



**Minutes of a Meeting of the  
ENVIRONMENT COMMITTEE  
held in the Council Chambers, 15 Seymour Street, Blenheim  
on WEDNESDAY, 5 FEBRUARY 2020 commencing at 9.00 am**

**Present**

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

**Also Present**

Councillors F D Maher and N P Taylor

**In Attendance**

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

**Apologies**

**Cirs Arbuckle/Faulls:**

That the apology for absence from Cirs D D Oddie (Deputy) and G A Hope (Deputy) be received and sustained and the apology for non attendance from Clr C J Brooks be noted.

**Carried**

**Env-0220-234 Declaration of Interests -**

No interests with items on the agenda were declared.

The Mayor acknowledged the following achievements:

- Clr Faulls achieving 'Excellence' for the Making Good Decisions Foundation Programme
- The Marlborough District Council and Land Information New Zealand's (LINZ) Hydrography team for winning the Environment & Sustainability category at the New Zealand Spatial Excellence Awards (NZSEA) for the Mapping of Queen Charlotte Sound / Tōtaranui. A short video was shown to members  
[https://www.youtube.com/watch?v=o5lun-t5H\\_Y&list=PLwAza-5meIBPnD2KRODFUSGrhedZQtYdU&index=12](https://www.youtube.com/watch?v=o5lun-t5H_Y&list=PLwAza-5meIBPnD2KRODFUSGrhedZQtYdU&index=12)

ATTENDANCE: Mr Oliver Wade, Council's Environmental Scientist – Coastal Role was present for the following three items. Dr Nigel Keeley, Institute of Marine Research in Norway was present for the following the item.

**Env-0220-235 Best Management Guidelines for Salmon Farming in the Marlborough Sounds - Benthic Environmental Quality Standards and Monitoring Protocol v1.1  
E325-008-001-001-05**

Dr Nigel Keeley from the Institute of Marine Research in Norway updated members on the latest revision of the benthic environmental quality standard and monitoring protocol. A link to the report was included in the agenda item for members' information. It was noted that the document is intended as a guidance document to inform the development and implementation of benthic monitoring programmes for salmon farms in the Marlborough Sounds. [To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2020219)].

A brief overview of the Benthic BMP guidelines was given, including some background about how and why they were developed. It was noted that there have been several innovations in recent years with respect to

potential environment monitoring methods and Nigel Keely provided an introduction to some of these future approaches and why they have arisen.

Members were advised that the Benthic Modelling Protocol (BMP) is intended to be a living document and as such will be updated at regular intervals to take account of any new knowledge, improvements in monitoring technology, or relevant modifications to farming practices. This will ensure that the best possible understanding of the environmental conditions associated with current farming practices is available. It was noted that it is important that the monitoring programme is scientifically valid and reliable, and as cost effective as possible; consequently any potential for improvements in these areas will be carefully considered at each review. The review process will be undertaken every five years unless otherwise requested by any member of the working party.

The Mayor advised that this and the following report were information be received items only and that one recommendation would be put to cover both reports.

ATTENDANCE: Mr Xavier Pochon, Cawthron Institute, was present for the following item.

**Env-0220-236                      A Validated Protocol for Benthic Monitoring  
of New Zealand's Salmon Farms using  
Environmental DNA                      E325-008-001-001-05**

Mr Xavier Pochon advised members on the recent findings of a Cawthron report about using environment DNA (eDNA) to monitor benthic affects around salmon farms. A link to the report on Council's website was included in the agenda item for members' information.

It was noted that the aim of the research was to reduce reporting times and monitoring costs by exploring the usefulness of cutting-edge molecular analyses to characterise effects of fish farms on the seabed. [To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2026067)].

It was noted that the fit-for-purpose bacterial protocol developed in the study will enable rapid, standardised and cost effective eDNA isolation and extraction, followed by automatic b-MBI calculation. The affordability and versatility of the b-MBI tool could be immediately integrated into current monitoring strategies as the primary benthic assessment tool in New Zealand. This approach will reduce analytical costs by at least 50% and the reporting timeframe to an estimated four weeks instead of the current four months.

It was noted that there does need to be some sort of transition during which both the traditional and new methods can be used and to apply a moratorium on GenCode ID database for a period of five years so can compare apples to apples over time. Noted the exception would be for open ocean aquaculture.

