

**Minutes of a Meeting of the
ENVIRONMENT COMMITTEE
held in the Council Chambers, District Council Administration Building, Seymour Street,
Blenheim on THURSDAY, 13 FEBRUARY 2014 commencing at 1.30 pm.**

Present

Councillors P J S Jerram (Chairperson), J A Arbuckle, G S Barsanti, C J Brooks, D D Oddie, Mr E R Beech (Rural representative) and Mr R Smith (Iwi representative).

In Attendance

Councillors G T Evans and T E Hook and J L Andrews, and B G Dawson (for part of the meeting), Mr H R Versteegh (Manager, Regulatory Department), and Kathy Payne (Committee Secretary).

Apology

An apology for non-attendance from Councillor Shenfield was received and sustained. An apology was also received from Councillor Sloan.

R.13/14.254 Confirmation of Sub-Committee Business

Cllrs Barsanti/Arbuckle:

That the following approvals granted by the Swimming Pools Sub-Committee acting under delegated authority (Regulatory Committee Minute (R.13/14.166) be received and the recommendations adopted:

- **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).**

Carried

Membership of the Regional Pest Management Plan Review Sub-committee for the new Council term was considered and due to the fact that pest management issues were mainly in the rural areas it was suggested that two Councillors from the Wairau/Awatere Ward be appointed to the Sub-committee.

Clrs Jerram/Oddie:

- 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.**
- 3. That the Environment Committee appoint a sub-committee (to be known as the Regional Pest Management Plan Review Sub-Committee) represented by: Councillors Brooks and Jerram (Wairau/Awatere Ward), Councillor Oddie (Marlborough Sounds Ward), Councillor Arbuckle (Blenheim Ward) and the elected Rural Representative, Mr Beech.**

Carried

ATTENDANCE: Mr J Underwood (Council's Biosecurity Co-ordinator) and Ms S Sam (Council's Senior Biosecurity Officer), were present for the following item.

R.13/14.257 Chilean Needlegrass Update

E315-004-003-01#02

The Committee was advised that there has been a more dedicated focus over the 2013/14 season on the Chilean Needlegrass programme, the regional assistance initiative and working closely with other regional councils and the Ministry for Primary Industries.

The majority of Marlborough properties were visited. The inspections showed most properties were controlling more than the requirements set by Council, particularly in the core areas. Several avenues have been used to educate and foster awareness of the Chilean Needlegrass issue. Ms Sam advised there was a good response over the 2013/14 Chilean Needlegrass season to the new approach by Council staff and the initiatives offered.

Future awareness displays and educational initiatives are being planned for landholders that already have Chilean Needlegrass, and for those that do not, and need to be more aware of the issue. This includes information packs being sent to landowners containing pamphlets and seed identification cards.

Members were shown a video developed by the Sustainable Farming Fund to promote awareness of Chilean Needlegrass, which is also available on the Council's website.

Ms Sam was asked about the option of looking towards eradication rather than containment. She said there was a drive from the community for eradication, but there is an issue of what eradication under the Biosecurity Act means and what can practically and feasibly be done. The Committee was advised that there are also funding issues and this was something that the steering group, which was formed following a recent community meeting, and the Council would look at.

Councillor Brooks suggested looking to central government for funding as Chilean Needlegrass could become a national problem. She also suggested other assistance options the steering group could consider. Ms Sam advised that currently there is no contractor representation on the steering group.

It was noted that the introduction of the product Taskforce after a prolonged process to get it registered in New Zealand has raised community awareness and optimism that there is now something that could control Chilean Needlegrass. In September 2013 a trial for the use of Taskforce within vineyard areas was established which is ongoing and the full sampling regime is yet to be completed and analysed.

The effects of Chilean Needlegrass on the fleece and carcasses of animals was also discussed.

Clr Oddie/Mr Beech:

That the information be received.

Carried

ATTENDANCE: Ms N Eade, Council's Environmental Scientist, was present for the following item.

R.13/14.258 The Marlborough District Council and Indigenous Biodiversity Protection in Marlborough E310-006-001

Ms Eade provided an overview of Council's roles in indigenous biodiversity protection in Marlborough. Members were advised that through the Resource Management Act 1991 councils have a clear role in ensuring that biodiversity resources are protected and maintained.

