



**Minutes of a Meeting of the
ENVIRONMENT COMMITTEE
held in the ASB Theatre, Whitehaven Room, 2 Hutcheson Street, Blenheim and via Zoom,
on WEDNESDAY, 10 JUNE 2020 commencing at 9.00 am**

Present in the room

Mayor J C Leggett (Chairperson), Councillors D D Oddie (Deputy), G A Hope (Deputy), J A Arbuckle, J D N Croad, B A Faulls, T P Sowman, Mr E R Beech (Rural representative)

Also present in the room

Councillors J L Andrews, C J Brooks, F D Maher and N P Taylor

In Attendance in the room

Ms G Ferguson (Consents and Compliance Group Manager) and Ms N Chauval (Committee Secretary)

The Mayor welcomed those present to the meeting and acknowledged Clr Croad's successful completion of the Good Decision Making course and Sue Bulfield-Johnston, Council's Legal Assistant and Hearings Facilitator, passing of a paper in the Diploma in Law.

Apologies

The Mayor/Clr Arbuckle:

That the apology for non-attendance from Clr M A Peters be noted.

Carried

Env-0620-437 Declaration of Interests -

No interests with items on the agenda were declared.

Env-0620-438 Resource Hearing Commissioner Decisions -

Clrs Oddie/Arbuckle:

That the Resource Hearing Commissioner Decisions as contained within the reports dated 26 & 27 November 2019 (U190357 and U140294), 28 January 2020 (U190102), 13 February 2020 (U190593), 19 February 2020 (U181062), 3 March 2020 (U150290), 17 March 2020 (U190618) and 17 April 2020 (U190591) be received and the recommendations adopted.

Carried

ATTENDANCE: Mr Luke Grogan, Council's Harbourmaster and Jason Moore, Council's Harbour Protection Officer were present for the following item.

Env-0620-439 Momorangi Bay – Navigation Safety H100-005-20

The purpose of the report was to inform the Committee about historical, current and developing navigation safety concerns in Momorangi Bay specifically, as relate to the boat ramp, unconsented moorings and vessel speed and advise on the actions the Harbourmaster is intending to take to manage the navigation risk associated with these concerns. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2097339).

It was noted that Momorangi is favoured as a location to launch recreational trailer boats and is one of the few 'free' boat ramps. The nearest alternatives are in Anakiwa and Ngakuta which attract a fee. The boat launching area, surrounding land and the associated camp site are owned by the Department of Conservation (DOC).

Members were advised that Momorangi Bay is very shallow with two streams continuously bringing silt deposits into the bay on either side of the boat ramp area. DOC routinely dredged around the ramp until 2014 when the resource consent expired and has not sought to renew the consent.

It was reported that the accumulated sediment around the launch ramp area means that vessels are travelling down the beach to find more suitable spots to launch their boats. Towed vessels encroach on other bay users such as swimmers and kayakers creating a maritime safety issue for the Harbourmaster. A letter had been received by MDC, signed by 46 Momorangi Bay residents, highlighting these activities and expressing their concern and the associated risk to people's safety.

The possibility of the Harbourmaster taking responsibility for excavation of the launching ramp was discussed. It was noted there would be a cost of approximately \$20,000 every two years. Resource consent is not guaranteed and consenting costs have not been calculated.

Members were advised that unconsented moorings cannot continue to remain a feature in the bay and the harbours team are committed to their removal. It was noted that the provision of additional moorings in Momorangi Bay would provide a high degree of amenity value for those staying at the DOC campground and nearby accommodation. The establishment of a mooring management area (MMA) in a designated area in the Bay would likely provide the most flexible and responsive option now and in future. It was noted that if properly managed, such facilities could lead to increased navigation safety outcomes as safe conduct would be a pre-requisite and condition for the use of the moorings.

The option of providing consenting moorings was further discussed and it was suggested that DOC could have some responsibility in sharing the costs of any of the consenting moorings as the campground owner.

Members were advised on the creation of a reserved area and it was noted that the reserved area could be applied permanently or tailored so as to ensure the safety of bay users at peak times whilst still allowing some boating activity.

It was noted that this option does not require ongoing dredging costs however Harbours resources will need to be targeted to this bay to ensure the reserved area is effective. It also may create issues relating to car parking and congestion if boats are parked all day in the area.

Members supported the Harbours team engaging with the community, DOC and iwi to identify the most suitable parameters for a reserved area and to implement a reserved area as necessary to best achieve the desired navigation safety outcomes and other considerations.

It was noted that a suitable education and enforcement strategy will be defined. It was suggested that good signage would be a positive step in educating users.

