



**Minutes of a Meeting of the
ENVIRONMENT COMMITTEE
held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY, 16 JULY 2020 commencing at 9.00 am.**

Present

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 (from 9.49 am to 10.54 am) and Mr E R Beech (Rural representative)

Also Present

Councillors J L Andrews, M J Fitzpatrick (to 11.36 am), F D Maher and N P Taylor

In Attendance

Mr A D Johnson (Environmental Science & Monitoring Manager), Mr H R Versteegh (Environmental Science and Policy Group Manager), Ms G Ferguson (Consents and Compliance Group Manager), and Mr M J Porter (Democratic Services Manager)

Apologies

The Mayor/Clr Arbuckle:

That the apology for lateness from Clr T P Sowman be received and sustained and the apologies for non-attendance from Clrs C J Brooks and M A Peters be noted.

Carried

Env-0720-12 Declaration of Interests -

Clr Maher declared an interest in any item involving the Kaituna Catchment.

ATTENDANCE: Ms Heli Wade (Te Hoiere Project Manager), Mr David Hayes (Department of Conversation), Mr Waihaere Mason (Te Rūnanga o Ngāti Kuia Trust) and Mr Matt Oliver (Council's Environmental Scientist – Land) were present for the following item.

Env-0720-13 Te Hoiere Project Update E355-021-01-001

Heli Wade, David Hayes, Waihaere Mason and Matt Oliver provided an update on the Te Hoiere Restoration Project aided by two powerpoint presentations (filed in CM – Record No. 20134309 and Record No. 20134310). An attachment was also separately attached to the agenda [https://www.marlborough.govt.nz/Te_Hoiere/Pelorus Catchment Restoration Project IBC](https://www.marlborough.govt.nz/Te_Hoiere/Pelorus_Catchment_Restoration_Project_IBC).

The Te Hoiere Project is a landscape scale catchment restoration project underway in the Rai, Pelorus and Kaituna Valleys. The project has made substantial progress in the past few months including initial community consultation, formation of the Project Governance Group, production of an Indicative Business Case (IBC) to back funding bids and trialling of catchment surveying. Community consultation is set to recommence with the establishment of the Project Steering Group and intensive water quality monitoring will start following the first round of consultation.

The report also covered in detail the background to the project and the next steps (including restarting community consultation, commencement of quick-win projects, writing of an Integrated Catchment Management Enhancement Plan and a Detailed Business Case, and development of long term projects).

The Mayor/Clr Hope:

That the information be received.

Carried

**Env-0720-14 Te Hoiere/Pelorus Catchment Restoration
Project- Governance Group Representative
E355-021-01-001**

Mr Johnson advised that the purpose of the report was to appoint a Council representative to the Governance Group of the Te Hoiere/Pelorus Catchment Restoration Project.

Mr Johnson reported that Te Hoiere/Pelorus Restoration Project (Te Hoiere Project) is a landscape scale proposal focused on improving freshwater and land resources in Te Hoiere and Kaituna River Catchments - ki uta ki tai. The project is being managed under a collaborative model with partners from the Department of Conservation, Marlborough District Council, Ngāti Kuia, Ministry for the Environment and Ministry for Primary Industries. A governance structure has been developed and Council is required to appoint a representative to the Governance Group.

The Mayor/Clr Croad:

That Council appoint Clr Faulls as the Governance Group representative on the Te Hoiere/Pelorus Catchment Restoration Project.

Carried

ATTENDANCE: Mr Mike Aviss, Council's Biodiversity Coordinator, was present for the following item.

**Env-0720-15 Significant Natural Areas Programme Annual
Report 2019/2020
E310-006-001**

Mr Aviss advised that the purpose of the report was to update the Committee on the results of the Significant Natural Areas Programme 2019/2020. Mr Aviss also spoke to a powerpoint presentation (filed in CM – Record No. 20134326). An attachment was also separately attached to the agenda <https://www.marlborough.govt.nz/Summary Report on the Results of the Significant Natural Areas Project 2019/20>.

Mr Aviss reported that the report records the outputs of the Significant Natural Areas (SNA) programme over the 2019/20 year, including new sites surveyed, the restoration or management of threats in SNAs and the monitoring of their condition. It also reports on the results of associated projects, such as native seed collection and the Tui to Town planting fund.

It was noted at the meeting that the development of a National Policy Statement on Indigenous Biodiversity is being led nationally by the Ministry for the Environment and the Department of Conservation.