Members were advised that the main focus in Marlborough to date has been on land based habitats with the Significant Natural Areas project established in 2001 being the main method that the Council has used to carry out these functions. Council has a long-term commitment to work closely with landowners in Marlborough to identify, protect and manage these areas on private land. The programme has been incorporated into the draft second generation resource management plans as an ongoing method to achieve biodiversity gains. Ms Eade advised that to date 700 sites covering 45,000 hectares have been identified and about 80 sites covering about 2,000 hectares have been protected in some way through the programme.

Other land based biodiversity programmes include the Tui to Town Project 2008-204, the Wetlands survey 2012, biosecurity programmes and community programmes.

The Tui to Town project which arose out of the SNA project as a method to engage the public and encourage and promote habitat restoration on the Wairau Plain area was discussed. It was noted that the drop-off in reporting sightings could be due to the fact that because tui are now regularly in an area people were not reporting sightings as often. Ms Eade advised there had been a number of enquiries regarding plantings but she was unsure how many had been implemented.

The first step towards identifying ecologically significant marine sites was a publication in 2011 by the Council and the Department of Conservation which pulled together current known information but members were advised this was very preliminary and many areas have not been surveyed.

Ms Eade advised that national biodiversity monitoring indicators developed through the Regional Biodiversity Forum and state of the environment monitoring will be important areas of work over the next few years.

**Clrs Barsanti/Brooks:
That the information be received.**

Carried

ATTENDANCE: Mr G Boddington, Council's Resource Management Officer and Ms C Bright, Consents Student, were present for the following item.

R.13/14.259 Marlborough Forestry Survey E355-003-003

Ms Bright and Mr Boddington provided a presentation to the Committee. They advised that the Marlborough Forestry Survey aims to collect spatial data for Marlborough's forestry, building a spatial picture for the 74,533 hectares of planted forest in terms of compartment area, tree species and tree age. This will build on the current understanding of the tabular data provided by the Ministry for Primary Industries.

Work began at the end of October 2013 with 12 corporate forestry owners receiving a letter, followed by contacting private owners and managers with forests greater than 20 hectares in size. The response from corporates and private owners 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. The information can be layered spatially, such as on soil classification maps, with GIS being a powerful tool for modelling and answering specific questions. The project will produce a regional picture only, and not highlight personal information supplied or allow public access to personal information or individual forest owner details. The information will also be useful for Council planning purposes in a number of ways.

Members were advised that in 2012 forestry was the fourth largest contributor to Marlborough's GDP. The gaps in the information could be obtained by obtaining the age of the trees during compliance inspections.

Clrs Barsanti/Oddie:
That the information be received.

Carried

ATTENDANCE: Mr S Ulrich, Council's Environmental Scientist Coastal, was present for the following two items.

R.13/14.260 Best Practice Guidelines for Salmon Farm Management E325-008-001-03

The Committee was provided with an update on progress towards developing best practice guidelines for salmon farm management in the Marlborough Sounds. On 28 November 2013 the 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. Following this the terms of reference to the development for the guidelines was agreed with NZKS.

Members were now advised that the development of the guidelines for salmon farm management has been successfully initiated. The visit of Professor Kenneth Black in December 2013 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.

Regarding relationship development and issue identification, Mr Smith considered that iwi as tangata whenua should have been included. It was noted this was a NZKS initiative supported by the Council and Cawthron Institute and Councillor Jerram advised the issues were technical issues rather than broad issues.

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.

Clrs Oddie/Barsanti:
That the information be received.

Carried

R.13/14.261 Development of Hydrodynamic Models for the Marlborough Sounds E325-001-001 & E325-001-002

The National Institute of Water and Atmospheric Research (NIWA) has been contracted to develop hydrodynamic models for the Queen Charlotte Sound and the Pelorus Sound. Members were advised that a hydrodynamic model simulates water movement from tides, wind and residual currents. The models will be linked with water quality and ecological 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, thereby assisting Council in its Regulatory functions. The models are due to be delivered to Council by June 2014.

