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14 March 2014

Record No: 1466690
File Ref: D050-001-E01
Ask For: Mr Porter

Notice of Committee Meeting - Thursday, 20 March 2014

A meeting of the Environment Committee will be held in the Council Chambers, District Council Administration Building, Seymour Street, Blenheim on Thursday, **20 March 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, 20 MARCH 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 Nicole Chauval (Committee Secretary)

In Public

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Public Excluded

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1. Confirmation of Sub-Committee Business

RECOMMENDED

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

- **A Crawford, 121C David Street, Blenheim - exemption to install a Save-T III pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **Barker Ventures, 35 Lintons Road, RD 4, 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).**

2. Annual Air Quality Monitoring Report – Blenheim 2013

(Clr Jerram) (Report prepared by Rachel Rait)

E300-004-003-01

Purpose

1. To present the Annual Air Quality State of the Environment Report for the year 2013 (**attached separately**) and the Air Quality Monitoring Summary (**attached**).

2. **A short (10 min) presentation will be given by Emily Wilton, Air Quality Consultant, Environet Limited.**

Background

3. The National Environmental Standards (NES) sets maximum concentrations for several air pollutants.
4. In 2005 areas where air quality standards could be breached (airsheds) were identified on a national level. Blenheim is the only airshed identified in Marlborough and has to be monitored continuously.
5. Only one of the identified pollutants, PM₁₀, is likely to reach levels higher than the National Air Quality Standard. PM₁₀ is particulate matter smaller than 10 micrometre (0.01 mm) in diameter. These small particles are easily inhaled and become lodged in airways and lungs and the smallest particles are absorbed into the blood stream. They cause respiratory as well as cardiovascular problems and premature death.
6. The Marlborough District Council is measuring PM₁₀ concentrations at two sites in Blenheim. In Redwoodtown a BAM monitor measures PM₁₀ levels every 10 minutes while another type of monitor is providing daily average concentrations every three days from the Springlands area.
7. Data from the Redwoodtown site is used for national reporting. The site in Springlands is not compliant as it does not measure continuously; nonetheless it provides valuable information for long term trend analysis as it is the longest running site in Marlborough.
8. The maximum concentration of PM₁₀ allowed is a daily average of 50 micrograms per cubic metres (50 µg/m³). This level is permitted to be exceeded once in a 12 month period, every additional exceedence is considered a breach of the National Environmental Standard.
9. In Blenheim 92% of the anthropogenic PM₁₀ emissions originate from home heating (mainly wood smoke). Industry, transport and outdoor burning contribute the remaining 8%. The PM₁₀ standard is usually breached during the winter months when emissions from domestic home heating coincide with meteorological conditions conducive to elevated concentrations.

Comments

10. In 2013 the Redwoodtown monitor measured daily PM₁₀ levels above 50 µg/m³ on five occasions. This compares with seven breaches of the NES during 2012 which was the highest number for the site since continuous monitoring commenced in 2006. The maximum daily average PM₁₀ concentration breaching the National Standard was 61 µg/m³, which is similar to the 2012 maximum concentration of 59 µg/m³ and lower than the 2011 maximum of 82 µg m⁻³.