Clr Hope/Mr Beech:

That the information be received.

Carried

ATTENDANCE: The meeting adjourned at 10.29 am and reconvened at 10.43 am.

ATTENDANCE: Mr Rob Davidson (Davidson Environmental Ltd) and Mr Oliver Wade (Council's Environmental Scientist – Coastal) were present for the following item.

**Env-0720-16 Findings of the 2019/20 Ecologically Significant
Marine Site Programme
E325-002-004-01**

Mr Wade advised that the purpose of the report was to present to the Committee the findings of the summer 2019/20 Ecologically Significant Marine Site (ESMS) monitoring programme. Mr Davidson spoke to a powerpoint presentation (filed in CM – Record No. 20134349). An attachment was also separately attached to the agenda [https://www.marlborough.govt.nz/your-council/Significant Marine Site Survey and Monitoring Programme \(Survey 6\)](https://www.marlborough.govt.nz/your-council/Significant Marine Site Survey and Monitoring Programme (Survey 6)).

Mr Wade reported that Council embarked on monitoring of ecologically significant marine sites in the summer of 2014/15. This report outlined the findings of the 2019/20 summer monitoring programme. The COVID-19

lockdown period prevented the majority of scheduled field work occurring. Four sites were visited, as identified in the report. Much of this year's work was desk based analysis. This analysis was the first utilisation of the Queen Charlotte Sound/Tōtaranui multibeam survey data in conjunction with the ESMS programme. The HS51 multibeam data, the ensuing survey of the seafloor by NIWA as part of the 'life on the seabed' project, and data held by Davidson Environmental has enabled the adjustment of the boundaries of 13 sites, as described fully in the report. The newly identified and adjusted sites will be discussed by the expert review panel this winter and recommendations made as to whether they should be considered ecologically significant marine sites.

Members asked whether a timeline had been set yet, the response was not at this point but that a report will be presented to the Environment Committee later in the year. Following a question on buffer areas, it was acknowledged that this would be reported back to the Environment Committee before any action occurs.

Cirs Hope/Arbuckle:
That the report be received.

Carried

ATTENDANCE: Ms Emma Toy (Council's Strategic Planner) and Mr Oliver Wade (Council's Environmental Scientist – Coastal) were present for the following item.

Env-0720-17 Review of Ecologically Significant Marine Site Programme – Decision E325-004-01

Ms Toy and Mr Wade advised that the purpose of the report was to present the details and scope of a planned review of the Ecologically Significant Marine Site Programme to be completed this year. An attachment was also separately attached to the agenda https://www.marlborough.govt.nz/Ecologically_Significant_Marine_Sites_Programme_Review_2020).

Ms Toy and Mr Wade reported that the report proposed a review of Council's Ecologically Significant Marine Site Programme to ensure the programme is robust, will continue to deliver the objectives for biodiversity in the coastal marine area as set out in the Proposed Marlborough Environment Plan (PMEP), delivers high quality information to inform planning decisions and provides value for money. The report outlined the history of the programme, reasons for the review and the scope of the review. The review will be undertaken with involvement from the Expert Panel, Iwi and other key stakeholders. The review can be undertaken within current budget, but it may be necessary to utilise the budget from the 2020/21 surveying programme depending on the level of external advice required. The findings of the review will be reported back to the Committee once the review has been completed, along with recommendations for improvements to the programme and ongoing funding requirements.

It was noted that staff are aware of the need for iwi involvement. Members noted that if further funding is required that this will be brought back to the Environment Committee for consideration. Education/communication was also noted as being required. Members discussed the university study in this area and suggested that staff follow this up with head of Departments at the Universities involved.

Cirs Hope/Faults:

- 1. That the report be received.**
- 2. That the Committee approve a review of the Ecologically Significant Marine Site Programme as outlined in the report.**

Carried

ATTENDANCE: Dr Iain Campbell and Mr Matt Oliver (Council's Environmental Scientist – Land) were present for the following item.

Env-0720-18 Soils of the Lower Awatere Valley Report E355-004-008-13

Mr Oliver advised that the purpose of the report was to present the report on the Soils of the Lower Awatere Valley. Dr Campbell spoke to a powerpoint presentation (filed in CM – Record No. 20134380). An attachment was also separately attached to the agenda https://www.marlborough.govt.nz/Soils_of_the_Lower_Awatere_Valley_Report.