Preliminary outputs for the Queen Charlotte Sound model were depicted in the agenda. Members were advised that 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.

The models will assist Council in its planning, consenting and state of the environment reporting functions. NIWA has been asked to present the models to Council's Environment Committee and stakeholders.

Mr Ulrich advised that the modelling would extend to the Outer Sounds, and could include Port Gore as water quality data has been collected from there. It does not include the French Pass area. The possibility of modelling the Outer Sounds would need to be looked at in the next financial year.

Cllrs Barsanti/Oddie:
That the information be received.

Carried

A 10 minutes recess was held.

ATTENDANCE: Mrs J Robertson, Council's Environmental Protection Officer, and Ms B Pottinger, Council's Policy Portfolio Manager, were present for the following item.

R.13/14.262 Winery Wastewater and Grape Marc Monitoring E330-002-004

The Committee was informed of the Compliance Group's ongoing monitoring of the discharge of winery wastewater and grape marc to land for the period 1 July 2012 to 31 May 2013 by way of the report to the Committee and the attached monitoring report.

A summary of the report was presented at the meeting.

Members were advised that information provided for Council's compliance reports for the 2012/2013 season indicated that wineries needed to be more familiar with the permitted activity standards and resource consent conditions for discharging wastewater to land, as some wineries did not appear to have acted on the recommendations from the previous monitoring period. Compliance was determined by a traffic light system, with green being compliant and no action required. Amber was assigned for relatively minor breaches requiring some corrective action and red indicated non compliance and remedial actions may be required. Two wineries had a compliance status of green, 10 wineries were amber and 25 wineries were assessed as red.

Councillors were concerned that compliance was reduced compared to the 2011/2012 season. Members were advised that wineries are clear on expectations and what needs to be done and therefore there should be an improvement for the next vintage, if not it may be that enforcement action will be discussed. Mrs Robertson advised that although there was an increase in the volume of grapes crushed for the 2013 vintage there were no adverse environmental effects observed at the time of the site inspections. She advised that consent conditions are being updated when renewed as information and knowledge changes. There is also an opportunity when reviewing the resource management plan as to what could be included in the new rules.

Members were advised there is a consequence under the Sustainable Winegrowing New Zealand (SWNZ) programme as the Council's audits are also taken into consideration, although the SWNZ audit is every three years and does not coincide with the Council's annual monitoring.

The monitoring report also included an overview of results from sampling grape marc, leachate and soils that received grape marc. This was undertaken as there is very little known locally, nationally and

internationally about the chemical composition of un-composted grape marc and the potential environmental effects of grape marc are not well understood.

Ms Pottinger advised that overall results indicate that nitrogen, potassium and phosphorus 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/m3) in fresh grape marc compared to aged grape marc (63 g/m3).

Overall results indicate that grape marc and its leachate have the potential to cause adverse environmental effects if undertaken in a certain location or in an uncontrolled manner. Ms Pottinger advised that mitigation measures could include setbacks from water bodies, requirements for stockpiles to be sited on impermeable surfaces and covered and provisions around stockpiles for the collection of leachate.

Members were advised that Grape Marc Limited, which includes industry, is in the early stages of exploring the potential benefits of grape marc.

Cllrs Barsanti/Oddie:
That the information be received.

Carried

R.13/14.263 Appointment of Hearings Commissioners

C270-11

The Committee was asked to consider five new persons for inclusion on the list of Hearings Commissioners. The applicants were Donald James Turley, Lawyer (Energy), Mr Murray Palmer (Iwi – Tangata Whenua issues), Dr Jim Cooke (Environmental Science), David Mountfort (Planner) and David Dew (Lawyer).

Further details regarding the applicants were included in the agenda.

Cllrs Arbuckle/Brooks:
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.

Carried

R.13/14.264 Alterations to Resource Management Fees -

Resource Management Act 1991

C270-05, F045 07-01

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

Members were advised that the Marlborough District Council Charging Policy for activities undertaken under the Resource Management Act pursuant to 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 and an applicant is expected to pay the reasonable cost of processing the application.

