installed a new wastewater system. No other issues were observed for these wineries so they are not discussed further in this report.

### How monitoring was undertaken

For those wineries that discharge wastewater to land, 19 (49%) are monitored by permitted activities under the WARMP rules, 13 (33%) are monitored by resource consent conditions, and 5 (13%) are monitored under a Certificate of Compliance.

Resource consents conditions for discharge of winery wastewater to land are imposed based on the individual wastewater systems and local environments; therefore, conditions vary for each winery. However, most wineries have similar conditions that deal with: wastewater volume; nitrogen loading to the land; wastewater and soil sampling; discharge rate; odour; buffer zones; annual reporting to identify adverse environmental effects; and record keeping.

The WARMP permitted standards for discharge of winery wastewater include: annual wastewater sampling (biological oxygen demand, faecal coliforms, pH); odour; nitrogen loading to the land; discharge rate; buffer zones to boundaries and water bodies; and no discharges into surface water bodies.

A traffic light system was used for the second year to determine the compliance with consent conditions or plan rule permitted activity standards. The feedback from wineries is that this is a positive, useful and welcome approach to monitoring. Conditions or rules assessed as:

- **green** are compliant and no action is required;
- **amber** are assigned for relatively minor breaches requiring some corrective action; and
- **red** are non-compliant and remedial actions may be required.

### Monitoring results

Thirty seven wineries submitted information (e.g., annual reports, wastewater and/or soil sample results) and data (e.g., wastewater volumes, discharge dates, disposal area sizes) to assess compliance. For those that provided information, follow up with many wineries was needed to clarify the information and/or data provided.

Two (5%) wineries (down from 14 (36%) last year) were fully compliant with all conditions or rules and were therefore, assessed as **green**.

Eight (21%) wineries (down from 21 (54%) last year) were assessed as **amber** because one condition or rule was not met (e.g., wastewater results for faecal coliform, pH or biological oxygen demand were not within allowable limits; discharge rates exceeded 10 mm/day). Two wineries (5%) had multiple conditions or rules which were assessed as **amber**. Although wineries provided records for the volumes of wastewater discharged, most did not keep clear and accurate daily records for the volumes and areas that wastewater was discharged to. As such, discharge rates were estimations and they were therefore assessed as **amber**.

Historically the main issue observed during inspections has involved ponding in the disposal fields of wineries. Ponding can occur because irrigation rates are too high; wastewater is applied to soils that have reached field capacity (i.e., irrigating during high rainfall events); the disposal area is too small for the volume of wastewater discharged; mechanical failure and/or poor management of the wastewater

system and disposal fields. Over-irrigation can lead to leaching of excess water to groundwater, and with it salts (e.g., sodium [Na<sup>+</sup>] and potassium [K<sup>+</sup>]), organic carbons (e.g., sugar and ethanol) and nutrients (e.g., nitrogen and phosphorous) not used by soil microorganisms or held by the soil matrix. Of particular importance is the potential for Na<sup>+</sup> and K<sup>+</sup> to accumulate in the soil profile, which may result in altered soil structure or poor plant growth.

For this monitoring period there were only several instances of minor localised ponding with no ongoing environmental issues. Short term corrective actions were undertaken to address ponding including: ceasing discharge for the rest of vintage to allow a rest period for the soil; and/or using an alternative disposal area for discharge. The actions taken should have helped to avert the potential for wastewater entering underground aquifers, overloading of soil and altering of soil structure. More long term actions may include soil remediation (soil ripping and planting of different pasture species to improve uptake of wastewater); alterations to the wastewater and irrigation systems for more optimal volumes discharged; or retiring disposal areas and moving to land that is more appropriate for discharge.

Eleven wineries (28%) (last year four wineries 10%) had a number of conditions assessed as **red** because consented annual and daily discharge volumes and discharge rates were breached; only one of two soil samples was taken; or wastewater sample results were not provided. All other conditions were met and assessed as amber or green. These breaches are not considered significant enough to warrant enforcement actions. Instead, for the 2012/2013 monitoring season, some wineries that had previously been assessed as amber in 2012 had not taken on board the comments and recommendation and were therefore assessed as red for 2013.

The 2013 vintage had an increase in the volume of grapes crushed for all wineries yet there was no adverse environmental effects observed at the time of the site inspections. A number of wineries have consequently increased their disposal areas and five wineries have applied for new resource consents to increase their processing capacity.

#### **Overview of results from sampling of grape marc, leachate and soils that received grape marc**

Un-composted grape marc of two different ages was collected for chemical analysis. Fresh grape marc of various wine cultivars was collected directly under wine presses while aged grape marc was collected from uncovered stock piles that were estimated to be at least a year old in farm paddocks.

Leachate was sampled from one fresh grape marc pile and an uncovered aged grape marc pile.

Soil samples were collected from directly under four un-composted grape marc piles (<1 year old) and also control sites deemed not to have been subject to grape marc stockpiling.

Overall results indicate that nitrogen, potassium and phosphorous levels were higher in both the fresh and aged grape marc. Calcium, sulphur, and magnesium were lower in fresh grape marc while sodium was low in fresh and aged grape marc. pH was lowest (most acidic) in fresh grape marc. Of the parameters tested in leachate BOD was significantly higher (63000 g/m<sup>3</sup>) in fresh grape marc compared to aged grape marc (63 g/m<sup>3</sup>).

Overall results from the pilot study indicate that grape marc and its leachate have the potential to cause the following adverse environmental effects if undertaken in a certain location or in an uncontrolled manner:

- Altered soil structure through the accumulation of potassium (K<sup>+</sup>)
- Soil contamination through the accumulation of contaminants (BOD and total suspended solids)
- Surface and/or ground water contamination from nutrients (nitrogen and phosphorus) and organic nutrients (BOD) through leaching, runoff and/or direct discharge
- Reduced amenity values due to odour or visual effects from inappropriately managed discharges
- The mauri of ecosystems, wahi tapu sites and other sites of cultural significance can be adversely affected by inappropriate discharges of effluent and sludge onto or into land.

Mitigation measures should be in place with respect to the discharge of grape marc to land, which could include setbacks from water bodies, requirements for stockpiles to be sited on impermeable surfaces and to be covered to prevent leachate runoff and limit the effects of odour, and provisions around stockpiles for the collection of leachate.

With appropriate controls for the discharge of grape marc to land in place, and if this activity is managed well, grape marc could be used as a soil conditioner, a fertiliser or growth medium.

### **Relationship with industry**

The Compliance Group is taking a proactive and constructive partnership approach to monitoring the discharge of winery wastewater and grape marc with education and relationship building being key objectives. Consequently, good co-operation is received from the industry. The emphasis is on continuous improvement to ensure environmental impacts are minimised or averted and compliance costs to both the Council and wine companies are minimised.