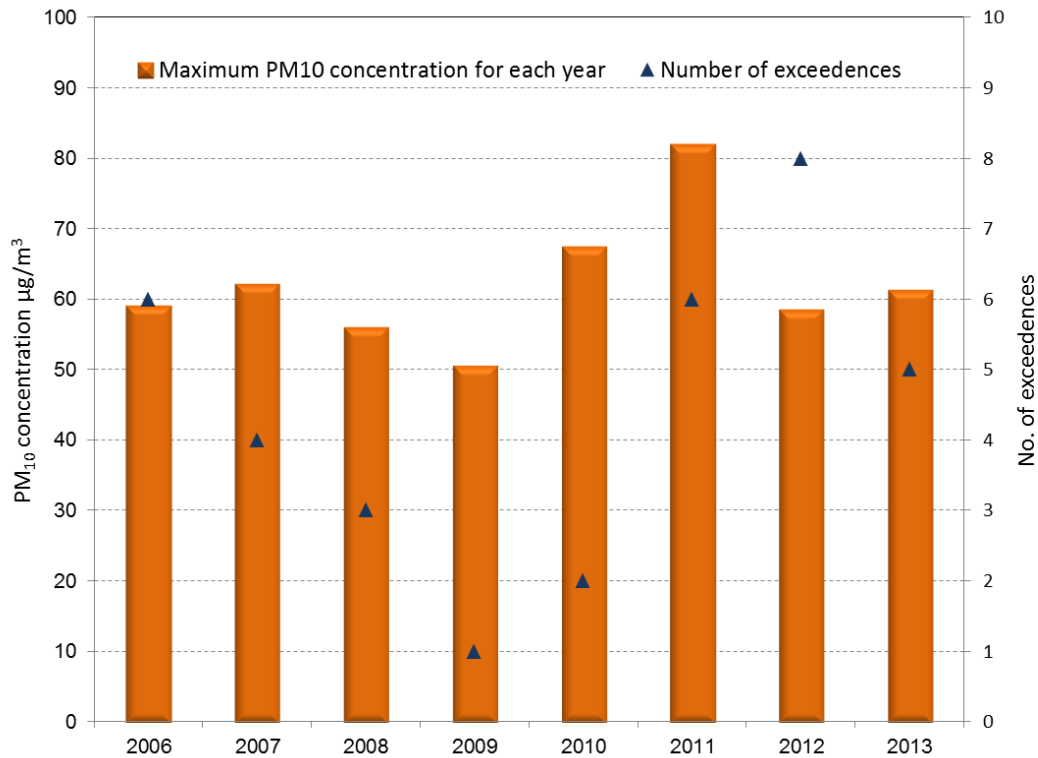


Fig.1 Number of days PM₁₀ levels were greater than 50 µg/m³ and maximum PM₁₀ concentration breaching the NES for the years with continuous record.

11. The yearly average PM₁₀ concentration was 14 µg/m³, which is similar to previous years.
12. The Ministry for the Environment requires all airsheds to comply with the National Environmental Standard for PM₁₀ by 2016. This means that councils will have to put measures in place to reduce PM₁₀ emissions accordingly.
13. The Resource Management Plan Review Sub-committee was presented with management options for the reduction of PM₁₀ concentrations in May 2013 and the Council's Policy Group are currently working on this matter.

Summary

14. PM₁₀ is the only air pollutant likely to exceed the National Environmental Standards in Marlborough and is required to be measured continuously in Blenheim.
15. In 2013, four breaches of the National Standard were recorded; however, the maximum daily average concentration measured was not as high as in the previous three years.

RECOMMENDED

1. That the information be received.
2. That the "Annual Air Quality Monitoring Report - Blenheim 2013" and "Air Quality Monitoring Summary" be received.



Air Quality - Monitoring Summary 2013

Key Points

- The NES for PM₁₀ was exceeded on four occasions in Blenheim. Blenheim must show compliance with the NES by 2016.
- Trend analysis shows PM₁₀ concentrations are decreasing in Springlands but are steady at the Redwoodtown site.

Why we monitor air quality

- It's a National Requirement— There is a national requirement for councils to monitor PM₁₀ in designated airsheds. Blenheim is the only designated airshed in Marlborough.
- It's a public health risk— Monitoring shows that PM₁₀ levels in Blenheim exceed health standards. Exposure to excessive amounts of PM₁₀ can lead to serious health problems, such as respiratory problems and heart disease particularly in the young and elderly and in those with pre-existing medical conditions. Currently other air contaminants such as SO_x and NO_x are not at levels which are a public health risk.
- It's a possible health risk — Where there is a concern that air contaminants may be creating a health problem investigations are carried out to determine the risk e.g. previous monitoring of PM₁₀ and methyl bromide in Picton.

Where and how we monitor air quality

- PM₁₀ is measured at two sites in Blenheim. Measurements are taken every hour in Redwoodtown and a daily average is recorded. Monitoring occurs 1 in every 3 days in Springlands throughout the year.
- Monitoring of methyl bromide in Picton took place in January and March 2011. Monitoring takes place when methyl bromide is in use at the Port for the fumigation of logs due for export. There are typically between 5 and 7 fumigation events every year.

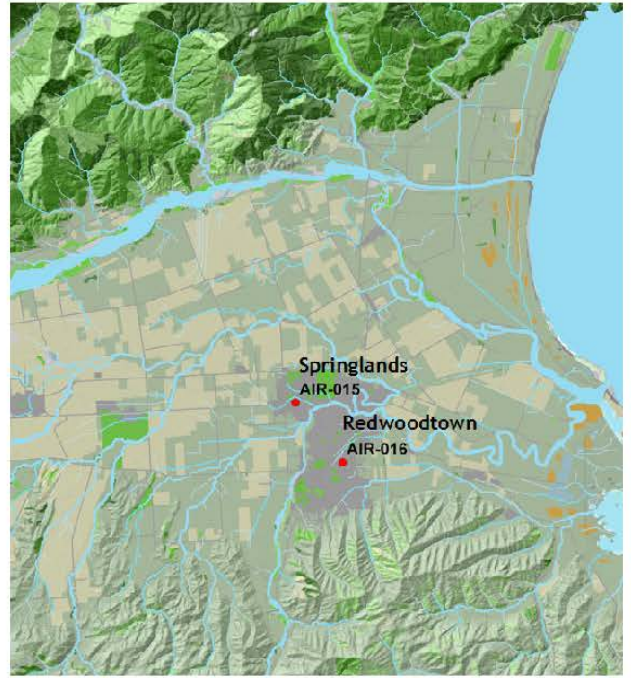


Figure 1. Locations of the PM₁₀ monitoring sites in Marlborough



Figure 2. PM₁₀ monitor at Middle Renwick Road (Springlands).



Figure 3. PM₁₀ monitor at Redwoodtown bowling club

What happened in 2013?

