



**Minutes of a Meeting of the
ENVIRONMENT COMMITTEE
held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY, 11 MARCH 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, Mr E R Beech (Rural representative)

Also Present

Councillors J L Andrews and B G Dawson

In Attendance

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

Apologies

Cirs Arbuckle/Croad:

That the apology for absence from Clr D D Oddie (Deputy), be received and sustained and the apology for non-attendance from Cirs M A Peters, N P Taylor and C J Brooks and Clr Andrews for leaving early be noted.

Carried

Members were advised that Clr Taylor's absence was due to her representing Council at a pōwhiri for the signing of a Kawenata (a formal relationship agreement) between KiwiRail and Te Ātiawa o Te Waka-a-Māui Trust.

Env-0321-296 Declaration of Interests -

No interests with items on the agenda were declared.

Env-0321-297 Resource Hearing Sub-Committee Decisions -

Cirs Arbuckle/Faulls:

That the Resource Hearing Sub-Committee Decision as contained within the report dated 24 November 2020 (U191050) and 27 January 2021 (U200311) be received and the recommendation adopted.

Carried

Env-0321-298 Resource Hearing Commissioner Decisions -

Cirs Arbuckle/Faulls:

That the Resource Hearing Commissioner Decisions as contained within the reports dated 3 December 2020 (U200094), 4 July 2019 [reconvened on 11 December 2020] (U191112) and 12 January 2021 (U200556) be received and the recommendations adopted.

Carried

ATTENDANCE: Rob Simons, Senior Biosecurity Officer and Liam Falconer, Senior Biosecurity Officer, Operations Lead, were present for the following item.

Env-0321-299 Biosecurity Programme Update – Key landholder programmes – Nassella Tussock and Chilean Needle Grass E315-003-009-01, E315-003-021-01

The purpose of the report was to provide an update on two large biosecurity programmes that involves the Council Biosecurity Section working with a large number of landholders predominantly in South Marlborough. These are the programmes guided by the Regional Pest Management Plan managing nassella tussock and Chilean needle grass. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2151283 and 2151289).

Council's Biosecurity Officer, Liam Falconer spoke to the report on Chilean needle grass. It was noted that contractors were engaged to work alongside Biosecurity staff to undertake control and surveillance work on 167 affected properties at the start of the 2020/21 season. Of the 167 properties, 129 of these properties are smaller infestations that are solely managed by Council, a further 38 properties receive assistance with control work to support the landowners/ occupiers control work.

It was noted that Council undertakes compliance inspections on a further 27 properties in the heavily affected Blind River area near Seddon.

Members were advised that the focus continues to be on establishing and growing relationships within the farming and viticulture communities. Building these relationships has seen an increase in engagement from these sectors.

It was reported that during the 2020/2021 season the total area of Chilean needle grass affected land has increased by 15.2 ha or 0.60% increase in total size. The total area affected currently sits at 2557.8ha. It was noted that improvement in mapping records has reduced the affected area that was reported in previous seasons, this directly relates to an improved GIS data set rather than a reduction of affected area on the ground.

The total active sites have increased this year to a total of 194, six of these sites are through subdivision of existing affected properties, seven are new properties affected. The new finds are in Seddon, Taylor Pass, Riverlands and Waihopai areas. There are 11 historical sites, this means the sites have either been concreted or asphalted over.

Members were advised that 45 properties are currently under a management plan with more planned for roll out later this year. The management plans are about educating landowners/managers on how to stop the 'creep', slowing down the spread and maintaining it at the current level.

It was noted that drones had been used to survey larger areas but ongoing use of drones has been ruled out at this stage as their detection of the grass is limited.

In response to a query on how Council can comply with the National Environmental Standards, it was advised that it isn't just an issue with Marlborough and this has been brought to the Minister's attention. It was suggested that an approach by interested groups eg; forestry to the Minister may help.

Rob Simons then provided a report on the work being undertaken in respect of nassella tussock.

Members were advised that Marlborough has approximately 600 properties covering 166,000 hectares affected by nassella tussock. As part of Council's Regional Pest Management Plan (RPMP) land occupiers are required to annually destroy all nassella tussock plants on the land that they occupy, before the plants produce seed.