Industry has responded positively to the traffic light rating system as it allows wineries the opportunity to remediate inadvertent breaches and improve operations and management of the wastewater systems. It is anticipated that the increased contact with wineries will lead to greater understanding of the requirements for the discharge of wastewater to land, which should result in more wineries being fully compliant. More importantly, environmental impacts will be identified and remediation actions can be implemented early.

Based on the information provided for Council's compliance reports for the 2012/2013 season, the Compliance Group considers that wineries still need to be more familiar with the permitted activities standards and resource consent conditions for discharging wastewater to land. Some wineries do not appear to have taken on board the recommendations and comments from the previous 2011/2012 monitoring period. In addition, better record keeping is still required by many of the wineries as daily volumes applied for the annual reporting period are poorly documented. As such, daily discharge volumes are often an estimate or cannot be determined, particularly during the non-vintage period.

Meetings and discussions have been held with many wineries and consultants to discuss areas of non-compliance and expectations for the 2014 vintage. These wineries have responded positively to the requirement to undertake corrective actions identified and have demonstrated a willingness to undertake improvements to their operations and/or recording systems.

### **Future activities**

The 2013/2014 season will continue to focus on education about the criteria required for consent conditions and plan rule standards. This is to ensure accurate data is captured, particularly daily discharge volumes for the non-vintage and vintage periods. The Compliance Group's expectation for the 2013/2014 report is that wineries are to provide the required information for consent conditions and plan rule standards. Where this information is not provided, wineries will be assessed as red and enforcement action(s) may be undertaken where wineries have failed to provide information for 3 consecutive years.

For the 2014 vintage there will be a greater focus on checking the sites where grape marc is composted or stored prior to feeding stock to ensure that any adverse environmental effects are minimised.

Information gained from this pilot study will be used for the review of plan standards for the discharge of agricultural waste to land.

Further research should be undertaken to substantiate these results and also to explore the potential benefits of grape marc.

## 10. Appointment of Hearings Commissioners

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(Clr Oddie) (Report prepared by Julia Eason)

C270-11

### Purpose

1. The purpose of this report is to present the following persons for inclusion on the list of Hearings Commissioners.

### Background

2. Under the Marlborough District Council Resource Management Act 1991 Instrument of Delegation the Council may delegate its function as a consent authority to a Hearings Commissioner.
9. Hearings Commissioners can be called on to hear and determine applications for resource consent pursuant to section 34A of the Resource Management Act, 1991.

### Comments

10. This list of Hearings Commissioners can be beneficially extended with the inclusion of the following five people listed below:

- **Donald James Turley, Lawyer (Energy)**

Mr Turley is based in Nelson and has practiced environmental law in New Zealand and Australia since the early 1970's. His case history has a strong energy focus including wind farms and mining. Mr Turley has also worked in Dubai as a consultant lawyer and also as consultant to Wellington City Council. Mr Turley has experience in negotiations and conflict resolution primarily in the construction industry in Australia.

Mr Turley has over 30 years' experience in the Planning and Resource Management legal setting. Mr Turley holds a commissioner qualification with a chair endorsement.

- **Mr Murray Palmer ( Iwi – Tangata Whenua issues)**

Mr Palmer has a strong history of project management, iwi consultation, research and dispute resolution. He is based in Gisborne. Mr Palmer holds a Bachelor of Arts (Philosophy and Environmental Science) Auckland and Massey Universities and a Postgraduate Diploma Resource and Environmental Planning (Massey University). Mr Palmer has worked in an advisory role with a strong focus on freshwater values since 2000 and is a certified commissioner. He has also been involved in health boards and transport issues.

- **Dr Jim Cooke (Environmental Science)**

Dr Cooke holds a PhD in Philosophy from Oxford University and undergraduate and graduate qualifications from Massey and Waikato Universities. Dr Cooke has a strong focus on soil and fresh water science in relation to wastewater management. Previous employers include Niwa and Beca Infrastructure. Dr Cooke is now self employed as a water quality advisor. Dr Cooke has sat as a commissioner since 2012.

- **David Mountfort (Planner)**

Mr Mountfort has previously worked as a planner for Christchurch City Council and Gisborne District Council since 1982. He has recently started his own consultancy based in Nelson. He has been an accredited commissioner since 2009 and is a full member of the New Zealand Planning Institute.

- **David Dew (Lawyer)**

Mr Dew is a previous committee chair for the council hearings panel and has been practicing law in the Marlborough region for a number of years.



## **RECOMMENDED**

**That Donald Turley, Murray Palmer, Dr Jim Cooke, David Mountfort and David Dew be appointed to act as Hearings Commissioners as and when required and that they be advised accordingly.**

# 11. Alterations to Resource Management Fees - Resource Management Act 1991

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(Clr Oddie) (Report prepared by Anna Eatherley)

C270-05, F045 07-01

## Purpose

1. The purpose of this report is to consider an increase to the existing fee schedule for charges associated with the Resource Management Act 1991.

## Background

2. The Resource Consent Group is responsible for discharging Council's statutory obligations under the Resource Management Act 1991 (the Act). The Act sets out a range of powers, duties and functions, and the statutory processes that must be followed when processing and determining applications for resource consent. The purpose of the Act is to promote the sustainable management of natural and physical resources. As a unitary authority Council is responsible for regional, district and coastal functions. The Resource Consent Group administers this responsibility under two management plans which cover the region. There are five types of resource consents that Council must process; Land Use, Subdivision, Coastal, Water and Discharges.
3. The Resource Consent Group is also required to undertake a number of other functions. These other functions include:
  - The provision of information to potential applicants, interest groups, other Council sections and the general public on all resource management matters. Fostering good relationships with applicants, submitters, government agencies, iwi and other interested parties is a critical element in the provision of a high quality resource consent service.
  - The management of objections and appeals to the Environment Court on resource consent conditions in accordance with the Act and relevant Council delegations.
  - The maintenance and management of a consents database that is responsive to the needs and requirements of central government, applicants, submitters and the general public.
4. Marlborough District Council Charging Policy for activities undertaken under the Resource Management Act 1991 and the Local Government Act 1974 was adopted in February 2007. Council's charging policy is based on cost recovery. An applicant for resource consent is expected to pay the reasonable cost of processing the application. The Resource Consent Group is unable to recover all the costs of its other functions as outlined above. Recognising this, Council's Revenue and Financing Policy (contained in its Long Term Plan) states that 60% of the Group's costs should be recovered from the applicant or permit holder (private good) and 40% is funded by rates (public good). Also section 36(4) of the Act requires that charges for resource consent applications are limited to the reasonable costs incurred by the consenting authority in respect of the activity to which the charges relate.