**The Mayor/Clr Croad:  
That the information and reports be received.**

**Carried**

**Env-0220-237                      Marine Significant Sites Monitoring and  
Expert Panel Review 2018/19                      E325-002-004-02**

Members were updated on the findings and recommendations of the 2019 significant sites programme. A link to the Significant Marine Site Survey and Monitoring Programme (survey 5): Summary report 2019-2019 and Expert panel review of selected significant marine sites surveyed during the summer of 2018-29 were included in the agenda item for members' information.

It was reported that 11 sites in total were surveyed with five of these being pre-existing sites. Of these existing sites, it is proposed that Tennyson Inlet and Deep Bay be increased in size. It was noted that extensive damage has occurred at Ouokaha Island while but extensive recovery has occurred at Hitaua Bay both are existing sites.





## Env-0220-241

## Resource Consent Hearings Update

R450-004-22

The report to the Committee provided an update as to the applications for resource consent scheduled for hearing.

It was noted that the second session of the training programme for the newly elected Councillors on the Resource Management Act 1991 is scheduled for the afternoon of 5 February 2020.

Resource Hearing Sub-Committee workshops will also resume and will cover updates on case law, issues that have arisen in hearings, process and practice training, etc.

Members were advised that a new Resource Hearing Sub-Committee has been formed but at this point in time the majority of the Sub-Committee have no experience of a resource consent application hearing and have yet to receive/complete training on the RMA by way of the MGD programme and the in-house training sessions. It is therefore considered appropriate to continue to use the sole Commissioner/mixed panel model for the time being.

The hearings set down for January 2020 were listed in the report.

It was noted that due to construction work in Council Chambers other venues have been secured for hearings during this time.

### **The Mayor/Clr Faults:**

**That the information be received.**

### **Carried**

ATTENDANCE: Ms Barbara Mead, Council's Practice Integration Manager, was present for the following item.

## Env-0220-242

## Appeals Update

R450-004-22

The report to the Committee provided members with an update as to the current appeals caseload in Regulatory Services as at 20 January 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. Many have now been resolved and the balance of work shifts to determining whether any further legal action is required and incorporating these learnings within our best practice guidance and public information resources.

A brief summary as to the progress since the previous report of cases yet to be heard were contained in the agenda item.

### **The Mayor/Clr Arbuckle:**

**That the information be received.**

### **Carried**

ATTENDANCE: Ms Jane Robertson, Council's Environmental Protection Officer/Contract Manager, was present for the following item.

## Env-0220-243

## Fees Review for the 2020/2021 Dog Registration Year

E305-001-001

Members were advised that Council is required under section 37 of the Dog Control Act 1996 to set fees for dog registration on an annual basis and from time to time set reasonable poundage and sustenance fees for dogs which are seized and impounded. The fees must be set by resolution and be publicly advertised at least once during the month preceding the start of the registration year (1 July - 30 June).

There are currently 10,447 registered dogs which is 200 more dogs than in the previous year.

Members were advised that Maataa Waka Ki Te Tau Ihu Trust has a current contract for Animal Control Services. This is a fixed price contract and expires on 31 March 2020. It was reported that Council and Maataa Waka are currently negotiating to renew the contract for a further two years from 1 April 2020. The dog registration fee has been considered as part of these negotiations.



the Consumers Price Index (CPI). It is also proposed to include the ability to make CPI adjustments to Fees and Charges automatically on an annual basis from the 1<sup>st</sup> July each year.

Ms Eatherley advised the following further amendments to the Resource Management Act 1991 Charging Policy which had been attached to the agenda item for members' information.

Point 1.1

- The policy is in ~~three~~ two sections as follows
- Delete point (b)
- Delete the paragraph starting ... *This document also describes ...*

Point 3.2.7

- New paragraph inserted above the last line ... *Where additional costs accrue due to complexity or protracted processing Council will issue interim invoices monthly or at defined points in the process.*

Members discussed and supported the proposal presented and noted that the ability to make CPI adjustments made good administrative sense.

It was noted that the changes needed to go out for consultation and a sub-committee appointed to hear and determine any submissions Council may receive. Following discussion members proposed that Clrs G A Hope, D D Oddie and T P Sowman be appointed to the Hearing Sub-Committee.

