

**Minutes of a Meeting of the  
ENVIRONMENT COMMITTEE  
held in the Council Chambers, 15 Seymour Street, Blenheim on  
THURSDAY, 24 JULY 2014 commencing at 1.00 pm.**

**Present**

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

**In Attendance**

Councillors J L Andrews, B G Dawson, G I T Evans and J C Leggett, Mr R Hunter and Mr H R Versteegh (Manager, Regulatory Department), and Nicole Chauval (Committee Secretary).

**Apology**

An apology for non-attendance from Clrs D Oddie and L Shenfield and Mrs Wilson was received and sustained.

**R.14/15.36 Confirmation of Sub-Committee Business****Clrs Barsanti/Arbuckle:**

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

- **B Yockney - 148 Old Renwick Road, RD 2, 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).**
- **O Norrish - 450 State Highway 63, 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).**
- **J Haack - 16 Brook Street, 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).**
- **C Harper - 84 Old Renwick Road, 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).**
- **A & M Wentworth - 26B Severne Street, 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).**

**Carried**

ATTENDANCE: Andrew Macalister (Co-ordinator) of the Marlborough Sounds Restoration Trust was present for the following item.

**R.14/15.37 Marlborough Sounds Restoration Trust  
Update C230-001-M07**

A presentation from Andrew Macalister (Co-ordinator) was made to the Committee which provided an update on the progress of the wilding pine control programme undertaken by the Marlborough Sounds Restoration Trust.



It was also reported that the nitrate-nitrogen leaching rate for the first 18 months for the trial was approximately 3.5 kg/ha/yr. This value is relatively low compared to rates generated by other land uses, such as dairying and cropping, around New Zealand.

Mr Green advised members that during the past 2 years climatic conditions have been very stable and that initial results from the DFM study are not yet sufficient in duration to capture a full range of drainage losses and would therefore ask that the monitoring be continued to obtain data over other climatic conditions.

**Cirs Barsanti/Brooks:**

- 1. That the information be received.**
- 2. That the study will continue for the next five years.**

**Carried**

ATTENDANCE: Mr D Lane, Water Information Services Co-ordinator, was present for the following item.

## **R.14/15.39 Regional Compliance with the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010**

**E380-007-006**

A presentation from the Water Information Services Co-ordinator, Dave Lane, was made to the Committee.

Members were advised that there are 1439 active water take permits in Marlborough. 880 of these takes are from a groundwater resource and 490 are from a surface water resource and that collecting and maintaining a water take record is a standard condition of all water permits.

It was also reported that new national legislation now requires permit holders to prove the accuracy of the water meter as well as maintain and return to Council a record of water take.

It was noted that Marlborough permit holders are making good progress towards overall compliance with the water metering regulations and regular communication with permit holders and industry providers is ensuring a high level of understanding and therefore compliance across the field.

Software upgrades and systems developed to deal with the significant increase in data coming into Council are working well and further enhancements are being worked on to allow for better reporting both internally and externally.

Council submitted data to MfE from 204 water meters. This data was derived from 295 active water permits, which in turn came from 350 entries in the database. This also gives some idea of the complexities being faced as reporting processes are developed and daily compliance issues are dealt with.

It was reported to the members that the Water Allocation Working Group is currently working through scenarios and once completed will submit a report on their findings to the Committee.

**Cirs Barsanti/Brooks:**  
**That the report be received.**

**Carried**

ATTENDANCE: Mr S Ulrich, Environmental Scientist – Coastal Role, was present for the following item.

## **R.14/15.40      Implementation of Council's Coastal Monitoring Strategy      E325-003-001**

A presentation from Steve Ulrich, Environmental Scientist – Coastal Role, was made to the Committee which gave an overview of the implementation of the Coastal Monitoring Strategy.

The Committee heard that Council administers a significant area of New Zealand's coast, from mean high water springs out to 12 nautical miles. This covers approximately 725,000 hectares and 1,815 kilometres of coastline which are broken down into nine biogeographic areas.

Mr Ulrich advised members that a focus for the 2014/15 year is to look for opportunities to work with the Department of Conservation, the marine farming industry, Iwi, Port Marlborough and tourism operators in a partnership way.

