



**Minutes of a Meeting of the
ENVIRONMENT COMMITTEE
held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY, 10 JUNE 2021 commencing at 9.00 am.**

Present

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

Present via Zoom

Councillor D D Oddie (Deputy)

Also Present

Councillors J L Andrews, C J Brooks, and N P Taylor

In Attendance

Ms G Ferguson (Consents and Compliance Group Manager), Mr H R Versteegh (Environmental Science and Policy Group Manager) (withdrew from the meeting at 11.03am) and Nicole Chauval (Committee Secretary)

Apologies

The Mayor/Clr Croad:

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

Carried

Env-0621-393 Declaration of Interests -

The Mayor noted a conflict of interest in Item 9 – Marlborough District Council Dog Control Policy and Dog Control Bylaw Review.

ATTENDANCE: Mr Peter Hamill, Council's Environmental Scientist – Aquatic Ecosystems, was present for the following two items.

Env-0621-394 Te Whanau Hou Grovetown Lagoon

C230-001-G01-02

The purpose of the report was to provide an update on Te Whanau Hou Grovetown Lagoon Incorporation restoration work at the Grovetown Lagoon.

It was noted that following the installation of a toilet and car park visitor numbers have increased to 150 people per weekend day. The facilities were funded from the Long Term Plan 2018.

Members were advised that volunteers work at the Lagoon every week, both on site and at the shade house situated at Grovetown School. There are Sunday working bees every six weeks. Corporate planting days have been popular with wine companies, Outward Bound and RNZAF volunteering, although these days have since been impacted by Covid. School groups come to the lagoon for education or to volunteer; 11 classes in 2020.

Blenheim Lions have funded and built a noticeboard at the corner of Steam Wharf Road. It was noted that Te Whanau Hou is a registered charity and receives donations of goods and services or through the 'Give a Little' page.

The plants for the project are propagated by volunteers from seed collection in the ecological district. In addition to the school shade house, an additional shade house was built and then extended in 2021 to house the plants. 975 trees were planted in 2020. The land area of the project has extended over time and the Society now manages approximately 40 hectares. Weed control works are undertaken by a combination of volunteers and contractors dependant on the species and control method.

The society started a predator control programme in 2017. There are 80 traps at the lagoon which are monitored weekly by volunteers.

It was noted that there is an increase in the number of swans at the lagoon and Mr Hamill advised there has been discussion with Fish and Game NZ on their management.

Members were advised that although there have been other work plans created the Community Management Plan for the Lagoon has not been updated since 2003. Work has now begun with the Foundation members of Te Whanau Hou in conjunction with Council to write a new management plan under the Reserves Act 1977.

Cirs Hope/Mr Beech:
That the information be received.

Carried

Env-0621-395 Catchment Care Funding Principles E355-021-03-001

The report sought approval from the Committee to ratify the funding principles for landowner support for the Catchment Care Programme. The guiding principles for funding assistance were detailed in the agenda item.

It was noted that the Catchment Care Programme is designed to develop collaborative catchment enhancement plans in degraded catchments to help protect or improve water quality outcomes.

Catchment Conditions Surveys have been completed in a number of designated catchments and key priority areas have been identified where fencing, planting and other mitigation methods will provide environmental enhancements.

It was noted that priority areas will be eligible for funding assistance from the government grants of up to \$6.00 per metre for fencing materials, the provision of maintenance of wetland and riparian plantings for two years following planting and a grant of \$2000 per farm pack of Dung Beetles. The overarching funding principles require funding to be targeted to at risk and degraded catchments as defined in the PMEP with priority action determined by the outcomes of the Catchment Conditions Surveys.

The funding principles were detailed in the agenda item.

Members were advised that a number of Dung Beetle packs have been sold into Linkwater and Are Are Creek. Uptake from farmers is positive with reports of noticeable increases in pasture productivity as a result of the dung beetles.

Members were advised that the Council is well through the survey. The survey is voluntary and there is still some suspicion in the farming community and this is being worked through. It was emphasised that the funding available isn't enough to do everything so priorities are being established.

It was noted that the key aspect of the programme is the GIS system which has been developed in-house and allows Council to prioritise waterways to determine the biggest threats.

Cirs Faulls/Hope:

- 1. That the report be received.**
- 2. That the Funding Principles are accepted and incorporated into the Catchment Care programme.**

Carried

ATTENDANCE: Mr Matt Oliver, Council's Environmental Scientist – Land Resources, was present for the following item.