Compliance with the NES

- Concentration of PM₁₀ in Blenheim exceed 50 µg m⁻³ on five occasions during 2013 resulting in four breaches of the NES. This compares with seven breaches of the NES during 2012 which was the highest number for the site since continuous monitoring commenced in 2006. The maximum daily average PM₁₀ concentration breaching the National Standard was 61 µg/m³, which is similar to the 2012 maximum concentration of 59 µg/m³ and lower than the 2011 maximum of 82 µg m⁻³.
- Overall the median PM₁₀ concentration have remained at similar levels over the past five years.
- The expected reductions in emissions that should have been occurring over this time as a result of the replacement of older burners with new lower emission burners has not occurred. Anecdotal evidence suggests one explanation maybe that the air controls of newly installed wood burners are being adjusted to allow them to achieve an overnight burn. If this is occurring it would negate the benefits of the new low emission burners.

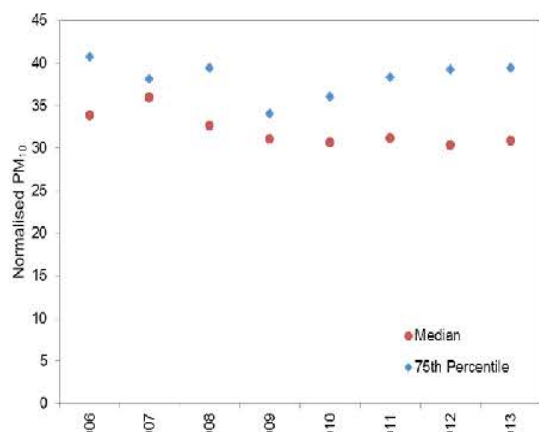


Figure 4. Trend analysis shows no reduction in PM₁₀ concentrations at the Redwoodtown site in the Blenheim

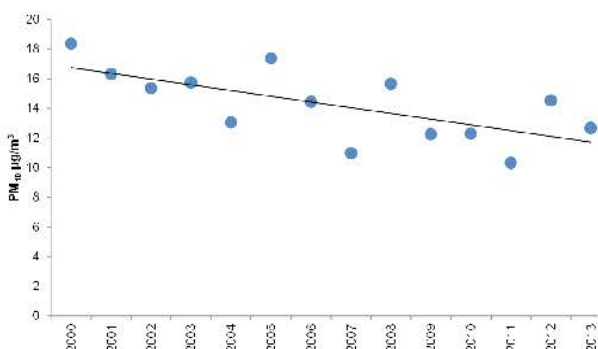
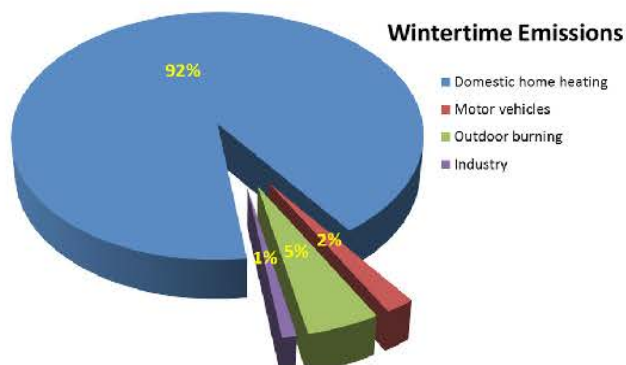


Figure 5. Annual average concentrations for the Springlands air monitoring site show a reduction in PM₁₀ concentrations.

- In 2013 at the Springlands site there were no exceedences of 50 µg m⁻³ and the maximum daily PM₁₀ concentrations was the second lowest since monitoring commenced in 2000. An evaluation of annual average concentrations measured at this site since 2000 suggests a downward trend in concentrations. Concentrations at this site are less than half those measured at Redwoodtown on average.

What is the source of emissions?

The main source of daily wintertime PM₁₀ emissions in Blenheim are from domestic home heating (around 92%). Motor vehicles contributed to 2% of PM₁₀ emissions, outdoor burning contributed to 5% and industry contributed to 1% of total wintertime emissions.



What can you do to help clean up our air?

- Only burn dry seasoned wood, get your supplier to check the moisture content, it should have less than 25% moisture content, they will be happy to do so.
- Don't burn rubbish, plastics, treated or painted wood, glossy paper as these release harmful toxic emissions to the atmosphere.
- Ensure your chimney stack is cleaned regularly
- When changing heating methods consider alternatives to wood burners.
- Do not stoke up your wood burner to operate overnight.
- If you have a new burner do not allow the installer or anybody to tamper with the air controls

Options being considered by Council

- Prohibit the outdoor burning of organic and inorganic waste.
- Prohibit the use of open fires.
- Encourage phase out of solid fuel burners that exceed 15 years in age.
- Require all new multi fuel burners to comply with NES design standard.
- Refuse discharge permit applications that will increase particulate concentration (with exceptions).

The above proposals are subject to consultation with the community.

