

**Minutes of a Meeting of the
ENVIRONMENT COMMITTEE
held in the Council Chambers, 15 Seymour Street, Blenheim on
THURSDAY, 27 NOVEMBER 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 and Mr E R Beech (Rural representative).

In Attendance

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

Apologies

Cirs Jerram/Shenfield:

That apologies for absence from Mayor Sowman and Mr E R Beech (for lateness) be received and sustained.

R.14/15.218 Confirmation of Sub-Committee Business

Cirs Barsanti/Shenfield:

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:

- **D & L Hawtin – Dry Hills Lane, Blenheim - exemption to install a Coverstar automatic pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **N & A Maddren – 22 Severne Street, Blenheim - renewal of exemption for Save-T Cover automatic pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **J P & V A Tripe – 390 Old Renwick Road, Blenheim – renewal of exemption for a Save-T II automatic pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **H & J Meyers – 33 Malthouse Road, Riverlands – renewal of exemption for a pool cover by installing a new Coverstar safety pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**
- **M McQuillan & B Lemaire – 105 Marlborough Ridge Drive, Fairhall - exemption to install a Coverstar automatic pool cover in lieu of a fence (exemption pursuant to section 6 of the Fencing of Swimming Pools Act 1987).**

Carried

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

R.14/15.219 Havelock Estuary Ecological Study E325-006-002-03

Members were advised that as part of the Council's Coastal Monitoring Strategy, Wriggle Limited were contracted to study the ecological health of the Havelock Estuary. This was a repeat of the Cawthron Institute mapping undertaken in 2001 as since then there have been significant events which could impact on its ecology.

Leigh Stevens and Barry Robertson of Wriggle Limited were at the meeting to present the fine-scale sediment survey and the broad-scale habitat mapping reports which were included with the agenda. Mr Stevens showed the Committee what healthy estuaries should look like and the state of Havelock Estuary currently. Mr Stevens advised that very low levels of heavy metals, organic contaminants and nutrients were detected during the fine-scale survey. The Estuary has lots of saltmarsh, some seagrass, and lots of mud. The increased muddiness across the extent of the estuary was the only difference between the sampling in 2001 and 2014. Mr Stevens said the Estuary has 77% mud and is a long way down the point of change although it is not beyond redemption.

The Committee was advised that fine sediment is the main issue and if it can be reduced the mud will start to flush out. The removal of the introduced cord-grass *Spartina* and increased sediment was discussed.

The consultants suggested investigating the source of the sediments, the rate that it is being deposited and what can be done to reduce it within the Estuary. They also recommended the establishment of additional sediment plate monitoring to assist with calculating deposition rates and ongoing monitoring. Members were advised that historical coring would need to be undertaken to determine the Estuary's natural state.

The Committee noted that the reports are an early alert to the Council and community that there is an issue at the Estuary. Dr Ulrich advised that the Council scientists will work together to review current monitoring data in the estuary and wider catchment to identify gaps and develop new monitoring. The Committee was advised that investigation of sediment sources is the next step, along with working with the community and industry to develop a deeper understanding of how to restore the estuary to a better condition.

Cirs Barsanti/Brooks:

That the reports, "Havelock Estuary – Fine Scale Monitoring 2014" and "Havelock Estuary 2014 – Broad Scale Habitat Mapping", be received.

Carried

ATTENDANCE: Mr A Johnson, Council's Environment Science & Monitoring Manager, was present for the following item.

R.14/15.220 New Zealand Wilding Conifer Management Strategy E315-006-018-01 & E315-004-010-01

The report to the Committee provided information on the "New Zealand Wilding Conifer Management Strategy" draft discussion document which was included with the agenda. The Strategy is led by Ministry of Primary Industries in collaboration with members of the New Zealand Wilding Conifer Management Group.

Members were advised that conifers can provide a range of positive benefits however wilding conifers can impose a significant threat to biodiversity, landscape and water resource values. The Council has some existing wilding conifer management programmes and other agencies also have similar regimes, such as the Marlborough Sounds Restoration Trust, but there are still major spread risk issues. The non-regulatory Strategy could provide coordination of management responses through collaborative initiatives and prioritisation of funding streams and other controls for implementation.

The implications for the Council and the community if it chooses to implement any programmes are currently unknown so the regional sector group is working closely with the Crown to clarify any expectations. Once clarification and programme implementation is clearer on the Strategy, staff will provide an update to the Council.

Cllrs Barsanti/Shenfield
That the information be received.

Carried

ATTENDANCE: Mr Beech joined the meeting and Mr P Davidson, Council's Groundwater Scientist, was present for the following item.

R.14/15.221 Groundwater Quantity State of the Environment Report Card 2014

E345-007-001

The Groundwater Quantity – Spring Update State of the Environment report card included in the agenda provided an update on the state of Marlborough's underground water resource. The report is targeted at spring each year to look back on the impacts of the previous summer's water use on aquifers and forward to quantify how much groundwater is in storage to meet demand for the 2014/2015 summer.