The Harbourmaster will work with Council's Strategy and Compliance Group to fully investigate the viability and suitability of a Mooring Management Area in Momorangi.

Cirs Oddie/Hope:
That the report be received.

Carried

ATTENDANCE: Mr Peter Davidson, Council's Groundwater Scientist was present in the room and Scott Wilson, Lincoln Agritech Limited of Canterbury was present via Zoom for the following item.

Env-0620-440 Introduction to Gravel Bed Rivers Project

E345-007-001

The purpose of the report was to introduce the Gravel Bed Rivers Project. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2097426).

Members were advised that the Gravel Bed Rivers Project is a nationally important investigation looking at the sub-surface dynamics of braided rivers and how they interact hydraulically with nearby alluvial aquifers and fans. There are three case studies which include Selwyn River in Canterbury (Ecan), Wairau River in Marlborough (MDC) and the Ngaruroro River in Hawkes Bay (HBRC). It is a five year project which started in October 2019 and involves hydrologists/scientists from Denmark, Australia, Germany and New Zealand.

It was noted that the key driver for the Council becoming involved in the Gravel Bed Rivers Project was to determine reasons behind the long term declining trend in Wairau Aquifer well levels.

Scott Watson reported that the aim of the project was to understand conceptually how braided rivers work in the subsurface, quantify the components of the river reservoir and understand which management factors influence these components.

Members were advised that the dynamics of the Wairau River are changing due to human activities. There are fewer braids and a narrower floodway due to flood control since the late 1950s. Gravel quarrying in the bed and upstream damming have modified local bed levels and affected the rate of sediment supply to the sea, degrading the channel. Changing hill country land uses and regeneration are likely to be affecting catchment rainfall runoff rates. Consented abstraction has reduced channel flow during drier months. Natural processes, including sea-level rise and climate change are likely to affect the longitudinal grade of the Wairau River and its aquifer recharge reach.

Members were advised that initial fieldwork has been completed on the Selwyn River and Wairau River with more planned over the next five years. Work has yet to start on the Ngaruroro River. It was noted that instruments will be laid beneath the surface of the Wairau River using directional drilling and further geophysical measurements taken over several years in response to changing Wairau River flows.

Cirs Hope/Faults:
That the information be received.

Carried

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

Env-0620-441 Soil Quality Monitoring Report 2019

E355-001-001-19

Council's Environmental Scientist, Peter Hamill presented the Soil Quality Monitoring Report 2019 to the Committee.

It was noted that in this investigation, soils were sampled from 14 monitoring sites that included five vineyards, seven pasture sites and two exotic forests.

The sites represented nine different soil types from two soil orders. This year's results are similar to last year's results. While many sites show good soil quality, most soils show the effects of human land use. 67% of sites reported soil compaction and this can predispose the soil to surface runoff and nutrient loss. Cadmium levels remain a concern also. A new soil quality test has been introduced this year. Hot water carbon (HWC) measures the easily available sources of carbon in the soil and indicates the level of soil microbial activity. 21 of the 24 samples failed to reach the target for HWC, showing that Marlborough soils may have low microbial activity and face risks of structural degradation.

Mr Beech and Cllr Maher noted their concerns regarding the rising cadmium levels in dairy farms and other farmed land uses and will make contact with Matt Oliver, Council's Environmental Scientist – Land Management to discuss further.

It was noted that the Soil Quality Programme has consistently shown slow degradation in Marlborough's soil quality for some years now. Staff propose to address this issue by developing an education programme for landowners, to be delivered by Land Resources staff under the Catchment Care Programme. A developed programme will be presented at a future Environment Committee meeting.

Cirs Hope/Oddie:
That the information be received.

Carried

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

Env-0620-442 Environmental Post Covid-19 Recovery Projects **E315-002-001-01**

The purpose of the report was to provide the Committee with an update on the Government's Environmental Post COVID-19 recovery funding announcements and on the Council environmental projects submitted to government.

Council is yet to formally be advised about the outcome or process following the submission of the environmental project list. However, there are some clear signals from the Department of Conservation that, outside of projects deemed as business ready and regarded quick wins, they are favouring the coordination and decision-making to occur for key projects at a regional level through the KMTT (Kotahitanga mo te Taiao) Alliance.