3. Wairau Aquifer Research and Marlborough Earthquakes Update

(Clr Jerram) (Report prepared by Peter Davidson)

E345-007-001

Purpose

1. To update Council on:
 - (a) The latest findings from one of a suite of projects investigating the hydrology of the Wairau Aquifer which is being used to review the Wairau/Awatere Resource Management Plan.
 - (b) The latest analyses by GNS Science of the Seddon/Lake Grassmere/Christchurch earthquakes, and their effects on water resources or land stability in Marlborough or lessons to be learnt.

2. **Paul White, a geophysicist from GNS Science based in Wairakei, will present his latest findings (20 minutes).**

Background

3. The Wairau Aquifer is a key natural resource for the economic and ecological prosperity of the Wairau Plain as well as providing most of the drinking water for its inhabitants.
 - (a) The mechanics of Wairau Aquifer flow are well understood but the water balance between inputs and outputs is still being refined. This information is needed for optimising water allocation limits and providing certainty for the environment as part of the resource management plan policy review.
 - (i) Paul White at GNS Science has independently reviewed the Council staff water budget for the Wairau Aquifer.
 - (ii) Paul White has applied the existing GNS Science 3-dimensional (3-D) model of the Wairau Plain sedimentary geology to map the direction of groundwater flow based on well levels from drilling records. Confirming the direction of water flow is pertinent to the impact of future development in the Blenheim area where groundwater interacts with springs and Taylor/Opawa River baseflows.
4. There is ongoing public interest in the causes of the 2013 Marlborough earthquakes, the risk of future events and implications for land settlement or changes to water resources. The lessons learnt from the Christchurch earthquakes are relevant to the Wairau Plain because both regions share the same geological formations and similar water resource types.
 - (a) Paul White has refined the distribution of liquefiable material around Blenheim using the 3-D model to help visualise how these correlate with pre-European waterways. Ancient swamps and lagoons accumulate fine materials which are more susceptible to subsidence when shaken. These patterns may help planners assess the risk for land stability and human settlement around Blenheim.
 - (b) GNS Science researchers continue to analyse the ongoing swarm of seismic events that have affected the Lower Awatere Valley area since mid 2013. Paul White will pass on the latest information available on behalf of his colleagues.
 - (c) A Smart Map has been developed by Council staff to illustrate the effect of large magnitude earthquakes dating back a decade in New Zealand and as far afield as Japan, on local monitoring wells. This provides a permanent record of what happened and where long after the events have faded from memory or staff have moved on.

Findings

5. There is no formal written report at this stage; instead Paul White will brief the Committee on the key advances in knowledge which are:
 - (a) The Council staff water budget for the Wairau Aquifer is by and large correct.
 - (b) Groundwater flow in the Lower Wairau Plain area is predominantly upwards, whereas around Blenheim and the mid plains area water drains downwards in some areas and upwards in others.
 - (c) The distribution of sediment types underlining Blenheim and the degree of water saturation are complicated and it is likely that this is reflected in land stability patterns also.

RECOMMENDED

That the information be received.

4. OSPRI and TBfree New Zealand Update

(Cirs Jerram) (Report prepared by Alan Johnson)

C315-11-37

Purpose

1. The purpose of this report is to provide Operational Solutions for Primary Industries (OSPRI) an opportunity to introduce the new organisation, provide accomplishments made by TBfree managing the National Bovine TB Pest Management Strategy and outline Council funding contributions.
2. **Staff of OSPRI will introduce the new organisation (20 minutes).**

Background

3. OSPRI New Zealand was established in 2013 to enhance opportunities for New Zealand's primary sector. Its shareholders are DairyNZ, Beef+Lamb New Zealand and Deer Industry New Zealand. TBfree New Zealand Limited and NAIT Limited are wholly owned subsidiaries of OSPRI New Zealand Limited.
4. One of the core programmes that OSPRI is responsible for is the implementation of the National Bovine TB Strategy. The National Bovine TB Strategy has a key objective to eradicate bovine TB from New Zealand. TBfree New Zealand Limited is the management agency and undertakes a range of national measures to manage cattle and deer movements and they implement a national vector control programme that controls possums and other wildlife that spread Bovine TB.
5. The TBfree New Zealand programme in Marlborough involves possum and ferret control operations in parts of the Awatere, Clarence and Wairau catchments.
6. Funding for the programme is derived from a combination of Central Government, cattle and deer farmer levy payers and local Council contributions. Council currently provides an annual apportionment, being a contribution of \$208,480 for 2013/14.

Summary

7. Staff of OSPRI will introduce the organisation to the Committee and provide an update on the local vector control programme and the national funding review on how that may impact on Marlborough.

RECOMMENDED

That the information be received.