The key points noted were that groundwater levels are at their lowest on record for this time of the season at many Marlborough well sites, except for the Southern Valleys Aquifers which are mostly at high levels. Drier conditions are predicted to compound the issue of low groundwater storage by increased consented water demand and above average rainfall. Sustained high river flows are needed to replenish low groundwater storage.

Mr Davidson advised if the dry weather persisted into December 2014 it was likely that small low storage aquifers which tend to drain rapidly, or have large consented rates of abstraction associated with them and rely on recharge from ephemeral rivers or direct rainfall, are unlikely to recover until well into 2015. This is because evapotranspiration rates historically exceed rainfall for the rest of summer into early autumn.

Members were advised that Council staff are monitoring the water resource situation closely. Water users can check the status of their own aquifer resource by going onto the Council website at any time.

Cllrs Jerram/Shenfield:
That the Groundwater Quantity State of the Environment Report Card 2014 be received.

Carried

ATTENDANCE: Mr A Van Wijngaarden, Council's Harbour Master, was present for the following three items.

R.14/15.222 Harbour Fees and Charges – Review

H100-001-01, F045-07-01

The report to the Committee provided information on a review of fees and charges applicable to Harbour functions. As Harbour Authority, the Council provides services to ensure that the region's waterways remain safe for all users.

At its 13 February 2014 meeting the Committee resolved that the fees and charges that related to Maritime Safety functions, originally set by Bylaw, would be reviewed annually through the Annual Plan process. Members were advised that the Council is empowered to introduce fees and charges in accordance with section 33R of the Maritime Transport Act 1994.

The review identified that the fee charged for a Pilot Exemption Certificate Examination needed to be increased from \$350 to \$830 based on the average time spent of 3.5 hours per examination as the fee had not been increased since the introduction of pilotage exemptions. It was determined that a fixed fee was able to be established because the work involved was a known factor. Members were advised that the pilotage exemption was to legally allow a master frequenting the harbour to do so without the need for a pilot.

It was proposed that the fee for Hot Work permits be changed from \$50 to a \$50 minimum with actual time based on officer charge-out rates, as the actual time involved for the issuing of permits varied significantly. The Hot Work permit was to undertake welding, cutting and grinding on board a ship. It was also noted that the Harbour Master Group frequently undertook work that has a private benefit only and there is currently no formalised fee structure in place to recover the costs.

Cirs Barsanti/Brooks:

1. That the information be received;
2. That the changes in fees and charges be approved and included in the Annual Plan consultation process:

| CATEGORY | FEE |
|--------------------------------|---------------------------------------|
| Pilotage Exemption Examination | \$830 |
| Hot work Permit | Actual time with a minimum of \$50 |
| Staff Time: | |
| Harbour Master | \$236 per hour |
| Deputy Harbour Master | \$153 per hour |
| Maritime Officer | \$128 per hour |
| Administrator | \$100 per hour |
| Vessel Time: | |
| Discovery | \$360 per hour – includes a crew of 2 |
| Astrolabe | \$325 per hour – includes a crew of 2 |

Carried

R.14/15.223 Marine Farm Light Audits H100-004-003-14

An update of the ongoing marine farm light audits carried out was provided for members' information. The areas audited were Port Underwood and Port Gore as detailed in the agenda and as reported at the last Committee meeting. The item contained further information regarding the number of farms contacted and the responses received by the due date. Members were advised that responses had been received from six out of the 29 farms contacted.

It was noted that there has been a substantial improvement in overall compliance however responses from farmers, who have one month within which to rectify deficiencies and to report this to the Harbour Master, remained low.

At the meeting the Harbour Master advised a number of responses had been received from the marine farmers since the agenda was prepared.

The Harbour Master advised that the ultimate responsibility for the implementation and compliance with consent conditions for lighting and marking rested with the consent holder.

Cirs Jerram/Arbuckle:
That the information be received.

Carried

R.14/15.224 Aids to Navigation H100-005-14

The Council is responsible for the provision and servicing of 98 Aids to Navigation in the region and the report to the Committee provided an update on their on-going management over the winter period.

Members were advised that all Aids to Navigation performed well over recent weeks with only one failure occurring therefore International Light House Authority standards were achieved for the past six weeks.

It was noted that the Pickersgill Island Cardinal mark has been replaced.

Cirs Oddie/Shenfield:
That the information be received.

Carried

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

R.14/15.225 New Zealand Dryland Forests Initiative - Project Update E355-008-003-01

Members were advised that the New Zealand Dryland Forests Initiative (NZDFI), established in Marlborough in 2008, is a long term project to diversify the forestry industry in New Zealand, with a focus on developing a sustainable durable timber product from suitable eucalyptus species.

