



**Minutes of a Meeting of the
ENVIRONMENT COMMITTEE
held in the Council Chambers, 15 Seymour Street, Blenheim on
THURSDAY, 1 MAY 2014 commencing at 1.00 pm.**

Present

Councillors P J S Jerram (Chairperson), J A Arbuckle, G S Barsanti, C J Brooks, D D Oddie, L M Shenfield, Mayor Sowman and Mr E R Beech (Rural representative).

In Attendance

Councillors B G Dawson, G I T Evans, T E Hook and J C Leggett, Mr H R Versteegh (Manager, Regulatory Department), and Kathy Payne (Committee Secretary).

Apologies

Apologies for non-attendance from Mr R Smith and for lateness from Mayor Sowman were received and sustained.

R.13/14.397 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:

- **S G Hudson & H M Jelley – 86 Holdsworth Street, Blenheim - exemption to install a Save-T Cover II automatic pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**

Carried

**R.13/14.398 Queen Charlotte Sound Hydrodynamic Model
E325-001-001**

Drs Mark Hadfield, Niall Broekhuizen, and David Plew of the National Institute of Water and Atmospheric Research were at the meeting to present the hydrodynamic model of the Queen Charlotte Sound to the Committee.

Members were advised that a hydrodynamic model simulates water movement from tides, wind and residual currents. NIWA has been developing a 3 dimensional model for the Pelorus and Queen Charlotte Sounds which can model changes in the temperature and stratification of the water column over seasonal and annual periods. The models are linked with water quality (nutrients) and ecological (phytoplankton and zooplankton) processes. This will assist the Council by 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. Members were advised that the Pelorus model should be finalised at the end of the year.

The presentations provided an overview of how the model was constructed; what it shows about the dynamics of the Queen Charlotte Sound; application of the model to the Council's functions, and limitations, ongoing maintenance and validation of the model.

The Committee was interested in the animated presentation showing the release of floats (neutral tracers) at 10m depth to model water flushing in Queen Charlotte Sound and Tory Channel. Dr Hadfield responded to a number of questions from the Councillors. He advised that the model is still under development and that he would repeat the tracer modelling in Grove Arm.

In respect of the 3 dimensional coupled hydrodynamic/biogeochemical model which includes the effects of shellfish and finfish farms, Dr Broekhuizen advised that the simulated model was based on simplified finfish farms over a period of about a year and calibration would be improved by looking at boundary conditions, nitrification and realistic finfish farm characteristics. Freshwater inputs will also be included. Oxygen saturation was also discussed and Dr Broekhuizen advised that from evidence to date oxygen saturation is at 85%-90% which is well above the threshold levels where the fish life is affected. Dr Broekhuizen advised that further development of the model will simulate fish farms operating at full capacity.

Cllrs Barsanti/Shenfield:
That the information be received.

Carried

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

R.13/14.399 New Zealand King Salmon Monitoring Reports 2013
MFL456, U040412, U090660, U090634, U040217, U021247, U060926, U090841, E325-008-001-02

The Committee was updated on the assessment of compliance with consents for the New Zealand King Salmon (NZKS) farms for 2013.

A letter from NZKS, a peer review of the Cawthron reports by Dr Catriona Macleod, the Council's preliminary assessment of the reports and a peer review by Dr Kenneth Black were attached to the agenda for members' information.

Members were aware that NZKS is the principal finfish farming company in the Marlborough Sounds and currently has consent to operate eight finfish farms in the region as shown on the map in the agenda. The annual monitoring reports completed by the Cawthron Institute for all the farms have been received by Council.

Mr Ulrich provided a presentation summarising the monitoring results. It was noted that environmental standards and associated monitoring are not consistent between farms. This is because the farms were consented at different times over the last 15 years but NZKS undertakes similar monitoring at all farms.

Each farm has a report on the biochemical and biological state of the seabed, and the nutrient status of the water column. Copper and zinc levels in the seabed sediments are also determined. The state of the seabed was assigned an enrichment score by Cawthron. Most consents have a maximum permitted level of enrichment which is caused by fish waste falling on the seabed. The presentation showed a summary of the seabed and the NZKS management plan in respect of this.

Members were advised that the consensus is that the consents are in overall compliance. Seabed conditions at several low flow sites remain enriched and require careful management to ensure that they can continue to assimilate waste. NZKS is investigating the cause of elevated levels of zinc in the seabed beneath some farms.

Members were also aware that NZKS, with the support of Council, has initiated the development of best practice guidelines for salmon farm management in the Marlborough Sounds and a timeline for the finalisation of the guidelines was shown.