The proposed five year environmental projects are Predator Control \$3.46M, Biosecurity (wilding pine control) \$1.090M, Biodiversity (SNA and wetlands protection) \$9.75M, Land Management (Catchment Care) \$3.3M, Te Hoiere Project \$4.9M (excludes confidential initiatives), Coastal Multilbeam \$18.5M. Further details of the projects were attached to the agenda for members' information

Alan Johnson acknowledged and thanked his team for the significant effort that they put in to providing the required information and documentation for the projects to be submitted which was accomplished in a significantly short period of time (24 hours) and during lockdown.

It was reported that as part of the announcement there is a dedicated budget of \$100M for the control of wilding pines. The national Wilding Confer Programme will see a scale-up of wilding conifer investment over the next four years. The Council continues to prepare wilding conifer operational plans for the Ministry for Primary Industry. The deadline for further submission is mid-June. Council is expecting decisions to be made by 30 June for programmes in 2020/21 and onwards.

Cirs Hope/Oddie:
That the information be received.

Carried

ATTENDANCE: Ms Steffi Henkel, Council's Environmental Scientist Water Quality, was present in the room for the following item.

Env-0620-443 Recreational Water Quality - Summer 2019/2020 **E370-007-001**

Ms Henkel presented the Recreational Water Quality – Summer 2019/2020 report to members. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2097561).

It was reported that ten coastal beaches and seven river sites were sampled weekly from the beginning of November 2019 until mid-March 2020. Samples were analysed for the concentration of E.coli (rivers) or Enterococci (coastal beaches). It was noted that generally, rainfall is the most common cause for high indicator bacteria concentrations in natural waters. A rainy start to the summer caused guideline exceedances at a number of sites.

This season's results highlighted the influence of sample timing and why individual sampling results should not be used to assess the water quality at a swimming site. It was reported that as sampling is done over several days, some sites were sampled during rainfall, while others were not. This resulted in a greater number of exceedances at sites with generally better water quality compared to other sites that were sampled on a different day.

At a number of sites guideline exceedances were also observed during dry weather. In the Taylor River the cause is known to be aging and earthquake damage to sewerage infrastructure. Warning signs were in place in the affected area and repairs are ongoing.

Other sites with dry weather exceedances were Governors Bay and Waikutakuta/Robin Hood Bay. Investigations into the causes were initiated, but had to be put on hold due to the COVID-19 Level 4 measures. The investigations will continue next summer season.

Investigations are also planned for Ngakuta Bay, which has significantly higher Enterococci concentration during rainfall than neighbouring bays.

It was noted that most sites have a SFR Grade of Fair

Cirs Hope/Sowman:
That the report be received.

Carried

ATTENDANCE: The meeting adjourned at 10.29 am and resumed at 10.47 am.

ATTENDANCE: Mr Oliver Wade, Council's Environmental Scientist Coastal was present in the room and Deanna Elvines, Marine Ecologist Cawthron Institute, was present via Zoom for the following item.

Env-0620-444 Best Management Practice Guidelines for Salmon Farms in the Marlborough Sounds Part 2: Water Quality Standards and Monitoring Protocol

R425-02-19-04

The purpose of the report was to present to the Committee the first version of the best management practice (BMP) guidelines water quality for finfish farming in the Marlborough Sounds. The report was available on Council's website and circulated electronically to members for their information. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2097567).

It was noted that the primary purpose of the guidelines was to provide a central set of water quality standards (WQS), and requirements for monitoring and managing potential water column nutrient enrichment from salmon farms in the Marlborough Sounds. The guidelines were developed over six workshops and provide clear and consistent guidance on the management of salmon farms in the Marlborough Sounds.

Members were advised that the overall framework provides the regulator and consent holder with early detection, or warning signs, of any deterioration in water quality from nutrient enrichment, at a regional scale. The management framework includes environmental performance criteria, intervention points, as well as recommendations for monitoring design and delivery of monitoring information.

It was explained that the monitoring structure is tiered and consists of routine monitoring (Tier 1) against the WQS. If there was an exceedance of the WQS it would trigger Tier 2 monitoring to determine whether salmon farm inputs are likely to be the primary cause. If more intensive monitoring is required, then Tier 3 monitoring can be initiated on a case-by-case basis.

Members were advised that the next steps would be that the monthly coastal water quality monitoring programme is modified to incorporate the new sampling regime and Best Management Practice Water Quality Guidelines will be considered when setting policy or consent conditions around finfish farming.

The guidelines will provide clear and consistent guidance on the management of salmon farms in the Marlborough Sounds. It is a living document and will be reviewed and updated over time so it remains functional and a reflection of 'best practice'.

Clrs Hope/Oddie:

1. That the report be received.
2. That the monthly coastal water quality monitoring programme is modified in line with the sampling regime as proposed in the document.
3. That the Best Management Practice Water Quality Guidelines are considered when setting policy or consent conditions around finfish farming.