Project manager of the NZDFI, Mr Paul Millen, provided a comprehensive presentation at the meeting on the vision and establishment of the initiative and what has been established to date. He advised that Council provided an initial \$30,000 to the project and supports the project on an ongoing basis by providing land on river reserve for a trial. Since 2008 the NZDFI has invested \$2.5 million in planting and managing over 120,000 trees in trials across eight New Zealand regions. It is now the largest new forestry research programme established in New Zealand in over 30 years and is recognised internationally as the only tree breeding programme focused on the genetic improvement of durable eucalypts.

In his presentation Mr Millen noted the potential for durable eucalypt timber vineyard posts in Marlborough and other hardwood uses, and other benefits including future regional processing of high value wood products for domestic and international markets. He then discussed the species under breeding and the potential for heartwood formation and the new demonstration trials planted in 2014.

Recent developments included a new purpose built propagation facility, an annual \$50,000 contribution for post graduate research and a generous donation of \$50,000 from James Jenkins, a local Marlborough bee keeper.

Members were advised that there is also the potential to sustain bees essential to New Zealand's agricultural and manuka honey sectors and the project will research the flowering, seasonal timing and protein values if they are used by native insect pollinators and honey bees. It was also noted there needs to be a suitable buffer from vineyards because of wine taint in some varieties.

Cirs Barsanti/Oddie:
That the information be received.

Carried

A five minute recess was held.

ATTENDANCE: Councillors Andrews and Leggett withdrew from the meeting and Dr Ulrich re-joined the meeting for the following item.

R.14/15.226 Best Practice Guidelines for Salmon Farm Management E325-008-001-23

The Committee was aware that New Zealand King Salmon (NZKS), with the support of the Council, initiated the development of best practice guidelines for salmon farm management in the Marlborough Sounds. The successful implementation of the best practice guidelines is intended to lead to greater certainty around consent compliance, to early identification and remediation of adverse effects and to maintain seabed life-supporting capacity. The guidelines apply to the eight existing farms, as the three new farms have more stringent consent conditions.

Dr Ulrich advised that the draft guidelines developed by the seabed working group were made available for public comment following which minor changes were made to the guidelines. A summary of the comments and the working group's response was included in the agenda. Members were advised that the main changes through the guidelines were for lower enrichment levels ($ES \leq 5.0$), triggers and consequences, a simplified zone system, moving sampling to summer and being adaptable to new science. Members were advised that there would be a period of 12 months allowed to show improvement when enrichment levels are exceeded, and compliance within 24 months. If the enrichment levels underneath the pens exceeds 5.6 (within 95% confidence intervals) the farm would have to be fallowed until enrichment levels were in compliance.

The final agreed guidelines for protecting seabed health were now included with the agenda for members' information. The guidelines will be posted on the Council's website, along with the summary of public comments. Implementation of the guidelines will be the subject of an ensuing project, which may include transitional arrangements to progressively bring all farms under the guidelines.

It was noted that the working group for the farming/operations best practice guidelines is still several months away from completing its task.

Cirs Arbuckle/Brooks:
That the information be received.

Carried

ATTENDANCE: Mr I Sutherland, Council's Resource Management Officer, was present for the following two items.

R.14/15.227 Boulevard Park on Taylor (Stage 3) U130785
- Road Name Request

Approval was sought from the Committee to name four new roads. The roads are to be created by the Council as part of Stages 3A and 3B subdivision in the Boulevard Park on Taylor development located off Taylor Pass Road as shown on the scheme plan attached to the agenda.

The four road names put forward for consideration were Neville Street, Jenkins Street, Laird Street and Maeburn Street. The proposed names were circulated to all iwi, local historians and Marlborough Roads who raised no concerns. The theme of using local family names with recent or historic connection to farms in the area was consistent with the road names approved for Stage 2 of the Boulevard Park on Taylor development.

Staff advised that the road names met the evaluation criteria of the Road Naming Policy.

Cirs Jerram/Arbuckle:
That once vested in Council the proposed new roads, as shown on the appended scheme plan in Figure 1 (Stage 3 of the Boulevard Park on Taylor development), be named "Neville Street", "Jenkins Street", "Laird Street" and "Maeburn Street".

Carried

**R.14/15.228 Outer Limits Limited (Residential)
- Road Name Request**

U120396

The Committee was asked to consider the naming of a new road which is to be created by Outer Limits Limited as part of their subdivision located between the Westwood Retail Park and Rose Street in Springlands as shown on the scheme plan attached to the agenda.

The names put forward were Blackmore Place and Cornelia Place. Blackmore Place was the developer's preferred option, named for the Blackmore family who had owned the property since 1919. Cornelia Place was an option to continue the rose name theme of the area.