## Resource Management Fee Schedule

5. A review of the fee schedule in respect of the structure of charges and the amount of the charges has been carried out (**attached**). The Group's recommended expected expenditure budget is \$2,031,792 for 2014/2015 (a slight decrease due mainly to a budgeted reduction in commissioner fees). The expectation is that 60% of total expenditure, i.e. \$1,219,075, will be recovered from applicants through resource consent fees.
6. Council is able to achieve its private good recovery with an hourly charge out rate of \$145.00 inclusive of GST for all planning staff processing applications. The proposed hourly rate is a relatively modest increase to the existing hourly rate of \$140.00 of the professional planning staff.

The proposed increase is in alignment with proposed increases at Nelson City Council and Tasman District Council.

7. Currently all three councils are consistent with their hourly charge out rates, with the exception of administration officers. Nelson City Council and Tasman District Council use the same hourly rate for their administrative staff as their planning staff on the premise that all staff have input in to the consent processing process and recoveries all contribute to costs, i.e. if one rate is reduced then others must be increased to compensate. However, in Marlborough there are two rates; one for professional planning officers and one for administration officers. It is recommended, for consistency with Nelson City Council and Tasman District Council, that this be simplified to one rate for all staff. This will mean an increase in hourly rate for administration staff from \$90 to \$145. Overall costs not recoverable through consent fees need to be covered by general rates.
8. The revised schedule sets out either base charges or flat charges which can be regarded as “fixed charges” in terms of section 36(1) of the Act. The level of the base charges are the best estimate of 90% of the costs involved in the processing of an application for resource consent. To maintain fairness, a regime of refund is incorporated in to Council’s fee recovery process. At the same time where costs exceed the amount deposited, cost recovery is undertaken under section 36(3) of the Act.
9. Both flat and base charges have also been reviewed with the application of percentage movement in line with the recommended increase in hourly rate. This represents a 1.04% increase.
10. Three new charges have also been introduced in to the fee schedule:
  - Section 348 Local Government Act Right of Way applications;
  - Registration service for lodgement of change/cancellation of consent notice; and
  - Outline Plan Waiver.

These charges reflect the new activities that the group undertakes and needs to charge the applicant for processing.

## Summary

11. It is considered that the outcome of the fee review strictly adheres to the criteria in section 36 (4) of the Act. Specifically, the fixed charge, fixed initial deposit charges and additional charges have the sole purpose of recovering the reasonable costs incurred by Council in respect of this activity. Furthermore, the particular person or persons required to pay charges are those that benefit from Council’s actions in regard to the processing and issuance of a resource consent.

## RECOMMENDED

**That Council agree to notify for consultative purposes as required by section 83 of the Local Government Act 2002 the Proposed Schedule of Fees under the Resource Management Act 1991.**

	Charge Type	Current Fee	Proposed Fee
<b>Minor Resource Consents</b>			
<b>Bore Construction</b>			
Domestic	Flat	\$300	\$310
Irrigation	Flat	\$600	\$620
<b>Notified Resource Consents</b>			
All Applications (including subdivisions)	Base	\$5,000	\$5,200
Section 127, 128	Base	\$5,000	\$5,200
<b>Non-Notified Resource Consents</b>			
Subdivision (Flat plan/unit title engineering fees do not apply)	Base	\$600	Delete
All Applications but excluding subdivisions	Base	\$900	\$930
Subdivisions (Note: Engineering charges are additional)	Base	\$1,300	\$1,350
Registration service for lodgement of change/cancellation of consent notice (Note: This is a new fee in the schedule)	Flat		\$650
Section 37 extension of time for deposit of survey plans	Base	\$300	Delete
Section 124, 125, 126, 127, 128, 136, 139, 139A, 221	Base	\$900	\$930
Land Registry Compliance (Certificates, Consents)	Flat currently Base proposed	\$300	\$310
Planning Instrument Compliance Check - Building Consents	Flat	\$300	\$310
Section 348 LGA Right of Way applications (Note: This is a new fee in the schedule)	Base		\$930

	<b>Charge Type</b>	<b>Current Fee</b>	<b>Proposed Fee</b>
<b>Transfers</b>			
Water, Coastal (Marine Farm)	Flat	\$300	\$310
Coastal (Other), Discharge, Land Use	Flat	\$300	\$100
<b>Section 223, 224 - Approval of deposit of survey plans</b>			
4 lots or less (each stage)	Current Base Proposed Actual	\$300	\$310
5 or more lots (each stage)	Current Base Proposed Actual	\$600	\$620
<b>Outline Plan Approvals, Policy Statements, Plan Changes and Requirements</b>			
Section 176A Approval of Outline Plan	Currently Flat Proposed Base	\$900	\$930
Outline Plan Waiver  (Note: This is a new fee in the schedule)	Flat		\$100
<b>Notice of Requirements or Alterations to Designations</b>			
Non-Notified	Base	\$1300	\$1,350
Notified	Base	\$5,000	\$5,200
<b>Statements and Miscellaneous Certificates</b>			
Provide required documentation	Currently Variable Proposed Base	\$300	\$310
<b>Site Inspection</b>			
Disbursements, e.g. boat hire	Currently Flat Proposed Actual	\$300	Actual
<b>Engineering Charges - Subdivision and Land Use</b>			
Engineering:			
Evaluation for 1-3 lots	Flat	\$325.71	\$541
Evaluation for 4-10 lots	Flat	\$780.51	\$1,395
Evaluation for 11-20 lots	Flat	\$1,300.44	\$2,351
Evaluation for 20+ lots	Flat	\$1,951.85	\$3,679
Engineering evaluation for each additional dwelling (Land Use)	Flat		\$354

	<b>Charge Type</b>	<b>Current Fee</b>	<b>Proposed Fee</b>
Consent)			
<b>Consents - Administration, monitoring and Supervision</b>			
Sampling including the contracting of an independent consultant	Variable Actual	Variable Actual	Variable Actual
Laboratory Costs	Variable Actual	Variable Actual	Variable Actual
Administration fee	Flat	Flat	\$40
Site Inspection	Variable Actual	Variable Actual	Variable Actual
Environmental Protection Officer	Per hour	\$130	\$130
Assistant Environmental Protection Officer	Per hour	\$91	\$91
Student Environmental Protection Officer	Per hour	\$65	\$65
<b>Other Rates and Charges</b>			
Hearings Committee or Commissioner (Local Government (Local Authorities Salaries and Allowances) Determination 2001)	Variable	Variable Actual	Variable Actual
Hearings Cancellation Fee	Flat	\$1500	\$2000
Resource Management Officer	Per Hour	\$140	\$145
Hearings Facilitator	Per Hour	\$140	\$145
Administration Officer	Per Hour	\$90	\$145
Senior Planner/Resource Consents Manager	Per Hour	\$140	\$145
Consultants (internal or external charges)	Variable Actual	Variable Actual	Variable Actual

## 12. Environmental Health Fees and Levies

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(Clr Brooks) (Report prepared by Garth Congdon)

E350-004-002-04, F045 07-01

### Purpose

1. The purpose of this report is two-fold:
  - (a) Review the current fees for the Environmental Health activity, and
  - (b) Consider an increase in health registration fees for the 2014-15 financial year.