5. Cleanfill Criteria for the Marlborough District

(Cllr Jerram) (Report prepared by Rachel Rait)

(File Ref E355-005-001)

Purpose

1. To present the results from the recent report on the "Cleanfill Criteria for the Marlborough District" and for the Committee to adopt the Cleanfill Standards. (**Attached separately**)

Background

2. Cleanfills are facilities used by private companies for the disposal of uncontaminated material. In general terms the material includes clean soil, concrete and other inert materials. A cleanfill facility also provides a useful means to reduce the amount of material potentially disposed to landfill. Council has a role to ensure that cleanfill materials do not provide a source of contamination to land.
3. However, there is no national guidance on establishing appropriate criteria for waste disposed to cleanfills. One approach that has been proposed is to use a limit midway between background concentrations and soil guideline values derived to protect ecological receptors (Eco-SGV).
4. Recently, it has been found that some background concentrations of selected trace elements (heavy metals) in Marlborough exceeded the Eco-SGVs, posing challenges in establishing cleanfill criteria to ensure an appropriate level of environmental protection.
5. A small scale Envirolink advice grant was awarded to Marlborough District Council in 2013 to contract Landcare Research to investigate this issue. The grant has developed some revised cleanfill criteria for Marlborough using human health soil guideline values and added soil Eco-SGV.

Comments

The Landcare Research report found:-

6. Background soil concentrations from soil monitoring results indicated two distinct areas. One area showed elevated Chromium (Cr) and Nickel (Ni) concentrations which is likely to be a result of local geology. The report recommends that further sampling in the vicinity of the locations with identified elevated Cr and Ni should be undertaken to better delineate the area of elevated concentrations, and/or further geological information should be sought to identify the extent of the area likely to contain elevated Cr and Ni. Council staff will consider the delineation of the areas in future work programmes.
7. The second area did not have elevated Cr and Ni soil concentrations (Figure 4 in the report). The cleanfill criteria have been developed for this second area and revised Cleanfill guideline criteria are listed in Table 7 in the report.
8. This new criteria should provide Council officers and consultants assessing reports dealing with cleanfill operations with the right information to be able to interpret and evaluate the robustness of the data presented in support of contaminated site investigations.

Summary

9. Landcare Research have prepared a report that provides the Council with criteria for disposal of uncontaminated material at cleanfills.
10. The report identified two areas, one with elevated Cr and Ni soil concentrations and the second with non-elevated soil concentrations.
11. It is recommended that the revised guideline criteria that were developed for the non-elevated region be adopted and used by Council and consultants.

RECOMMENDED

1. That the report be received.
2. The new Cleanfill Criteria is adopted for Council assessment of cleanfill operations.

Table 7 Comparison of recommended interim cleanfill criteria and their basis of derivation with current cleanfill criteria

Element	Current Cleanfill criteria (mg/kg)	Recommended interim Cleanfill criteria (mg/kg)	Comment
Arsenic	13	12	Equidistant between rural residential SCS_{health} and 95th percentile background
Cadmium	1	0.9	Rural residential SCS_{health}
Chromium	47	88	Added risk SRGV
Copper	77	147	Added risk SRGV
Lead	57	92	Equidistant between rural residential SCS_{health} and 95th percentile background
Nickel	34	75	Equidistant between rural residential SCS_{health} and 95th percentile background
Zinc	139	260	Added risk SRGV

6. Analysis of Soil Samples Using a Portable X-Ray Fluorescence Spectrometry (XRF)

(Cllr Jerram) (Report prepared by Rachel Rait)

E355-006-005-01

Purpose

1. To present the results and adopt best practice guidelines for X-Ray Fluorescence analysis of soils from a recent report (**attached separately**) entitled. 'Analysis of Soil Samples Using a Portable X-Ray Fluorescence Spectrometry (XRF).

Background

2. Councils around New Zealand are increasingly receiving contaminated site investigation reports that have used portable X-Ray Fluorescence (XRF) to determine soil contaminant concentrations. While this analytical technique has many benefits over more conventional soil laboratory testing, i.e. cost effective, fast analysis times, etc, there are some limitations to the technique that are not always appreciated by the user or the person interpreting the data.
3. There are currently no guidelines or standards regarding use of XRF for investigating contaminated sites in New Zealand. Therefore Council has commissioned environmental consultants Pattle Delamore Partners Limited to prepare a brief outline of the requirements for undertaking on-site XRF analysis of soils at contaminated sites.
4. This document will provide officers assessing reports that have used XRF with the right information to be able to interpret and evaluate the robustness of the data presented in support of contaminated site investigations.

Summary

5. The report outlined:
 - (a) Factors that affect XRF analysis include spectral interference, contact angle, depth of X-Ray penetration, grain size effects, moisture content and other matrix effects. XRF analysis can be used for screening and semi-quantitative results.
 - (b) In-situ XRF analysis should only be used as a screening level technique (by placing the XRF directly in contact onto the ground). This method requires minimal sample preparation. This can be used for preliminary identification of contamination, identifying hotspots and extent of contamination.
 - (c) Using a more intensive sample preparation, including sieving, drying and homogenisation of soil samples, allows for a semi-quantitative XRF analysis, removes many of the sampling errors and increases the accuracy and reliability of the results.

RECOMMENDED

1. That the report be received.
2. That Council adopt the Analysis of Soil Samples Using a Portable X-Ray Fluorescence Spectrometry report as best practice guidelines.