Cllrs Arbuckle/Barsanti
That the information be received.

Carried

ATTENDANCE: Mr V Wadsworth, Council's Environmental Scientist, was present for the following item.

R.13/14.400 Presentation of Aqualinc Reports on Gallery Intakes E345-002-001

Two reports prepared by Aqualinc Research Limited for gallery guidelines and design, construction operation and maintenance were presented to the Committee. The reports "*Infiltration Gallery Investigation*" and "*Infiltration Gallery Guidelines Design, Construction, Operation and Maintenance*" were included with the agenda. At the meeting Mr Wadsworth tabled a replacement "*Infiltration Gallery Investigation*" report.

Mr Wadsworth advised that Intake galleries are frequently used in preference to wells or surface intakes to access shallow aquifers, usually in the riparian margins of rivers. There have been a number of gallery failures resulting in additional works in riverbeds being necessary which has the potential for disturbance and/or damage to the river and its riparian margins and habitat.

Members were advised that the report concludes that while galleries are an effective means of accessing water in certain situations, the choice of what intake method should be used should be determined after suitable site specific investigation. If a gallery is the preferred method, then the report details the necessary design and construction considerations for the best results.

Mr Wadsworth advised that when resource consents for gallery intakes are renewed they will be reviewed if there is a history of problems.

The Chairman suggested that a field day would be an appropriate way to present the information to property owners. The reports would also be used to inform the plan review process.

Cllrs Barsanti/Oddie:
That the information be received.

Carried

ATTENDANCE: Mr B East, Council's Building Control Group Leader, was present for the following item.

R.13/14.401 Building Consent Exemption for Garden Sheds (10m² or less), Building Consent Exemption for Free Standing Carports (20m² or less) R450-001-008-01

Approval was sought from the Committee for an exemption from the requirement of applying for a building consent for the:

- (a) Erection of a garden shed with a floor area equal to or less than 10m² and positioned no closer than 300mm to a boundary.
- (b) Erection of a free standing carport equal to or less than 20m² and positioned no closer than 300mm to a boundary.

Members were advised that under the Building Act 2004, Schedule 1 Part 2 (A & B), Council has the authority to give effect to the decisions it makes under the Act, subject to sufficient consideration of all options.

Garden sheds with a floor area equal to or less than 10m² have had existing exemptions, however that exemption has a condition that requires the shed to be its own height away from the boundary. Council's experience is that most purchasers are unaware of the Building Act requirements and in most cases the sheds are positioned against or near to boundary fences. These types of sheds are generally used for the storage of garden tools and lawn mowers (therefore low risk) and it is not intended for this Council exemption to apply to sheds built for human habitation. The exemption would reduce the number of complaints received by Council in regard to garden sheds and free up the property owner from having to build fully Building Code compliant (and expensive) structures to house their gardening equipment.

Changes to Schedule 1 (December 2013) removed the existing exemptions for free standing carports equal to or less than 20m². Members were advised that under the previous Schedule 1 free standing carports equal to or less than 20m² positioned no closer than 300mm to a boundary was allowed. At the meeting Mr East advised it had been an error that the free standing carport exemption within 300mm had been removed from Schedule 1. It was proposed that the exemption still be approved as it was not known when Schedule 1 would be corrected.

Cirs Shenfield/Brooks:

1. **That the proposed exemption from the requirement of applying for a building consent for the erection of a garden shed with a floor area equal to or less than 10m² and positioned no closer than 300mm to a boundary be approved.**
2. **That the proposed exemption from the requirement of applying for a building consent for the erection of a free standing carport equal to or less than 20m² and positioned no closer than 300mm to a boundary be approved.**

Carried

ATTENDANCE: The Mayor withdrew from the meeting during the previous item and Mr A Van Wijngaarden, Council's Harbour Master, was present for the following three items.

R.13/14.402 Port and Harbour Marine Safety Code – Safety Management System H100-001-01

Members were advised that under the Maritime Transport Act 1994 Marlborough District Council takes the role of Harbour Authority for the Marlborough Sounds Harbour. Accordingly, it has an obligation under the New Zealand Port and Harbour Marine Safety Code (2004) ('The Code') to introduce a Maritime Safety Management System (MSMS). The provisions of the MSMS are set out in the manual "*The Maritime Safety Management System Manual*" which was included with the agenda.

The purpose of this document is to describe the overall framework for the management and co-ordination of marine activities necessary to facilitate maritime safety. The Maritime SMS arrangements referred to in the manual comply with the Code. The development of the MSMS is a direct flow-on from the Marlborough Risk Assessment.