A review of the resource management fee schedule in respect of the structure of charges and the amount of the charges has been carried out.

Members were advised that the Group's recommended expected expenditure budget is \$2,031,792 for 2014/2015 and the expectation is that 60% of total expenditure, i.e. \$1,219,075, will be recovered from

applicants through resource consent fees. Members were advised that this could be achieved with an hourly charge out rate of \$145.00 inclusive of GST for all planning staff processing applications, and a 1.04% increase in both flat and base charges. The remaining 40% required to undertake the Group's other functions is funded by rates as contained in the Long Term Plan. These functions include the management of objections and appeals, the provision of information and supplying data to the public and central government.

Further information underpinning the review was detailed in the order paper.

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.

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

Cirs Oddie/Arbuckle:

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
Minor Resource Consents			
Bore Construction			
Domestic	Flat	\$300	\$310
Irrigation	Flat	\$600	\$620
Notified Resource Consents			
All Applications (including subdivisions)	Base	\$5,000	\$5,200
Section 127, 128	Base	\$5,000	\$5,200
Non-Notified Resource Consents			
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

	Charge Type	Current Fee	Proposed Fee
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
Transfers			
Water, Coastal (Marine Farm)	Flat	\$300	\$310
Coastal (Other), Discharge, Land Use	Flat	\$300	\$100
Section 223, 224 - Approval of deposit of survey plans			
4 lots or less (each stage)	Current Base Proposed Actual	\$300	\$310
5 or more lots (each stage)	Current Base Proposed Actual	\$600	\$620
Outline Plan Approvals, Policy Statements, Plan Changes and Requirements			
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
Notice of Requirements or Alterations to Designations			
Non-Notified	Base	\$1300	\$1,350
Notified	Base	\$5,000	\$5,200
Statements and Miscellaneous Certificates			
Provide required documentation	Currently Variable Proposed Base	\$300	\$310
Site Inspection			
Disbursements, e.g. boat hire	Currently Flat Proposed Actual	\$300	Actual

	Charge Type	Current Fee	Proposed Fee
Engineering Charges - Subdivision and Land Use			
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 Consent)	Flat		\$354
Consents - Administration, monitoring and Supervision			
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
Other Rates and Charges			
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

Carried

ATTENDANCE: Mr G Congdon, Council's Compliance Manager, was present for the following item.

R.13/14.265 Environmental Health Fees and Levies E350-004-002-04, F045 07-01

Members were advised that the last increase in Environmental Health fees was 1 July 2011 and a reviewed fee schedule, to commence on the 1 July 2014, was now put before the Committee for their consideration.

Mr Congdon advised that 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 (\$2,469.00 budgeted deficit 2014-15). Increasing the fees as proposed brings food premises into a small surplus position and results in an average food premises fee increase of 5.7%.

Previous Councils 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.

Comparative fees from other South Island councils attached to the agenda showed that the proposed increase was in line with the fees of neighbouring councils.

Cirs Brooks/Barsanti:
That Council adopt the proposed Schedule of Fees as below.

	current fees	proposed fees	% increase
HEALTH ACT – Food registrations			
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%
Food Stalls			
- 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%
HEALTH ACT – Other registrations			
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%

	current fees	proposed fees	% increase
BYLAWS			
-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%
Other fees:			
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			

Carried

ATTENDANCE: Mr A Van Wijngaarden, Council's Harbourmaster, was present for the following four items.

R.13/14.266 Aids to Navigation

H100-005-14

The report to the Committee provided an update on the on-going management of Aids to Navigation.

Members were aware that the Council is responsible for the provision and servicing of 98 Aids to Navigation in the region and that 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.

Data outlining the reliability of Aids to Navigation and failure response times from 1 November 2013 to 31 January 2014 was detailed in the agenda.

The Harbourmaster advised that there were no failures for Category 1 and Category 3 but 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.

The Harbourmaster drew the Committee's attention to the work undertaken at the Motuara Island light and to the beacon on the north of the island and to the new fixed beacon installed at Keep Clear Rock in the Pelorus Sound.

Cirs Barsanti/Brooks:
That the information be received.