It was reported that in 2020, 385 properties were included in Council's active compliance programme. Inspections were carried out from May through to December. 281 properties out of 385, or 78% of the properties included in the active compliance programme were inspected during the 2020 operational season. 26 properties showed signs of non-compliance, half of which were remedied by the land occupier without enforcement. Enforcement steps were taken at 13 properties as deemed necessary.

Members were advised that an annual monitoring plan was put in place in 2018. This data monitors the population of nassella tussock directly. The current data set is relatively young, and annual monitoring will continue for the duration of the RPMP programme to determine the long term density trend.

In response to a query about the potential of biological control; Rob Simmons advised that in 2018 MPI made funds available through the Sustainable Farming Fund to search for a biological control agent. The focus was on looking for a fungal pathogen that is already present in the environment and developing that to use in addition to herbicides and grubbing to reduce the seed production of the plant. Trials have been undertaken but nothing concrete yet.

Cllrs Arbuckle/Croad:
That the information be received.

Carried

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

Env-0321-300 Catchment Care and Catchment Condition Surveys

**E375-017-001, E355-021-01-001,
E355-021-03-001, E355-021-04-01**

The purpose of the report was to provide an update on the Catchment Care Programme and to demonstrate the Catchment Condition survey methodology. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2151396).

It was noted that the Catchment Care Programme was started in response to requirements under the proposed Marlborough Environment Plan for Council to act on water quality issues in catchments identified as degraded or at risk of degradation. The key objectives of Catchment Care are to protect or improve water quality in the Marlborough region, reduce erosion and sediment production and protect sensitive receiving environments.

Members were advised that to meet the requirements of the pMEP, Catchment Care follows a flexible methodology. While the prime consideration is to meet the pMEP goals and to assist landowners to meet their obligations under the Essential Freshwater regulations, the programme seeks to involve stakeholders in a collaborative and consultative manner. The programme realises that while Council can mandate action the preferable course of action is to engage and collaborate with stakeholders as this will likely lead to better community engagement and improved longer-term outcomes for the programme and the environment. To this end, the programme uses the non-regulatory methods described in the pMEP to meet its objectives.

The catchment care methodology was outlined in the presentation and further detailed in the agenda item.

Members were advised that the Catchment Care Programme has undergone an extremely rapid period of development and to streamline processes the decision was made to use digital tools (ARCGIS Fieldmaps). Members were provided with a demonstration of the software.

Funding for the programme is provided by Council, Government and landowners but funded programmes have a life span and Council will need to continue to apply for funding.

In response to a query raised on whether lifestyle blocks and forestry plantations would be included, as it is unclear what the impacts of forestry are on the catchment. Matt Oliver advised that the target is for it to apply to all landowners but the current methodology doesn't work in a forest as the health and safety risks are too great. Alternative methods are being considered and Lidar is one of those.

Members were advised that contractors have commenced CCS work in Are Are creek, Linkwater and Te Hoiere catchments. This data will be analysed and prioritised in the coming 12 weeks. It was noted that the Catchment Care has a self-imposed 12 week limit to complete analysis and to commence landowner meetings. Following the landowner meetings, mitigation work will commence. It was noted that further reports will be provided as work progresses.

Clrs Faulls/Hope:
That the information be received.

Carried

ATTENDANCE: Sarah Brand, Council's Environmental Scientist, was present for the following item.

**Env-0321-301 Annual Air Quality Monitoring Report –
Blenheim 2020 E300-004-003-01**

The purpose of the report was to present the Annual Air Quality Monitoring Report – Blenheim 2020, prepared by Emily Wilton, Environet Limited. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2151516).

Members were advised that the main 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 (one 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}.

A PM_{2.5} 24 hr average standard of 25µg/m³ (three allowable exceedances per year) and an annual average PM_{2.5} standard of 10µg/m³ is proposed.

MfE has indicated that amendments are likely to take effect in the second half of 2021.

PM₁₀ is the only air pollutant likely to exceed the National Environmental Standard for Air Quality (NESAQ) in Marlborough and is required to be measured continuously in Blenheim.