Env-0621-396 Soil Quality Monitoring Report 2020 E355-001-001-20

Council's Environmental Scientist – Land Resources Matt Oliver discussed the Soil Quality Monitoring Report 2020. The report was available on Council's website with a link included in the agenda item. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 21118610).

It was noted that in this investigation, soils were sampled from thirteen monitoring sites that included four vineyards, three pasture sites and six cropping sites. These sites represented 11 different soil types from three soil orders.

Members were advised that this year's results are consistent with all previous years. While many sites show good soil quality, most soils show the effects of human land use. Soil compaction, excessive levels of nitrogen and phosphorus and loss of soil carbon remain the consistent theme of this work. Hot water carbon (HWC) testing introduced last year showed that 90% of samples failed to reach the target; indicating Marlborough soils may have low microbial activity and face risks of structural degradation.

It was noted that a set of guidelines have been developed to address the soil quality issues of concern for each land use.

Members were advised that the Soil Quality Monitoring Programme has been operating for 20 years and is a nationally significant dataset. It was noted that the data set had been checked for validity and the information does 'stack up'. This data has documented clear downward trends in soil quality.

It was noted that Council does have good relationships with industry such as Sustainable Wine Growers but it is difficult to maintain relationships as Council has a very small team of scientists so capacity is well stretched. It was noted that education is key and it was suggested that consideration be given to working with NZ Wine Growers who run annual grape days to provide information and pathways for improvement to industry at events such as these.

It was noted that as part of the future work programme consideration be given to Levels of Service to enable progress to be made.

**Cirs Hope/Faults:
That the information be received.**

Carried

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

Env-0621-397 Nitrate – N in Groundwater & Connected Streams SoE Report E345-007-001

Mr Davidson presented the 'Nitrate – N in Groundwater & Connected Streams SoE Report' to the Committee. The full report was available on Council's website. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 21118611).

It was noted that the 2021 SoE report focused on long term trends and the link between groundwater or spring quality and land use both current and historical. A follow-up MDC SoE report will analyse current Nitrate-N levels in shallow groundwater relative to the PMEP aquatic ecology thresholds.

The report noted that irrigated mature vineyards under Wairau Plain conditions leaches Nitrate-N but at low levels relative to other land uses. Long-term median Nitrate-N concentrations in groundwater at Wairau Valley, Rai River Valley and Tuamarina River Valley are moderately high from an aquatic ecology perspective. A more detailed analysis of how recent Nitrate-N concentrations match the PMEP aquatic ecology targets will be contained in a follow-up Marlborough District Council scorecard in 2021.

Nitrate-N concentrations at all SoE sites are currently well below the maximum allowable value for human consumption in the Drinking Water Standards for New Zealand (2005/2018). The highest measured Nitrate-N levels in Marlborough water resources are found in groundwater and mimicked in connected springs or aquifer fed streams. Levels of Nitrate-N in groundwater are primarily driven by land use activities, particularly artificial fertiliser use and stocking rates. Soil type, climate and irrigation rates influence Nitrate-N leaching rates and their timing, but are not the prime drivers of excessive Nitrate-N levels in Marlborough groundwater.

It was noted that managing excessive levels of Nitrate-N in groundwater can only be effectively achieved by managing land use and limiting nutrient limits. Members were advised that Nitrate-N enters groundwater in a diffuse manner meaning it can't be intercepted by riparian management tools like fencing or planting channels.

The current MEP permitted activity Nitrate-N application rate of 200 kg/ha/year is an order of magnitude higher than current usage and probably historical Wairau Plain loadings averaged over the Wairau Plain land area. For those Wairau Plain aquifer SoE sites where sufficient length of record (30 years or more) exists, there is generally a long-term declining trend in groundwater Nitrate-N levels and those of connected streams. It was noted that the decline is consistent with the dominant Wairau Plain agricultural land-use changing from mixed farming (sheep and arable) to vineyard from the mid-1980s onwards.

It was reported that the recent Nitrate-N concentrations since 2014 have tended to be lower for the Wairau Plain and this is likely due to the drier climatic conditions experienced leading to reduced rainfall leaching.

Members were advised that climate change predictions are still too vague to translate into implications for Nitrate-N leaching to aquifers 60 years out.

Cirs Hope/Croad:
That the information be received.

Carried

ATTENDANCE: Mr Oliver Wade, Council's Environmental Scientist – Coastal and Dr Hilke Giles, Pisces Consulting were present for the following item.

Env-0621-398 The Marlborough Coastal Marine Area: Environmental Issues and Scientific Information Needs for Environmental Management E325-003-005

The report to the Committee provided an update on the findings of a report describing environmental issues in the Marlborough Coastal Marine Area (CMA) and the scientific information needs for environmental management. The report was available on Council's website and a link was included in the agenda item. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 21118614).