7. Environmental Reporting Bill

(Cllr Jerram) (Report prepared by Alan Johnson)

E360-004-002-01 & E365-000-001

Purpose

1. To provide an update to the Committee on the Environmental Reporting Bill and the Environmental Reporting Framework.

Background

2. Currently the Government has a National State of the Environment (SOE) reporting system that involves the periodic release of national environmental reports by the Ministry for the Environment. The reporting has been focused on 22 indicators and the timing of the report release has been subject to data availability, rate of changes in the environment and the discretion of the Ministry. The last National SOE report was released in 2007.
3. In February 2014 the Environment Minister introduced an Environmental Reporting Bill to Parliament. The Environmental Reporting Bill is intended to make more explicit who has responsibility for environmental reporting and to set out the broad framework for the scope of reporting, and the timing for reporting. The Bill was introduced into Parliament on 20 February 2014. The first reading is scheduled to begin today and it will be referred to a Select Committee after that. Submissions are not yet open on the Bill.
4. The purpose of the Environmental Reporting Bill is to create a national level environmental reporting system with an objective to provide the public with a level of certainty about the scope and quality of information they receive. Under the proposed changes, the Secretary for the Environment and the Government Statistician will be responsible for environmental reporting.
5. The Environmental Reporting Framework is proposed to publish one of five reports every six month period on the environmental domains defined as air, atmosphere and climate, freshwater, land and marine. A synthesised report providing an analysis of across domain trends and interpretation of information will be required every three years. The framework will include three main types of information relating to environmental pressures, states and impacts.
6. The data and information for the national reporting framework will come from a variety of sources including Central Government and regional councils.
7. The Government is also taking measures to improve the quality and consistency of environmental monitoring and the data which underpins reporting. A number of collaborative initiatives with regional councils have been occurring to help address issues of consistency, representativeness and accessibility.

Comments

8. The overall purpose of the Bill is to create a national level environmental reporting system to ensure that reporting on the environment occurs on a regular basis and the report is transparent, independent, fair and accurate.
9. Regulations are expected to be promulgated that require regional councils to provide environmental data to specific standards.

10. The only issue of concern to staff, that is apparent in the Bill, is Clause 16 which requires consent from the Secretary for the Environment and the Government Statistician before any disclosure can be made of the information or analysis Council provides for this national reporting. This limitation on the use and disclosure of information will potentially impact on Council's own regional data use and reporting. The intention for Council is to clarify this matter through making a submission on the Bill. Council could point out that this information and analysis is undertaken to meet our own obligations, such as State of the Environment reporting and policy development, and as such we should be able to control its use and release, or that we should be unfettered in using and releasing the information.
11. Regional councils are key stakeholders in environmental monitoring and reporting, regionally and nationally, and have been working collaboratively with the Ministry of the Environment to help promote consistency, and improvements in data quality standards. It is expected that there may be need for some alignment of our monitoring programmes and some refinement of the parameters measured in the region to conform to national monitoring standards and reporting. Staff will undertake a review once there is a level of clarity over the data required (once the regulations have been promulgated).
12. While the Environmental Reporting Bill provides a focus on national reporting, Council will continue to have its own obligations under section 35 of the Resource Management Act 1991 for regional state of the environment monitoring and reporting. The Bill does not recognise those obligations.

Summary

13. The Environmental Reporting Bill has been introduced to Parliament.
14. The purpose of the Bill is to create a national level environmental reporting system with an objective to create a reporting framework with clearer accountabilities and provide the public with a level of certainty about the scope and quality of information they receive.
15. The data and information for the national reporting framework will come from a variety of sources, including regional councils. Regions will have a role in reporting and processes are proposed to ensure regional monitoring data is collected consistently, of sound quality and accessible.
16. The only substantive issue of concern identified at this stage of the development of the national reporting framework is over the control and use of the information and analysis created and required to be provided by Council to Central Government. A submission on the Bill to clarify this point is proposed.

RECOMMENDED

1. **That the information be received.**
2. **That Council make a submission regarding the control and use of the information and analysis created and provided by Council to Central Government.**

8. Who Should Pay for Animal Control?

(Clr Arbuckle) (Report prepared by Garth Congdon)

E305-001-001

Purpose

1. Council, at its meeting on 4 April 2013, adopted a motion that 20% of the cost of Animal Control be funded from general rates.
2. The purpose of this report is to consider whether it is timely to act on that decision.

Background

3. The Animal Control Sub-committee carried out a thorough review of the Animal Control function and concluded that there was an element of public good associated with the function.
4. After using a methodology developed by Mr Dick Murray, a veterinary scientist, the Sub-committee suggested an 80/20 allocation between dog owners and the community respectively.
5. Council adopted the Sub-committee's recommendation on 4 April 2013.

Comments

6. The current Animal Control contract expires in March next year.
7. It is anticipated that when the Animal Control contract is next tendered an increase will result due to increased costs associated with the function such as fuel costs, wages, a reduction in income due to the increased number of dogs having been micro-chipped and neutered and increases associated with stock on roads.
8. If the cost of providing the function increases a subsequent increase in Animal Control fees will result.
9. Whilst Council made the decision that 20% of the cost of Animal Control be funded from general rates it is considered that Council's decision should be deferred until after the function has been put out to tender and the cost of service determined.
10. If the resolution of 4 April 2013 was introduced into the Annual Plan it would result in the dog registration fee being reduced. As it can be expected to increase a short time later by a greater amount this would have a negative effect.
11. It would be prudent to tender the function this calendar year - September/October enabling a decision to be made in November/December so transition, if necessary, can take place prior to the contract expiring in March 2015.
12. In this way their tender will determine the change in the cost of contract services.
13. At this point further reports could be commissioned and a review carried out on the impact of fees and rates.