### Background

2. The 1 July 2011 was the last time fees were increased in the Environmental Health activity.
3. Council can set fees for health registration by Council resolution.
4. Previous Councils have determined that overall the Environmental Health function should be funded by 60% user pays and 40% rates. They also determined that premises and activities required to be registered under the Health Act should be fully self-funding

### Comments

5. Although the Environmental Health Section activity, which includes nuisances, noise and sale of liquor, overall is budgeted to be in surplus in 2014-15 by \$24,043.00 the major contributor to this is liquor and significant costs of processing liquor licences are incurred in the support services area, the food activity has a budgeted in deficit of (\$2,469.00).
6. As per BERL the local government cost index has increased 5.9% over the three years fees have not been increased. Inflationary increases have a direct impact on Council fixed costs, consequently affecting council activities through the increase in overheads.
7. If in deficit then there should be an increase in fees for food and other licences.
8. Council's preference over the past few years has been to make small fee increases as required to cover cost increases – rather than waiting until a deficit has accumulated and a significant increase is necessary.
9. **Attachment 1** shows comparative fees from other South Island Councils, and that this fee proposal is in line with neighbouring councils.

### Summary

10. The last increase in Environmental Health fees was 1 July 2011, this fee increase is proposed to commence 1 July 2014.
11. The cost associated with food premises, noise control and liquor licensing were analysed. The budgeted costs for food premises are under recovering for the actual time involved (\$2,469 budgeted deficit 2014-15). Increasing the fees as below brings food premises into a small surplus position and results in an average food premises fee increase of 5.7%.
12. As a result of the above review we propose to increase existing fees as follows: All fees are inclusive of GST.

	current fees	proposed fees	% increase
<b>HEALTH ACT – Food registrations</b>			
Food premises (High Risk)	370.00	380.00	2.7%
Food premises (Low Risk)	165.00	175.00	6.1%
Food Premises occasional	70.00	75.00	7.1%
Food Premises registration transfer	40.00	45.00	12.5%
Food Premises additional inspection	125.00	130.00	4.0%
Inspections on request and re-inspections	125.00	130.00	4.0%
<b>Food Stalls</b>			
- No Prep	70.00	75.00	7.1%
- One-off food stalls	70.00	75.00	7.1%
- Annual Registration, Mobile Shops from other districts	75.00	80.00	6.7%
- Registered Kitchen	75.00	80.00	6.7%
- All/some onsite prep (one-off)	75.00	80.00	6.7%
- Charities /fundraising	No fee	-	0.0%
- Annual Registration	125.00	130.00	4.0%
<b>HEALTH ACT – Other registrations</b>			
Camping Grounds	230.00	235.00	2.2%
Offensive Trades	155.00	160.00	3.2%
Hairdressers	155.00	160.00	3.2%
Mortuaries/Funeral Directors	175.00	180.00	2.9%
<b>BYLAWS</b>			
-Hawkers licence	60.00	60.00	0.0%
-Itinerant traders	112.50	115.00	2.2%
-Mobile shops (on web with low risk food premises)	165.00	175.00	6.1%
-Change of ownership	40.00	45.00	12.5%
<b>Other fees:</b>			
Late Payment fee for registered premises (each month the payment remains overdue)	50.00	50.00	0.00%
Initial FSP Approval/ Transfer (Food Control Plan)	95.00	95.00	0.00%
Audit fee* (per hour)	125.00	130.00	4.00%
Rescheduling fee	125.00	130.00	4.00%
Mileage (per km)	0.35	Current IRD rate**	
Boat Travel	At cost	At cost	0.00%
Noise Consultancy and survey work (per hour)	125.00	130.00	4.00%
* Corrective action follow up will incur the same charge out rate as the audit fee ** The current IRD rate is \$0.77			



**RECOMMENDED**

That Council adopt the proposed Schedule of Fees in paragraph 12 above.

## Attachment 1: Fee Review 2014/15

Comparative fees for other South Island Councils have been included, and the fee proposed is in line with neighbouring councils.

	MDC as per Fee schedule tab	Nelson as at 23/10/13 Unitary	Tasman as at 23/10/13 Unitary	Timaru District Council	Gisborne Unitary	MDC new proposed fees 2014-15 (GST incl)	% increase	
<b>Fee Comparison (GST incl)</b>								
<b>HEALTH ACT</b>								
<b>GL code:</b>	<b>Misc fees and licences</b>							
15030	Food premises (High Risk)	370.00	375.00	300.00		380.00	2.7%	
15030	Food premises (Low Risk)	165.00		205.00		175.00	6.1%	
	Small food premises/stalls (High Risk)		250.00					
	Small food premises/stalls (Low Risk)		165.00					
	Food premises (Floor Area <50m2)		364.00		226 to 802			
	Food premises (Floor Area 50-100m2)		423.00			average	4.4%	
	Food premises (Floor Area 100-200m2)		460.00					
	Food premises (Floor Area >200m2)		588.00					
15030	Food Premises occasional	70.00	75.00			75.00	7.1%	
15050	Food Premises registration transfer	40.00	75.00	86.00	100.00	108.00	45.00	12.5%
14650	Food Premises additional inspection	125.00					130.00	4.0%
14650	Inspections on request and re-inspections	125.00		140.00	150 p/hr	68 to 150	130.00	4.0%
<b>Food Stalls</b>								
	Food Stalls high risk;		250.00					
	Food Stalls low risk;		165.00					
	Food stalls:							
15030	- No Prep	70.00	54.00			75.00	7.1%	
15030	- One-off food stalls	70.00	86.00		16.00	75.00	7.1%	
15030	- Annual Registration, Mobile Shops from other districts	75.00	86.00			80.00	6.7%	
15030	- Registered Kitchen	75.00				80.00	6.7%	
15030	- All/some onsite prep (one-off)	75.00				80.00	6.7%	
15030	- Charities /fundraising	No fee	No fee			0.00		