The presentation provided context of how this report aligned to the existing broader coastal management programmes and plans.

It was noted that the report provides an informative step and lays out the current state of knowledge about what we know and what we've done. It also highlights the complexity of the situation and the work done to date in terms of monitoring and research by Council and others. It also highlights the challenges that we face in managing the coastal marine area.

The report highlighted that we do need to do things better particularly in regards to integrated management. It would be ideal to get all stakeholders around the table but this is not an easy thing to do due to agencies workloads and the lack of resources.

Cirs Hope/Sowman:
That the report be received.

Carried

ATTENDANCE: Ms Sarah Brand, Environmental Scientist; Shelley Lines, Senior Environmental Protection Officer, and Grace Tocker, Environmental Protection Officer, were present for the following item.

Env-0621-399 New Burning Guides Heading Into Winter

E360-006-02

The following updated burning guides under the proposed Marlborough Environment Plan were tabled for members' information and will be available on Council's website and circulated to the public – Outdoor Burning Good Practice Guide, Marlborough Environment Plan Rules for Small Scale Fuel Burning Appliances and pellet Fires, Domestic Woodburning Burn Righ and Outdoor Burning Fact Sheet.

Information on regulatory changes and options for non-regulatory programmes to address air quality issues and complaints were discussed. A powerpoint presentation was shown (presentation filed in CM Record No. 21118618).

Members were advised that the main air contaminant of concern for New Zealand is particulate matter (PM). The NES currently focuses on PM₁₀ with a standard of 50µg/m³ 24 hr average (1 allowable exceedance per year) and an annual average of 20µg/m³. The Ministry for the Environment is currently refining proposed amendments to the NES to move the focus to PM_{2.5}. MfE has indicated that amendments are likely to take effect in the second half of 2021.

It was reported that both PM₁₀ and PM_{2.5} are monitored at the Redwoodtown Bowling Club site. Blenheim was required to be compliant with the NES by September 2016. Historically, Blenheim has been non-compliant with the NES for PM₁₀.

Management measures to reduce PM₁₀ concentrations to meet the NESAQ have been included in the PMP. The major regulatory changes from the WARMP & MSRMP to PMP focus on whether burning is occurring within or outside the Blenheim Airshed.

It was reported that outdoor burning within the Blenheim Airshed is now a prohibited activity unless the fire is used exclusively for the cooking or smoking of food for non-commercial purposes (all year), or is a brazier but is not used during the months of May, June, July or August, and does not involve the burning of any prohibited fuels/materials. This applies to all zones within the Airshed.

Members were advised on the avenues that Council staff will use to widely distribute the updated information to. Councillors are welcome to make contact with staff with further suggestions on distribution.

**Cllrs Arbuckle/Hope:
That the report be received.**

Carried

ATTENDANCE: Cllr Andrews withdrew from the meeting at 11.03 am.

ATTENDANCE: The meeting adjourned at 11.03 am and resumed at 11.20 am.

ATTENDANCE: Cllr Brooks withdrew from the meeting at 11.03 am and rejoined the meeting at 11.28 am during the following item.

ATTENDANCE: The Mayor declared a conflict of interest and withdrew for the following item and Cllr Hope assumed the chair.

ATTENDANCE: Ms Jane Robertson, Council's Animal Control Contract Manager, was present for the following item.

Env-0621-400 Marlborough District Council Dog Control Policy and Dog Control Bylaw Review

E305-003-001-01

The purpose of the report was to seek adoption of the draft Marlborough District Council Dog Control Policy and Bylaw 2021 with effect from 1 August 2021. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 21118627).

The Recommendation Report of the Hearings Panel to the Marlborough District Council and Submitters in respect of the proposed Dog Control Policy and Dog Control Bylaw 2020 were attached to the agenda for members' information.

It was reported that 679 submissions on the proposed Policy and proposed Bylaw including a petition with 699 signatures opposing dogs being on-leash on the Taylor River were received. Of the submissions received, 72 submitters indicated that they wished to speak to their submissions.

It was noted that a full list of the recommendations and consideration of all topics and location were detailed in the Recommendation Report.

It was reported once the bylaw is adopted at the next Full Council meeting media releases will be prepared with key messages about the decisions from the Dog Control Policy and Dog Control Bylaw review.

It is also proposed that the bylaw will come into effect on 1 August 2021. This will allow time to ensure correct signage is place, Council's Smart Maps is updated and public are informed of changes.