**Clrs Arbuckle/Croad:**

1. **That the report be received;**
2. **Agree to recommend that the Council;**
  - (a) **Consult on proposed schedule of fees and charges (Appendix 1) using the special consultative procedure under section 83 of the Local Government Act 2002.**
  - (b) **Consult on the proposed change to Council's Resource Management Act Resource Consents Fees Policy using the special consultative procedure under section 83 of the Local Government Act 2002.**
  - (c) **Approve Clrs G A Hope, D D Oddie and T P Sowman as members of a sub-committee to hear and determine any submissions received on the proposed fees and policy through the consultation process.**

Carried

Appendix 1

<b>Fee Table: Resource Consents</b>		
<b>Note</b>		
Information about Council's invoicing policy is given to Clients when their application is acknowledged as accepted (or otherwise). Applicants should also refer to the Marlborough District Council Charging Policy - Resource Management Act, for an explanation as to the structure of costs for a resource consent application. Council will charge interest on overdue invoices at 15% per annum from the date of issue to the date of payment. In the event of non-payment the applicant and/or the agent will be liable for all legal and other costs of recovery.		
The fixed initial application fees listed in the schedule are minimum charges for the resource consent applications and are charges "fixed" under Section 36 (1) of the Resource Management Act 1991 (they are therefore not subject to objection rights). All consent processing charges, which exceed the fixed initial application fee are considered to be additional charges pursuant to Section 36 (3) of the Resource Management Act 1991 and these may be charged on a monthly basis or invoiced at the end of the consenting process. The final cost of processing each resource consent application will be based on actual and reasonable costs, and will include the charging of staff time at the rates in the schedule of fees for staff hourly processing rates and disbursements. Where charges are lower than the original application fee paid a refund will be made. Failure to pay at any stage will result in Council stopping the process until the charges are paid.	<b>Charge Type</b>	<b>Fees are GST Inclusive</b>

<b>Fee Table: Resource Consents</b>		
<b>Note</b>		
<b>Minor Resource Consents</b>		<b>Charge \$</b>
Bore Construction -		
Domestic	Flat	<del>\$330.00</del> \$335.00
Irrigation	Flat	<del>\$660.00</del> \$675.00
<b>Notified Resource Consents</b>		<b>Charge \$</b>
All Applications (including subdivisions)	Base*	<del>\$5,600.00</del> \$5,710.00
Section 127, 128	Base*	<del>\$5,600.00</del> \$5,710.00
<b>Non-Notified Resource Consents</b>		<b>Charge \$</b>
All Applications but excluding subdivisions.	Base*	<del>\$980.00</del> \$1,000.00
Subdivisions (Note: Engineering charges are additional**)	Base*	<del>\$1,400.00</del> \$1,480.00
<b>Miscellaneous Consents, Certificate and Permissions</b>		<b>Charge \$</b>
Registration service for lodgement of change/cancellation of consent notice	Flat	<del>\$865.00</del> \$880.00
Section 124, 125, 126, 127, 128, 136, 139, 139A, 221	Base*	<del>\$980.00</del> \$1,000.00
Land Registry Compliance (Certificates, Consents)	Flat	<del>\$325.00</del> \$330.00
Removal of Building Line Restriction	Flat	<del>\$325.00</del> \$330.00
Section 348 LGA Right of Way Applications	Base*	<del>\$980.00</del> \$1,000.00
Deemed Permitted Boundary Activity (refund if application rejected, minus rejection charge)	Flat	<del>\$680.00</del> \$690.00
Rejected Deemed Permitted Boundary Activity application	Flat	\$75.00
Surcharge – Receiving hard copy applications, lodging online	Flat	\$75.00
<b>Transfers</b>		<b>Charge \$</b>
Water (excluding Section 136 (2)(b)(ii) transfers), Coastal (Marine Farm)	Flat	<del>\$330.00</del> \$340.00
Coastal (Other), Discharge, Land Use	Flat	<del>\$108.00</del> \$110.00
Water under Section 136 (2)(b)(ii)	Base*	<del>\$980.00</del> \$1,000.00
<b>Sections 223, 224 - Approval or deposit of survey plans</b>		<b>Charge \$</b>
4 lots or less (each stage)	Actual	Actual
5 or more lots (each stage)	Actual	Actual
<b>Outline Plan Approvals and Notice of Requirements</b>		<b>Charge \$</b>
Section 176A Approval of Outline Plan	Base*	<del>\$980.00</del> \$1,000.00
Outline Plan Waiver	Flat	<del>\$108.00</del> \$110.00
<b>Notice of Requirements or Alterations to Designations</b>		<b>Charge \$</b>
Non Notified	Base*	<del>\$1,400.00</del> \$1,420.00
Notified	Base*	<del>\$5,600.00</del> \$5,710.00
<b>Statements and Miscellaneous Certificates</b>		<b>Charge \$</b>
Provide required documentation	Base*	<del>\$330.00</del> \$340.00