15030	- Annual Registration	125.00	125.00	165.00			130.00	4.0%	
							average	6.6%	
							average for "food licences"	6.2%	
<b>HEALTH ACT - Other registrations</b>									
15050	Camping Grounds	230.00	270.00	256.00	300.00	356.00	235.00	2.2%	
						252 to			
15050	Offensive Trades	155.00	330.00	236.00	205.00	406	160.00	3.2%	
15050	Hairdressers	155.00	155.00	165.00	175.00	333.00	160.00	3.2%	
15050	Mortuaries/Funeral Directors	175.00	170.00	256.00	205.00	250.00	180.00	2.9%	
							average	2.9%	
<b>BYLAWS</b>									
15050	-Hawkers licence	60.00		49.00		29.00	60.00	0.0%	
15050	-Itinerant traders	112.50				98.00	115.00	2.2%	
15050	-Mobile shops (on web with low risk food premisses)	165.00		86.00		106.00	175.00	6.1%	
	-Mobile shops (with food)								
	-Mobile shops (without food)								
	-Commercial traders			49.00					
15050	-Change of ownership	40.00					45.00	12.5%	
							average	5.2%	
<b>New Fees</b>									
17660	Late Payment fee for registered premises (each month the payment remains overdue)	50.00				additional 20%	50.00	0.0%	
15030	Initial FSP Approval/ Transfer (Food Control Plan)	95.00					95.00	0.0%	
14550	Audit fee* (per hour)	125.00	125.00		150.00	130.00	130.00	4.0%	
14550	Rescheduling fee	125.00					130.00	4.0%	
14550	Mileage (per km)	0.35					current IRD rate**	-	
14550	Boat Travel	At cost					At cost		
14550	Noise Consultancy and survey work (per hour)	125.00					130.00	4.0%	
	* Corrective action follow up will incur the same charge out rate as the audit fee								
							average for "other licences"	3.4%	

This proposed levy should increase revenue from \$107,317 to \$111,239 as follows, based upon current levels of activity. The revenue for the proposed fee has been included in the draft budget.

	<b>2014-15 Budget</b>	<b>Proposed after increase</b>	<b>increase</b>
Food	91,643	95,017	3,374
Other licences	15,674	16,222	548
<b>Totals</b>	<b>107,317</b>	<b>111,239</b>	<b>3,922</b>

## 13. Aids to Navigation

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(Cllr Barsanti) (Report prepared by the Deputy Harbour Master)

H100-005-14

### Purpose

1. The purpose of this report is to update the Environment Committee of the on-going management of Aids to Navigation (AtoN).

### Background

2. Council is responsible for the provision and servicing of 98 AtoN in the region, which include beacons, buoys, channel markers and leading lights. The collective replacement cost of these units is estimated at \$1.2 million.
3. These AtoN are a critical component of the Harbour Safety Management System and their operation must comply with international standards as set by the International Light House Authority (IALA). Requirements include minimum response times to rectify light failures, prescribed inspection routines and the establishment of an accurate performance data recording programme.
4. In late 2012 the organisation contracted to carry out the management of AtoN within the Marlborough region failed to renew terms and the contract was put to tender. No cost effective option was presented and the management of navigational aids was brought 'in house' to be carried out internally by the Harbours Department.
5. Following the decision to bring the AtoN contract 'in house' a 6.5 metre vessel 'Astrolabe' was purchased for the purpose of servicing AtoNs. This vessel was brought into service in November 2013.

### AtoN Update November 2013 - January 2014

6. A comprehensive survey of all navigation aids in the region has been carried out and a work plan established for the on-going maintenance of the navigational aids.
7. Significant work has been undertaken at the Motuara Island light and a new North Cardinal light is due to be installed in the coming week. This new light will improve navigation safety in the area, particularly for large vessels that do not have a pilot on board and/or are seeking a safe anchorage.
8. A new unlit beacon has been installed at 'Keep Clear Rock' in the Pelorus Sound. This improves on the buoy previously installed in this location.
9. The data immediately below outlines the reliability of AtoN and the failure response times achieved for the 3 month period 1 November 2013 to 31 January 2014.

Cumulative Downtime per Category										Cumulative number of Failures per Category									
	Nov			Dec			Jan				Nov			Dec			Jan		
Category 1																			
Category 2						504										2			
Category 3																			
Total Hours	744	672	744	720	744	720	744	720	744	744	672	744	720	744	720	744	744	720	744

Availability %				
Category 1	Required	99.8	(3 Months)	100.0
Category 2	Required	99.0	(3 Months)	94.2
Category 3	Required	97.0	(3 Months)	100.0

(note: Calculated alternately to method below; use to double check)

Mean Time Between Failures (MTBF)		
Category 1	MTBF	No Failure
Category 2	MTBF	2752.0
Category 3	MTBF	No Failure

Mean Time To Repair (MTTR)		
Category 1	MTTR	No Failure
Category 2	MTTR	168
Category 3	MTTR	No Failure

10. For Category 1 and Category 3 lights there have been no failures, hence IALA availability standards have been exceeded.
11. For Category 2 AtoNs, IALA standards have not been achieved. This is as a result of the failure of a single 'blue light' on the end of Waitohi wharf. Unfortunately Harbour staff have been unable to carry out repairs as the light is located on a structure to which staff do not presently have access to due to health and safety concerns. It is expected this issue will be resolved soon. If the failure of the 'blue light' is discounted then the IALA availability standard is achieved.  
 Note: IALA specifies three categories for AtoN. 'Category 1' AtoN are defined as being 'of primary navigational significance' and have the highest availability requirement. Tory Channel Leading lights are the only Category 1 AtoN under Council control.
12. Over 90% of AtoN under Council control are listed Category 2, being defined by IALA as 'of navigational significance'.

## Conclusion

13. IALA standards have not been achieved for Category 2 lights over the past 3 months. This is due to health and safety issues around accessing the site where the light is located. This issue will be resolved shortly.
14. It is anticipated that 'in house' control over the management of AtoN, coupled with the availability of the vessel 'Astrolabe', will enable Harbours to meet and exceed the IALA standards over the next 6-12 months.
15. A significant amount of work is ongoing to ensure that work sites and work practices at remote locations where AtoN exist meet Council's health and safety standards.

## RECOMMENDED

That the information be received

## 14. Harbour Patrols

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(Clr Barsanti) (Report prepared by the Harbour Master)