The Harbour Master advised that the process by which the community and stakeholders identified hazards was part of the initial risk assessment undertaken by an independent consultant.

The Maritime Safety Management System Manual will be forwarded to Maritime New Zealand for approval.

Cirs Barsanti/Arbuckle:

That the Maritime Safety Management System Manual be approved and forwarded to Maritime New Zealand for approval.

Carried

R.13/14.403 Aids to Navigation

H100-005-14

The report to the Committee provided an update on the on-going management of Aids to Navigation for the period January 2014 to May 2014.

The Council is responsible for the provision and servicing of 98 AtoN in the region which includes, beacons, buoys, channel markers and leading lights. 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.

Members were advised that the reliability of Marlborough AtoN and the failure response times achieved for the period 01 January 2013 to 01 May 2014 has exceeded IALA standards.

At the meeting the Harbour Master advised that the Motuara North Cardinal should be replaced fairly soon.

Cllrs Barsanti/Shenfield:
That the information be received.

Carried

R.13/14.404 Marine Farm Light Audits

H100-005-14

An update of the ongoing marine farm light audits carried out was provided for members' information with the marine farm areas audited to date outlined in the agenda. It was noted that there has been a substantial improvement in overall compliance.

The Harbour Master advised that there were a number of farms with lights that were not operational but as they are now being managed by a large company he is confident they will soon be operational. Discussions have commenced with the Marine Farming Association on a self-audit scheme and farms within the scheme are given one month to rectify the non-conformity. Farms that are not members of the scheme would receive an infringement notice. Action is taken where there is a danger to other people.

Cllrs Barsanti/Shenfield:
That the information be received.

Carried

ATTENDANCE: Councillor Hook declared an interest in and withdrew from the table for discussion on the following item. The Mayor re-joined the meeting. Ms E Cowan, Council's Environmental Protection Officer, was present for the following item.

R.13/14.405 High Volume Wastewater Management in the Marlborough Sounds

E330-003-003-01

An overview of the Environmental Protection Group's High Volume and Commercial Wastewater Monitoring Project for the period 1 May 2013 to 1 April 2014 was presented to the Committee. The wastewater discharge permits of commercial accommodation and community water schemes monitored were depicted on a map in the agenda. High volume wastewater discharges identified as having the potential to adversely affect the quality of the Coastal Marine Area have been monitored for 14 years.

The monitoring results of the wastewater discharge permit conditions were detailed in the report to the Committee. The Committee was advised that 11 permits had a compliance status of green (compliant), 4 permits had a compliance status of orange (remedial action is required to achieve compliance) and 3 permits had a compliance status of red (non-compliant).

The Committee discussed the permits that were non-compliant. These were Furneaux Lodge, Portage Resort Hotel and the 12 adjacent residential properties, and Punga Cove Resort. The Committee was concerned about the continuing non-compliance and the effects on the coastal ecosystems, including marine farming. Ms Cowan advised that Furneaux Lodge hoped to have a land based disposal system operational by June 2014. Two independent wastewater systems are being installed at Portage Resort Hotel and the adjacent residential properties and are planned to be completed by Spring 2014. Some remedial works are required to be carried out on the irrigation field at Punga Cove Resort and a further site visit will be carried out to assess the works. Members were advised that progress was being made through the Enforcement and Prosecution Committee and in the very near future the treated effluent to sea discharges from commercial properties in the Sounds would be eliminated.

Ms Cowan advised that the majority of consent holders actively manage their wastewater systems to a high standard. The Council will continue to work with consent holders where remedial actions are required and enforcement tools will be considered in situations where adverse affects are evident, and non-compliance is on-going with unsatisfactory progress being made. Enforcement options include infringement notices, abatement notices and Court action (enforcement orders and prosecution).

Cirs Barsanti/Brooks:
That the information be received.

Carried

R.13/14.406 Appointment of Hearings Commissioners

R450-004-02

The Committee was asked to consider two new persons for inclusion on the list of Hearings Commissioners. The applicants were Cindy Robinson (Environmental Law) and Sharon McGarry (Environmental Science).

Further details regarding the applicants were included in the agenda.

Cirs Oddie/Shenfield
That Ms Cindy Robinson and Ms Sharon McGarry be appointed to act as Hearings Commissioners as and when required and that they be advised accordingly.

Carried

R.13/14.407 Information Package

Cirs Shenfield/Brooks:
That the Regulatory Department Information Package dated 1 May 2014 be received and noted.

Carried

The Committee commended staff on the recent displays at public events and on the valuable information provided in the Information Package

The meeting closed at 3.40 pm.

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