Concentrations of PM₁₀ exceeded the maximum concentration of 50 micrograms per cubic metre (50µg/m³) on three occasions in 2020 resulting in two breaches of the NESAQ for PM₁₀ (the NESAQ allows for one exceedance per year). The maximum measured PM₁₀ concentration recorded in 2020 was 66µg/m³, this compares with a 2019 maximum concentration of 57µg/m³ which was the lowest maximum concentration measured since 2014.

The annual average PM₁₀ concentration for 2020 was 18µg/m³ which was at the upper end of the normal range for Blenheim (14-19µg/m³). The Ministry for the Environment guideline specifies an annual average for PM₁₀ of 20µg/m³ however the NESAQ does not currently include an annual average guideline for PM₁₀.

These results mean Blenheim did not comply with the NESAQ for PM₁₀ for the 2020 year. It was noted that the trend data is not indicative of an overall improvement or degradation in PM₁₀ concentrations in Blenheim.

The Ministry for the Environment is still working on potential amendments to the NESAQ which would look to move the focus from the current PM₁₀ daily average standard to a PM_{2.5} daily average standard of 25µg/m³ and an annual average PM_{2.5} standard of 10µg/m³.

PM_{2.5} results for 2020 show that Blenheim exceeded the proposed 24-hour average NESAQ for PM_{2.5} on 45 occasions which would constitute 42 breaches (the proposed NESAQ PM_{2.5} will only allow for three exceedances per year).

If the 24-hour average proposed NESAQ for PM_{2.5} were introduced, significant reduction in daily winter PM_{2.5} concentrations would be required to be compliant and consequent air quality management required to meet this target would likely be significant.

The Mayor/Croad:
That the report be received.

Carried

ATTENDANCE: Clrs Andrews and Dawson withdrew from the meeting at 10.53 am during the following item.

ATTENDANCE: Due to a technical issue with Zoom the meeting adjourned at 10.40 am and resumed at 10.53 am during the following item.

ATTENDANCE: Oliver Wade, Council's Environmental Scientist, Coastal and Dr Tara Anderson (NIWA) were present via Zoom for the following item.

Env-0321-302 Biogenic habitat modelling in Queen Charlotte Sound/Tōtaranui and Tory Channel/Kura Te Au
E325-017-01

The purpose of the report was to provide an update on the findings of a NIWA report about habitat modelling using the HS51 multibeam data. The report was available on Council's website. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2151539).

It was noted that in 2016, MDC collaborated with LINZ and NIWA to map the seafloor of Queen Charlotte Sound/Tōtaranui and Tory Channel/Kura Te Au. The report follows on from the NIWA - Life on the Seabed report (CM 20197417) presented to the environment committee in 2019.

The report is a standalone appendix to the Life on the Seabed report and describes a subsequent step to model the extent of bryozoan and galeolaria hysterix mounds, two of the most significant biogenic habitats within the HS51 survey area. This research will further assist council with the management of Queen Charlotte Sound/Tōtaranui and Tory Channel/Kura Te Au.

Members were advised that the model will be used by staff and the ecologically significant marine site expert panel to make recommendations on areas that should be considered as ecologically significant marine sites. A report to the committee will be provided later in the year.

Cirs Hope/Sowman:
That the report be received.

Carried

ATTENDANCE: Bill East, Council's Building Control Group Manager, was present for the following item.

Env-0321-303 Building Act 2004: Dangerous and Insanitary Building Policy – 2021
R450-006-02, R450-006-05

The purpose of the report was for the Committee to consider the Dangerous and Insanitary Building Policy 2006. A copy of the draft Insanitary and Dangerous Building Policy 2021 was attached to the agenda item for members' information.

Members were advised that the Dangerous and Insanitary Building Policy was last reviewed in 2014. There have been no issues arise in respect of the 2006 policy (revision 2014) in the duration ensuing nor is it evident that there are any indications that central government are contemplating matters that might be relevant. Therefore no changes of substance are proposed for the 2021 Policy.

It was noted that although no changes are proposed it is a requirement of the section 132 of the Building Act 2004 that consultation be undertaken.

Cirs Sowman, Croad and Arbuckle accepted their nomination to be members of the hearing panel and Clr Sowman in the position of chair.

The timeline for submissions was noted in the agenda item.