Summary

14. Council would be best served by not making any changes to how the Animal Control activity is funded until after the anticipated increase in providing the function has been determined by going through the tendering process.

RECOMMENDED

1. **That the implementation of Council's decision of 4 April 2013 that 20% of the cost of Animal Control be funded from general rates be deferred.**
2. **That the determination of how the costs of Animal Control are apportioned be introduced into the next Long Term Plan.**

9. Marine Farm Light Audits

(Clr Barsanti) (Report prepared by Harbour Master)

H100-005-14

Purpose

1. The purpose of this report is to update the Committee on the ongoing marine farm light audits that are being carried out.

Background

2. The Committee will be aware that over the past two years Council has reviewed conditions of consent attached to individual marine farm consents. This process included a review of farm lighting requirements.
3. Since authorisation of lighting requirements for individual farms/sites is dealt with under the Maritime Transport Act, this was seen as an ideal opportunity to rationalise the number of lights each farm required and sought to introduce retro reflective tape in conjunction with radar reflectors, where appropriate, in areas where it was considered that lights would be superfluous, particularly on the in-shore side of farms.
4. Since the majority of consents have now been reviewed, an audit to record compliance with lighting requirements has now been resumed, a matter the Marine Farm Association was advised of in advance.
5. Set out below, in tabular form, is a summary of the marine farm areas audited to date:

Area	Date	Farms Inspected	Farms Compliant	Farms with 1 or More Light Extinguished or Insufficient Number of Lights Fitted	Farms with no Lights Operational
Central Pelorus, Wilson, Brightlands, Fitzroy, Hallam, Kauauroa	3 and 4 Feb 2014	76	50	23	3
TOTALS		76	50	23	3

6. There is still considerable variability with respect to requirements relating to the inshore marking of marine farms and work to clarify matters in conjunction with the Marine Farming Association has been completed.
7. It has also been noted that on several farms more long-lines are in the water than is permitted by the resource consent. Where this has occurred, the matter has been referred to the Compliance Unit.

Conclusion

8. The results of the audit undertaken to date are shown in tabular form. It has been noted that there has been a substantial improvement in overall compliance.

RECOMMENDED

That the information be received.

10. The Marlborough District Council and the Dairy Industry in Marlborough

(Cllr Jerram) (Report prepared by Nicky Eade)

E355-008-004-04

Purpose

1. The purpose of this report is to provide Councillors with an overview of Council's involvement with the dairy industry in relation to water quality management in the region.

2. **Nicky Eade will present an overview of Council's involvement with the dairy industry (10 minutes).**

Background

3. Surface water quality monitoring in Marlborough shows a consistent link with agricultural land use and degraded water quality in a number of catchments where dairy farming is the predominant land use. The main issues are elevated levels of faecal contamination (E.coli), and nitrogen, and while these have trended slightly up and down in some catchments, overall they are remaining at elevated levels.
4. Faecal source tracking at several sites (including river and estuary sites) has confirmed that the faecal contamination is from bovine animals (cows).
5. There are approximately 60 operating dairy farms in Marlborough, most of which are older established farms. About half occur in the Rai/Pelorus catchment, with the others scattered mainly in the Havelock, Linkwater, Tuamarina and Wairau Plain areas. There are also a few farms in the Northbank area and the Wairau Valley.
6. Council began systematic water quality monitoring and annual dairy effluent inspections in 1996, triggered by concerns raised by the Outward Bound School about water quality and human health issues in the Rai River. At the same time Council also identified an issue relating to the regular use of a large number of stream crossings and began work to phase these out in 2002.
7. Over the years the compliance monitoring has consistently noted issues relating to both the inadequate size of dairy effluent systems and their location too close to waterways, along with stream crossings requiring elimination. Some farmers were encouraged to apply for resource consents to temporarily remedy the location issue and these were granted for very short terms as an interim measure (2016 expiry date).
8. This regular monitoring and compliance work is ongoing and, although slight, some improvements to water quality have been recorded. The Rai Valley community recently received a "River Award" from the Morgan Foundation for their work to improve water quality in the catchment over the last ten years.
9. DairyNZ is an industry good organisation which focusses on research and development relating to sustainability. It has produced a range of guidelines and technical publications providing dairy farmers with support to operate at best practice level to minimise environmental impacts. These require both adequate:
 - (a) infrastructure (such as effluent storage ponds, fencing, well located and constructed farm races, feed pads, etc); and
 - (b) management practices (such as monitoring effluent pond levels, cleaning raceways and approaches to bridges and underpasses, creating buffer areas where required, etc).