<b>Fee Table: Resource Consents</b>		
<b>Note</b>		
<b>Site Inspection</b>		<b>Charge \$</b>
Disbursements, e.g. boat hire	Actual	Actual
<b>Engineering Charges - Subdivision and Land Use**</b>		<b>Charge \$</b>
Engineering -		
Evaluation for 1-3 lots	Flat	<del>\$575.00</del> \$585.00
Evaluation for 4-10 lots	Flat	<del>\$1,487.00</del> \$1,520.00
Evaluation for 11-20 lots	Flat	<del>\$2,507.00</del> \$2,550.00
Evaluation for 20+ lots	Flat	<del>\$3,922.00</del> \$4,000.00
Engineering evaluation for each additional dwelling (Land Use Consent)	Flat	<del>\$378.00</del> \$385.00
<b>Other Rates and Charges</b>		<b>Charge \$</b>
Hearings Committee or Commissioner [Local Government ( <i>Local Authorities Salaries and Allowances</i> ) Determination 2001]	Variable	Variable
Hearing Cancellation Fee	Flat	<del>\$2,200.00</del> \$2,240.00
Environmental Planner/Senior Environmental Planner	Per Hour	<del>\$150.00</del> \$153.00
Hearings Facilitator	Per Hour	<del>\$150.00</del> \$153.00
Administration Officer	Per Hour	<del>\$100.00</del> \$102.00
Lead Senior Environmental Planner/Resource Consents Manager	Per Hour	<del>\$180.00</del> \$182.00
Consultants (internal or external charges)	Variable	Variable
<b>Miscellaneous</b>		
Certificate (Overseas Investment Act 1973)		
Up to ½ hour	Base*	<del>\$90.00</del> \$92.00
Up to 1 hour	Base*	<del>\$180.00</del> \$184.00
* Base fee is an application fee or notification lodgement fee only. Refer to "Marlborough District Council Charging Policy - Resource Management Act"		
** Engineering Charges are additional to the base charge. Refer to "Marlborough District Council Charging Policy - Resource Management Act"		

ATTENDANCE: Ms Karen Winter, Council's Environmental Health Officer, was present for the following two items.

**Env-0220-246**

**Environmental Health Fees**

**E350-004-009-02**

Karen Winter, Council's Environmental Health Officer noted that the report to the Committee sought to review the current fees for Environmental Health activities. It was noted that the current Health Act and Food Act fees were last increased in 2018. Ms Winter noted that the current fees are covering the cost of the Environmental Health function in line with Council's Revenue and Financing Policy and therefore proposed that there be no increase in fees for this financial year.

**Clr Faulls/Mr Beech:**

**That there is no change to the Health Act and Food Act fees for the 2020/2021 financial year.**

**Carried**

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

**Env-0220-247**                      **Environmental Health: Nuisances & Unsaniary Living Conditions under the Health Act**                      **E350-004-009-02**

Council’s Environmental Health Technician, Georgia Murrin, discussed the role of the Environmental Health Team in regards to resolving nuisances and unsaniary living conditions including hoarding. [To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2026073)].

Members noted that it is not just a compliance function but it is a social function and thanked staff for their sensitivity in working with people in these situations.

**Cirs Sowman/Fauls:**  
**That the information be received.**

**Carried**

**Env-0220-248**                      **Information Package**                      **-**

Council's Environmental Scientist, Val Wadsworth, advised members that there has been no significant rain since the report contained in the Information Package. All river systems are dropping with shut offs considered for the Rai, Waihopai, Awatere Class Bs and the Wairau Rivers over the coming days/weeks if no significant rain occurs.

It was noted that groundwater is tracking very much the same as last year.

**The Mayor/Cir Arbuckle:**  
**That the Regulatory Department Information Package dated 5 February 2020 be received and noted.**

**Carried**

The meeting closed at 11.05 am.

Record No: 2028020