Carried

R.13/14.267 Harbour Patrols

H100-005-14

Members were advised that harbour patrols have been undertaken in a similar format to previous years but with more time being available to implement patrols in the Havelock/Pelorus Sound area due to the availability of Astrolabe.

Patrols were undertaken daily from 21 December 2013 and reverted to a weekend only format from the end of January.

The wearing of personal flotation devices and carrying personal flotation devices for vessels less than 6 metres was a matter patrols reported on frequently. Pleasure vessels that did not carry personal flotation devices were issued infringement notices.

The speed of vessels within 200 metres of the shore was still an area that required constant attention.

The Harbourmaster advised that personal water craft on the whole were reported as being generally well behaved. Councillor Barsanti commended the staff on the education programme undertaken.

**Cllrs Barsanti/Arbuckle:
That the information be received.**

Carried

R.13/14.268 Harbour Risk Assessment Review Report C500-009-002-014-01

The purpose of the report to the Committee was to inform members of the outcome of the 2013 Risk Assessment Review. The review was undertaken by a consultant independent of the Harbours Group and was conducted in compliance with the NZ Port and Harbour Marine Safety Code. The initial risk assessment was undertaken in 2005/06, revised in 2009 and again in 2013.

Members were advised that 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 report included with the agenda.

The current report has focussed on the area's existing risk control measures delivered not only by Council, but also those of other stakeholders.

Options for risk control measures are discussed throughout the report and will require a systematic assessment against risk reduction as well as cost effectiveness. Council's Harbour Safety Management System document will require review as a result of this risk assessment. Members were advised that in 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.

The Harbourmaster noted Mr Smith's comment regarding consultation with iwi and will refer this back to the consultant.

- Cllrs Barsanti/Jerram:**
- 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.**

Carried

R.13/14.269 Harbour Activity

H100-001-01, F045-07-01, L225-10

The report to the Committee explained the Council's role as Harbour Authority. It also outlined the Harbour Activity Plan, clarified the budget allocation, identified budget shortfalls for the coming year and outlined options to meet that shortfall.

In summary, the Harbourmaster advised that the Council is the statutory Harbour Authority for the Marlborough Sounds Harbour and this function is exercised through the office of the Harbour Master. Following a risk assessment, a Safety Management System (SMS) describing the overall management and co-ordination of maritime activities necessary to facilitate maritime safety was developed and adopted by Council. 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 it was considered that this now needed formalisation.

Members were advised that an additional sum of \$279,123 was required to remedy the identified shortfall, spread across the Harbour Control, Aids to Navigation and Marine Farm functional areas. Options were put forward for the Committee's consideration. These included maintaining the status quo; that additional funding is met from general rates; a reduction in services; implementation of previously approved fees and charges; or a combination of options.

The Harbourmaster advised that the Council's 2009 Navigation Bylaws introduced and adopted a range of fees and charges which were detailed in the agenda. The fees and charges have not been implemented but could realise in the order of \$300,000 per annum, some of which could be used to offset the rating component.

A charge on cruise ships that only cruise the Marlborough Sounds and do not berth, of \$15 per metre has been implemented. Cruise ships currently pay Port Marlborough a fee to access the facility but this does not include a fee for safety requirements which Council is required to manage.

The Harbourmaster advised that the charge would be \$4,000 to \$5,000 per cruise ship. He advised that ships using a public jetty to ferry passengers onto was outside Council's jurisdiction. Members were advised that Port Marlborough has been informed of the proposal to implement fees.

Cirs Arbuckle/Barsanti:

- 1. That the information be received.**
- 2. That all fees as set out in the 2009 Navigation Bylaws (as below), 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.**

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

Carried

R.13/14.270 Information Package

Clrs Jerram/Barsanti:

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

Carried

R.13/14.271 Decision to Conduct Business with the Public Excluded

Clrs Barsanti/Brooks:

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:

General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Harbour Management – Formal Warnings Harbour Management - Infringements	In order to protect the privacy of natural persons, as provided for under Section 7(2)(a).	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.

Carried

The meeting closed at 4.35 pm.

Record No: 1443854