Cirs Sowman/Arbuckle:

- 1. That the draft "Dangerous and Insanitary Building Policy 2021" be consulted under section 83 "Special Consultation Procedures" of the Local Government Act 2002.**
- 2. That a hearing Panel of Councillors be established in the event that Council receives submissions on the consulted "Dangerous and Insanitary Buildings Policy 2021".**

Carried

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

Env-0321-304 Environmental Health Fees 2021/2022

E350-004-009-02

The purpose of the report was review the fees for the Environment Health activities carried out in the 2021/2022 year.

Members were advised the Council can set fees for premises registered for Environmental Health Activities under the Health (Registration of Premises) regulations 1966 and the Food Act 204. A review of the current fees and the costs of undertaking the required activities has been undertaken and it is proposed that the fees should remain the same for the 2021/22 financial year. The fees were detailed in the agenda which included a comparison of Council's fees with two other councils.

Cllrs Faulls/Croad:

That Council approves a nil increase to the Health Act and Food Act fees for the 2012/2022 financial year.

Carried

ATTENDANCE: Cllr Sowman withdrew from the meeting at 11.15 am during the following item.

ATTENDANCE: Mathew McCormick, Council's Environmental Protection Officer, was present for the following item.

Env-0321-305 Bird Scaring

E360-006-02

The purpose of the report was to provide a summary of the bird scaring device rules. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2151776).

It was reported that there are different types of bird scaring devices consisting of gas guns, predator kites, visual bird scarers, audible and silent bird scarers and pyrotechnics. Some vineyards have started using drones which have proven to be effective so far.

Members were advised that the use of audible bird scaring devices in the MEP Rural Environment Zone is a permitted activity provided they are compliant with the rules. A fact sheet on the Rules Relating to the Audible Bird Scaring Devices has been circulated to industry, a copy of the factsheet was attached to the agenda item for members' information. The Council website will be updated.

It was noted that the Compliance Group do get a number of complaints regarding operating hours, frequency and location of bird scaring devices. To date for the 2021 bird scaring season Council has received four complaints. In previous years there were 15 in 2017, 11 in 2018 and 14 in both 2019 and 2020 years.

The complaints so far this year have related to operating hours, frequency and location of bird scaring devices.

Cllrs Hope/Croad:

That the information be received.

Carried

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

Env-0321-306 Dog Control Fees Review for the 2021/2022 Registration Year

E305-001-001

The purpose of the report was to review the current dog control fees for the 2020/2021 registration year.

Members were advised that staff have reviewed the Dog Control Fees and recommend that no changes are made for the 2021/2022 dog registration fees and that the categories are kept the same. The current categories enable a simple fee structure for ease of administration.

It was noted that a nil increase will maintain current levels of services and the 80/20, fees recovery and rates funding split.

It is reported that the request for an increase in the dog surrender fee be considered to allow better alignment with the actual costs of the activity. It was noted that a flat fee is easier to administer and \$100 is considered reasonable compared to other territorial authorities. Increasing the surrender fee will avoid additional burden being placed on other dog owners and rate payers if a dog is surrendered for destruction.

Members were advised that during the month of May there will be a special microchipping fee of \$15 from Animal Control. Currently there are 827 dogs that are not microchipped but should be.

Cllrs Arbuckle/Fauls:

- 1. That Council approves a nil increase in the dog registration and pound fees for the 2021/2022 registration year.**
- 2. That approval is given to increase the surrender fee (commencing 1 July 2021).**

Carried

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

Env-0321-307 Appeals Update

R450-004-22

The purpose of report was to provide an update as to the current Appeals/Judicial Review caseload in Regulatory Services as at 18 February 2021.

It was noted that Council is currently engaged in six appeals either as intervener or respondent. Details of these were contained in the agenda item. There were no further updates noted.

Cllrs Croad/Arbuckle:

That the information be received.

Carried

Env-0321-308 Information Package

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Council's Environmental Scientist – Hydrology, Val Wadsworth, circulated a Hydrological Summary to 10 March 2021 – Rainfall year to date (Filed in CM Record No. 2150622) and this was circulated to members.

It was noted that the wilding kiwifruit discovery will be reported back to Zespri as per the current agreement.

Cllrs Croad/Arbuckle:

That the Regulatory Department Information Package dated 11 March 2021 be received and noted.

Carried

The meeting closed at 11.45 am.

Record No: 2152428