The proposed names were circulated to all iwi, local historians and Marlborough Roads who raised no concerns. Staff advised that both names met the criteria for the Road Naming Policy. The Committee agreed that Blackmore Place was an appropriate name for the new road.

Cirs Brooks/Oddie:

That once vested in Council the proposed new road, as shown on the appended scheme plan in Figure 1 (Outer Limits Limited), be named "Blackmore Place".

Carried

ATTENDANCE: Mrs J Robertson, Council's Environmental Protection Officer was present for the following item.

**R.14/15.229 Winery Wastewater & Grape Marc
Monitoring Report**

E330-002-004

The report to the Committee outlined the Compliance Group's ongoing monitoring of the discharge of winery wastewater and grape marc to land for the period 1 June 2013 – 31 May 2014. The report included background to the monitoring, where and how monitoring was undertaken and monitoring results.

Mrs Robertson summarised the monitoring results during her presentation to the Committee. She advised that monitoring is based on assessment of information provided by wineries and from annual inspections.

Thirty six wineries that discharge wastewater to land were monitored according to resource consent conditions and/or permitted activity provisions under the Wairau/Awatere Resource Management Plan. The grape marc storage at the wineries was also inspected. Additional monitoring was also undertaken for the wineries that compost and/or spread grape marc directly to land to ensure appropriate location, leachate collection and compliance with the Wairau/Awatere Resource Management Plan standards.

Mrs Robertson advised that the majority of wineries had taken on board the comments and recommendations from the previous 2012/2013 compliance reports. This year six wineries, as compared to two in 2013, were fully compliant with all conditions or rules. She advised that the most common areas of non-compliance for this monitoring period were for exceeding the permitted ranges on one or more occasions for faecal coliforms (17 wineries), pH (12 wineries) and biological oxygen demand (BOD5) (4 wineries). Some other breaches included exceeding total nitrogen loadings and not including all parameters in wastewater or soil sampling. These breaches were not considered significant enough to warrant enforcement action and no adverse environmental effects were observed at the time of the site inspections.

For this monitoring period heavy rain in mid-April during vintage provided a challenge for many wineries. This did result in 10 wineries breaching discharge rate rules or conditions and four wineries breaching discharge volume conditions. However, there were only some instances of minor localised ponding with no ongoing environmental issues. Short term corrective actions were undertaken to address ponding.

Members were advised that the emphasis is on continuous improvement to ensure that environmental impacts are minimised or averted and compliance costs to both Council and wine companies are minimised. However, if there is significant non-compliance and adverse environmental effects Council will take the necessary enforcement action.

Mrs Robertson confirmed that the wineries are issued with detailed monitoring reports which they are then required to forward onto the Sustainable Winegrowing New Zealand for audit purposes.

Cirs Barsanti/Brooks:
That the information be received.

Carried

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

R.14/15.230 Noise Control E360-003-001

A presentation was provided to the Committee outlining provisions under the Resource Management Act 1991 (the Act) to manage excessive and unreasonable noise. Excessive noise is defined in section 326 of the Act and Ms Ferguson outlined to the Committee what is defined as excessive noise and what types of noise are not included or covered by other legislation.

The Council provides a 24 hours, 7 day a week noise control service through a contractor to all but the more remote areas of the district. She advised that noise can disturb some people and not others. A certain amount of noise is permitted – within reason. At any time of the day or night there is the right to have excessive noise stopped or reduced, whether it be from a loud party, an alarm, construction activity at an unreasonable hour, or another source. It was noted that it was important for a complaint to be lodged at the time the noise was occurring.

Ms Ferguson advised that on receipt of a complaint where it is determined that the noise is excessive, an enforcement officer may direct persons to immediately reduce noise to a reasonable level. Failure to comply with an excessive noise direction immediately could necessitate an enforcement officer, accompanied by a constable, to enter and seize any equipment producing or contributing to the excessive noise.

Members were advised that enforcement tools included issuing excessive noise direction, issuing abatement notices, seizure of equipment and issuing infringements.

Cirs Barsanti/Shenfield:
That the information be received.

Carried

R.14/15.231 Dog Control Policy and Practices Annual Report 2013/2014 E305-000-001

Members were advised that Section 10A of the Dog Control Act 1996 requires Council to prepare an annual report on its dog control activities for the previous financial year. The annual report for 2013/2014 was attached to the agenda for members' information.

Cirs Barsanti/Oddie:

- 1. That the Dog Control Policy and Practices Annual Report for the 2013/2014 year be approved.**
- 2. That the report be publicly notified and a copy be provided to the Secretary of Local Government.**

Carried

R.14/15.232 Information Package

Cllrs Jerram/Shenfield

That the Regulatory Department Information Package dated 27 November 2014 be received and noted.

Carried

The meeting closed at 4.40 pm.

Record No: 14257660