Members were advised that the current and proposed projects identified are intended to be staged in a progressive manner. It was noted that key outputs from each project will be reported to the Environment Committee and information will also be transferred in other ways to the community to foster awareness of the state of the coastal environment.

It was reported that some projects require specialist expertise and equipment beyond the capacity of the Council to resource in-house. The Marlborough region is well served by marine science providers located in the Top of the South, such as NIWA, Cawthron, Davidson Environmental and Wriggle.

The Envirolink funding scheme will continue to be accessed for discrete projects to augment and maximise the value of Council's coastal funding.

The Strategy is planned to be reviewed in 2017, which will be five years after its formulation. An evaluation of the success of the implementation will also be undertaken at that time.

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

### **Carried**

ATTENDANCE: Ms K Winter, Environmental Health Officer, was present for the following item.

## **R.14/15.41      Update on the Alcohol Licensing Function E350-005-001-01**

Karen Winter, Environment Health Officer, made a presentation updating the Committee on the activity of the alcohol licensing team six months following the full enactment of the Sale and Supply of Alcohol Act 2012.

Ms Winter noted that inspectors are now required to report on an extended list of criteria for premises licenses ie; amenity and good order, systems, staff and training of applicant and manager's certificate applicants are assessed for suitability. It was reported that for the six months a total of 236 applications have been received.

Ms Winter advised members that as part of the multi-agency approach a Tri-Agency Committee has been established which meets every six weeks to discuss licensing matters and enforcement issues and as part of its function is developing an Alcohol Accord to assist with minimising the harm caused by alcohol.

It was also reported that there is also agency reporting on applications with Police and the Medical Officer of Health being asked to report on applications for On, Off and Special Licences. This information is provided within 15 working days to enable a report to be produced if they wish to oppose the application. Environmental Health Officers are currently working with Public Health to facilitate this process.

It was reported that the Marlborough Draft Local Alcohol Policy (LAP) has gone through public consultation. Two LAPS (including Tasman District Council) have been appealed and there is a hearing by ARLA in August.

Ms Winter advised the members of the annual fees that Council is required to charge to all On, Off and Club Licence holders and how those fees are determined.

Ms Winter also noted that Officers will continue providing education and information to licensees and are initiating further improvements of IT systems to assist the work flow required for the licensing system, including geospatial mapping which will pin-point where alcohol related incidences have occurred and whether it is close to a particular hotel/alcohol sales.

Members were advised that with the new legislation there have been changes in how this function operates within Council. These changes encompass a compulsory increase in costs and new legislative requirements for licensees.

Ms Winter advised members that after this current financial year, Council must prepare a report showing income from fees and costs of the activity. This report will provide a cost-expenditure analysis that Council could use to create a Bylaw to reduce/increase fees. Ms Winter did report that where possible food and alcohol inspections are combined to minimise costs to licensees.

The Committee extended its appreciation to the Environmental Health team for the hard work and progress that has been made in implementing the new legislation.

**Cirs Barsanti/Beech:**  
**That the information be received.**

**Carried**

ATTENDANCE: Mr J Underwood, Biosecurity Co-ordinator, was present for the following item.

## **R.14/15.42            Regional Pest Management Strategy – Operational Plan Report 2013/2014 E315-002-004-07, E315-002-004-06**

The Regional Pest Management Strategy Operational Plan Report for 2013/14 was included with the agenda.

The report to the Committee noted that the majority (86%) of performance measures have been achieved throughout the year. This is an increase on the previous year where 76% of measures were achieved.

The key areas of improvement were the Total Control Pest programme where all targets were achieved in 2013/2014 and work relating to the National Pest Plant Accord targets were achieved.

It was noted that a number of species (e.g. Parrots Feather, African Feathergrass), plant densities are getting to near zero-levels which is an excellent achievement. However, other species are utilising their biological advantages to continue to persist despite best efforts. This year, there were 'flare-ups' of three species (Saffron thistle, Bathurst Burr and Eel Grass) resulting in a new site and the return of another. This highlights that for many of these species, even at such low densities, even eliminating everything found each season may not mean eradication is achievable.