H100-005-14

### Purpose

1. The purpose of this report is to update the Environment Committee of the harbour patrol over the holiday period.

### Background

2. Over the past years regular harbour patrols have been in place between Labour weekend and Easter of the following year.
3. Generally, patrols are run over weekends, but change to a daily schedule over the busy holiday period. This summer, the daily patrols commenced on 21 December 2013, with no patrols scheduled for Christmas day, although staff were available had there been an incident. Although in the past patrols were concentrated predominantly within Queen Charlotte Sound, with the acquisition of Astrolabe more patrols were scheduled for the Havelock/Pelorus Sound area. The principal purpose of Astrolabe however is for the maintenance and servicing of Aids to Navigation. Additional patrols were put in place for New Year's Eve, around midnight, and also for the Picton Maritime Festival, to control vessel traffic at times of the firework displays. Over this period, only one half day was lost due to weather conditions. Daily patrols ceased on 31 January 2014 and now revert to weekends only.
4. Daily reports from the patrol note that there was a similar number of recreational vessel traffic as last year. In addition, there was also the seasonal increase in small commercial operations, water taxis, etc.
5. Wearing of Personal Floatation Devices (PFDs), particularly in small craft (less than 6 metres) was a matter patrols reported on frequently. An amendment to Maritime Rule Part 90 proposed compulsory wearing of lifejackets for vessels of less than 6 metres. The amendment has not, as yet, come in to force and, as a consequence, current bylaws still require the person in charge of such vessels to make the judgement call on this issue. There were a number of pleasure vessels that did not carry PFDs and these were issued with Infringement Notices.
6. Speed of vessels within 200 metres of the shore remains an area that requires constant attention, particularly in the vicinity of the headlands, with Harbour Rangers reporting the need to stop a large number of recreational vessels breaching this requirement. It was pleasing to note the absence of complaints involving commercial vessels compared to previous years.
7. Personal Water Craft on the whole were reported as being generally well behaved. There were no large groups of these as have been seen in previous years.
8. Patrol staff interact with the boating public, both on the water, at launching ramps, water ski lanes, at jetties and baches, campgrounds and popular locations, including Ngakuta, Momorangi, Elmslie and Okiwi Bays in the Sounds. These opportunities are seen as being ideal to re-enforce educational themes, as well as a means of distributing the 'Sounds Safe Boating' brochure and other educational material. For this summer season again a total of 7,000 brochures were printed and continue to be distributed via various outlets, such as camping grounds, campervan/caravan parks, charter companies, lodges/resorts and fuel stations. The inclusion of tidal information spanning the entire year has again been well received and is considered a valuable resource that is likely to remain on board vessels, rather than being discarded once tidal dates became out of date.
9. It is always difficult to find the correct balance of patrol time between Queen Charlotte Sound and Pelorus/Kenepuru Sounds. With the additional vessel available, an increased presence in this area was possible and it is understood that these were well received. Several patrol days extended out to French Pass (Elmslie Bay), Catherine Cove and Okiwi Bay. Comments from

patrol staff indicate that there is still the need for ongoing boating education, especially in the trailer/power boat sector.

10. On completion of the patrol schedule after Easter, a general de-brief of staff will be undertaken which will form the basis of the brochure review, the number required, as well as patrol schedules and staff requirements for next summer.

## **Conclusion**

11. Harbour patrols have been undertaken in a similar format to those of previous years, with more time being available to implement patrols in the Havelock/Pelorus Sounds area.
12. Patrols reverted to a weekend only format from the end of January.
13. The matters of speed, in particular, general behaviour and wearing of PFDs have been noted by patrol staff as being an issue from time to time, but on the whole the patrols have been well received and seem to have the support of the boating public.

## **RECOMMENDED**

**That the information be received**



# 15. Harbour Risk Assessment Review Report

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(Clr Barsanti) (Report prepared by the Harbour Master)

C500-009-002-014-01

## Purpose

1. The purpose of this report is to inform the Environment Committee of the outcome of the 2013 Risk Assessment Review.

## Background

2. The NZ Port and Harbour Marine Safety Code (the Code) introduced the requirement for Council to undertake a risk assessment of the harbour area over which it exercises jurisdiction as Harbour Authority.
3. The initial assessment was completed in 2005/06, underwent a first revision in 2009 when a risk rescored of hazards was undertaken, and a more recent review took place during the latter half of 2013 examining the areas of existing risk control systems delivered by not only the Harbour Master Group but also those of stakeholders that may be influencing risk. A full copy of the report is **separately attached** to this item.
4. Applying risk reduction in a comparative risk assessment causes other hazards to rise in the risk ranking. This does not mean that risk levels have changed, but rather that the prioritisation for attention may have changed. This generally occurs as key risks become more effectively managed.
5. It is important to note that the review was undertaken by a consultant independent of the Harbour Master Group and was conducted in compliance with the Code.
6. The risk assessment used on-line marine risk management software - Hazman II - as part of the review which is endorsed by the International Maritime Organisation Formal Safety Assessment process and is particularly suited to harbour and marine risk assessments. Identified hazards are ranked and tabulated as shown in the table contained at Annex C of the attached report.
7. Risk control measures are set out throughout the text of the risk assessment report and will be itemised and systematically assessed to identify and generate a list those to be implemented, measured against risk reduction effectiveness as well as cost effectiveness of the identified measures.
8. It is recognised that the Council's Harbour Safety Management System document will require review as a result of the risk assessment

## Summary

9. The NZ Port and Harbour Marine Safety Code introduced the requirement to undertake a risk assessment. The initial risk assessment was undertaken in 2005/06, revised in 2009 and again more recently in 2013.
10. The current report has focussed on the area's existing risk control measures delivered not only by Council, but also those of other stakeholders.
11. Using the on-line Hazman II risk software, a ranked list of hazards was generated.
12. Options for risk control measures are discussed throughout the report and will require a systematic assessment against risk reduction as well as cost effectiveness.
13. Council's Harbour Safety Management System document will require review as a result of this risk assessment.

## **RECOMMENDED**

1. That the information be received.
2. That Council adopts the risk assessment report, 'Review of Risk Mitigation – Summary Report'.
3. That the report is sent to Maritime NZ for confirmation that the assessment meets the NZ Port and Harbour Marine Safety Code requirements.

## 16. Harbour Activity

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(Clr Barsanti) (Report prepared by the Harbour Master)

H100-001-01, F045 07-01

### Purpose

1. The purpose of this report is to clarify the Council's role as Harbour Authority, outline the Harbour Activity Plan, clarify budget allocation, identify shortfalls in the coming financial year and provide options to meet the shortfall.

### Background

2. Pursuant to the Maritime Transport Act 1994, Council is the Harbour Authority and responsible for the management of maritime safety within the Marlborough Sounds harbour, an area of approximately 18,002 kilometres.
3. In addition to the legislative requirements, the New Zealand Port and Harbour Marine Safety Code (the Code), introduced in 2004, clarified formal duties and responsibilities in providing maritime safety. The Code identified Council as the 'Duty holder' - the entity with ultimate responsibility for maritime safety - delivering this function through the office of the Harbour Master.
4. In accordance with the Code, Council engaged a consultant to undertake an independent risk assessment of the Marlborough Sounds harbour. The risk assessment was peer reviewed, adopted by Council and confirmed as meeting the Code requirements by Maritime New Zealand.
5. Following completion of the risk assessment, a Safety Management System (SMS), describing overall management and co-ordination of maritime activities necessary to facilitate maritime safety, was developed. The SMS also outlined the relevant requirements of the Code and defined the regulatory and functional structure. A diagram outlining this structure can be found at **Annex A**.
6. The SMS approved provides for the delivery of activities in the expectation that these would provide the mitigation of the identified risks. In addition to the availability of staff 24/7, 365 days, **Annex B** provides an overview of some of the activities the Harbour Master Group undertakes.
7. The Harbour Master Group currently has the following staffing resources:  
FTE:                   2 - Harbour Master and Deputy  
Casual Labour       2 - Harbour Rangers  
                              2 - Patrol vessel Skippers  
                              3 - Patrol crew
8. The approved SMS envisaged a staff resourcing structure of 5 FTEs and a casual labour pool of 6, covering both the summer patrol function as well as those tasks requiring the additional staff support during the course of the year. The approved structure is attached at **Annex C**.
9. Formal implementation of the recommended structure has not been feasible due to budgetary constraints through lack of revenue sources. Additionally, the current staffing structure has been funded through unplanned revenue and this now needs formalisation.