Members were advised that matters were raised through the submission process that were outside the scope of the Dog Control Policy and Bylaw review, these will be collated and referred to Council's Parks and Open Spaces Section.

Clr Arbuckle thanked the panel, staff and especially Clr Taylor for their support and expertise in assisting with the bylaw review noting that it is all about being a responsible dog owner and keeping your dog under control.

Clrs Arbuckle/Sowman:

- 1. That it is recommended that Council adopt the Recommendation Report of the Hearings Panel to the Marlborough District Council and Submitters in respect of the proposed Dog Control Policy and Dog Control Bylaw 2020 (including Appendix One).**
- 2. That it is recommended that Council adopt the Marlborough District Council Dog Control Dog Policy May 2021 effective 1 August 2021.**
- 3. That it is recommended that Council adopt the Marlborough District Council Dog Control Bylaw May 2021 is adopted effective 1 August 2021.**

Carried

ATTENDANCE: Ms Victoria Rhind, Environmental Planner and Chanelle Seabrook, Environmental Protection Officer, were present for the following item.

Env-0621-401 Efficient Use of Water in Marlborough E360-006-01

The report to the Committee provided an update on addressing efficient use of water in the region through resource consenting and monitoring. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 21118628).

It was reported that inefficient allocation and use of water is potentially a significant issue in Marlborough, given that many water resources are at or are approaching full allocation. The main efficient use model used by applicants in Marlborough is IrriCalc which uses existing soils information and modelled climate data to provide estimates of water use for a list of different crop types and provides a reasonable use volume at daily, monthly and yearly rates.

It was noted that to ensure efficient use of water for irrigation, the Council will generally not grant water permits to use water for irrigation purposes at a rate that exceeds the reasonable use calculation provided by IrriCalc. All water take meters provide data via telemetry, manual submissions or on request. These meters should be verified every five years.

Members were advised that the "Resource Management (measurement and Report of Water Takes) Regulations 2010" has had two significant amendments. The first took effect in 2016 which required all water consent holders for every water take over 5 litres per second to have a measuring device installed, provide continuous records of

water use annually and have the device independently verified by an accredited company. The most recent amendment to these regulations took effect on 3 September 2020. These amendments include recording water take data at 15 minute intervals and providing this data daily. The roll out of implementing these newly added regulations is staged over 6 years (2020 - 2026), with larger takes being prioritised first.

It was noted that there are minimum flow requirements for many Marlborough Rivers, with restriction and rationing provisions included in consents to protect these minimum flows.

Cirs Hope/Faults:
That the information be received.

Carried

ATTENDANCE: Gina Ferguson withdrew from the meeting at 12.00 pm and Alan Johnson joined the meeting.

ATTENDANCE: Ms Sue Bulfield-Johnston, Administrator and Hearing facilitator, Advocacy and Practice Integration, was present for the following three items.

Env-0621-402 Resource Consent Hearings Update R450-004-22

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

Members were aware that the report provides 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 timeframe and online hearings where appropriate.

It was noted that twenty hearings have been completed and the decision issued in the year commencing 1 July 2020. A further four hearings have taken place as scheduled and are in adjournment pending receipt of further information. A table listing these hearings was attached to the agenda item.

Cirs Arbuckle/Faults:
That the report be received.

Carried

Env-0621-403 Appointment of Hearings Commissioners R450-004-02

Ms Bulfield-Johnston advised that the purpose of the report was to present David McMahon, Liz Burge and Rob Lieffering for inclusion on the list of Hearings Commissioners. Summary CVs for all three proposed commissioners were attached to the item for members' information.

It was noted that one of the commissioners had been omitted from the recommendation provided in the agenda.

Council is not bound to employ the services of a Commissioner once they are appointed.

- Cirs Croad/Faults:**
- 1. That the report be received.**
 - 2. That David McMahon, Liz Burge, Andrew Fenemor and Rob Lieffering are appointed to act as a Hearings Commissioner as and when required and that they be advised accordingly.**

Carried

Env-0621-404 Appeals Update

R450-004-22

Members noted that the purpose of report was to provide an update as to the current Appeals/Judicial Review caseload in Regulatory Services as at 26 May 2021.

Members were advised that Council is engaged in eight appeals - four relate to resource consents decisions, one relates to policy case law, one relates to building compliance and two relate to RMA compliance.

Cllrs Sowman/Croad:
That the information be received.

Carried

Env-0621-405 Information Package

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Clr Croad/The Mayor:
That the Regulatory Department Information Package dated 10 June 2021 be received and noted.

Carried

The meeting closed at 12.16 pm.

Record No: 21118990