The Containment Control Pest programme remains the largest for Marlborough District Council staff due to the number of properties involved and continued facilitation of those landholders to ensure obligations are met. Overall, the level of control work carried out remains high with a Notice of Direction only needing to be issued on 29 occasions when undertaking a total of 375 physical inspections.

Over the course of 2013/2014, major developments have occurred in the way Chilean Needlegrass is being managed in Marlborough. Not only is Council placing a greater emphasis on its programme, but the community is responding with a swell of support for the newly formed Chilean Needlegrass Action Group (CNGAG). Mr Underwood noted that there are still improvements to be made in the Council programme and these will continue to be the focus for staff.

Mr Underwood noted that a new arrival into Marlborough was in the marine space in which Council led the response after the discovery of Mediterranean fanworm on a vessel in Waikawa Bay. Fortunately, no further evidence of fanworm on fixed structures was found but there is an ever present risk of more introductions. New Chilean Needlegrass infestations continue to show up and can be a result of historical movements.

Mr Underwood advised that a review was carried out by Biosecurity staff on 2 July 2014 and proposed amendments to the Operational Plan have been documented in section 12 of the Operational Plan Report which was attached to the agenda..

**Cirs Barsanti/Brooks:**

- 1. That the information be received.**
- 2. That the annual report on the Regional Pest Management Strategy Operational Plan for the 2013/2014 financial year be approved by Council.**
- 3. That the amendments to the Regional Pest Management Strategy Operation Plan be approved by Council.**

**Carried**

ATTENDANCE: Mr N Morris, Regulatory Projects Officer, was present for the following item.

## **R.14/15.43            Cessation of Accreditation – Geotechnical Engineering            R450-003-04**

Approval was sought from the Committee to cease the current practice of maintaining a Council register of engineers for the purposes of providing geotechnical reports and opinions versus the register being maintained by the Institution of Professional Engineers New Zealand (IPENZ).

It was reported that at a much earlier time, nominally up to the mid-20th century, foundation engineering fell into the realm of civil engineering. Increasingly, the understanding of soils behaviour in the engineering context became specialised to meet the needs of development demands.

The consequence has been the emergence of specialised skills for investigating and providing the parameters of soil behaviour given anticipated design demand.

It was noted that Council has an ongoing exposure to liability arising from its processes and a key management tool is the identification of hazards and implementing measures to avoid or mitigate them.

In respect of the proposition that the policy be retained, it is considered that the negative aspects outweigh the positive aspects of this option. Most practitioners on the Council list have already added the geotechnical expertise to their CPEng post nominal qualification.

Mr Morris advised that it is considered that there is no merit in retaining a register of practitioners for the sole purpose of public convenience and that the skill sets that are required today of the geotechnical practitioners are considerably higher than our accreditation processes and it is no longer practical to assess capabilities of practitioners in-house.

It was also noted that it would be an activity that would have no regulatory force and have a reasonable probability of resulting in legal challenge that negated overall any possible benefits.

Mr Morris advised members that the Professional Opinion will remain an obligatory accompaniment to applications for consents or permits and the reports forming the basis of Opinions will be in the preferred format.

It was concluded that if the Council register of engineers is ceased then the members on the present register be advised that it is intended to cease the accreditation function two years from the date of a confirming Council resolution and that no new entries will be accepted from the date of a confirming Council resolution. It was noted that the two year timeline is to allow practitioners on our accreditation list sufficient time to register on the IPNS list.

Mr Morris advised that there wouldn't be any change to costs to Council and that the courts would be the ones to decide to what extent we might be liable. Members were referred to the article which discusses liability in the information pack entitled 'How to Fix The New Zealand Building Act'.

**Cirs Barsanti/Brooks:**

**That the proposal be adopted and be effective from the date of Council's decision.**

**Carried**

## **R.14/15.44      Information Package      -**

**Cirs Jerram/Arbuckle:**

**That the Regulatory Department Information Package dated 24 July 2014 be received and noted.**

**Carried**

The meeting closed at 3.25 pm.

Record No. 14167301