10. The Harbour Master Group has the following functional areas, each with an associated budget, as shown in the table below:

Function	Budget (\$)	Funding Source
Harbour Control	834,983	Rates: 824,735 External Revenue: 10,248
Aids to Navigation	144,228	100% funded from external revenue
Marine Farms	15,117	100% General Rates funded
Oil Pollution Response	33,637	Actual costs funded from OPF Council internal costs funded from General Rates

11. Council is prevented, through legislation, from introducing fees and charges to meet its statutory obligations with respect to oil spill response.

#### Budget Summary:

	Activity	Budget (\$)
<b>Expenditure</b>	Control	834,938
	AtoN's	144,228
	Marine Farms	15,117
	Oil Pollution Response	33,637
<b>Income</b>	Rates	845,006
	External Revenue	188,731

12. The implementation of the SMS has been hindered by shortfalls in budget and the operational capacity of the function has been underwritten by unplanned revenue to some extent.
13. To remedy the identified shortfall, an additional sum of \$279,123 is required, spread across the Harbour Control, Aids to Navigation and Marine Farm functional areas.
14. In meeting the identified shortfall, the following options are available for Council to consider:
- Maintaining the status quo;
  - Additional funding is met from the General Rate;
  - Reduction in services;
  - Implementation of previously approved fees and charges; or
  - A combination of some of the above.

#### Status Quo

15. The function continues as is based on the premise that the element of unplanned revenue has been able to cover shortfalls - for the current year this appears feasible

**Advantage:** no impact on rates or fee revenue

**Disadvantage:** does not facilitate appropriate staff management;  
the income may not arise resulting in unplanned reduction in service.

### Reduction in Service

16. A reduction in some of the current services provided by the Harbour Master Group, an estimated saving in the region of \$250,000 would potentially be achievable.

**Advantages:** no impact on rates or fee revenue

**Disadvantage:** impact on the integrity of implementation of the Safety Management System

### Introduction of Fees and Charges

17. The Council's 2009 Navigation Bylaws introduced, and adopted, a range of fees and charges, some of which are set out below:

Entity	Basis	Fee	Frequency
Passenger/Cruise	Per metre LOA	\$20	Per Call
Cargo/Bulk	Per Gross Tonnage	\$0.30	Per Call

18. The identified fees and charges are currently not charged but could realise in the order of \$300,000 per annum.

19. Although this is in excess of the increase sought, the additional revenue could contribute to a part reduction in rates.

**Advantage:** no rate increase required.

**Disadvantage:** resistance to implementation

### Combination

20. A potential combination would be an introduction of fees and charges over a period of time and provide a small rate increase until full fees and charges are achieved.

**Advantage:** implementation of fees and charges more acceptable

**Disadvantage:** the requirement for an interim rate levy

21. Table of fees and charges already approved:

CATEGORY	FEE
Cruise Vessels	\$20 per metre per visit
Cargo Vessels	\$0.30 per Gross Tonnage
Hot Work Permit	\$50 per permit
Pilotage Exemption Examination	\$350 per Examination
Pilotage License Examination	Actual Costs
Extended Anchoring	\$0.005 per Gross Tonnage per week or part thereof
Vessel Licensing	\$200 per annum