10. Over the years various programmes have been in place to encourage voluntary adoption of best management practices including:
 - (a) 2003-2012 - "Clean Stream Accord" - a voluntary industry based code of practice.
 - (b) 2009-2011 - The NZ Landcare Trust, with funding from the Sustainable Farming Fund, initiated a three year programme to deliver farm plans and workshops to dairy farmers in the Rai/Pelorus catchment - nine plans were delivered over the life of the project.
 - (c) 2013 - a new industry based "Sustainable Dairying Water Accord".
11. Water quality issues have gained considerable political attention in recent years and the collaborative Land and Water Forum was established in 2009 to help guide action. Central Government is proposing wide-ranging, staggered and long-term improvements to how fresh water is managed in New Zealand and is establishing a framework for this, including the 2011 National Policy Statement on Freshwater Management and a long term vision for reform outlined in the 2013 "Freshwater Reform 2013 and Beyond".
12. From 2012 Fonterra has also implemented its own company based Environment Programme and requires dairy farmer suppliers (all Marlborough dairy farmers) to comply with this as a condition of supply - to some extent overriding the voluntary industry accord. The fencing of most waterways was the first requirement, with a deadline of December 2013.
13. In regard to effluent management, Fonterra requires all dairy farmers to have systems which comply with the Council's requirements 365 days of the year - the onus being on councils to set adequate standards. Fonterra also requires suppliers to record nutrient inputs so that nutrient management plans can be effectively applied.

Comments

14. While progress towards best practice has been steady under the voluntary programmes outlined above, various stocktakes in 2011, including Council's own compliance records, a Council commissioned report from NIWA and an independent MAF audit of Clean Streams Accord targets, showed that the performance of a number of farms was lagging.
15. In late 2011 Council made the decision to step up its collaboration with the dairy industry and to allocate funding to a proactive voluntary programme to provide farm plans to dairy farmers, an extension of the programme delivered by the NZ Landcare Trust in the Rai catchment from 2009.
16. A working group was established by Council to improve relationships with dairy farmers and other agencies. The group includes representatives from Fonterra, DairyNZ, the Landcare Trust, Federated Farmers and local dairy farmers, as well as Councillors and Council staff. The group has met six times and has proved effective in encouraging collaboration and understanding between the stakeholders. The group is working with Council's policy team to help develop the new standards relating to dairy farms in the draft resource management plan.
17. The farm plan programme was initiated in 2012 and six farm plans were delivered in the first year, adding to the nine farm plans already delivered through the previous three year NZ Landcare Trust run programme.
18. However, so far, in the second year of the project, no farmers have requested farm plans. Most farmers have been very busy meeting the Fonterra fencing deadline (December 2013) and many are also now receiving technical advice on effluent management systems through the Fonterra Sustainability Advisor.
19. As part of the positive non-regulatory programme, Council has also regularly attended the local monitor farm meetings run by DairyNZ and has contributed to a soil moisture sensor system on this farm to enable improved monitoring of ground conditions and to promote understanding and discussion about effluent disposal management. Council has also carried out soil characterisation work in some dairy catchments to assist in nutrient management and budgeting.

20. The non-regulatory approach was intended to complement the Council's ongoing regulatory compliance programme to provide a "carrot and stick" approach.
21. While compliance staff have recently been very busy meeting monitoring requirements resulting from legal actions relating to two dairy farm operations, the usual annual programme of dairy farm visits commenced in February. Effort has focussed on those farms considered higher priority based on the standard of farm infrastructure and past performance in relation to best management practices and the results of the compliance work will be reported at a later date. In regard to stream crossings, three abatement notices have been issued for the final high priority stream crossings to be completed by 31 March.
22. The impact of Fonterra's new Environment Programme is obvious, with many waterways now fenced to exclude stock and many farmers seeking advice about the requirements for new dairy effluent systems.
23. However, a number of farms still require new infrastructure to ensure that they have adequate effluent storage, and that other farm infrastructure like raceways, underpasses and feed pad areas, are not operated in a way that could result in run off contaminating waterways in wet conditions.

Summary

24. Both Central Government and the dairy industry are committed to improving freshwater management. The industry has accepted that the issue requires proactive initiatives to achieve best practice standards, as evidenced by the new Sustainable Dairy Water Accord and Fonterra's own Environment Programme which applies to all of its suppliers.
25. Council has a clear regulatory role into the future and the development of a new resource management plan allows for clearer rules and standards to be set in place, aligned with industry best practice guidelines that all dairy farmers should by now be very familiar with.
26. Council has taken a proactive approach to promoting best practice in the dairy industry through its ongoing compliance programme and more recent farm plan programme. These measures, in combination with efforts from the NZ Landcare Trust and industry initiatives, have meant that in recent years Marlborough dairy farmers have had a large amount of information and support to help them achieve dairy farm systems that will allow them to farm sustainably into the future.

RECOMMENDED

That the information be received.

11. Information Package

RECOMMENDED

That the Regulatory Department Information Package dated 20 March 2014 be received and noted.

12. Decision to Conduct Business with the Public Excluded

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

- Enforcement Decisions

- Tory Channel Compliance

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Enforcement Tory Channel Compliance	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.