Carried

ATTENDANCE: Ms Barbara Mead, Council's Advocacy and Practice Integration Manager, Regulatory Services, was present in the room for the following item.

Env-0620-445 Appeals Update

R450-004-22

The report to the Committee provided members with an update as to the current Appeals/Judicial Review caseload in Regulatory Services as at 25 May 2020.

It was noted that Council has worked diligently to progress a number of proceedings with which it was involved as either a party or intervener and has continued to make best practice improvements to reduce the risk of appeal and/or judicial review.

A brief summary as to the progress since the previous report of cases yet to be heard were contained in the agenda item and a further verbal update was provided by Ms Mead for Bilsborough, Eco Cottages NZ Ltd.

Clrs Oddie/Croad:

That the information be received.

Carried

ATTENDANCE: Ms Sue Bulfield-Johnston, Council's Administrator and Hearing Facilitator, Advocacy and Practice Integration, was present in the room for the following item.

Env-0620-446 Resource Consent Hearings Update

R450-004-22

The report to the Committee provided a summary of the hearings undertaken since the previous report was provided together with an update as to changes in practice following COVID-19.

It was noted that the report provided a rolling summary of hearings scheduled and completed for applications for resource consent. Since the onset of COVID-19 and the Level 4 lockdown, a practice has been implemented to consider extension of timeframes and online hearings, where appropriate.

A list of the hearings undertaken since January 2020 were noted in the agenda item and Ms Bulfield-Johnston provide a further verbal update on Marlborough Aquaculture Ltd and Simcox Quarry Ltd.

Members were advised that now the country is in Alert Level 1 the Hearings Panel will be reconvened and hearings will be heard in Council Chambers.

Clrs Oddie/Croad:

That the report be received.

Carried

ATTENDANCE: Mr Jono Underwood, Council's Biosecurity Manager, was present for the following item.

Env-0620-447 Decision on the Amendment to the Regional Pest Management Plan - Pest Conifer Programme and Other Minor Amendments

E360-000-002

Jono Underwood, Council's Biosecurity Manager spoke to the report and advised members that since making the Proposal on 19 September 2019, the delegated Hearing Panel, in conjunction with Council staff, have worked thoroughly through the steps within the Act to prepare a Proposal to amend the RPMP and undertake consultation.

It was noted that all submitters received individual and detailed responses to each of the points they made as outlined in the Hearing Panel Recommendation Report which was available on Council's website and was electronically circulated to members for their information.

It was reported that the Hearing Panel developed recommendations that have shaped an amended RPMP to incorporate a pest conifer programme along with ensuring that the legislative steps have been moved through in an efficient and effective manner. Members are encouraged to obtain a copy of the document as it is an excellent reference point.

Members noted that it is an exciting programme and it was a positive move to have it deferred from 2018 to now. It was noted that this programme will support and assist the eradication and control of wilding pines. The programme has a good neighbour rule in it and there will be a community expectation that we will all have a responsibility in supporting the programme and members were heartened by this.

It was reported that staff will need to prepare the decision report then publicly notify the decision and the amended RPMP once approved. This triggers the statutory appeal period of 15 working days for those that submitted on the pest conifer proposal.

Mr Beech/Clr Croad:

That Council:

- 1. Adopts the recommendations of the Hearing Panel as decisions in accordance with section 75 of the Biosecurity Act 1993.**
- 2. Directs staff to prepare a written report on the decision to amend the Regional Pest Management Plan in accordance with section 75 of the Biosecurity Act 1993.**
- 3. Adopts the recommended minor amendments to the Regional Pest Management Plan in accordance with section 100G of the Biosecurity Act 1993.**
- 4. Requests that a report on Council's decision is prepared in accordance with section 75 of the Biosecurity Act 1993 and is notified publicly, along with the amended Regional Pest Management Plan, when complete.**

Carried

ATTENDANCE: Mr Alan Johnson, Council's Environmental Science and Monitoring Manager, was present in the room for the following item.

Env-0620-448 Kotahitanga mo te Taiao Alliance - Funding for Management Services

C230-001-T01

The purpose of the report was to seek funding for the provision of management coordination services for the Kotahitanga mō te Taiao Alliance (KMTT). Council to consider the engagement of The Nature Conservancy (TNC) for providing management coordination services for KMTT.

Members were advised that KMTT ('collective action for our nature') was established in 2017 to deliver transformational landscape-scale conservation across the top of the South Island. The Alliance is comprised of

15 partners (eight iwi and seven government agencies). The Alliance is seeking to build capability and capacity by engaging the services of a dedicated and independent management services coordinator.