Mr Oliver reported that the soils that occur on 9500 hectares of terrace lands in the Lower Awatere Valley, Marlborough, are described in this report, which is an accompaniment to the existing soil maps. This report captures data that was acquired during a field survey undertaken by New Zealand Soil Bureau staff of the Department of Scientific and Industrial Research (DSIR) in the mid 1970s (Dr Campbell noted at the meeting that he was on the team that commenced this work, so was extremely pleased to be the one to complete the report). The soil distribution pattern is fragmented because the Lower Awatere Valley is within an active tectonic environment and ongoing river downcutting has resulted in numerous discontinuous terrace surfaces. Approximately 75% of the soils in the area are formed from river alluvium of which many are shallow and stony. The remaining 25% of soils are located on loess-mantled terraces on the south side of the Awatere River. 27 soil families are identified within the surveyed area. They differ widely in respect of their age and development status, their depth and stoniness, soil textures, physical properties, drainage attributes and also the parent materials from which they are formed. Soil chemical, physical and mineralogical properties for a range of the soils are given in the accompanying appendices.

Cirs Hope/Oddie:
That the information be received.

Carried

ATTENDANCE: Ms Rachel Mercer (Council's Environmental Health Officer) was present for the following item.

Env-0720-19 Alcohol Licensing Functions E350-005-008-02

Ms Mercer advised that the purpose of the report was to provide the Committee with an overview of our Alcohol Licensing functions and performance under the Sale and Supply of Alcohol Act 2012. Ms Mercer also spoke to a powerpoint presentation (filed in CM – Record No. 20134386).

Ms Mercer reported that the Sale and Supply of Alcohol Act places onus on Council to perform specific duties related to Alcohol Licensing. The Act requires a combined agency approach in the alcohol licensing process. Those agencies include territorial authorities, public health and the Police. Licensing inspectors have an independent role when reporting to the licensing committee on licence applications and when performing functions and duties under the Act. This allows the Inspectors to report on applications in an objective manner without political influence. Public Hearings are held when decisions for licences cannot be solely decided on the papers. One public hearing has been held this financial year, for a special licence application. Newsletters from the tri-agencies are also sent out to licensed premises whenever there is seen to be a need for information to be disseminated. The latest newsletter was distributed in March 2020 and was attached to the agenda.

Cirs Faulls/Croad:
That the information be received.

Carried

ATTENDANCE: Ms Barbara Mead (Council's Advocacy and Practice Integration Manager) was present for the following item.

Env-0720-20 Appeals Update R450-004-22

Ms Mead advised that the purpose of the report was to provide an update as to the current Appeals/Judicial Review caseload in Regulatory Services as at 1 July 2020.

Ms Mead reported that Regulatory Services have taken a two prong approach to the addressing appeals (including judicial reviews). Firstly it has worked diligently to progress proceedings to which it is a party or an intervener and as a result a number of these have now been determined. Secondly it has continued to make best practice improvements to reduce the risk of appeal and/or judicial review. There will continue to be occasions where it is necessary for Regulatory Services to engage in appeals and/or judicial reviews either as a respondent/defendant or as an intervener in order to ensure Council fulfils its statutory duties and secures beneficial case law development that results in reduced future litigation risk and improved sustainable management of our natural and physical resources.

The report also covered summaries of EDS v Otago Regional Council (High Court, appeal, MDC as intervener), Aparoa Zindia Ltd v Marlborough District Council (Court of Appeal, MDC as respondent), Bilsborough, Eco

Cottages NZ Ltd (District Court appeal, MDC as appellant) and Clearwater (Environment Court appeal, MDC as appellant).

Cirs Oddie/Croad:
That the information be received.

Carried

ATTENDANCE: Ms Sue Bulfield-Johnston (Council's Practice Integration Assistant and Hearings Facilitator) was present for the following item.

Env-0720-21 Resource Consent Hearings Update R450-004-22

Ms Sue Bulfield-Johnston advised that the purpose of the report was to provide a summary of the hearings undertaken since the previous report was provided together with update as to changes in practice following COVID-19.

Cirs Oddie/Croad:
That the report be received.

Carried

Env-0720-22 Information Package -

The Mayor/Mr Beech:
That the Regulatory Department Information Package dated 16 July 2020 be received and noted.

Carried

The meeting closed at 12.13 pm.

Record No: 20136372