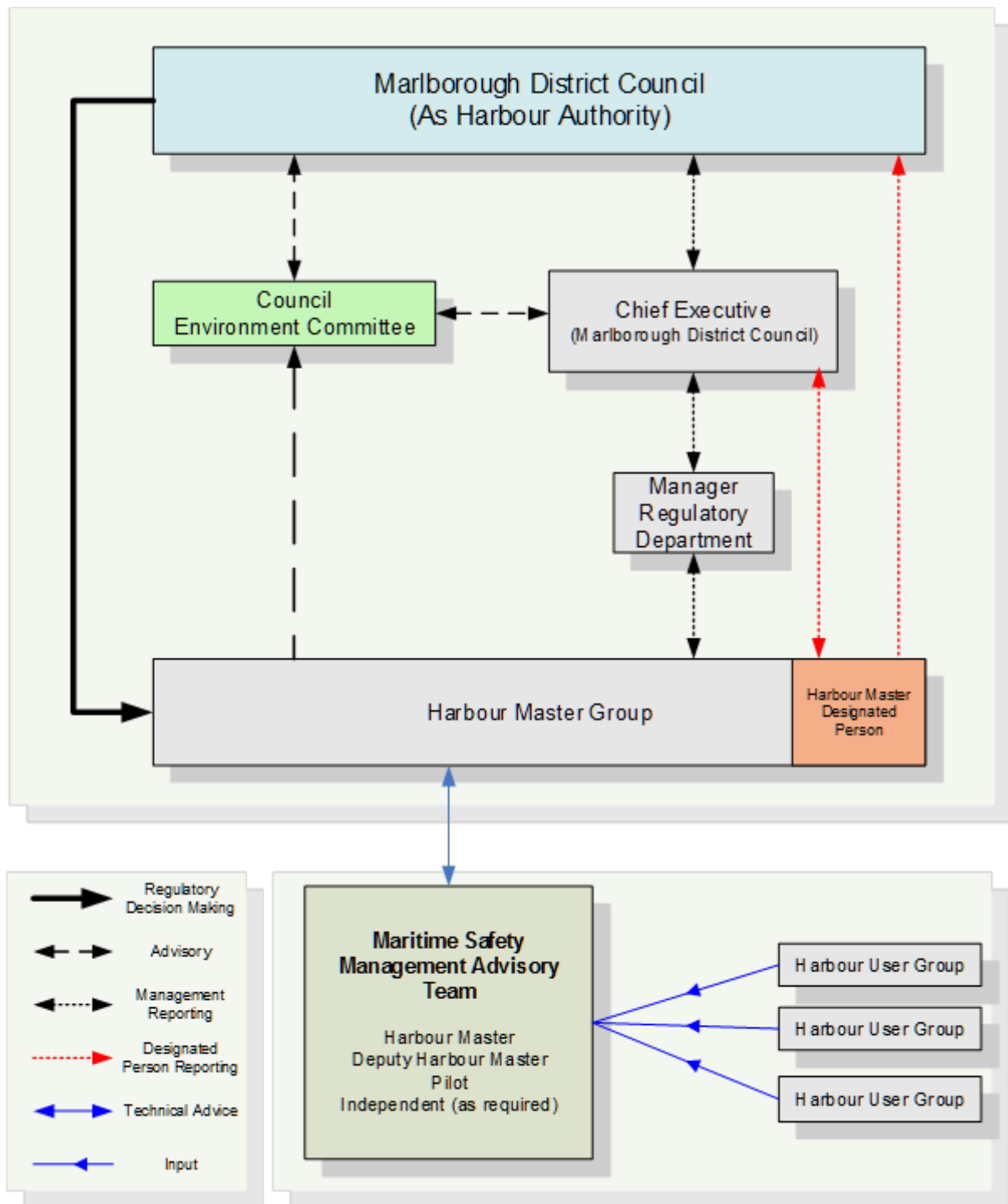
## Summary

22. The Council is the statutory Harbour Authority for the Marlborough Sounds Harbour and exercises this function through the office of the Harbour Master.
23. Following a risk assessment, a SMS describing the overall management and co-ordination of maritime activities necessary to facilitate maritime safety was developed and adopted by Council.
24. The approved SMS envisaged a staff resourcing structure of 5 FTEs and a casual labour pool of 6, covering both the summer patrol function as well as those tasks requiring the additional staff support during the course of the year. Formal implementation of the recommended structure has not been feasible due to budgetary constraints through lack of revenue sources. Additionally, the current staffing structure has been funded through unplanned revenue and this now needs formalisation.
25. To remedy the identified shortfall, an additional sum of \$279,123 is required, spread across the Harbour Control, Aids to Navigation and Marine Farm functional areas.
26. In meeting the identified shortfall, the following options are available for consideration:
  - Maintaining the status quo;
  - Additional funding is met from General Rates;
  - Reduction in services;
  - Implementation of previously approved fees and charges; or
  - A combination of some of the above.

## RECOMMENDED

1. **That the information be received.**
2. **That all fees as set out in the 2009 Navigation Bylaws, but not yet implemented, come into effect as from 1 July 2014.**
3. **The Navigation Bylaw 2009 Fees and Charges be reviewed annually through the Annual Plan process.**
4. **That staff explore the new charging opportunities provided by the Maritime Transport Act 1994 with a view to reducing the dependency of the function on the General Rate.**

## Annex A

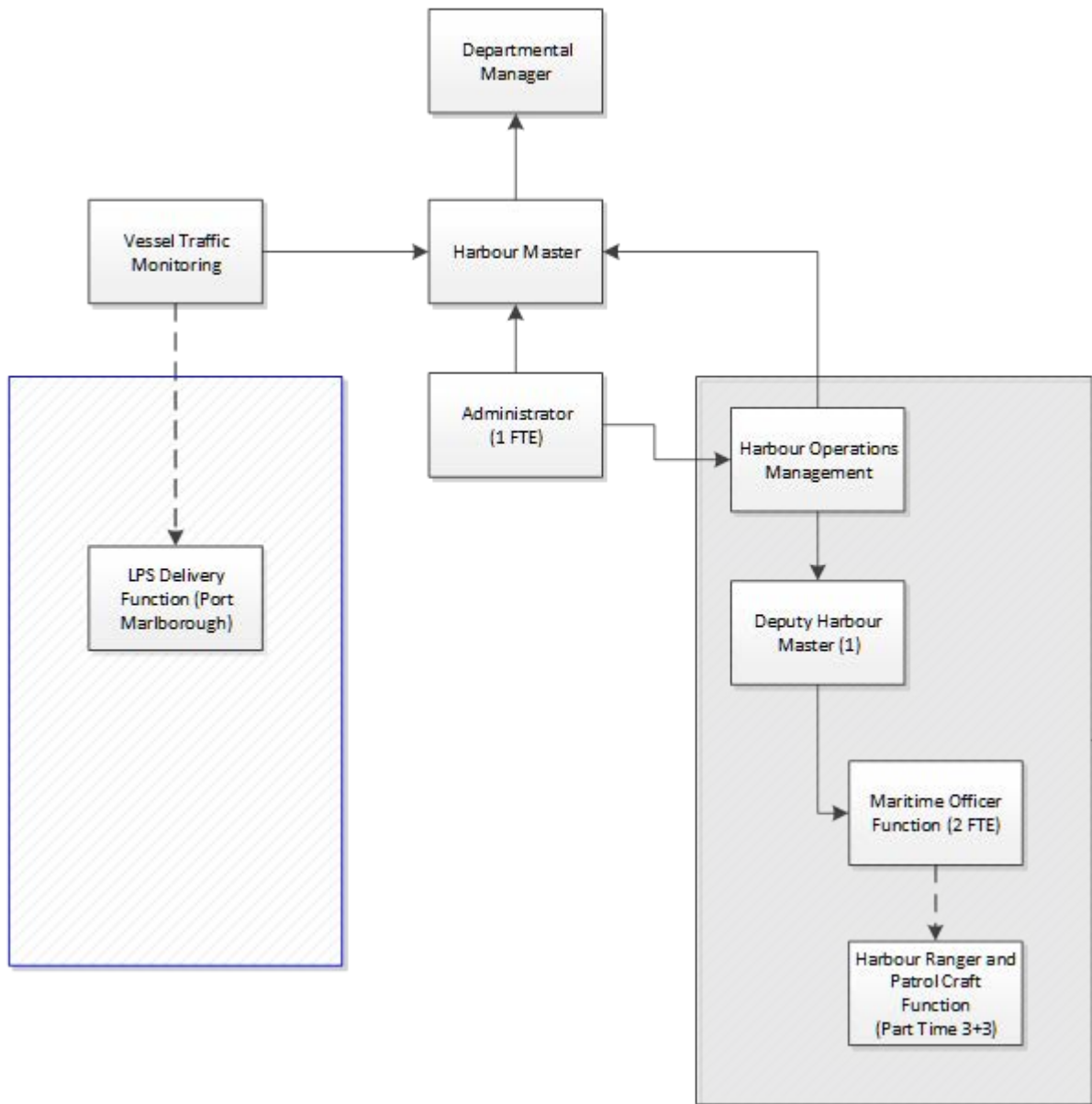


## **Annex B**

- *AtoN Servicing, Maintenance and Development*
- *Marine Farm Lighting Audits*
- *Harbour Patrols*
- *Emergency Response*
- *Complaints*
- *Incident Investigation and Reporting*
- *Vessel Entry*
- *Pilotage Licensing and Exemption Examinations*
- *Dangerous Goods*
- *Port Liaison*
- *Public Education*
- *Vessel Movement Monitoring (VTS)*
- *Providing comments on resource consent applications, attending hearings, preparing evidence and appearing at Environment Court proceedings, in the matters relating to maritime safety*



### Annex C



## **17. Information Package**

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### **RECOMMENDED**

**That the Regulatory Department Information Package dated 13 February 2014 be received and noted.**

## 18. Decision to Conduct Business with the Public Excluded

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

- Harbour Management – Formal Warnings
- Harbour Management – Infringements

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:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>Harbour Management – Formal Warnings</b> <b>Harbour Management - Infringements</b>	<b>In order to protect the privacy of natural persons, as provided for under Section 7(2)(a).</b>	<b>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.</b>