It was noted that the costs for provision for level of services is \$183k, with Council's share being 10% or \$18,360 per annum.

Mr Johnson noted that the engagement of TNC as programme coordinator does provide expertise, connections and the potential for adding additional funding to more effectively enable the successful implementation of the Strategy and long term sustainability of the Alliance. TNC is an international company with contacts around the world.

Cirs Oddie/Hope:

1. **That the report be received**
2. **That Council make provision for funding \$18,360 per year for the engagement of management services for KMTT.**
3. **That the funding for 2020/21 be absorbed by existing budget.**
4. **That Council endorse the engagement of TNC for providing management services.**

Carried

Attendance: Cirs Maher and Andrews withdrew from the meeting at 11.40 am during the following item.

ATTENDANCE: Ms Claire Frooms, Council's Environmental Protection Officer and Rob Besaan and Mark Spencer from Geoinsight Ltd were present for the following item.

Env-0620-449 Forestry Compliance Monitoring E335-003-002-01

It was noted that the information contained in the report was to provide the Committee with a brief overview of the forestry monitoring currently being undertaken by Council's Compliance Team. It also provided information on the purpose of the strategic monitoring programme, the methods being undertaken by Council and how reporting will be undertaken. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2098966).

Ms Frooms introduced Rob Besaan and Mark Spencer from Geoinsight and noted that their company utilises the latest technology to help identify the potential for adverse environmental effects before they occur. The use of these additional resources is seeking to increase compliance in the sector within the region.

Messrs Besaan and Spencer discussed and demonstrated the software that Geoinsight (Remote HQ) has developed and is being used to assist Council's Compliance team. Further details on the software can be found on their website www.geoinsight.co.nz.

It was noted that the tool provides transparency and visibility of forestry operations at a regional scale and is a unique streamlined reporting tool. Developments for the future include a notification form, Mobile App and hydrological analysis.

Cirs Hope/Arbuckle:

That the information be received.

Carried

ATTENDANCE: Ms Georgia Murrin, Council's Environmental Health Technician, was present in the room for the following item.

Env-0620-450 Remote Sales and Off Licences in Marlborough **E350-005-008-02**

The purpose of the report was to provide the Committee with an update on the responsibilities that licensees have when selling alcohol remotely under the Sale and Supply of Alcohol Act 2012 and the amount of compliance of remote sellers in the Marlborough Region. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2097606).

Members were advised that initial checks of the Off-licence holders showed there were 62 licensees conducting alcohol sales remotely. Of this 65% were compliant, with 35% non-compliant. Most commonly the Off-licence holders were non-compliant with Regulation 15(1) in that they were failing to display their current Off Licence on their website. This has since been rectified and Council is working with the remaining three to achieve compliance.

It was noted that inspectors use a graduated response model for ensuring compliance and to date education and advice has been all that is needed.

It was reported that an annual review will continue to be conducted of remote seller compliance to ensure that the requirements of the Sale and Supply of Alcohol Act 2012 and associated regulations are being met.

Cllrs Faulls/Oddie:
That the information be received.

Carried

ATTENDANCE: Cllr Brooks withdrew from the meeting at 11.55am during the following item.

ATTENDANCE: Ms Karen Winter, Council's Team Leader Environmental Health, was present in the room for the following item.

Env-0620-451 Remote Food Safety Checks During Covid-19 **E350-004-009-02**

The purpose of the report was to advise the Committee on the process around remote food safety checks during the COVID-19 response.

It was noted that due to the restrictions at the COVID-19 Alert Levels, MPI developed a system where Verifiers could do remote checks of food businesses to gain suitable evidence that safe and suitable food were being made and/or sold. The remote checks were able to be used during Level 3 and 2 to minimise spread of the virus and how this was achieved was detailed to members.

It was noted that it was not a full verification process (as that would include a site visit) however the Verifier was able to ascertain confidence in the food business during the check to allow them to continue to trade during this time.

It was reported that the remote food safety checks had gone well with only a few technology issues. Now in Alert Level 1 verifiers and operators are happy to go back but Ms Winter did note that some operators would like to continue with remote food safety checks as it is less costly.

Cllrs Faulls/Sowman:
That the information be received.

Carried

Env-0620-452 Information Package

-

The Mayor/Clr Oddie:

That the Regulatory Department Information Package dated 10 June 2020 be received and noted.

Carried

The meeting closed at 12.03 pm.

Record No: 2099043